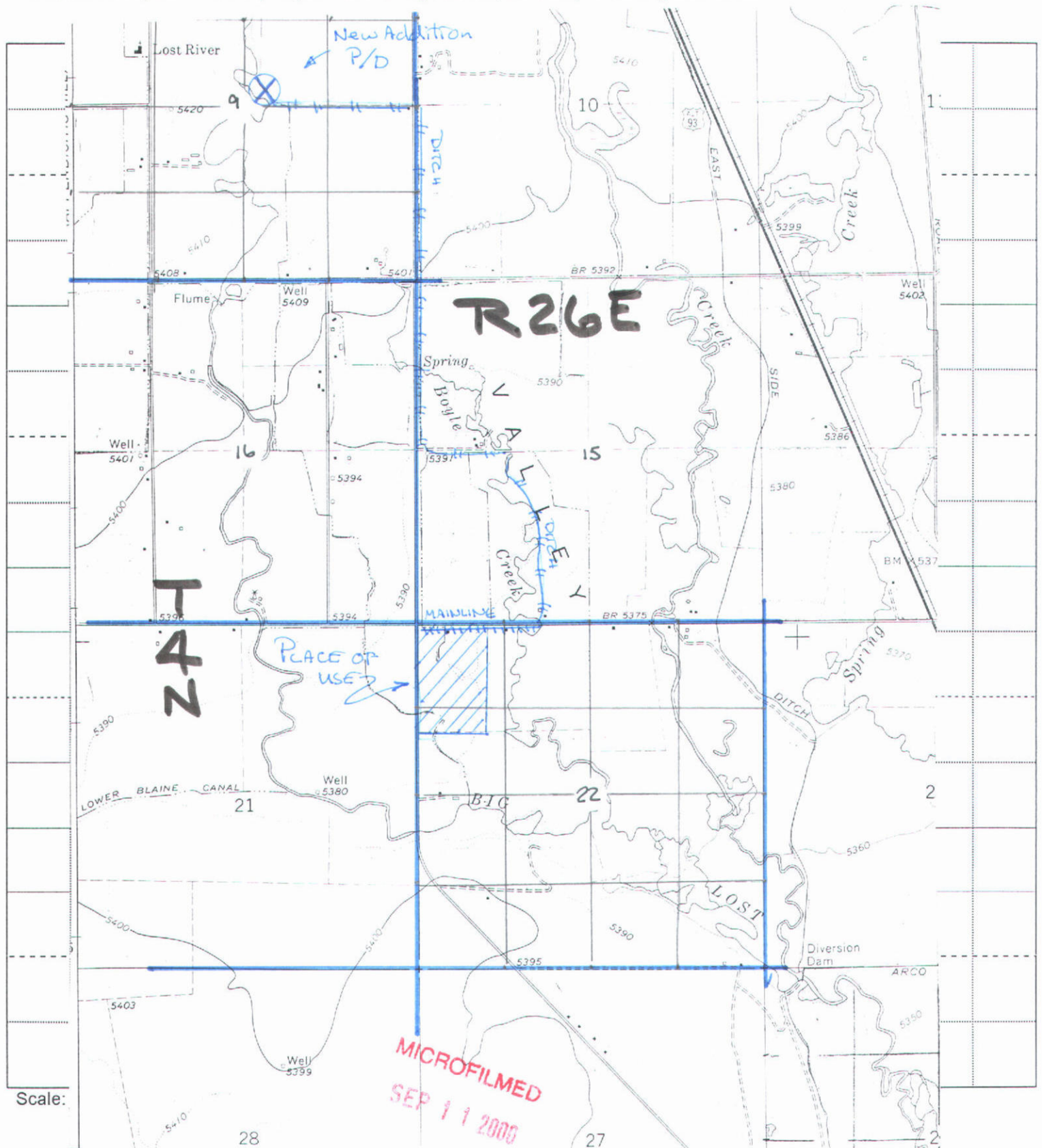


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCEAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 29 2002

By _____ Clerk

Deputy Clerk

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

	)	Water Right 34-171
In Re SRBA	)	
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on March 31, 1998. The period of use element was decreed as “irrigation season” In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P 2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director’s Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director’s Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as

