

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72685

This is to certify that: LYNN O ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231
 (208)588-2283

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>
34-13877	WR/Decreed	01/30/1961	0.02 cfs	6 af	1.7	1.7	GROUND WATER

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

34-39	WR/Decreed	06/01/1885	0.60 cfs	N/A	30.0	265.0	BIG LOST RIVER
34-40	WR/Decreed	06/30/1891	2.00 cfs	N/A	100.0	265.0	BIG LOST RIVER
34-41	WR/Decreed	06/01/1898	1.20 cfs	N/A	60.0	265.0	BIG LOST RIVER
34-4037	WR/Decreed	05/01/1936	7.84 cfs	N/A	N/A	295.0	UNNAMED STREAM
34-10464	WR/Decreed	10/12/1884	1.80 cfs	N/A	90.0	265.0	BIG LOST RIVER
34-13876	WR/Decreed	01/30/1961	1.96 cfs	687 af	196.3	249.3	GROUND WATER

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>
34-13877	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>
34-13877	34-13877	0.02 cfs	6.0 af	N/A	1.7		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.02 cfs	6.0 af	N/A	1.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of June, 20 06


 Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 34-13877

WATER RIGHT NO. 34-13877
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-13877 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: January 30, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.02 CFS	6.0 AF
		0.02 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 14 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	25E	14	1.7				1.7

Total Acres: 1.7

CONDITIONS OF APPROVAL

1. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
2. 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.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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 14th day of June, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-39
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-39 is now described as follows.

Right Holder: TED J ROTHWELL And
 LYNN O ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: June 01, 1885

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01 to	10/15	0.60 CFS	
			0.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NENESW	Sec. 10 Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWSESW	Sec. 11 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	12											40.0	40.0			40.0	40.0	160.0
06N	25E	13			40.0		35.3	27.0											102.3

Total Acres: 262.3

CONDITIONS OF APPROVAL

1. 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.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
5. This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.
6. Water is delivered through Angelo Ditch and Beck/MC Gowan Ditch.
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 14th day of June, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-40
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-40 is now described as follows.

Right Holder: TED J ROTHWELL And
 LYNN O ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: June 30, 1891

Source: BIG LOST RIVER

Tributary: SINKS

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

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NENESW	Sec. 10 Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWSESW	Sec. 11 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					
06N	25E	12											40.0	40.0			40.0	40.0	160.0
06N	25E	13			40.0		35.3	27.0											102.3

Total Acres: 262.3

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. 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.
3. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. Water is delivered through Angelo Ditch and Beck/MC Gowan Ditch.
6. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7. This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.

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 14th day of June, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-41
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-41 is now described as follows.

Right Holder: TED J ROTHWELL And
 LYNN O ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

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>	<u>Volume</u>
IRRIGATION	5/01 to	10/15	1.20 CFS	
			1.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NENESW	Sec. 10 Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWSESW	Sec. 11 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 12												40.0	40.0			40.0	40.0	160.0
06N 25E 13			40.0		35.3	27.0												102.3

Total Acres: 262.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
2. 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.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.
5. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
6. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
7. Water is delivered through Angelo Ditch and Beck/MC Gowan 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 14th day of June, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-10464
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-10464 is now described as follows.

Right Holder: TED J ROTHWELL And
 LYNN O ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: October 12, 1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01 to	10/15	1.80 CFS	
			1.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NENESW	Sec. 10 Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWSESW	Sec. 11 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	12											40.0	40.0			40.0	40.0	160.0
06N	25E	13			40.0		35.3	27.0											102.3

Total Acres: 262.3

CONDITIONS OF APPROVAL

1. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.
5. 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.
6. 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.
7. Water is delivered through Angelo Ditch and Beck/MC Gowan 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 14th day of June, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-4037
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-4037 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 TED J ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1936

Source: UNNAMED STREAM

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01 to	10/15	7.84 CFS	
			7.84 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SESENE Sec. 10 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	12											40.0	40.0			40.0	40.0	160.0
06N	25E	13			40.0		35.3	27.0											102.3
06N	25E	14	30.0																30.0

Total Acres: 292.3

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
4. Water is delivered through Angelo 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 14th day of June, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13876
As Modified by Transfer No. 72685

In accordance with the approval of Transfer No. 72685, Water Right No. 34-13876 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 TED J ROTHWELL
 RT 1
 DARLINGTON ID 83231

Priority Date: January 30, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	1.96 CFS	687.0 AF
		1.96 CFS	687.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 12 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					
06N	25E	12																151.0	
06N	25E	13			39.0					32.3	27.0							98.3	

Total Acres: 249.3

CONDITIONS OF APPROVAL

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. This right is limited to the irrigation of 196.3 acres within the place of use described above in a single irrigation season.
3. Rights 34-39, 34-40, 34-41, 34-4037, 34-10464, 34-13876 and 34-13877 when combined shall not exceed a total diversion rate of 8.40 cfs and the irrigation of 292.3 acres.
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.

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 14th day of June, 20 06


 Chief, Water Allocation Bureau