

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80609**

This is to certify that: **DOUG HOLBROOK**
PO BOX 268
MACKAY, ID 83251

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>
34-14334	WR/DECREED	1/30/1961	0.220 cfs	79.5 af	22.7	194.5	GROUND WATER
34-14335	WR/DECREED	8/31/1976	3.340 cfs	680.7 af	N/A	194.5	GROUND WATER
34-14336	WR/DECREED	5/1/1905	2.330 cfs	408.5 af	116.7	194.5	BIG LOST RIVER
34-14337	WR/DECREED	5/1/1906	0.780 cfs	136.1 af	38.9	194.5	BIG LOST RIVER
34-14338	WR/DECREED	5/1/1977	0.620 cfs	135.8 af	38.8	194.5	BIG LOST RIVER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
34-13751	WR/DECREED	1/30/1961	0.010 cfs	1.0 af	0.3	3.0	GROUND WATER
34-13753	WR/DECREED	8/31/1976	0.050 cfs	10.5 af		3.0	GROUND WATER
34-13755	WR/DECREED	5/1/1905	0.040 cfs	6.3 af	1.8	3.0	BIG LOST RIVER
34-13757	WR/DECREED	5/1/1906	0.010 cfs	2.1 af	0.6	3.0	BIG LOST RIVER
34-13759	WR/DECREED	5/1/1977	0.010 cfs	2.1 af	0.6	3.0	BIG LOST RIVER

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>
34-14334	NO	YES	YES	YES	NO	NO
34-14335	NO	YES	YES	YES	NO	NO
34-14336	NO	YES	YES	NO	NO	NO
34-14337	NO	YES	YES	NO	NO	NO
34-14338	NO	YES	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>
34-14334	34-14334	0.220 cfs	79.5 af	22.7	194.5	N/A	N/A	N/A	N/A	N/A
34-14335	34-14335	3.340 cfs	680.7 af	N/A	194.5	N/A	N/A	N/A	N/A	N/A
34-14336	34-14336	2.330 cfs	408.5 af	116.7	194.5	N/A	N/A	N/A	N/A	N/A

Transfer No. 80609

SUPPORT DATA

IN FILE # 34-14334

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

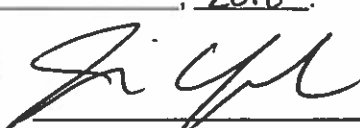
TRANSFER OF WATER RIGHT
TRANSFER NO. 80609

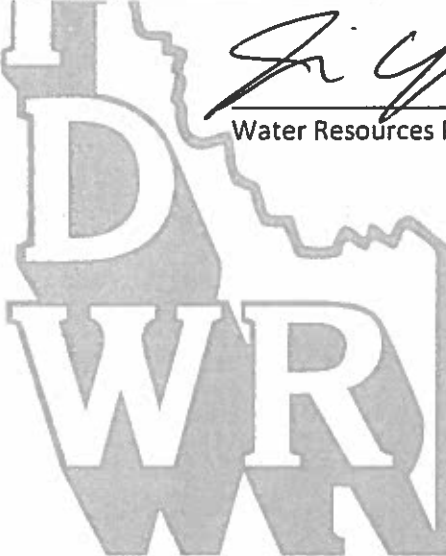
Summary Of Water Rights After the Approved Change

<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>
34-14337	34-14337	0.780 cfs	136.1 af	38.9	194.5	N/A	N/A	N/A	N/A	N/A
34-14338	34-14338	0.620 cfs	135.8 af	38.8	194.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.440 cfs	680.7 af	194.5	194.5		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 14th day of June, 2016.


Water Resources Program Manager



WATER RIGHT NO. 34-14334
As Modified by Transfer No. 80609

In accordance with the approval of Transfer No. 80609, Water Right No. 34-14334 is now described as follows:

Right Holder: DOUG HOLBROOK
 PO BOX 268
 MACKAY, ID 83251

Priority Date: 1/30/1961

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
04/01	to 10/31	0.220 cfs	79.5 af
		0.220 cfs	79.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 18 Twp 06N Rge 25E	CUSTER County
GROUND WATER	NESW	Sec 13 Twp 06N Rge 25E	CUSTER County
GROUND WATER	NESE	Sec 14 Twp 06N Rge 25E	CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	13							36	32	35	40							143
06N	25E	14			1.5	31.0									19.0				51.5

Right Acre Limit: 22.7

POU Total Acres: 194.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22.7 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 680.7 af at the field headgate, and the irrigation of 194.5 acres.
3. 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 place of use.
4. 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.

WATER RIGHT NO. 34-14334

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80609, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right does not grant any right-of-way or easement across the land of another.
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. 34-14335 **As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-14335 is now described as follows:

Right Holder: DOUG HOLBROOK
 PO BOX 268
 MACKAY, ID 83251

Priority Date: 8/31/1976

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
 3.340 cfs
 3.340 cfs

Diversion Volume
 680.7 af
 680.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNW	Sec 13 Twp 06N Rge 25E	CUSTER County
GROUND WATER	NESW	Sec 13 Twp 06N Rge 25E	CUSTER County
GROUND WATER	NESE	Sec 14 Twp 06N Rge 25E	CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	13							36	32	35	40							143
06N	25E	14			1.5	31.0									19.0				51.5

POU Total Acres: 194.5

CONDITIONS OF APPROVAL

1. Rights 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 680.7 af at the field headgate, and the irrigation of 194.5 acres.
2. 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 place of use.
3. 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. Prior to the diversion and use of water under Transfer approval 80609, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 80609

WATER RIGHT NO. 34-14335

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14336**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-14336 is now described as follows:

Right Holder: DOUG HOLBROOK
PO BOX 268
MACKAY, ID 83251

Priority Date: 5/1/1905

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
05/01

To
to 10/15

Diversion Rate
2.330 cfs
2.330 cfs

Diversion Volume
408.5 af
408.5 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
BIG LOST RIVER

NESW
SESW

Sec 10 Twp 06N Rge 25E CUSTER County
Sec 11 Twp 06N Rge 25E 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	
06N	25E	13							36	32	35	40							143
06N	25E	14			1.5	31.0									19.0				51.5

Right Acre Limit: 116.7

POU Total Acres: 194.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 116.7 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 3.11 cfs.
3. Rights 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 680.7 af at the field headgate, and the irrigation of 194.5 acres.
4. 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 place of use.
5. 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.

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WATER RIGHT NO. 34-14336
As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. The 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.
8. Right 34-14338 is an enlargement of rights 34-14336 and 34-14337 pursuant to Section 42-1426, Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14337**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-14337 is now described as follows:

Right Holder: DOUG HOLBROOK
PO BOX 268
MACKAY, ID 83251

Priority Date: 5/1/1906

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
05/01

To
to 10/15

Diversion Rate
0.780 cfs
0.780 cfs

Diversion Volume
136.1 af
136.1 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
BIG LOST RIVER

NESW
SESW

Sec 10 Twp 06N Rge 25E CUSTER County
Sec 11 Twp 06N Rge 25E 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	
06N	25E	13							36	32	35	40							143
06N	25E	14			1.5	31.0									19.0				51.5

Right Acre Limit: 38.9

POU Total Acres: 194.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38.9 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 3.11 cfs.
3. Rights 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 680.7 af at the field headgate, and the irrigation of 194.5 acres.
4. 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 place of use.
5. 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.

Transfer No. 80609

WATER RIGHT NO. 34-14337

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. The 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.
8. Right 34-14338 is an enlargement of rights 34-14336 and 34-14337 pursuant to Section 42-1426, Idaho Code.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-14338**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-14338 is now described as follows:

Right Holder: DOUG HOLBROOK
PO BOX 268
MACKAY, ID 83251

Priority Date: 5/1/1977

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

0.620 cfs

0.620 cfs

Diversion Volume

135.8 af

135.8 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NESW

Sec 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER

SESW

Sec 11 Twp 06N Rge 25E 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	
06N	25E	13							36	32	35	40							143
06N	25E	14			1.5	31.0									19.0				51.5

Right Acre Limit: 38.8

POU Total Acres: 194.5

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 38.8 acres within the place of use described for this right.
2. Rights 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 3.11 cfs.
3. Rights 34-14334, 34-14335, 34-14336, 34-14337, and 34-14338 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 680.7 af at the field headgate, and the irrigation of 194.5 acres.
4. 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 place of use.
5. 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.

WATER RIGHT NO. 34-14338

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right is based upon an enlargement of Rights 34-14336 and 34-14337 pursuant to Section 42-1426, Idaho Code.
8. 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.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
10. This right does not grant any right-of-way or easement across the land of another.
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. 34-13751**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-13751 is now described as follows:

Right Holder: LYNN O ROTHWELL AND
ARVELLA I ROTHWELL
3995 N 3700 W
DARLINGTON, ID 83255

Priority Date: 1/30/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.010 cfs

0.010 cfs

Diversion Volume

1.0 af

1.0 af

LOCATION OF POINT(S) OF DIVERSIONGROUND WATER
GROUND WATERSESWNW
NESESec 13 Twp 06N Rge 25E CUSTER County
Sec 14 Twp 06N Rge 25E CUSTER County**PLACE OF USE: IRRIGATION**

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	14													30				30

Right Acre Limit: 0.3

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.3 acres within the place of use described above in a single irrigation season.
2. Rights 34-13751, 34-13753, 34-13755, 34-13757, and 34-13759 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 10.5 af at the field headgate, and the irrigation of 3 acres.
3. 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.
4. 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.

WATER RIGHT NO. 34-13751

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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. 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.

