

RECEIVED

MAY 16 2016

Department of Water Resources  
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

AMENDED

Name of Applicant(s) Scott L McAfee Phone (208)681-8319Mailing address 4748 Old Loop Road 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 \_\_\_\_\_ Phone \_\_\_\_\_

Mailing address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ 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

Print Name and Title if applicable

Date

5-12-16

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 Address Correction
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. Correct the place of use, point of diversion and update the address of all water rights.**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 24 2016

Department of Water Resources  
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

Name of Applicant(s) Scott L. McAFFEECell (208) 681-8319  
Phone (208) 588-3319Mailing address PO Box 282 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 \_\_\_\_\_ Phone \_\_\_\_\_

Mailing address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ 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]  
Signature of Applicant or Authorized Representative\_\_\_\_\_  
Print Name and Title if applicable3.24.2016  
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**.

Correct the place of use to reflect current  
irrigation.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT AMENDED  
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                                                  |              |                       |               |                |                              |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-684B      | 1.16 cfs              | Irrigation    | 05/01 to 10/15 | Big Lost River               |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-685B      | 1.14 cfs              | Irrigation    | 05/01 to 10/15 | Big Lost River               |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-2351      | 2.90 cfs              | Irrigation    | 04/01 to 10/15 | Ground Water                 |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-10002A    | 0.25 cfs              | Irrigation    | 05/01 to 10/15 | Cresto Spring/Big Lost River |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-175       | 0.50 cfs              | Irrigation    | 05/01 to 10/15 | Lower Cedar Creek/Big Lost   |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-878A      | 0.50 cfs              | Irrigation    | 05/01 to 10/15 | Big Lost River               |
| <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 4.44 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed 0.44 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

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     |     | NW | SE | SE | 12  | 07N | 23E | Custer | Big Lost River               |                        |
|       |     |    |    |    |     |     |     |        | ****Applies only to Big Lost | River Water Rights**** |
|       |     |    |    |    |     |     |     |        |                              |                        |
|       |     |    |    |    |     |     |     |        |                              |                        |
|       |     |    |    |    |     |     |     |        |                              |                        |

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  |             |
| 07N | 23E | 12  |      |    |     | 7.2 |      |    |     |    |      |     |     |      | 13   |     |    |     | 20.2        |
| 07N | 24E | 7   |      |    |     |     |      |    |     |    | 2.7  | 1.8 | 6.5 | 16.8 |      | 1.2 | 16 | 0.4 | 45.4        |
| 07N | 24E | 18  | 28   | 30 | 1.5 | 38  | 2.6  |    |     |    |      |     |     |      |      |     |    |     | 100.1       |
| 07N | 24E | 17  |      |    |     |     |      |    | 6.1 |    |      |     |     |      |      |     |    |     | 6.1         |
|     |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |    |     |             |
|     |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |    |     |             |
|     |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |    |     |             |

Total Acres (for irrigation use) 171.8

X Scott McAffee

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 |
|--------------------------------------------------------------|--------------|-----------------------|---------------|----------------|--------------------|
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-684B      | 1.16cfs               | Irrigation    | 05/01 to 10/15 | Big Lost River     |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-685B      | 1.14cfs               | Irrigation    | 05/01 to 10/15 | Big Lost River     |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-2351      | 2.9 cfs               | Irrigation    | 04/01 to 10/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-10002A    | 0.25cfs               | Irrigation    | 05/01 to 10/15 | Cresto Spring / BL |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-175       | 0.5 cfs               | Irrigation    | 05/01 to 10/15 | Lower Cedar Creek  |
| <input checked="" type="checkbox"/> <input type="checkbox"/> | 34-878A      | 0.5cfs                | Irrigation    | 05/01 to 10/15 | Big Lost River     |
| <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 4.44 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.44 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 # |
|-------|-----|---|---|---|-----|-----|-----|--------|--------|---------------------|
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |
|       |     |   |   |   |     |     |     |        |        |                     |

