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JUN 07 2016

Department of Water Resources  
Eastern RegionSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No.

80609

MINIMUM REQUIREMENTS CHECKLIST  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

AMENDED

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Name of Applicant(s) Doug HolbrookCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A \* Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☒ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).\*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm).
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Also attaching supplement with some explanatory remarks that did not fit within the fillable form.

AMENDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Doug Holbrook Phone (208) 588-2512

Mailing address P.O. Box 268, Mackay, ID 83251 Email \_\_\_\_\_

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Dylan Lawrence Phone (208) 907-1529

Mailing address P.O. Box 1676, Boise, ID 83701 Email dylanlawrence@varinwardwell

- ☐ Send all correspondence for this application to the representative and not to the applicant.  
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.  
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

  
Signature of Applicant or Authorized Representative

Doug Holbrook  
Print Name and Title if applicable

6/6/16  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

### A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.  
This is an amended application for transfer 80609 that seeks to add an additional well as a new point of diversion on two ground water rights, and to slightly amend the place of use to conform to existing irrigation practices for surface water and ground water rights integrated into the same irrigation system.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 1 Continued

**B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

| 1.                                                                          | Right Number | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary     |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|------------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 34-14334     | 0.22/79.5             | Irrigation    | 4/1 to 10/31  | Ground Water           |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14335     | 3.34/680.7            | Irrigation    | 4/1 to 11/1   | Ground Water           |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14336     | 2.33/408.5            | Irrigation    | 5/1 to 10/15  | Big Lost River / Sinks |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14337     | 0.78/136.1            | Irrigation    | 5/1 to 10/15  | Big Lost River / Sinks |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14338     | 0.62/135.8            | Irrigation    | 5/1 to 10/15  | Big Lost River / Sinks |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                        |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                        |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                        |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                        |

Total authorized under rights 5.52 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 3.73 cubic feet per second and/or \_\_\_\_\_ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

| New ? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Source         | Local name or tag # |
|-------|-----|---|----|----|-----|-----|-----|--------|----------------|---------------------|
| N     |     |   | SW | NW | 13  | 6N  | 25E | Custer | Ground Water   |                     |
| N     |     |   | NE | SE | 14  | 6N  | 25E | Custer | Ground Water   |                     |
| Y     |     |   | NE | SW | 13  | 6N  | 25E | Custer | Ground Water   |                     |
| N     |     |   | NE | SW | 10  | 6N  | 25E | Custer | Big Lost River |                     |
| N     |     |   | SE | SW | 11  | 6N  | 25E | Custer | Big Lost River |                     |

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

| Twp                              | Rge | Sec | NE ¼ |    |     |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre Totals |
|----------------------------------|-----|-----|------|----|-----|----|------|----|----|----|------|----|----|----|------|----|----|----|-------------|
|                                  |     |     | NE   | NW | SW  | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |             |
| 6N                               | 25E | 13  |      |    |     |    |      |    | 36 | 32 | 35   | 40 |    |    |      |    |    |    | 143         |
| 6N                               | 25E | 14  |      |    | 1.5 | 31 |      |    |    |    |      |    |    |    | 19   |    |    |    | 51.5        |
|                                  |     |     |      |    |     |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |     |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |     |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |     |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |     |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |     |    |      |    |    |    |      |    |    |    |      |    |    |    | 194.5       |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:  
All five rights are integrated into the same irrigation system. No change to surface diversions. For ground water, water is conveyed from wells through above-ground pipeline that connects into integrated system. All diversions will be equipped with measuring devices and lockable controlling works as required by IDWR.
- b. Who owns the property at the point(s) of diversion? Applicant  
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?  
 If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: \_\_\_\_\_  
 \_\_\_\_\_  
 It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?  
 If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:  
Purpose of transfer is to conform place of use to existing irrigation practices. Acres falling outside of the new place of use will no longer be irrigated.  
 \_\_\_\_\_  
 \_\_\_\_\_
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:  
All rights tied into this integrated system have been identified in Item 1.B.1.  
 \_\_\_\_\_  
 \_\_\_\_\_
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:  
 Yes No  
☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently leased to the Water Supply Bank,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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## 5/26/2016

|                                        |                    |
|----------------------------------------|--------------------|
| <b><u>Owner Type</u></b>               | <b><u>Name</u></b> |
| Current Owner                          | DOUG HOLBROOK      |
| <b><u>Priority Date:</u></b> 1/30/1961 |                    |
| <b><u>Basis:</u></b> Deceased          |                    |
| <b><u>Status:</u></b> Active           |                    |

