

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78777

This is to certify that: 2007 TERENCE J. CREIGHTON REVOCABLE TRUST
1177 CALIFORNIA ST #825
SAN FRANCISCO, CA 94108

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>
37-21260	WR/DECREED	11/12/1936	0.120 cfs	N/A	N/A	2.5	BIG WOOD RIVER

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21258	WR/DECREED	5/1/1887	0.040 cfs	N/A		1.5	BIG WOOD RIVER
37-21262	WR/DECREED	4/1/1971	0.040 cfs	N/A		1.5	CLEAR CREEK

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>
37-21260	YES	YES	YES	NO	YES	YES

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>
37-21260	37-22841	0.040 cfs	N/A	N/A	0.9	37-21260	0.070 cfs	N/A	N/A	1.5
COMBINED TOTALS		0.030 cfs	0.3 af	N/A	1.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 20th day of March, 2014.

SUPPORT DATA

IN FILE # 37-21260

Southern Region Manager

Transfer No. 78777

SCANNED

MAR 24 2014

WATER RIGHT NO. 37-21260
As Modified by Transfer No. 78777

In accordance with the approval of Transfer No. 78777, Water Right No. 37-21260 is now described as follows:

Right Holder: CHRISTIE A HAUGH
 113 TOWNSEND GULCH RD
 BELLEVUE, ID 83313

Priority Date: 11/12/1936

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 09/30

Diversion Rate
 0.070 cfs
 0.070 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SWSW Sec 29 Twp 04N Rge 18E BLAINE 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	
03N	18E	6			1.5														1.5

POU Total Acres: 1.5

CONDITIONS OF APPROVAL

1. 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. 37.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after September 30 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. Property is also known as lot 19A, Aspen Hollow Subdivision.
5. The rights listed below are limited to the irrigation of a combined total of 1.5 acres in a single irrigation season. Combined Right Nos.: 37-21258, 37-21260, and 37-21262.
6. The rights listed below are limited to a total combined diversion rate of 0.07 cfs. Combined Right Nos.: 37-21258, 37-21260, and 37-21262.

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WATER RIGHT NO. 37-21260

As Modified by Transfer No. 78777

CONDITIONS OF APPROVAL

7. This right when combined with all other rights listed herein shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.
8. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.
9. The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.
10. Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.
11. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 37-22841**As Modified by Transfer No. 78777**

In accordance with the approval of Transfer No. 78777, Water Right No. 37-22841 is now described as follows:

Right Holder: 2007 TERENCE J. CREIGHTON REVOCABLE TRUST
1177 CALIFORNIA ST #825
SAN FRANCISCO, CA 94108

Priority Date: 11/12/1936

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

AESTHETIC STORAGE
IRRIGATION
MITIGATION

From

1/1 to 12/31
04/01 to 09/30
04/01 to 09/30

To**Diversion Rate**

0.030 cfs
0.010 cfs
0.040 cfs

Diversion Volume

0.3 af

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER NESWSE Sec 32 Twp 03N Rge 18E BLAINE County

PLACE OF USE: AESTHETIC STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	32															X		0.0

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	
03N	18E	32															0.9		0.9

POU Total Acres: 0.9

PLACE OF USE: MITIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	18E	32															X		0.0

CONDITIONS OF APPROVAL

1. 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. 37.

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WATER RIGHT NO. 37-22841

As Modified by Transfer No. 78777

CONDITIONS OF APPROVAL

2. 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.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after September 30 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
5. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
6. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.
7. Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.
8. The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered.
9. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water right will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation purposes.

Right No.	Use Changed to Mitigation Irrigation	Mitigation Rate (cfs)
37-22841		0.01

The land that will no longer be irrigated under this right is located within the SWSE, Section 32, Township 03N, Range 18E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 37-22841
As Modified by Transfer No. 78777

CONDITIONS OF APPROVAL

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 37-21258

As Modified by Transfer No. 78777

In accordance with the approval of Transfer No. 78777, Water Right No. 37-21258 is now described as follows:

Right Holder: CHRISTIE A HAUGH
113 TOWNSEND GULCH RD
BELLEVUE, ID 83313

Priority Date: 5/1/1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
0.040 cfs
0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER SENE Sec 30 Twp 04N Rge 18E BLAINE 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	
03N	18E	6			1.5														1.5

POU Total Acres: 1.5

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Property is also known as Lot 19A, Block 2, Aspen Hollow Subdivision.
3. The rights listed below are limited to the irrigation of a combined total of 1.5 acres in a single irrigation season. Combined Right Nos.: 37-21258, 37-21260, and 37-21262.
4. The rights listed below are limited to a total combined diversion rate of 0.07 cfs. Combined Right Nos.: 37-21258, 37-21260, and 37-21262.
5. This right is limited to the irrigation of 0.60 acres within the place of use described above in a single irrigation season.
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. 37.

