

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 69964**

This is to certify that: LYNN O ROTHWELL
RT 1 BOX 45
DARLINGTON ID 83231
(208)588-2283

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>
34-2391B	WR/Decreed	01/30/1961	0.24 cfs	84 af	24.0	200.0	GROUND WATER
34-7158	WR/Decreed	08/31/1976	3.43 cfs	700 af	N/A	200.0	GROUND WATER
34-476	WR/Decreed	05/01/1905	2.40 cfs	420 af	120.0	200.0	BIG LOST RIVER
34-902	WR/Decreed	05/01/1906	0.80 cfs	140 af	40.0	200.0	BIG LOST RIVER
34-13573	WR/Decreed	05/01/1977	0.64 cfs	140 af	40.0	200.0	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>
34-2391B	YES	YES	YES	NO	NO	NO
34-7158	YES	YES	YES	NO	NO	NO
34-476	YES	NO	YES	NO	NO	NO
34-902	YES	NO	YES	NO	NO	NO
34-13573	YES	NO	YES	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>
34-2391B	34-13752	0.01 cfs	3.5 af	1.0	2.5	34-13751	0.23 cfs	80.5 af	23.0	197.5
34-7158	34-13754	0.04 cfs	8.8 af	N/A	2.5	34-13753	3.39 cfs	691.2 af	N/A	197.5
34-476	34-13756	0.03 cfs	5.2 af	1.5	2.5	34-13755	2.37 cfs	414.8 af	118.5	197.5
34-902	34-13758	0.01 cfs	1.8 af	0.5	2.5	34-13757	0.79 cfs	138.2 af	39.5	197.5
34-13573	34-13760	0.01 cfs	2.1 af	0.6	2.5	34-13759	0.63 cfs	137.9 af	39.4	197.5
COMBINED										
TOTALS		0.08 cfs	8.8 af	2.5	2.5		5.52 cfs	N/A	197.5	197.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69964

Detailed Water Right Description(s) attached

Dated this 11th day of May, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13751
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13751 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: January 30, 1961

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	0.23 CFS	80.5 AF
			0.23 CFS	80.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWNW	Sec. 13 Twp 06N Rge 25E CUSTER County
GROUND WATER	NESE	Sec. 14 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
06N 25E 13							36.0	38.0	38.0	36.0							148.0
06N 25E 14				26.0									23.5				49.5

Total Acres: 197.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 23 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13751 and 34-13753 shall not exceed 3.62 cfs, nor total combined annual volume of 691.2 af.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757 and 34-13759 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
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. 34-13751
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

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. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 11th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13752
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13752 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: January 30, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.01 CFS	3.5 AF
			0.01 CFS	3.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 10 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 10																	2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.
2. Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 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. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

WATER RIGHT NO. 34-13752
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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 11th day of May, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13753
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13753 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: August 31, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	3.39 CFS	691.2 AF
			3.39 CFS	691.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 13 Twp 06N Rge 25E CUSTER County

GROUND WATER NESE Sec. 14 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 13							36.0	38.0	38.0	36.0							148.0
06N 25E 14				26.0											23.5		49.5

Total Acres: 197.5

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 34-13751 and 34-13753 shall not exceed 3.62 cfs, nor total combined annual volume of 691.2 af.
2. Rights 34-13751, 34-13753, 34-13755, 34-13757 and 34-13759 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 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.

WATER RIGHT NO. 34-13753
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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 11th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13754
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13754 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: August 31, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.04 CFS	8.8 AF
		0.04 CFS	8.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 10 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 25E 10													2.5				2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

1. Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
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.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 34-13754
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 11th day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13755
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13755 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1905

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	2.37 CFS	414.8 AF
			2.37 CFS	414.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENESW Sec. 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER SWSESW Sec. 11 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	13							36.0	38.0	38.0	36.0							148.0
06N	25E	14				26.0									23.5				49.5

Total Acres: 197.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 118.5 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755 and 34-13759 shall not exceed 3.16 cfs.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757 and 34-13759 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
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. 34-13755
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

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. Right 34-13759 is an enlargement of Rights 34-13755 and 34-13757, pursuant to Section 42-1426, Idaho Code.
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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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 11th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13756
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13756 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1905

Source: 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	0.03 CFS	5.2 AF
			0.03 CFS	5.2 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENESW Sec. 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER SWSESW Sec. 11 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	10													2.5				2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.5 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13756, 34-13758 and 34-13760 shall not exceed 0.04 cfs.
3. Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
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.