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  |             |
| 07N                              | 23E | 12  |      |    |     | 7.2 |      |    |     |    |      |     |     |      | 13   |     |     |     | 20.2        |
| 07N                              | 24E | 7   |      |    |     |     |      |    |     |    | 2.7  | 1.8 | 6.5 | 16.8 |      | 1.2 | 1.6 | 0.4 | 45.4        |
| 07N                              | 24E | 18  | 28   | 30 | 1.2 | 38  | 2.6  |    |     |    |      |     |     |      |      |     |     |     | 99.8        |
| 07N                              | 24E | 17  |      |    |     |     | 0.3  |    | 6.1 |    |      |     |     |      |      |     |     |     | 6.4         |
|                                  |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |     |     |             |
|                                  |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |     |     |             |
|                                  |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |     |     |             |
| Total Acres (for irrigation use) |     |     |      |    |     |     |      |    |     |    |      |     |     |      |      |     |     |     | 171.8       |

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:

Pressurized system to pivots and sprinklers

- 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: N/A

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:

Some acreage will be added up to

- 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:

- 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:

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 34-878A**

**Current Owner:** GAIL MC AFFEE  
SCOTT L MC AFFEE

**Priority Date:** 4/22/1884

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

BIG LOST RIVER

**Tributary**

SINKS

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| STOCKWATER                   | 1/01 to 12/31                 | 0.02 CFS                     |                             |
| IRRIGATION                   | 5/01 to 10/15                 | 0.5 CFS                      |                             |
|                              | <b><u>Total Diversion</u></b> | 0.5 CFS                      |                             |

**Location of Point(s) of Diversion**

BIG LOST RIVER NW1/4NW1/4SE1/4 Sec. 12, Twp 07N, Rge 23E B.M.  
CUSTER County

**Place of Use**

**STOCKWATER Within CUSTER County**

|               |      |               |       |      |
|---------------|------|---------------|-------|------|
| T07N R23E S12 | SESE | T07N R24E S7  | Lot 4 | SWSW |
| T07N R24E S7  | SESW | T07N R24E S7  |       | SWSE |
| T07N R24E S17 | SWNW | T07N R24E S18 |       | NENE |
| T07N R24E S18 | NWNE |               |       |      |

**IRRIGATION Within CUSTER County**

|               |       |      |       |               |      |       |
|---------------|-------|------|-------|---------------|------|-------|
| T07N R24E S7  | Lot 4 | SWSW | 6.80  | T07N R24E S7  | SESW | 22.00 |
| T07N R24E S7  |       | SWSE | 8.00  | T07N R24E S17 | SWNW | 23.00 |
| T07N R24E S18 |       | NENE | 24.00 | T07N R24E S18 | NWNE | 37.00 |
| T07N R24E S18 |       | SWNE | 7.00  | T07N R24E S18 | SENE | 37.00 |
| T07N R24E S18 |       | NENW | 7.00  |               |      |       |

**Total Acres: 171.8**

Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-00684B, 34-00685B, 34-00175, 34-02351 AND 34-10002A IS LIMITED TO THE IRRIGATION OF COMBINED TOTAL OF 171.8 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. WATER IS DELIVERED THROUGH THE SHARP DITCH.  
STOCKWATER, 1000 RANGE CATTLE
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
7. USE OF THIS RIGHT WITH RIGHT NOS. 34-00684B, 34-00685B, 34-00175, 34-02351 AND 34-10002A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.44 CFS.

Decreed Date: 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.:** 34-10002A

**Current Owner:** GAIL MC AFFEE  
SCOTT MC AFFEE

**Priority Date:** 3/16/1923

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

SPRING

**Tributary**

SINKS

**Beneficial Use**

**From To**

**Diversion Rate**

**Annual Volume**

IRRIGATION 5/01 to 10/15

0.25 CFS

STOCKWATER 1/01 to 12/31

0.07 CFS

**Total Diversion**

0.25 CFS

**Location of Point(s) of Diversion**

SPRING

SW1/4SE1/4SW1/4

Sec. 7, Twp 07N, Rge 24E B.M.

CUSTER County

**Place of Use**

**IRRIGATION Within CUSTER County**

|               |       |      |       |               |      |       |
|---------------|-------|------|-------|---------------|------|-------|
| T07N R24E S7  | Lot 4 | SWSW | 6.80  | T07N R24E S7  | SESW | 22.00 |
| T07N R24E S7  |       | SWSE | 8.00  | T07N R24E S17 | SWNW | 23.00 |
| T07N R24E S18 |       | NENE | 24.00 | T07N R24E S18 | NWNE | 37.00 |
| T07N R24E S18 |       | SWNE | 7.00  | T07N R24E S18 | SENE | 37.00 |
| T07N R24E S18 |       | NENW | 7.00  |               |      |       |

