

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79922**

This is to certify that: **MACKAY LAND CO**
2655 FIRST ST
SUITE 245
SIMI VALLEY, CA 93065

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>
34-13865	WR/DECREED	4/22/1884	0.100 cfs	N/A	4.9	7.3	BIG LOST RIVER
34-13868	WR/DECREED	6/1/1894	0.160 cfs	N/A	N/A	7.3	BIG LOST RIVER
34-14403	WR/DECREED	4/22/1884	0.100 cfs	N/A	18.1	7.4	BIG LOST RIVER
34-14404	WR/DECREED	4/22/1884	0.130 cfs	N/A	18.1	10.1	BIG LOST RIVER
34-14405	WR/DECREED	6/1/1894	0.170 cfs	N/A	N/A	7.4	BIG LOST RIVER
34-14406	WR/DECREED	6/1/1894	0.220 cfs	N/A	N/A	10.1	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>
34-13865	NO	YES	YES	NO	NO	NO
34-13868	NO	YES	YES	NO	NO	NO
34-14403	YES	YES	YES	NO	NO	NO
34-14404	NO	YES	YES	NO	NO	NO
34-14405	YES	YES	YES	NO	NO	NO
34-14406	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>
34-13865	34-13865	0.100 cfs	N/A	4.9	22.4	N/A	N/A	N/A	N/A	N/A
34-13868	34-13868	0.160 cfs	N/A	7.3	22.4	N/A	N/A	N/A	N/A	N/A
34-14403	34-14487	0.070 cfs	N/A	3.2	22.4	34-14403	0.030 cfs	N/A	1.6	2.4
34-14404	34-14404	0.130 cfs	N/A	6.6	22.4	N/A	N/A	N/A	N/A	N/A
34-14405	34-14488	0.110 cfs	N/A	5.0	22.4	34-14405	0.060 cfs	N/A	N/A	2.4
34-14406	34-14406	0.220 cfs	N/A	10.1	22.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.790 cfs	N/A	22.4	22.4		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 34-13865

Transfer No. 79922

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79922

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 27th day of April, 2015.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 34-13865
As Modified by Transfer No. 79922

In accordance with the approval of Transfer No. 79922, Water Right No. 34-13865 is now described as follows:

Right Holder: MACKAY LAND CO
2655 FIRST ST
SUITE 245
SIMI VALLEY, CA 93065

Priority Date: 4/22/1884

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

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.100 cfs
0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESW Sec 20 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	
07N	24E	36														22.4			22.4

Right Acre Limit: 4.9
POU Total Acres: 22.4

CONDITIONS OF APPROVAL

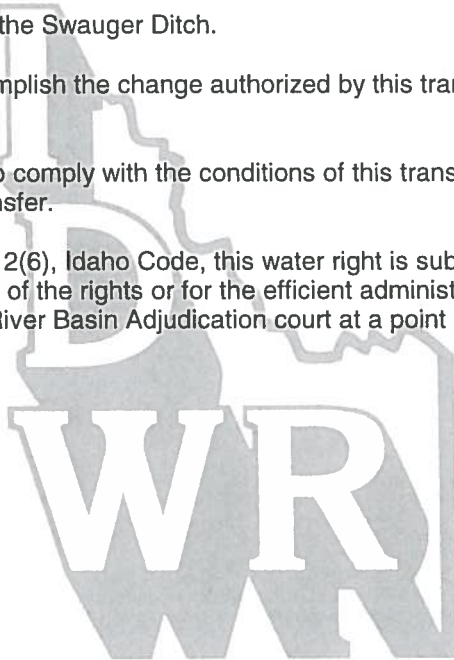
1. This right is limited to the irrigation of 4.9 acres within the authorized place of use in a single irrigation season.
2. Rights 34-13865 and 34-13868 when combined shall not exceed the irrigation of 7.3 acres.
3. Rights 34-13865, 34-13868, 34-14487, 34-14404, 34-14488, and 34-14406 when combined shall not exceed the irrigation of 22.4 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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. 79922

WATER RIGHT NO. 34-13865
As Modified by Transfer No. 79922

CONDITIONS OF APPROVAL

6. 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.
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. Water is delivered through the Swauger 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. 34-13868

