

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81407**

This is to certify that: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-573B	WR/DECREED	5/13/1912	2.400 cfs	N/A	N/A	109.2	BIG LOST RIVER
34-583B	WR/DECREED	6/1/1899	0.800 cfs	N/A	40.0	109.2	BIG LOST RIVER
34-584D	WR/DECREED	6/1/1916	0.580 cfs	N/A	N/A	109.2	BIG LOST RIVER
34-699B	WR/DECREED	6/1/1885	0.160 cfs	N/A	8.0	109.2	BIG LOST RIVER
34-701C	WR/DECREED	7/1/1916	1.173 cfs	205.5 af	56.7	153.0	BIG LOST RIVER
34-702B	WR/DECREED	5/1/1910	0.426 cfs	N/A	21.3	109.2	BIG LOST RIVER
34-703B	WR/DECREED	6/1/1890	1.400 cfs	251.7 af	70.0	100.2	WARM SPRINGS CREEK
34-703C	WR/DECREED	6/1/1890	0.800 cfs	140.0 af	38.5	153.0	WARM SPRINGS CREEK
34-704B	WR/DECREED	5/1/1905	0.940 cfs	357.4 af	N/A	100.2	WARM SPRINGS CREEK
34-704C	WR/DECREED	5/1/1905	0.533 cfs	93.5 af	25.7	153.0	WARM SPRINGS CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-573B	YES	NO	YES	NO	NO	NO
34-583B	NO	NO	YES	NO	NO	NO
34-584D	YES	NO	YES	NO	NO	NO
34-699B	NO	NO	YES	NO	NO	NO
34-701C	YES	NO	YES	NO	NO	NO
34-702B	NO	NO	YES	NO	NO	NO
34-703B	NO	NO	YES	NO	NO	NO
34-703C	YES	NO	YES	NO	NO	NO
34-704B	NO	NO	YES	NO	NO	NO
34-704C	YES	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-573B	34-14586	2.050 cfs	N/A	93.2	156.2	34-573B	0.350 cfs	N/A	N/A	16.0
34-583B	34-583B	0.800 cfs	N/A	40.0	156.2	N/A	N/A	N/A	N/A	N/A
34-584D	34-14582	0.500 cfs	N/A	93.2	156.2	34-584D	0.080 cfs	N/A	N/A	16.0

Transfer No. 81407

SUPPORT DATA

IN FILE # 34-573B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81407

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-699B	34-699B	0.160 cfs	N/A	8.0	156.2	N/A	N/A	N/A	N/A	N/A
34-701C	34-14583	0.290 cfs	50.4 af	14.4	156.2	34-701C	0.883 cfs	155.1 af	42.3	97.0
34-702B	34-702B	0.426 cfs	N/A	21.3	156.2	N/A	N/A	N/A	N/A	N/A
34-703B	34-703B	1.400 cfs	251.7 af	70.0	156.2	N/A	N/A	N/A	N/A	N/A
34-703C	34-14584	0.770 cfs	134.7 af	38.5	156.2	34-703C	0.030 cfs	5.3 af	N/A	N/A
34-704B	34-704B	0.940 cfs	357.4 af	100.2	156.2	N/A	N/A	N/A	N/A	N/A
34-704C	34-14585	0.350 cfs	61.3 af	17.5	156.2	34-704C	0.183 cfs	32.2 af	8.2	97.0
COMBINED TOTALS		5.210 cfs	N/A	156.2	156.2		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 3rd day of July, 2018.



Water Resources Program Manager

WATER RIGHT NO. 34-584D**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-584D is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

5/01
1/01

to 10/15
to 12/31

Diversion Rate

0.080 cfs
0.010 cfs
0.080 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			6.0	10.0													16.0

POU Total Acres: 16.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. Rights 34-573B and 34-584D when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 56 af at the field headgate, and the irrigation of 16 acres.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.

