

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71405

This is to certify that: MOUNTAIN SPRINGS RANCH
 5550 BARTON FLAT RD
 MACKAY ID 83251
 (208)588-3110

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>
34-142	WR/Decreed	06/30/1897	2.40 cfs	420.0 af	120.0	471.0	BIG LOST RIVER, PARSONS CREEK
34-611B	WR/Decreed	06/01/1882	1.50 cfs	262.5 af	75.0	471.0	BIG LOST RIVER, PARSONS CREEK
34-612B	WR/Decreed	06/01/1886	0.80 cfs	140.0 af	40.0	471.0	BIG LOST RIVER, PARSONS CREEK
34-613B	WR/Decreed	11/01/1898	0.50 cfs	87.5 af	25.0	471.0	BIG LOST RIVER, PARSONS CREEK
34-10553B	WR/Decreed	05/01/1910	5.52 cfs	1648.5 af	N/A	471.0	BIG LOST RIVER, PARSONS CREEK

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>
34-142	NO	YES	NO	NO	NO	NO
34-611B	NO	YES	NO	NO	NO	NO
34-612B	NO	YES	NO	NO	NO	NO
34-613B	NO	YES	NO	NO	NO	NO
34-10553B	NO	YES	NO	NO	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>
34-142	34-142	2.40 cfs	420.0 af	120.0	471.0		N/A	N/A	N/A	N/A
34-611B	34-611B	1.50 cfs	262.5 af	75.0	471.0		N/A	N/A	N/A	N/A
34-612B	34-612B	0.80 cfs	140.0 af	40.0	471.0		N/A	N/A	N/A	N/A
34-613B	34-613B	0.50 cfs	87.5 af	25.0	471.0		N/A	N/A	N/A	N/A
34-10553B	34-10553B	5.52 cfs	1648.5 af	N/A	471.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		10.72 cfs	1648.5 af	471.0	471.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 34-142

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71405

Detailed Water Right Description(s) attached

Dated this 6th day of December, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-142
As Modified by Transfer No. 71405

In accordance with the approval of Transfer No. 71405, Water Right No. 34-142 is now described as follows.

Right Holder: MOUNTAIN SPRINGS RANCH
 5550 BARTON FLAT RD
 MACKAY ID 83251

Priority Date: June 30, 1897

Source: BIG LOST RIVER
 PARSONS CREEK

Tributary: SINKS
 BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	2.40 CFS	420.0 AF
			2.40 CFS	420.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PARSONS CREEK	SESE	Sec. 3 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	SENE	Sec. 11 Twp 08N Rge 22E CUSTER County
BIG LOST RIVER	NWNESE	Sec. 11 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	NWNE	Sec. 14 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 11									20.0			15.0	20.0	40.0	30.0	33.0	158.0
08N 22E 12											18.0						18.0
08N 22E 13							30.0	40.0	23.0	25.0	30.0	30.0			17.0		195.0
08N 22E 14	40.0	10.0		30.0									20.0				100.0

Total Acres: 471

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120.0 acres within the place of use described above in a single irrigation season.
2. 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. 34-142
As Modified by Transfer No. 71405

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 34-142, 34-611B, 34-612B, 34-613B and 34-10553B shall not exceed 10.72 cfs, a total annual maximum diversion volume of 1648.5 af at the field headgate, for the irrigation of 471.0 acres.
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 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.
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 6th day of December, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-611B
As Modified by Transfer No. 71405

In accordance with the approval of Transfer No. 71405, Water Right No. 34-611B is now described as follows.

Right Holder: MOUNTAIN SPRINGS RANCH
 5550 BARTON FLAT RD
 MACKAY ID 83251

Priority Date: June 01, 1882

Source: BIG LOST RIVER
 PARSONS CREEK

Tributary: SINKS
 BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	1.50 CFS	262.5 AF
			1.50 CFS	262.5 AF

LOCATION OF POINT(S) OF DIVERSION:

PARSONS CREEK	SESE	Sec. 3 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	SENE	Sec. 11 Twp 08N Rge 22E CUSTER County
BIG LOST RIVER	NWNESE	Sec. 11 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	NWNE	Sec. 14 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 11									20.0				15.0	20.0	40.0	30.0	33.0	158.0
08N 22E 12											18.0							18.0
08N 22E 13							30.0	40.0	23.0	25.0	30.0		30.0			17.0		195.0
08N 22E 14	40.0	10.0		30.0										20.0				100.0

Total Acres: 471

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 75.0 acres within the place of use described above in a single irrigation season.
2. 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. 34-611B
As Modified by Transfer No. 71405

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 34-142, 34-611B, 34-612B, 34-613B and 34-10553B shall not exceed 10.72 cfs, a total annual maximum diversion volume of 1648.5 af at the field headgate, for the irrigation of 471.0 acres.
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 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.
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 6th day of December, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-612B
As Modified by Transfer No. 71405

In accordance with the approval of Transfer No. 71405, Water Right No. 34-612B is now described as follows.

