

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76991

This is to certify that: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108
 (206)762-1171

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>
73-189	WR/Decreed	05/19/1909	6.4 cfs	N/A	320.0	2,413.3	PAHSIMEROI RIVER
73-147C	WR/Decreed	04/25/1886	4.8 cfs	N/A	240.0	2,413.3	GOLDBURG CREEK
73-150D	WR/Decreed	07/01/1897	4.0 cfs	N/A	200.0	2,413.3	PAHSIMEROI RIVER
73-10040	WR/Decreed	05/01/1897	11.2 cfs	N/A	560.0	2,413.3	PAHSIMEROI RIVER
73-10041	WR/Decreed	11/24/1909	7.2 cfs	N/A	N/A	2,365.6	BIG CREEK
73-12110	WR/Decreed	04/01/1969	32.8 cfs	N/A	N/A	2,365.6	BIG CREEK
73-147A	WR/Decreed	04/25/1886	4.4 cfs	N/A	172.3	2,365.6	PAHSIMEROI 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>
73-189	NO	YES	NO	NO	NO	NO
73-147C	NO	YES	NO	NO	NO	NO
73-150D	NO	YES	NO	NO	NO	NO
73-10040	NO	YES	NO	NO	NO	NO
73-10041	NO	YES	NO	NO	NO	NO
73-12110	NO	YES	NO	NO	NO	NO
73-147A	NO	YES	NO	NO	NO	NO

SUPPORT DATA

IN FILE # 73-147A

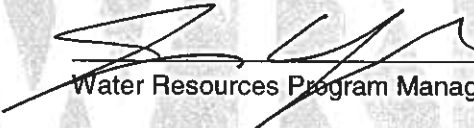
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76991

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
73-189	73-189	6.4 cfs	N/A	320.0	2,365.6		N/A	N/A	N/A	N/A
73-147C	73-147C	4.8 cfs	N/A	240.0	2,365.6		N/A	N/A	N/A	N/A
73-150D	73-150D	4.0 cfs	N/A	200.0	2,365.6		N/A	N/A	N/A	N/A
73-10040	73-10040	11.2 cfs	N/A	560.0	2,365.6		N/A	N/A	N/A	N/A
73-10041	73-10041	7.2 cfs	N/A	N/A	2,365.6		N/A	N/A	N/A	N/A
73-12110	73-12110	32.8 cfs	N/A	N/A	2,365.6		N/A	N/A	N/A	N/A
73-147A	73-147A	4.4 cfs	N/A	172.3	2,365.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		70.8 cfs	N/A	2365.6	2365.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18th day of February, 2011


 Water Resources Program Manager

WATER RIGHT NO. 73-147A
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-147A is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE WA 98108

Priority Date: April 25, 1886

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.45 CFS	
AESTHETIC STORAGE	01/01	to 12/31		110.9 AF
DIVERSION TO STORAGE	04/01	to 10/31	0.95 CFS	
RECREATION STORAGE	01/01	to 12/31		110.9 AF
WILDLIFE STORAGE	01/01	to 12/31		110.9 AF

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER	NESW	Sec. 2 Twp 12N	Rge 23E	CUSTER County
PAHSIMEROI RIVER	SWSWSE	Sec. 20 Twp 13N	Rge 23E	CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	22E	1							19.0			35.0	41.0						95.0
13N	22E	2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
			L 1	L 2															
13N	22E	11	37.0			33.0									27.0			29.0	126.0
13N	22E	12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N	22E	13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8			23.0		34.0	179.9
13N	22E	14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N	22E	23	40.0	37.0	23.0	40.0									12.0				152.0
13N	22E	24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N	23E	18											18.0						18.0
													L 4						
13N	23E	19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
								L 1	L 2				L 3	L 4					
13N	23E	20											27.0						27.0
13N	23E	29						37.0	40.0			28.0							105.0
13N	23E	30	40.0	40.0	40.0	40.0	40.0	25.0											225.0
								L 1											

Total Acres: 2365.6

WATER RIGHT NO. 73-147A
As Modified by Transfer No. 76991

PLACE OF USE:		AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE																	
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13N	23E	19													X				X