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                  | 10/31     | 0.220 CFS             | 79.5 AF       |
|                       | <b>Total Diversion</b> |           | 0.220 CFS             | 79.5 AF       |

|              |        |                            |               |
|--------------|--------|----------------------------|---------------|
| GROUND WATER | NESE   | Sec. 14, Twp 06N, Rge 25E, | CUSTER County |
| GROUND WATER | SESWNW | Sec. 13, Twp 06N, Rge 25E, | CUSTER County |

|     |     |     | NE |    |    |      | NW |    |      |      | SW   |      |    |    | SE   |    |    |    |        |
|-----|-----|-----|----|----|----|------|----|----|------|------|------|------|----|----|------|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE   | NE | NW | SW   | SE   | NE   | NW   | SW | SE | NE   | NW | SW | SE | Totals |
| 06N | 25E | 13  |    |    |    |      |    |    | 36.0 | 38.0 | 38.0 | 36.0 |    |    |      |    |    |    | 148.0  |
| 06N | 25E | 14  |    |    |    | 26.0 |    |    |      |      |      |      |    |    | 20.5 |    |    |    | 46.5   |

POU Total Acres: 194.5

|    |     |                                                                                                                                                                                                                                                                                                                                            |
|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | 104 | If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.                         |
| 2. | R05 | Use of water under this right will 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.                                                                                      |
| 3. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.                                                                                                                                                                                                  |
| 4. | T19 | 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. |
| 5. | WB4 | The total instantaneous diversion of water from all points of diversion under Rights 34-13751, 34-13753, 34-14334, and 34-14335 shall not exceed 3.62 cfs, nor total combined annual volume of 691.2 af.                                                                                                                                   |
| 6. | X27 | This right is limited to the irrigation of 22.7 acres within the place of use described above in a single irrigation season.                                                                                                                                                                                                               |
| 7. | 065 | The right holder shall use the full allotment of appurtenant surface water rights in                                                                                                                                                                                                                                                       |

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- conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
  9. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
  10. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
  11. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
  12. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

**Dates and Other Information**

Decreed Date: 12/14/2001

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 34

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
|----------------------------------------------------------------------------------------------------|---------------|--------------|
| 5.520                                                                                              | 691.2         | 197.5        |
| 34-13751 ,34-13753 ,34-13755 ,34-13757 ,34-13759 ,34-14334 ,34-14335 ,34-14336 ,34-14337 ,34-14338 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/26/2016

**Water Right 34-14335**

**Owner Type**      **Name**  
Current Owner      DOUG HOLBROOK  
**Priority Date:** 8/31/1976  
**Basis:** Decreed  
**Status:** Active

**Source**      **Tributary**  
GROUND WATER

| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                  | 11/01     | 3.340 CFS             | 680.7 AF      |
|                       | <b>Total Diversion</b> |           | 3.340 CFS             | 680.7 AF      |

**Source and Point(s) of Diversion**

|              |        |                                          |
|--------------|--------|------------------------------------------|
| GROUND WATER | NESE   | Sec. 14, Twp 06N, Rge 25E, CUSTER County |
| GROUND WATER | SESWNW | Sec. 13, Twp 06N, Rge 25E, CUSTER County |

**Place Of Use**

IRRIGATION within CUSTER County

|     |     |     | NE |    |    |      | NW |    |      |      | SW   |      |    |    | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|------|------|------|----|----|------|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE   | NE | NW | SW   | SE   | NE   | NW   | SW | SE | NE   | NW | SW | SE |        |
| 06N | 25E | 13  |    |    |    |      |    |    | 36.0 | 38.0 | 38.0 | 36.0 |    |    |      |    |    |    | 148.0  |
| 06N | 25E | 14  |    |    |    | 26.0 |    |    |      |      |      |      |    |    | 20.5 |    |    |    | 46.5   |

POU Total Acres: 194.5

**Conditions of Approval:**

1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. R05 Use of water under this right will 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. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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7. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13751, 34-13753, 34-14334, and 34-14335 shall not exceed 3.62 cfs, nor total combined annual volume of 691.2 af.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

**Dates and Other Information**

Decreed Date: 12/14/2001

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 34

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
|----------------------------------------------------------------------------------------------------|---------------|--------------|
| 5.520                                                                                              | 691.2         | 197.5        |
| 34-13751 ,34-13753 ,34-13755 ,34-13757 ,34-13759 ,34-14334 ,34-14335 ,34-14336 ,34-14337 ,34-14338 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/26/2016

**Water Right 34-14336**

**Owner Type**      **Name**  
Current Owner      DOUG HOLBROOK  
**Priority Date:** 5/1/1905  
**Basis:** Decreed  
**Status:** Active

**Source**      **Tributary**  
BIG LOST RIVER      SINKS

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 05/01                         | 10/15            | 2.330 CFS                    | 408.5 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 2.330 CFS                    | 408.5 AF             |