PERIOD OF USE	05-01 to 10-15
---------------	----------------

The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated January 29, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
34-00171	COON, J. WILLARD	C		05/01/1886	D/	BIG LOST RIVER	IRR	WR
X34-00171	PU RANCH	C		05/01/1886	D/	BIG LOST RIVER	IRR	WR

34-00171	P U RANCH	C		05/01/1886	D/	BIG LOST RIVER	P DECR	AJ
A34-00171	P U RANCH	C		05/01/1886	D/	BIG LOST RIVER	IRR	AJ
R34-00171	P U RANCH	C		05/01/1886	D/	BIG LOST RIVER	P DECR	AJ

MICROFILMED

JUL 15 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5731
WATER RIGHT NO. 34-00171

This is to certify that: **PU RANCH**
4500 IMPERIAL AVE
SAN DIEGO CA 92113

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>
IRRIGATION	05/01 to 10/15	0.80 CFS	140.0 AF

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

Priority: 05/01/1886

LOCATION OF POINT(S) OF DIVERSION: SWSWNE , Sec. 9, Township 04N, Range 26E
NWSWSE , Sec. 4, Township 05N, 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>
04N	26E	22	NWNW 32	SWNW 8		40
Total number of acres irrigated:						40

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Use of water under this water right will be regulated by the watermaster of 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.

APPROVED

TRANSFER NO. 5731
WATER RIGHT NO. 34-00171

CONDITIONS OF APPROVAL AND REMARKS

6. The period of use for irrigation described above may be enlarged in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 as determined by the watermaster for Water District 34.
7. Water is delivered through the West Side Ditch from the Moore Diversion within NWSESE, Sec. 04, T5N, R26E.
8. Water shall not be diverted from the point of diversion within the SWSWNE, Sec. 09, T4N, R26E, unless high flows are available and the watermaster has approved use of the diversion.

Dated this 14th day of August, 2000.

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No 5731APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant P.U. Ranch Phone (619) 262-0861
(208) 527 3133 (RANCH)Post Office address 4500 Imperial Ave, San Diego Ca 92113

A. PURPOSE OF TRANSFER

- 1 ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2 Describe the reason for the proposed changes Add point of diversion to facilitate delivery of high water

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 34-00171 Priority 5/1/1886 Amount (cfs/ac-ft) 0.80 cfs Nature of Use Irrigation Period of Use 5/1 to 10/15
 _____ to _____
 _____ to _____
 _____ to _____

2. Total amount of water being transferred 0.80 cubic feet per second and/or _____ acre-feet per annum

3. Source of water BIG LOST RIVER tributary to SINKS

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	NE	9	4N	26E	BUTTE	Nickols Heading
	NW	SE	SE	4	5N	26E	BUTTE	Moore Diversion - West Side Ditch

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	22						32	08										40.0

MICROFILMED

Total Acres 40.

T5131

PART 1

6 General Information.

a. Description of diversion system Moore Canal, West Side Ditch to private ditches to place of use. Nickols heading diverts water directly from Big Lost River into private ditches (same ditches as above) then on to the place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

NONE

d Remarks

Will use Nickols heading during good water years; high water since this is a more direct route to place of use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

MICROFILMED
JUL 1 1987

A. DESCRIPTION OF RIGHT AS RECORDED:Claim No. "R 34-00171"

STAGE: DECREEED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.80 CFS

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

Priority: 05/01/1886

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

PLACE OF USE:

IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
---	---	---	:	---	---	---	---	---	:	---	---	---	---	---	:	---	---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---
04N	26E	22	:						:			32		08	:				:												40.0	
																										TOTAL ACRES	40.0					

CONDITIONS/REMARKS:

1. WATER DELIVERED THROUGH WEST SIDE DITCH FROM MOORE DIVERSION.

Describe any other water rights used for the same purpose as described above:

34-02512, 34-00557, BIG LOST IRRIGATION STORAGE

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed

MICROFILMED

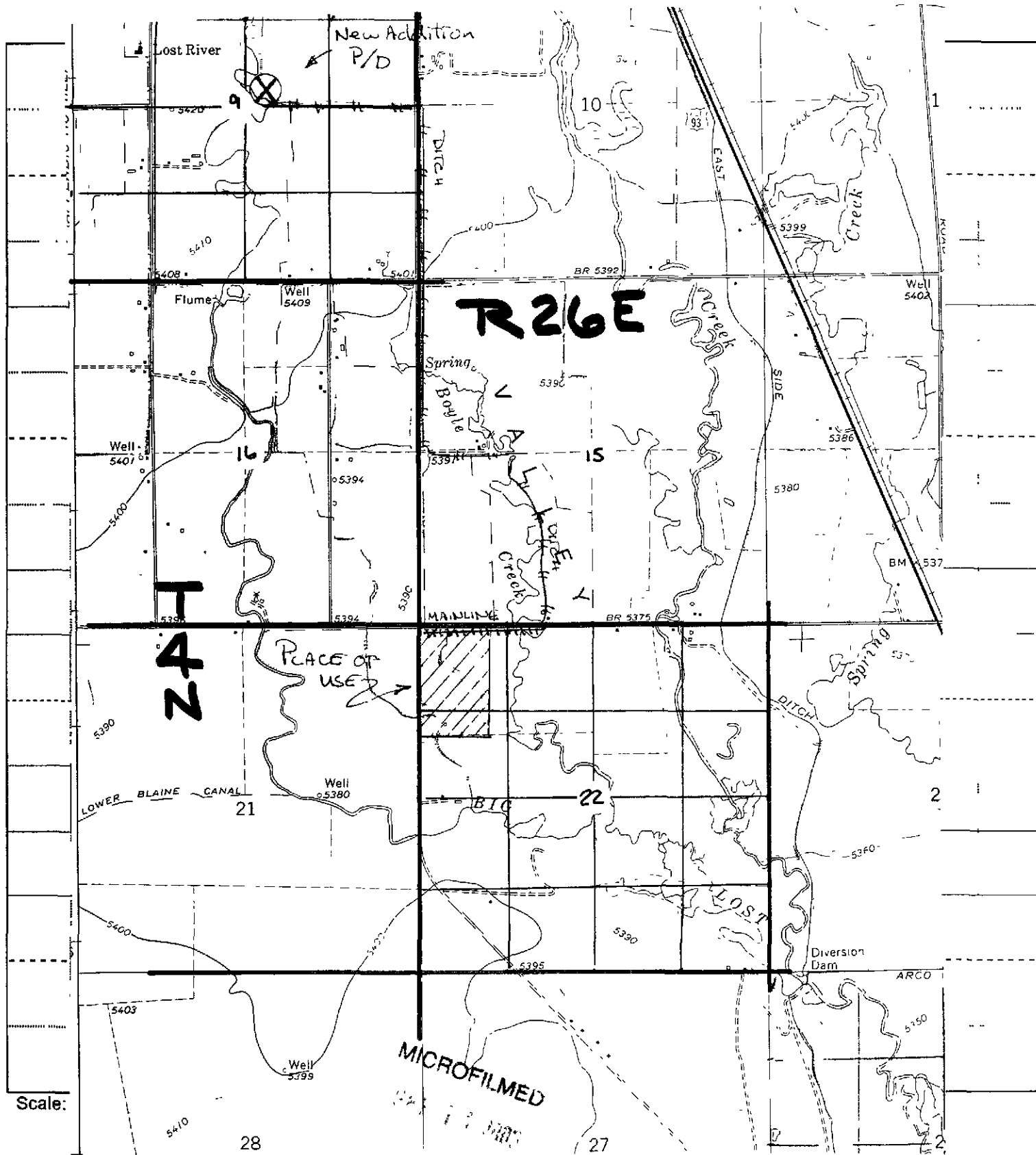
5-2-2000

Requested Copys of
Tax Notice, Deed etc
from Chris Lord
KCW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

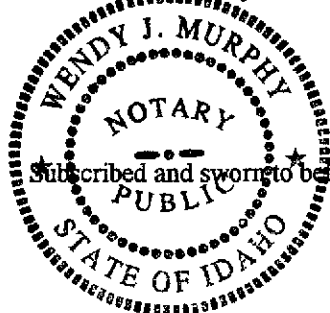
1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval



PV Ranch By Chris Lord
 (Signature of Applicant)

Subscribed and sworn to before me this 2nd day of May, 2000.