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
2. Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
3. This right is limited to the irrigation of 172.3 acres within the authorized place of use in a single irrigation season.
4. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
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. 73.
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 diversions and points of measurement described above.
7. 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.
8. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
9. Place of use does not include federal public lands.
10. 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.
11. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are reddiverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

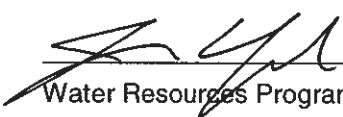
WATER RIGHT NO. 73-147A
As Modified by Transfer No. 76991

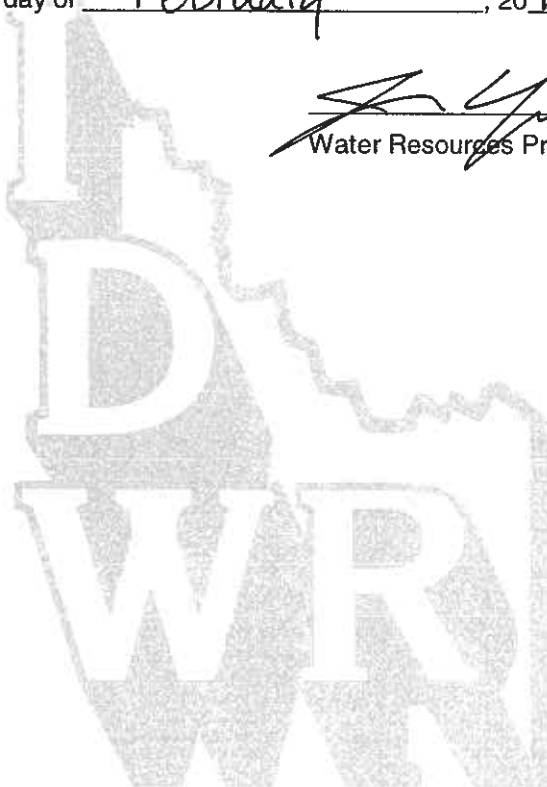
CONDITIONS OF APPROVAL

14. 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 18th day of February, 2011


Water Resources Program Manager



WATER RIGHT NO. 73-147C
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-147C is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108

Priority Date: April 25, 1886

Source: GOLDBURG CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

4.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

GOLDBURG CREEK SWSWSE Sec. 20 Twp 13N Rge 23E CUSTER County
 (Rediversion)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	22E	1							19.0			35.0	41.0						95.0
13N	22E	2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
			L 1	L 2															
13N	22E	11	37.0			33.0									27.0			29.0	126.0
13N	22E	12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N	22E	13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8			23.0		34.0	179.9
13N	22E	14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N	22E	23	40.0	37.0	23.0	40.0									12.0				152.0
13N	22E	24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N	23E	18											18.0						18.0
													L 4						
13N	23E	19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
							L 1	L 2				L 3	L 4						
13N	23E	20											27.0						27.0
13N	23E	29						37.0	40.0			28.0							105.0
13N	23E	30	40.0	40.0	40.0	40.0	40.0	25.0											225.0
							L 1												

Total Acres: 2365.6

WATER RIGHT NO. 73-147C
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 240.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
3. 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. 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. 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. Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Goldberg Creek at its confluence with the Pahsimeroi River.
7. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
8. Place of use does not include federal public lands.
9. 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. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
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. 73-147C
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

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 18th day of February, 2011


Water Resources Program Manager



WATER RIGHT NO. 73-150D
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-150D is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108

Priority Date: July 01, 1897

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

4.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER

NESW

Sec. 2 Twp 12N Rge 23E CUSTER County

PAHSIMEROI RIVER

SWSWSE

Sec. 20 Twp 13N Rge 23E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 22E 1							19.0			35.0	41.0						95.0
13N 22E 2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
	L 1	L 2															
13N 22E 11	37.0			33.0									27.0			29.0	126.0
13N 22E 12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N 22E 13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8			23.0		34.0	179.9
13N 22E 14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N 22E 23	40.0	37.0	23.0	40.0									12.0				152.0
13N 22E 24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N 23E 18											18.0						18.0
											L 4						
13N 23E 19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
						L 1	L 2			L 3	L 4						
13N 23E 20										27.0							27.0
13N 23E 29						37.0	40.0			28.0							105.0
13N 23E 30	40.0	40.0	40.0	40.0	40.0	25.0											225.0
						L 1											

Total Acres: 2365.6

WATER RIGHT NO. 73-150D
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

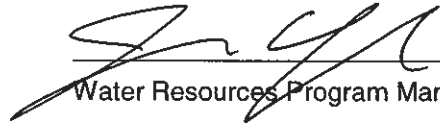
1. This right is limited to the irrigation of 200.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
3. Use of water 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. 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. 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. 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 appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
8. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
9. Place of use does not include federal public lands.
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. 73-150D
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

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 18th day of February, 2011



Water Resources Program Manager



WATER RIGHT NO. 73-189
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-189 is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108

Priority Date: May 19, 1909

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

6.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER

NESW

Sec. 2 Twp 12N Rge 23E CUSTER County

PAHSIMEROI RIVER

SWSWSE

Sec. 20 Twp 13N Rge 23E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 22E 1							19.0			35.0	41.0						95.0
13N 22E 2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
	L 1	L 2															
13N 22E 11	37.0			33.0									27.0			29.0	126.0
13N 22E 12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0	41.0	39.0			327.2
13N 22E 13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8		23.0		34.0		179.9
13N 22E 14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N 22E 23	40.0	37.0	23.0	40.0									12.0				152.0
13N 22E 24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N 23E 18											18.0						18.0
											L 4						
13N 23E 19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
						L 1	L 2			L 3	L 4						
13N 23E 20											27.0						27.0
13N 23E 29						37.0	40.0			28.0							105.0
13N 23E 30	40.0	40.0	40.0	40.0	40.0	25.0											225.0
						L 1											

Total Acres: 2365.6

WATER RIGHT NO. 73-189
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

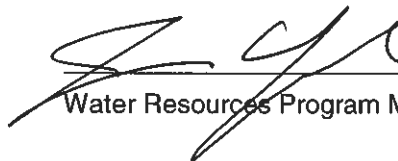
1. This right is limited to the irrigation of 320.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
3. Use of water 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. 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. 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. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
7. 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.
8. Place of use does not include federal public lands.
9. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
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. 73-189
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

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 18th day of February, 2011



Water Resources Program Manager



WATER RIGHT NO. 73-10040
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-10040 is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108

Priority Date: May 01, 1897

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	11.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER	NESW	Sec. 2 Twp 12N Rge 23E CUSTER County
PAHSIMEROI RIVER	SWSWSE	Sec. 20 Twp 13N Rge 23E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 22E 1							19.0			35.0	41.0						95.0
13N 22E 2	31.0 L 1	9.6 L 2	8.3	40.0									40.0			40.0	168.9
13N 22E 11	37.0			33.0									27.0			29.0	126.0
13N 22E 12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N 22E 13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8			23.0		34.0	179.9
13N 22E 14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N 22E 23	40.0	37.0	23.0	40.0									12.0				152.0
13N 22E 24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N 23E 18											18.0 L 4						18.0
13N 23E 19		25.0	39.0	25.5	27.6	32.4 L 1	7.8 L 2	38.0	27.8	29.0 L 3	25.0 L 4	40.0	32.5	29.5	40.0	28.0	447.1
13N 23E 20										27.0							27.0
13N 23E 29						37.0	40.0			28.0							105.0
13N 23E 30	40.0	40.0	40.0	40.0	40.0	25.0 L 1											225.0

Total Acres: 2365.6

WATER RIGHT NO. 73-10040
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

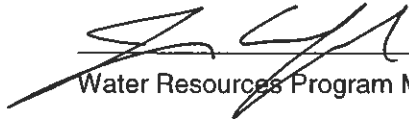
1. This right is limited to the irrigation of 560.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
3. Use of water 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. 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. 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. 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 appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
8. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
9. Place of use does not include federal public lands.
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. 73-10040
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

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 18th day of February, 20 11