**Source and Point(s) of Diversion**

|                |        |                                          |
|----------------|--------|------------------------------------------|
| BIG LOST RIVER | SWSESW | Sec. 11, Twp 06N, Rge 25E, CUSTER County |
| BIG LOST RIVER | NENESW | Sec. 10, Twp 06N, Rge 25E, CUSTER County |

**Place Of Use**

IRRIGATION within CUSTER County

|     |     |     | NE |    |    |      | NW |    |      |      | SW   |      |    |    | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|------|------|------|----|----|------|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE   | NE | NW | SW   | SE   | NE   | NW   | SW | SE | NE   | NW | SW | SE |        |
| 06N | 25E | 13  |    |    |    |      |    |    | 36.0 | 38.0 | 38.0 | 36.0 |    |    |      |    |    |    | 148.0  |
| 06N | 25E | 14  |    |    |    | 26.0 |    |    |      |      |      |      |    |    | 20.5 |    |    |    | 46.5   |

Right Acre Limit: 116.7

POU Total Acres: 194.5

**Conditions of Approval:**

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Right 34-14338 is an enlargement of Rights 34-114336 and 34-14337, pursuant to Section 42-1426, Idaho Code.
6. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755, 34-13759, 34-14336, 34-14337, 34-14338 shall not exceed 3.16 cfs.
7. S34 The period of use for irrigation described above may be extended in seasons of

**IDAHO DEPARTMENT OF WATER RESOURCES**  
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- 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.
8. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
9. X27 This right is limited to the irrigation of 116.7 acres within the place of use described above in a single irrigation season.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. R05 Use of water under this right will 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.

**Dates and Other Information**

Decreed Date: 12/14/2001

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
|----------------------------------------------------------------------------------------------------|---------------|--------------|
| 5.520                                                                                              | 691.2         | 197.5        |
| 34-13751 ,34-13753 ,34-13755 ,34-13757 ,34-13759 ,34-14334 ,34-14335 ,34-14336 ,34-14337 ,34-14338 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/26/2016

**Water Right 34-14337**

**Owner Type**      **Name**  
Current Owner      DOUG HOLBROOK  
**Priority Date:** 5/1/1906  
**Basis:** Decreed  
**Status:** Active

**Source**      **Tributary**  
BIG LOST RIVER      SINKS

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 05/01                         | 10/15            | 0.780 CFS                    | 136.1 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 0.780 CFS                    | 136.1 AF             |

**Source and Point(s) of Diversion**

|                |        |                                          |
|----------------|--------|------------------------------------------|
| BIG LOST RIVER | NENESW | Sec. 10, Twp 06N, Rge 25E, CUSTER County |
| BIG LOST RIVER | SWSESW | Sec. 11, Twp 06N, Rge 25E, CUSTER County |

**Place Of Use**

IRRIGATION within CUSTER County

| Twp | Rng | Sec | NE |    |    |      | NW |    |      |      | SW   |      |    |    | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|------|------|------|----|----|------|----|----|----|--------|
|     |     |     | NE | NW | SW | SE   | NE | NW | SW   | SE   | NE   | NW   | SW | SE | NE   | NW | SW | SE |        |
| 06N | 25E | 13  |    |    |    |      |    |    | 36.0 | 38.0 | 38.0 | 36.0 |    |    |      |    |    |    | 148.0  |
| 06N | 25E | 14  |    |    |    | 26.0 |    |    |      |      |      |      |    |    | 20.5 |    |    |    | 46.5   |

Right Acre Limit: 38.9

POU Total Acres: 194.5

**Conditions of Approval:**

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Right 34-14338 is an enlargement of Rights 34-14336 and 34-14337, pursuant to Section 42-1426, Idaho Code.
3. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
4. R05 Use of water under this right will 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. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X27 This right is limited to the irrigation of 38.9 acres within the place of use described

**IDAHO DEPARTMENT OF WATER RESOURCES**  
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- above in a single irrigation season.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. S34 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. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755, 34-13759, 34-14336, 34-14337, and 34-14338 shall not exceed 3.16 cfs.
11. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

**Dates and Other Information**

Decreed Date: 12/14/2001

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
|----------------------------------------------------------------------------------------------------|---------------|--------------|
| 5.520                                                                                              | 691.2         | 197.5        |
| 34-13751 ,34-13753 ,34-13755 ,34-13757 ,34-13759 ,34-14334 ,34-14335 ,34-14336 ,34-14337 ,34-14338 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/26/2016

**Water Right 34-14338**

**Owner Type**      **Name**  
Current Owner      DOUG HOLBROOK  
**Priority Date:** 5/1/1977  
**Basis:** Decreed  
**Status:** Active

**Source**      **Tributary**  
BIG LOST RIVER      SINKS

| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01                  | 10/15     | 0.620 CFS             | 135.8 AF      |
|                       | <b>Total Diversion</b> |           | 0.620 CFS             | 135.8 AF      |

