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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5457
WATER RIGHT NO(S). 34-00320A/34-00428C/34-00894B

This is to certify that: JACK WALKER
LOIS WALKER
RT 1 BOX 119
MOORE ID 83255

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00320A :			
IRRIGATION	05/01 to 10/15	1.01 CFS	213.5 AF
Priority: 09/26/1894			
Right No. 34-00428C :			
IRRIGATION	05/01 to 10/15	0.36 CFS	63.0 AF
Priority: 06/01/1894			
Right No. 34-00894B :			
IRRIGATION	05/01 to 10/15	0.36 CFS	138.5 AF
Priority: 06/01/1895			
TOTAL:		* 1.73 CFS	* 213.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 4, Township 05N, Range 26E
SENE , Sec. 32, Township 06N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	26E	4	SWSW 37	NWSE 7	SWSE 17	61
Total number of acres irrigated:						61 **

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MAR 22 2000

TRANSFER NO. 5457
WATER RIGHT NO(S). 34-00320A/34-00428C/34-00894B

CONDITIONS OF APPROVAL AND REMARKS

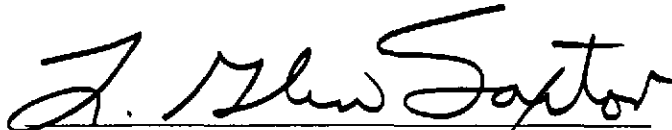
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Rights 34-00320A, 34-00428C, 34-00894B, 34-02447B and 34-10930B when combined shall not exceed a total diversion rate of 1.74 cfs, the maximum diversion volume of 213.5 af at the field headgate and the irrigation of 61 acres.
7. The total instantaneous diversion of water from all points of diversion under Transfer 5457 shall not exceed 1.73 cfs, nor a total combined annual volume of 213.5 af.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
9. 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 the date of this approval.
- ** 10. Right 34-00428C is limited to the irrigation of 18 acres within the place of use described above in a single irrigation season.

Dated this 9th day of

March

, 20

00


Chief, Water Allocation Bureau

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MAR 22 2000

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JUN 1 1999

RECEIVED

APR - 7 1998

Department of Water Resources
Adjudication Bureau

1998 MAR 31 PM 2: 00

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE
)
)
) For Water Right 34-00428C
)
)

On February 26, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 34-00428C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 31, 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-00428C

1998 MAR 31 PM 2:00

DISTRICT COURT-SREA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: LOIS WALKER
JACK WALKER
RT 1 BOX 119
MOORE ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.36 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.74 CFS. COMBINED RIGHT NOS.:
34-00320A, 34-00894B, 34-02447B AND 34-10930B.

PRIORITY DATE: 06/01/1894

POINT OF DIVERSION: T06N R26E S32 NWSENW Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.36 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County
	T05N R26E S04	SWSW 37 NWSE 7 SWSE 17
	61 ACRES TOTAL	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 61 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00320A, 34-00894B,
34-02447B AND 34-10930B.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 12, 1999

**BIG LOST RIVER IRRIGATION DISTRICT
C/O RON SCHNABEL
101 S MAIN AVE
MACKAY ID 83251**

RE: Application for Transfer #5457 and #5458

Dear Ron:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by June 7, 1999.

**If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.**

Respectfully submitted,

**Harold W. Jones
Water Right Supervisor**

HWJ:sc

enc.

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MAR 22 2009

MEMORANDUM

TO: FILE 34-00426

FROM: PAM SKAGGS

RE: TRANSFER # 5-457

DATE: 5-18-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 34-00326.

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11/1/00