

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83709**

This is to certify that: BIG LOST LLC AND
RAINBOW TROUT RANCH LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS, CA 94957-0819
AND
BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-13944	WR/DECREED	5/1/1907	1.520 cfs	N/A	76.0	337.4	BIG LOST RIVER
34-13945	WR/DECREED	5/1/1907	1.480 cfs	N/A	N/A	74.0	BIG LOST RIVER
34-14582	WR/DECREED	6/1/1916	0.500 cfs	N/A	93.2	156.2	BIG LOST RIVER
34-14583	WR/DECREED	7/1/1916	0.290 cfs	50.4 af	14.4	156.2	BIG LOST RIVER
34-14586	WR/DECREED	5/13/1912	2.050 cfs	N/A	93.2	156.2	BIG LOST RIVER
34-573B	WR/DECREED	5/13/1912	0.350 cfs	N/A	N/A	113.0	BIG LOST RIVER
34-583B	WR/DECREED	6/1/1899	0.800 cfs	N/A	40.0	156.2	BIG LOST RIVER
34-584D	WR/DECREED	6/1/1916	0.080 cfs	N/A	N/A	113.0	BIG LOST RIVER
34-699B	WR/DECREED	6/1/1885	0.160 cfs	N/A	8.0	156.2	BIG LOST RIVER
34-699C	WR/DECREED	6/1/1885	0.160 cfs	28.0 af	N/A	113.0	BIG LOST RIVER
34-700C	WR/DECREED	5/1/1905	0.373 cfs	65.5 af	18.2	113.0	BIG LOST RIVER
34-701C	WR/DECREED	7/1/1916	0.883 cfs	155.1 af	N/A	113.0	BIG LOST RIVER
34-702B	WR/DECREED	5/1/1910	0.426 cfs	N/A	21.3	156.2	BIG LOST RIVER
34-702C	WR/DECREED	5/1/1910	0.426 cfs	74.6 af	20.8	113.0	BIG LOST RIVER
34-742	WR/DECREED	5/1/1905	3.000 cfs	N/A	150.0	337.4	BIG LOST RIVER
34-868	WR/DECREED	12/6/1913	3.200 cfs	484.8 af	138.5	436.4	BIG LOST RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-13944	NO	YES	NO	NO	NO	NO
34-13945	NO	YES	NO	NO	NO	NO
34-14582	NO	YES	NO	NO	NO	NO
34-14583	NO	YES	NO	NO	NO	NO

Transfer No. 83709

**Support Data
In File # 34-573B**

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83709**

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-14586	NO	YES	NO	NO	NO	NO
34-573B	NO	YES	NO	NO	NO	NO
34-583B	NO	YES	NO	NO	NO	NO
34-584D	NO	YES	NO	NO	NO	NO
34-699B	NO	YES	NO	NO	NO	NO
34-699C	NO	YES	NO	NO	NO	NO
34-700C	NO	YES	NO	NO	NO	NO
34-701C	NO	YES	NO	NO	NO	NO
34-702B	NO	YES	NO	NO	NO	NO
34-702C	NO	YES	NO	NO	NO	NO
34-742	NO	YES	NO	NO	NO	NO
34-868	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-13944	34-13944	1.520 cfs	N/A	76.0	337.4	N/A	N/A	N/A	N/A	N/A
34-13945	34-13945	1.480 cfs	N/A	N/A	74.0	N/A	N/A	N/A	N/A	N/A
34-14582	34-14582	0.500 cfs	N/A	93.2	156.2	N/A	N/A	N/A	N/A	N/A
34-14583	34-14583	0.290 cfs	50.4 af	14.4	156.2	N/A	N/A	N/A	N/A	N/A
34-14586	34-14586	2.050 cfs	N/A	93.2	156.2	N/A	N/A	N/A	N/A	N/A
34-573B	34-573B	0.350 cfs	N/A	N/A	113.0	N/A	N/A	N/A	N/A	N/A
34-583B	34-583B	0.800 cfs	N/A	40.0	156.2	N/A	N/A	N/A	N/A	N/A
34-584D	34-584D	0.080 cfs	N/A	N/A	113.0	N/A	N/A	N/A	N/A	N/A
34-699B	34-699B	0.160 cfs	N/A	8.0	156.2	N/A	N/A	N/A	N/A	N/A
34-699C	34-699C	0.160 cfs	28.0 af	7.5	113.0	N/A	N/A	N/A	N/A	N/A
34-700C	34-700C	0.373 cfs	65.5 af	18.2	113.0	N/A	N/A	N/A	N/A	N/A
34-701C	34-701C	0.883 cfs	155.1 af	42.3	113.0	N/A	N/A	N/A	N/A	N/A
34-702B	34-702B	0.426 cfs	N/A	21.3	156.2	N/A	N/A	N/A	N/A	N/A
34-702C	34-702C	0.426 cfs	74.6 af	20.8	113.0	N/A	N/A	N/A	N/A	N/A
34-742	34-742	3.000 cfs	N/A	150.0	337.4	N/A	N/A	N/A	N/A	N/A
34-868	34-868	3.200 cfs	484.8 af	138.5	436.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		15.700 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of December, 2019.



