

T5043 CHERIAN

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5043
WATER RIGHT NO(S). 34-00269D/34-02456D

This is to certify that: **ALEX CHERIAN**
PO BOX 720
KETCHUM ID 83340

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. 34-00269D :			
IRRIGATION	04/15 to 10/15	0.23 CFS	42.0 AF
Priority: 06/30/1897 *			
Right No. 34-02456D :			
IRRIGATION	04/15 to 10/15	0.30 CFS	42.0 AF
Priority: 11/03/1964 *			
	TOTAL:	** 0.37 CFS	** 42.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 34-00269D :	
BIG LOST RIVER	SINKS
Right No. 34-02456D :	
GROUNDWATER	

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 5, 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	5	Lot 3(NENW) 6.5	Lot 4(NWNW) 5.5		12
Total number of acres irrigated:						** 12

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. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

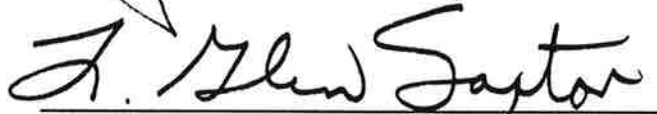
TRANSFER NO. 5043
WATER RIGHT NO(S). 34-00269D/34-02456D

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ** 7. Right Nos. 34-00269D and 34-02456D when combined shall not exceed a total combined diversion rate of 0.37 cfs, a total combined annual diversion volume of 42.0 af, a total combined annual consumptive use volume of 30.0 af, and the irrigation of a combined total of 12.0 acres in a single irrigation season.
8. 0.05 cfs of Right No. 34-02456D is limited to use for conveyance losses in delivery of Right Nos. 34-00269D and 34-02456D.
- * 9. The priority date of Right Nos. 34-00269D and 34-02456D for distribution purposes at the point of diversion described above will be advanced to the date of approval of Transfer No. 5043 and shall be junior to all existing water rights above the Mackay Reservoir at the time of said approval.
10. Diversion of Right Nos. 34-00269D and 34-02456D is limited to those times water is available for diversion under each right and priority from the original points of diversion in the SESWNE, S18, T07N, R24E from the Big Lost River and the NWSNW, S20, T07N, R24E from groundwater.
11. Place of use is located within Lots 2, 3 and 4 of Winterhaven Subdivision.

Dated this 21st day of

July, 1997.



Chief, Water Allocation Bureau

Page 1 of 19

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5043

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Alex Cherian Phone 588-2963 TERRI
726-5781
Post Office address PO Box 720 Ketchum ID 83340

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. Describe the reason for the proposed changes ORIGINAL PLACE OF USE IS NO LONGER
AGRICULTURAL & WATER RIGHTS ARE BEING PURCHASED (EXCEPT FOR 10 AC
THAT REMAINS ON ORIGINAL PLACE OF USE)
* see Attachment B

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
(Big Lost River) 34-00269D 6/30/1897 0.23 cfs IRRIGATION 05/01 to 10/15
(well) 34-02456D 11/03/1964 0.30 cfs IRRIGATION 05/01 to 10/15
_____ to _____
_____ to _____
2. Total amount of water being transferred *0.37 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Lost River/GROUNDWATER tributary to SINKS
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
4		NW	NW	5	8N	22E	CLUSTER	N/A Big Lost River
4		NW	NW	5	8N	22E		(well) well site & River diversion site in same 1/4 of 1/4

5. 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	5					6.5	5.5										12	
							L-3	L-4											

Total acres 12

PART 1

6. General Information:

a. Description of diversion system

Pump FROM river & well

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

changed to NON-AGRICULTURAL

d. Remarks:

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED SEE ATTACHED PROOF REPORTS

1. Right evidenced by:

- a. Decree No. 34-00269 Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. 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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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 0.23 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NE	18	7N	24E	Custer	Streeter Canal

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	
7N	24E	20								12									12

"C"