**Source and Point(s) of Diversion**

|                |        |                                          |
|----------------|--------|------------------------------------------|
| BIG LOST RIVER | NENESW | Sec. 10, Twp 06N, Rge 25E, CUSTER County |
| BIG LOST RIVER | SWSESW | Sec. 11, Twp 06N, Rge 25E, CUSTER County |

**Place Of Use**

IRRIGATION within CUSTER County

| Twp | Rng | Sec | NE |    |    |      | NW |    |      |      | SW   |      |    |    | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|------|------|------|----|----|------|----|----|----|--------|
|     |     |     | NE | NW | SW | SE   | NE | NW | SW   | SE   | NE   | NW   | SW | SE | NE   | NW | SW | SE |        |
| 06N | 25E | 13  |    |    |    |      |    |    | 36.0 | 38.0 | 38.0 | 36.0 |    |    |      |    |    |    | 148.0  |
| 06N | 25E | 14  |    |    |    | 26.0 |    |    |      |      |      |      |    |    | 20.5 |    |    |    | 46.5   |

Right Acre Limit: 38.8

POU Total Acres: 194.5

**Conditions of Approval:**

1. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
2. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755, 34-13759, 34-14336, 34-14337, and 34-14338 shall not exceed 3.16 cfs.
3. Right 34-14338 is an enlargement of Rights 34-14336 and 34-14337, pursuant to Section 42-1426, Idaho Code.
4. X27 This right is limited to the irrigation of 38.8 acres within the place of use described above in a single irrigation season.
5. S34 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per

**IDAHO DEPARTMENT OF WATER RESOURCES**  
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- acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. R05 Use of water under this right will 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.
10. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
11. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
12. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

**Dates and Other Information**

Decreed Date: 12/14/2001

Enlargement Statute Priority Date: 4/12/1994

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 34

Mitigation Plan: False

**Combined Use Limits**

| <u>Rate</u>                                                                                        | <u>Volume</u> | <u>Acres</u> |
|----------------------------------------------------------------------------------------------------|---------------|--------------|
| 5.520                                                                                              | 691.2         | 197.5        |
| 34-13751 ,34-13753 ,34-13755 ,34-13757 ,34-13759 ,34-14334 ,34-14335 ,34-14336 ,34-14337 ,34-14338 |               |              |

**SubCase:**

N/A

**Water Supply Bank:**

N/A



Amended Application for Transfer No. 80609  
Attachment #10 (Supplemental Explanatory Remarks)

Part 1.B.3 (ESPA analysis)

No ESPA analysis is necessary because the well that is being added as a new point of diversion on the two ground water rights is within the same cell as one of the existing points of diversion, and is within an adjacent cell to the other existing point of diversion.

Part 1.B.3 (point of diversion grid)

