

NOV 05 2014

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Department of Water Resources

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

Transfer No. 79136

AMENDED
September 16, 2014

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- | Yes | N/A | |
|-------------------------------------|--------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> and must be included with the application. |
| ☒ | ☐ | * Completed Application for Transfer of Water Right form, Part 1. |
| ☒ | ☐ | * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative. |
| ☒ | ☐ | * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded. |
| ☒ | ☐ | * Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application. Part 2B forms are available on the Department's website at: http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf . |
| ☒ | ☐ | * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s). |
| ☒ | ☐ | * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.) |

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

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

NOV 5 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Circle Pi, LLC Phone (208) 876-4467Mailing address C/o Troy Olson, HC 62, Box 2295, May, ID 83253 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 RepresentativeName of Representative Roxanne Brown, SPF Water Engineering LLC Phone (208) 383-4140Mailing address 300 E. Mallard Dr., Suite 350, Boise, ID 83706 Email rbrown@spfwater.com☐ 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.

B H Yates
Signature of Applicant or Authorized Representative

BEN H. YATES
Print Name and Title if applicable

9/15/14
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**. Applicant proposes a change to the point of diversion from the Pahsimeroi River for a 67-acre portion of the place of use described by Transfer No. 78654 (approved September 4, 2013). 30.7 acres remain irrigated from the existing point of diversion from the Pahsimeroi River (P-12). All other diversions remain as described by Transfer No. 78654.

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 (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.32 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 2.32 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. **See additional supplement.**

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	NW	1	14N	21E	Custer	Pahsimeroi River	diversion
			SW	NW	1	14N	21E	Custer	Sulphur Creek	diversion
			SW	NW	1	14N	21E	Custer	Patterson Creek	rediversion
			SW	NW	1	14N	21E	Custer	unnamed stream	rediversion
			SW	NW	1	14N	21E	Custer	springs	rediversion

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	
14N	21E	2		7.6	2.3		14	6.8											30.7
				L2			L3	L4											
To be irrigated from new point of diversion																			
14N	21E	2			8.1	3.1													11.2
		3	3.8	22			30												55.8
			L1	L2			L3												

Total Acres (for irrigation use) 97.7

79136

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

[illegible]

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

****If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF A WATER RIGHT
Supplemental Page for Description of Rights after Transfer**

[illegible]

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

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: The proposed diversions will be equipped with measuring devices, lockable controlling works, and fish screens as required by IDWR and IDFG.
- 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: No.
- 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: _____
- e. 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: _____
- f. 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.: 73-12221

Current Owner: CIRCLE PI LLC

Priority Date: 1/20/1910

Origin: Water Right

Status: Active

Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.24 CFS

Annual Volume

Total Diversion

0.24 CFS

Location of Point(s) of Diversion

PAHSIMEROI RIVER

SE1/4SW1/4

Sec. 1, Twp 14N, Rge 21E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
4. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. U42 Place of use does not include federal public lands.
8. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. X27 This right is limited to the irrigation of 12.1 acres within the authorized place of use in a single irrigation season.
11. R43 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).

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12222

Current Owner: CIRCLE PI LLC

Priority Date: 10/4/1909

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING

Tributary

PATTERSON CREEK

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.05 CFS

0.05 CFS

Annual Volume

Location of Point(s) of Diversion

SPRING

LEMHI County

NE1/4NE1/4 Sec. 7, Twp 14N, Rge 22E B.M.

SPRING

LEMHI County

SE1/4NW1/4 Sec. 7, Twp 14N, Rge 22E B.M.
(Injection)

SPRING

LEMHI County

SE1/4SW1/4 Sec. 1, Twp 14N, Rge 21E B.M.
(Rediversion)

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. U42 Place of use does not include federal public lands.
2. X27 This right is limited to the irrigation of 2.7 acres within the authorized place of use in a single irrigation season.
3. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. R43 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).
9. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 8/6/2009

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

Current Water Right No.: 73-12223

Current Owner: CIRCLE PI LLC

Priority Date: 11/28/1904

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.16 CFS

Annual Volume

Total Diversion

0.16 CFS

Location of Point(s) of Diversion

SPRING

SW1/4NE1/4 Sec. 7, Twp 14N, Rge 22E B.M.

CUSTER County

SPRING

SE1/4SW1/4 Sec. 1, Twp 14N, Rge 21E B.M.
(Rediversion)

CUSTER County

SPRING

SE1/4NW1/4 Sec. 7, Twp 14N, Rge 22E B.M.
(Injection)

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2	SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW 13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE 4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW 30.00

Total Acres: 97.7

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. R43 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).
3. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. U42 Place of use does not include federal public lands.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. X27 This right is limited to the irrigation of 8.1 acres within the authorized place of use in a single irrigation season.
11. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.

