

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72561

This is to certify that: RANDY D PEHRSON

And

PEGGY PEHRSON

RT 1 BOX 32

DARLINGTON ID 83255

(208)588-2532

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>
34-10237	WR/Decreed	07/21/1886	1.8 cfs	N/A	90.0	496.0	BIG LOST RIVER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

<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>
34-12036	WR/Decreed	04/15/1980	0.5 cfs	N/A	N/A	190.0	GROUND WATER
34-2403	WR/Decreed	03/31/1961	3.2 cfs	553 af	160.0	190.0	GROUND WATER
34-484	WR/Decreed	06/01/1889	2 cfs	N/A	100.0	190.0	BIG LOST RIVER
34-488A	WR/Decreed	06/01/1898	0.4 cfs	N/A	20.0	190.0	BIG LOST RIVER
34-878B	WR/Decreed	04/22/1884	0.5 cfs	N/A	N/A	190.0	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>
34-10237	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>
34-10237	34-13875	0.8 cfs	N/A	40.0	190.0	34-13874	1 cfs	N/A	50.0	496.0
COMBINED TOTALS		0.8 cfs	N/A	40.0	190.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of September, 2008

Chief, Water Allocation Bureau

SUPPORT DATA

34-10237
IN FILE #

[illegible]

WATER RIGHT NO. 34-13874
As Modified by Transfer No. 72561

CONDITIONS OF APPROVAL

1. Use of this right with right nos. 34-727B, 34-10236, and 34-13571 is limited to a total combined diversion rate of 3.80 CFS.
2. Use of this right with rights listed below is limited to a total combined diversion rate of 14.05 CFS. Combined Right Nos.: 34-550B, 34-551B, 34-727B, 34-2407, 34-7160, 34-10236, 34-10238, 34-13570, and 34-13571.
3. This right when combined with 34-727B is limited to the irrigation of 90 acres within the place of use described above.
4. Use of this right with the rights listed below is limited to the irrigation of a combined total of 496 acres in a single irrigation season. Combined Right Nos.: 34-550B, 34-551B, 34-727B, 34-2407, 34-7160, 34-10236, 34-10238, 34-13570, and 34-13571.
5. This right is split from right 34-10237 which was a combination of old right nos. 34-725 and 34-730.
6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use
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. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
9. The appropriator is entitled to the quantity of water described for stock water purposes at a point of measurement where the delivery ditch enters the place of use described.
10. The quantity of water under this right for stockwater use shall not exceed 13,00 gallons per day.
11. Right includes accomplished change in place of use pursuant to section 42-1425, Idaho Code.
12. Water is delivered through the Burnett Ditch.

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 25th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13875
As Modified by Transfer No. 72561

In accordance with the approval of Transfer No. 72561, Water Right No. 34-13875 is now described as follows.

Right Holder: JOSH PEHRSON
P O BOX 32
MACKAY ID 83251

Priority Date: July 21, 1886

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01 to	10/15	0.80 CFS
			0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER SENWNW Sec. 34 Twp 07N Rge 24E 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	26E	6											36.0	31.0			8.0		75.0
													L 7						
06N	26E	7		36.0			40.0	39.0											115.0
								L 1											

Total Acres: 190

CONDITIONS OF APPROVAL

1. 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
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
5. Rights 34-484, 34-488A, 34-878B, 34-2403, 34-12036, and 34-13875 when combined shall not exceed a total diversion rate of 4.91 cfs, and the irrigation of 190 acres.
6. Rights 34-484, 34-488A, 34-878B and 34-13875 when combined shall not exceed a total diversion rate of 3.7 cfs and the irrigation of 190 acres.

