

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78330**

This is to certify that: **PEGGY PEHRSON AND/OR
RANDY D PEHRSON
3754 W 4050 N
MOORE, ID 83255**

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>
34-2323E	WR/DECREED	2/11/1955	0.760 cfs	166.9 af	N/A	47.7	GROUND WATER
34-644F	WR/DECREED	6/1/1904	0.660 cfs	N/A	N/A	47.7	BIG LOST RIVER
34-780I	WR/DECREED	4/22/1884	0.660 cfs	N/A	33.0	47.7	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>
34-2323E	YES	YES	YES	NO	NO	NO
34-644F	YES	NO	YES	NO	NO	NO
34-780I	YES	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-2323E	34-14391	0.630 cfs	137.0 af	39.4	39.4	34-2323E	0.130 cfs	29.0 af	8.3	8.3
34-644F	34-14390	0.550 cfs	0.0 af	39.4	39.4	34-644F	0.110 cfs	N/A	8.3	8.3
34-780I	34-14389	0.550 cfs	0.0 af	27.3	39.4	34-780I	0.110 cfs	N/A	5.7	8.3
COMBINED TOTALS		1.090 cfs	N/A	N/A	39.4		0.23 cfs	N/A	N/A	8.3 af

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 25th day of April, 2013.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 78330

IN FILE # 34-644F

WATER RIGHT NO. 34-780I

As Modified by Transfer No. 78330

In accordance with the approval of Transfer No. 78330, Water Right No. 34-780I is now described as follows:

Right Holder: MARK SCHLUTER
250 WOODLAND HILLS RD
HELENA, MT 59602

Priority Date: 4/22/1884

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

0.110 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	7									5.8			2.5					8.3

Right Acre Limit: 5.7

POU Total Acres: 8.3

CONDITIONS OF APPROVAL

1. Rights 34-644F, 34-780I and 34-2323E when combined shall not exceed a total diversion rate of 0.23 cfs, and the irrigation of 8.3 acres.
2. This right is limited to the irrigation of 5.7 acres within the authorized place of use in a single irrigation season.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. Water is delivered through Darlington Ditch.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 78330

WATER RIGHT NO. 34-14389 **As Modified by Transfer No. 78330**

In accordance with the approval of Transfer No. 78330, Water Right No. 34-14389 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 3754 W 4050 N
 MOORE, ID 83255

Priority Date: 4/22/1884

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

BENEFICIAL USE **From** **To** **Diversion Rate**
 IRRIGATION 5/01 to 10/15 0.550 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	7								1.0	27.5	9.2	0.3	1.4					39.4

Right Acre Limit: 27.3

POU Total Acres: 39.4

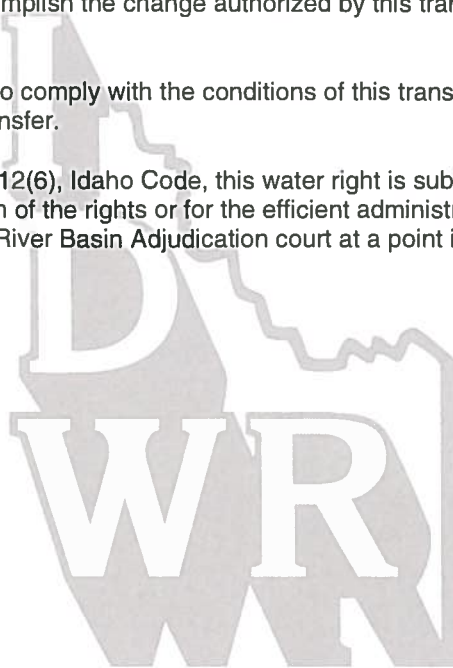
CONDITIONS OF APPROVAL

1. Rights 34-14388, 34-14389 and 34-14390 when combined shall not exceed a total diversion rate of 1.09 cfs, and the irrigation of 39.4 acres.
2. This right is limited to the irrigation of 27.3 acres within the authorized place of use in a single irrigation season.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. 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.