Wendy J. Murphy
 (Notary Public)

My commission expires 6/23/06

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and _____ attachments

Received by Kaw Date 5/2/2000 Protest filed by _____

Prelim Check by _____ Fee 100⁰⁰

Receipted by Kaw E025800 Date 5/2/2000

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. Dates May 11 & 18, 2000 Hearing held by _____ Date _____

Watermaster recommendations requested on 5/4/00 Recommended for ☒ approval ☐ denial

_____ received _____ by RDC

Copy of transfer sent to lien holder _____

MICROFILMED
 SEP 11 2000

WARRANTY DEED

For Value Received P U RANCH, a partnership composed of: TUTHILL TRUST "C"
AND DICK CON

the grantor, do hereby grant, bargain, sell and convey unto P U RANCH, a partnership

the grantee, whose current address is 4500 Imperial Avenue, San Diego, CA 92113

the following described premises, in Butte County, Idaho, to-wit:

Township 4 North, Range 26 East, Boise Meridian, Butte County, Idaho

Section 22: A portion of the NW 1/4, being Butte County Assessor's Tax No. 7-38, which parcel is more particularly described as follows:

Commencing at the Northwest Corner of Section Twenty-two (22), Township Four (4) North, Range Twenty-six (26) East of the Boise Meridian, thence South One Hundred Rods, thence East Sixty-four Rods, Thence North One Hundred Rods, thence West Sixty-four Rods, to the place of beginning, containing 40 acres, more or less. Together with all ditch and water rights thereunto belonging or in any way appertaining.

And all sprinkler equipment, except wheelines, which do not belong to Grantor.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

P U RANCH, a Partnership P U RANCH, a Partnership

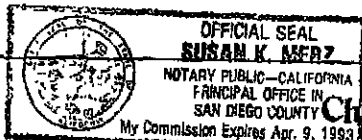
Dated: March 16, 1991

by: Richard A. Tuthill Trustee
RICHARD A. TUTHILL, as Trustee, U/D/T
dated 4/10/88 known as the TUTHILL TRUST
"C".

by: Richard A. Tuthill
RICHARD A. TUTHILL, President
DICK-CON

STATE OF ~~TEXAS~~ California } ss
COUNTY OF San Diego
On this 16th day of March, in the
year 1991, before me, a Notary Public, personally appeared
RICHARD A. TUTHILL
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Susan K. Merz
Notary Public Susan K. Merz
Residing at El Cajon, California, 1993.
My Commission Expires April 9, 1993.



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of DICK -CON

at 05 minutes past 10 o'clock ~~P~~ M.
this 25 day of MARCH
19 91, in my office, and duly recorded in Book
of Deeds at page

NONA FARMER

By

Fees \$.00
Made in

Ex-Officio Recorder

Deputy

Chicago Title Insurance
Company of Idaho

INSTRUMENT NO. 24651

MICROFILMED
SEP 11 2000

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 34-00171

1998 MAR 31 PM 12: 53

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

RECEIVED

APR - 1 1998

Department of Water Resources
Adjudication Bureau

NAME & ADDRESS: P U RANCH
4500 IMPERIAL AVE
SAN DIEGO CA 92113

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

QUANTITY: 0.8 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T05N R26E S04

NWSESE

Within BUTTE County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.8 CFS

PLACE OF USE: IRRIGATION
T04N R26E S22
40 ACRES TOTAL

Within BUTTE County
NWNW 32

SWNW 8

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

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PU RANCH
4500 IMPERIAL AVE
SAN DIEGO CA 92113

RE: Water Right 34-00171 (Transfer 5731)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5731). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for *Ray Walker*
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