Water Resources Program Manager



WATER RIGHT NO. 73-10041
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-10041 is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108

Priority Date: November 24, 1909

Source: BIG CREEK

Tributary: PAHSIMEROI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	7.06 CFS	
DIVERSION TO STORAGE	04/01	to 10/31	0.14 CFS	
AESTHETIC STORAGE	01/01	to 12/31		59.1 AF
RECREATION STORAGE	01/01	to 12/31		59.1 AF
WILDLIFE STORAGE	01/01	to 12/31		59.1 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG CREEK NENW Sec. 13 Twp 13N Rge 23E CUSTER County
 BIG CREEK SWSWSE Sec. 20 Twp 13N Rge 23E CUSTER County
 (Rediversion)
 BIG CREEK SESW Sec. 27 Twp 13N Rge 23E CUSTER County
 (Injection)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	22E	1							19.0				35.0	41.0					95.0
13N	22E	2	31.0	9.6	8.3	40.0									40.0			40.0	168.9
			L 1	L 2															
13N	22E	11	37.0			33.0									27.0			29.0	126.0
13N	22E	12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0		41.0	39.0		327.2
13N	22E	13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8			23.0		34.0	179.9
13N	22E	14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N	22E	23	40.0	37.0	23.0	40.0									12.0				152.0
13N	22E	24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N	23E	18											18.0						18.0
													L 4						
13N	23E	19		25.0	39.0	25.5	27.6	32.4	7.8	38.0	27.8	29.0	25.0	40.0	32.5	29.5	40.0	28.0	447.1
								L 1	L 2				L 3	L 4					
13N	23E	20											27.0						27.0
13N	23E	29						37.0	40.0			28.0							105.0
13N	23E	30	40.0	40.0	40.0	40.0	40.0	25.0											225.0
								L 1											

Total Acres: 2365.6

WATER RIGHT NO. 73-10041
As Modified by Transfer No. 76991

PLACE OF USE:		AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE																	
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13N	23E	19													X				X

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
2. Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
3. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
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. 73.
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 diversions and points of measurement described above.
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. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
8. Point of injection into Goldberg Creek. Point of rediversion from Pahsimeroi River.
9. 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. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
11. Place of use does not include federal public lands.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

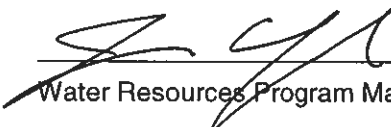
WATER RIGHT NO. 73-10041
As Modified by Transfer No. 76991

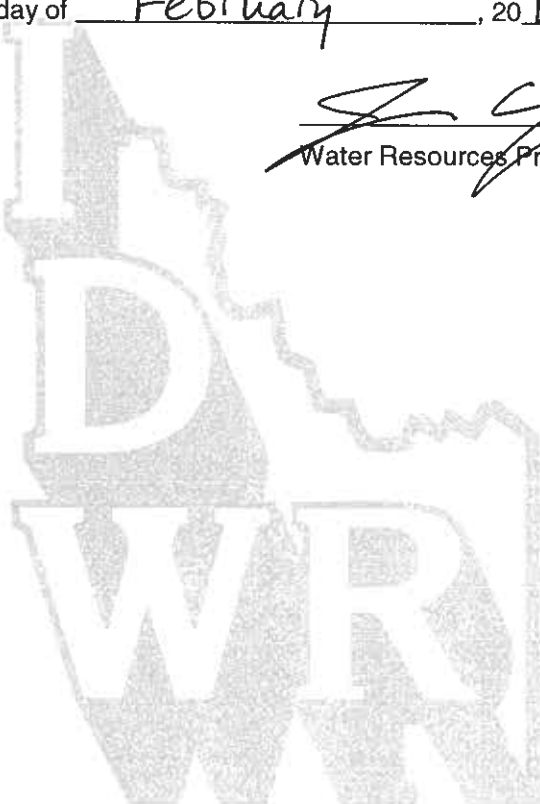
CONDITIONS OF APPROVAL

14. 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 18th day of February, 2011


Water Resources Program Manager



WATER RIGHT NO. 73-12110
As Modified by Transfer No. 76991

In accordance with the approval of Transfer No. 76991, Water Right No. 73-12110 is now described as follows.

