

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

AMENDED

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79756**

AMENDED

This is to certify that: **MARIANNE LANIER**
3820 W 4400 N
MACKAY, ID 83251
AND
PAUL LANIER
3820 W 4400 N
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>
34-10461	WR/DECREED	6/30/1897	3.800 cfs	N/A	135.0	173.0	BIG LOST RIVER
34-12356	WR/DECREED	4/1/1966	0.250 cfs	N/A	13.0	173.0	GROUND WATER
34-2324	WR/DECREED	2/28/1955	2.440 cfs	N/A	122.0	173.0	GROUND WATER
34-241	WR/DECREED	7/1/1901	1.600 cfs	N/A	135.0	173.0	BIG LOST RIVER
34-322	WR/DECREED	7/21/1886	0.800 cfs	N/A	40.0	173.0	BIG LOST RIVER
34-323	WR/DECREED	6/1/1889	0.800 cfs	N/A	70.0	173.0	BIG LOST RIVER
34-533	WR/DECREED	3/4/1902	0.600 cfs	N/A	135.0	173.0	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>
34-10461	NO	NO	YES	NO	NO	NO
34-12356	NO	NO	YES	NO	NO	NO
34-2324	NO	NO	YES	NO	NO	NO
34-241	NO	NO	YES	NO	NO	NO
34-322	NO	YES	YES	NO	NO	NO
34-323	NO	YES	YES	NO	NO	NO
34-533	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-10461	34-10461	3.800 cfs	N/A	135.0	173.0	N/A	N/A	N/A	N/A	N/A
34-12356	34-12356	0.250 cfs	N/A	13.0	173.0	N/A	N/A	N/A	N/A	N/A
34-2324	34-2324	2.440 cfs	N/A	122.0	173.0	N/A	N/A	N/A	N/A	N/A
34-241	34-241	1.600 cfs	N/A	135.0	173.0	N/A	N/A	N/A	N/A	N/A
34-322	34-322	0.800 cfs	N/A	40.0	173.0	N/A	N/A	N/A	N/A	N/A
34-323	34-323	0.800 cfs	N/A	70.0	173.0	N/A	N/A	N/A	N/A	N/A
34-533	34-533	0.600 cfs	N/A	135.0	173.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 79756

SUPPORT DATA

34-241

IN FILE #

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79756

COMBINED TOTALS	7.600 cfs	472.5 af	173.0	173.0	N/A	N/A	N/A	N/A
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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 18th day of December, 2015.


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 34-322

As Modified by Transfer No. 79756

In accordance with the approval of Transfer No. 79756, Water Right No. 34-322 is now described as follows:

Right Holder: PAUL LANIER
3820 W 4400 N
MACKAY, ID 83251
AND
MARIANNE LANIER
3820 W 4400 N
MACKAY, ID 83251

Priority Date: 7/21/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 05/01 **To** 10/15

Diversion Rate
0.800 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWNE Sec 33 Twp 07N Rge 24E 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 40.0
POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 34-322 and 34-323 when combined shall not exceed the irrigation of 70 acres.
3. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.
4. 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.
5. Water is delivered through the Darlington Ditch.

Transfer No. 79756

WATER RIGHT NO. 34-322
As Modified by Transfer No. 79756

CONDITIONS OF APPROVAL

6. 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.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 34-323 **As Modified by Transfer No. 79756**

In accordance with the approval of Transfer No. 79756, Water Right No. 34-323 is now described as follows:

Right Holder: PAUL LANIER
 3820 W 4400 N
 MACKAY, ID 83251
 AND
 MARIANNE LANIER
 3820 W 4400 N
 MACKAY, ID 83251

Priority Date: 6/1/1889

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From 05/01 **To** 10/15

Diversion Rate
 0.800 cfs
 0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWNE Sec 33 Twp 07N Rge 24E 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 70.0

POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70 acres within the authorized place of use in a single irrigation season.
2. Rights 34-322 and 34-323 when combined shall not exceed the irrigation of 70 acres.
3. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.
4. 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.

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WATER RIGHT NO. 34-323
As Modified by Transfer No. 79756

CONDITIONS OF APPROVAL

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.
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 when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Water is delivered through the Darlington Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 34-12356

As Modified by Transfer No. 79756

In accordance with the approval of Transfer No. 79756, Water Right No. 34-12356 is now described as follows:

Right Holder: MAGEE FAMILY TRUST
PO BOX 55
MACKAY, ID 83251

Priority Date: 4/1/1966

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From 4/01 **To** 10/31 **Diversion Rate**
0.250 cfs
0.250 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 18 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 13.0
POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 13 acres within the place of use described for this right.
2. Rights 34-2324 and 24-12356 when combined shall not exceed a total diversion rate of 2.44 cfs, a total annual maximum diversion volume of 472.5 af at the field headgate, and the irrigation of 135 acres.
3. Rights 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 6.0 cfs and the irrigation of 135 acres.
4. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.

Transfer No. 79756

WATER RIGHT NO. 34-12356
As Modified by Transfer No. 79756

CONDITIONS OF APPROVAL

5. Water rights 34-2324 and 34-12356 are limited to the irrigation of a specific 135 acres within the 173 acre place of use authorized by this right in a single irrigation season. The specific 135 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 135 acres to be irrigated within the 173 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. 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.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 79756, 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.
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. This right is based upon an enlargement of Right No.34-2324 pursuant to Section 42-1426, Idaho Code.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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. 34-2324

As Modified by Transfer No. 79756

In accordance with the approval of Transfer No. 79756, Water Right No. 34-2324 is now described as follows:

Right Holder: MAGEE FAMILY TRUST
PO BOX 55
MACKAY, ID 83251

Priority Date: 2/28/1955

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

to 10/31

To

Diversion Rate

2.440 cfs

2.440 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNE

Sec 18 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 122.0

POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 122 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2324 and 24-12356 when combined shall not exceed a total diversion rate of 2.44 cfs, a total annual maximum diversion volume of 472.5 af at the field headgate, and the irrigation of 135 acres.
3. Rights 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 6.0 cfs and the irrigation of 135 acres.
4. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.

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WATER RIGHT NO. 34-2324
As Modified by Transfer No. 79756

CONDITIONS OF APPROVAL

5. Water rights 34-2324 and 34-12356 are limited to the irrigation of a specific 135 acres within the 173 acre place of use authorized by this right in a single irrigation season. The specific 135 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 135 acres to be irrigated within the 173 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. 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.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 79756, 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.
10. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. Right No. 34-12356 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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. 34-533**As Modified by Transfer No. 79756**

In accordance with the approval of Transfer No. 79756, Water Right No. 34-533 is now described as follows:

Right Holder: MAGEE FAMILY TRUST
PO BOX 55
MACKAY, ID 83251

Priority Date: 3/4/1902

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

0.600 cfs

0.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

SWNE

Sec 33 Twp 07N Rge 24E 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 135.0

POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135 acres within the authorized place of use in a single irrigation season.
2. Rights 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 6.0 cfs and the irrigation of 135 acres.
3. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.
4. 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.
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. 79756

WATER RIGHT NO. 34-533
As Modified by Transfer No. 79756

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 when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Water is delivered through the Darlington Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 34-10461
As Modified by Transfer No. 79756

In accordance with the approval of Transfer No. 79756, Water Right No. 34-10461 is now described as follows:

Right Holder: MAGEE FAMILY TRUST
 PO BOX 55
 MACKAY, ID 83251

Priority Date: 6/30/1897

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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	3.800 cfs
			3.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWNE Sec 33 Twp 07N Rge 24E 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 135.0

POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135 acres within the authorized place of use in a single irrigation season.
2. Rights 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 6.0 cfs and the irrigation of 135 acres.
3. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.
4. 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.
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. 34-10461
As Modified by Transfer No. 79756

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 when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Water is delivered through the Darlington Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 34-241

As Modified by Transfer No. 79756

In accordance with the approval of Transfer No. 79756, Water Right No. 34-241 is now described as follows:

Right Holder: MAGEE FAMILY TRUST
PO BOX 55
MACKAY, ID 83251

Priority Date: 7/1/1901

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

1.600 cfs

1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

SWNE

Sec 33 Twp 07N Rge 24E 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	7													23.6	24.3	35.0	30.1	113.0
06N	25E	18	15.3	26.2	12.5	6.0													60.0

Right Acre Limit: 135.0

POU Total Acres: 173.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 135 acres within the authorized place of use in a single irrigation season.
2. Rights 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 6.0 cfs and the irrigation of 135 acres.
3. Rights 34-322, 34-323, 34-241, 34-533, 34-2324, 34-10461, and 34-12356 when combined shall not exceed a total diversion rate of 7.6 cfs and the irrigation of 173 acres.
4. 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.
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. 79756

WATER RIGHT NO. 34-241
As Modified by Transfer No. 79756

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 when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Water is delivered through the Darlington Ditch.
9. The right holder shall accomplish the change authorized by this transfer within one 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.