

T5001 STOECKLEIN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 09 2000

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5001
WATER RIGHT NO(S). 34-00123B/34-00124B/34-00125B
34-00483B/34-02320

This is to certify that: 6X RANCH LLC
PO BOX 12625
FRESNO CA 93778

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 42-222, 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. 34-00123B :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	1.36 CFS	238.4 AF
RECREATION	05/01 to 10/15	0.02 CFS	4.2 AF
RECREATION STORAGE	01/01 to 12/31		4.2 AF
		1.38 CFS	242.6 AF
Right No. 34-00124B :			
Priority: 06/01/1908			
IRRIGATION	05/01 to 10/15	0.19 CFS	34.0 AF
RECREATION	05/01 to 10/15	0.01 CFS	0.7 AF
RECREATION STORAGE	01/01 to 12/31		0.7 AF
		0.20 CFS	34.7 AF
Right No. 34-00125B :			
Priority: 06/01/1914			
IRRIGATION	05/01 to 10/15	1.55 CFS	596.5 AF
RECREATION	05/01 to 10/15	0.03 CFS	11.5 AF
RECREATION STORAGE	01/01 to 12/31		11.5 AF
		1.58 CFS	608.0 AF
Right No. 34-00483B :			
Priority: 04/01/1902			
IRRIGATION	05/01 to 10/15	3.12 CFS	545.7 AF
RECREATION	05/01 to 10/15	0.05 CFS	9.1 AF
RECREATION STORAGE	01/01 to 12/31		9.1 AF
		3.17 CFS	554.8 AF

TRANSFER NO. 5001
 WATER RIGHT NO(S). 34-00123B/34-00124B/34-00125B
 34-00483B/34-02320

Right No. 34-02320 :

Priority: 02/07/1955

IRRIGATION	05/01 to 10/15	3.91 CFS	768.3 AF
RECREATION	05/01 to 10/15	0.09 CFS	17.5 AF
RECREATION STORAGE	01/01 to 12/31		17.5 AF
		4.00 CFS	785.8 AF

COMBINED RIGHT LIMITS :

IRRIGATION	05/01 to 10/15	6.36 CFS	1030.8 AF
RECREATION	05/01 to 10/15	0.10 CFS	17.5 AF
RECREATION STORAGE	01/01 to 12/31		17.5 AF

TOTAL: * 6.46 CFS * 1048.3 AF

SOURCETRIBUTARY OF

Right No. 34-00123B/34-00124B/34-00483B :

WARM SPRINGS CREEK BIG LOST RIVER

Right No. 34-00125B :

BIG LOST RIVER SINKS

Right No. 34-02320 :

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 34-00123B/34-00124B/34-00483B :

NWSW , Sec. 26, Township 08N, Range 22E
 SWSW , Sec. 26, Township 08N, Range 22E
 SESW , Sec. 26, Township 08N, Range 22E
 NWSW , Sec. 27, Township 08N, Range 22E
 CUSTER County

Right No. 34-00125B :

Injection	NESWNW , Sec. 15, Township 08N, Range 21E
Rediversion	SWSWNW , Sec. 27, Township 08N, Range 22E
	NWSW , Sec. 27, Township 08N, Range 22E
	CUSTER County

Right No. 34-02320 :

NWNESW , Sec. 26, Township 08N, Range 22E
 CUSTER County

TRANSFER NO. 5001
 WATER RIGHT NO(S) . 34-00123B/34-00124B/34-00125B
 34-00483B/34-02320

PLACE OF USE: IRRIGATION

Right No. 34-00123B/34-00124B/34-00125B/34-00483B :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	22E	25	SWNW 36.0	NWSW 39.0		75.0
		26	NESW 40.0	SESW 28.0	NESE 39.0	
			NWSE 40.0	SWSE 34.5	SESE 38.0	219.5
Total number of acres irrigated:						294.5 **

Right No. 34-02320 :

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	22E	26	NESW 40.0	SESW 28.0	NESE 39.0	
			NWSE 40.0	SWSE 34.5	SESE 38.0	219.5
Total number of acres irrigated:						219.5 ***

PLACE OF USE: RECREATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
08N	22E	26

SESW

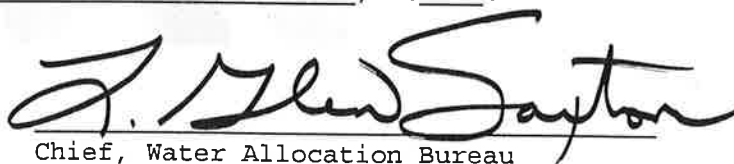
CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. 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.
3. Measuring devices are required at the point of injection into and the point of redirection from Warm Springs Creek identified under Right 34-00125B.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The period of use for irrigation and recreation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the watermaster for Water District 34.
- ** 8. Right 34-00123B is limited to the irrigation of 68.1 acres within the place of use described above in a single irrigation season.

TRANSFER NO. 5001
WATER RIGHT NO(S). 34-00123B/34-00124B/34-00125B
34-00483B/34-02320

- ** 9. Right 34-00124B is limited to the irrigation of 9.7 acres within the place of use described above in a single irrigation season.
- ** 10. Right 34-00483B is limited to the irrigation of 155.9 acres within the place of use described above in a single irrigation season.
- *** 11. Right 34-02320 is limited to the irrigation of 219.5 acres within the place of use described above in a single irrigation season.
- * 12. Rights 34-00123B, 34-00124B, 34-00125B, 34-00483B and 34-02320 when combined shall not exceed a total diversion rate of 6.46 cfs a total annual maximum diversion volume of 1048.3 af at the field headgate, and the irrigation of 294.5 acres.
- 13. The first year that water is diverted to recreation storage, the irrigation use under these combined rights shall be limited to 6.16 cfs, 285.2 acres and 998.2 afa.
- 14. The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 17.5 af associated with the 5.0 acres no longer irrigated.
- 15. Approval of Transfer 5001 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- 16. This approval is specifically conditioned upon the terms and limitations contained in the Stipulation, Settlement, and Joint Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit No. 34-07591, In the Name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. This approval is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.

Dated this 2nd day of March, 2000


Chief, Water Allocation Bureau

JAN 28 1997

Department of Water Resources

HARRIS FORD

[illegible]

PART 1

6. General Information:

- a. Description of diversion system Headgate & weir are from an existing irrigation ditch.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The five acres previously irrigated will have the pond on it for recreation use.
- d. Remarks:
*CFS deducted per right is non-additive and is linked to standard remarks for acres & CFS allowed.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____.

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. 34-00123

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.40 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WARM SPRINGS CREEK	BIG LOST RIVER

Priority: 05/01/1905

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 26, Township 08N, Range 22E
 SWSW , Sec. 26, Township 08N, Range 22E
 SESW , Sec. 26, Township 08N, Range 22E
 NWSW , Sec. 27, Township 08N, Range 22E
 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>
08N	22E	25	SWNW 39	NWSW 36		75
		26	NESW 40	SESW 34	NESE 39	
			NWSE 40	SWSE 38	SESE 39	230
Total number of acres irrigated:						305

CONDITIONS/REMARKS:

1. THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00124, 34-00125, 34-00483, AND 34-02320; IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 762.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 305 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-00483, 34-00124.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.02 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	26	8N	22E	Custer	
		SW	SW					
		SE	SW					
		NW	SW	27				

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	26											5						5

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.38 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	26	8N	22E	Custer	
		SW	SW					
		SE	SW					
		NW	SW	27				

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	25							39			36							75
		26									40			29	39	40	38	39	225

Total acres 300

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. 34-00124

STAGE: DECREED

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

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WARM SPRINGS CREEK	BIG LOST RIVER

Priority: 06/01/1908

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 26, Township 08N, Range 22E
 SWSW , Sec. 26, Township 08N, Range 22E
 SESW , Sec. 26, Township 08N, Range 22E
 NWSW , Sec. 27, Township 08N, Range 22E
 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>
08N	22E	25	SWNW 39	NWSW 36		75
		26	NESW 40	SESW 34	NESE 39	
			NWSE 40	SWSE 38	SESE 39	230
Total number of acres irrigated:						305

CONDITIONS/REMARKS:

1. THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00123, 34-00125, 34-00483, AND 34-02320; IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 762.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 305 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-00483, 34-00123.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.003 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	26	8N	22E	Custer	
		SW	SW					
		SE	SW					
		NW	SW	27				

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	26												5					5

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.197 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	26	8N	22E	Custer	
		SW	SW					
		SE	SW					
		NW	SW	27				

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	25							39			36							75
		26									40			29	39	40	38	39	225

Total acres 300

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00483

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	3.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WARM SPRINGS CREEK	BIG LOST RIVER

Priority: 04/01/1902

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 26, Township 08N, Range 22E
 SWSW , Sec. 26, Township 08N, Range 22E
 SESW , Sec. 26, Township 08N, Range 22E
 NWSW , Sec. 27, Township 08N, Range 22E
 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>
08N	22E	25	SWNW 39	NWSW 36		75
		26	NESW 40	SESW 34	NESE 39	
			NWSE 40	SWSE 38	SESE 39	230
Total number of acres irrigated:						305

CONDITIONS/REMARKS:

1. THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00123, 34-00124, 34-00125, AND 34-02320, IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 762.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 305 ACRES IN A SINGLE IRRIGATION SEASON.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-00123, 34-00124.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.05 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	26	8N	22E	Custer	
		SW	SW					
		SE	SW					
		NW	SW	27				

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	26											5						5

Total acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.15 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	26	8N	22E	Custer	
		SW	SW					
		SE	SW					
		NW	SW	27				

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	25							39			36							75
		26									40			29	39	40	38	39	225

Total acres 300

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. 34-00125

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.60 CFS

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

Priority: 06/01/1914

LOCATION OF POINT(S) OF DIVERSION:

Injection
Rediversion

NESWNW , Sec. 15, Township 08N, Range 21E
SWSWNW , Sec. 27, Township 08N, Range 22E
NWSW , Sec. 27, Township 08N, Range 22E
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>
08N	22E	25	SWNW 39	NWSW 36		75
		26	NESW 40	SESW 34	NESE 39	
			NWSE 40	SWSE 38	SESE 39	230
Total number of acres irrigated:						305

CONDITIONS/REMARKS:

1. THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. WATER DELIVERED THROUGH NEILSEN DITCH.
3. POINT OF INJECTION INTO WARM SPRINGS CREEK.
4. POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
5. THE AMOUNT OF WATER DIVERTED FROM WARM SPRINGS CREEK SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
6. USE OF THIS RIGHT WITH RIGHT NOS. 34-00123, 34-00124, 34-00483, AND 34-02320; IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 762.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 305 ACRES IN A SINGLE IRRIGATION SEASON.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.03 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	26												5					5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.57 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	22E	25							39			36							75
		26									40			29	39	40	38	39	225

Total acres 300

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-02320

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.00 CFS	805.0 AF

SOURCE

GROUNDWATER

Priority: 02/07/1955

LOCATION OF POINT(S) OF DIVERSION:NWNESW , Sec. 26, Township 08N, Range 22E
CUSTER CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	22E	26	NESW 40	SESW 34	NESE 39		
			NWSE 40	SWSE 39	SESE 38		230
				Total number of acres irrigated:			230

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-00123, 34-00124, 34-00125, AND 34-00483; IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 762.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 305 ACRES IN A SINGLE IRRIGATION SEASON.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.09 cfs for Irrigation purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	26	8N	22E	CUSTER	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	22E	26												5					5

Total acres 5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 3.91 cfs for Irrigation purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

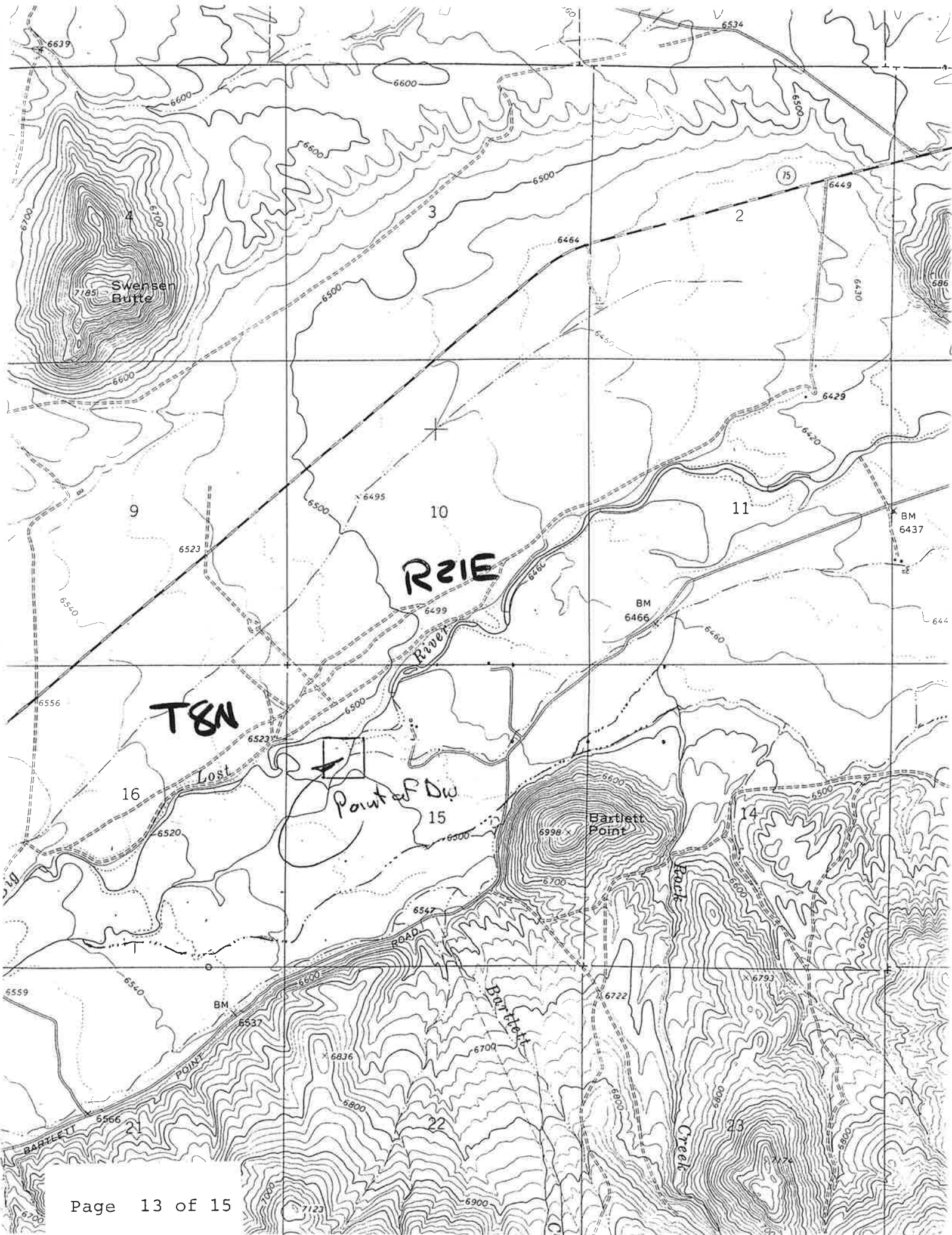
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	SW	26	8N	22E	CUSTER	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	22E	26									40			30	39	40	39	38	225

Total acres 225 226



50'

(ELKHORN CREEK)

47'30"

R 22 E

R 23 E

Warm

27

6193

Well

26

Point of Div
6187

BARTON

Springs

6157

Big Lost

25

25

6128

T8N

R22E

FLATS

35

Mackay
Fish Hatchery

Warm Springs

34

36

DITCH

6251

6186

6412

Barton
Cem

205

DITCH

142

6200

Lehman
Butte

7171

2

Creek

1

6375

6450

6330

6800

10

Levitt
Spring

11

12

Hamilton

6800

503

142

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Recreation</u>	<u>0.10 cfs</u>	<u>24hr/day</u>	<u>5-01 to 10-15</u>
				to

2. Quantity and quality of return flows and location of discharge:

This is just part of the irrigation system.

3. Describe effects on other water uses resulting from the proposed change:

N.A.

I hereby 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)

Subscribed and sworn to before me this 13th day of January, 19 97.

(Notary Public)

My commission expires July 20, 2000**FOR DEPARTMENT USE ONLY**Transfer contains 15 pages and attachmentsReceived by HWJ Date 11-7-96Protest filed by Prelim. check by Fee 100.00Receipted by HWJ #E022726 Date 11-7-96Published in Challis MessengerCopies of protest forwarded by Pub. dates February 20 & 27, 1997Hearing held by Date Watermaster recommendation requested on 02/10/1997Recommended for ☒ approval ☐ denialWater Dist 34Doug Rosenkrance rec'd. by RDCCopy of transfer sent to lien holder