Regional Manager

Support Data
In File # 34-573B

Transfer No. 83709

WATER RIGHT NO. 34-583B**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-583B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1899

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

05/01
01/01

to 10/15
to 12/31

Diversion Rate

0.800 cfs
0.020 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 40.0

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 83709

WATER RIGHT NO. 34-583B
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
9. Point of injection into and point of rediversion from Warm Springs Creek.
10. Water is delivered through the Neilsen Ditch.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
14. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
15. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-583B

As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

18. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-13944**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-13944 is now described as follows:

Right Holder: RAINBOW TROUT RANCH LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS, CA 94957-0819

Priority Date: 5/1/1907

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
05/01

To
to 10/15

Diversion Rate
1,520 cfs
1,520 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)
BIG LOST RIVER	NWSENW	Sec 28 Twp 08N Rge 22E	CUSTER County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	20				23.8									14.8			2.9	41.5
08N	22E	21							32.6										178.8
08N	22E	28					37.5	8.7	4.7	32.7	33.5			37.9	38.8				117.1

Right Acre Limit: 76.0

POU Total Acres: 337.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 76 acres within the authorized place of use in a single irrigation season.
2. Rights 34-527, 34-528, 34-742, 34-13564 and 34-13944 when combined shall not exceed a total diversion rate of 10.12 cfs, and the irrigation of 337.4 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.34.

Transfer No. 83709

WATER RIGHT NO. 34-13944
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. Point of injection into and point of rediversion from Warm Springs Creek.
8. Water is delivered through Neilsen Ditch.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14582**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-14582 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

05/01
01/01

to

To

10/15
12/31

Diversion Rate

0.500 cfs
0.010 cfs
0.500 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 93.2

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 93.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 83709

WATER RIGHT NO. 34-14582
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
9. Point of injection into and point of rediversion from Warm Springs Creek.
10. Water is delivered through the Neilsen Ditch.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
14. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
15. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-14582
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

18. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-14583
As Modified by Transfer No. 83709

In accordance with the approval of Transfer No. 83709, Water Right No. 34-14583 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
 C/O MICHAEL JOHN
 91 LAUREL GROVE AVE
 PO BOX 819
 ROSS, CA 94957

Priority Date: 7/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	05/01	to 10/15	0.290 cfs	50.4 af
			0.290 cfs	50.4 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 14.4
 POU Total Acres: 156.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.4 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14583, 34-14584 and 34-14585 when combined shall not exceed a total diversion rate of 1.27 cfs, a total annual maximum diversion volume of 202.4 af at the field headgate, and the irrigation of 56 acres.
3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 83709

WATER RIGHT NO. 34-14583
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.
9. Point of injection into and point of rediversion from Warm Springs Creek.
10. Water is delivered through the Neilsen Ditch.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14586
As Modified by Transfer No. 83709

In accordance with the approval of Transfer No. 83709, Water Right No. 34-14586 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
 C/O MICHAEL JOHN
 91 LAUREL GROVE AVE
 PO BOX 819
 ROSS, CA 94957

Priority Date: 5/13/1912

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01	to 10/15	2.050 cfs
STOCKWATER	01/01	to 12/31	0.010 cfs
			2.050 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 93.2

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 93.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 83709

WATER RIGHT NO. 34-14586
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
9. Point of injection into and point of rediversion from Warm Springs Creek.
10. Water is delivered through the Neilsen Ditch.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
14. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
15. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-14586
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

18. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-584D**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-584D is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

05/01
01/01

To

to 10/15
to 12/31

Diversion Rate

0.080 cfs
0.010 cfs
0.080 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	39.0	37.0															76.0
08N	22E	36						37.0											37.0

POU Total Acres: 113.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. Rights 34-573B and 34-584D when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 56 af at the field headgate, and the irrigation of 16 acres.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.

