

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

4393
RECEIVED

AUG 18 1994

TRANSFER OF WATER RIGHT

Department of Water Resources
Eastern District Office

TEMPORARY TRANSFER NO. 4393
WATER RIGHT NO(S). 34-00228B/34-00856H

This is to certify that: UNITED STATES OF AMERICA ACTING THROUGH
USDA FMHA
KENT STOKES
3232 ELDER ST
BOISE ID 83705

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>
Right No. 34-00228B :			
IRRIGATION	05/01 to 10/15	0.80 CFS	133.0 AF
Priority: 06/01/1884			
Right No. 34-00856H :			
IRRIGATION	05/01 to 10/15	0.80 CFS	175.0 AF
Priority: 04/30/1884			
	TOTAL:	1.60 CFS	308.0 AF

SOURCE

TRIBUTARY OF

BIG LOST RIVER

SINKS

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 26, Township 04N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 27E 10	SWNE 20	NENW 38	NWNW 38	
	SWNW 39	SEnw 40	NWSE 39	214
		Total number of acres irrigated:		* 214

CONDITIONS/REMARKS:

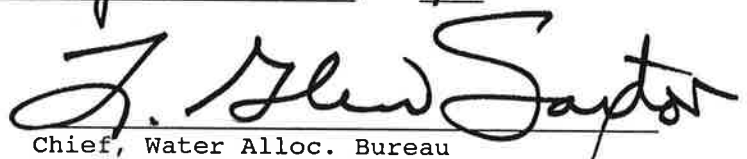
1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

TEMPORARY TRANSFER NO. 4393
WATER RIGHT NO(S). 34-00228B/34-00856H

CONDITIONS/REMARKS:

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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
6. This approval expires November 1, 1994 and thereafter the right reverts to the use existing prior to the temporary change.
- * 7. Right No. 34-00228B is limited to the irrigation of 38 acres in the place of use described above in a single irrigation season.
- * 8. Right No. 34-00856H is limited to the irrigation of 50 acres in the place of use described above in a single irrigation season.

Dated this 4th day of August, 1994.


Chief, Water Alloc. Bureau

Ident. No. 4393

7/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION

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

Name of applicant AMERICA ACTING THROUGH UNITED STATES (EMITA) or KENT STOKES Phone 527-3470
Post Office address P.O. Box 613 ARCO ID 83213

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) therefor TO GIVE A CROP

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

1. Right Number	Priority	Amount	Nature	Period of Use
<u>34-008514</u>	<u>04-30-1984</u>	<u>8 CFS</u>	<u>IRRIGATION</u>	<u>05-01</u> to <u>10-15</u>
<u>34-00228B</u>	<u>06-01-1984</u>	<u>8 CFS</u>	<u>IRRIGATION</u>	<u>05-01</u> to <u>10-15</u>
				to
				to

2. Total amount of water being transferred 1.6 cubic feet/second and/or 230 acre-feet per annum.

3. Source of water BIG Lost RIVER tributary to SINKS

4. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	NW	26	4N	26E	BUTTE	ARCO DIVERSION

5. Lands irrigated or Place(s) of Use:

5. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34	21E	10			20		38	38	38	40						39			272

Total acres 272

6. General Information:

a. Who owns the water right to be changed?

FWHA
KENT STOKES
TRANSFER

DARRELL MCDOUGAL
(SPEAKER PHONE)
TRANSFER

b. Describe the arrangement allowing use of the right

DECLARATION BUTTE & CUSTER CO. EMERGENCY DROUGHT

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this application:

EFFECTIVE 1994 IRRIGATION SEASON ONLY

d. Has the water right sought to be transferred been used this year? NO If yes, explain.

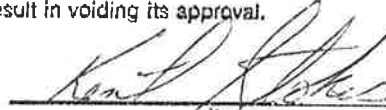
e. Absent the changes, how would the right be used for the remainder of the year? TO FINISH CROP

f. Describe other water rights used for the same purpose.

See Attached sheet

g. Remarks:

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.


(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by HWJ Date 7-14-94 Fee \$50

Received 7-14-94 # E020039 Recommend: approve deny

Watermaster recommendation

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 199____.

ACTION REQUIRED

FROM: H. W. JONES

7-15-94

TO: EMERGENCY TRANSFER FILE - KENT STOKES

- 1) I CALLED APPLICANT STOKES AND HE JUST PURCHASED PROPERTY UNDER 34-00856H AND 34-00228D AND COULD NOT START FARMING EARLY ENOUGH SO HE IS WILLING TO TRANSFER TO THE TOONE PROPERTY.
- 2) I CALLED BIG LOST RIVER IRRIGATION DISTRICT AND THEY SAID THEY AND WATERMASTER DOUG ROSENKRANZ APPROVE THIS CHANGE.
- 3) I CALLED FMHA IN ARCO AND THAT OFFICE ALSO APPROVED THE TEMPORARY TRANSFER OF WATER RIGHT.