Total acres 12**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) REMAINING PORTION AFTER THIS TRANSFER BY Pritchett

1. amount 0.19 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NE	18	7N	24E	Custer	Streeter Ditch/Canal

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	
7N	24E	20								10									10

Total acres 10

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/10/97 11:30:43

Page 1

Water Right Number - 34-00269

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

MCKELVEY

JAMES P

1 - PO BOX 240

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-588-2200

*** D - DIR RPT OWNER ***

MILLER

ESTATE OF WILLIAM M

1 - C/O GLEN RITTER

2 - PO BOX 1160

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-4553

*** O - ORIGINAL OWNER ***

GILL

MINNIE J

1 -

2 -

3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/30/1897 15 EASTERN D - DECREED+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
BIG LOST RIVER SINKS+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

07N 24E 18 SE SW NE (37) CUSTER

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

01 - IRRIGATION 05/01 10/15 0.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.600 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07N 24E 20 SE NW 31.6 01 IRRIGATION (37) CUSTER

Total Acres: 31.6

+ - - Diversion Means - HEADING FOR THE STREETER CANAL.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-02456

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/10/97 11:31:03

Page 2

Water right number - 34-00269

Prefix Translation: WATER RIGHT

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

GEN USE OF THIS RIGHT WITH RIGHT NO. 34-02456 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.97 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 79.0 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 31.6 ACRES IN A SINGLE IRRIGATION SEASON.
WATER DELIVERED THROUGH THE STREETER DITCH.
0.13 CFS OF RIGHT NO. 34-02456 IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-02456.

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

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
UTAH CONSTRUCTION JOHN F. ABBOTT, ET AL 00/00/0000

+ - - Audit Fields - 06/19/91 BAUMHOFF 06/24/91 BAUMHOFF 06/27/91 BAUMHOFF 01/26/92 PR-PROD 04/22/92 CARLSEN
04/27/92 CARLSEN 05/22/92 SCHULTZ 07/01/92 CPSHAW 09/24/92 THOMPSON 12/02/92 ADT-SHAW
03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 254656 01/21/92

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

Date: 06/19/1991 User Id: BAUMHOFF Subject: CC LETTER

LETTER SENT WITH EXCESS FLOW QUEST. LETTER INDICATED THAT THE
RIGHT IS BEING RECOMMENDED WITH A 50% C LOSS.
WERE COVERED WITH 2-3 FT SAGE BRUSH, AND A LARGE PORTION OF THE

OTHER BIG LOST RIGHT 34-00637B WAS GOING TO BE DISALLOWED.
THE FIELD EXAM FOUND ONLY 15 ACRES IRRIGATED, THE OTHER ACRES
AREA BEING IRRIGATED WAS INBETWEEN PATCHES OF SAGE.

Date: 04/22/1992 User Id: CARLSEN Subject: CORRECTIONS

CLAIMANT SUBMITTED NOTICE OF ERROR FOR 34-02456 AND PROVIDED
CHANGED THE ACREAGE AND CONDITIONS FOR THIS CLAIM.

DOCUMENTATION THAT ALLOWED TO RECOMMENDING 31.6 AC. THIS ALSO

Date: 05/22/1992 User Id: SCHULTZ Subject: REMARK ADDED

ADDED STD REMARK D03 - 0.13 CFS - OTHER RIGHT 34-02456.

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

Court Report Filing	- 06/18/1992	Field Inspection Made	- 10/05/1990	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	-
Claim Received Date	- 12/15/1989	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	- M005397	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	- D

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED SEE ATTACHED PROOF REPORTS

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 34-02456 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. 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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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 _____ "D"**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 0.30 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	SE	NW	20	7N	24E	Custer	well

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	
7N	24E	20								12									12

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) ^{REMAINING PORTION AFTER THIS TRANSFER}

1. amount 0.25 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	SE	NW	20	7N	24E	Custer	well

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	
7N	24E	20								10									10

Total acres 10

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

02/10/97 11:31:12
Page 1

Water Right Number - 34-02456

Prefix Translation: WATER RIGHT

Old (D) Number - 32128

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

*** C - CURRENT OWNER ***

MCKELVEY

JAMES P

1 - PO BOX 240

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-588-2200

*** D - DIR RPT OWNER ***

MILLER

ESTATE OF WILLIAM M

1 - C/O GLEN RITTER

2 - PO BOX 1160

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-4553

*** O - ORIGINAL OWNER ***

MILLER

WILLIAM M

1 -

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/03/1964 15 EASTERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

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

07N 24E 20 NW SE NW (37) CUSTER

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

01 - IRRIGATION 04/15 10/15 0.790 110.60

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.790 110.60 0.0

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

07N 24E 20 SE NW 31.6 01 IRRIGATION (37) CUSTER

Total Acres: 31.6

+ - - Diversion Means - WELL, 7-1/2 HP PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-00269

Water right number - 34-02456

Prefix Translation: WATER RIGHT

Remarks

GEN USE OF THIS RIGHT WITH RIGHT NO. 34-00269 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.97 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 79.0 AF, AND TO THE IRRIGATION OF 31.6 ACRES IN A SINGLE IRRIGATION SEASON.
0.13 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO. 34-00269.

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 - 06/19/91 BAUMHOFF 06/24/91 BAUMHOFF 06/27/91 BAUMHOFF 06/28/91 BAUMHOFF 01/09/92 SHAW
01/26/92 PR-PROD 02/05/92 SCHULTZ 04/22/92 CARLSEN 04/27/92 CARLSEN 05/22/92 SCHULTZ
07/01/92 CPSHAW 09/24/92 THOMPSON 12/02/92 ADT-SHAW 03/29/95 POST-STD

Certified Numbers & Date Mailed - 254659 01/21/92

Comments

Date: 06/19/1991 User Id: BAUMHOFF Subject: CC LETTER

LETTER SENT WITH EXCESS FLOW QUESTIONNAIRE. IT ALSO INDICATED FIELD EXAM FOUND THAT 15 ACRES WAS ALL THAT WAS IRRIGATED, AND ACRES WAS SMALL AREAS BETWEEN PATCHES OF SAGE.

THAT RIGHT 34-00637B WAS GOING TO BE DISALLOWED. THE BALANCE WAS COVERED BY 2-3 FT. SAGE BRUSH. PART OF THE 15 PART OF ORIGINAL RIGHT FORFEITED OR ABANDONED.

Date: 06/19/1991 User Id: BAUMHOFF Subject: RATE PER ACRE

THE ORIGINAL LICENSE GAVE 0.025 CFS/AC AND THIS RIGHT HAS BEEN THE BALANCE IS ABANDONED.

RECOMMENDED AT THE SAME RATE BUT FOR ONLY 15 ACRES.

Date: 04/22/1992 User Id: CARLSEN Subject: NOTICE OF ERROR

INFORMATION PROVIDED BY CLAIMANT JUSTIFIES RECOMMENDING 31.6 AC. MODIFIED THE QUANTITY, C.U., D.V. AND REMARKS TO ACCOMMODATE INCREASED ACREAGE.

Date: 05/22/1992 User Id: SCHULTZ Subject: REMARK ADDED

ADDED STD REMARK D02 - 0.13 CFS - OTHER RIGHT 34-00269.

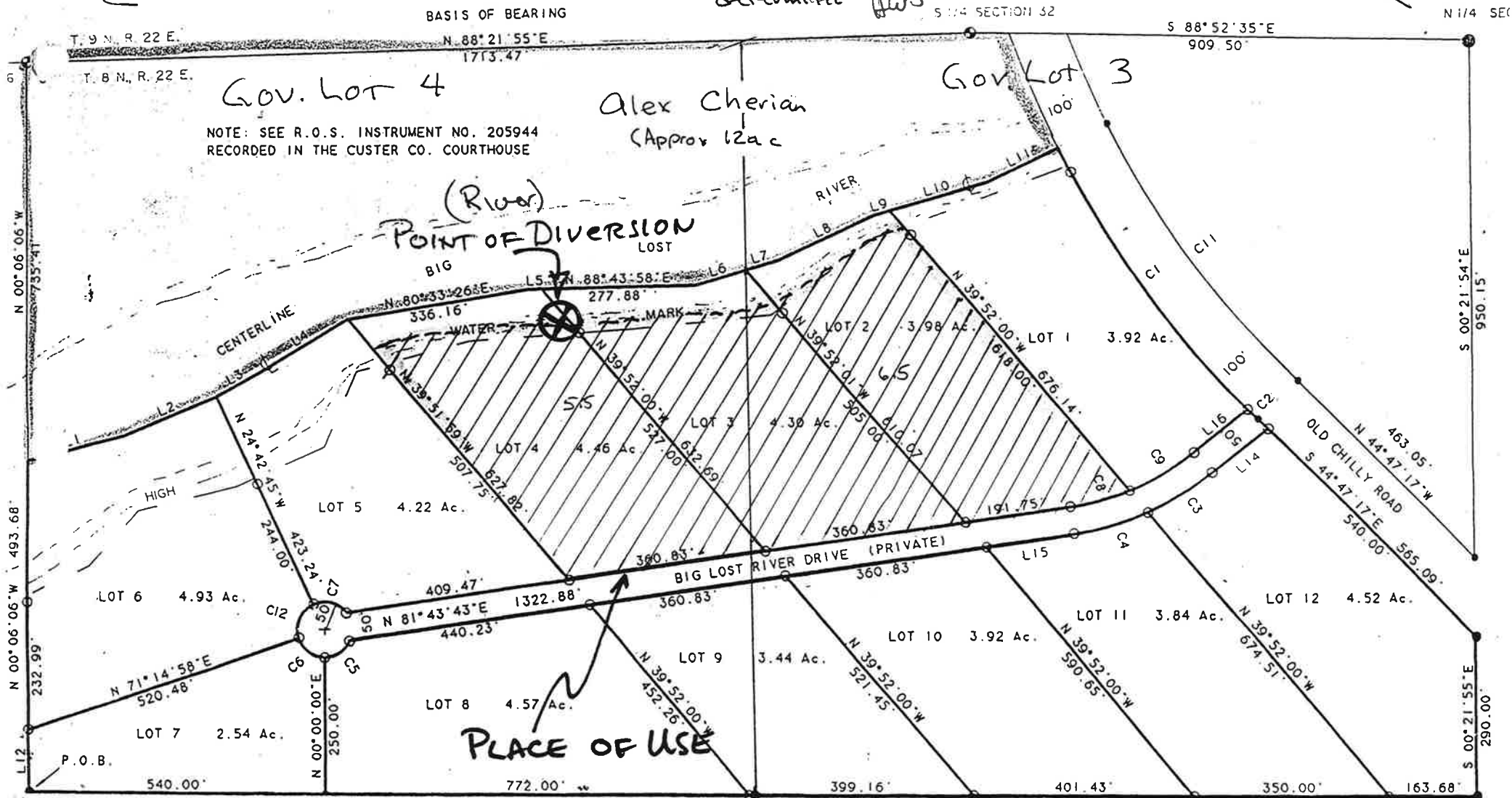
Adjudication Rights Dates and Flags Area

Court Report Filing	- 06/18/1992	Field Inspection Made	- 10/05/1990	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	-
Claim Received Date	- 12/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M005397	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	- C

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ATTACHMENT "A"

Exact well site in
Gov lot 4 not yet
determined HWS



MR MCKELVEY - wants to sell all of 34-00269
wants to sell part of 34-02456 (i.e. retain only groundwater for 10 acres @ original p/u)

Adjudication Recommendations

34-00269 @ 0.60 cfs / 31.6 ac } IN COMBINATION NOT TO
34-02456 @ 0.79 cfs / 31.6 ac } EXCEED 0.97 cfs

34-02456 Lic. @ 0.025 cfs/ac

Assuming 30% conveyance loss in delivery of 34-00269

@ 0.60 cfs x 0.70 = 0.42 cfs @ field headgate

0.42 cfs will irrigate 16.8 ac @ 0.025 cfs/ac

$$\left(\frac{0.42 \text{ cfs}}{0.025 \text{ cfs/ac}} = 16.8 \text{ ac} \right)$$

Remaining acres that 34-02456 must irrigate to make up loss =

$$31.6 \text{ ac} - 16.8 \text{ ac} = 14.8 \text{ ac remaining}$$

$$@ 0.025 \text{ cfs/ac} \quad Q_{34-02456} = 14.8 \text{ ac} \times 0.025 \text{ cfs/ac} = 0.37 \text{ cfs}$$

0.60 cfs decreed (34-00269)

0.37 cfs Licence (34-02456)

0.97 cfs combined total.

ANALYSIS: Mr. McKelvey cannot split surface $\frac{1}{2}$ groundwater. Therefore, he must retain a portion of both rights

@ 10 ac his ^{remaining} portion would be $\left(\frac{10}{31.6} \right) = 0.316$

$$34-00269 \quad 0.60 \text{ cfs} \times (0.316) = 0.1898 = 0.19 \text{ cfs}$$

$$34-02456 \quad @ 0.79 \text{ cfs} \times (0.316) = 0.250 = 0.25 \text{ cfs}$$

NOTE:

$$\rightarrow 0.44 \text{ cfs}$$

@ Limit of 0.97 cfs in combination

$$0.97 \text{ cfs} (0.316) = 0.3069 = 0.31 \text{ cfs Total Diversi-rak in combination}$$

ATTACHMENT "B"

Page 1 of 2

$$\text{Proportional share of water rights} = 9.6ac / 31.6ac = 0.3037$$

$$34-00269 @ 0.60 \text{ cfs} \times (0.3037) = 0.18 \text{ cfs}$$

$$34-02456 @ 0.79 \text{ ft} \times (0.3037) = \underline{0.24 \text{ fs}}$$

NOTE: $\rightarrow 0.42 \text{ cfs}$

② Limit of 0.97cf when used in combination

$$0.97 \text{ cfs } (0.3037) = 0.29 \text{ cfs Total Diversion in combination}$$

#3 Remaining portion of water right acres = $31.6 - [10 + 9.6] = 12 \text{ ac}$
To be purchased by Mr Cherian