Total Acres: 171.8

Place of Use: STOCKWATER same as IRRIGATION

Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.44 CFS.  
COMBINED RIGHT NOS.: 34-00175, 34-00684B, 34-00685B, 34-00878A AND 34-02351.  
THE QUANTITY OF WATER UNDER THIS RIGHT AND RIGHT NO. 34-10002B FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. SOURCE LOCALLY KNOWN AS CRESTO SPRING.  
STOCKWATER, 395 CATTLE
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 171.8 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 34-00175, 34-00684B, 34-00685B, 34-00878A AND 34-02351.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
7. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 6/20/2001

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.: 34-685B**

**Current Owner:** GAIL MC AFFEE  
SCOTT L MC AFFEE

**Priority Date:** 8/1/1896

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

BIG LOST RIVER

**Tributary**

SINKS

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| STOCKWATER                   | 1/01 to 12/31                 | 0.02 CFS                     |                             |
| IRRIGATION                   | 5/01 to 10/15                 | 1.14 CFS                     |                             |
|                              | <b><u>Total Diversion</u></b> | 1.14 CFS                     |                             |

**Location of Point(s) of Diversion**

BIG LOST RIVER  
CUSTER County

NW1/4NW1/4SE1/4      Sec. 12,    Twp 07N,    Rge 23E B.M.

**Place of Use**

**STOCKWATER Within CUSTER County**

|               |      |               |       |      |
|---------------|------|---------------|-------|------|
| T07N R23E S12 | SESE | T07N R24E S7  | Lot 4 | SWSW |
| T07N R24E S7  | SESW | T07N R24E S7  |       | SWSE |
| T07N R24E S17 | SWNW | T07N R24E S18 |       | NENE |
| T07N R24E S18 | NWNE |               |       |      |

**IRRIGATION Within CUSTER County**

|               |       |      |       |               |      |       |
|---------------|-------|------|-------|---------------|------|-------|
| T07N R24E S7  | Lot 4 | SWSW | 6.80  | T07N R24E S7  | SESW | 22.00 |
| T07N R24E S7  |       | SWSE | 8.00  | T07N R24E S17 | SWNW | 23.00 |
| T07N R24E S18 |       | NENE | 24.00 | T07N R24E S18 | NWNE | 37.00 |
| T07N R24E S18 |       | SWNE | 7.00  | T07N R24E S18 | SENE | 37.00 |
| T07N R24E S18 |       | NENW | 7.00  |               |      |       |

Total Acres: 171.8

Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. WATER IS DELIVERED THROUGH THE SHARP DITCH. STOCKWATER, 1000 RANGE CATTLE
4. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. USE OF THIS RIGHT WITH RIGHT NOS. 34-00685B, 34-00878A, 34-00175, 34-02351 AND 34-10002A IS LIMITED TO THE IRRIGATION OF COMBINED TOTAL OF 171.8 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 57 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. 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.
8. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
9. USE OF THIS RIGHT WITH RIGHT NOS. 34-00685B, 34-00878A, 34-00175, 34-02351 AND 34-10002A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.44 CFS.

Decreed Date: 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.:** 34-684B

**Current Owner:** SCOTT L MC AFFEE  
GAIL MC AFFEE

**Priority Date:** 6/1/1885

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

BIG LOST RIVER

SINKS

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 5/01 to 10/15                 | 1.16 CFS                     |                             |
| STOCKWATER                   | 1/01 to 12/31                 | 0.02 CFS                     |                             |
|                              | <b><u>Total Diversion</u></b> | 1.16 CFS                     |                             |

**Location of Point(s) of Diversion**

BIG LOST RIVER NW1/4NW1/4SE1/4 Sec. 12, Twp 07N, Rge 23E B.M.  
CUSTER County

**Place of Use**

**IRRIGATION Within CUSTER County**

|               |       |      |       |               |      |       |
|---------------|-------|------|-------|---------------|------|-------|
| T07N R24E S7  | Lot 4 | SWSW | 6.80  | T07N R24E S7  | SESW | 22.00 |
| T07N R24E S7  |       | SWSE | 8.00  | T07N R24E S17 | SWNW | 23.00 |
| T07N R24E S18 |       | NENE | 24.00 | T07N R24E S18 | NWNE | 37.00 |
| T07N R24E S18 |       | SWNE | 7.00  | T07N R24E S18 | SENE | 37.00 |
| T07N R24E S18 |       | NENW | 7.00  |               |      |       |