SD-0604-2 Township: 03N Range: 27E Section: 10				Tract: NW Lot:						
S	L	STATE	O	S	Max #	Records	148			
E	O	Water	Name	T	Priority	Use				
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	NENW		34-07028A	TOONE, SPENCER W.	C	29	L	08/01/1972	01	IRR
---				TOONE, ELEANOR	C					
---	NENW		34-00195C	TOONE, SPENCER W.	C	38	D	06/01/1888	01	IRR
---				TOONE, ELEANOR	C					
---	NENW		34-00196D	TOONE, ELEANOR	C	38	D	09/01/1896	01	IRR
---				TOONE, SPENCER W.	C					
---	NENW		A34-07234	TOONE, SPENCER W.	C	10	L	08/15/1979	01	IRR
---				TOONE, ELEANOR	C					
---	NENW		A34-02480A	PETERSON, GLEN L.	O	30	L	09/11/1966	01	IRR
---				BOYER, FRED H.	O					
---				TOONE, ELEANOR	C					
---				TOONE, SPENCER W.	C					
---	NENW		A34-07028A	TOONE, SPENCER W.	C	29	L	08/01/1972	01	IRR
---				TOONE, ELEANOR	C					
---	NENW		34-02491B	TOONE, SPENCER W.	C	38	L	05/08/1944	01	IRR
---				TOONE, ELEANOR	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0604-2 Township: 03N			Range: 27E		Section: 10		Tract: NW		Lot:	
S	L		STATE		O	S	Max #	Records	148	
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	NENW	-	A34-02491B	TOONE, SPENCER W.	C	40	L	05/08/1944	01	IRR
-	NENW	-	A34-07028	TOONE, ELEANOR	C					
-	NENW	-	A34-07028	TOONE, SPENCER W.	O	29		08/01/1972	01	IRR
-	NENW	-	A34-00201	SPLIT RIGHT	C					
-	NENW	-	A34-00201	DARLINGTON LAND & IRRI	O			05/10/1897	01	IRR
-	NENW	-	A34-00195C	BOYER, I. W.	O					
-	NENW	-	A34-00195C	COMBINED RIGHT	C					
-	NENW	-	A34-00195C	TOONE, ELEANOR	C	40	D	06/01/1888	01	IRR
-	NENW	-	A34-00196D	TOONE, SPENCER W.	C					
-	NENW	-	A34-00196D	TOONE, ELEANOR	C	40	D	09/01/1896	01	IRR
-	NENW	-	A34-00196D	TOONE, SPENCER W.	C					
-	NENW	-	A34-10100	TOONE, SPENCER W.	C	40	D	05/10/1897	01	IRR
-	NENW	-	A34-10100	TOONE, ELEANOR	C					
-	NENW	-	A34-10100	TOONE, SPENCER W.	C	38	D	05/10/1897	01	IRR
-	NENW	-	A34-10100	TOONE, ELEANOR	C					
-	NENW	-	34-10091	TOONE, SPENCER W.	C		J	07/01/1979	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0604-2 Township: 03N			Range: 27E		Section: 10		Tract: NW		Lot:	
S	L		STATE		O	S	Max # Records	148		
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	NENW		34-10091	TOONE, ELEANOR	C		J	07/01/1979		
---	NENW		34-07234	TOONE, SPENCER W.	C	9	L	08/15/1979	01	IRR
---				TOONE, ELEANOR	C					
---	NENW		34-02480A	TOONE, SPENCER W.	C	29	L	05/01/1986	01	IRR
---				TOONE, ELEANOR	C					
---				BOYER, FRED H.	O					
---				PETERSON, GLEN L.	O					
---	NWNW		34-07028A	TOONE, SPENCER W.	C	38	L	08/01/1972	01	IRR
---				TOONE, ELEANOR	C					
---	NWNW		A34-10091	TOONE, SPENCER W.	C		J	07/01/1979	43	DOMEST
---				TOONE, ELEANOR	C					
---	NWNW		A34-02480A	PETERSON, GLEN L.	O	40	L	09/11/1966	01	IRR
---				BOYER, FRED H.	O					
---				TOONE, ELEANOR	C					
---				TOONE, SPENCER W.	C					
---	NWNW		A34-07028A	TOONE, SPENCER W.	C	38	L	08/01/1972	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

