

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74649

This is to certify that: CONTRARY LIMITED PARTNERSHIP
 3776 W 3700 N
 DARLINGTON ID 83255
 (208) 588-2957

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>
34-481	WR/Decreed	11/15/1883	1.25 cfs	N/A	62.5	221.0	ANTELOPE CREEK
34-482	WR/Decreed	10/15/1893	1.5 cfs	N/A	75.0	221.0	ANTELOPE CREEK
34-849B	WR/Decreed	06/01/1895	1.4 cfs	N/A	70.0	221.0	ANTELOPE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-481	NO	NO	NO	YES	NO	NO
34-482	NO	NO	NO	YES	NO	NO
34-849B	NO	NO	NO	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>
34-481	34-481	1.25 cfs	N/A	62.5	221.0		N/A	N/A	N/A	N/A
34-482	34-482	1.5 cfs	N/A	75.0	221.0		N/A	N/A	N/A	N/A
34-849B	34-849B	1.4 cfs	N/A	70.0	221.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.15 cfs	N/A	207.5	221		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of February, 2010

SUPPORT DATA  Eastern Region Program Manager

IN FILE # 34-481

WATER RIGHT NO. 34-481
As Modified by Transfer No. 74649

In accordance with the approval of Transfer No. 74649, Water Right No. 34-481 is now described as follows.

Right Holder: CONTRARY LIMITED PARTNERSHIP
 3776 W 3700 N
 DARLINGTON ID 83255

Priority Date: November 15, 1883

Source: ANTELOPE CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION

From

05/01 to 10/15

To

Diversion Rate

1.25 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANTELOPE CREEK NWSENE Sec. 21 Twp 05N Rge 25E CUSTER County
 ANTELOPE CREEK SWNWSE Sec. 35 Twp 06N Rge 25E 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	
06N	25E	35	18.0	39.0	36.0	35.0									40.0	32.0			200.0
06N	25E	36					21.0												21.0

Total Acres: 221

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 62.5 acres within the place of use described above in a single irrigation season.
2. Rights 34-194A, 34-481, 34-482, 34-849B and 34-2367 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 221 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. 34.
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. 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.
6. 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. 34-481
As Modified by Transfer No. 74649

CONDITIONS OF APPROVAL

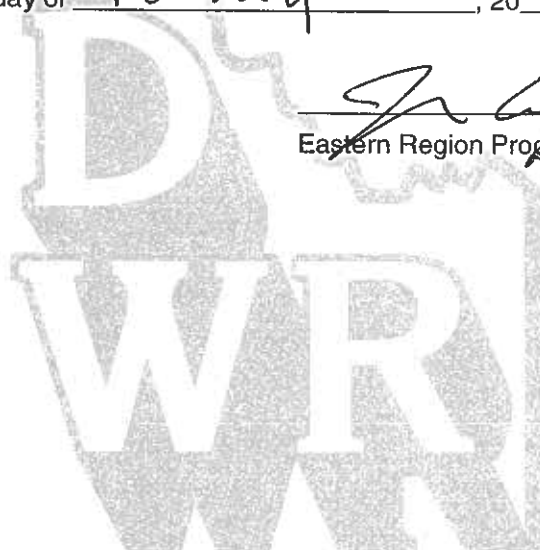
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. Water is delivered through Hanrahan Ditch and/or a private point of diversion.
11. This right does not grant any right-of-way or easement across the land of another.

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 17th day of February, 20 10



Eastern Region Program Manager



WATER RIGHT NO. 34-482
As Modified by Transfer No. 74649

In accordance with the approval of Transfer No. 74649, Water Right No. 34-482 is now described as follows.

Right Holder: CONTRARY LIMITED PARTNERSHIP
 3776 W 3700 N
 DARLINGTON ID 83255

Priority Date: October 15, 1893

Source: ANTELOPE CREEK **Tributary:** BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANTELOPE CREEK	NWSENE	Sec. 21 Twp 05N	Rge 25E	CUSTER County
ANTELOPE CREEK	SWNWSE	Sec. 35 Twp 06N	Rge 25E	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		
06N	25E	35	18.0	39.0	36.0	35.0												40.0	32.0	200.0
06N	25E	36					21.0													21.0

Total Acres: 221

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 75 acres within the place of use described above in a single irrigation season.
2. Rights 34-194A, 34-481, 34-482, 34-849B and 34-2367 when combined shall not exceed a total diversion rate of 6.18 cfs and the irrigation of 221 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. 34.
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. Water is delivered through Hanrahan Ditch and/or a private point of diversion.
6. 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. 34-482
As Modified by Transfer No. 74649

CONDITIONS OF APPROVAL

7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 lands above.
11. This right does not grant any right-of-way or easement across the land of another.

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 17th day of February, 20 10



Eastern Region Program Manager

WATER RIGHT NO. 34-849B
As Modified by Transfer No. 74649

In accordance with the approval of Transfer No. 74649, Water Right No. 34-849B is now described as follows.

Right Holder: CONTRARY LIMITED PARTNERSHIP
 3776 W 3700 N
 DARLINGTON ID 83255

Priority Date: June 01, 1895

Source: ANTELOPE CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	1.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

ANTELOPE CREEK	NWSENE	Sec. 21 Twp 05N	Rge 25E	CUSTER County
ANTELOPE CREEK	SWNWSE	Sec. 35 Twp 06N	Rge 25E	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		
06N	25E	35	18.0	39.0	36.0	35.0												40.0	32.0	200.0
06N	25E	36					21.0													21.0

Total Acres: 221

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70 acres within the place of use described above in a single irrigation season.
2. Rights 34-194A, 34-481, 34-482, 34-849B and 34-2367 when combined shall not exceed a total diversion rate of 6.18 cfs, and the irrigation of 221 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. 34.
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. Water is delivered through Hanrahan Ditch and/or a private point of diversion.
6. 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. 34-849B
As Modified by Transfer No. 74649

CONDITIONS OF APPROVAL

7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 lands above.
11. This right does not grant any right-of-way or easement across the land of another.

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 17th day of February, 20 10



Eastern Region Program Manager

