

*The point of diversion and point of re-diversion listed on the applicants' water rights are not proposed for change; only the injection point (see Attachment A for further details).

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

See Attachment A

- b. Who owns the property at the point(s) of diversion? No change proposed for point of diversion, only injection point
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.



Signature of applicant or authorized agent

Michael John (manager)

Print name and title if applicable

9/30/19

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$850.00 Date 10-4-19 Received by m. pottis Receipt # E045367

Preliminary review by \$850.00 Date 10/24/19 Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Transfer Attachment A

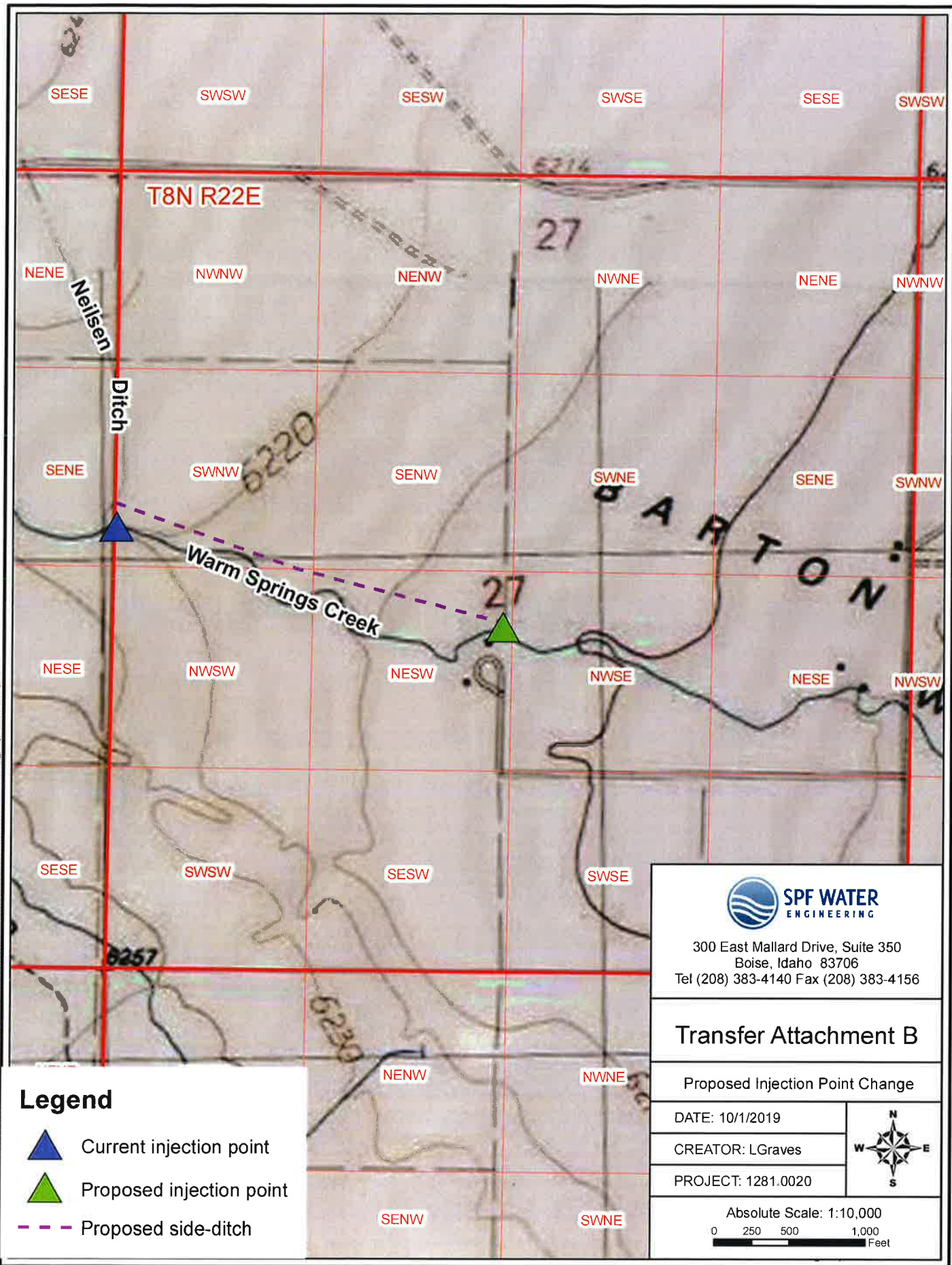
Transfer Application Narrative

The Neilsen Ditch is used to convey Big Lost River water rights to Warm Springs Creek, where they are injected and re-diverted for beneficial use. The purpose of this transfer application is to change the injection point for the applicants' rights to a point approximately ½ mile downstream. The reason for the change is because the quantity of water injected at the current point is causing negative impacts to habitat improvements the applicants' owner has made on Warm Springs Creek between the current and proposed points. Reducing a portion of the total amount being injected at the current point will help alleviate some of these problems. Cumulatively, the applicants own 55.5% of the total amount of Big Lost River water authorized for injection at the current point. The current injection point will be maintained for the other authorized users/water rights.

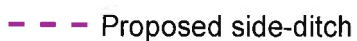
The proposed plan is to install a side-ditch to channel applicants' water from Neilsen Ditch east along the southern edge of the half pivot to the proposed injection point as shown on the topo map included as Attachment B. The side ditch will be lined with a poly liner to avoid any shrinkage prior to injection at the proposed point. Measuring device(s) and controlling works will be accommodated per Department request and installed per Department standards. The local watermaster has been notified and fully supports the proposed change.

As advised by Scott Stosich, rather than filing a separate transfer application for Borah Borah Ranch LLC, Big Lost Ranch LLC and Rainbow Trout Ranch LLC, only one transfer application is being filed since Michael John owns/manages all three entities. The water right records for each LLC are to remain in the single LLC's name. Documentation showing Michael John has authority to sign for the three LLC's is provided as Attachment C.

Copies of the applicants' water right records and associated maps are included as Attachment D.



Legend



SPF WATER
ENGINEERING

300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156

Transfer Attachment B

Proposed Injection Point Change

DATE: 10/1/2019

CREATOR: LGraves

PROJECT: 1281.0020



Absolute Scale: 1:10,000

0 250 500 1,000 Feet

83709

TRANSFER ATTACHMENT C
Signature Authorization Documents



0003424561

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003424561

Date Filed: 2/7/2019 10:11:16 AM

B0166-1498 02/07/2019 10:11 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

BORAH BORAH RANCH, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000497442

Address

ANDREA CANNON
3110 EDWARDS MILL RD
STE 100
RALEIGH, NC 27612-5419

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W163966

The registered agent on record is:

Registered Agent

MICHAEL JOHN
Registered Agent
Physical Address
5860 W 4920 N
MACKAY, ID 83251
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
MICHAEL JOHN	Manager	PO BOX 819 ROSS, CA 94957

The annual report must be signed by an authorized signer of the entity.

Michael John

Sign Here

Signer's Title: Manager

02/07/2019

Date



0003612924

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003612924

Date Filed: 9/3/2019 12:26:03 PM

B0339-4399 09/03/2019 12:26 PM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

BIG LOST, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000211093

Address

PO BOX 819
ROSS, CA 94957-0819

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W66727

The registered agent on record is:

Registered Agent

MICHAEL JOHN
Registered Agent
Physical Address
5860 W 4920 N
MACKAY, ID 83251
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
MICHAEL JOHN	Manager	PO BOX 819 ROSS, CA 94957

The annual report must be signed by an authorized signer of the entity.

*Michael John**09/03/2019*

Sign Here

Date

Signer's Title: Manager



0003563267

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003563267

Date Filed: 7/11/2019 11:16:44 AM

B0300-4012 07/11/2019 11:16 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

RAINBOW TROUT RANCH, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000297383

Address

PO BOX 819
ROSS, CA 94957-0819

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W95982

The registered agent on record is:

Registered Agent

MICHAEL JOHN
Registered Agent
Physical Address
5660 W 4920 N
MACKAY, ID 83251
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
Michael John	Manager	PO BOX 819 ROSS, CA 94957

The annual report must be signed by an authorized signer of the entity.

Michael John

Sign Here

07/11/2019

Date

Signer's Title: Manager

TRANSFER ATTACHMENT D
Water Rights Proposed for Change

During the review of Application for Transfer 83709, the Department discovered errors in its water rights database. Some of the elements of certain water rights held by Borah Borah Ranch LLC were not consistent with Transfer 81493, which was approved by the Department in July 2018. The water right records did not update properly when the transfer was approved. The Department has now updated the subject water rights. The water right reports included with Application 83709 were not correct. The erroneous water right reports have been replaced with the following corrected reports.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. R05 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. R43 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. X11 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.
6. 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.
7. Water is delivered through the Neilsen Ditch,
8. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. N15 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-583B

