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MEMORANDUM

Date: January 14, 2004

To: Water Right Files 34-28G, 34-131B, 34-132B, 34-191 and 34-12378

From: Jeff Peppersack

Re: Update of Conditions due to Ownership Change Split

Water Right 34-4004A was split by Ownership Change into 34-13829 and 34-13830. The original water right was for 3.92 cfs for 196 acres. The split removed 0.28 cfs for 14 acres.

Right 34-12378 is an enlargement right of 34-4004A. The PPU under the enlargement right was reduced, and the combined rate and acre conditions were reduced on the enlargement right to reflect the split.

Rights 34-28G, 34-131B, 34-132B and 34-191 include combined limits with 34-4004A. The combined limit conditions were also reduced under these rights to reflect the split of 34-4004A.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-131B

WATER RIGHT NUMBER 34-131B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FARM SERVICE AGENCY 9173 W BARNES STE B BOISE, ID 83709-1555 (208)378-5650
Attorney	PETER C MONSON US DEPT OF JUSTICE INDIAN RES SEC LND & NAT RES 999 18TH ST STE 945 DENVER, CO 80202 (303)294-1950
Original Owner	LOY G PEHRSON RT 1 BOX 48 DARLINGTON, ID 83255 (208)588-3381
Original Owner	BYRON PEHRSON RT 1 BOX 48 DARLINGTON, ID 83255 (208)588-3381
Original Owner	MALLNEE PEHRSON WREDE 2112 WAHLQUIST DR IDAHO FALLS, ID 83401 (208)524-1019

Priority Date 06/01/1888

Basis Decreed

Status Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0 500 CFS	
	<u>Total Diversion</u>	0 500 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	SE1/4NW1/4SE1/4	Sec 14, Twp 06N, Rge 25E, B M
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	36			35 0	40 0									20 0	2 0			97 0

Total Acres 97

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-131B

Conditions of Approval

- 1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A COMBINED DIVERSION RATE OF 5.98 CFS
COMBINED RIGHT NOS 34-00028G, 34-00132B, 34-00191, 34-13829 AND 34-12378
- 2 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 252 ACRES IN A SINGLE IRRIGATION SEASON
COMBINED RIGHT NOS 34-00028G, 34-00132B, 34-00191, 34-13829 AND 34-12378
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON
3. WATER IS DELIVERED THROUGH 3 IN 1 DITCH
- 4 C18 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
- 5 S34 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

RemarksComments

1. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10

2. jpeppers 1/13/2004 12:05:05 PM Water Right

Comment This water right record was updated by decree record from old RightID 319225 to new RightID 420359

3 jpeppers 1/13/2004 Ownership Change

Comment Conditions were updated for this right based on an ownership split of associated right 34-4004A

Dates and Other Information

Licensed Date

Decreed Date 12/14/2001

Water Supply Bank Enrollment Accepted

Water Supply Bank Enrollment Removed

Enlargement Use Priority Date

Enlargement Statute Priority Date

State or Federal S

Owner Name Connector OR

Water District Number 34

Generic Max Rate Per Acre

Generic Max Volume Per Acre

Decree Defendant

Decree Plaintiff

Civil Case Number 39576

Judicial District FIFTH

Swan Falls Trust or Nontrust

Swan Falls Dismissed

DLE Act Number

Carey Act Number

Mitigation Plan False