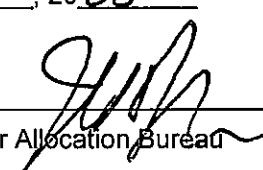
WATER RIGHT NO. 34-13875
As Modified by Transfer No. 72561

CONDITIONS OF APPROVAL

7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than SRBA partial decree date.
8. The right holder shall accomplish the change authorized by this transfer within 1 year 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. 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 25th day of September, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-878B
As Modified by Transfer No. 72561

In accordance with the approval of Transfer No. 72561, Water Right No. 34-878B is now described as follows.

Right Holder: JOSH PEHRSON
P O BOX 32
MACKAY ID 83251

Priority Date: April 22, 1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01 to	10/15	0.50 CFS
STOCKWATER	1/01 to	12/31	0.02 CFS
			0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER SENWNW Sec. 34 Twp 07N Rge 24E 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	26E	6									36.0	31.0					8.0		75.0
06N	26E	7			36.0		40.0	39.0											115.0

Total Acres: 190

CONDITIONS OF APPROVAL

1. Use of this right with rights listed below is limited to the irrigation of a combined total of 190 acres in a single irrigation season. Combined right nos.: 34-00484, 34-00488A, 34-02403, 34-12036 and 34-13875.
2. Water is delivered through the Burnett Ditch.
3. Use of this right with rights listed below is limited to a total combined diversion rate of 4.91 cfs. Combined right nos.: 34-00484, 34-02403, 34-00488A, 34-12036 and 34-13875.
4. The appropriator is entitled to the quantity of water described for stock water purposes at a point of measurement where the delivery ditch enters the place of use described.
5. Rights 34-484, 34-488A, 34-878B and 34-13875 when combined shall not exceed a total diversion rate of 3.7 cfs and the irrigation of 190 acres.
6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

WATER RIGHT NO. 34-878B
As Modified by Transfer No. 72561

CONDITIONS OF APPROVAL

7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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 25th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-484
As Modified by Transfer No. 72561

In accordance with the approval of Transfer No. 72561, Water Right No. 34-484 is now described as follows.

Right Holder: JOSH PEHRSON
P O BOX 32
MACKAY ID 83251

Priority Date: June 01, 1889

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01 to	10/15	2.00 CFS
			2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER SENWNW Sec. 34 Twp 07N Rge 24E 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 26E 6							36.0	31.0							8.0		75.0
							L 7										
06N 26E 7		36.0			40.0	39.0											115.0
						L 1											

Total Acres: 190

CONDITIONS OF APPROVAL

1. Use of this right with rights listed below is limited to the irrigation of a combined total of 190 acres in a single irrigation season. Combined right nos: 34-02403, 34-00488A, 34-00878B, 34-13875 and 34-12036.
2. Use of this right with rights listed below is limited to a total combined diversion rate of 4.91 cfs. Combined rights nos: 34-02403, 34-00488A, 34-00878B, 34-13875 and 34-12036.
3. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. Rights 34-484, 34-488A, 34-878B and 34-13875 when combined shall not exceed a total diversion rate of 3.7 cfs and the irrigation of 190 acres.

WATER RIGHT NO. 34-484
As Modified by Transfer No. 72561

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. Water is delivered through Burnett Ditch.

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 25th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-488A
As Modified by Transfer No. 72561

In accordance with the approval of Transfer No. 72561, Water Right No. 34-488A is now described as follows.

Right Holder: JOSH PEHRSON
P O BOX 32
MACKAY ID 83251

Priority Date: June 01, 1898

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01 to	10/15	0.40 CFS
			0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER SENWNW Sec. 34 Twp 07N Rge 24E 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	26E	6											36.0	31.0			8.0		75.0
													L 7						
06N	26E	7		36.0			40.0	39.0											115.0
								L 1											

Total Acres: 190

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
3. Water is delivered through Burnett Ditch.
4. Use of this right with rights listed below is limited to the irrigation of a combined total of 190 acres in a single irrigation season. Combined right nos: 34-02403, 34-00484, 34-00878B, 34-13875 and 34-12036.
5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. Rights 34-484, 34-488A, 34-878B and 34-13875 when combined shall not exceed a total diversion rate of 3.7 cfs and the irrigation of 190 acres.

