

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TEMPORARY TRANSFER NO. 4395
WATER RIGHT NO. 34-00689A

RECEIVED

AUG - 1 1994

Department of Water Resources
Eastern District Office

This is to certify that: **MICHAEL D DUKE**
3886 W 3700 N
MOORE ID 83255

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222A, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	05/01 to 10/15	0.20 CFS	*

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/30/1885

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 33, Township 07N, Range 24E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	25E	27	SWNE 36	NESW 15	SESW 13	103
			SESE 39			
		33	SWNE 18	SENE 39	SWNW 36	
			NWSW 13	SWSW 39	NESE 16	211
			SWSE 40	SESE 10		
Total number of acres irrigated:						314

CONDITIONS/REMARKS:

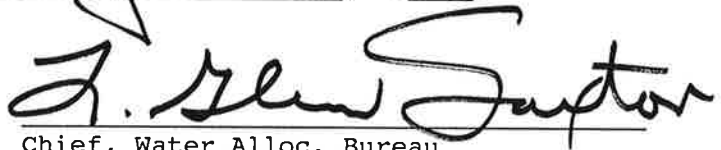
1. This approval expires November 1, 1994 and thereafter the right reverts to the use existing prior to the temporary change.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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CONDITIONS/REMARKS:

5. The Director retains jurisdiction of this transfer in order to instruct the watermaster of Water District No. 34, Big Lost River, in the diversion and use of the right in order to protect prior water rights.
6. The rate of diversion under Transfer No. 4395 is not limited to the rate authorized under Right No. 34-00689A since the water is stored water from rotation credit.
- * 7. The volume of water under Transfer No. 4395 is limited to the amount of water stored as rotation credit under Right No. 34-00689A prior to this transfer approval.

Dated this 26th day of July, 1994.


Chief, Water Alloc. Bureau