Decreed Date: 8/6/2009

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

Current Water Right No.: 73-12224

Current Owner: CIRCLE PI LLC
Priority Date: 5/1/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.16 CFS

0.16 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER

CUSTER County

SE1/4SW1/4

Sec. 1, Twp 14N, Rge 21E B.M.

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2	SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW 13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE 4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW 30.00

Total Acres: 97.7

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. U42 Place of use does not include federal public lands.
5. X27 This right is limited to the irrigation of 8.1 acres within the authorized place of use in a single irrigation season.
6. R43 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. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12225

Current Owner: CIRCLE PI LLC

Priority Date: 3/8/1908

Origin: Water Right

Status: Active

Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.13 CFS

0.13 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER

CUSTER County

SE1/4SW1/4

Sec. 1, Twp 14N, Rge 21E B.M.

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2	SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW 13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE 4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW 30.00

Total Acres: 97.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 6.7 acres within the authorized place of use in a single irrigation season.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
3. R43 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).
4. U42 Place of use does not include federal public lands.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12226

Current Owner: CIRCLE PI LLC

Priority Date: 4/28/1913

Origin: Water Right

Status: Active

Basis: Decreed

Source

PAHSIMEROI RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.16 CFS

Annual Volume

Total Diversion

0.16 CFS

Location of Point(s) of Diversion

PAHSIMEROI RIVER

SE1/4SW1/4

Sec. 1, Twp 14N, Rge 21E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 8.1 acres within the authorized place of use in a single irrigation season.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. R43 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).
6. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
7. U42 Place of use does not include federal public lands.
8. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12227

Current Owner: CIRCLE PI LLC
Priority Date: 6/20/1908
Origin: Water Right
Status: Active
Basis: Decreed

Source

PATTERSON CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.22 CFS

0.22 CFS

Annual Volume

Location of Point(s) of Diversion

PATTERSON CREEK

LEMHI County

PATTERSON CREEK

LEMHI County

PATTERSON CREEK

CUSTER County

NE1/4NE1/4

Sec. 7, Twp 14N, Rge 22E B.M.

SE1/4NW1/4

Sec. 7, Twp 14N, Rge 22E B.M.

(Injection)

SE1/4SW1/4

Sec. 1, Twp 14N, Rge 22E B.M.

(Rediversion)

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
7. R43 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. U42 Place of use does not include federal public lands.
9. X27 This right is limited to the irrigation of 10.8 acres within the authorized place of use in a single irrigation season.
10. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
12. B01 Source is also known as Big Spring Creek or O'Neal Creek.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12228

Current Owner: CIRCLE PI LLC

Priority Date: 5/1/1906

Origin: Water Right

Status: Active

Basis: Decreed

Source

PATTERSON CREEK
UNNAMED STREAM

Tributary

PAHSIMEROI RIVER
PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.27 CFS

0.27 CFS

Annual Volume

Location of Point(s) of Diversion

PATTERSON CREEK

LEMHI County

PATTERSON CREEK

CUSTER County

UNNAMED STREAM

LEMHI County

UNNAMED STREAM

CUSTER County

UNNAMED STREAM

LEMHI County

PATTERSON CREEK

LEMHI County

SE1/4NW1/4 Sec. 7, Twp 14N, Rge 22E B.M.
(Injection)

SE1/4SW1/4 Sec. 1, Twp 14N, Rge 21E B.M.
(Rediversion)

SE1/4NW1/4 Sec. 7, Twp 14N, Rge 22E B.M.
(Injection)

SE1/4SW1/4 Sec. 1, Twp 14N, Rge 21E B.M.
(Rediversion)

SW1/4NE1/4 Sec. 7, Twp 14N, Rge 22E B.M.

NE1/4NE1/4 Sec. 7, Twp 14N, Rge 22E B.M.

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2	SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW 13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE 4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW 30.00

Total Acres: 97.7

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
5. X27 This right is limited to the irrigation of 13.5 acres within the authorized place of use in a single irrigation season.
6. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
8. U42 Place of use does not include federal public lands.
9. R43 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).
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. B01 Patterson Creek is also known as Big Spring Creek or O'Neal Creek.
12. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12229

Current Owner: CIRCLE PI LLC

Priority Date: 11/30/1907

Origin: Water Right

Status: Active

Basis: Decreed

Source

PATTERSON CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.03 CFS

0.03 CFS

Annual Volume

Location of Point(s) of Diversion

PATTERSON CREEK

LEMHI County

PATTERSON CREEK

LEMHI County

PATTERSON CREEK

CUSTER County

NE1/4NE1/4 Sec. 7, Twp 14N, Rge 22E B.M.

SE1/4NW1/4 Sec. 7, Twp 14N, Rge 22E B.M.
(Injection)

SE1/4SW1/4 Sec. 1, Twp 14N, Rge 21E B.M.
(Rediversion)

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2	SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW 13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE 4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW 30.00

Total Acres: 97.7

Conditions of Approval:

1. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
2. B01 Source is also known as Big Spring Creek or O'Neal Creek.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. U42 Place of use does not include federal public lands.
7. R43 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
10. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
11. X27 This right is limited to the irrigation of 1.3 acres within the authorized place of use in a single irrigation season.
12. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12230

Current Owner: CIRCLE PI LLC

Priority Date: 4/25/1904

Origin: Water Right

Status: Active

Basis: Decreed

Source

PATTERSON CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.38 CFS

0.38 CFS

Annual Volume

Location of Point(s) of Diversion

PATTERSON CREEK

LEMHI County

NE1/4NE1/4 Sec. 7, Twp 14N, Rge 22E B.M.

PATTERSON CREEK

LEMHI County

SE1/4NW1/4 Sec. 7, Twp 14N, Rge 22E B.M.
(Injection)

PATTERSON CREEK

CUSTER County

SE1/4SW1/4 Sec. 1, Twp 14N, Rge 21E B.M.
(Rediversion)

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
4. R43 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. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. U42 Place of use does not include federal public lands.
10. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
11. B01 Source is also known as Little Spring Creek, Spring Creek or O Neal Creek.
12. X27 This right is limited to the irrigation of 18.9 acres within the authorized place of use in a single irrigation season.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12231

Current Owner: CIRCLE PI LLC

Priority Date: 3/21/1905

Origin: Water Right

Status: Active

Basis: Decreed

Source

PAHSIMEROI RIVER
PATTERSON CREEK

Tributary

SALMON RIVER
PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.22 CFS

0.22 CFS

Annual Volume

Location of Point(s) of Diversion

PAHSIMEROI RIVER
CUSTER County
PATTERSON CREEK
LEMHI County
PATTERSON CREEK
LEMHI County
PATTERSON CREEK
CUSTER County

SE1/4SW1/4	Sec. 1,	Twp 14N,	Rge 21E B.M.
	(Rediversion)		
NE1/4NE1/4	Sec. 7,	Twp 14N,	Rge 22E B.M.
SE1/4NW1/4	Sec. 7,	Twp 14N,	Rge 22E B.M.
	(Injection)		
SE1/4SW1/4	Sec. 1,	Twp 14N,	Rge 21E B.M.
	(Rediversion)		

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. R43 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).
2. B01 Source is also known as Little Spring Creek, Spring Creek or O Neal Creek.
3. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
4. X27 This right is limited to the irrigation of 10.8 acres within the authorized place of use in a single irrigation season.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. U42 Place of use does not include federal public lands.
11. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
12. 004 This right does not grant any right-of-way or easement across the land of another.

Decreed Date: 6/30/2010

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

Current Water Right No.: 73-12232

Current Owner: CIRCLE PI LLC

Priority Date: 12/25/1904

Origin: Water Right

Status: Active

Basis: Decreed

Source

SULPHUR CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.3 CFS

Annual Volume

Total Diversion

0.3 CFS

Location of Point(s) of Diversion

SULPHUR CREEK

SE1/4SW1/4

Sec. 1, Twp 14N, Rge 21E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T14N R21E S2	Lot 2	NWNE	5.70	T14N R21E S2		SWNE	8.50
T14N R21E S2		SENE	5.70	T14N R21E S2	Lot 3	NENW	13.00
T14N R21E S2	Lot 4	NWNW	7.20	T14N R21E S3	Lot 1	NENE	4.60
T14N R21E S3	Lot 2	NWNE	23.00	T14N R21E S3	Lot 3	NENW	30.00

Total Acres: 97.7

Conditions of Approval:

1. Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Sulphur Creek at the original point of diversion and to the amount of water that actually reaches the Pahsimeroi River.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. R43 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. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. X35 Rights 73-12221, 73-12222, 73-12223, 73-12224, 73-12225, 73-12226, 73-12227, 73-12228, 73-12229, 73-12230, 73-12231 and 73-12232 when combined shall not exceed the irrigation of 97.7 acres.
8. 004 This right does not grant any right-of-way or easement across the land of another. Use of the P-12 Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
10. X27 This right is limited to the irrigation of 14.3 acres within the authorized place of use in a single irrigation season.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. U42 Place of use does not include federal public lands.