1. APPLICATION CODE		1 — "A" APPLICATION 2 — "I" INCREASE/CROP PERCENTAGE 3 — "P" PARTIAL CANCELLATION		4 — "F" FULL CANCELLATION 5 — "D" DELETION/REVERSAL 6 — "C" REVERSAL OF PARTIAL CANCELLATION		7 — "L" REVERSAL OF FULL CANCELLATION 8 — "S" STATISTICAL CHANGE	
2. CASE NUMBER LESSEE		3. OK CODE		4. PROPERTY ID NUMBER			
ST CO LESSEE ID 1 2 0 1 2 0 5 1 8 1 7 6 0 2 0				1 2 0 1 2 0 0 5 4 8			
5. LESSEE NAME AND ADDRESS		6. LEASE TYPE CODE					
AMY STOCKES		01 — LUMP SUM 02 — CROP PERCENTAGE 03 — MONTHLY 04 — PERIODIC PAYMENTS 06 — TRANSITIONAL HOUSING FOR THE HOMELESS (SFH ONLY) 07 — NATURAL DISASTER (SFH ONLY)					
PO BOX 613		21 — LUMP SUM HOMESTEAD PROTECTION (HP) 23 — MONTHLY HP 24 — PERIODIC PAYMENTS HP 31 — LUMP SUM FARM BUY-BACK (FBB) 32 — CROP PERCENTAGE FBB 33 — MONTHLY FBB 34 — PERIODIC PAYMENTS FBB					
ARDD ID							
8 3 2 1 3 ZIP CODE		0 3					
7. NUMBER OF NAME FIELDS		8. NUMBER OF ADDRESS FIELDS		9. DATE LEASE EFFECTIVE		10. DATE LEASE ENDS	
1		2		MO DA YR 0 7 - 0 1 - 9 4		MO DA YR 1 0 - 3 1 - 9 4	
12. LESSEE RACE CODE		13. LESSEE RELATIONSHIP CODE		14. LESSEE KIND CODE			
1 — WHITE 2 — BLACK (AFRICAN AMERICAN) 3 — AMERICAN INDIAN - ALASKAN NATIVE 4 — HISPANIC 5 — ASIAN - PACIFIC ISLANDER 7 — TAX EXEMPT 8 — NON-TAX EXEMPT		01 — IMMEDIATE PREVIOUS BORROWER-OWNER 02 — SPOUSE OF PREVIOUS BORROWER-OWNER ACTIVELY ENGAGED IN FARMING 03 — CHILD OF PREVIOUS BORROWER-OWNER ACTIVELY ENGAGED IN FARMING 04 — STOCKHOLDER OF CORPORATION THAT WAS PREVIOUS BORROWER-OWNER 05 — IMMEDIATE PREVIOUS FAMILY SIZE FARM OPERATOR 06 — OPERATORS OF NOT LARGER THAN FAMILY-SIZE FARM 07 — INDIAN MEMBER OF TRIBE THAT HAS JURISDICTION 08 — INDIAN CORPORATE ENTITY 09 — INDIAN TRIBE ITSELF 10 — UNRELATED		00 — ALL OTHERS 05 — SOCIALLY DISADVANTAGED 0 5			
1 1		1 0		15. LESSEE TYPE CODE 01 — INDIVIDUAL 02 — GENERAL PARTNERSHIP 03 — LIMITED PARTNERSHIP 04 — CORPORATION 05 — PUBLIC BODY 06 — NON-PROFIT 07 — ASSOCIATION OF FARMERS 08 — ORGANIZATION OF FARMERS 09 — BEGINNING FARMER 10 — FARMER 11 — OTHER 0 9			
16. AMOUNT OF LEASE CHARGE		17. AMOUNT OF FIRST INSTALLMENT					
4.00		18. DATE OF FIRST INSTALLMENT MO DA YR 0 7 - 0 1 - 9 4					
19. AMOUNT OF SECOND INSTALLMENT		20. DATE OF SECOND INSTALLMENT MO DA YR 0 8 - 0 1 - 9 4					
1.00		22. DATE OF THIRD INSTALLMENT MO DA YR 0 9 - 0 1 - 9 4					
21. AMOUNT OF THIRD INSTALLMENT		24. DATE OF FOURTH INSTALLMENT MO DA YR 1 0 - 0 1 - 9 4					
1.00		26. DATE OF FIFTH INSTALLMENT MO DA YR - - - -					
23. AMOUNT OF FOURTH INSTALLMENT		28. DATE SECURITY DEPOSIT REMITTED MO DA YR - - - -					
1.00		30. DATE REDEMPTION RIGHTS EXPIRE MO DA YR - - - -					
25. AMOUNT OF FIFTH INSTALLMENT							
27. SECURITY DEPOSIT AMOUNT							
29. SUBJECT TO REDEMPTION RIGHTS							
1 — YES 2 — NO							

LEASE OF REAL PROPERTY

31. REMARKS AND SPECIAL STIPULATIONS:

Additional consideration for lease will be the repair of the irrigaiton system and cleanup of the property.

Lessee is responsible for the irrigation equipment as of the date of the lease.

Lessee is responsible for the 1994 water charges from Big Lost River Irrigation Company and have all rights connected with the water and ditches within the system concerning the property.

Electric service is the responsibility of the leasee. All charges will be paid by the leasee. FmHA will have no responsibility in this area.

Re: Conservation Easement, see Exhibit 1. All restrictions are binding to leasee.

Continuation of Remarks/Special Stipulations is attached.

32. The United States of America acting through the Farmers Home Administration (FmHA) as the Lessor agrees to lease to the above-named Lessee, and the Lessee hereby leases to occupy and/or use; subject to redemption rights, if any, and the general provisions set forth on the reverse, Special

Stipulations above, and in any attachments, the property located at Leslie area
in the County of Butte and Custer, State of Idaho.

33. FARMERS HOME ADMINISTRATION, Lessor

Lessee

BY: Barbara C. Neytmanek

Kent Stokes

TITLE: Asst Co Supervisor DATE: 7/5/94

DATE: 7/5/94

GENERAL PROVISIONS

1. **PAYMENTS.** – The Lessee will pay to the Lessor the rent set forth in cash, certified check, cashier's check, money order or personal check payable to the order of the Farmers Home Administration at the address given or to such other party as designated in writing by Lessor.
2. **SECURITY DEPOSIT.** – If the security deposit block on the face of this lease is marked "yes", then receipt of the sum following is hereby acknowledged by the Lessor. This deposit is to be held by Lessor as security for the full and faithful performance of all of the terms and conditions of this lease. Upon termination or expiration of this lease the surrender of all keys to the Lessor and the vacating of the property by the Lessee, the Lessee shall be entitled to the return of the above security deposit providing the property is vacated in as good condition as it was at the time it was first occupied by the Lessee, reasonable wear and tear excepted. Deductions may be made from this security deposit by the Lessor to reimburse Lessor for the cost of repairing or replacing property that may be broken, damaged, lost or missing. This security deposit is not an advance on the rental payment and Lessee may not deduct any portion of it from rent due the Lessor. The security deposit, less any deductions, will be refunded to the Lessee six weeks after the property has been vacated by the Lessee and inspected by the Lessor. It is understood that no interest shall accrue to the security deposit.
3. **UTILITY COSTS.** – Utilities and operating expenses are not included in the rent and are the responsibility of the Lessee.
4. **DELAY IN OCCUPANCY.** – Should the property not be ready for occupancy on the beginning date as indicated above, this lease shall not be affected thereby but Lessee shall owe rent commencing with the date on which the Lessee can occupy the property or the property is ready for occupancy, as determined by the Lessor.
5. **INTERRUPTED OCCUPANCY.** – Should the property be destroyed or materially damaged during the period of this lease so as to render it wholly unfit for occupancy by unforeseen event not due to any fault or neglect of Lessee, the lease shall be terminated and the Lessee shall be entitled to a credit or refund for the unexpired term of the lease for which payment has been made.
6. **POSTING OF PROPERTY BY LESSOR.** – Lessor reserves the right to post the property with "For Sale," "For Rent," or other appropriate signs during the period of this lease, and Lessee will allow parties authorized by Lessor to visit and inspect the premises during reasonable hours by appointment in view of purchasing or renting during the entire term of this lease.
7. **PROPERTY FOR SALE.** – Lessee understands that the premises may be offered for sale and that in the event of a sale, the lease may be transferred to the purchaser.
8. **RIGHT OF INGRESS AND EGRESS BY LESSOR.** – The Lessor shall have the right of ingress and egress at all reasonable times over, across, and upon the property for the prevention of soil erosion and pollution and control or the improvement of the property for farming and residential or other purposes, and for those purposes, the right to construct upon, repair, alter, or improve the property, and to drain, terrace, and ditch the land; and the Lessee hereby waives and releases any and all claims against the Lessor for any damages arising from any entry, operation, activity or inactivity by the Lessor on the property in the reasonable exercise of any of its rights hereunder.
9. **USE OF RESIDENTIAL PROPERTY.** – Lessee agrees that the premises, if residential, shall be occupied only by the Lessee and the Lessee's family for residential purposes only. No business of any kind shall be carried on, in or from the premises without the prior written consent of the Lessor.
10. **PARKING AND AUTOMOTIVE REPAIRS.** – Lessee agrees that Lessee and Lessee's guests shall use only the parking space(s) specifically designated by the Lessor. Lessee agrees, except for emergency towing or starting repairs, that no repairs or maintenance of vehicles will be performed in the parking area or elsewhere on or about the premises.
11. **NOISE.** – Lessee agrees that Lessee and Lessee's family and guests will refrain from causing or permitting any unnecessary loud noise from any source including human voices to emit from the premises and at all times, a reasonable degree of quiet shall be maintained.
12. **LAUNDRY FACILITIES.** – Lessee agrees that any laundry facilities provided shall not be used for any purpose other than normal washing and drying of clothing and domestic linen.
13. **MAINTAINING PROPERTY.** – The Lessee shall maintain the premises in a clean, sanitary, safe and satisfactory condition as at occupancy, reasonable wear and tear excepted.
14. **REMOVAL OR CONSTRUCTION BY LESSEE.** – The Lessee shall not without the consent of the Lessor, demolish, alter, add to, or remove any buildings or structures on the property. No holes shall be drilled in the walls, woodwork or floors, no antenna shall be installed, and no painting or wall papering is permitted unless authorized in writing by Lessor.
15. **DEDUCTIONS FOR REPAIRS.** – The Lessee waives all rights to make deductions and off-sets from the rent for repair and improvements unless the prior written approval for the Lessor is obtained. Any repairs, alterations or improvements for leased premises, undertaken by the Lessee without such prior written approval shall be deemed the voluntary acts of the Lessee.
16. **PAYMENT FOR DAMAGES.** – Lessee agrees to pay Lessor the cost for repair of any damage to the property inflicted intentionally or inadvertently by Lessee or Lessee's guests.
17. **INSURANCE.** – Lessee understands that Lessor does not and has no obligation to carry insurance on the property or its contents.
18. **SUBLEASING.** – The Lessee agrees not to sublet the property or any part thereof without the prior written consent of the Lessor.
19. **TERMINATION OF LEASE.** – Except as provided in Special Stipulations on the face or attached, this lease may be terminated by either party upon 30 days written notice to the other party at that party's address set forth in this lease. If the premises are sold, subject to the lease, the new owner thereof may terminate this lease by giving 30 days notice to Lessee in the same manner, but in any event, the Lessee shall retain the right to harvest any existing crops.
20. **VACATING THE PROPERTY.** – Upon the expiration or termination of this lease, and without further notice, the Lessee shall forthwith peaceably vacate and surrender possession of the property in as good condition as the property is now or shall be put during the term of this lease, reasonable wear and tear excepted. Upon failure of the Lessee forthwith to vacate and surrender possession of the property, the Lessee shall remain in possession thereof only as a tenant at the sufferance of the Lessor who may immediately, or at any time thereafter, re-enter the property and remove all persons and property therefrom, either by summary dispossession proceedings or by any other suitable action or proceeding at law, or otherwise, without being liable to damage therefor.
21. **REMOVAL OF PERSONAL PROPERTY.** – Any personal property belonging to the Lessee and left on the leased premises after termination or expiration of the lease may be disposed of by Lessor in any manner deemed proper and Lessor is hereby relieved of all liability for doing so.
22. **RELEASE FROM CLAIMS AND LIABILITY.** – Lessee hereby agrees to relieve and hold harmless Lessor and any of the Lessor's employees for any and all claims for damage to the Lessee's property and any and all liability that may occur in connection with this lease.
23. **MEMBERS OF OR DELEGATES TO CONGRESS.** – No member of or delegate to Congress shall be admitted to any share or part of this agreement or any benefit that may arise therefrom.

Exhibit 1

I. DESCRIPTION OF THE WETLAND AREA.

The area subject to this Wetland Restriction is described as follows:

~LEGAL DESCRIPTION~

A Parcel Of Land Situated In Section 20, T.6N., R.26E., B.M. Butte County, State Of Idaho, More Particularly Described As Follows:

Beginning At A Point Which Is S 88° 30' 10" W 1367.13 Feet From The North Quarter Corner Of Said Section 20; Thence S 1° 07' 25" E 2526.28 Feet To A Point; Thence N 86° 31' 05" W 1309.27 Feet To A Point; Thence N 0° 45' 00" W 2437.83 Feet To A Point; Thence N 89° 36' 55" E 1289.26 Feet To The Point Of Beginning. Containing 73.919 Acres, More Or Less.

II. COVENANTS BY THE LESSEE:

A. No dwellings, barns, outbuildings or other structures shall be built within the wetland area.

B. The vegetation or hydrology of the described wetland area will not be altered in any way or by any means or activity on the property conveyed by this lease, or property owned or under the control of the lessee, including: (1) cultivation; (2) harvesting wood products; (3) burning; (4) placing of refuse, wastes, sewage, or other debris; (5) draining, dredging, channeling, filling, discing, pumping, diking, impounding and related activities, or (6) diverting or affecting the natural flow of surface or underground waters into, within, and out of the wetland area. The lessee shall have the right to graze domestic livestock and harvest hay by cutting or mowing, in accordance with a management plan jointly developed and agreed to by the Farmers Home Administration and the Soil Conservation Service provided:

(1) hay cutting or mowing is provided for in the management plan and is limited to once annually between July 15 and September 1 with the actual scheduled date set to ensure that there is adequate regrowth of vegetation to provide winter cover and early spring nesting cover;

(2) grazing is provided for in the management plan and does not exceed 25 percent Harvest Efficiency in any given year and ensures adequate regrowth of vegetation to provide winter cover and early spring nesting cover;

(3) the timing and intensity of hay cutting or mowing and of grazing shall provide for the protection and restoration of wetlands functions and values as the overriding purpose and the purpose of the management plan including the prohibition of both where woody vegetation is to be maintained or established; and,

(4) any subsequent changes to the timing and intensity of hay cutting or mowing and of grazing provided for in the management plan at the time the lease is executed shall require the joint approval of the Farmers Home Administration, Soil Conservation Service of the U. S. Department of Agriculture, and the LESSEE.

C. Notwithstanding the provisions of paragraph II-B above, the LESSEE shall be responsible for compliance with all federal, state and local laws for the control of noxious or other undesirable plants on the wetland area.

III. RIGHTS RESERVED IN THE UNITED STATES.

The United States, on behalf of itself, its successors or assigns, reserves and retains the right, at its sole discretion, to manage the wetland area including the following authorities:

- A. The right of reasonable ingress and egress on and across the property covered by this lease as of the date of this instrument, whether or not adjacent or appurtenant to the wetland area, for access to the wetland area in order to conduct wetlands management, monitoring, and wetland enforcement activities. The wetland manager may utilize vehicles and other reasonable models of transportation for access purposes overland or on any right of way described in paragraph I. In the event that the use of the described access right of way over the property covered by this lease is not practical for any reason, the wetland manager may utilize any convenient route of access to the wetland area over said property. With the concurrence of the wetland manager, the LESSEE may provide a designated route for such access to and from the wetland area so that damage to farm operations can be reasonably avoided.
- B. The right to install, operate, and maintain structures for the purpose of reestablishing, protecting, and enhancing wetlands functional values including the taking of construction materials to and from said sites.
- C. The right to establish or reestablish vegetation through seeding, plantings, or natural succession.
- D. The right to manipulate vegetation, topography and hydrology on the wetland areas through diking, pumping, water management, excavating, island construction, burning, cutting, pesticide application, fertilizing, and other appropriate practices.
- E. The right to conduct predator management activities.
- F. Notwithstanding permissive provisions of State or Federal law, the right to prohibit or regulate hunting or fishing or other taking of migratory birds, fish and wildlife. This right to prohibit any of these activities shall be effected by (1) the wetland area manager posting the area, or (2) otherwise giving notice of the prohibitions to the LESSEE.
- G. The United States, its successors and assigns, including the wetland manager, shall have the right to make surveys, take photographs and prepare such other documentation as may be necessary or desirable to administer the provisions of this lease. Any such map, plat or other suitable document may be recorded in the land records of the respective county in which the property is located.

Water Right Number - 34-00856H

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** A - ATTORNEY ***

MONSON, ESQ.

PETER

1 - INDIAN RES SEC LND & NAT RES

2 - US DEPT OF JUSTICE

3 - 999 18TH ST STE 945

City- DENVER

State- CO Zip- 80202

Phone - 303-294-1950

*** C - CURRENT OWNER ***

AMERICA, ACTING THROUGH

UNITED STATES OF

1 - USDA, FMHA

2 - 3232 ELDER ST.

3 -

City- BOISE

State- ID Zip- 83705

Phone - 208-334-1577

*** K - ALSO KNOWN AS ***

U.S. DEPT. OF AGRICULTURE

1 - FARMERS HOME ADMINISTRATION

2 - 3232 ELDER ST.

3 -

City- BOISE

State- ID Zip- 83705

Phone - 208-000-0000

FMHA

1 -

2 -

3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

WOODHAMS

E. J.

1 -

2 -

3 -

City- N/A

State- ID Zip- 00000

Phone - 208-000-0000

SPLIT RIGHT

1 -

2 -

3 -

City- N/A

State- ID Zip- 00000

Phone - 208-000-0000

EVANS

URBAN

1 -

2 -

3 -

City- DARLINGTON

State- ID Zip- 83231

Phone - 208-000-0000

+ - - Priority Date - - +

04/30/1884

+ - - Region - - - +

15 EASTERN

+ - - Stage - - - +

D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +

BIG LOST RIVER

+ - - Tributary - - - - - +

SINKS

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

06N

25E

24

NW NW NE

(37) CUSTER

Water right number - 34-00856H

Prefix Translation: WATER RIGHT

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	------------------------	----------------	------------------

01 - IRRIGATION		05/01	10/15	0.800	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.800			125.0	

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
-----	-----	-----	-------	-----	-------	----------------------	-------------	--------

06N	26E	20	SW NW		10.0	01 IRRIGATION		(37) CUSTER
06N	26E	20	NW SW		40.0	01 IRRIGATION		(23) BUTTE

Total Acres: 50.0

+ - - Diversion Means - DIVERTED FROM BIG LOST RIVER THRU LOWER BURNETT DITCH TO PROPERTY

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks

WATER IS DELIVERED THROUGH LOWER BURNETT DITCH.

Old Water Right Numbers

3400856C

Conditions of Approval

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
UTAH CONSTRUCTION CO.+ - - - Decree Defendant - - - +
JOHN F. ABBOTT, ET AL.+ - Decree Date - +
10/21/1925+ - - Audit Fields - 08/16/91 TAYLOR 12/17/91 THOMPSON 01/26/92 PR-PRODM 07/01/92 CPSHAW 10/26/92 CAN-SHAF
12/02/92 ADT-SHAW

+ - - Certified Numbers & Date Mailed - 00254365 01/21/92

Comments

No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 06/18/1992	Field Inspection Made	- 11/06/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/17/1991	Old Judicial District	-
Claim Received Date	- 03/23/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 34
Licensed Date	- 00/00/0000	Receipt Number	- X111111	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR	Notice of Error Flag	-

Old (D) Number -

+ - - - - - Address - - - - - +

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	10/15		0.800	

Prefix Translation: WATER RIGHT

Court Report Filing	- 06/18/1992	Field Inspection Made	- 11/06/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/16/1991	Old Judicial District	-
Claim Received Date	- 03/23/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 34
Licensed Date	- 00/00/0000	Receipt Number	- X111111	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

Water Right Number - 34-10100

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TOONE

SPENCER W.

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3558

TOONE

ELEANOR

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3558

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/10/1897 15 EASTERN D - DECREED+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
BIG LOST RIVER SINKS+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
04N 26E 26 NW NW NW (23) BUTTE+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/15 4.286+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.286 0.0+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 27E 10 SW NE 39.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NE NW 38.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW NW 38.0 01 IRRIGATION (23) BUTTE
03N 27E 10 SW NW 39.0 01 IRRIGATION (23) BUTTE
03N 27E 10 SE NW 40.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NE SW 40.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW SW 33.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW SE 39.0 01 IRRIGATION (23) BUTTE

Total Acres: 306.0

+ - - Diversion Means - WATER DELIVERED THROUGH ARCO CANAL.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-00195C, 34-00196D, 34-02419B, 34-02480A, 34-07028A, 34-07234

Water right number - 34-10100

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +
WATER IS DELIVERED THROUGH ARCO CANAL.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 34-00201,
34-00197, 34-00187 AND 34-00188.
0.84 CFS OF RIGHT NO. 34-2491B IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NOS.
34-00196D, 34-00195C AND 34-02419B.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.58 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 765 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00196D, 34-00195C, 34-02491B, 34-02480A,
34-07028A AND 34-07234.

+ - - - - - Old Water Right Numbers - - - - - +
A3400201
A3400197
A3400187
A3400188

+ - - - - - Conditions of Approval - - - - - +
C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
UTAH CONSTRUCTION CO. JOHN F. ABBOTT, ET AL. 10/21/1925

+ - - Audit Fields - 09/22/91 MEYER 09/27/91 VERNER 01/08/92 SHAW 01/26/92 PR-PRODM 07/01/92 CPSHAW
12/02/92 ADT-SHAW 04/15/93 CM1-SMIT 05/14/93 CM2-SEIF 06/09/93 CM2-PROD 06/09/93 CM2-PROD
08/12/93 CM2-SCHU

+ - - Certified Numbers & Date Mailed - 00254605 01/21/92

+ - - - - - Comments - - - - - +
Date: 09/20/1991 User Id: MEYER Subject: COPIED FROM REMARKS
WATER DELIVERED THROUGH ARCO CANAL. THIS CLAIM IS FOR 1.12 CFS OF DECREED RIGHT 34-0201, 0.434 CFS
OF 34-0197, 2.8 CFS OF 34-0187, & 1.68 CFS OF 34-0189 (FROM BIG LOST IRR. RECORDS).
Date: 01/08/1992 User Id: SHAW Subject: COPIED FROM REMARKS
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 34-00201 (1.12), 34-00197 (0.434), 34-00187 (1.052) AND 34-00188 (1.68CFS).

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 06/18/1992	Field Inspection Made	- 10/31/1990	Civil Case Number	- 39576
Objection Filed Date	- 02/26/1993	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 05/28/1993	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 34
Licensed Date	- 00/00/0000	Receipt Number	- E010802	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- D
Fee Exempt Flag	-	Name Connector	- OR	Notice of Error Flag	-

Water Right Number - 34-07028A

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TOONE

SPENCER W.