Transfer No. 81407

WATER RIGHT NO. 34-584D

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
6. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
7. Water is delivered through the Neilsen Ditch,
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-704B**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-704B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1905

Source: WARM SPRINGS CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	05/01	to 10/15	0.940 cfs	350.7 af
STOCKWATER	01/01	to 12/31	0.020 cfs	6.7 af
			0.940 cfs	357.4 af

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK	SENWSE	Sec 34 Twp 08N Rge 22E	CUSTER County
WARM SPRINGS CREEK	SENNWN	Sec 36 Twp 08N Rge 22E	CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 100.2

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35															X	X	

CONDITIONS OF APPROVAL

1. Rights 34-703B and 34-704B shall not exceed a total combined diversion rate of 1.85 cfs of water at the point of diversion located in the SENWNW, S36, T08N, R22E.
2. Rights 34-703B and 34-704B when combined shall not exceed a total annual maximum diversion volume of 364.1 AF at the field headgate and the irrigation of 100.2 acres.

Transfer No. 81407

WATER RIGHT NO. 34-704B
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. The combination of changes under Transfer approval 5544 as described under rights 34-703B and 34-704B provide the necessary mitigations for a change to a point of diversion. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. The right holder shall leave 21 percent of the water associated with the water rights being transferred in the Upper Fish Hatchery canal to mitigate the diversion of water at the new point of diversion in the SENWNW, S36, T08N, R22E, B.M.
8. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14582
As Modified by Transfer No. 81407

In accordance with the approval of Transfer No. 81407, Water Right No. 34-14582 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
 C/O MICHAEL JOHN
 91 LAUREL GROVE AVE
 PO BOX 819
 ROSS, CA 94957

Priority Date: 6/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	0.500 cfs
STOCKWATER	1/01	to 12/31	0.010 cfs
			0.500 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 93.2

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													0.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 93.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

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WATER RIGHT NO. 34-14582
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Water is delivered through the Neilsen Ditch,
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-701C**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-701C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 7/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	From	To	Diversion Rate	Diversion Volume
IRRIGATION	5/01	to 10/15	0.843 cfs	148.1 af
RECREATION STORAGE	01/01	to 12/31		7.0 af
RECREATION	01/01	to 12/31	0.040 cfs	
			0.883 cfs	155.1 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	1.5	40.0															41.5
08N	22E	36					38.0	17.5											55.5

Right Acre Limit: 42.3

POU Total Acres: 97.0

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	36						X											0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 42.3 acres within the authorized place of use in a single irrigation season.

Transfer No. 81407

WATER RIGHT NO. 34-701C

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
3. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. Water is delivered through the Neilsen Ditch.
8. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
9. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
10. The period of use for recreation and irrigation 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 Director of the Idaho Department of Water Resources.
11. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-701C
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-14583
As Modified by Transfer No. 81407

In accordance with the approval of Transfer No. 81407, Water Right No. 34-14583 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
 C/O MICHAEL JOHN
 91 LAUREL GROVE AVE
 PO BOX 819
 ROSS, CA 94957

Priority Date: 7/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From
 5/01

To
 to 10/15

Diversion Rate
 0.290 cfs
 0.290 cfs

Diversion Volume
 50.4 af
 50.4 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 14.4

POU Total Acres: 156.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 14.4 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14583, 34-14584 and 34-14585 when combined shall not exceed a total diversion rate of 1.27 cfs, a total annual maximum diversion volume of 202.4 af at the field headgate, and the irrigation of 56 acres.
3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.

Transfer No. 81407

WATER RIGHT NO. 34-14583
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right 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.
8. Water is delivered through the Neilsen Ditch.
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-703C**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-703C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1890

Source: WARM SPRINGS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
RECREATION	01/01	to 12/31	0.030 cfs	5.3 af
RECREATION STORAGE	01/01	to 12/31	0.030 cfs	5.3 af

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK SWNWNE Sec 35 Twp 08N Rge 22E CUSTER County

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	36						X											0

CONDITIONS OF APPROVAL

1. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 81407

WATER RIGHT NO. 34-703C
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
6. Water is delivered through the Neilsen Ditch.
7. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
8. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
9. The period of use for recreation and irrigation 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 Director of the Idaho Department of Water Resources.
10. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14584**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-14584 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1890

Source: WARM SPRINGS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

0.770 cfs

0.770 cfs

Diversion Volume

134.7 af

134.7 af

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK SSWNE Sec 35 Twp 08N Rge 22E, CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 38.5

POU Total Acres: 156.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14583, 34-14584 and 34-14585 when combined shall not exceed a total diversion rate of 1.27 cfs, a total annual maximum diversion volume of 202.4 af at the field headgate, and the irrigation of 56 acres.
3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 81407

WATER RIGHT NO. 34-14584

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right 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.
8. Water is delivered through the Neilsen Ditch.
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-704C**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-704C is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1905

Source: WARM SPRINGS CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	5/01	to 10/15	0.163 cfs	28.7 af
RECREATION	01/01	to 12/31	0.020 cfs	
RECREATION STORAGE	01/01	to 12/31		3.5 af
			0.183 cfs	32.2 af

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK SWNWNE Sec 35 Twp 08N Rge 22E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35	1.5	40.0															41.5
08N	22E	36					38.0	17.5											55.5

Right Acre Limit: 8.2

POU Total Acres: 97.0

PLACE OF USE: RECREATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	36						X											0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8.2 acres within the authorized place of use in a single irrigation season.

Transfer No. 81407

WATER RIGHT NO. 34-704C
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 371.5 af at the field headgate, and the irrigation of 97 acres.
3. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. Water is delivered through the Neilsen Ditch.
8. The two (2) ponds established by the storage of water under this right shall not exceed a total surface area of 5.0 acres. The initial fill or subsequent refill of the ponds must be accomplished through a Water Supply Bank rental.
9. Right(s) 34-699C, 34-700C, 34-701C, 34-702C, 34-703C and 34-704C authorize the use of 20.9 acre-feet for the replacement of losses due to seepage and evaporation.
10. The period of use for recreation and irrigation 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 Director of the Idaho Department of Water Resources.
11. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-704C
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 34-14585**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-14585 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1905

Source: WARM SPRINGS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE
IRRIGATION

From
05/01

To
to 10/15

Diversion Rate
0.350 cfs
0.350 cfs

Diversion Volume
61.3 af
61.3 af

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK SWNWNE Sec 35 Twp 08N Rge 22E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 17.5

POU Total Acres: 156.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14583, 34-14584 and 34-14585 when combined shall not exceed a total diversion rate of 1.27 cfs, a total annual maximum diversion volume of 202.4 af at the field headgate, and the irrigation of 56 acres.
3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 81407

WATER RIGHT NO. 34-14585

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
7. This right is specifically conditioned upon the terms and Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit no 34-7591, in the name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. Any change to this right 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.
8. Water is delivered through the Neilsen Ditch.
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-573B**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-573B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/13/1912

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	0.350 cfs
STOCKWATER	1/01	to 12/31	0.010 cfs
			0.350 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			6.0	10.0													16.0

POU Total Acres: 16.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. Rights 34-573B and 34-584D when combined shall not exceed a total diversion rate of 0.43 cfs, a total annual maximum diversion volume of 56 af at the field headgate, and the irrigation of 16 acres.
2. Rights 34-699C, 34-700C, 34-701C, 34-702C, 34-703C, 34-704C, 34-573B and 34-584D when combined shall not exceed a total diversion rate of 2.49 cfs, a total annual maximum diversion volume of 427.5 af at the field headgate, and the irrigation of 113 acres.

Transfer No. 81407

WATER RIGHT NO. 34-573B

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
6. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
7. Water is delivered through the Neilsen Ditch,
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14586**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-14586 is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/13/1912

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	2.050 cfs
STOCKWATER	1/01	to 12/31	0.010 cfs
			2.050 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 93.2

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													0.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 93.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 81407

WATER RIGHT NO. 34-14586

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Water is delivered through the Neilsen Ditch,
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-583B**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-583B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1899

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

5/01
1/01

to 10/15
to 12/31

Diversion Rate

0.800 cfs
0.020 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 40.0

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 81407

WATER RIGHT NO. 34-583B
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Water is delivered through the Neilsen Ditch,
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-699B**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-699B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1885

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	0.160 cfs
STOCKWATER	1/01	to 12/31	0.020 cfs
			0.160 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County	
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County	(R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County	(I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 8.0

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 81407

WATER RIGHT NO. 34-699B
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of rediversion from Warm Springs Creek.
8. Water is delivered through the Neilsen Ditch.
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-702B**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-702B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 5/1/1910

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	From	To	Diversion Rate
IRRIGATION	5/01	to 10/15	0.426 cfs
STOCKWATER	1/01	to 12/31	0.020 cfs
			0.426 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NESWNW	Sec 15 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SESESW	Sec 26 Twp 08N Rge 22E	CUSTER County (R)
BIG LOST RIVER	SWSWNW	Sec 27 Twp 08N Rge 22E	CUSTER County (I)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 21.3

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			X	X													

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 21.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-583B, 34-699B, 34-702B, 34-14582 and 34-14586 when combined shall not exceed the irrigation of 93.2 acres.

Transfer No. 81407

WATER RIGHT NO. 34-702B

As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and at the point of redirection from Warm Springs Creek.
8. Water is delivered through the Neilsen Ditch,
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-703B**As Modified by Transfer No. 81407**

In accordance with the approval of Transfer No. 81407, Water Right No. 34-703B is now described as follows:

Right Holder: BORAH BORAH RANCH LLC
C/O MICHAEL JOHN
91 LAUREL GROVE AVE
PO BOX 819
ROSS, CA 94957

Priority Date: 6/1/1890

Source: WARM SPRINGS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

05/01
01/01

to 10/15
to 12/31

Diversion Rate

1,400 cfs
0.020 cfs
1,400 cfs

Diversion Volume

245.0 af
6.7 af
251.7 af

LOCATION OF POINT(S) OF DIVERSION

WARM SPRINGS CREEK SENWSE Sec 34 Twp 08N Rge 22E CUSTER County
WARM SPRINGS CREEK SENWNW Sec 36 Twp 08N Rge 22E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35			31.0	31.0									31.0	31.0			124.0
08N	22E	36							32.2										32.2

Right Acre Limit: 70.0

POU Total Acres: 156.2

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	35															X	X	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70 acres within the authorized place of use in a single irrigation season.
2. Rights 34-703B and 34-704B shall not exceed a total combined diversion rate of 1.85 cfs of water at the point of diversion located in the SENWNW, S36, T08N, R22E.

Transfer No. 81407

WATER RIGHT NO. 34-703B
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

3. Rights 34-703B and 34-704B when combined shall not exceed a total annual maximum diversion volume of 364.1 AF at the field headgate and the irrigation of 100.2 acres.
4. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582 and 34-14586 when combined shall not exceed a total diversion rate of 3.94 cfs, a total annual maximum diversion volume of 350.7 af at the field headgate, and the irrigation of 100.2 acres.
5. Rights 34-583B, 34-699B, 34-702B, 34-703B, 34-704B, 34-14582, 34-14583, 34-14584, 34-14585 and 34-14586 when combined shall not exceed a total diversion rate of 5.21 cfs, a total annual maximum diversion volume of 553.1 af at the field headgate, and the irrigation of 156.2 acres.
6. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The combination of changes under Transfer approval 5544 as described under rights 34-703B and 34-704B provide the necessary mitigations for a change to a point of diversion. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. The right holder shall leave 21 percent of the water associated with the water rights being transferred in the Upper Fish Hatchery canal to mitigate the diversion of water at the new point of diversion in the SENWNW, S36, T08N, R22E, B.M.
9. The period of use for irrigation 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 Director of the Idaho Department of Water Resources.
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
12. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 34-703B
As Modified by Transfer No. 81407

CONDITIONS OF APPROVAL

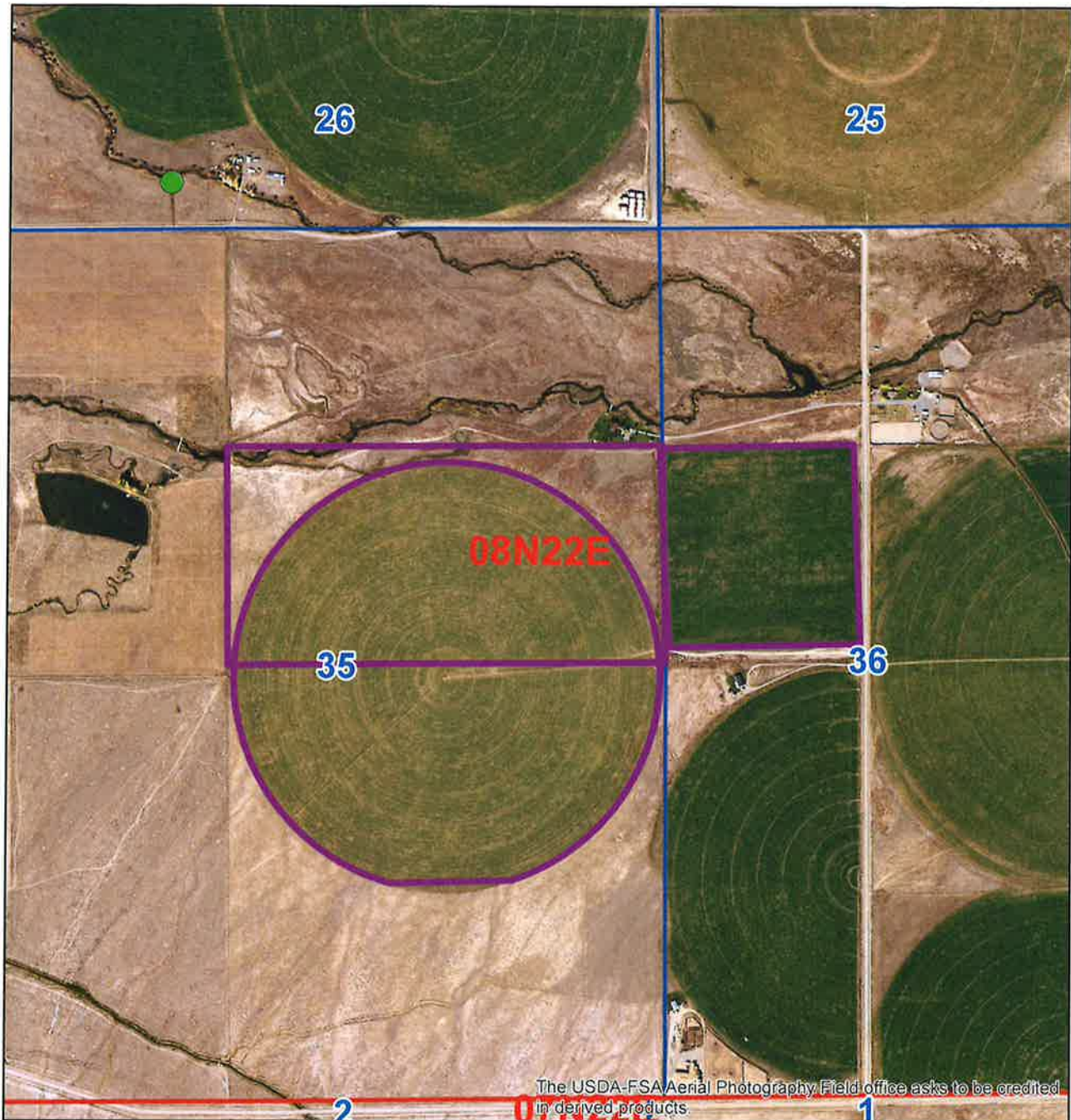
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



Attachment to Transfer Approval 81407

Big Lost River Diversion

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 435 870 1,740 Feet

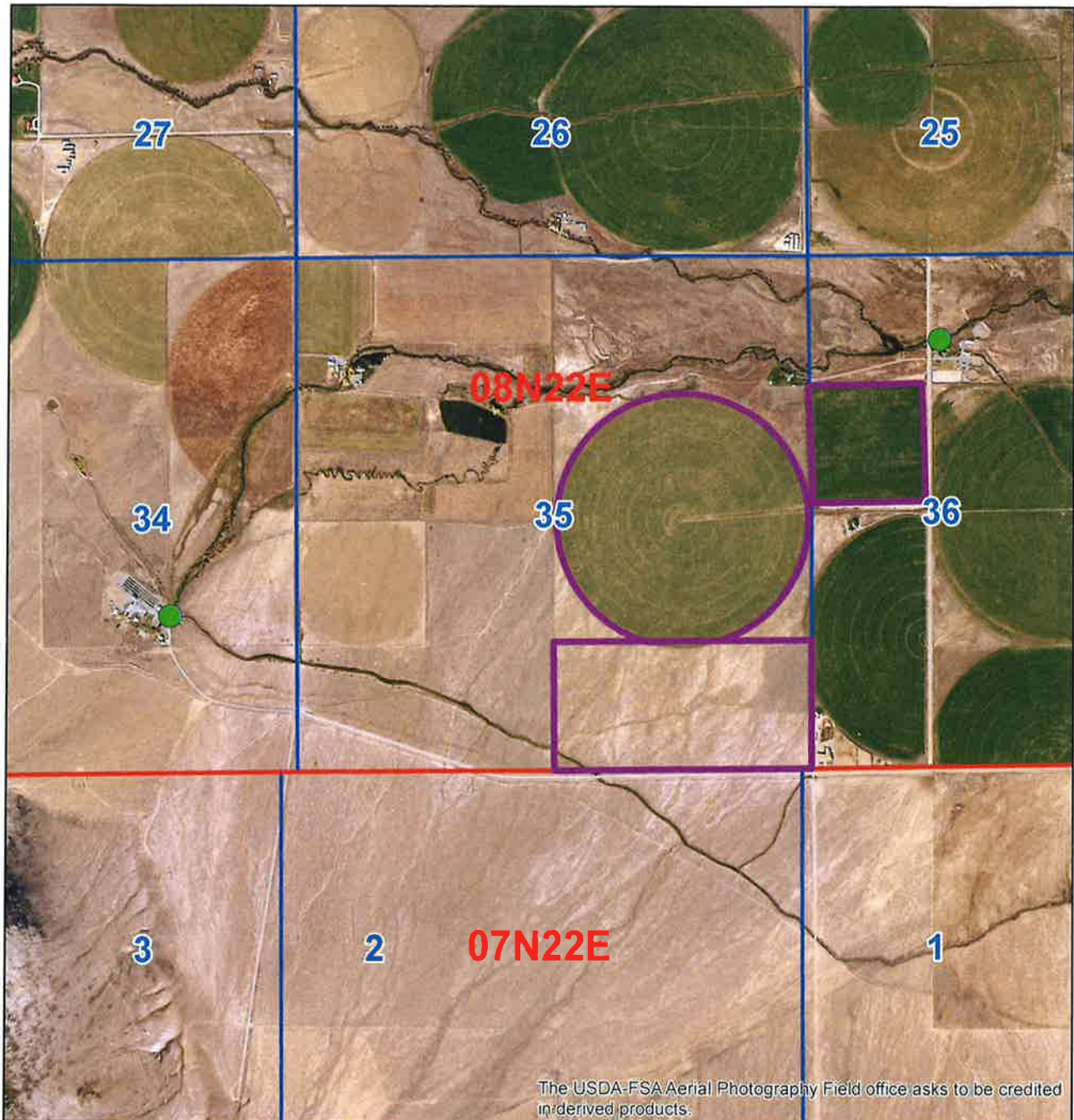
1 inch = 971 feet



Attachment to Transfer Approval 81407

Warm Springs Creek Diversion

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 700 1,400 2,800 Feet

1 inch = 1,647 feet