WATER RIGHT NO. 34-13756
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.03 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.
10. Right 34-13760 is an enlargement of Rights 34-13756 and 34-13758 pursuant to Section 42-1426, Idaho Code.

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 11th day of May, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13757
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13757 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1906

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	0.79 CFS	138.2 AF
			0.79 CFS	138.2 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENESW Sec. 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER SWSESW Sec. 11 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	13																	148.0
06N	25E	14																23.5	49.5

Total Acres: 197.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.5 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755 and 34-13759 shall not exceed 3.16 cfs.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757 and 34-13759 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
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.

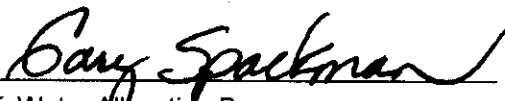
WATER RIGHT NO. 34-13757
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

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. Right 34-13759 is an enlargement of Rights 34-13755 and 34-13757, pursuant to Section 42-1426, Idaho Code.
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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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 11th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13758
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13758 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1906

Source: 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	0.01 CFS	1.8 AF
			0.01 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENESW Sec. 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER SWSESW Sec. 11 Twp 06N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 25E 10													2.5				2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.5 acre within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13756, 34-13758 and 34-13760 shall not exceed 0.04 cfs.
3. Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
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.

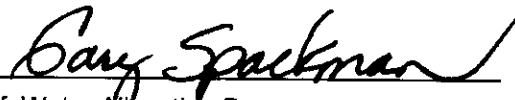
WATER RIGHT NO. 34-13758
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.03 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.
10. Right 34-13760 is an enlargement of Rights 34-13756 and 34-13758 pursuant to Section 42-1426, Idaho Code.

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 11th day of May, 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13759
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13759 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1977

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	0.63 CFS	137.9 AF
			0.63 CFS	137.9 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENESW Sec. 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER SWSESW Sec. 11 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	13							36.0	38.0	38.0	36.0							148.0
06N	25E	14													23.5				49.5

Total Acres: 197.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.4 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13757, 34-13755 and 34-13759 shall not exceed 3.16 cfs.
3. Rights 34-13751, 34-13753, 34-13755, 34-13757 and 34-13759 when combined shall not exceed a total diversion rate of 5.52 cfs, a total annual maximum diversion volume of 691.2 af at the field headgate, and the irrigation of 197.5 acres.
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. 34-13759
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

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. Right 34-13759 is an enlargement of Rights 34-13755 and 34-13757, pursuant to Section 42-1426, Idaho Code.
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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
12. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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 11th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 34-13760
As Modified by Transfer No. 69964

In accordance with the approval of Transfer No. 69964, Water Right No. 34-13760 is now described as follows.

Right Holder: LYNN O ROTHWELL And
 ARVELLA I ROTHWELL
 RT 1 BOX 45
 DARLINGTON ID 83231

Priority Date: May 01, 1977

Source: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.01 CFS	2.1 AF
			0.01 CFS	2.1 AF

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER NENESW Sec. 10 Twp 06N Rge 25E CUSTER County

BIG LOST RIVER SWSESW Sec. 11 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 10													2.5				2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.6 acre within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 34-13756, 34-13758 and 34-13760 shall not exceed 0.04 cfs.
3. Rights 34-13752, 34-13754, 34-13756, 34-13758 and 34-13760 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 8.8 af at the field headgate, and the irrigation of 2.5 acres.
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.

WATER RIGHT NO. 34-13760
As Modified by Transfer No. 69964

CONDITIONS OF APPROVAL

6. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Right 34-13760 is an enlargement of Rights 34-13756 and 34-13758 pursuant to Section 42-1426, Idaho Code.
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 11th day of May, 20 04


Chief, Water Allocation Bureau