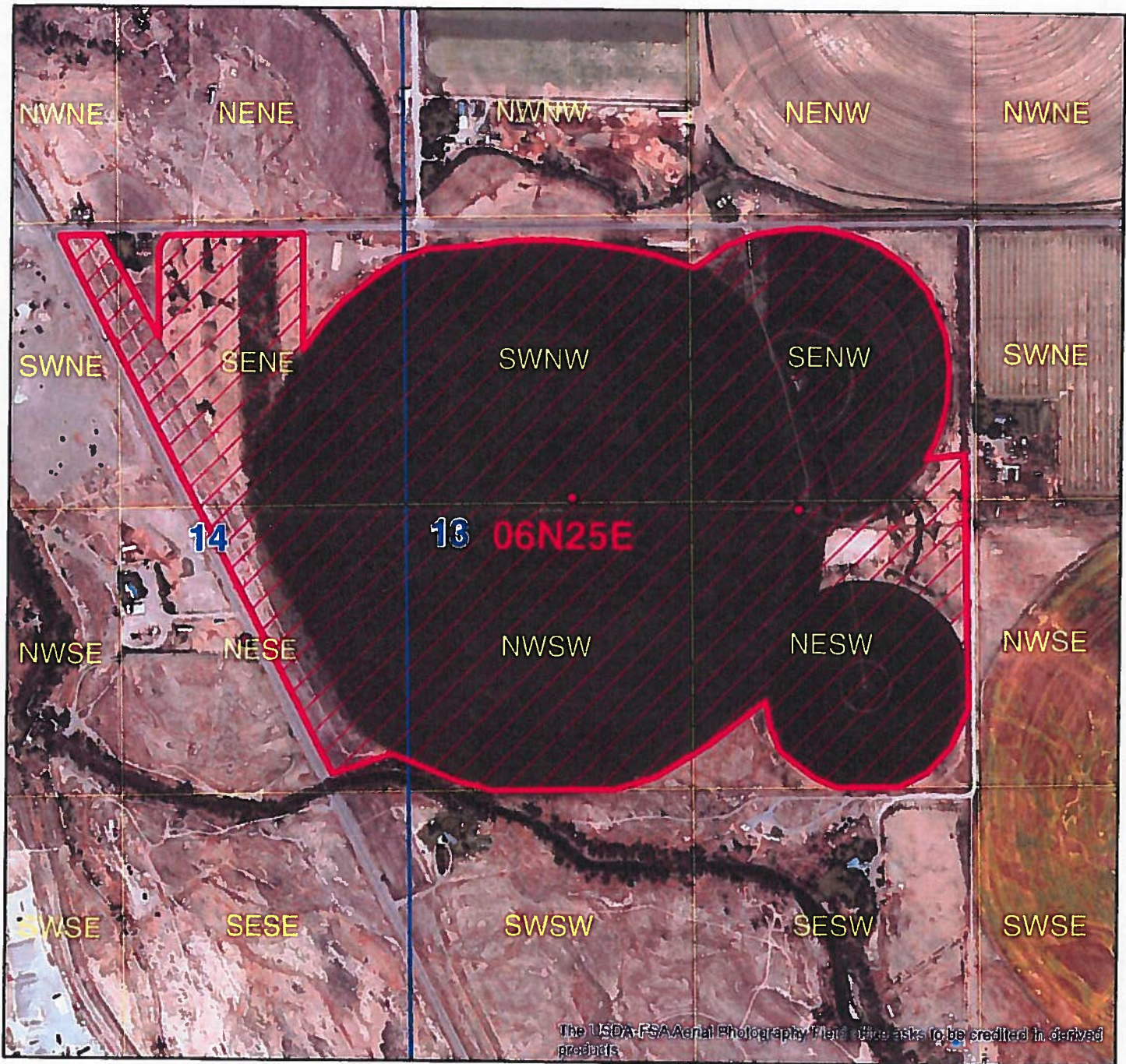
This grid identifies all of the points of diversion for both the two ground water rights and the three surface water rights. There is no physical change to the four existing points of diversion. However, in order to be consistent with current standards, this grid does not identify the 10-acre tract for the existing points of diversion.

Part 2.A (existing water right reports)

IDWR has agreed to generate.

Transfer 80609

Date: 6/3/2016



0 0.125 0.25 0.5 Miles

**Legend**

- Transfer POD
-  Transfer POU
-  Township/Range
-  Sections
- QQ

Attachment #7



(Space Above For Recorder's Use)

## WARRANTY DEED

3962 N. 3580 W.  
MOORE, IDAHO 83255

For value received, **BRETT WILLIAMS** and **TRUDY WILLIAMS**, husband and wife, ("Grantors"), whose address is ~~Route 1, Box 21, Darlington, Idaho 83212~~, convey, grant, bargain, and sell to **DOUG HOLBROOK** and **CYNTHIA HOLBROOK**, husband and wife, ("Grantees"), whose address is P.O. Box 268, Mackay, Idaho 83251, and their successors and assigns forever, the following described real property situated in Custer County, State of Idaho:

Beginning at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, Twp. 6 N., R. 25 E.B.M. situated 30 feet South from a point 3481 feet West from the  $\frac{1}{4}$  Sec. monument between Section 13, Twp. 6 N., R. 25 E.B.M. and Section 18 Twp. 6 N., R. 26 E.B.M., said point of beginning also being 35 feet North of well casing center; thence 35 feet East; thence 70 feet South; thence 70 feet West; thence 70 feet North; thence 35 feet East to the said point of beginning, containing 4900 sq. ft., more or less;

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the real property herein described.

The Grantors covenant to the Grantees that Grantors are the owners in fee simple of said real property; that the real property is free from all encumbrances; and that Grantors will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

251056

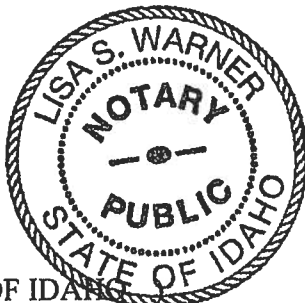
Brett Williams  
Brett Williams

Trudy Williams  
Trudy Williams

STATE OF IDAHO )  
 ) ss.  
County of Custer )

On this 30th day of July, 2015, before me Lisa S. Warner, personally appeared **BRETT WILLIAMS**, known or identified to me (or proved to me on the oath of \_\_\_\_\_), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Lisa S. Warner  
NOTARY PUBLIC FOR IDAHO  
Residing at Mackay Idaho  
My Commission Expires 03/09/2021

STATE OF IDAHO )  
 ) ss.  
County of Custer )