1 - PO BOX 820
2 -
3 -City- ARCO
Phone - 208-527-3305
1 - PO BOX 820
2 -

State- ID Zip- 83213

TOONE

ELEANOR

3 -
City- ARCO
Phone - 208-527-3305

State- ID Zip- 83213

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/01/1972 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
05N	26E	34	NW SE SW			(23) BUTTE		
04N	26E	26	NW NW NW	I		(23) BUTTE		
			NW NW NW	R		(23) BUTTE		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15	4.300	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.300 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	27E	10	SW NE		39.0	01	IRRIGATION	(23) BUTTE
03N	27E	10	NE NW		29.0	01	IRRIGATION	(23) BUTTE
03N	27E	10	NW NW		38.0	01	IRRIGATION	(23) BUTTE
03N	27E	10	SW NW		39.0	01	IRRIGATION	(23) BUTTE
03N	27E	10	SE NW		40.0	01	IRRIGATION	(23) BUTTE
03N	27E	10	NW SE		39.0	01	IRRIGATION	(23) BUTTE

Total Acres: 224.0

+ - - Diversion Means - WELL/PUMP OPEN DISCHARGE INTO CANAL, REDIVERSION PUMP AT P/U.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-00195C, 34-00196D, 34-10100, 34-02491B, 34-02480A, 34-07234

Water right number - 34-07028A

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +
WATER DELIVERED THROUGH ISLAND CANAL AND ARCO CANAL.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.58 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 765 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00196D, 34-10100, 34-02491B, 34-00195C,
34-02480A AND 34-07234.
RIGHT NOS. 34-02480A AND 34-07234 ARE ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED
RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 6.60 CFS.
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM THE BIG
LOST RIVER.
THE AMOUNT OF WATER REDIVERTED FROM THE BIG LOST RIVER SHALL BE
REDUCED WHERE NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF
BIG LOST RIVER WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION VOLUME OF 1071 AF. COMBINED RIGHTS:
34-02480A AND 34-07234.
MEASURING DEVICES OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AT THE POINTS OF DIVERSION AND REDIVERSION.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/09/91 MEYER 09/27/91 VERNER 10/29/91 VERNER 01/09/92 SHAW 01/26/92 PR-PRODM
05/06/92 AJTEMP 05/22/92 KEEN 07/01/92 CPSHAW 12/02/92 ADT-SHAW

+ - - Certified Numbers & Date Mailed - 00254568 01/21/92

+ - - - - - Comments - - - - - +
Date: 04/08/1991 User Id: MEYER Subject: COPIED FROM REMARKS
MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AT THE POINT OF DIVERSION LOCATED WITHIN SE1/4SW1/4,
SECTION 34, TWP. 5N, RGE. 26E AND AT THE POINTS OF REDIVERSION FROM THE ARCO CANAL LOCATED WITHIN SW1/4NE1/4, SECTION 10 AND
NW1/4SW1/4, SECTION 4, TWP. 3N, RGE. 27E. THIS RIGHT WHEN COMBINED WITH LICENSE 34-2480 SHALL PROVIDE NO MORE THN 0.02 CFS
PER ACRE NOR MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE. PT. OF INJECTION INTO ISLAND DITCH: SESW, S34, T5N, R26E.
PT. OF REDIVERSION INTO ARCO CANAL: NWNW, S26, T4N, R26E. PT. OF REDIVERSION FROM ARCO CANAL: SWNE, S10, T3N, R27E.
Date: 05/06/1992 User Id: AJTEMP Subject: COMMENTS ON REDIVERSION/MEASURING DEVICES
Date: 05/22/1992 User Id: KEEN Subject: INSERTED "BIG LOST RIVER" AND "DOWNSTREAM" INTO THE REMARK ABOUT
REDUCING THE REDIVERSION TO PREVENT INJURY.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 06/18/1992 Field Inspection Made - 10/31/1990 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -

Water right number - 34-07028A

Prefix Translation: WATER RIGHT

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Claim Received Date	- 09/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 34
Licensed Date	- 00/00/0000	Receipt Number	- E010802	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR	Notice of Error Flag	- D

Water Right Number - 34-024918

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TOONE

SPENCER W.

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3305

TOONE

ELEANOR

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3305

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/08/1944 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG LOST RIVER SINKS+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
04N 26E 26 NW NW NW (23) BUTTE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/15 4.168+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.168 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 27E 10 SW NE 20.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NE NW 38.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW NW 38.0 01 IRRIGATION (23) BUTTE
03N 27E 10 SW NW 39.0 01 IRRIGATION (23) BUTTE
03N 27E 10 SE NW 40.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW SE 39.0 01 IRRIGATION (23) BUTTE

Total Acres: 214.0

+ - - Diversion Means - ARCO CANAL TO REDIVERSION PUMPS AT P/U

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-00195C, 34-00196D, 34-10100, 34-02480A, 34-07234, 34-07028A

Water right number - 34-02491B

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +
WATER DELIVERED THROUGH ARCO CANAL.
0.84 CFS OF THIS RIGHT IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NOS.
34-00196D, 34-10100 AND 34-00195C.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.58 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 765 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00196D, 34-10100, 34-00195C, 34-02480A,
34-07028A AND 34-07234.

+ - - - - - Old Water Right Numbers - - - - - +
3402491

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/09/91 MEYER 09/27/91 VERNER 01/26/92 PR-PRODM 07/01/92 CPSHAW 12/02/92 ADT-SHAW

+ - - Certified Numbers & Date Mailed - 00254544 01/21/92

+ - - - - - Comments - - - - - +
Date: 04/08/1991 User Id: MEYER Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 208.4 INCHES OF LIC. 34-2491 (FROM BIG LOST IRR. RECORDS).

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 06/18/1992	Field Inspection Made	- 10/31/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/27/1991	Old Judicial District	-
Claim Received Date	- 09/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 34
Licensed Date	- 00/00/0000	Receipt Number	- E010802	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR	Notice of Error Flag	-

Water Right Number - 34-001960

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TOONE

ELEANOR

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3305

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3305

TOONE

SPENCER W.

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
09/01/1896 15 EASTERN D - DECREED+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
BIG LOST RIVER SINKS+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

04N 26E 26 NW NW NW (23) BUTTE

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 05/01 10/15 0.320

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.320 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|-------|--|------|----|------------|-------------|
| 03N | 27E | 10 | SW NE | | 39.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | NE NW | | 38.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | NW NW | | 38.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | SW NW | | 39.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | SE NW | | 40.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | NE SW | | 40.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | NW SW | | 33.0 | 01 | IRRIGATION | (23) BUTTE |
| 03N | 27E | 10 | NW SE | | 39.0 | 01 | IRRIGATION | (23) BUTTE |

Total Acres: 306.0

+ - - Diversion Means - ARCO CANAL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-00195C, 34-10100, 34-02491B, 34-02480A, 34-07028A, 34-07234

Water right number - 34-001960

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +
WATER DELIVERED THROUGH ARCO CANAL.
0.84 CFS OF RIGHT NO. 34-2491B IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NOS.
34-00195C, 34-10100 AND 34-02419B.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.58 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 765 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00195C, 34-10100, 34-02491B, 34-02480A,
34-07028A AND 34-07234.

+ - - - - - Old Water Right Numbers - - - - - +
A3400196B
A3410099

+ - - - - - Conditions of Approval - - - - - +
C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
UTAH CONSTRUCTION CO. JOHN F. ABBOTT, ET AL. 10/21/1925

+ - - Audit Fields - 09/25/91 MEYER 09/27/91 VERNER 01/26/92 PR-PROD 07/01/92 CPSHAW 12/02/92 ADT-SHAW

+ - - Certified Numbers & Date Mailed - 00254420 01/21/92

+ - - - - - Comments - - - - - +
Date: 09/25/1991 User Id: MEYER Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 16.0 INCHES OF DECREED RIGHT 34-00196B (FROM BIG LOST IRR. RECORDS).

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 06/18/1992 | Field Inspection Made | - 10/31/1991 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 09/27/1991 | Old Judicial District | - |
| Claim Received Date | - 09/26/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - 34 |
| Licensed Date | - 00/00/0000 | Receipt Number | - E010802 | Federal/State Indicator | - S |
| Claims Tape Error Flg | - | POU Ownership Flag | - Y | Presumption Flag | - D |
| Fee Exempt Flag | - | Name Connector | - OR | Notice of Error Flag | - |

Water Right Number - 34-00195C

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TOONE

SPENCER W.

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3305

TOONE

ELEANOR

1 - PO BOX 820

2 -

3 -

City- ARCO

State- ID Zip- 83213

Phone - 208-527-3305

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1888 15 EASTERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BIG LOST RIVER SINKS+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

04N 26E 26 NW NW NW (23) BUTTE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/15 0.806+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.806 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 27E 10 SW NE 39.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NE NW 38.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW NW 38.0 01 IRRIGATION (23) BUTTE
03N 27E 10 SW NW 39.0 01 IRRIGATION (23) BUTTE
03N 27E 10 SE NW 40.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NE SW 40.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW SW 33.0 01 IRRIGATION (23) BUTTE
03N 27E 10 NW SE 39.0 01 IRRIGATION (23) BUTTE

Total Acres: 306.0

+ - - Diversion Means - ARCO CANAL

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-00196D, 34-10100, 34-02491B, 34-02480A, 34-07028A, 34-07234

Water right number - 34-00195C

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +

WATER DELIVERED THROUGH ARCO CANAL.
0.84 CFS OF RIGHT NO. 34-2491B IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NOS.
34-00196D, 34-10100 AND 34-02419B.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.58 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 765 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00196D, 34-10100, 34-02491B, 34-02480A,
34-07028A AND 34-07234.

+ - - - - - Old Water Right Numbers - - - - - +

A3400195B
A3410098

+ - - - - - Conditions of Approval - - - - - +

C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

+ - - - - Decree Plaintiff - - - +
UTAH CONSTRUCTION CO.

+ - - - - Decree Defendant - - - +
JOHN F. ABBOTT ET AL

+ - Decree Date - +
10/21/1925

+ - - Audit Fields - 04/09/91 MEYER 09/27/91 VERNER 01/26/92 PR-PRODM 07/01/92 CPSHAW 12/02/92 ADT-SHAW

+ - - Certified Numbers & Date Mailed - 00254417 01/21/92

+ - - - - - Comments - - - - - +

Date: 04/08/1991 User Id: MEYER Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 40.3 INCHES OF DECREED RIGHT 34-00195B (FROM BIG LOST IRR. RECORDS).

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 06/18/1992 | Field Inspection Made | - 10/31/1990 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 09/27/1991 | Old Judicial District | - |
| Claim Received Date | - 09/26/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - 34 |
| Licensed Date | - 00/00/0000 | Receipt Number | - E010802 | Federal/State Indicator | - S |
| Claims Tape Error Flg | - | POU Ownership Flag | - Y | Presumption Flag | - D |
| Fee Exempt Flag | - | Name Connector | - OR | Notice of Error Flag | - |