

BEFORE THE DEPARTMENT OF WATER R
OF THE STATE OF IDAHO

2003

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Herman Aikele)
34-452E)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-24

WHEREAS, a drought emergency has been declared for Butte
County to allow administrative actions to lessen the severe impacts of the drought
conditions in the counties; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a
drought emergency, the director of the Department of Water Resources ("Department")
is authorized to allow temporary changes in the point of diversion, the place of use, and
the purpose of use for valid existing water rights when the director determines that such
changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on 6/11/03, Herman Aikele submitted the attached
Temporary Change Application TC-34-24 to the Department; and

WHEREAS, the Department has reviewed the application and has determined
the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the
following conditions:

1. Diversion and use of right no(s). 34-452E is authorized only
at the point of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new
well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the
diversion and use of water under the temporary change approval cause
injury to other water rights, constitute an enlargement in use of the original
right, be inconsistent with the conservation of water resources within the
state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATIONRECEIVED
JUN 11 2003
Department of Water Resources
Eastern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Herman Aikele Phone 208-527-3113
Post Office Address Rt 1 Box 61 Moore, ID 83255

A. PURPOSE OF TRANSFER

- 1.
- ☒
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use
-
- ☐
- Change purpose of use
- ☐
- Other

2. Describe the proposed change(s) and the reason(s) thereof Changing point of diversion to facilitate delivery of water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|--------------|----------|--------------------|---------------|---------------|
| 34-00452E | 6-1-1885 | 1.26 | Irrigation | 5-1 to 10-15 |
| | | | | to |
| | | | | to |
| | | | | to |
3. Total amount of water being transferred 1.26 cubic feet per second and/or 2.49 acre-feet per annum.
4. Source of water Surface Big Lost River tributary to Big Lost River sinks
5. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SE	SE	4	5N	26E	Butte	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	20		36				36	40			40	30						

Total Acres 146

6. General Information:

- a. Who owns the water right to be changed? Max Bingham
- b. Describe the arrangement allowing use of the right Agreement with owner
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
This ground is not being farmed.
- d. Has the water right sought to be transferred been used this year? NO If yes, explain _____
- e. Absent the changes, how would the right be used for the remainder of the year? Not possible to get water to place of use without transfer/change of POD.
- f. Describe other water rights used for the same purpose.
Mr. Aikule's water right new place of use.
- g. Remarks: wants to make sure he gets all of his allotment this is for shrink.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Shannon Aikule
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by KCW Date 6/11/03 Fee 50⁰⁰

Received KCW # E628867 Recommend: ☒ approve ☐ deny

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

And said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 6 day of June, 2003.

[Signature]
For the Director

I MAX Bingham Agree to Transfer
my 6-1-1885 water right to
Herman Mikele for the year of 2003
only

Max Bingham
6-9-03

TC-34-24

State of Idaho
Department of Water Resources
Transfer of Water Rights

TC-34-24

RECOMMENDATION OF WATERMASTER

Transfer Application No: 34-00452E

Water Right No(s):

Transfer Applicant's Name: Herman Aikele
Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
- b) I do not oppose approval of this application if it is conditioned as follows:
- c) I oppose approval of this application for the following reasons:
- d) Additional Comment:

Dated this 10th day of June, 2003

Water District No: 34


Watermaster's Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-168F V2

WATER RIGHT NUMBER: 34-168F V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CONTINENTAL LIFE INSURANCE CO
	, ID
Attorney	KENT W FOSTER HOLDEN KIDWELL HAHN & CRAPO 330 SHOUP AVE PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Current Owner	HERMAN AIKELE RT 1 BOX 61 MOORE, ID 83255

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	NW1/4SE1/4SE1/4	Sec. 4, Twp 05N, Rge 26E, B.M.
BUTTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	5											3.3					3.3	
03N	26E	6														1.6	13.8	15.4	
03N	26E	7	40.0	21.8	13.7	37.0												112.5	
03N	26E	8					33.0	33.0	21.5									87.5	
04N	26E	20					36.0	40.0			40.0	40.0	20.0					176.0	

Total Acres: 394.7

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-168F V2

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory RIGHT NO. 34-13575 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.
2. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00017D, 34-00654A AND 34-13575 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.77 CFS.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00017D, 34-00654A, 34-07164, 34-12417 AND 34-13575.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. AJTEMP 5/7/1992 DELETED "RIGHT NOS.:...IRRIGATION SEASON."
Comment:
2. VERNER 5/20/1992 NOTICE OF ERROR-SEE R34-00017D
Comment:
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-168F V2

