

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78362**

This is to certify that: **SALLY JOHNSON
6222 BARLETT POINT RD
MACKAY, ID 83251**

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-24	WR/DECREED	4/1/1888	1.600 cfs	N/A	80.0	343.0	BIG LOST RIVER
34-26	WR/DECREED	6/1/1916	2.900 cfs	N/A	145.0	343.0	BIG LOST RIVER
34-344	WR/DECREED	5/1/1905	1.000 cfs	N/A	25.0	221.0	BIG LOST RIVER
34-351	WR/DECREED	8/1/1888	2.400 cfs	N/A	120.0	221.0	BIG LOST RIVER
34-352	WR/DECREED	8/1/1888	0.800 cfs	N/A	40.0	221.0	ROCK SPRINGS CREEK
34-54	WR/DECREED	10/1/1899	1.700 cfs	N/A	85.0	343.0	BIG LOST RIVER
34-55A	WR/DECREED	2/12/1916	0.360 cfs	N/A	18.0	343.0	BIG LOST RIVER
34-734	WR/DECREED	6/1/1902	4.000 cfs	N/A	155.0	221.0	BIG LOST RIVER
34-735	WR/DECREED	6/1/1904	1.250 cfs	N/A	155.0	221.0	BIG LOST RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-24	NO	YES	YES	YES	NO	NO
34-26	NO	YES	YES	YES	NO	NO
34-344	NO	NO	YES	YES	NO	NO
34-351	NO	NO	YES	YES	NO	NO
34-352	NO	NO	YES	NO	NO	NO
34-54	NO	YES	YES	YES	NO	NO
34-55A	NO	YES	YES	YES	NO	NO
34-734	NO	NO	YES	YES	NO	NO
34-735	NO	NO	YES	YES	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>
34-24	34-24	1.600 cfs	0.0 af	80.0	564.0	N/A	N/A	N/A	N/A	N/A
34-26	34-26	2.900 cfs	0.0 af	145.0	564.0	N/A	N/A	N/A	N/A	N/A
34-344	34-344	1.000 cfs	0.0 af	25.0	564.0	N/A	N/A	N/A	N/A	N/A
34-351	34-351	2.400 cfs	0.0 af	120.0	564.0	N/A	N/A	N/A	N/A	N/A
34-352	34-352	0.800 cfs	0.0 af	40.0	564.0	N/A	N/A	N/A	N/A	N/A
34-54	34-54	1.700 cfs	0.0 af	85.0	564.0	N/A	N/A	N/A	N/A	N/A
34-55A	34-55A	0.360 cfs	0.0 af	18.0	564.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 78362

SUPPORT DATA

IN FILE #

34-24

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78362**

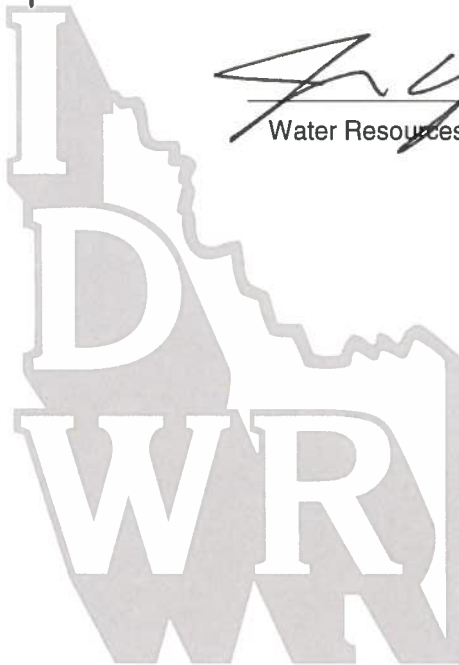
34-734	34-734	4.000 cfs	0.0 af	155.0	564.0 N/A	N/A	N/A	N/A	N/A
34-735	34-735	1.250 cfs	0.0 af	155.0	564.0 N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		15.310 cfs	N/A	564.0	564.0	N/A	N/A	N/A	N/A

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 24th day of April, 2013.