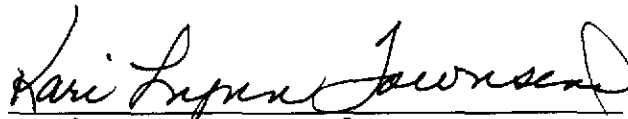
SEP 11 2000

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of **August, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 34-00171 (Transfer 5731)

**PU RANCH
4500 IMPERIAL AVE
SAN DIEGO CA 92113**


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 11 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 15, 2000

DOUG ROSENKRANCE
WATERMASTER
PO BOX 53
MACKAY ID 83251

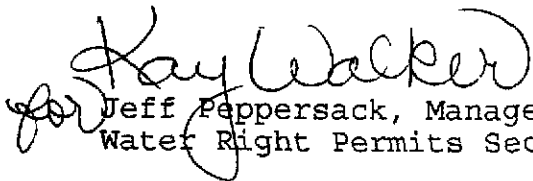
RE: TRANSFER OF WATER RIGHT 34-00171 (Transfer 5731)

Dear Doug:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer 5731) in the name PU Ranch.

If you have any questions, please call me at 208-327-7940.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

SEP 11 2000

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows.

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5731Date Reviewed 8-14-2000Right(s) 34-00171Decreed - see below transfer app.☒ WRQ/Split Summary ☒ SRBA Status ☒ Run POU Comparison ReportB:Change P/D C:Add P/D

D:Change P/U

E:Change Nature of Use

F:Change Period of Use

G:Other

H:Change P/D & Add P/D

I:Change P/D & P/U

J:Add P/D & Change P/U

Proof of Ownership warranty deedTransfer ☒ All of Right ☐ Portion of Right

Resulting Split(s) _____

Check Transfer Against Recorded Right:

Standard Season 4/1 to 10/31Standard Volume 2.5/3.5 FH(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate ^{con} (5) ☒ Volume over(6) ☒ Source (7) ☒ Add (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map(11) ☒ Water District Rec'd 5/9/2000 (12) ☐ Pertinent Conditions (13) ☒ Expansionwater, dist 34
of water msmt dist
of gw dist
Shake River meatorium*use special w/c as on ~~area~~ revised
recommendations - "R" rec'd

Transfer Remarks

Conditions T07 T08 ~~T09~~ R04, * R03, T18special condition for which pl'd to use - see non

Database/Processing Notes

Standard ☐Non-Standard ☒copy T to X - delete Tchosen +
water master's
recommendation"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒Database Updated Following Approval ☒ Memo ☒ Form Files Deleted ☐8/14/2000

$$V = 40 \text{ ac} \times 3.5 = 140 \text{ AF} \leftarrow \text{use}$$
$$= 0.80 \times 1.9835 \times 168 \text{ days} = 266.1 \text{ AF}$$

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
34-00171	COON, J. WILLARD	C	05/01/1886	D/	BIG LOST RIVER	IRR	WR
T34-00171	PU RANCH	C	05/01/1886	D/	BIG LOST RIVER	IRR	WR

34-00171	P U RANCH	C	05/01/1886	D/	BIG LOST RIVER	P DECR	AJ
A34-00171	P U RANCH	C	05/01/1886	D/	BIG LOST RIVER	IRR	AJ
R34-00171	P U RANCH	C	05/01/1886	D/	BIG LOST RIVER	P DECR	AJ