WATER RIGHT NO. 34-13753**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-13753 is now described as follows:

Right Holder: LYNN O ROTHWELL AND
ARVELLA I ROTHWELL
3995 N 3700 W
DARLINGTON, ID 83255

Priority Date: 8/31/1976

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

to 11/01

To**Diversion Rate**

0.050 cfs

0.050 cfs

Diversion Volume

10.5 af

10.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SESWNW

Sec 13 Twp 06N Rge 25E CUSTER County

GROUND WATER

NESE

Sec 14 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	14														3.0				3.0

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. Rights 34-13751, 34-13753, 34-13755, 34-13757, and 34-13759 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 10.5 af at the field headgate, and the irrigation of 3 acres.
2. 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. 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. 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.

WATER RIGHT NO. 34-13753

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

WATER RIGHT NO. 34-13755**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-13755 is now described as follows:

Right Holder: LYNN O ROTHWELL And
ARVELLA I ROTHWELL
3995 N 3700 W
DARLINGTON, ID 83255

Priority Date: 5/1/1905

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

to 10/15

To

Diversion Rate

0.040 cfs

0.040 cfs

Diversion Volume

6.3 af

6.3 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
BIG LOST RIVER

NENESW
SWSESW

Sec 10 Twp 06N Rge 25E CUSTER County
Sec 11 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	14													3.0				3.0

Right Acre Limit: 1.8

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.8 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755, and 34-13759 shall not exceed 0.05 cfs.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757, and 34-13759 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 10.5 af at the field headgate, and the irrigation of 3 acres.
4. 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. 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.

Transfer No. 80609

WATER RIGHT NO. 34-13755

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

6. 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. Right 34-13759 is an enlargement of Rights 34-13755 and 34-13757, pursuant to Section 42-1426, Idaho Code.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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. 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.

WATER RIGHT NO. 34-13757**As Modified by Transfer No. 80609**

In accordance with the approval of Transfer No. 80609, Water Right No. 34-13757 is now described as follows:

Right Holder: LYNN O ROTHWELL And
ARVELLA I ROTHWELL
3995 N 3700 W
DARLINGTON, ID 83255

Priority Date: 5/1/1906

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

to 10/15

To

Diversion Rate

0.010 cfs

0.010 cfs

Diversion Volume

2.1 af

2.1 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
BIG LOST RIVER

NENESW
SWSESW

Sec 10 Twp 06N Rge 25E CUSTER County
Sec 11 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	14													3.0				3.0

Right Acre Limit: 0.6

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.6 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755, and 34-13759 shall not exceed 0.05 cfs.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757, and 34-13759 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 10.5 af at the field headgate, and the irrigation of 3 acres.
4. 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. 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.

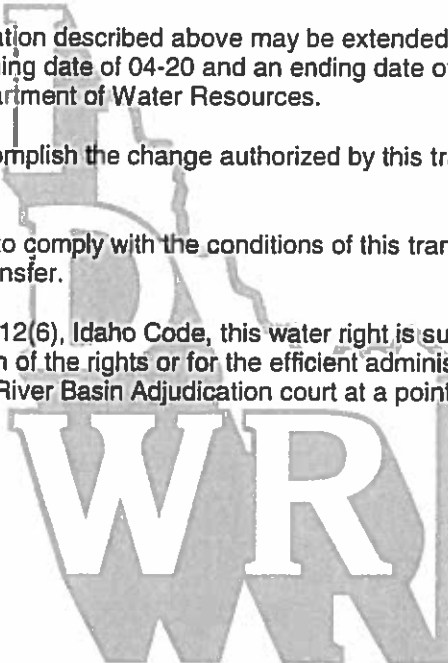
Transfer No. 80609

WATER RIGHT NO. 34-13757

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

6. 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. Right 34-13759 is an enlargement of Rights 34-13755 and 34-13757, pursuant to Section 42-1426, Idaho Code.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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. 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.



WATER RIGHT NO. 34-13759
As Modified by Transfer No. 80609

In accordance with the approval of Transfer No. 80609, Water Right No. 34-13759 is now described as follows:

Right Holder: LYNN O ROTHWELL AND
 ARVELLA I ROTHWELL
 3995 N 3700 W
 DARLINGTON, ID 83255

Priority Date: 5/1/1977

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

to 10/15

To

Diversion Rate

0.010 cfs

0.010 cfs

Diversion Volume

2.1 af

2.1 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
 BIG LOST RIVER

NENESW
 SWSESW

Sec 10 Twp 06N Rge 25E CUSTER County
 Sec 11 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	14														3.0				3.0

Right Acre Limit: 0.6

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.6 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755, and 34-13759 shall not exceed 0.05 cfs.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757, and 34-13759 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 10.5 af at the field headgate, and the irrigation of 3 acres.
4. 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. 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.

Transfer No. 80609

WATER RIGHT NO. 34-13759

As Modified by Transfer No. 80609

CONDITIONS OF APPROVAL

6. 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. 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.
8. Right 34-13759 is an enlargement of Rights 34-13755 and 34-13757, pursuant to Section 42-1426, Idaho Code.
9. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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.