WATER RIGHT NO. 34-14389
As Modified by Transfer No. 78330

CONDITIONS OF APPROVAL

5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. Water is delivered through the Darlington ditch.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 34-644F **As Modified by Transfer No. 78330**

In accordance with the approval of Transfer No. 78330, Water Right No. 34-644F is now described as follows:

Right Holder: MARK SCHLUTER
 250 WOODLAND HILLS RD
 HELENA, MT 59602

Priority Date: 6/1/1904

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

0.110 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWSWNE

Sec 33 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	7									5.8			2.5					8.3

Right Acre Limit: 8.3

POU Total Acres: 8.3

CONDITIONS OF APPROVAL

1. Rights 34-644F, 34-780I and 34-2323E when combined shall not exceed a total diversion rate of 0.23 cfs, and the irrigation of 8.3 acres.
2. Water is delivered through the Darlington ditch.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. 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. 34-14390

As Modified by Transfer No. 78330

In accordance with the approval of Transfer No. 78330, Water Right No. 34-14390 is now described as follows:

Right Holder: RANDY D PEHRSON AND
PEGGY PEHRSON
3754 W 4050 N
MOORE, ID 83255

Priority Date: 6/1/1904

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 **To** 10/15 **Diversion Rate** 0.550 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	7								1.0	27.5	9.2	0.3	1.4					39.4

Right Acre Limit: 39.4

POU Total Acres: 39.4

CONDITIONS OF APPROVAL

1. Rights 34-14388, 34-14389 and 34-14390 when combined shall not exceed a total diversion rate of 1.09 cfs, and the irrigation of 39.4 acres.
2. 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.
3. 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.
4. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
5. Water is delivered through the Darlington ditch.

Transfer No. 78330

WATER RIGHT NO. 34-14390
As Modified by Transfer No. 78330

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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. 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. 34-2323E**As Modified by Transfer No. 78330**

In accordance with the approval of Transfer No. 78330, Water Right No. 34-2323E is now described as follows:

Right Holder: MARK SCHLUTER
250 WOODLAND HILLS RD
HELENA, MT 59602

Priority Date: 2/11/1955

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/15

To

to 10/15

Diversion Rate

0.130 cfs

Diversion Volume

29.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NWSWNE
SESWSE

Sec 33 Twp 07N Rge 24E CUSTER County
Sec 27 Twp 07N Rge 24E CUSTER County

(Rediversion)
(Injection)

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	7									5.8			2.5					8.3

Right Acre Limit: 8.3

POU Total Acres: 8.3

CONDITIONS OF APPROVAL

1. Rights 34-644F, 34-780I and 34-2323E when combined shall not exceed a total diversion rate of 0.23 cfs, and the irrigation of 8.3 acres.
2. Water diverted under a portion of this right is exchanged by injecting water diverted under this right into the Swauger ditch and diverting an equal amount from the Big Lost River at the point of rediversion described above. Water may be rediverted from the Big Lost River only when there is current demand for the water injected into the Swauger ditch by Swauger ditch water users with currently deliverable priorities below the point of injection.
3. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 13, 2002.
4. Exchange water diverted from the Big Lost River is delivered through the Darlington ditch.

WATER RIGHT NO. 34-2323E
As Modified by Transfer No. 78330

CONDITIONS OF APPROVAL

5. 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. 34-14391
As Modified by Transfer No. 78330

In accordance with the approval of Transfer No. 78330, Water Right No. 34-14391 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 3754 W 4050 N
 MOORE, ID 83255

Priority Date: 2/11/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/15	to 10/15	0.630 cfs	137.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSWNE	Sec 33 Twp 07N Rge 24E CUSTER County
GROUND WATER	SWSWNE	Sec 2 Twp 06N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	7								1.0	27.5	9.2	0.3	1.4					39.4

Right Acre Limit: 39.4

POU Total Acres: 39.4

CONDITIONS OF APPROVAL

1. Rights 34-14388, 34-14389 and 34-14390 when combined shall not exceed a total diversion rate of 1.09 cfs, and the irrigation of 39.4 acres.
2. 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.
3. Prior to diversion and use of water under Transfer approval 78330, the right holder shall install and maintain acceptable measuring device at the authorized points of diversion, in accordance with Department specifications.
4. Water diverted under a portion of this right is exchanged by injecting ground water diverted under this right into the Big Lost River and diverting an equal amount from the Big Lost River at the point of re-diversion described above.

Transfer No. 78330

WATER RIGHT NO. 34-14391
As Modified by Transfer No. 78330

CONDITIONS OF APPROVAL

5. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 13, 2002.
6. Exchange water diverted from the Big Lost River is delivered through the Darlington ditch.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