Transfer No. 83709

WATER RIGHT NO. 34-584D
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
6. 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.
7. Water is delivered through the Neilsen Ditch,
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-701C**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-701C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 7/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	05/01	to 10/15	0.040 cfs	
IRRIGATION	05/01	to 10/15	0.840 cfs	148.1 af
RECREATION	05/01	to 10/15	0.040 cfs	7.0 af
RECREATION STORAGE	01/01	to 12/31	0.883 cfs	7.0 af
				155.1 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 42.3

POU Total Acres: 113.0

PLACE OF USE: RECREATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

Transfer No. 83709

WATER RIGHT NO. 34-701C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 42.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
3. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. Water is delivered through the Neilsen Ditch.
8. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
9. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
10. The period of use for recreation and 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.
11. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 34-701C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-573B**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-573B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/13/1912

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

05/01
01/01

to 10/15
to 12/31

Diversion Rate

0.350 cfs
0.010 cfs
0.350 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	39.0	37.0															76.0
08N	22E	36						37.0											37.0

POU Total Acres: 113.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. Rights 34-573B and 34-584D when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 56 af at the field headgate, and the irrigation of 16 acres.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.

Transfer No. 83709

WATER RIGHT NO. 34-573B
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
6. 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.
7. Water is delivered through the Neilsen Ditch,
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-699C**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-699C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1885

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	05/1	to 10/15	0.010 cfs	
IRRIGATION	05/01	to 10/15	0.150 cfs	26.3 af
RECREATION	5/01	to 10/15	0.010 cfs	1.7 af
RECREATION STORAGE	1/01	to 12/31	0.160 cfs	1.7 af
				28.0 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 7.5
POU Total Acres: 113.0

PLACE OF USE: RECREATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

Transfer No. 83709

WATER RIGHT NO. 34-699C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
3. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Point of injection into and point of rediversion from Warm Springs Creek.
9. Water is delivered through the Neilsen Ditch.
10. This right does not grant any right-of-way or easement across the land of another.
11. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
12. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
13. The period of use for recreation and 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.

WATER RIGHT NO. 34-699C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

14. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.
15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-700C**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-700C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1905

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	05/1	to 10/15	0.010 cfs	
IRRIGATION	5/01	to 10/15	0.363 cfs	63.7 af
RECREATION	5/01	to 10/15	0.010 cfs	1.7 af
RECREATION STORAGE	1/01	to 12/31		1.7 af
			0.373 cfs	65.5 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 18.2

POU Total Acres: 113.0

PLACE OF USE: RECREATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

Transfer No. 83709

WATER RIGHT NO. 34-700C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
3. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Point of injection into and point of rediversion from Warm Springs Creek.
9. Water is delivered through the Neilsen Ditch.
10. This right does not grant any right-of-way or easement across the land of another.
11. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
12. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
13. The period of use for recreation and 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.

WATER RIGHT NO. 34-700C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

14. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.
15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-702C**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-702C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1910

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	05/1	to 10/15	0.010 cfs	
IRRIGATION	5/01	to 10/15	0.416 cfs	72.9 af
RECREATION	5/01	to 10/15	0.010 cfs	1.7 af
RECREATION STORAGE	1/01	to 12/31		1.7 af
			0.426 cfs	74.6 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 20.8

POU Total Acres: 113.0

PLACE OF USE: RECREATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35		X															
08N	22E	36						X											

Transfer No. 83709

WATER RIGHT NO. 34-702C
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20.8 acres within the authorized place of use in a single irrigation season.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
3. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Point of injection into and point of rediversion from Warm Springs Creek.
9. Water is delivered through the Neilsen Ditch.
10. This right does not grant any right-of-way or easement across the land of another.
11. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
12. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
13. The period of use for recreation and 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.

WATER RIGHT NO. 34-702C

As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

14. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.
15. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-868
As Modified by Transfer No. 83709

In accordance with the approval of Transfer No. 83709, Water Right No. 34-868 is now described as follows:

Right Holder: BIG LOST LLC
 C/O MICHAEL JOHN
 PO BOX 819
 ROSS, CA 94957-0819

Priority Date: 12/6/1913

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	5/01	to 10/15	3.200 cfs	484.8 af
			3.200 cfs	484.8 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)
BIG LOST RIVER	NWNESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	27							31.0	32.0	34.4	36.0	32.0	32.0					261.4
08N	22E	28													40.0	39.0			79.0
08N	22E	34		32.0			32.0	32.0											96.0

Right Acre Limit: 138.5

POU Total Acres: 436.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 138.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-398, 34-399, 34-861A, 34-868, 34-13810, and 34-7010 when combined shall not exceed a total diversion rate of 10.54 cfs and a total annual maximum diversion volume of 1390 af at the field headgate.
3. Rights 34-398, 34-399, 34-861A, 34-868 and 34-7010 when combined shall not exceed the irrigation of 436.4 acres.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 83709

WATER RIGHT NO. 34-868
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Point of injection into and point of rediversion from Warm Springs Creek.
9. Water is delivered through the Neilsen Ditch.
10. This right does not grant any right-of-way or easement across the land of another.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-699B**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-699B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1885