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T04N R26E S 22																		
3400010	BIG LOST R :																	
3400011	BIG LOST R :																	
3400012	BIG LOST R :																	
R340001220	BIG LOST R :																	
3400013	ANTELOPE C :																	
R340001320	ANTELOPE C :																	
3400170	BIG LOST R :																	
3400171	BIG LOST R :																	40
*3400171	BIG LOST R :																	40
A3400171	BIG LOST R :																	40
R3400171	BIG LOST R :																	40
T3400171	BIG LOST R :																	40
3400531	JAMES CREE :																	
*3400557	BOYLE CREE :																	47
A3400557	BOYLE CREE :																	47
R3400557	BOYLE CREE :																	47
3400810	BIG LOST R :																	
A340081020	BIG LOST R :																	
R340081020	BIG LOST R :																	
A340081025	B L R :																	282
3400811	BIG LOST R :																	
R340081120	BIG LOST R :																	
3400814	BIG LOST R :																	
3400817B	BIG LOST R :																	
R340081720	BIG LOST R :																	
3400818	BIG LOST R :																	
R340081820	BIG LOST R :																	
3400819	BIG LOST R :																	
3400904	BIG LOST R :																	
*3400904	BIG LOST R :																	78
A3400904	BIG LOST R :																	71
R3400904	BIG LOST R :																	78
3400905	BIG LOST R :																	
*3400905	BIG LOST R :																	78
A3400905	BIG LOST R :																	71
R3400905	BIG LOST R :																	78
3402368B	GROUNDWATE :																	71
*3402368B	GROUNDWATE :																	78
A3402368B	GROUNDWATE :																	71
R3402368B	GROUNDWATE :																	78
R340250720	BIG LOST R :																	
3402512	GROUNDWATE :																	60
*3402512	GROUNDWATE :																	47

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A3402512	GROUNDWATE							31	8	2	6							47
R3402512	GROUNDWATE							31	8	2	6							47
3407029	GROUNDWATE												2					2
A3407029	GROUNDWATE												22					22
R3407029	GROUNDWATE												20					20
3407208	GROUNDWATE								28	31		38	33	14	39			183
*3407208	GROUNDWATE								28	31		38	33	14	39			183
A3407208	GROUNDWATE								28	31		38	33	14	39			183
R3407208	GROUNDWATE								28	31		38	33	14	39			183
3407486	GROUNDWATE												22					22
3407525	GROUNDWATE												1					1
*3410776	BIG LOST R	37		37		39		37								14		164
A3410776	BIG LOST R	37		37		40		37								14		165
R3410776	BIG LOST R	37		37		39		37								14		164
*341087320	BIG LOST R	I		I		I		I		I		I		I		I		
R341087320	BIG LOST R	I		I		I		I		I		I		I		I		
R341093520	BIG LOST R	I		I		I		I		I		I		I		I		
*3412382	GROUNDWATE												20					20
A3412382	GROUNDWATE												20					20
R3412382	GROUNDWATE												20					20

Spitzer

with source
with source

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-00171 ✓

STAGE: DECREED ✓

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION ✓	05/01 to 10/15 ✓	0.80 CFS ✓

140' AF

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

Priority: 05/01/1886 ✓

LOCATION OF POINT(S) OF DIVERSION:NWSESE ✓, Sec. 4, ✓ Township 05N, ✓ Range 26E ✓
BUTTE County ✓PLACE OF USE:

add SWSWNE, S1, 4N. 26E

IRRIGATION

				NE				NW				SW				SE											
		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:						
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM
04N	26E	22	✓								:					:					:					:	40.0 ✓
																						TOTAL ACRES		40.0 ✓			

CONDITIONS/REMARKS:

- 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.
- 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 WATERMASTER FOR WATER DISTRICT 34.
- WATER DELIVERED THROUGH WEST SIDE DITCH FROM MOORE DIVERSION.

Describe any other water rights used for the same purpose as described above:

JUN 26 2000

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWT

1. Right number 34-00171 Applicant P.G. Ranch
2. Type of right: ☐ Decree ☐ License ☐ Claim ☒ SRMA Recommendation
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD34 - Sent copies to Doug Rossmore + By Lost River
Imv. District
in Mackay

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on 5/9/00
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* measuring device, water master must
be advised in advance of which diversion
is to be used. Both diversions can not be used
at the same time
4. By RPL Date 6/15/2000

RECEIVED

JUN 05 2000

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Bureau of Reclamation

I, Colleen Babcock

of the Arco Advertiser a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof

for 2 consecutive weeks, commencing with

the issue dated May 11, 2000

and ending with the issue dated

May 18, 2000
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 18th day of May

in the year of 2000, before me a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Thomas D. Con
Notary Public for Idaho

Residing at Arco, ID

My commission expires 1-23-2004

**NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT**

No. T5731

Notice is hereby given that PU Ranch, 4500 Imperial Ave., San Diego, CA 92113, has applied to the Department of Water Resources to add the point of diversion of a surface water source. The right sought to be changed is evidenced by a SRBA Recommendation and recorded as follows:

SRBA Recommendation 34-00171

Amount 0.80 cfs

Source: Big Lost River

Priority: 05/01/1886

Point(s) of Diversion: NWSE SEC 4 T05N R26E, BUTTE COUNTY

The water is used for irrigation of 40 acres within SEC 22 T04N R26E, B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to add a second point of diversion in the SWNE SEC 9 T04N R26E. This would facilitate delivery during high water years.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before May 30, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in The Arco Advertiser on May 11 and 18, 2000

MICROFILMED

MAY 11 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

RECOMMENDATION OF WATERMASTER

Application No: 5731

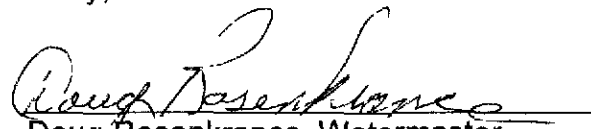
Applicant's Name: P. U. Ranch

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: This water right to be exercised only on high water years as it requires too much water on a below average year to deliver to that point of diversion.
- c) ☐ I oppose approval of this application for the following reasons:
- _____
- _____
- _____
- d) ☐ Additional Comment: _____
- _____
- _____

Dated this 5th day of May, 2000.

Water District No: 34


Doug Rosenkrance, Watermaster

Use reverse side of page if you need more space



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

KARI J. DREHER
DIRECTOR

May 3, 2000

ARCO ADVERTISER
PO DRAWER C
ARCO ID 83213

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

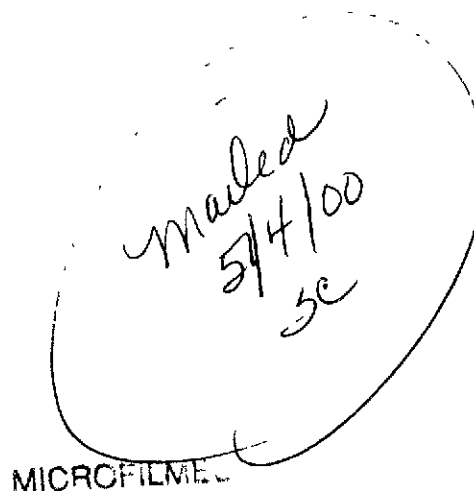
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before May 30, 2000.

Respectfully submitted,

Sharla Cox
Administrative Assistant

Enc.



MICROFILMED

APR 11 1999

**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5731**

Notice is hereby given that P.U. Ranch, 4500 Imperial Ave., San Diego, CA 92113, has applied to the Department of Water Resources to add the point of diversion of a surface water source. The right sought to be changed is evidenced by a SRBA Recommendation and recorded as follows:

SRBA Recommendation: 34-00171 Source: Big Lost River
Amount: 0.80 cfs Priority: 05/01/1886
Point(s) of Diversion: NWSESE SEC 4 T05N R26E, BUTTE COUNTY
The water is used for irrigation of 40 acres within SEC 22 T04N R26E, B.M.

TO BE CHANGED AS FOLLOWS:

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Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before May 30, 2000. The protestant must also send a copy of the protest to the applicant.

**KARL J. DREHER
Director**

Published in the Arco Advertiser on May 11 and 18, 2000.

MICROFILMED

SEP 11 2000



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 3, 2000

PU RANCH
4500 IMPERIAL RANCH
SAN DIEGO CA 92113

RE: Application for Transfer #5731

Dear Applicant:

This office is currently in the process of advertising the application in the Arco Advertiser on May 11 and 18, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

SEP 11 2001



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

May 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BIG LOST RIVER IRRIGATION DISTRICT
101 S MAIN AVE
MACKAY 83251 ID 83201

RE: Application for Transfer #5731

Dear Ron:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is May 30, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

SEP 11 2000

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



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

May 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOUG ROSENKRANCE
WATERMASTER #34
PO BOX 53
MACKAY ID 83251

RE: Application for Transfer #5731

Dear Doug:

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 May 30, 2000.

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

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SEP 11 2000

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~