Water Resources Program Manager



WATER RIGHT NO. 34-24 **As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-24 is now described as follows:

Right Holder: JOAN JOHNSON OR
 DIANE K HATMAKER OR
 WALTER H JOHNSON
 6139 TL CREEK RD
 MACKAY, ID 83251
 OR
 SALLY RAE JOHNSON
 6222 BARTLETT POINT RD
 MACKAY, ID 83251

Priority Date: 3/31/1888

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

BENEFICIAL USE **From** **To** **Diversion Rate**
 IRRIGATION 5/01 to 10/15 1.600 cfs
 1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 80.0
 POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 80.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 78362

WATER RIGHT NO. 34-24

As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

3. Rights 34-24, 35-54, 34-55A, 34-26, 34-56 and 34-10251 when combined shall not exceed the irrigation of 343.0 acres.
4. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.
5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. 34-54**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-54 is now described as follows:

Right Holder: SALLY RAE JOHNSON
6222 BARTLETT POINT RD
MACKAY, ID 83251
OR
WALTER H JOHNSON OR
JOAN JOHNSON OR
DIANE K HATMAKER
6139 TL CREEK RD
MACKAY, ID 83251

Priority Date: 10/1/1899

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
1.700 cfs
1.700 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E	CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 85.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 85.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 78362

WATER RIGHT NO. 34-54
As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

3. Rights 34-54, 34-55A and 34-56 when combined shall not exceed the irrigation of 103.0 acres.
4. Rights 34-24, 35-54, 34-55A, 34-26, 34-56 and 34-10251 when combined shall not exceed the irrigation of 343.0 acres.
5. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.
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. 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.
8. 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. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 34-26**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-26 is now described as follows:

Right Holder: JOAN JOHNSON OR
 DIANE K HATMAKER OR
 WALTER H JOHNSON
 6139 TL CREEK RD
 MACKAY, ID 83251
 OR
 SALLY RAE JOHNSON
 6222 BARTLETT POINT RD
 MACKAY, ID 83251

Priority Date: 6/1/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From
5/01

To
to 10/15

Diversion Rate

2.900 cfs
2.900 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E	CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 145.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 145.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 78362

WATER RIGHT NO. 34-26

As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

3. Rights 34-24, 35-54, 34-55A, 34-26, 34-56 and 34-10251 when combined shall not exceed the irrigation of 343.0 acres.
4. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.
5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. 34-351**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-351 is now described as follows:

Right Holder: SALLY JOHNSON
6222 BARLETT POINT RD
MACKAY, ID 83251

Priority Date: 8/1/1888

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

2.400 cfs

2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 120.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 120.0 acres within the authorized place of use in a single irrigation season.
3. Rights 34-344, 34-351, 34-352, 34-734 and 34-735 when combined shall not exceed a total diversion rate of 8.75 cfs, and the irrigation of 221.0 acres.
4. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.

Transfer No. 78362

WATER RIGHT NO. 34-351
As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. 34-344**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-344 is now described as follows:

Right Holder: SALLY JOHNSON
6222 BARLETT POINT RD
MACKAY, ID 83251

Priority Date: 5/1/1905

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

1.000 cfs

1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E 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	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 25.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 25.0 acres within the authorized place of use in a single irrigation season.
3. Rights 34-344, 34-351, 34-352, 34-734 and 34-735 when combined shall not exceed a total diversion rate of 8.75 cfs, and the irrigation of 221.0 acres.
4. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.

Transfer No. 78362

WATER RIGHT NO. 34-344
As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. 34-735**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-735 is now described as follows:

Right Holder: SALLY JOHNSON
6222 BARLETT POINT RD
MACKAY, ID 83251

Priority Date: 6/1/1904

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 05/01 **To** 10/15 **Diversion Rate**
1.250 cfs
1.250 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E 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	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 155.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 155.0 acres within the authorized place of use in a single irrigation season.
3. Rights 34-344, 34-351, 34-352, 34-734 and 34-735 when combined shall not exceed a total diversion rate of 8.75 cfs, and the irrigation of 221.0 acres.
4. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.

