

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 72552**

This is to certify that: ALEXANDER CHERIAN  
 PO BOX 720  
 KETCHUM ID 83340  
 (208)726-1042

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>  |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|----------------|
| 34-269D      | WR/Decreed          | 06/30/1897      | 0.23 cfs    | N/A           | N/A               | 12.0               | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 34-269D               | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 34-269D               | 34-269D                          | 0.23 cfs             | N/A                    | N/A               | 12.0               |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.23 cfs</b>      | <b>N/A</b>             | <b>N/A</b>        | <b>12.0</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 22<sup>nd</sup> day of May, 2006

  
 Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-269D**  
**As Modified by Transfer No. 72552**

In accordance with the approval of Transfer No. 72552, Water Right No. 34-269D is now described as follows.

**Right Holder:** ALEXANDER CHERIAN  
 PO BOX 720  
 KETCHUM ID 83340

**Priority Date:** June 30, 1897

**Source:** BIG LOST RIVER                      **Tributary:** SINKS

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | to 10/15  | 0.23 CFS              |               |
|                       |             |           | 0.23 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG LOST RIVER                      L4 (NWNW)                      Sec. 5   Twp 08N   Rge 22E   CUSTER County

BIG LOST RIVER                      L1 (NENE)                      Sec. 6   Twp 08N   Rge 22E   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 |        |
| 08N | 22E | 5   |    |    |    |    | 6.5 | 5.5 |    |    |    |    |    |    |    |    |    |    | 12.0   |
|     |     |     |    |    |    |    | L3  | L4  |    |    |    |    |    |    |    |    |    |    |        |

Total Acres: 12

**CONDITIONS OF APPROVAL**

1. Pursuant to a call in times of scarcity, this right is junior to all other rights diverted above Mackay Reservoir with a priority date before July 21, 1997.
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. 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.
4. Rights 34-269D and 34-2456D when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 42 af at the field headgate, and the irrigation of 12 acres.
5. Place of use is located within Lots 2-4; Winterhaven Subdivision.

**WATER RIGHT NO. 34-269D**  
**As Modified by Transfer No. 72552**

**CONDITIONS OF APPROVAL**

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. 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.
10. 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).
11. Diversion of water under this right is limited to those times when water is available for diversion under the priority of this right at the original point of diversions in SESWNE, S18, T07N, R24E.

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 22<sup>nd</sup> day of May, 20 06

  
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Chief, Water Allocation Bureau