

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71590

This is to certify that: ANTHONY O ALOSI
 4129 N 4100 W
 MACKAY ID 83251
 208-588-3332

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>
34-10895	WR/Decreed	08/29/1960	4.60 cfs	805 af	N/A	230.0	GROUND WATER

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

34-374B	WR/Decreed	04/28/1898	1.60 cfs	N/A	80.0	188.0	BIG LOST RIVER
34-459	WR/Decreed	10/12/1884	0.16 cfs	N/A	8.0	188.0	BIG LOST RIVER
34-490	WR/Decreed	05/06/1899	1.00 cfs	N/A	N/A	188.0	BIG LOST RIVER
34-12365	WR/Decreed	05/31/1884	1.00 cfs	N/A	50.0	188.0	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>
34-10895	NO	NO	YES	NO	YES	YES

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>
34-10895	34-10895	4.60 cfs	804.0 af	N/A	229.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.60 cfs	804.0 af	N/A	229.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of March, 2005

SUPPORT DATA

IN FILE # 34-10895


 Chief, Water Allocation Bureau

WATER RIGHT NO. 34-10895
As Modified by Transfer No. 71590

In accordance with the approval of Transfer No. 71590, Water Right No. 34-10895 is now described as follows.

Right Holder: ANTHONY O ALOSI
 4129 N 4100 W
 MACKAY ID 83251

Priority Date: August 29, 1960

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	4.58 CFS	801.5 AF
DIVERSION TO STORAGE	01/01	to 12/31	0.02 CFS	
RECREATION STORAGE	01/01	to 12/31		2.5 AF
			4.60 CFS	804.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (SWNWNE) Sec. 6 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	6	41.0	40.0	39.0	38.0	11.0		30.0						15.0	15.0			229.0
			L 1	L 2			L 3		L 5										

Total Acres: 229

PLACE OF USE: RECREATION STORAGE

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	6														X			

CONDITIONS OF APPROVAL

1. Rights 34-00374B, 34-00375B, 34-00459, 34-00490, 34-12365 and 34-10895 when combined shall not exceed a total diversion rate of 6.27 cfs and the irrigation of 229 acres.
2. The reservoir established by the storage of water under this right shall not exceed a total capacity of 2.5 acre feet or a total surface area of .4 acres.
3. This right authorizes the diversion of an annual total of 2.5 af of water to be used for the initial filling of the reservoir, and for the replacement of losses caused by evaporation from the reservoir.
4. 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.

WATER RIGHT NO. 34-10895
As Modified by Transfer No. 71590

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year 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. 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 14th day of March, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-459
As Modified by Transfer No. 71590

In accordance with the approval of Transfer No. 71590, Water Right No. 34-459 is now described as follows.

Right Holder: ANTHONY O ALOSI And
 PAMELA S LUMLEY
 4129 N 4100 W
 MACKAY ID 83251

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	05/01	to 10/15	0.16 CFS	
			0.16 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	SWNESE	Sec. 6	Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWNESE	Sec. 6	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	6	38.0	37.0	40.0	35.0									17.0	21.0			188.0
			L1	L2															

Total Acres: 188

CONDITIONS OF APPROVAL

1. Rights 34-374B, 34-459, 34-490, 34-10895 and 34-12365 when combined shall not exceed a total diversion rate of 4.60 cfs, and the irrigation of 229 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-374B, 34-459, 34-490 and 34-12365 shall not exceed 3.76 cfs, nor a total combined annual volume of 658 af and the irrigation of 188 acres.
3. This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. 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.

WATER RIGHT NO. 34-459
As Modified by Transfer No. 71590

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 delivered through the Sutter ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 14th day of March, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-490
As Modified by Transfer No. 71590

In accordance with the approval of Transfer No. 71590, Water Right No. 34-490 is now described as follows.

Right Holder: PAMELA S LUMLEY And
 ANTHONY O ALOSI
 4129 N 4100 W
 MACKAY ID 83251

Priority Date: May 06, 1899

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	10/15	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	SWNESE	Sec. 6	Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWNESE	Sec. 6	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	6	38.0	37.0	40.0	35.0									17.0	21.0			188.0
			L 1	L 2															

Total Acres: 188

CONDITIONS OF APPROVAL

1. Rights 34-374B, 34-459, 34-490, 34-10895 and 34-12365 when combined shall not exceed a total diversion rate of 4.60 cfs, and the irrigation of 229 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-374B, 34-459, 34-490 and 34-12365 shall not exceed 3.76 cfs, a total combined annual volume of 658 af and the irrigation of 188 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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. 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.
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.

WATER RIGHT NO. 34-490
As Modified by Transfer No. 71590

CONDITIONS OF APPROVAL

7. Water delivered through the Sutter ditch.
8. The right holder shall accomplish the change authorized by this transfer within one 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.
11. That portion of Right 34-490 described as a diversion rate of 0.60 cfs for irrigation use, and all of Right 34-375B have been relinquished through approval of Transfer 71233.

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 March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-12365
As Modified by Transfer No. 71590

In accordance with the approval of Transfer No. 71590, Water Right No. 34-12365 is now described as follows.

Right Holder: ANTHONY O ALOSI And
PAMELA S LUMLEY
4129 N 4100 W
MACKAY ID 83251

Priority Date: May 31, 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	05/01	10/15	1.00 CFS	
			1.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	SWNESE	Sec. 6	Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWNESE	Sec. 6	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	6	38.0	37.0	40.0	35.0									17.0	21.0			188.0
			L 1	L 2															

Total Acres: 188

CONDITIONS OF APPROVAL

1. Rights 34-374B, 34-459, 34-490, 34-10895 and 34-12365 when combined shall not exceed a total diversion rate of 4.60 cfs, and the irrigation of 229 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-374B, 34-459, 34-490 and 34-12365 shall not exceed 3.76 cfs, nor a total combined annual volume of 658 af and the irrigation of 188 acres.
3. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. 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.

WATER RIGHT NO. 34-12365
As Modified by Transfer No. 71590

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 delivered through the Sutter ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 14th day of March, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-374B
As Modified by Transfer No. 71590

In accordance with the approval of Transfer No. 71590, Water Right No. 34-374B is now described as follows.

Right Holder: PAMELA S LUMLEY And
 ANTHONY O ALOSI
 4129 N 4100 W
 MACKAY ID 83251

Priority Date: April 28, 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	05/01 to	10/15	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	SWNESE	Sec. 6	Twp 06N	Rge 25E	CUSTER County
BIG LOST RIVER	SWNESE	Sec. 6	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	6	38.0	37.0	40.0	35.0										17.0	21.0	188.0	
			L 1	L 2															

Total Acres: 188

CONDITIONS OF APPROVAL

1. Rights 34-374B, 34-459, 34-490, 34-10895 and 34-12365 when combined shall not exceed a total diversion rate of 4.60 cfs, and the irrigation of 229 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-374B, 34-459, 34-490 and 34-12365 shall not exceed 3.76 cfs, nor a total combined annual volume of 658 af and the irrigation of 188 acres.
3. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. 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.

WATER RIGHT NO. 34-374B
As Modified by Transfer No. 71590

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 delivered through the Sutter ditch.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 14th day of March, 2005


Chief, Water Allocation Bureau