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WATER RIGHT NO. 37-21258
As Modified by Transfer No. 78777

CONDITIONS OF APPROVAL

7. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
8. This right when combined with all other rights listed herein shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.



WATER RIGHT NO. 37-21262

As Modified by Transfer No. 78777

In accordance with the approval of Transfer No. 78777, Water Right No. 37-21262 is now described as follows:

Right Holder: CHRISTIE A HAUGH
113 TOWNSEND GULCH RD
BELLEVUE, ID 83313

Priority Date: 4/1/1971

Source: CLEAR CREEK

Tributary: BIG WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.040 cfs

0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

CLEAR CREEK

NWSE

Sec 31 Twp 04N Rge 18E BLAINE 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	
03N	18E	6			1.5														1.5

POU Total Acres: 1.5

CONDITIONS OF APPROVAL

- Property is also known as Lot 19A, Block 2, Aspen Hollow Subdivision.
- The rights listed below are limited to a total combined diversion rate of 0.07 cfs. Combined Right Nos.: 37-21258, 37-21260, and 37-21262.
- The rights listed below are limited to the irrigation of a combined total of 1.5 acres in a single irrigation season. Combined Right Nos.: 37-21258, 37-21260, and 37-21262.
- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- This right is limited to the irrigation of 0.60 acres within the place of use described above in a single irrigation season.
- 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. 37.

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WATER RIGHT NO. 37-21262

As Modified by Transfer No. 78777

CONDITIONS OF APPROVAL

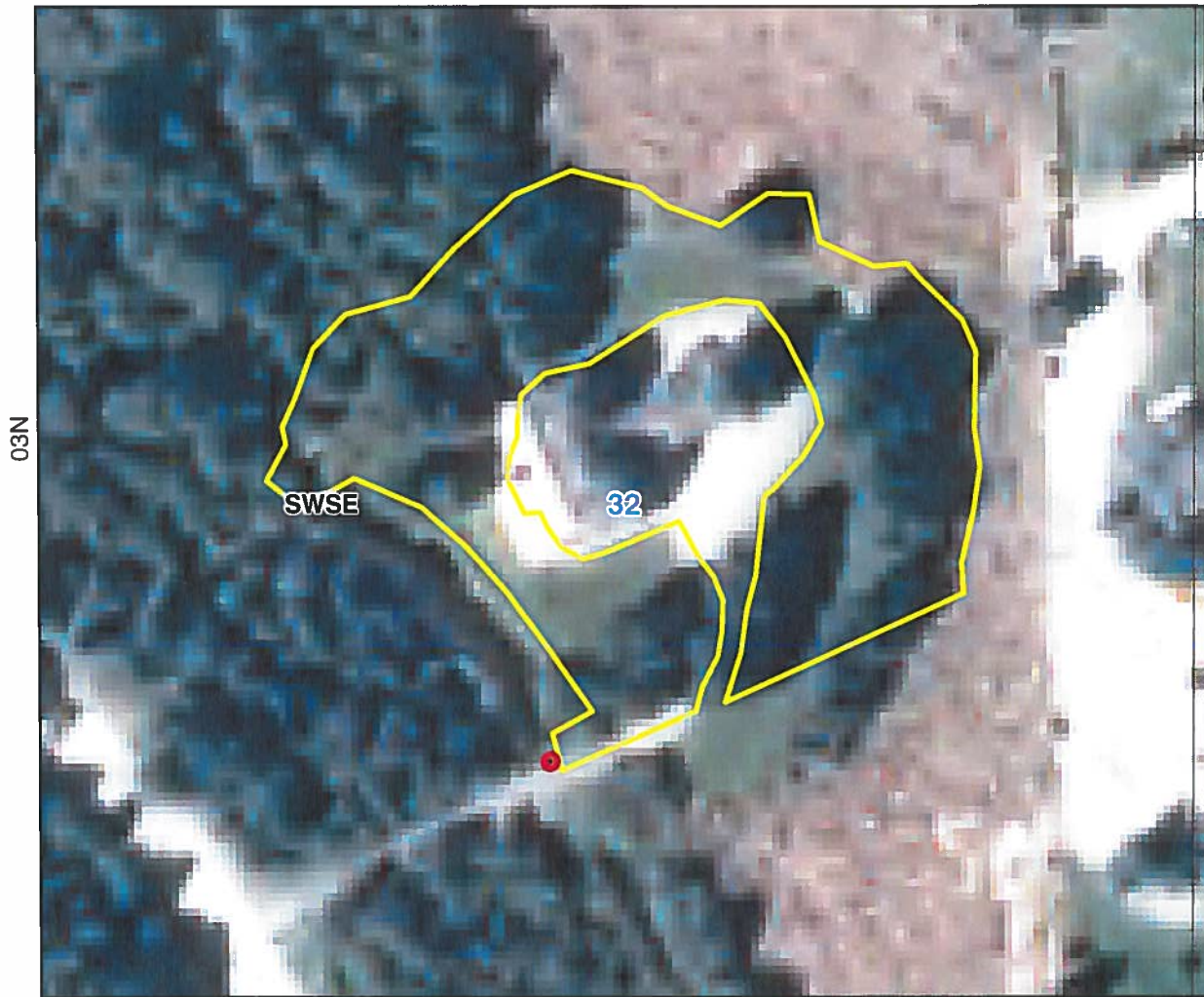
7. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
8. This right when combined with all other rights listed herein shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.



