

2002 2002
TC-34-14

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Churn Dasher Ranch)
34-611A, 34-612A, 34-613A)

ORDER AUTHORIZING
TEMPORARY CHANGE

WHEREAS, a drought emergency has been declared for
counties 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 6/6/02, Churn Dasher Ranch
Vic or Scott Johnson submitted the attached
Temporary Change Application ("application") 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). 34-0611A
34-0612A
34-0613A 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

replacement water supply to lands or other uses which normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

5. Right(s) 34-0611A
34-0612A
34-0613A are limited to the irrigation of a total of 140 acres in a single irrigation season.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The watermaster of Water District No. 34 is authorized to administer the temporary change approval.
11. This temporary change approval expires on 11/1/2002 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 14th day of June, 2002.



RONALD D. CARLSON
EASTERN REGION MANAGER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TEMPORARY CHANGE APPLICATION

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

Name of Applicant Chandresh Kumar - Via or Scott Johnson Phone 208-588-3072Post Office Address 5366 Fish Hatchery Rd. Mackay Idaho 83251

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 Alternate Rights - 34-00612A - 34-00613A
and 34-00611A with Rights 34-00237 and 34-00236 and 34-00293 from
Pisum Creek to Warm Springs to keep water to Pivots for the
irrigation of Hay on Pasture due to the drought conditions

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>34-00613A</u>	<u>11-01-1998</u>	<u>.5</u>	<u>Irrigation</u>	<u>5-01</u> to <u>10-15</u>
<u>34-00612A</u>	<u>6-01-1996</u>	<u>.8</u>	<u>Irrigation</u>	<u>5-01</u> to <u>10-15</u>
<u>34-00611A</u>	<u>6-01-1992</u>	<u>1.5</u>	<u>Irrigation</u>	<u>5-01</u> to <u>10-15</u>

2. Total amount of water being transferred 2.8 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Pisum Creek * Warm Springs Creek tributary to Big Lost River

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
					<u>25</u>	<u>8N</u>	<u>22E</u>	<u>Custer</u>	<u>Pisum Creek</u> *
		<u>SW</u>	<u>NE</u>	<u>SE</u>	<u>34</u>	<u>8N</u>	<u>22E</u>	<u>Custer</u>	<u>Upper Fish Hatchery Canal</u> *
		<u>SW</u>	<u>NW</u>	<u>SW</u>	<u>26</u>	<u>8N</u>	<u>22E</u>	<u>"</u>	<u>Shoup Ditch</u> *

* As per Telephone call with Scott Johnson 6/14/02 1130hrs & Doug Rosenkrance 1442hrs

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	
<u>8N</u>	<u>22E</u>	<u>36</u>			<u>40</u>					<u>40</u>	<u>40</u>					<u>40</u>			<u>160</u>

* Acres irrigated are under a pivot so only ≈ 32 acres in each 1/4-1/4
 WILL BE IRRIGATED

Total Acres 160

6: General Information:

- a. Who owns the water right to be changed? Chundashun Ranch Vic or Scott Johnson
- b. Describe the arrangement allowing use of the right _____
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application: _____
- d. Has the water right sought to be transferred been used this year? yes If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? original Right
- f. Describe other water rights used for the same purpose. _____
- g. Remarks: This is a Temporary Change as needed and pertains to the priority dates that are Available at certain times due to the Drought Conditions

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.

Chundashun Ranch
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by HWJ Date 6-6-02 Fee 50.00
Received # E027825 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 _____, subject to the following limitations and conditions:

Witness my hand this 14th day of June, 2002:

[Signature]
For the Director

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-611A

WATER RIGHT NUMBER: 34-611A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHURN DASHER RANCH STAR RT MACKAY, ID 83251
Current Owner	SCOTT JOHNSON & 5366 FISH HATCHERY RD MACKAY, ID 83251 (208)588-3072
Current Owner	VICTOR A JOHNSON & CHURN DASHER RANCH STAR RT MACKAY, ID 83251 (208)588-2537

Priority Date: 06/01/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PARSONS CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	1.500 CFS	

Total Diversion: 1.500 CFSLocation of Point(s) of Diversion

PARSONS CREEK	NE1/4SE1/4	Sec. 25, Twp 08N, Rge 22E, 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	
08N 22E 25																25.0	25.0
08N 23E 30											35.0						35.0
											L 4						
08N 23E 31					40.0	40.0											80.0
					L 1	L 2											

Total Acres: 140

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-00612A AND 34-00613A.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.64 CFS.
COMBINED RIGHT NOS.: 34-00612A, 34-00613A AND 34-00803.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 282 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00612A, 34-00613A AND 34-00803.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. DCARLSON 5/18/1992 CHANGED SOURCE TO PARSONS CREEK