On this 30th day of July, 2015, before me Lisa S. Warner, personally appeared **TRUDY WILLIAMS**, known or identified to me (or proved to me on the oath of \_\_\_\_\_), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Lisa S. Warner  
NOTARY PUBLIC FOR IDAHO  
Residing at Mackay Idaho  
My Commission Expires 03/09/2021

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESRECEIVED  
DEC 11 2015Department of Water Resources  
Boise, Idaho

## APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) Doug Holbrook Phone (208) 588-2512  
 2. MAILING ADDRESS P.O. Box 268 City Mackay  
 State ID Zip 83251 Email \_\_\_\_\_

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.  
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.  
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.  
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 34-14334, 34-14335

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 3.56 cubic feet per second and/or 760.2 acre-feet per annum.  
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

| New? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Source       | Local name or tag # |
|------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
| N    |     |   | SW | NW | 13  | 6N  | 25E | Custer | Ground water |                     |
| N    |     |   | NE | SE | 14  | 6N  | 25E | Custer | Ground water |                     |
| Y    |     |   | NE | SW | 13  | 6N  | 25E | Custer | Ground water |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |
|      |     |   |    |    |     |     |     |        |              |                     |

SUPERCEDED

## 6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well with above-ground pipeline that will connect with existing diversions system for 34-14334 and 34-14335. The existing well already has a measuring device, and the new well will also be equipped with a measuring device.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.  
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. The Map Tool, available at [maps.idwr.idaho.gov/TransferApplicationLayouts/](http://maps.idwr.idaho.gov/TransferApplicationLayouts/) provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.



Signature of applicant or authorized agent

Doug Holbrook

Print name and title if applicable

12/1/15  
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

## FOR DEPARTMENT USE ONLY

Transfer includes \_\_\_\_\_ pages of attachments. Received by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid 1060.00 Date 12/1/15 Received by SC Receipt # E041681

Preliminary review by \_\_\_\_\_ Date \_\_\_\_\_ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 \_\_\_\_\_ W-9 forwarded \_\_\_\_\_ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

10/23/2015

WATER RIGHT NO. 34-14334

| <u>Owner Type</u> | <u>Name and Address</u>                                           |
|-------------------|-------------------------------------------------------------------|
| Current Owner     | DOUG HOLBROOK<br>PO BOX 268<br>MACKAY, ID 83251<br>(208) 588-2512 |
| Original Owner    | TED J ROTHWELL<br>RT 1<br>DARLINGTON, ID 83231<br>(208)588-2283   |

Priority Date: 01/30/1961

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.22 CFS              | 79.5 AFA      |
| Total Diversion       |             |           | 0.22 CFS              |               |

Location of Point(s) of Diversion:

|              |        |         |              |           |               |
|--------------|--------|---------|--------------|-----------|---------------|
| GROUND WATER | SESWNW | Sec. 13 | Township 06N | Range 25E | CUSTER County |
| GROUND WATER | NESE   | Sec. 14 | Township 06N | Range 25E | CUSTER County |

IRRIGATION Use:

Acre Limit: 22.7

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 06N             | 25E          | 13             |            | SWNW         | 36           |            | SENW         | 38           |            |              |              |            |              |              |
|                 |              |                |            | NESW         | 38           |            | NWSW         | 36           |            |              |              |            |              |              |
|                 |              | 14             |            | SENE         | 26           |            |              |              |            |              |              |            |              |              |
|                 |              |                |            | NESE         | 20.5         |            |              |              |            |              |              |            |              |              |

Total Acres: 194.5

Conditions of Approval:

1. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. R05 Use of water under this right will 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.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13751, 34-13753, 34-14334, and 34-14335 shall not exceed 3.62 cfs, nor total combined annual volume of 691.2 af.
6. X27 This right is limited to the irrigation of 22.7 acres within the place of use described above in a single irrigation season.
7. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of

11. T18 197.5 acres.  
Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
12. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

## Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

## Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 197.5

Combined Volume Limit: 691.2

Combined Rate Limit: 5.52

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

10/23/2015

WATER RIGHT NO. 34-14335

| <u>Owner Type</u> | <u>Name and Address</u>                                           |
|-------------------|-------------------------------------------------------------------|
| Current Owner     | DOUG HOLBROOK<br>PO BOX 268<br>MACKAY, ID 83251<br>(208) 588-2512 |
| Original Owner    | TED J ROTHWELL<br>RT 1<br>DARLINGTON, ID 83231<br>(208)588-2283   |

Priority Date: 08/31/1976  
Basis: Decreed  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 3.34 CFS              | 680.7 AFA     |
| Total Diversion       |             |           | 3.34 CFS              |               |