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: RECEIVED - RECOMMENDATION CHANGED
State or Federal: S
Owner Name Connector:
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 34-168F
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 3/3/1999
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 2/25/1993 Objection Status: Active
Date Filed: 2/26/1993 Objection Status: Withdrawn or Dismissed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-17D V2

WATER RIGHT NUMBER: 34-17D V2

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	KENT W FOSTER HOLDEN KIDWELL HAHN & CRAPO 330 SHOUP AVE PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620
Current Owner	HERMAN AIKELE RT 1 BOX 61 MOORE, ID 83255

Priority Date: 05/20/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	1.714 CFS	
	<u>Total Diversion:</u>	1.714 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	NW1/4SE1/4SE1/4	Sec. 4, Twp 05N, Rge 26E, B.M.
BUTTE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	5											3.3						3.3
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8							33.0	33.0	21.5								87.5
04N	26E	20							36.0	40.0			40.0	40.0	20.0				176.0

Total Acres: 394.7

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-17D V2

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory RIGHT NO. 34-13575 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.
2. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00168F, 34-00654A, AND 34-13575 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.77 CFS.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00168F, 34-00654A, 34-07164, 34-12417 AND 34-13575.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 128 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. AJTEMP 5/7/1992 DELETED REMARK
Comment: DELETED REMARK "THIS RIGHT WITH RIGHT NOS. 34-00168F...IN A SINGLE IRRIGATION SEASON."
2. VERNER 5/20/1992 NOTICE OF ERROR
Comment: CLAIMANT SUBMITTED AN EXPANSION CLAIM FOR ADDITIONAL ACRES HISTORICALLY IRRIGATED FROM WELL UNDER 34-07164. COMBINED RIGHT REMARKS DID NOT CHANGE EXCEPT FOR LISTING RIGHT NO. 34-12417 AS ONE OF THE COMBINED RIGHTS.
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-17D V2

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: RECEIVED - RECOMMENDATION CHANGED
State or Federal: S
Owner Name Connector:
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 34-17D
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 3/3/1999
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 2/26/1993 Objection Status: Withdrawn or Dismissed
Date Filed: 2/25/1993 Objection Status: Active

Idaho Department of Water Resources Receipt

Receipt ID E028867

Payment Amount Date Received Region Status

Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	TRANSFERS	0229	21	63105	1155



Signature Line (Dept. Representative)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-452E V1

WATER RIGHT NUMBER: 34-452E V1

Owner Type Name and Address
 Current Owner MAX J & CHERYL J BINGHAM
 520 VISTA DR
 CLINTON, TN 37716
 Directors Report Owner MELVIN C MC AFFEE

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

1.260 CFS

Annual VolumeTotal Diversion: 1.260 CFSLocation of Point(s) of Diversion

BIG LOST RIVER

NW1/4NW1/4NE1/4 Sec. 24,Twp 06N,Rge 25E, B.M.

CUSTER County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	26E	19												38.0				36.0	113.0
06N	26E	30	33.0															39.0	33.0

Total Acres: 146

Conditions of Approval:

1. THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POU PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-00282C, 34-02438 AND 34-10795 IS LIMITED TO THE IRR OF A COMBINED TOTAL OF 146 AC IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRR OF 63 AC WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00282C, 34-02438 & 34-10795 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.66 CFS.
3. WATER IS DELIVERED THROUGH LOWER BURNETT DITCH.

Comments:

1. MEYER 2/26/1991 ASSESSMENT OF LOSS: BIG LOST IRRIGATION CHARGES MR. MC AFFEE 0.14 CFS FOR DITCH LOSS. THE ORIGINAL ROOT RIGHT, 34-00452D, WAS FOR 1.4 CFS. SUBTRACTING THE 0.14 CFS LOSS LEAVES THE 1.26 CFS PORTION CLAIMED HERE. RENUMBERED FROM A34-10797 THIS CLAIM HAS BEEN RENUMBERED FROM A34-10797 TO REFLECT ITS ROOT RIGHT. PORTION OF 34-00452D THIS CLAIM APPEARS TO BE A PORTION OF 34-00452D. 34-00452D HAS BEEN CLAIMED BY MELVIN HINTZE UNDER A34-00452D. FROM INFORMATION ON FILE, IT APPEARS MR. HINTZE SHOULD HAVE FILED ON 34-00452A, WHICH IS APPURTENENT TO HIS LAND. THE 'D' PORTION IS APPURTENENT TO MELVIN MCAFFEE'S MOST OF THE LAND SHOWN IN THE P/U LISTED IN THIS CLAIM, A34-00452E.
 2. ESRBA 9/12/1991 INITIAL EXAM, RECOMMENDATIONS, & DATA ENTRY PAUL R. MEYER. FINAL REVIEW & DATA ENTRY BY S.W. KEEN ON 9-12-1991.
 3. KEEN 2/27/1992 MELVIN MC AFFEE'S ADDRESS WAS CHANGED ON 2-27-92. ***** S.W. KEEN
 4. JTHOMPSON 8/4/1995 OWNERSHIP CHANGE ON A AND BLANK RECORDS; SF3 SENT TO CLAIMANT 8/7/95/JT
 5. DSMITH 1/8/1996 NAME AND/OR ADDRESS CHANGE
- Comment: THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-452E V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SRBA

SUBCASE SUMMARY REPORT 34-00452E

[Return to SRBA Home Page](#)

SRBA
06-11-2003

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 34-00452E FILE#: 01721
CLAIMANT: BINGHAM, MAX J & CHERYL J

520 VISTA DRIVE

CLINTON TN 37716

STATUS: PD ISSUED SPECIAL MASTER:

WATER SOURCE: BIG LOST RIVER, SINKS

****** PARTIES INVOLVED ******

MAX J & CHERYL J BINGHAM C PRO SE

****** ROA ENTRIES ******

12-22-1994	42-1416/1416A CLAIM PER IDWR	
03-04-1996	SUBSTITUTION OF PARTY - BINGHAM FOR MCAFFEE	
12-08-1997	ORDER RE AMENDMENT OF CLAIMS	
01-15-1998	PARTIAL DECREE FILED	01-15-1998
01-15-1998	CERTIFICATE OF MAILING - PARTIAL DECREE	
01-30-1998	PARTIAL DECREE RETURNED UNDELIVERABLE	01-30-1998
06-24-1999	SUPPLEMENTAL DIRECTOR'S REPORTS, RA 1, BASIN 34, PERIOD OF USE & CONJUNCTIVE MANAGEMENT	
12-14-2001	AMEND PARTIAL - SEASON OF USE/CONJUNC MGMT	12-14-2001

[Return to SRBA Home Page](#)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-452E

WATER RIGHT NUMBER: 34-452E

Owner Type Name and Address

Directors Report Owner MELVIN C MC AFFEE

Current Owner MAX J & CHERYL J BINGHAM
520 VISTA DR
CLINTON, TN 37716

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

SourceTributary

BIG LOST RIVER

SINKS

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

5/01 to 10/15

1.260 CFS

Total Diversion: 1.260 CFSLocation of Point(s) of Diversion

BIG LOST RIVER

NW1/4NW1/4NE1/4 Sec. 24, Twp 06N, Rge 25E, B.M. CUSTER County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 26E 19												38.0			36.0	39.0	113.0
06N 26E 30	33.0																33.0

Total Acres: 146

Conditions of Approval:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POU PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH LOWER BURNETT DITCH.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00282C, 34-02438 AND 34-10795 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 146 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 63 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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2. ESRBA 9/12/1991 INITIAL EXAM, RECOMMENDATIONS, AND DATA ENTRY BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY BY S.W. KEEN ON 9-12-1991.

3. KEEN 2/27/1992 ADDRESS CHANGE

Comment: MELVIN MC AFFEE'S ADDRESS WAS CHANGED ON 2-27-92. ***** S.W. KEEN

4. JTHOMPSON 8/4/1995 OWNERSHIP CHANGE

Comment: OWNERSHIP CHANGED ON A AND BLANK RECORDS; SF3 SENT TO CLAIMANT 8/7/95/JT

5. DSMITH 1/8/1996 NAME AND/OR ADDRESS CHANGE

Comment: THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.

Dates and Other Information:

Decreed Date: 1/15/1998

State or Federal: S

Owner Name Connector: AND

Civil Case Number: 39576

Judicial District: FIFTH