Total Acres: 171.8

**STOCKWATER Within CUSTER County**

|               |      |               |       |      |
|---------------|------|---------------|-------|------|
| T07N R23E S12 | SESE | T07N R24E S7  | Lot 4 | SWSW |
| T07N R24E S7  | SESW | T07N R24E S7  |       | SWSE |
| T07N R24E S17 | SWNW | T07N R24E S18 |       | NENE |
| T07N R24E S18 | NWNE |               |       |      |

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Conditions of Approval:

1. WATER IS DELIVERED THROUGH THE SHARP DITCH.  
STOCKWATER, 1000 RANGE CATTLE
2. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
3. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. USE OF THIS RIGHT WITH RIGHT NOS. 34-00685B, 34-00878A, 34-00175, 34-02351 AND 34-10002A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.44 CFS.
7. 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.
8. USE OF THIS RIGHT WITH RIGHT NOS. 34-00685B, 34-00878A, 34-00175, 34-02351 AND 34-10002A IS LIMITED TO THE IRRIGATION OF COMBINED TOTAL OF 171.8 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 58 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
9. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.:** 34-2351

**Current Owner:** SCOTT L MC AFFEE  
GAIL MC AFFEE

**Priority Date:** 7/20/1959

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>         | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01          | 2.9 CFS               | 507.5 AF             |
|                       | <u>Total Diversion</u> | 2.9 CFS               | 507.5 AF             |

**Location of Point(s) of Diversion**

GROUND WATER NW1/4NW1/4NE1/4 Sec. 18, Twp 07N, Rge 24E B.M.  
CUSTER County

**Place of Use**

**IRRIGATION Within CUSTER County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T07N R24E S7  | SESW | 5.00  | T07N R24E S7  | SWSE | 5.00  |
| T07N R24E S17 | SWNW | 23.00 | T07N R24E S18 | NENE | 24.00 |
| T07N R24E S18 | NWNE | 37.00 | T07N R24E S18 | SWNE | 7.00  |
| T07N R24E S18 | SENE | 37.00 | T07N R24E S18 | NENW | 7.00  |

Total Acres 145

**Conditions of Approval:**

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00684B, 34-00685B, 34-00878A AND 34-10002A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.44 CFS.
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-00684B, 34-00685B, 34-00878A AND 34-10002A IS LIMITED TO THE IRRIGATION OF A COMBINE TOTAL OF 171.8 ACRES IN A SINGLE IRRIGATION SEASON.

**Decreed Date:** 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.:** 34-175

**Current Owner:** GAIL MC AFFEE  
SCOTT L MC AFFEE

**Priority Date:** 5/27/1909

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

LOWER CEDAR CREEK

**Tributary**

SINKS

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| STOCKWATER                   | 1/01 to 12/31                 | 0.02 CFS                     |                             |
| IRRIGATION                   | 5/01 to 10/15                 | 0.5 CFS                      |                             |
|                              | <b><u>Total Diversion</u></b> | 0.5 CFS                      |                             |

**Location of Point(s) of Diversion**

LOWER CEDAR CREEK  
CUSTER County

SW1/4NW1/4SW1/4      Sec. 2,    Twp 07N,    Rge 24E B.M.

**Place of Use**

**STOCKWATER Within CUSTER County**

|              |      |              |      |
|--------------|------|--------------|------|
| T07N R24E S7 | SESW | T07N R24E S7 | SWSE |
|--------------|------|--------------|------|

**IRRIGATION Within CUSTER County**

|                 |      |       |              |      |      |
|-----------------|------|-------|--------------|------|------|
| T07N R24E S7    | SESW | 13.00 | T07N R24E S7 | SWSE | 4.00 |
| Total Acres: 17 |      |       |              |      |      |