Right Holder: FLYING JOSEPH RANCH LLC
 C/O JOSEPH CLARK
 7213 PERIMETER RD S
 SEATTLE WA 98108

Priority Date: April 01, 1969

Source: BIG CREEK

Tributary: PAHSIMEROI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	32.13 CFS	
DIVERSION TO STORAGE	01/01	to 12/31	0.67 CFS	
AESTHETIC STORAGE	01/01	to 12/31		110.9 AF
RECREATION STORAGE	01/01	to 12/31		110.9 AF
WILDLIFE STORAGE	01/01	to 12/31		110.9 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG CREEK NENW Sec. 13 Twp 13N Rge 23E CUSTER County
 BIG CREEK SWSWSE Sec. 20 Twp 13N Rge 23E CUSTER County
 (Rediversion)
 BIG CREEK SESW Sec. 27 Twp 13N Rge 23E CUSTER County
 (Injection)

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 22E 1							19.0				35.0	41.0					95.0
13N 22E 2	31.0 L 1	9.6 L 2	8.3	40.0									40.0			40.0	168.9
13N 22E 11	37.0			33.0									27.0			29.0	126.0
13N 22E 12		.5	23.0		2.6	41.0	40.0	1.1	41.0	31.0	30.0	37.0	41.0	39.0			327.2
13N 22E 13		23.0	12.0		15.0	37.0	9.9	16.0	.2		9.8		23.0		34.0		179.9
13N 22E 14	17.0			21.0									36.0	20.0	31.0	37.0	162.0
13N 22E 23	40.0	37.0	23.0	40.0									12.0				152.0
13N 22E 24	8.0	.5	30.0	12.0	19.0	40.0	40.0	40.0	37.0	28.0			39.0	39.0			332.5
13N 23E 18											18.0 L 4						18.0
13N 23E 19		25.0	39.0	25.5	27.6	32.4 L 1	7.8 L 2	38.0	27.8	29.0 L 3	25.0 L 4	40.0	32.5	29.5	40.0	28.0	447.1
13N 23E 20										27.0							27.0
13N 23E 29						37.0	40.0			28.0							105.0
13N 23E 30	40.0	40.0	40.0	40.0	40.0	25.0 L 1											225.0

Total Acres: 2365.6

WATER RIGHT NO. 73-12110
As Modified by Transfer No. 76991

PLACE OF USE: AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE																			
Twp Rge Sec			NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	23E	19													X			X	

CONDITIONS OF APPROVAL

1. The pond established by the storage of water under this right shall not exceed a total capacity of 88 acre-feet or a total surface area of 11 acres.
2. Rights 73-147A, 73-10041, and 73-12110 authorize the diversion of an annual total of 110.9 acre-feet to be used for the initial filling of a pond and for the replacement of losses caused by evaporation from the pond.
3. Rights 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041, and 73-12110 when combined shall not exceed the irrigation of 2365.6 acres.
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. 73.
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 diversions and points of measurement described above.
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. The appropriator is entitled to the quantity of water described above at the following points of measurement:
T13N, R22E, S13, SWNW
T13N, R23E, S19, SWSE
T13N, R23E, S19, SESE
T13N, R23E, S20, SWSW
8. Point of injection into Goldburg Creek. Point of rediversion from Pahsimeroi River.
9. 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. Right Nos. 73-147A, 73-147C, 73-150D, 73-189 and 73-10040 are diverted through the point of diversion described above. Right Nos. 73-10041 and 73-12110 are rediverted from the Pahsimeroi River through the point of diversion described above in T13N, R23E, S20, SWSWSE.
11. Place of use does not include federal public lands.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

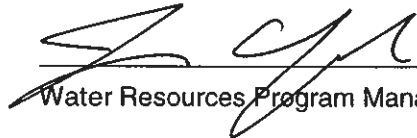
WATER RIGHT NO. 73-12110
As Modified by Transfer No. 76991

CONDITIONS OF APPROVAL

14. 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 18th day of February, 20 11


Water Resources Program Manager