As Modified by Transfer No. 79922

In accordance with the approval of Transfer No. 79922, Water Right No. 34-13868 is now described as follows:

Right Holder: MACKAY LAND CO
2655 FIRST ST
SUITE 245
SIMI VALLEY, CA 93065

Priority Date: 6/1/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.160 cfs
0.160 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESW Sec 20 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	
07N	24E	36																22.4	22.4

Right Acre Limit: 7.3

POU Total Acres: 22.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-13868 and 34-13865 when combined shall not exceed the irrigation of 7.3 acres.
3. Rights 34-13865, 34-13868, 34-14487, 34-14404, 34-14488, and 34-14406 when combined shall not exceed the irrigation of 22.4 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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. 79922

WATER RIGHT NO. 34-13868
As Modified by Transfer No. 79922

CONDITIONS OF APPROVAL

6. 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.
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. Water is delivered through the Swauger 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. 34-14403 **As Modified by Transfer No. 79922**

In accordance with the approval of Transfer No. 79922, Water Right No. 34-14403 is now described as follows:

Right Holder: DIANNA MARY BAXTER
 5101 OLD CHILLY RD
 MACKAY, ID 83251

Priority Date: 4/22/1884

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From
 05/01

To
 to 10/15

Diversion Rate
 0.030 cfs
 0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWSE Sec 12 Twp 07N Rge 23E 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	
07N	24E	20		2.4															2.4

Right Acre Limit: 1.6

POU Total Acres: 2.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.6 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14403 and 34-14405 when combined shall not exceed the irrigation of 2.4 acres.
3. 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. Water is delivered through the Sharp Ditch.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. 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.

Transfer No. 79922

WATER RIGHT NO. 34-14487 **As Modified by Transfer No. 79922**

In accordance with the approval of Transfer No. 79922, Water Right No. 34-14487 is now described as follows:

Right Holder: MACKAY LAND CO
 2655 FIRST ST
 SUITE 245
 SIMI VALLEY, CA 93065

Priority Date: 4/22/1884

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

BENEFICIAL USE **From** **To** **Diversion Rate**
 IRRIGATION 05/01 to 10/15 0.070 cfs
 0.070 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESW Sec 20 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	
07N	24E	36														22.4			22.4

Right Acre Limit: 3.2
 POU Total Acres: 22.4

CONDITIONS OF APPROVAL

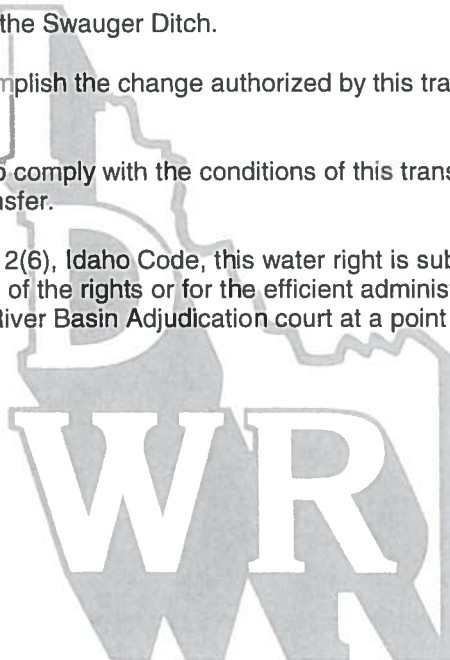
1. This right is limited to the irrigation of 3.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14487 and 34-14488 when combined shall not exceed the irrigation of 5 acres.
3. Rights 34-13865, 34-13868, 34-14487, 34-14404, 34-14488, and 34-14406 when combined shall not exceed the irrigation of 22.4 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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. 79922

WATER RIGHT NO. 34-14487
As Modified by Transfer No. 79922

CONDITIONS OF APPROVAL

6. 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.
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. Water is delivered through the Swauger 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. 34-14404

As Modified by Transfer No. 79922

In accordance with the approval of Transfer No. 79922, Water Right No. 34-14404 is now described as follows:

Right Holder: MACKAY LAND CO
2655 FIRST ST
SUITE 245
SIMI VALLEY, CA 93065

Priority Date: 4/22/1884

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.130 cfs
0.130 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESW Sec 20 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	
07N	24E	36														22.4			22.4

Right Acre Limit: 6.6

POU Total Acres: 22.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.6 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14404 and 34-14406 when combined shall not exceed the irrigation of 10.1 acres.
3. Rights 34-13865, 34-13868, 34-14487, 34-14404, 34-14488, and 34-14406 when combined shall not exceed the irrigation of 22.4 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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. 79922

WATER RIGHT NO. 34-14404
As Modified by Transfer No. 79922

CONDITIONS OF APPROVAL

6. 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.
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. Water is delivered through the Swauger 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. 34-14405

As Modified by Transfer No. 79922

In accordance with the approval of Transfer No. 79922, Water Right No. 34-14405 is now described as follows:

Right Holder: DIANNA MARY BAXTER
5101 OLD CHILLY RD
MACKAY, ID 83251

Priority Date: 6/1/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWSE Sec 12 Twp 07N Rge 23E 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	
07N	24E	20			2.4															2.4

POU Total Acres: 2.4

CONDITIONS OF APPROVAL

1. Rights 34-14403 and 34-14405 when combined shall not exceed the irrigation of 2.4 acres.
2. 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.
3. Water is delivered through the Sharp Ditch.
4. 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.

Transfer No. 79922

WATER RIGHT NO. 34-14488

As Modified by Transfer No. 79922

In accordance with the approval of Transfer No. 79922, Water Right No. 34-14488 is now described as follows:

Right Holder: MACKAY LAND CO
2655 FIRST ST
SUITE 245
SIMI VALLEY, CA 93065

Priority Date: 6/1/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.110 cfs
0.110 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESW Sec 20 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	
07N	24E	36														22.4			22.4

Right Acre Limit: 5.0
POU Total Acres: 22.4

CONDITIONS OF APPROVAL

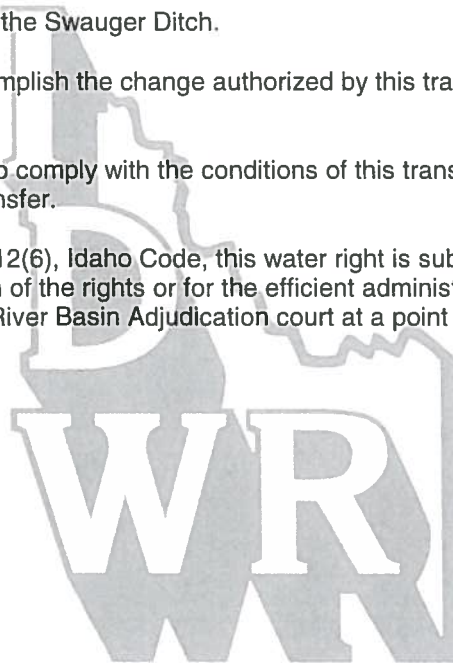
1. This right is limited to the irrigation of 5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14487 and 34-14488 when combined shall not exceed the irrigation of 5 acres.
3. Rights 34-13865, 34-13868, 34-14487, 34-14404, 34-14488, and 34-14406 when combined shall not exceed the irrigation of 22.4 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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. 79922

WATER RIGHT NO. 34-14488
As Modified by Transfer No. 79922

CONDITIONS OF APPROVAL

6. 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.
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. Water is delivered through the Swauger 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. 34-14406

As Modified by Transfer No. 79922

In accordance with the approval of Transfer No. 79922, Water Right No. 34-14406 is now described as follows:

Right Holder: MACKAY LAND CO
2655 FIRST ST
SUITE 245
SIMI VALLEY, CA 93065

Priority Date: 6/1/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.220 cfs
0.220 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SESW Sec 20 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	
07N	24E	36														22.4			22.4

Right Acre Limit: 10.1
POU Total Acres: 22.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.1 acres within the authorized place of use in a single irrigation season.
2. Rights 34-14404 and 34-14406 when combined shall not exceed the irrigation of 10.1 acres.
3. Rights 34-13865, 34-13868, 34-14487, 34-14404, 34-14488, and 34-14406 when combined shall not exceed the irrigation of 22.4 acres.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 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. 79922

WATER RIGHT NO. 34-14406
As Modified by Transfer No. 79922

CONDITIONS OF APPROVAL

6. 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.
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. Water is delivered through the Swauger 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.