Transfer No. 78362

WATER RIGHT NO. 34-735
As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. 34-734**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-734 is now described as follows:

Right Holder: SALLY JOHNSON
6222 BARLETT POINT RD
MACKAY, ID 83251

Priority Date: 6/1/1902

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

4.000 cfs

4.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E 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	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 155.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 155.0 acres within the authorized place of use in a single irrigation season.
3. Rights 34-344, 34-351, 34-352, 34-734 and 34-735 when combined shall not exceed a total diversion rate of 8.75 cfs, and the irrigation of 221.0 acres.
4. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.

Transfer No. 78362

WATER RIGHT NO. 34-734

As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this 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. 34-352

As Modified by Transfer No. 78362

In accordance with the approval of Transfer No. 78362, Water Right No. 34-352 is now described as follows:

Right Holder: SALLY JOHNSON
6222 BARLETT POINT RD
MACKAY, ID 83251

Priority Date: 8/1/1888

Source: ROCK SPRINGS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

0.800 cfs

0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

ROCK SPRINGS CREEK SWNENW Sec 14 Twp 08N Rge 21E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 40.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-344, 34-351, 34-352, 34-734 and 34-735 when combined shall not exceed a total diversion rate of 8.75 cfs, and the irrigation of 221.0 acres.
3. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.
4. 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.
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. 78362

WATER RIGHT NO. 34-352
As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right does not grant any right-of-way or easement across the land of another.
8. 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.
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. 34-55A**As Modified by Transfer No. 78362**

In accordance with the approval of Transfer No. 78362, Water Right No. 34-55A is now described as follows:

Right Holder: JOAN JOHNSON OR
 DIANE K HATMAKER OR
 WALTER H JOHNSON
 6139 TL CREEK RD
 MACKAY, ID 83251
 OR
 SALLY RAE JOHNSON
 6222 BARTLETT POINT RD
 MACKAY, ID 83251

Priority Date: 2/12/1916

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From
 5/01

To
 to 10/15

Diversion Rate
 0.360 cfs
 0.360 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWSE	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSESW	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSE	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWSW	Sec 16 Twp 08N Rge 21E	CUSTER County
BIG LOST RIVER	SWNW	Sec 15 Twp 08N Rge 21E	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	
08N	21E	11												16.4			16.4	36.6	69.4
08N	21E	12										1.2	35.0	1.1					37.3
08N	21E	13						36.1											36.1
08N	21E	14	39.9	25.0			13.3												78.2
08N	21E	15									40.0	40.0	36.0	20.0		34.0			170.0
08N	21E	16			2.0	18.0									39.0	34.0	40.0	40.0	173

Right Acre Limit: 18.0

POU Total Acres: 564.0

CONDITIONS OF APPROVAL

1. Diversion of water from the Nielson Ditch authorized under Transfer 78362 located in SWNW, Sec. 15, T08N, R21E shall not exceed a total combined maximum diversion rate of 4.0 cfs.
2. This right is limited to the irrigation of 18.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 78362

WATER RIGHT NO. 34-55A
As Modified by Transfer No. 78362

CONDITIONS OF APPROVAL

3. Rights 34-54, 34-55A and 34-56 when combined shall not exceed the irrigation of 103.0 acres.
4. Rights 34-24, 35-54, 34-55A, 34-26, 34-56 and 34-10251 when combined shall not exceed the irrigation of 343.0 acres.
5. Rights 34-24, 34-26, 34-54, 34-55A, 34-344, 34-351, 34-734, 34-735 and 34-352 when combined shall not exceed a total diversion rate of 15.31 cfs and the irrigation of 564.0 acres.
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. 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.
8. 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. This right does not grant any right-of-way or easement across the land of another. Use of the Nielson Ditch and its headgate, diversion structure, or measurement section may require separate authorization under Idaho law.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.