State of Idaho
Department of Water Resources
Attachment To Transfer No. 78777
37-22841

This map depicts the IRRIGATION and MITIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

18E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.01 0.02 0.04 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 78777
37-22841

This map depicts the AESTHETIC STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



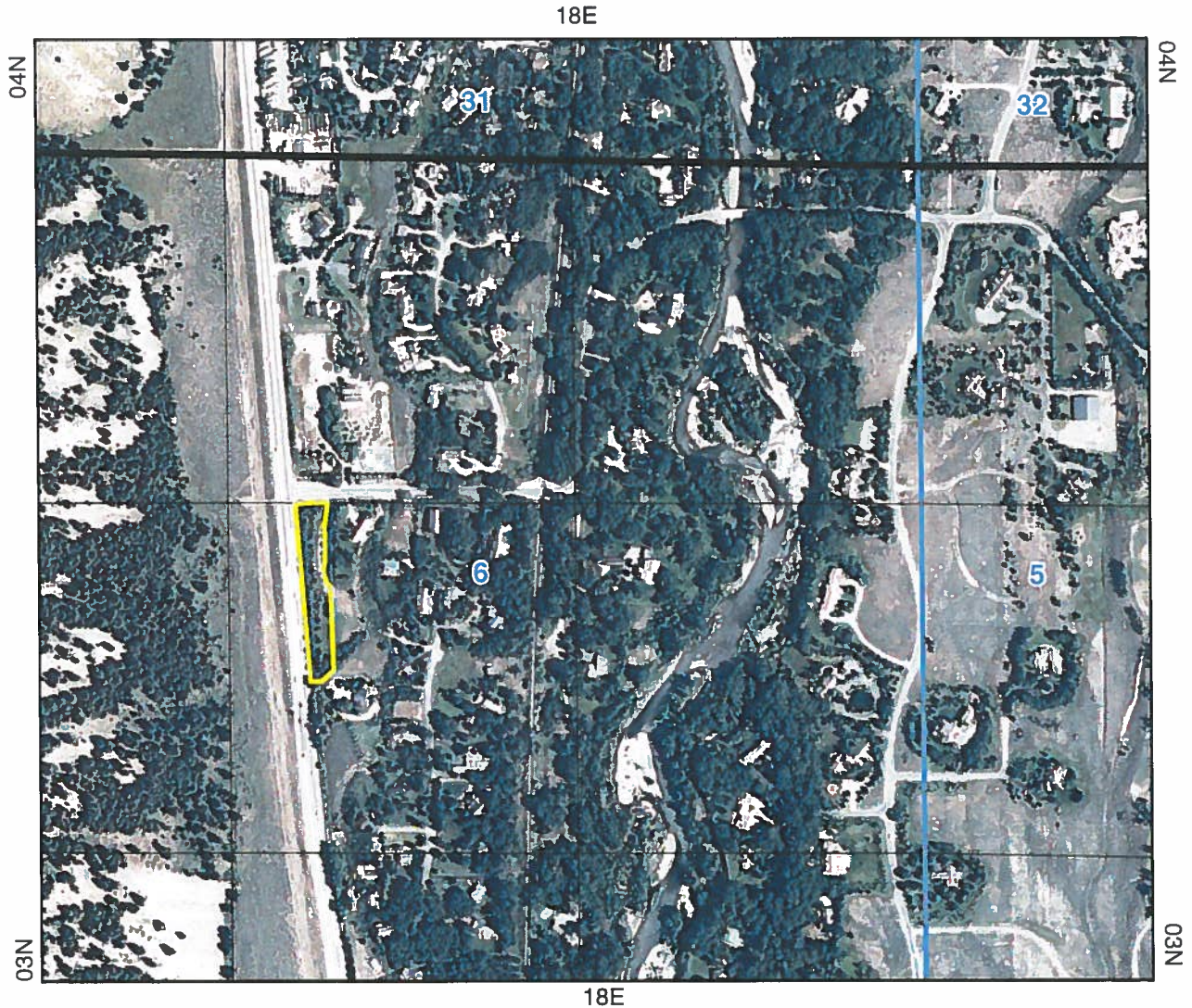
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.015 0.03 0.06 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 78777
Rights: 37-21260, 37-21258 and 37-21262

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles

