

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81493**

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
34-584D	WR/DECREED	6/1/1916	0.580 cfs	N/A	N/A	109.2	BIG LOST RIVER
34-699C	WR/DECREED	6/1/1885	0.160 cfs	28.0 af	7.5	153.0	BIG LOST RIVER
34-700C	WR/DECREED	5/1/1905	0.373 cfs	65.5 af	18.2	153.0	BIG LOST RIVER
34-701C	WR/DECREED	7/1/1916	1.173 cfs	205.5 af	56.7	153.0	BIG LOST RIVER
34-702C	WR/DECREED	5/1/1910	0.426 cfs	72.9 af	20.8	153.0	BIG LOST RIVER
34-703C	WR/DECREED	6/1/1890	0.800 cfs	140.0 af	38.5	153.0	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	NO	NO	YES	NO	NO	NO
34-584D	NO	NO	YES	NO	NO	NO
34-699C	NO	NO	YES	NO	NO	NO
34-700C	NO	NO	YES	NO	NO	NO
34-701C	NO	NO	YES	NO	NO	NO
34-702C	NO	NO	YES	NO	NO	NO
34-703C	NO	NO	YES	NO	NO	NO
34-704C	NO	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	34-573B	0.350 cfs	N/A	16.0	113.0	N/A	N/A	N/A	N/A	N/A
34-584D	34-584D	0.080 cfs	N/A	16.0	113.0	N/A	N/A	N/A	N/A	N/A
34-699C	34-699C	0.160 cfs	28.0 af	7.5	113.0	N/A	N/A	N/A	N/A	N/A
34-700C	34-700C	0.373 cfs	65.5 af	18.2	113.0	N/A	N/A	N/A	N/A	N/A
34-701C	34-701C	0.883 cfs	155.1 af	42.3	113.0	N/A	N/A	N/A	N/A	N/A
34-702C	34-702C	0.426 cfs	74.6 af	20.8	113.0	N/A	N/A	N/A	N/A	N/A
34-703C	34-703C	0.030 cfs	5.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Transfer No. 81493

SUPPORT DATA

IN FILE # 34-573B

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81493**

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>
34-704C	34-704C	0.183 cfs	32.2 af	8.2	113.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.490 cfs	427.5 af	113.0	113.0		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. 81493**

In accordance with the approval of Transfer No. 81493, 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

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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 16.0

POU Total Acres: 113.0

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.

Transfer No. 81493

WATER RIGHT NO. 34-584D

As Modified by Transfer No. 81493

CONDITIONS OF APPROVAL

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).
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 redirection 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. 34-699C**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, Water Right No. 34-699C 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: 6/2/1885

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	5/01	to 10/15	0.150 cfs	26.3 af
RECREATION	5/01	to 10/15	0.010 cfs	1.7 af
RECREATION STORAGE	1/01	to 12/31		1.7 af
DIVERSION TO STORAGE	05/01	to 10/15	0.010 cfs	
			0.160 cfs	28.0 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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 7.5

POU Total Acres: 113.0

PLACE OF USE: RECREATION

			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															
08N	22E	36						X											

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	35		X															
08N	22E	36						X											

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WATER RIGHT NO. 34-699C
As Modified by Transfer No. 81493

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.5 acres within the authorized place of use in a single irrigation season.
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 redirection 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.

WATER RIGHT NO. 34-699C
As Modified by Transfer No. 81493

CONDITIONS OF 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. 34-700C**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, Water Right No. 34-700C 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: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

	From	To	Diversion Rate	Diversion Volume
IRRIGATION	5/01	to 10/15	0.363 cfs	63.7 af
RECREATION	5/01	to 10/15	0.010 cfs	1.7 af
RECREATION STORAGE	1/01	to 12/31		1.7 af
DIVERSION TO STORAGE	05/01	to 10/15	0.010 cfs	
			0.373 cfs	65.5 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

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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 18.2

POU Total Acres: 113.0

PLACE OF USE: RECREATION

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															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

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															
08N	22E	36						X											

Transfer No. 81493

WATER RIGHT NO. 34-700C

As Modified by Transfer No. 81493

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.2 acres within the authorized place of use in a single irrigation season.
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 redirection 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.

WATER RIGHT NO. 34-700C
As Modified by Transfer No. 81493

CONDITIONS OF 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. 34-701C**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, 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	5/01	to 10/15	0.040 cfs	7.0 af
RECREATION STORAGE	1/01	to 12/31		7.0 af
DIVERSION TO STORAGE	05/01	to 10/15	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

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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 42.3

POU Total Acres: 113.0

PLACE OF USE: RECREATION

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															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

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															
08N	22E	36						X											

Transfer No. 81493

WATER RIGHT NO. 34-701C
As Modified by Transfer No. 81493

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.
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 redirection 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.

WATER RIGHT NO. 34-701C
As Modified by Transfer No. 81493

CONDITIONS OF 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. 34-702C**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, Water Right No. 34-702C 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	Diversion Volume
IRRIGATION	5/01	to 10/15	0.416 cfs	72.9 af
RECREATION	5/01	to 10/15	0.010 cfs	1.7 af
RECREATION STORAGE	1/01	to 12/31		1.7 af
DIVERSION TO STORAGE	05/01	to 10/15	0.010 cfs	
			0.426 cfs	74.6 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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 20.8

POU Total Acres: 113.0

PLACE OF USE: RECREATION

			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															
08N	22E	36						X											

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	35		X															
08N	22E	36						X											

Transfer No. 81493

WATER RIGHT NO. 34-702C

As Modified by Transfer No. 81493

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20.8 acres within the authorized place of use in a single irrigation season.
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 redirection 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.