Right Holder: MOUNTAIN SPRINGS RANCH
 5550 BARTON FLAT RD
 MACKAY ID 83251

Priority Date: June 01, 1886

Source: BIG LOST RIVER
 PARSONS CREEK

Tributary: SINKS
 BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	10/15	0.80 CFS	140.0 AF
			0.80 CFS	140.0 AF

LOCATION OF POINT(S) OF DIVERSION:

PARSONS CREEK	SESE	Sec. 3 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	SENW	Sec. 11 Twp 08N Rge 22E CUSTER County
BIG LOST RIVER	NWNESE	Sec. 11 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	NWNE	Sec. 14 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 11									20.0			15.0	20.0	40.0	30.0	33.0	158.0
08N 22E 12											18.0						18.0
08N 22E 13					30.0	40.0	23.0	25.0	30.0			30.0			17.0		195.0
08N 22E 14	40.0	10.0		30.0									20.0				100.0

Total Acres: 471

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.
2. 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. 34-612B
As Modified by Transfer No. 71405

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 34-142, 34-611B, 34-612B, 34-613B and 34-10553B shall not exceed 10.72 cfs, a total annual maximum diversion volume of 1648.5 af at the field headgate, for the irrigation of 471.0 acres.
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 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.
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 6th day of December, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-613B
As Modified by Transfer No. 71405

In accordance with the approval of Transfer No. 71405, Water Right No. 34-613B is now described as follows.

Right Holder: MOUNTAIN SPRINGS RANCH
 5550 BARTON FLAT RD
 MACKAY ID 83251

Priority Date: November 01, 1898

Source: BIG LOST RIVER
 PARSONS CREEK

Tributary: SINKS
 BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	0.50 CFS	87.5 AF
			0.50 CFS	87.5 AF

LOCATION OF POINT(S) OF DIVERSION:

PARSONS CREEK	SESE	Sec. 3 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	SENE	Sec. 11 Twp 08N Rge 22E CUSTER County
BIG LOST RIVER	NWNESE	Sec. 11 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	NWNE	Sec. 14 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 11									20.0			15.0	20.0	40.0	30.0	33.0	158.0
08N 22E 12											18.0						18.0
08N 22E 13					30.0	40.0	23.0	25.0	30.0		30.0				17.0		195.0
08N 22E 14	40.0	10.0		30.0									20.0				100.0

Total Acres: 471

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25.0 acres within the place of use described above in a single irrigation season.
2. 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. 34-613B
As Modified by Transfer No. 71405

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 34-142, 34-611B, 34-612B, 34-613B and 34-10553B shall not exceed 10.72 cfs, a total annual maximum diversion volume of 1648.5 af at the field headgate, for the irrigation of 471.0 acres.
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 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.
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 6th day of December, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-10553B
As Modified by Transfer No. 71405

In accordance with the approval of Transfer No. 71405, Water Right No. 34-10553B is now described as follows.

Right Holder: MOUNTAIN SPRINGS RANCH
 5550 BARTON FLAT RD
 MACKAY ID 83251

Priority Date: May 01, 1910

Source: BIG LOST RIVER
 PARSONS CREEK

Tributary: SINKS
 BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to	10/15	5.52 CFS	1,648.5 AF
			5.52 CFS	1,648.5 AF

LOCATION OF POINT(S) OF DIVERSION:

PARSONS CREEK	SESE	Sec. 3 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	SENE	Sec. 11 Twp 08N Rge 22E CUSTER County
BIG LOST RIVER	NWNESE	Sec. 11 Twp 08N Rge 22E CUSTER County
PARSONS CREEK	NWNE	Sec. 14 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 11									20.0			15.0	20.0	40.0	30.0	33.0	158.0
08N 22E 12											18.0						18.0
08N 22E 13									30.0	40.0	23.0	25.0	30.0		17.0		195.0
08N 22E 14	40.0	10.0		30.0												20.0	100.0

Total Acres: 471

CONDITIONS OF APPROVAL

1. 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.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-142, 34-611B, 34-612B, 34-613B and 34-10553B shall not exceed 10.72 cfs, a total annual maximum diversion volume of 1648.5 af at the field headgate, for the irrigation of 471.0 acres.

WATER RIGHT NO. 34-10553B
As Modified by Transfer No. 71405

CONDITIONS OF APPROVAL

3. 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.
4. 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.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 6th day of December, 20 04


Chief, Water Allocation Bureau