Location of Point(s) of Diversion:

|              |        |         |              |           |               |
|--------------|--------|---------|--------------|-----------|---------------|
| GROUND WATER | SESWNW | Sec. 13 | Township 06N | Range 25E | CUSTER County |
| GROUND WATER | NESE   | Sec. 14 | Township 06N | Range 25E | CUSTER County |

Place(s) of use:

## Place of Use Legal Description: IRRIGATION CUSTER County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 06N      | 25E   | 13      |     | SWNW  | 36    |     | SESW  | 38    |     |       |       |     |       |       |
|          |       |         |     | NESW  | 38    |     | NWSW  | 36    |     |       |       |     |       |       |
|          |       | 14      |     | SENE  | 26    |     |       |       |     |       |       |     |       |       |
|          |       |         |     | NESE  | 20.5  |     |       |       |     |       |       |     |       |       |

Total Acres: 194.5

## Conditions of Approval:

1. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. R05 Use of water under this right will 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. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. X35 Rights 34-13751, 34-13753, 34-13755, 34-13757, 34-13759, 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. WB4 The total instantaneous diversion of water from all points of diversion under Rights 34-13751, 34-13753, 34-14334, and 34-14335 shall not exceed 3.62 cfs, nor total combined annual volume of 691.2 af.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is

| not required.

**Dates:**

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

**Other Information:**

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre:

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 197.5

Combined Volume Limit: 691.2

Combined Rate Limit: 5.52

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Doug Holbrook  
Transfer # \_\_\_\_\_  
(Water Rights 34-14334, 34-14335)