Dates and Other Information: Decreed Date: 1/15/1998

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-612A

WATER RIGHT NUMBER: 34-612A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT JOHNSON 5366 FISH HATCHERY RD MACKAY, ID 83251 (208)588-3072
Current Owner	VICTOR A JOHNSON CHURN DASHER RANCH STAR RT MACKAY, ID 83251 (208)588-2537
Current Owner	CHURN DASHER RANCH STAR RT MACKAY, ID 83251

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

Source

PARSONS CREEK

Tributary

BIG LOST RIVER

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

0.800 CFS

Annual VolumeTotal Diversion: 0.800 CFSLocation of Point(s) of Diversion

PARSONS CREEK

NE1/4SE1/4

Sec. 25, Twp 08N, Rge 22E, 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	
08N 22E 25																25.0	25.0
08N 23E 30											35.0						35.0
											L 4						
08N 23E 31					40.0	40.0											80.0
					L 1	L 2											

Total Acres: 140

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.64 CFS.
COMBINED RIGHT NOS.: 34-00611A, 34-00613A AND 34-00803.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-00611A AND 34-00613A.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 282 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00611A, 34-00613A AND 34-00803.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates and Other Information:

Licensed Date:
Decreed Date: 1/15/1998
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:

State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-613A

WATER RIGHT NUMBER: 34-613A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT JOHNSON 5366 FISH HATCHERY RD MACKAY, ID 83251 (208)588-3072
Current Owner	VICTOR A JOHNSON CHURN DASHER RANCH STAR RT MACKAY, ID 83251 (208)588-2537
Current Owner	CHURN DASHER RANCH STAR RT MACKAY, ID 83251

Priority Date: 11/01/1898

Basis: Decreed

Status: Active

Source

PARSONS CREEK

Tributary

BIG LOST RIVER

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

0.500 CFS

Annual VolumeTotal Diversion: 0.500 CFSLocation of Point(s) of DiversionPARSONS CREEK
CUSTER County

NE1/4SE1/4

Sec. 25, Twp 08N, Rge 22E, B.M.

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	
08N 22E 25																25.0	25.0
08N 23E 30											35.0						35.0
											L 4						
08N 23E 31						40.0	40.0										80.0
						L 1	L 2										

Total Acres: 140

Conditions of Approval:Remarks:

1. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-00611A AND 34-00612A.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.64 CFS.
COMBINED RIGHT NOS.: 34-00611A, 34-00612A AND 34-00803.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 282 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00611A, 34-00612A AND 34-00803.

Dates and Other Information:

Licensed Date:
 Decreed Date: 1/15/1998
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Formal Action Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 34

Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-703A

WATER RIGHT NUMBER: 34-703A

<u>Owner Type</u>	<u>Name and Address</u>		
Current Owner	SCOTT JOHNSON	Current Owner	CHURN DASHER RANCH
	5366 FISH HATCHERY RD		
	MACKAY, ID 83251		
	(208)588-3072		
Current Owner	VICTOR A JOHNSON		
	CHURN DASHER RANCH		
	STAR RT		
	MACKAY, ID 83251		
	(208)588-2537		

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
IRRIGATION	5/01 to 10/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK	SW1/4NE1/4SE1/4	Sec. 34, Twp 08N, Rge 22E, 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	
08N	22E	36			40.0					40.0	40.0						40.0		160.0

Total Acres: 160

STOCKWATER same as IRRIGATIONConditions of Approval:

7. 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.

Remarks:

1. Quantity: USE OF THIS RIGHT WITH RIGHT NOS. 34-00236, 34-00573A, 34-00860A, 34-00237, 34-00699A, 34-00700A, 34-00701A, 34-00702A, 34-00704A, 34-00859A AND 34-07057 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.45 CFS.

2. Explanatory: WATER IS DELIVERED THROUGH UPPER FISH HATCHERY CANAL. STOCKWATER 700 CATTLE

3. Place of Use USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 479 ACRES IN A SINGLE IRRIGATION SEASON.COMBINED RIGHT NOS.: 34-00236, 34-00573A, 34-00860A, 34-00237, 34-00699A,34-00700A, 34-00701A, 34-00702A, 34-00704A, 34-00859A AND 34-07057. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

3. pskaggs 4/5/2002 3:17:54 PM Water Right

Comment: This water right record was updated by decree record from old rightid 373843 to new RightID 420566

Dates and Other Information:

Licensed Date:
Decreed Date: 12/14/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Formal Action Date:
State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:

P/u

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-704A

WATER RIGHT NUMBER: 34-704A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VICTOR A JOHNSON CHURN DASHER RANCH STAR RT MACKAY, ID 83251 (208)588-2537
Current Owner	SCOTT JOHNSON 5366 FISH HATCHERY RD MACKAY, ID 83251 (208)588-3072

Priority Date: 05/01/1905

Basis: Decreed

Status: Active

Source

WARM SPRINGS CREEK

Tributary

BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.133 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	

Total Diversion: 0.133 CFSLocation of Point(s) of Diversion

WARM SPRINGS CREEK

SW1/4NE1/4SE1/4

Sec. 34, Twp 08N, Rge 22E, 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	
08N 22E 36			40.0						40.0	40.0					40.0		160.0

Total Acres: 160

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00236, 34-00573A, 34-00859A, 34-00237, 34-00699A, 34-00700A, 34-00701A, 34-00702A, 34-00703A, 34-00860A AND 34-07057 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.45 CFS.

2. Explanatory WATER IS DELIVERED THROUGH UPPER FISH HATCHERY CANAL.

3. Place of Use USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 479 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00236, 34-00573A, 34-00859A, 34-00237, 34-00699A, 34-00700A, 34-00701A, 34-00702A, 34-00703A, 34-00860A AND 34-07057. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 6.7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comment: This water right record was updated by decree record from old rightid 373844 to new RightID 420568

Dates and Other Information:

Licensed Date:
Decreed Date: 12/14/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:

Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

2/4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-702A

WATER RIGHT NUMBER: 34-702A

<u>Owner Type</u>	<u>Name and Address</u>	
Current Owner	SCOTT JOHNSON	CHURN DASHER RANCH
	5366 FISH HATCHERY RD	
	MACKAY, ID 83251	
	(208)588-3072	
Current Owner	VICTOR A JOHNSON	
	MACKAY, ID 83251	
	(208)588-2537	

Priority Date: 05/01/1910 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	0.746 CFS	
	<u>Total Diversion:</u>	0.746 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	SE1/4NW1/4SW1/4	Sec. 26, Twp 08N, Rge 22E, B.M.
CUSTER County	(Rediversion)	
BIG LOST RIVER	SE1/4NW1/4NW1/4	Sec. 36, Twp 08N, Rge 22E, B.M.
CUSTER County	(Rediversion)	
BIG LOST RIVER	SW1/4SW1/4NW1/4	Sec. 27, Twp 08N, Rge 22E, B.M.
CUSTER County	(Injection)	
BIG LOST RIVER	NE1/4SW1/4NW1/4	Sec. 15, Twp 08N, Rge 21E, 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	
08N	22E	25									40.0		40.0	40.0					120.0
08N	22E	36			40.0				40.0	40.0					40.0				160.0

Total Acres: 280

Conditions of Approval:

4. 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.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00236, 34-00573A, 34-00860A, 34-00237, 34-00699A, 34-00700A, 34-00701A, 34-00703A, 34-00704A, 34-00859A AND 34-07057 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.45 CFS.

2. Source: POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.

3. Explanatory WATER IS DELIVERED THROUGH THE NEILSEN DITCH.

4. Place of Use USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 479 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00236, 34-00573A, 34-00860A, 34-00237, 34-00699A, 34-00700A, 34-00701A, 34-00703A, 34-00704A, 34-00859A AND 34-07057. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates and Other Information:

Licensed Date:
Decreed Date: 12/14/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:

Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Generic Max Rate Per Acre:

See 36 p/4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-803

WATER RIGHT NUMBER: 34-803

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VICTOR A JOHNSON STAR RT MACKAY, ID 83251 (208)588-2537
Current Owner	CHURN DASHER RANCH STAR RT MACKAY, ID 83251
Current Owner	SCOTT JOHNSON 5366 FISH HATCHERY RD MACKAY, ID 83251 (208)588-3072

Priority Date: 08/01/1890

Basis: Decreed

Status: Active

Source

WARM SPRINGS CREEK

Tributary

BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	to 12/31	0.020 CFS	
IRRIGATION	5/01	to 10/15	3.200 CFS	
	<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK

SW1/4NW1/4SW1/4

Sec. 26, Twp 08N, Rge 22E, 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	
08N 22E 25				15.0									32.0	40.0	40.0	40.0	167.0

Total Acres: 167

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER, 700 CATTLE
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 282 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00611A, 34-00612A AND 34-00613A.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.64 CFS.
COMBINED RIGHT NOS.: 34-00611A, 34-00612A AND 34-00613A.

Dates and Other Information:

Licensed Date:
Decreed Date: 1/15/1998
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:

Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Generic Max Rate Per Acre: