

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81964
Amended June 5, 2019

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Flying Joseph Ranch LLC

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DEPARTMENT OF
WATER RESOURCES

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Flying Joseph Ranch LLC Phone (206) 762-1171
Mailing address 7299 Perimeter Rd., S. Seattle, WA 98108 Email igalfano@winglets.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative James P. Speck, attorney Phone (208) 726-4421
Mailing address P.O. Box 987 Ketchum, ID 83340 Email jim@speckandaanestad.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

JAMES P. SPECK, ATTORNEY-IN-FACT 6-5-19
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

This application seeks to correct the legal description of the place of use and nature of use after installation of a pivot irrigation system and future enlargement of an existing pond.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

Total authorized under rights cfs and/or acre-feet.

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Total Acres (for irrigation use)	1,825
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT

Supplemental Page for Description of Rights after Transfer**

		<u>Right Number</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>		<u>Source & Tributary</u>
All or Part							
☐	☒	73-32	2.4	irrigation	4/1	to 10/31	Big Cr/Pahsimeroi R
☒	☐	73-147A	1.98	irrigation	4/1	to 10/31	Pahsimeroi R/Salmon R
☒	☐		240.2 ac-ft	aesthetic storage	1/1	to 12/31	Pahsimeroi R/Salmon R
☒	☐		2.42	diversion to storage	4/1	to 10/31	Pahsimeroi R/Salmon R
☒	☐		240.2 ac-ft	recreation storage	1/1	to 12/31	Pahsimeroi R/Salmon R
☒	☐		240.2 ac-ft	wildlife storage	1/1	to 12/31	Pahsimeroi R/Salmon R
☒	☐	73-147B	6.00	irrigation	4/1	to 10/31	Spring Cr/Pahsimeroi R
☒	☐	73-147C	4.80	irrigation	4/1	to 10/31	Goldburg Cr/Pahsimeroi R
☐	☐	73-150D	4.00	irrigation	4/1	to 10/31	Pahsimeroi R/Salmon R
☐	☒	73-189	5.70	irrigation	4/1	to 10/31	Pahsimeroi R/Salmon R
☒	☐	73-259	1.6	irrigation	4/1	to 10/31	Spring Cr/Pahsimeroi R
☐	☐					to	
☒	☐	73-10040	11.2	irrigation	4/1	to 10/31	Pahsimeroi R/Salmon R
☒	☐	73-10041	6.84	irrigation	4/1	to 10/31	Big Cr/Pahsimeroi R
☒	☐		0.36	diversion to storage	4/1	to 10/31	Big Cr/Pahsimeroi R
☒	☐		240.2 ac-ft	aesthetic storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐		240.2 ac-ft	recreation storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐		240.2 ac-ft	wildlife storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐	73-12110	31.13	irrigation	4/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐		1.67	diversion to storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐		240.2 ac-ft	aesthetic storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐		240.2 ac-ft	recreation storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐		240.2 ac-ft	wildlife storage	1/1	to 12/31	Big Cr/Pahsimeroi R
☒	☐	73-12146	110.9 ac-ft	wildlife storage	1/1	to 12/31	groundwater
☐	☐		110.9 ac-ft	recreation storage	1/1	to 12/31	groundwater
☐	☐		110.9 ac-ft	aesthetic storage	1/1	to 12/31	groundwater
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
		Total authorized under rights					
		80.10		cfs and/or	240.2		ac-ft

**Insert this page into Part 1B of the Application for Transfer of a Water Right.

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DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. T81964

page amended 9-19-2019

Point of Diversion/Place of Use Supplement

QPS

Attachment to: ☐ Application for Permit to Appropriate Water ☐ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes	12N	23E	2			NE	SW	Custer	Pahsimeroi River	
☐ Yes	13N	23E	13			NE	NW	Custer	Big Creek	diversion
☐ Yes	13N	23E	13			NE	SE	Custer	Big Creek	diversion
☐ Yes	13N	23E	27			SE	SW	Custer	Big Creek	injection
☐ Yes	13N	23E	20			SW	SE	Custer	Big Creek	rediversion
☐ Yes	13N	23E	20			SW	SE	Custer	Pahsimeroi River	
☐ Yes	13N	23E	29			NW	NW	Custer	Spring Creek	
☐ Yes	13N	23E	19			SE	SE	Custer	groundwater	pond
☐ Yes	13N	23E	20			SW	SW	Custer	groundwater	pond
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	22E	35																34	34
13N	22E	1							27			30	40	15					112
13N	22E	2	35	35	1	32									28			38	169
			L1	L2															
13N	22E	11	36			17									26			1	80
13N	22E	12			34		16	40	31	34	33	38	3			34			263
13N	22E	13							8		25	24	30	32		1	24	1	145
13N	22E	14				13									32		2	4	51
13N	22E	23	20	27	24	40									10				121
13N	22E	24	20	33	24	32	25	21	37	35	32	29			35	37			360
13N	23E	19			13	1	5		8	25	3	17	22	37	2/P	4	24	10/P	171
									L2			L3	L4						
13N	23E	29						19	39	16	18	28							120

P = storage associated with the pond

Changes in red

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

Page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. T81964

Point of Diversion/Place of Use Supplement

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Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☐ Yes	12N	23E	2			NE	SW	Custer	Pahsimeroi River	
☐ Yes	13N	23E	13			NE	NW	Custer	Big Creek	diversion
☐ Yes	13N	23E	13			NE	SE	Custer	Big Creek	diversion
☐ Yes	13N	23E	27			SE	SW	Custer	Big Creek	injection
☐ Yes	13N	23E	20			SW	SE	Custer	Big Creek	rediversion
☐ Yes	13N	23E	20			SW	SE	Custer	Pahsimeroi River	
☐ Yes	13N	23E	29			NW	NW	Custer	Spring Creek	
☐ Yes	13N	23E	19			SE	SE	Custer	groundwater	pond
☐ Yes	13N	23E	20			SW	SW	Custer	groundwater	pond
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	22E	35																34	34
13N	22E	1							27			30	40	15					112
13N	22E	2	35	35	1	32									28			38	169
			L1	L2															
13N	22E	11	36			17									27			22	102
13N	22E	12			34		16	40	31	34	33	38	10						236
13N	22E	13						18	13		25	24	30	32		1	24	1	168
13N	22E	14	17			13									32		2	4	68
13N	22E	23	20	27	24	40									10				121
13N	22E	24	20	33	24	32	25	21	37	35	32	29			35	37			360
13N	23E	19			14	1	5		8	25	3	17	22	37	2/P	13	24	10/P	181
									L2			L3	L4						
13N	23E	29						19	39	16	18	28							120

P = storage associated with the pond

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

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WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. T81964

page amended 9-19-2019

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	30	39	40	39	40	40	25											223
								L1											
13N	23E	20											P						

Total irrigated area = 1,849 acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. T81964

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	23E	30	39	40	39	40	40	25											223
								L1											
13N	23E	20											P						

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. 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:

Diversion is from headgates through the distribution system shown in Attachment 7a/7b. Measuring devices and lockable controlling works have been installed as required by Water District 73 and Water District 170.

- b. Who owns the property at the point(s) of diversion? applicant; BLM

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: as previously adjudicated or approved by transfer without protest or objection

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
74.0 acres will be dried to provide for losses from the pond

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None.

- g. 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 leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Water use has occurred as shown for 5+ years.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-147A

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 4/25/1886
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 04/01 to 10/31

3.45 CFS

AESTHETIC STORAGE 01/01 to 12/31

110.9 AF

DIVERSION TO STORAGE 04/01 to 10/31

0.95 CFS

RECREATION STORAGE 01/01 to 12/31

110.9 AF

WILDLIFE STORAGE 01/01 to 12/31

110.9 AF

Total Diversion

4.4 CFS

Location of Point(s) of Diversion

PAHSIMEROI RIVER

SW1/4SW1/4SE1/4

Sec. 20, Twp 13N, Rge 23E B.M.

CUSTER County

PAHSIMEROI RIVER

NE1/4SW1/4

Sec. 2, Twp 12N, Rge 23E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENW	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENW	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENW	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENW	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

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AESTHETIC STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
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RECREATION STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
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WILDLIFE STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
---------------	------	---------------	------

Place of Use: DIVERSION TO STORAGE same as IRRIGATION

Conditions of Approval:

1. 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 diversions and points of measurement described above.
2. 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. 73.
3. 219 Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
4. 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.
5. 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.
6. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
7. U42 Place of use does not include federal public lands.
8. 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.
9. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
11. X27 This right is limited to the irrigation of 172.3 acres within the authorized place of use in a single irrigation season.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. 220 The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
14. F05 Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.

Decreed Date: 9/30/2010

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-147B

Current Owner: FLYING JOSEPH RANCH LLC

Priority Date: 4/25/1886

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

6 CFS

6 CFS

Annual Volume

Location of Point(s) of Diversion

SPRING CREEK

CUSTER County

NW1/4NW1/4

Sec. 29, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	25.00	T13N R23E S19		SWNE	13.00
T13N R23E S19		NENW	21.00	T13N R23E S19	Lot 1	NWNW	36.00
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	28.00	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	24.00	T13N R23E S19		NWSE	39.00
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	35.00
T13N R23E S20		NWSW	2.60	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2276.9

Conditions of Approval:

1. Right Nos. 73-147B and 73-259 are limited to the irrigation of a combined total of 380 acres within the place of use described above in a single irrigation season.
2. U42 Place of use does not include federal public lands.
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. F05 Right No. 73-259 is also diverted through point of diversion described above.
6. K06 This right is limited to the irrigation of 300 acres within the place of use described above in a single irrigation season.
7. E55 Right Nos. 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 are limited to the irrigation of a combined total of 2365.6 acres in a single irrigation season.

Decreed Date: 9/30/2010

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-147C

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 4/25/1886
Origin: Water Right
Status: Active
Basis: Decreed

Source

GOLDBURG CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

4.8 CFS

4.8 CFS

Annual Volume

Location of Point(s) of Diversion

GOLDBURG CREEK
CUSTER County

SW1/4SW1/4SE1/4 Sec. 20, Twp 13N, Rge 23E B.M.
(Rediversion)

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

Conditions of Approval:

1. U42 Place of use does not include federal public lands.
2. 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.
3. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. X53 Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Goldburg Creek at its confluence with the Pahsimeroi River.
7. X27 This right is limited to the irrigation of 240.0 acres within the authorized place of use in a single irrigation season.
8. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
9. F05 Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
10. 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.
11. 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. 73.
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. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

Decreed Date: 9/30/2010

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-150D

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 7/1/1897
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

4 CFS

4 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER

CUSTER County

SW1/4SW1/4SE1/4

Sec. 20, Twp 13N, Rge 23E B.M.

PAHSIMEROI RIVER

CUSTER County

NE1/4SW1/4

Sec. 2, Twp 12N, Rge 23E B.M.

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENW	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENW	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENW	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENW	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

Conditions of Approval:

1. F05 Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
3. 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.
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. 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. 73.
6. 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.
7. U42 Place of use does not include federal public lands.
8. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. X27 This right is limited to the irrigation of 200.0 acres within the authorized place of use in a single irrigation season.
12. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW

Decreed Date: 9/30/2010

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-189

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 5/19/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

6.4 CFS

6.4 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER
CUSTER County

SW1/4SW1/4SE1/4

Sec. 20, Twp 13N, Rge 23E B.M.

PAHSIMEROI RIVER
CUSTER County

NE1/4SW1/4

Sec. 2, Twp 12N, Rge 23E B.M.

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

Conditions of Approval:

1. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
2. 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).
3. F05 Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
4. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSV
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. 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. 73.
8. 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.
9. X27 This right is limited to the irrigation of 320.0 acres within the authorized place of use in a single irrigation season.
10. 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.
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. U42 Place of use does not include federal public lands.

Decreed Date: 9/30/2010

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-259

Current Owner: FLYING JOSEPH RANCH LLC

Priority Date: 5/1/1950

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

1.6 CFS

1.6 CFS

Annual Volume

Location of Point(s) of Diversion

SPRING CREEK

CUSTER County

NW1/4NW1/4

Sec. 29, Twp 13N, Rge 23E B.M.

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	25.00	T13N R23E S19		SWNE	13.00
T13N R23E S19		NENW	21.00	T13N R23E S19	Lot 1	NWNW	36.00
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	28.00	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	24.00	T13N R23E S19		NWSE	39.00
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	35.00
T13N R23E S20		NWSW	2.60	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2276.9

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Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
3. Right Nos. 73-147B and 73-259 are limited to the irrigation of a combined total of 380 acres within the place of use described above in a single irrigation season.
4. E55 Right Nos. 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 are limited to the irrigation of a combined total of 2365.6 acres in a single irrigation season.
5. U42 Place of use does not include federal public lands.
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. F05 Right No. 73-147B is also diverted through point of diversion described above.

Decreed Date: 9/30/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-10040

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 5/1/1897
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

11.2 CFS

11.2 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER

CUSTER County

PAHSIMEROI RIVER

CUSTER County

SW1/4SW1/4SE1/4

Sec. 20, Twp 13N, Rge 23E B.M.

NE1/4SW1/4

Sec. 2, Twp 12N, Rge 23E B.M.

Place of Use

IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

Conditions of Approval:

1. 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. 73.
2. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
3. 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.
4. X27 This right is limited to the irrigation of 560.0 acres within the authorized place of use in a single irrigation season.
5. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. 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).
10. U42 Place of use does not include federal public lands.
11. F05 Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
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.

Decreed Date: 9/30/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-10041

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 11/24/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From To</u>
AESTHETIC STORAGE	01/01 to 12/31
DIVERSION TO STORAGE	04/01 to 10/31
IRRIGATION	04/01 to 10/31
RECREATION STORAGE	01/01 to 12/31
WILDLIFE STORAGE	01/01 to 12/31
<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
	59.1 AF
0.14 CFS	
7.06 CFS	
	59.1 AF
	59.1 AF
7.2 CFS	

Location of Point(s) of Diversion

BIG CREEK	NE1/4NW1/4	Sec. 13,	Twp 13N,	Rge 23E B.M.
CUSTER County				
BIG CREEK	SE1/4SW1/4	Sec. 27,	Twp 13N,	Rge 23E B.M.
CUSTER County	(Injection)			
BIG CREEK	NE1/4SE1/4	Sec. 13,	Twp 13N,	Rge 23E B.M.
LEMHI County				
BIG CREEK	SW1/4SW1/4SE1/4	Sec. 20,	Twp 13N,	Rge 23E B.M.
CUSTER County	(Rediversion)			

Place of Use

AESTHETIC STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
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IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

Page _____ of _____

RECREATION STORAGE Within CUSTER County

T13N R23E S19 NESE T13N R23E S19 SESE

WILDLIFE STORAGE Within CUSTER County

T13N R23E S19 NESE T13N R23E S19 SESE

Place of Use: DIVERSION TO STORAGE same as AESTHETIC STORAGE

Conditions of Approval:

1. 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 diversions and points of measurement described above.
2. F05 Right No.s 73-32, 73-2102, 73-10023, 73-10041, and 73-12110 are diverted through the points of diversion described above.
3. 219 Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
4. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 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.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. 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.
10. 220 The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
11. 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 Goldburg Creek and at the point of redirection from Goldburg Creek.
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. 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. 73.
14. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW

Decreed Date: 9/30/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-12110

Current Owner: FLYING JOSEPH RANCH LLC
Priority Date: 4/1/1969
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG CREEK

Tributary

PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From To</u>
AESTHETIC STORAGE	01/01 to 12/31
DIVERSION TO STORAGE	01/01 to 12/31
IRRIGATION	04/01 to 10/31
RECREATION STORAGE	01/01 to 12/31
WILDLIFE STORAGE	01/01 to 12/31
<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
	110.9 AF
0.67 CFS	
32.13 CFS	
	110.9 AF
	110.9 AF
32.8 CFS	

Location of Point(s) of Diversion

BIG CREEK	SW1/4SW1/4SE1/4	Sec. 20,	Twp 13N,	Rge 23E B.M.
CUSTER County		(Rediversion)		
BIG CREEK	SE1/4SW1/4	Sec. 27,	Twp 13N,	Rge 23E B.M.
CUSTER County		(Injection)		
BIG CREEK	NE1/4NW1/4	Sec. 13,	Twp 13N,	Rge 23E B.M.
CUSTER County				
BIG CREEK	NE1/4SE1/4	Sec. 13,	Twp 13N,	Rge 23E B.M.
LEMHI County				

Place of Use

AESTHETIC STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
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IRRIGATION Within CUSTER County

T13N R22E S1		SWNW	19.00	T13N R22E S1		NWSW	35.00
T13N R22E S1		SWSW	41.00	T13N R22E S2	Lot 1	NENE	31.00
T13N R22E S2	Lot 2	NWNE	9.60	T13N R22E S2		SWNE	8.30
T13N R22E S2		SENE	40.00	T13N R22E S2		NESE	40.00
T13N R22E S2		SESE	40.00	T13N R22E S11		NENE	37.00
T13N R22E S11		SENE	33.00	T13N R22E S11		NESE	27.00
T13N R22E S11		SESE	29.00	T13N R22E S12		NWNE	0.50
T13N R22E S12		SWNE	23.00	T13N R22E S12		NENW	2.60
T13N R22E S12		NWNW	41.00	T13N R22E S12		SWNW	40.00
T13N R22E S12		SENE	1.10	T13N R22E S12		NESW	41.00
T13N R22E S12		NWSW	31.00	T13N R22E S12		SWSW	30.00
T13N R22E S12		SESW	37.00	T13N R22E S12		NWSE	41.00
T13N R22E S12		SWSE	39.00	T13N R22E S13		NWNE	23.00
T13N R22E S13		SWNE	12.00	T13N R22E S13		NENW	15.00
T13N R22E S13		NWNW	37.00	T13N R22E S13		SWNW	9.90
T13N R22E S13		SENE	16.00	T13N R22E S13		NESW	0.20
T13N R22E S13		SWSW	9.80	T13N R22E S13		NWSE	23.00
T13N R22E S13		SESE	34.00	T13N R22E S14		NENE	17.00
T13N R22E S14		SENE	21.00	T13N R22E S14		NESE	36.00
T13N R22E S14		NWSE	20.00	T13N R22E S14		SWSE	31.00
T13N R22E S14		SESE	37.00	T13N R22E S23		NENE	40.00
T13N R22E S23		NWNE	37.00	T13N R22E S23		SWNE	23.00
T13N R22E S23		SENE	40.00	T13N R22E S23		NESE	12.00
T13N R22E S24		NENE	8.00	T13N R22E S24		NWNE	0.50
T13N R22E S24		SWNE	30.00	T13N R22E S24		SENE	12.00
T13N R22E S24		NENW	19.00	T13N R22E S24		NWNW	40.00
T13N R22E S24		SWNW	40.00	T13N R22E S24		SENE	40.00
T13N R22E S24		NESW	37.00	T13N R22E S24		NWSW	28.00
T13N R22E S24		NESE	39.00	T13N R22E S24		NWSE	39.00
T13N R23E S18	Lot 4	SWSW	18.00	T13N R23E S19		NWNE	25.00
T13N R23E S19		SWNE	39.00	T13N R23E S19		SENE	25.50
T13N R23E S19		NENW	27.60	T13N R23E S19	Lot 1	NWNW	32.40
T13N R23E S19	Lot 2	SWNW	7.80	T13N R23E S19		SENE	38.00
T13N R23E S19		NESW	27.80	T13N R23E S19	Lot 3	NWSW	29.00
T13N R23E S19	Lot 4	SWSW	25.00	T13N R23E S19		SESW	40.00
T13N R23E S19		NESE	32.50	T13N R23E S19		NWSE	29.50
T13N R23E S19		SWSE	40.00	T13N R23E S19		SESE	28.00
T13N R23E S20		NWSW	27.00	T13N R23E S29		NWNW	37.00
T13N R23E S29		SWNW	40.00	T13N R23E S29		NWSW	28.00
T13N R23E S30		NENE	40.00	T13N R23E S30		NWNE	40.00
T13N R23E S30		SWNE	40.00	T13N R23E S30		SENE	40.00
T13N R23E S30		NENW	40.00	T13N R23E S30	Lot 1	NWNW	25.00

Total Acres: 2365.6

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RECREATION STORAGE Within CUSTER County

T13N R23E S19 NESE T13N R23E S19 SESE

WILDLIFE STORAGE Within CUSTER County

T13N R23E S19 NESE T13N R23E S19 SESE

Place of Use: DIVERSION TO STORAGE same as AESTHETIC STORAGE

Conditions of Approval:

1. 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. 73.
2. 220 The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
3. 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.
4. 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 Goldburg Creek and at the point of rediversion from Goldburg Creek.
5. D09 The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. X35 Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
9. 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.
10. 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 diversions and points of measurement described above.
11. 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.
12. 219 Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
13. F05 Right No.s 73-32, 73-2102, 73-10023, 73-10041, and 73-12110 are diverted through the points of diversion described above.

Decreed Date: 9/30/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 73-12146

Current Owner: FLYING JOSEPH RANCH LLC

Priority Date: 4/12/2008

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE STORAGE	01/01 to 12/31		110.9 AF
RECREATION STORAGE	01/01 to 12/31		110.9 AF
AESTHETIC STORAGE	01/01 to 12/31		110.9 AF
	<u>Total Diversion</u>		110.9 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4 Sec. 19, Twp 13N, Rge 23E B.M.

CUSTER County

Place of Use

WILDLIFE STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
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RECREATION STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
---------------	------	---------------	------

AESTHETIC STORAGE Within CUSTER County

T13N R23E S19	NESE	T13N R23E S19	SESE
---------------	------	---------------	------

Conditions of Approval:

1. 123 Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.
2. Recreation storage, aesthetic storage and wildlife storage uses are for an excavated pond.
3. The surface area of the pond constructed in connection with this right shall not exceed 11 acres.
4. This right does not authorize the diversion of water from a well, nor does it authorize the diversion of water from the pond established in connection with this right.
5. X35 Rights 73-147A, 73-10041, 73-12110 and 73-12146 when combined shall not exceed a total annual maximum diversion volume of 110.9 acre feet for Aesthetic Storage, Recreation Storage and Wildlife Storage.
6. This right provides for a pond volume of 88 and 22.9 af of annual evaporation losses.

Licensed Date: 6/24/2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

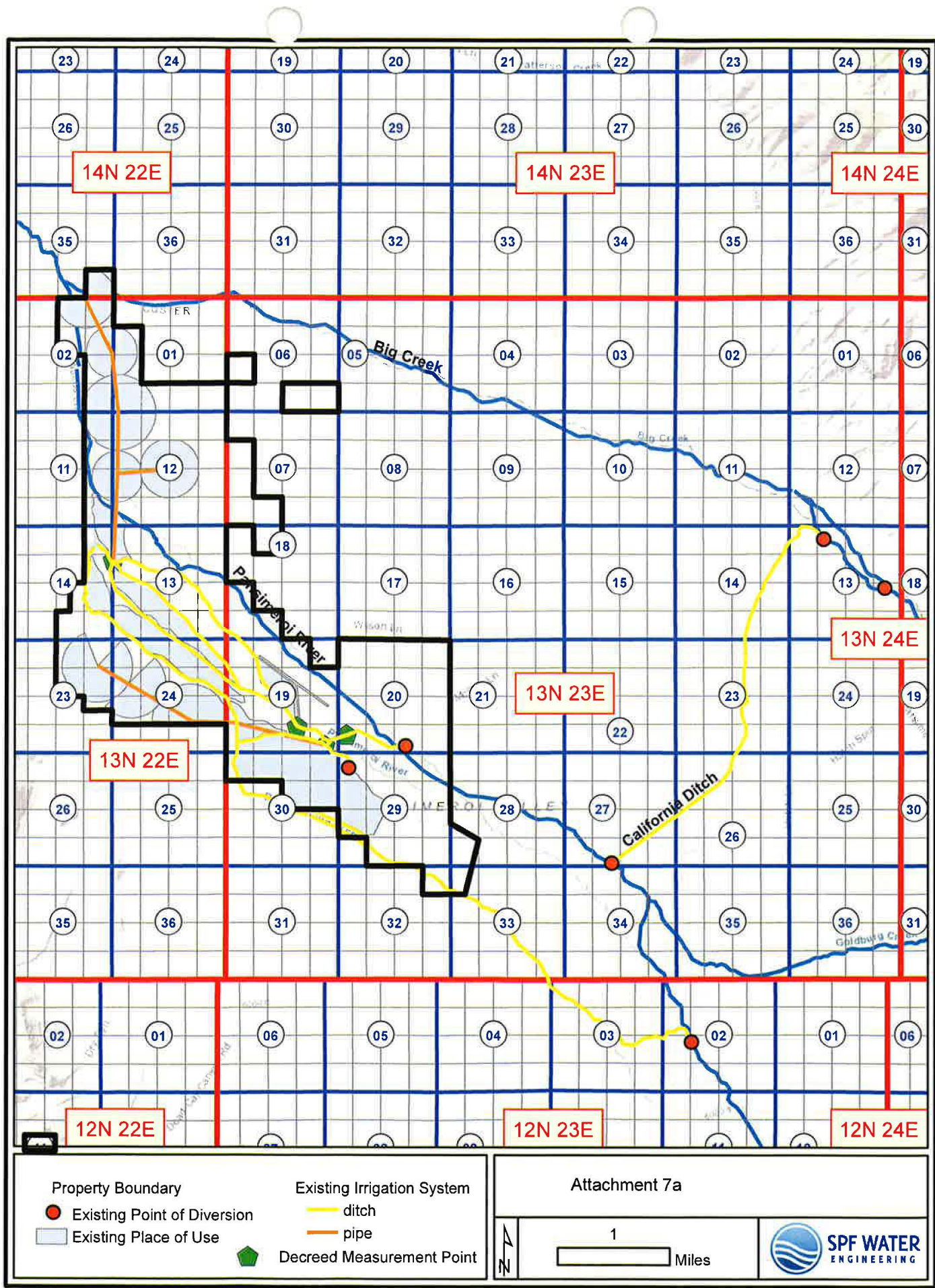
- ☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

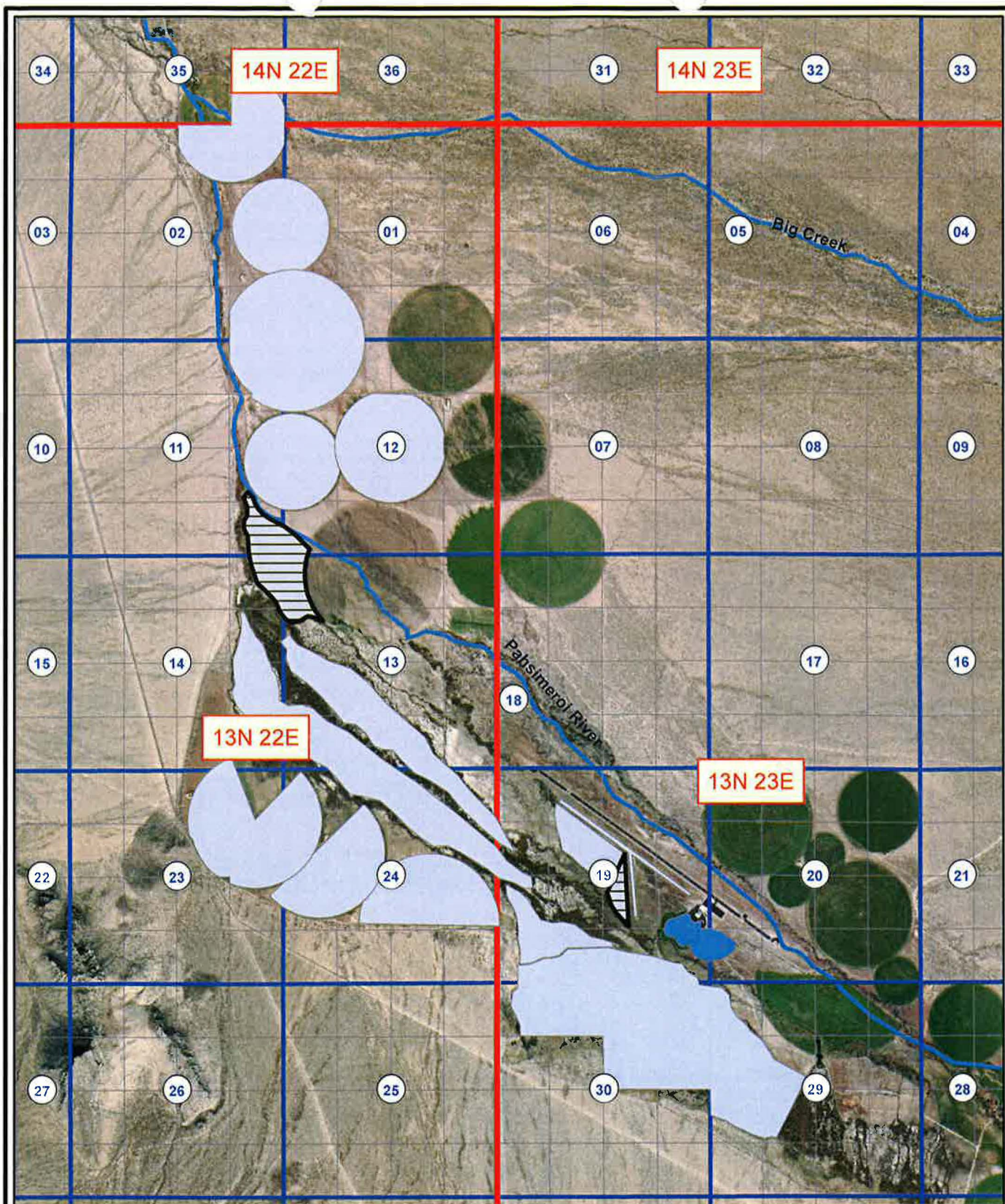
Right Number: _____

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ tract.)

[illegible]

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-  Pond after Enlargement
-  Place of Use to be Removed
-  Existing Place of Use

Attachment 7b



0.6

Miles