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1899

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.800 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.800 CFS	

Source and Point(s) of Diversion

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

Place Of Use

IRRIGATION within CUSTER County

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: 40.0

POU Total Acres: 156.2

STOCKWATER within CUSTER County

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. X27 This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. X35 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. X35 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. R05 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. R43 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. X11 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.
8. Water is delivered through the Neilsen Ditch,
9. 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.
10. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. N15 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-584D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BORAH BORAH RANCH LLC C/O MICHAEL JOHN 91 LAUREL GROVE AVE PO BOX 819 ROSS, CA 94957

Priority Date: 6/1/1916

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>Volume</u>
IRRIGATION	5/01	10/15	0.080 CFS	
STOCKWATER	1/01	12/31	0.010 CFS	
	<u>Total Diversion</u>		0.080 CFS	

Source and Point(s) of Diversion

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

Place Of Use

STOCKWATER within CUSTER County

			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													

IRRIGATION within CUSTER County

			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

Conditions of Approval:

1. X35 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. X35 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. R05 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. R43 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. X11 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.
6. 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.
Water is delivered through the Neilsen Ditch,
8. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. N15 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. T08 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. T19 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 34-699B

Priority Date: 6/1/1885

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use

IRRIGATION
STOCKWATER

<u>From</u>	<u>To</u>
5/01	10/15
1/01	12/31
Total Diversion	

Diversion Rate
0.160 CFS
0.020 CFS
0.160 CFS

Volume

Source and Point(s) of Diversion

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

Place Of Use

STOCKWATER within CUSTER County

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

IRRIGATION within CUSTER County

[illegible]

Right Acre Limit: 8.0

POU Total Acres: 156.2

Conditions of Approval:

1. X27 This right is limited to the irrigation of 8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. X35 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. X35 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. R05 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. R43 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. X11 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.
8. Water is delivered through the Neilsen Ditch,
9. 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.
10. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. N15 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Conditions of Approval:

1. X27 This right is limited to the irrigation of 7.5 acres within the authorized place of use in a single irrigation season.
2. X35 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. X35 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. R05 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. R43 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. X11 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.
7. Water is delivered through the Neilsen Ditch.
8. 220 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. 259 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. S34 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-700C

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1905

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.363 CFS	63.7 AF
RECREATION	5/01	10/15	0.010 CFS	1.7 AF
RECREATION STORAGE	1/01	12/31		1.7 AF
DIVERSION TO STORAGE	5 /01	10/15	0.010 CFS	
<u>Total Diversion</u>			0.373 CFS	65.5 AF

Source and Point(s) of Diversion

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

Place Of Use

RECREATION STORAGE within CUSTER County

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											

RECREATION within CUSTER County

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											

IRRIGATION within CUSTER County

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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

POU Total Acres: 113.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 18.2 acres within the authorized place of use in a single irrigation season.
2. X35 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. X35 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. R05 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. R43 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. X11 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.
7. Water is delivered through the Neilsen Ditch.
8. 220 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. 259 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. S34 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-701C

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 7/1/1916

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.840 CFS	148.1 AF
RECREATION	05/01	10/15	0.040 CFS	7.0 AF
RECREATION STORAGE	01/01	12/31		7.0 AF
DIVERSION TO STORAGE	05/01	10/15	0.040 CFS	
<u>Total Diversion</u>			0.883 CFS	155.1 AF

Source and 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	SWSWNW	Sec. 27, Twp 08N, Rge 22E, CUSTER County(I)

Place Of Use

RECREATION STORAGE within CUSTER County

			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															
08N	22E	36						X											

RECREATION within CUSTER County

			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															
08N	22E	36						X											

IRRIGATION within CUSTER County

			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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Conditions of Approval:

1. X27 This right is limited to the irrigation of 42.3 acres within the authorized place of use in a single irrigation season.
2. X35 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. X35 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. R05 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. R43 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. X11 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.
7. Water is delivered through the Neilsen Ditch.
8. 220 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. 259 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. S34 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-702B

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1910

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.426 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.426 CFS	

Source and 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	SWSWNW	Sec. 27, Twp 08N, Rge 22E,	CUSTER County(I)

Place Of Use

IRRIGATION within CUSTER County

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

STOCKWATER within CUSTER County

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. X27 This right is limited to the irrigation of 21.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. X35 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. X35 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. R05 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. R43 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. X11 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.
8. Water is delivered through the Neilsen Ditch,
9. 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.
10. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. N15 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Conditions of Approval:

1. X27 This right is limited to the irrigation of 20.8 acres within the authorized place of use in a single irrigation season.
2. X35 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. X35 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. R05 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. R43 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. X11 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.
7. Water is delivered through the Neilsen Ditch.
8. 220 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. 259 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. S34 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-742

Owner Type **Name and Address**
Current Owner RAINBOW TROUT RANCH LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS, CA 94957-0819

Priority Date: 5/1/1905

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	3.000 CFS	
	<u>Total Diversion</u>		3.000 CFS	

Source and Point(s) of Diversion

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

Place Of Use

IRRIGATION within CUSTER County

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		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. X27 This right is limited to the irrigation of 150 acres within the authorized place of use in a single irrigation season.
2. X35 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. R05 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.
4. R43 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. R59 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. 004 This right does not grant any right-of-way or easement across the land of another.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7. G01 Point of injection into and point of rediversion from Warm Springs Creek.
8. F01 Water is delivered through Neilsen Ditch.
9. 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.
10. T07 The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-868

Owner Type **Name and Address**
Current Owner BIG LOST LLC
C/O MICHAEL JOHN
PO BOX 819
ROSS, CA 94957-0819
(415) 264-6933

Priority Date: 12/6/1913

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	3.200 CFS	484.8 AF
	<u>Total Diversion</u>		3.200 CFS	484.8 AF

Source and Point(s) of Diversion

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

Place Of Use

IRRIGATION within CUSTER County

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			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. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.54 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1390.0 AF. COMBINED RIGHT NO.: 34-00398, 34-00399, 34-00861A, 34-00868, 34-13810 AND 34-07010.
3. 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 DEPARTMENT OF WATER RESOURCES.

IDAHO DEPARTMENT OF WATER RESOURCES

Proof Report

4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 138.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 436.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00398, 34-00399, 34-00861A, 34-00868 AND 34-07010.
5. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5552 BY MARCH 21, 2001.
6. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
7. WATER IS DELIVERED THROUGH NEILSEN DITCH.

Water Right 34-13944

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7. G01 Point of injection into and point of rediversion from Warm Springs Creek.
8. F01 Water is delivered through Neilsen Ditch.
9. 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.
10. T07 The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-13945

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIG LOST LLC C/O MICHAEL JOHN PO BOX 819 ROSS, CA 94957-0819 (415) 264-6933

Priority Date: 5/1/1907

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>Volume</u>
IRRIGATION	05/01	10/15	1.480 CFS	
	<u>Total Diversion</u>		1.480 CFS	

Source and Point(s) of Diversion

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

Place Of Use

IRRIGATION within CUSTER County

			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. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
2. G01 Point of injection into and point of redirection from Warm Springs Creek.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. F01 Water is delivered through Neilsen Ditch.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-14582

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1916

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.500 CFS	
STOCKWATER	1/01	12/31	0.010 CFS	
	<u>Total Diversion</u>		0.500 CFS	

Source and Point(s) of Diversion

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

Place Of Use

IRRIGATION within CUSTER County

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

STOCKWATER within CUSTER County

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. X27 This right is limited to the irrigation of 93.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. X35 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. X35 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. R05 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. R43 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. X11 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.
8. Water is delivered through the Neilsen Ditch,
9. 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.
10. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. N15 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 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. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-14583

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 7/1/1916

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.290 CFS	50.4 AF
	<u>Total Diversion</u>		0.290 CFS	50.4 AF

Source and 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	SWSWNW	Sec. 27, Twp 08N, Rge 22E,	CUSTER County(I)

Place Of Use

IRRIGATION within CUSTER County

			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. X27 This right is limited to the irrigation of 14.4 acres within the authorized place of use in a single irrigation season.
2. X35 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. X35 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. R05 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5. R43 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. X11 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.
7. 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.
8. Water is delivered through the Neilsen Ditch.
9. 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.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 34-14586

Owner Type **Name and Address**
Current Owner BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/13/1912

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	2.050 CFS	
STOCKWATER	1/01	12/31	0.010 CFS	
	<u>Total Diversion</u>		2.050 CFS	

Source and Point(s) of Diversion

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

Place Of Use

STOCKWATER within CUSTER County

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													

IRRIGATION within CUSTER County

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

Conditions of Approval:

1. X27 This right is limited to the irrigation of 93.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3. X35 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. X35 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. R05 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. R43 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. X11 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.
8. Water is delivered through the Neilsen Ditch,
9. 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.
10. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. N15 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.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. T08 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. T19 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.