

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74777**

This is to certify that: ROGER A BROWNING
360 N BEDFORD DR STE 204
BEVERLY HILLS CA 90210-5157
(310)275-5100

And

KATHERINE A BROWNING
360 N BEDFORD DR STE 204
BEVERLY HILLS CA 90210-5157
(310)278-5100

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>
71-4055B	WR/Decreed	01/17/1940	0.06 cfs	N/A	N/A	2.1	GOAT CREEK
71-10854	WR/Decreed	01/17/1940	0.22 cfs	N/A	5.0	13.0	GOAT 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>
71-4055B	NO	NO	NO	YES	NO	NO
71-10854	NO	NO	NO	YES	NO	NO

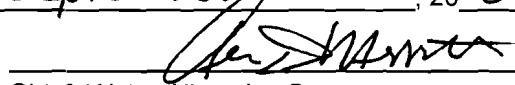
Summary of Water Rights After the Approved Change

<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>
71-4055B	71-4055B	0.06 cfs	N/A	N/A	2.1	N/A	N/A	N/A	N/A	N/A
71-10854	71-10854	0.22 cfs	N/A	5.0	13.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.28 cfs	N/A		15.1	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of September, 20 08

For


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 71-4055B

WATER RIGHT NO. 71-4055B
As Modified by Transfer No. 74777

In accordance with the approval of Transfer No. 74777, Water Right No. 71-4055B is now described as follows.

Right Holder: KATHERINE A BROWNING
 360 N BEDFORD DR STE 204
 BEVERLY HILLS CA 90210-5157

And

ROGER A BROWNING
 360 N BEDFORD DR STE 204
 BEVERLY HILLS CA 90210-5157

Priority Date: January 17, 1940

Source: GOAT CREEK

Tributary: VALLEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/31	0.06 CFS	
			0.06 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GOAT CREEK	SESESW	Sec. 8 Twp 10N Rge 13E CUSTER County
GOAT CREEK	NWSWSE	Sec. 8 Twp 10N Rge 13E CUSTER County
GOAT CREEK	NWSWSE	Sec. 8 Twp 10N Rge 13E 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	
10N 13E 8															2.1		2.1

Total Acres: 2.1

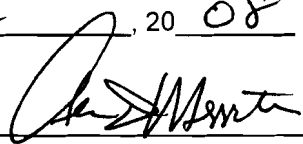
WATER RIGHT NO. 71-4055B
As Modified by Transfer No. 74777

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. 170.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
5. 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.
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 diversion(s).

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 16th day of September, 20 08



FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 71-10854
As Modified by Transfer No. 74777

In accordance with the approval of Transfer No. 74777, Water Right No. 71-10854 is now described as follows.

Right Holder: ROGER A BROWNING TRUST
 ROGER A BROWNING
 360 N BEDFORD DR STE 204
 BEVERLY HILLS CA 90210-5157

And

KATHERINE A BROWNING
 360 N BEDFORD DR STE 204
 BEVERLY HILLS CA 90210-5157

Priority Date: January 17, 1940

Source: GOAT CREEK

Tributary: VALLEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01 to	12/31	0.02 CFS	
IRRIGATION	5/01 to	10/31	0.20 CFS	
			0.22 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GOAT CREEK SESESW Sec. 8 Twp 10N Rge 13E CUSTER County

GOAT CREEK NWSWSE Sec. 8 Twp 10N Rge 13E CUSTER County

GOAT CREEK NWSWSE Sec. 8 Twp 10N Rge 13E CUSTER County

PLACE OF USE: IRRIGATION

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>	
10N	13E	8															13.0		13.0

Total Acres: 13

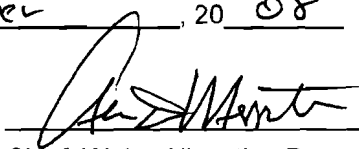
WATER RIGHT NO. 71-10854
As Modified by Transfer No. 74777

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. 170.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
5. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.
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. Rights 71-10853 and 71-10854 when combined shall not exceed a total irrigation of 13 acres.
8. 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).

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 16th day of September, 20 08



FOR Chief, Water Allocation Bureau