$$12ac / 31.6ac = 0.379$$

$$34-00269 @ 0.60 \text{ ft} \times (0.379) = 0.2278 = 0.23 \text{ ft}$$

$$34-02456 @ 0.79 \text{ cfs} \times (0.379) = 10.30 \text{ cfs}$$

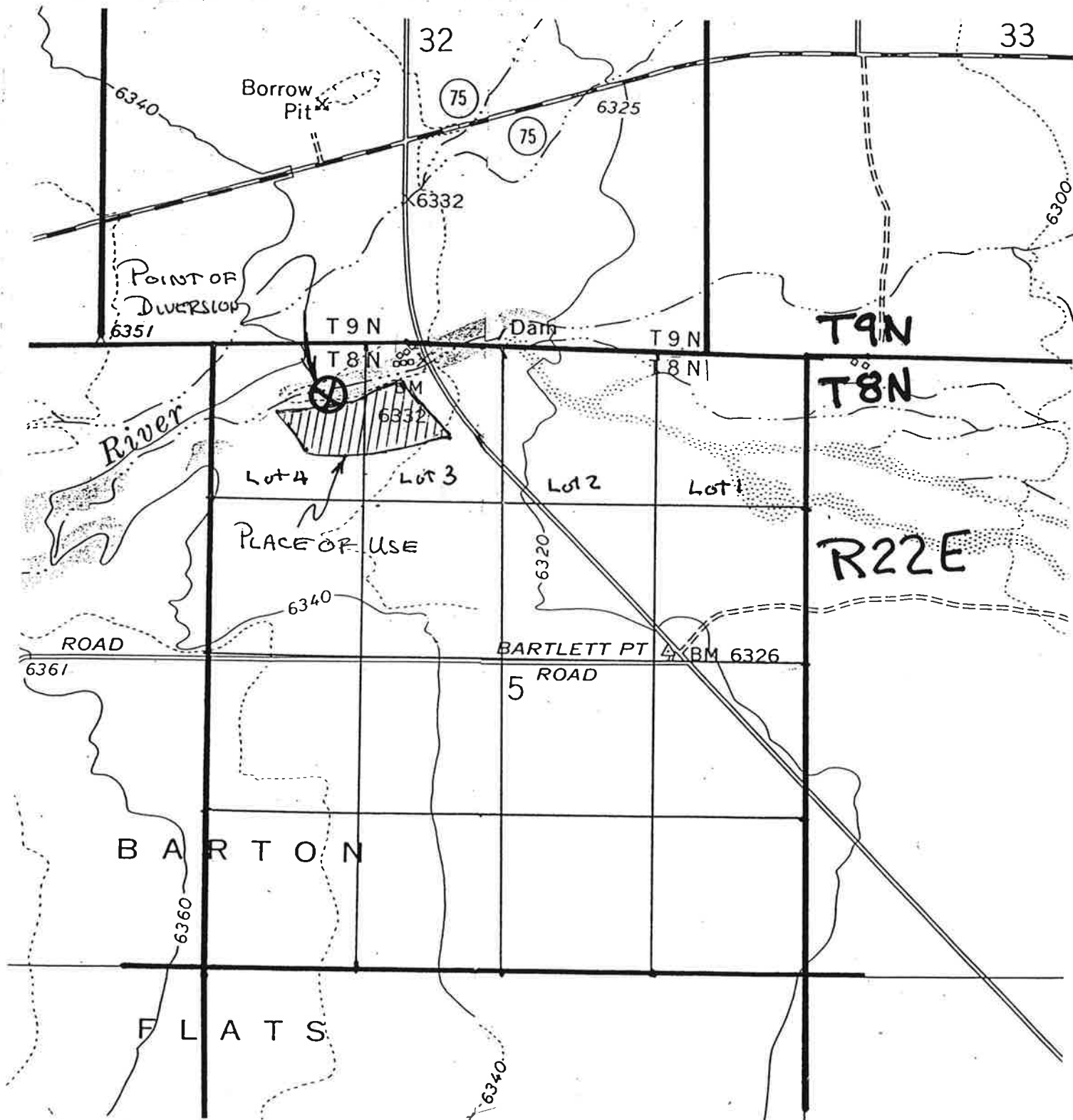
NOTE $\rightarrow$ 0.53 dT

② Limit of 0.97 cfs in combination

$$0.97 \text{ cfs} \times (0.379) = 0.368 = 0.37 \text{ cfs Total Diversion when in combination}$$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>N/A</u>			_____ to _____ _____ to _____
2.	Quantity and quality of return flows and location of discharge: <u>N/A</u>			
3.	Describe effects on other water uses resulting from the proposed change: <u>N/A</u>			

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.



Ally B. Clin
(Signature of Applicant)

Subscribed and sworn to before me this 6th day of March, 1997

Marla G. Mink
(Notary Public)

My commission expires 12/1/97

ASSISTED BY KCW 2-12-1997 **FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by KCW Date 3-10-97 Protest filed by _____

Prelim. check by _____ Fee 100⁰⁰ #E023041

Received by KCW Date 3-20-97

Published in Challis Messenger Copies of protest forwarded by _____

Pub. dates April 24 & May 1, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RK

Copy of transfer sent to lien holder _____