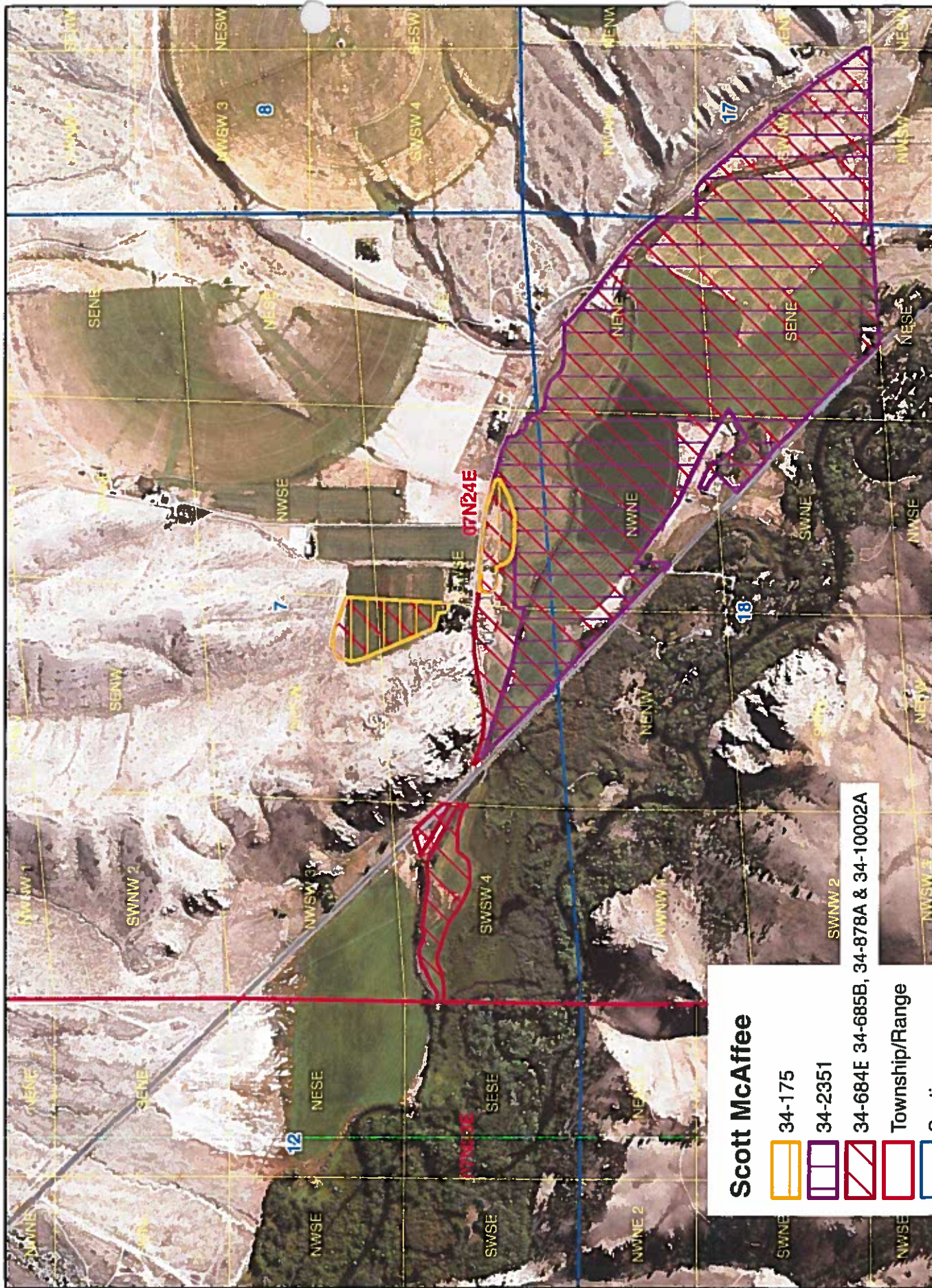
Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
2. STOCKWATER, 1000 RANGE CATTLE WATER IS DELIVERED THROUGH LOWER CEDAR CREEK.
3. 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.
4. USE OF THIS RIGHT WITH RIGHT NOS. 34-00684B, 34-00685B AND 34-00878A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 171.8 ACRES IN A SINGLE IRRIGATION SEASON.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
7. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 12/14/2001





### Scott McAfee

34-175

34-2351

34-684E 34-685B, 34-878A & 34-10002A

Township/Range

Sections

QQ

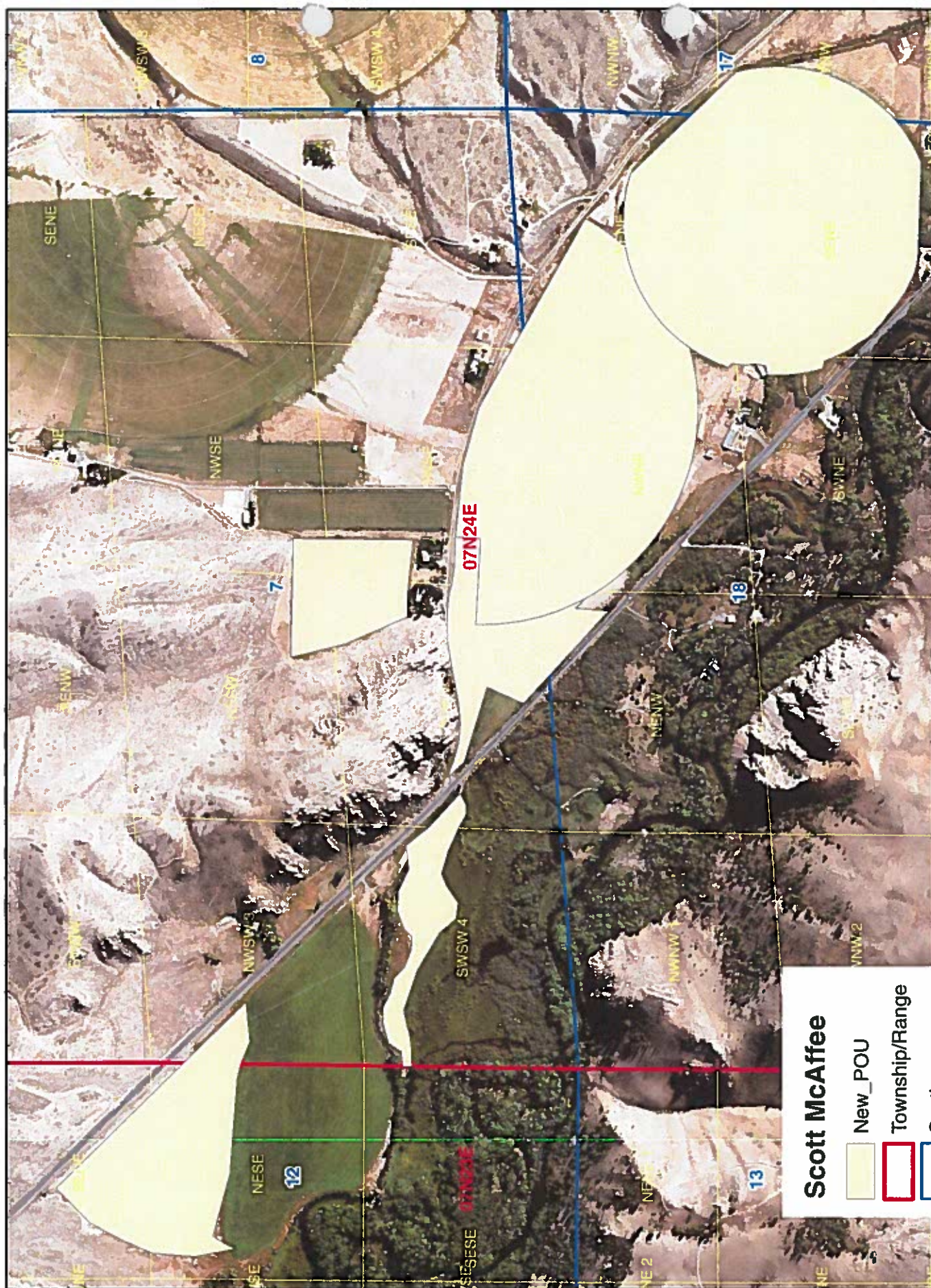
Existing Place of Use

0.5 Miles

0.25

0.125

0



**Scott McAffee**

- New\_POU
- Township/Range
- Sections
- QQ





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718**

**Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

April 13, 2016

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

Lucas Yockey  
Watermaster 34  
PO Box 53  
Mackay, ID 83251

RE: Application for Transfer 80784

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Judea Jones  
Administrative Assistant

Enclosure(s)

State of Idaho  
Department of Water Resources

**RECOMMENDATION OF WATERMASTER**

Application No.: 80784

Applicant's Name: Scott L McAfee

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:

c) ☐ I oppose approval of this application for the following reasons:

d) ☐ Additional Comment:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Water District No: 34

\_\_\_\_\_  
Watermaster's Signature