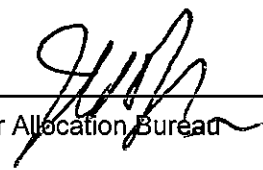
WATER RIGHT NO. 34-488A
As Modified by Transfer No. 72561

CONDITIONS OF APPROVAL

7. Use of this right with rights listed below is limited to a total combined diversion rate of 4.91 cfs. Combined rights nos: 34-02403, 34-00484, 34-00878B, 34-13875 and 34-12036.
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.

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 25th day of September, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2403
As Modified by Transfer No. 72561

In accordance with the approval of Transfer No. 72561, Water Right No. 34-2403 is now described as follows.

Right Holder: JOSH PEHRSON
P O BOX 32
MACKAY ID 83251

Priority Date: March 31, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01 to 10/31	3.20 CFS	553.0 AF
		3.20 CFS	553.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 (NESWSW) Sec. 6 Twp 06N Rge 26E BUTTE 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	26E	6											36.0	31.0			8.0		75.0
													L 7						
06N	26E	7		36.0			40.0	39.0											115.0
								L 1											

Total Acres: 190

CONDITIONS OF APPROVAL

1. Use of this right with rights listed below is limited to a total combined diversion rate of 4.91 cfs. Combined right nos.: 34-00484, 34-00488A, 34-00878B, 34-12036 and 34-13875.
2. Right no. 34-12036 is an expansion of this right pursuant to Section 42-1426, Idaho Code.
3. Use of this right with rights listed below is limited to the irrigation of a combined total of 190 acres in a single irrigation season. Combined right nos.: 34-00484, 34-00488A, 34-00878B, 34-12036 and 34-13875.
4. Right no. 34-12036 is also diverted through point of diversion described above.
5. Use of this right with right no. 34-12036 is limited to a total combined diversion rate of 3.20 cfs, and to a total combined annual diversion volume of 665.0 af.
6. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

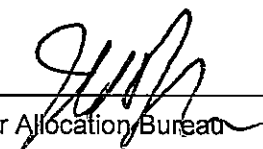
WATER RIGHT NO. 34-2403
As Modified by Transfer No. 72561

CONDITIONS OF APPROVAL

7. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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 25th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-12036
As Modified by Transfer No. 72561

In accordance with the approval of Transfer No. 72561, Water Right No. 34-12036 is now described as follows.

Right Holder: JOSH PEHRSON
P O BOX 32
MACKAY ID 83251

Priority Date: April 15, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	4/01 to 10/31	0.50 CFS
		0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 (NESWSW) Sec. 6 Twp 06N Rge 26E BUTTE 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 26E 6											36.0	31.0				8.0	75.0
06N 26E 7			36.0		40.0	39.0					L 7						115.0
						L 1											

Total Acres: 190

CONDITIONS OF APPROVAL

1. This right is based upon an enlargement of right no. 34-02403 pursuant to Section 42-1426, Idaho Code.
2. Right no. 34-02403 is also diverted through the point of diversion described above.
3. Use of this right with right no. 34-02403 is limited to a total combined diversion rate of 3.20 cfs, and a total combined annual diversion volume of 665.0 af.
4. Use of this right with rights listed below is limited to a total combined diversion rate of 4.91 cfs. Combined right nos: 34-00484, 34-00488A, 34-00878B, 34-02403 and 34-13875.
5. Use of this right with rights listed below is limited to the irrigation of a combined total of 190 acres in a single irrigation season. Combined right nos.: 34-00484, 34-00488A, 34-00878B, 34-02403 and 34-13875.

WATER RIGHT NO. 34-12036
As Modified by Transfer No. 72561

CONDITIONS OF APPROVAL

6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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 25th day of September, 20 08



Chief, Water Allocation Bureau