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

5/01
1/01

To

to 10/15
to 12/31

Diversion Rate

0.160 cfs
0.020 cfs
0.160 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0										31.0	31.0		124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 8.0

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 83709

WATER RIGHT NO. 34-699B
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
9. Point of injection into and point of rediversion from Warm Springs Creek.
10. Water is delivered through the Neilsen Ditch.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
14. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
15. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-699B
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

18. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-702B**As Modified by Transfer No. 83709**

In accordance with the approval of Transfer No. 83709, Water Right No. 34-702B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1910

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

5/01
1/01

To

to 10/15
to 12/31

Diversion Rate

0.426 cfs
0.020 cfs
0.426 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 21.3

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 83709

WATER RIGHT NO. 34-702B
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
9. Point of injection into and point of rediversion from Warm Springs Creek.
10. Water is delivered through the Neilsen Ditch.
11. This right does not grant any right-of-way or easement across the land of another.
12. 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.
13. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
14. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
15. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
16. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
17. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-702B
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

18. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-13945
As Modified by Transfer No. 83709

In accordance with the approval of Transfer No. 83709, Water Right No. 34-13945 is now described as follows:

Right Holder: BIG LOST LLC
 C/O MICHAEL JOHN
 PO BOX 819
 ROSS, CA 94957-0819

Priority Date: 5/1/1907

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From
 05/01

To
 to 10/15

Diversion Rate
 1.480 cfs
 1.480 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)
BIG LOST RIVER	NWSENW	Sec 28 Twp 08N Rge 22E	CUSTER County	(R)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	28			37.0	37.0													74.0

POU Total Acres: 74.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of redirection from Warm Springs Creek.
5. Point of injection into and point of redirection from Warm Springs Creek.

Transfer No. 83709

WATER RIGHT NO. 34-13945
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

6. Water is delivered through the Neilsen Ditch.
7. This right does not grant any right-of-way or easement across the land of another.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-742
As Modified by Transfer No. 83709

In accordance with the approval of Transfer No. 83709, Water Right No. 34-742 is now described as follows:

Right Holder: RAINBOW TROUT RANCH LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS, CA 94957-0819

Priority Date: 5/1/1905

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
05/01

To
to 10/15

Diversion Rate
3.000 cfs
3.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	NESW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)
BIG LOST RIVER	NWSENW	Sec 28 Twp 08N Rge 22E	CUSTER County	(R)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	20				23.8									14.8			2.9	41.5
08N	22E	21							32.6		32.5	37.0	37.9	38.8					178.8
08N	22E	28					37.5	8.7	4.7	32.7	33.5								117.1

Right Acre Limit: 150.0

POU Total Acres: 337.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 150 acres within the authorized place of use in a single irrigation season.
2. Rights 34-527, 34-528, 34-742, 34-13564 and 34-13944 when combined shall not exceed a total diversion rate of 10.12 cfs, and the irrigation of 337.4 acres.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.34.

Transfer No. 83709

WATER RIGHT NO. 34-742
As Modified by Transfer No. 83709

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this approval, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. Point of injection into and point of rediversion from Warm Springs Creek.
8. Water is delivered through Neilsen Ditch.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 17, 2019

BIG LOST LLC
RAINBOW TROUT RANCH LLC
BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS CA 94957-0819

Re: Transfer No: 83709

Water Right No(s): 34-573B , 34-583B , 34-584D , 34-699B , 34-699C , 34-700C , 34-701C , 34-702B , 34-702C , 34-742, 34-868, 34-13944, 34-13945, 34-14582, 34-14583, 34-14586

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

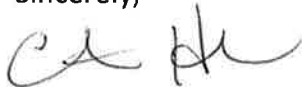
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

A handwritten signature in black ink, appearing to read 'CH', is written over the word 'Sincerely,'.

Christina Henman
Administrative Assistant

Enclosure

CC:

LORI GRAVES
SPF WATER ENGINEERING LLC
BOISE ID 83706

ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS ID 83405-0130

FARM CREDIT WEST FLCA
PO BOX 1340
ARROYO GRANDE CA 93421

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 83709

Water Right No(s): 34-573B , 34-583B , 34-584D , 34-699B , 34-699C , 34-700C , 34-701C , 34-702B , 34-702C , 34-742, 34-868, 34-13944, 34-13945, 34-14582, 34-14583, 34-14586

**BIG LOST LLC
RAINBOW TROUT RANCH LLC
BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS CA 94957-0819**

**LORI GRAVES
SPF WATER ENGINEERING LLC
300 E MALLARD DR STE 350
BOISE ID 83706**

**ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS ID 83405-0130**

**FARM CREDIT WEST FLCA
PO BOX 1340
ARROYO GRANDE CA 93421**



**Christina Henman
Administrative Assistant**