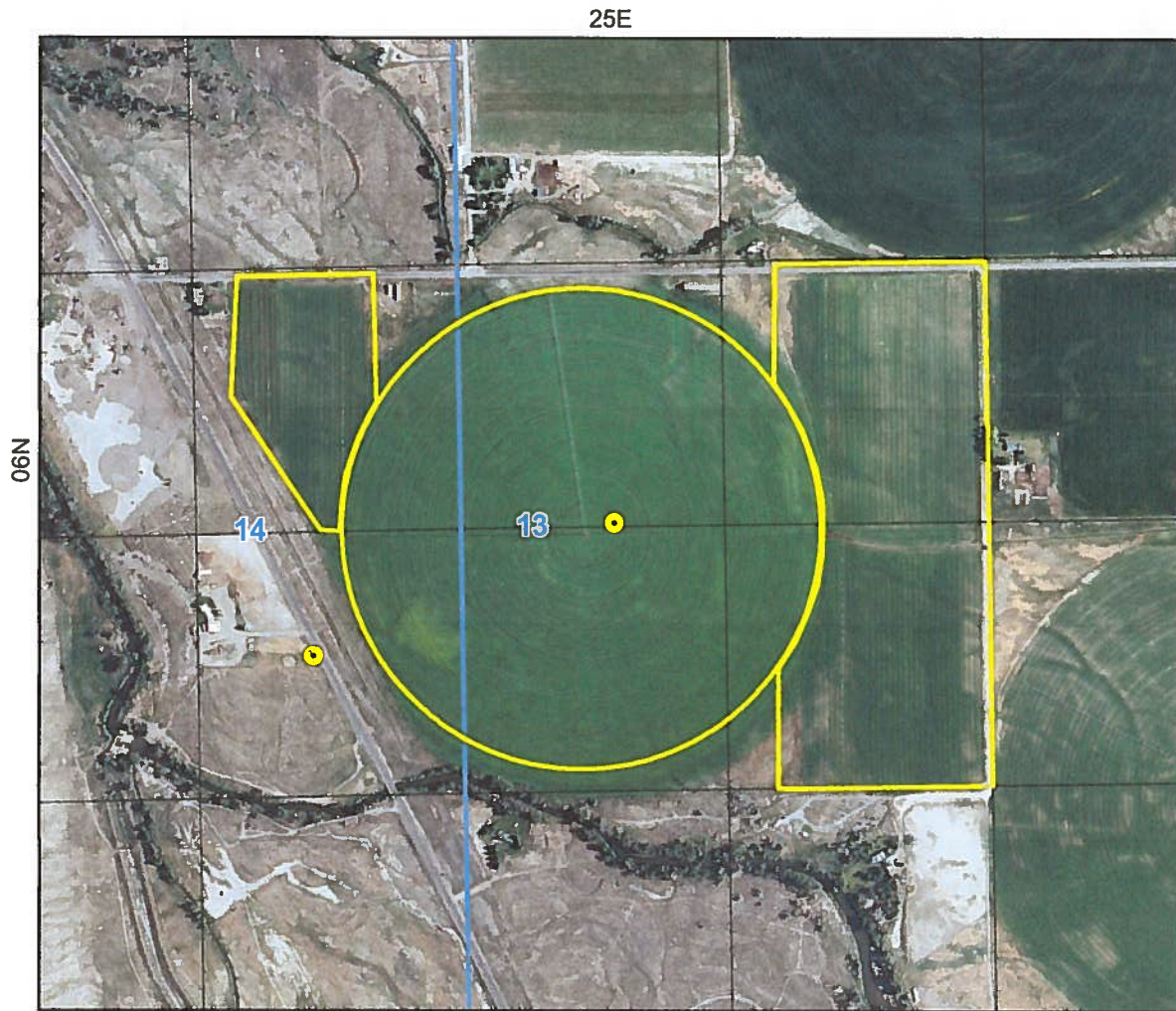
80609

State of Idaho  
Department of Water Resources

**Water Right**  
**34-14334**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.1 0.2 0.4 Miles



Map produced on October 23, 2015

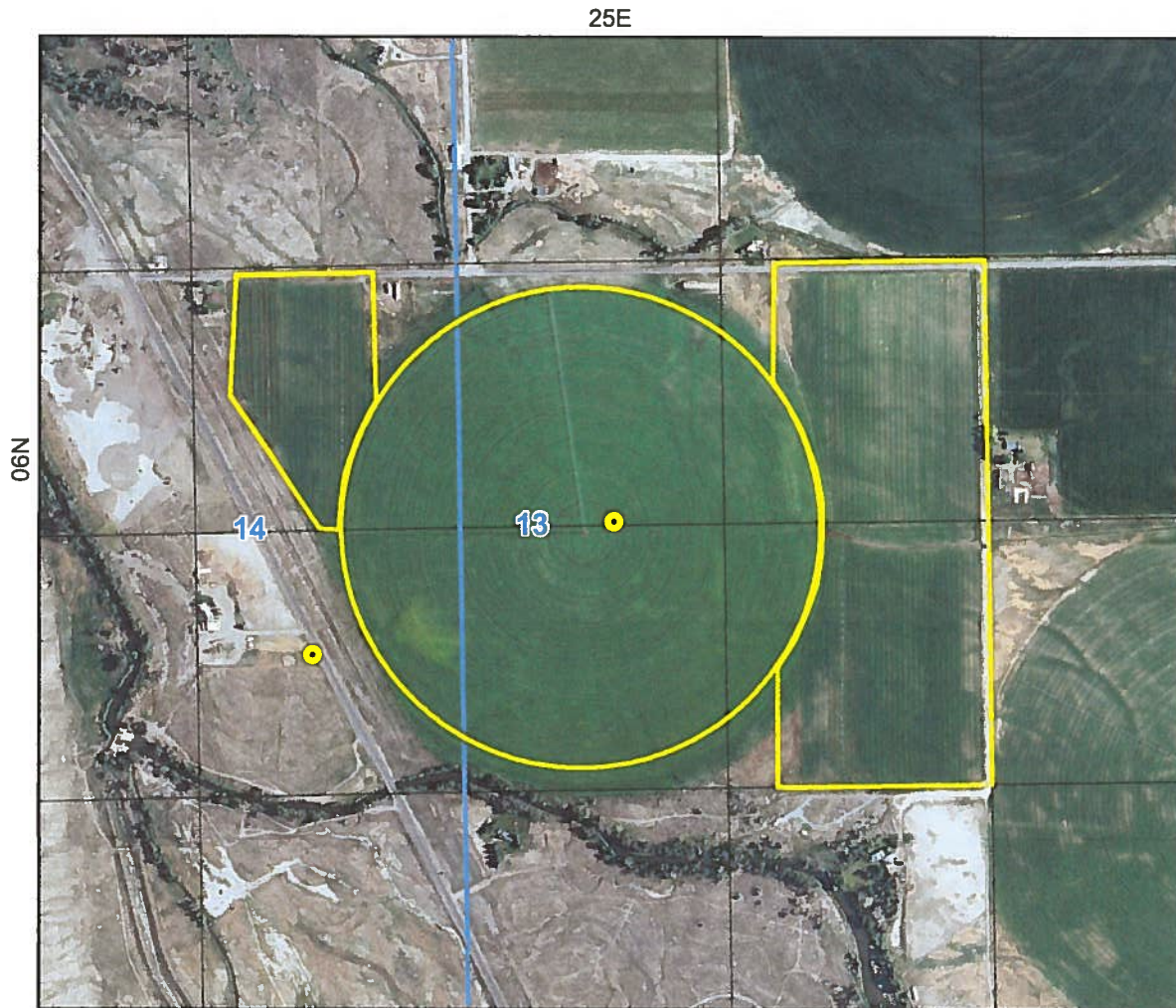
80609

State of Idaho  
Department of Water Resources

**Water Right**  
**34-14335**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.1 0.2 0.4 Miles



Map produced on October 23, 2015

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