

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 78044

This is to certify that: RON BAIR And
JANIECE BAIR
3969 W 4100 N
MACKAY ID 83251
(208)588-4149

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-14259	WR/Decreed	03/10/1894	0.12 cfs	N/A	6.0	26.7	BIG LOST RIVER
34-14261	WR/Decreed	05/26/1904	0.42 cfs	N/A	N/A	26.7	BIG LOST RIVER
34-14263	WR/Decreed	06/01/1900	0.45 cfs	N/A	N/A	26.7	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>
34-14259	NO	YES	YES	NO	YES	YES
34-14261	NO	YES	YES	NO	NO	NO
34-14263	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-14259	34-14259	0.02 cfs	1 af	N/A	N/A		N/A	N/A	N/A	N/A
34-14261	34-14261	0.00 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
34-14263	34-14263	0.00 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.02 cfs	1 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of September, 2012


Water Resources Program Manager

SUPPORT DATA
IN FILE # 34-14259

WATER RIGHT NO. 34-14259
As Modified by Transfer No. 78044

In accordance with the approval of Transfer No. 78044, Water Right No. 34-14259 is now described as follows.

Right Holder: RON BAIR And/Or
 JANIECE BAIR
 3969 W 4100 N
 MACKAY ID 83251

Priority Date: March 10, 1894

Source: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
RECREATION STORAGE	01/01	to 12/31		1.0 AF
AESTHETIC STORAGE	01/01	to 12/31		1.0 AF
DIVERSION TO STORAGE	05/01	to 10/15	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NESENE	Sec. 8 Twp 06N Rge 25E CUSTER County
(Injection)		
BIG LOST RIVER	NESENE	Sec. 8 Twp 06N Rge 25E CUSTER County
BIG LOST RIVER	SESENE	Sec. 9 Twp 06N Rge 25E CUSTER County
(Rediversion)		

PLACE OF USE: RECREATION STORAGE, AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	9			X														

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 1 acre-foot or a total surface area of 0.2 acres.
3. Right 34-14259 authorizes the diversion of an annual total of 1 acre-foot to be used for the initial filling of the pond and for the replacement of losses caused by evaporation.
4. 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.

WATER RIGHT NO. 34-14259
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CONDITIONS OF APPROVAL

5. 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.
6. 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. 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.

This water right 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.

Dated this 10th day of September, 2012



Water Resources Program Manager

WATER RIGHT NO. 34-14261
As Modified by Transfer No. 78044

In accordance with the approval of Transfer No. 78044, Water Right No. 34-14261 is now described as follows.

Right Holder: RON BAIR And/Or
JANIECE BAIR
3969 W 4100 N
MACKAY ID 83251

Priority Date: May 26, 1904

Diversion Rate
0.00 CFS

CONDITIONS OF APPROVAL

1. Pursuant to an order on Transfer 78044, 34-14261 no longer constitutes a valid water right.

This water right 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.

Dated this 10th day of September, 20 12


Water Resources Program Manager

WATER RIGHT NO. 34-14263
As Modified by Transfer No. 78044

In accordance with the approval of Transfer No. 78044, Water Right No. 34-14263 is now described as follows.

Right Holder: RON BAIR And/Or
JANIECE BAIR
3969 W 4100 N
MACKAY ID 83251

Priority Date: June 01, 1900

Diversion Rate
0.00 CFS

CONDITIONS OF APPROVAL

1. Pursuant to an order on Transfer 78044, 34-14263 no longer constitutes a valid water right.

This water right 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.

Dated this 10th day of September, 2012


Water Resources Program Manager