Decreed Date: 11/30/2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by	Date	Prelim. Check by	Date
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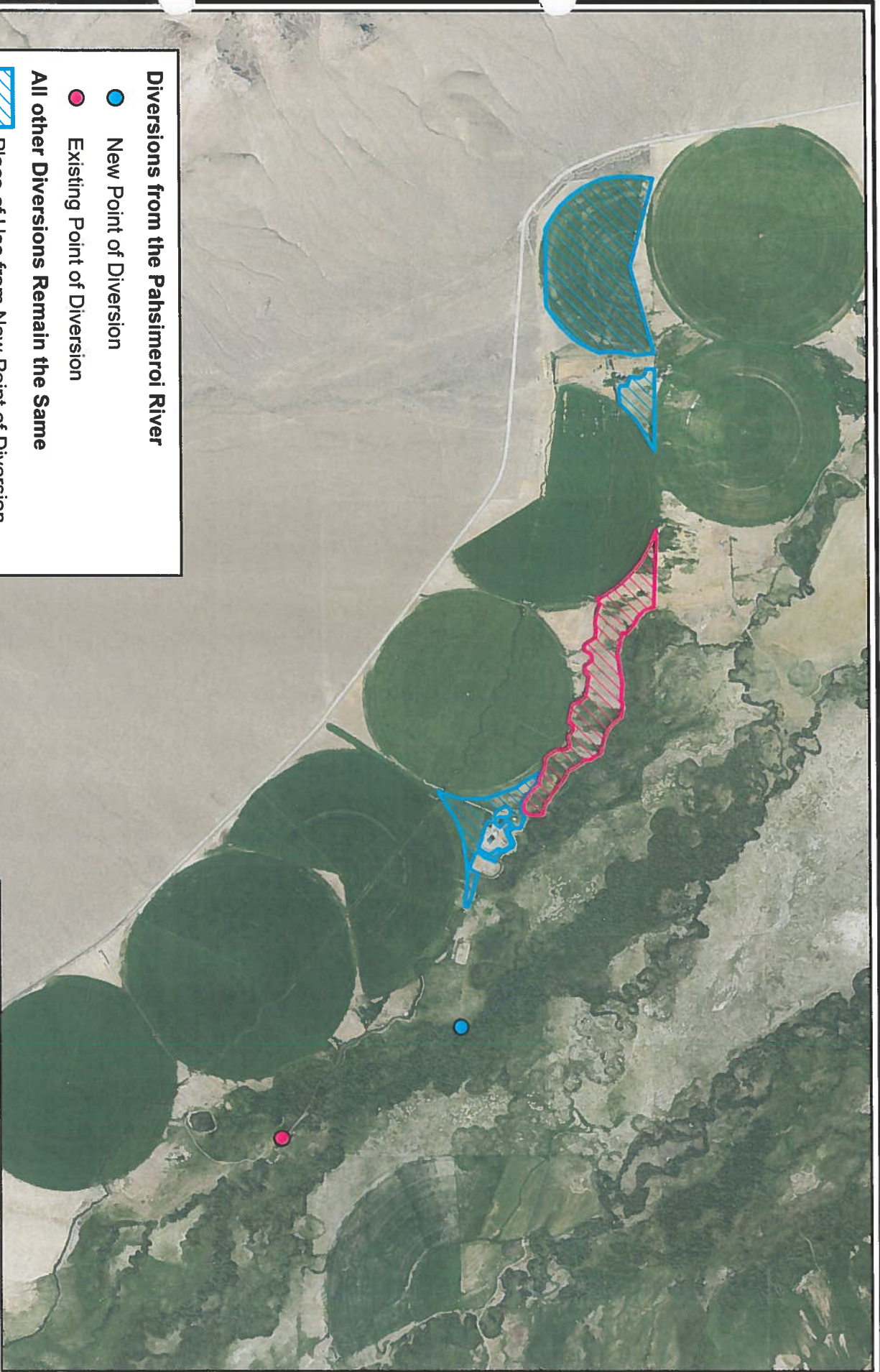
Fee Paid \$200.00 Date 2-18-2014 Received by _____ Receipt # E039550

Add'l Fee Paid \$ 300.00 Date 3-7-2014 Received by _____ Receipt # C098436

79136

SCANNED
NOV 7 2014

ATTACHMENT #7



Attachment 7a/7b
2013 Custer County NAIP Image

0.25 Miles

 **SPF WATER**
ENGINEERING

ATTACHMENT #9

TOTAL AFTER	Rate	Acres	Combined
	2.32	115.4	97.7

79136