WATER RIGHT NO. 34-702C
As Modified by Transfer No. 81493

CONDITIONS OF 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. 34-703C**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, 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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
RECREATION	5/01	to 10/15	0.030 cfs	5.3 af
RECREATION STORAGE	1/01	to 12/31		5.3 af
DIVERSION TO STORAGE	01/01	to 12/31	0.030 cfs	
			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

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															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

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															
08N	22E	36						X											

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.

Transfer No. 81493

WATER RIGHT NO. 34-703C
As Modified by Transfer No. 81493

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 redirection 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. 34-704C**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, 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

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	5/01	to 10/15	0.163 cfs	28.7 af
RECREATION	5/01	to 10/15	0.020 cfs	3.5 af
RECREATION STORAGE	1/01	to 12/31		3.5 af
DIVERSION TO STORAGE	05/01	to 10/15	0.020 cfs	
			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

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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 8.2

POU Total Acres: 113.0

PLACE OF USE: RECREATION

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															
08N	22E	36						X											

PLACE OF USE: RECREATION STORAGE

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															
08N	22E	36						X											

Transfer No. 81493

WATER RIGHT NO. 34-704C

As Modified by Transfer No. 81493

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.
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 redirection 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. 81493

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. 34-573B**As Modified by Transfer No. 81493**

In accordance with the approval of Transfer No. 81493, 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

	From	To	Diversion Rate
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

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	39.0	37.0															76.0
08N	22E	36						37.0											37.0

Right Acre Limit: 16.0

POU Total Acres: 113.0

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.

Transfer No. 81493

WATER RIGHT NO. 34-573B

As Modified by Transfer No. 81493

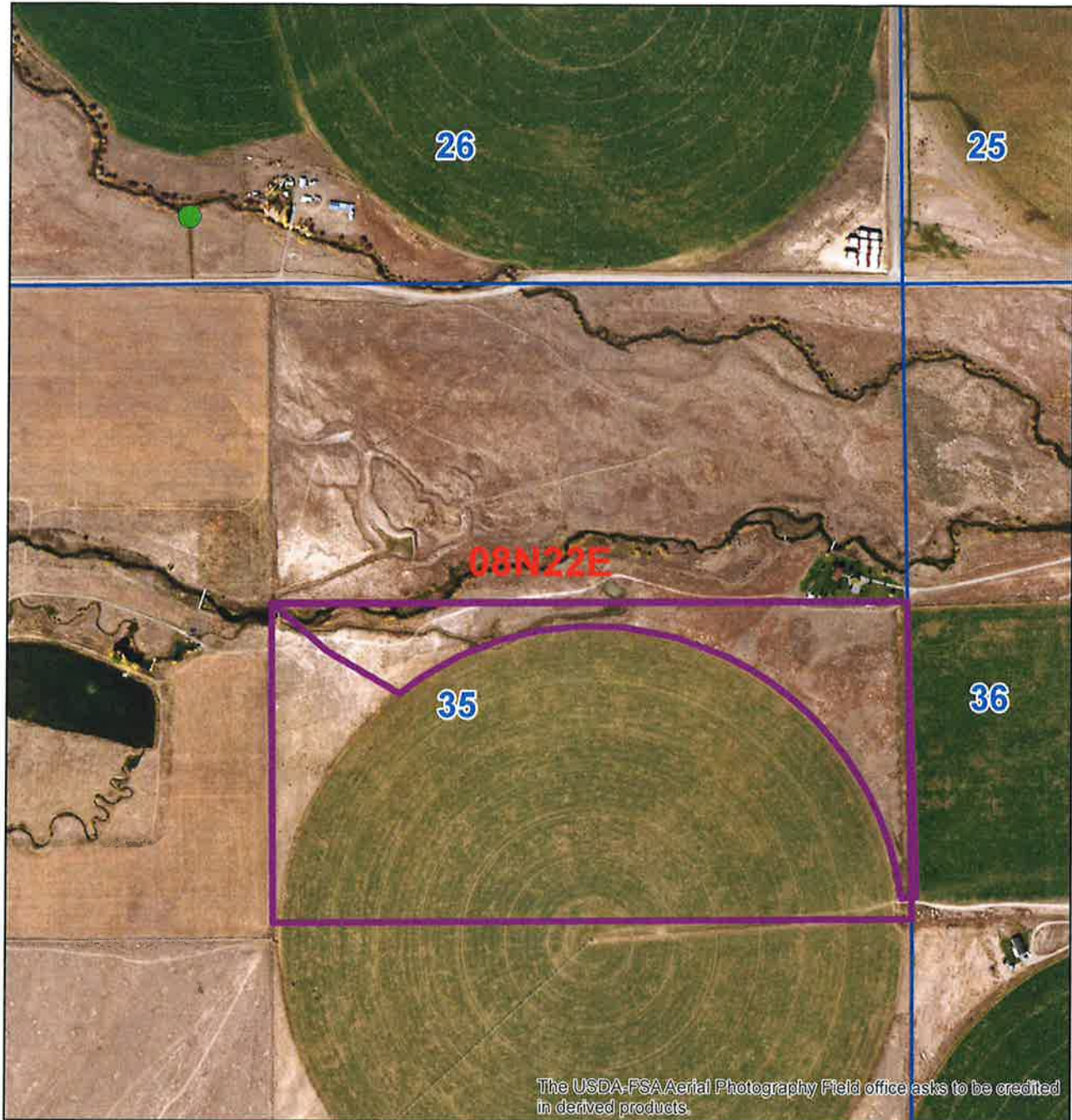
CONDITIONS OF APPROVAL

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).
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.

Attachment to Transfer Approval 81493

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

0 300 600 1,200 Feet
1 inch = 664 feet



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.



- 0 312.5 625 1,250 Feet

