

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68830

This is to certify that: ISHAM FARMS
C/O DONALD ISHAM
1480 HWY 22
HOWE ID 83244-8719
(208)767-3128

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>
33-38	WR/Decreed	03/14/1891	0.80 cfs	N/A	80.0	571.0	LITTLE LOST RIVER
33-10052	WR/Decreed	09/01/1879	5.92 cfs	N/A	307.0	571.0	LITTLE LOST RIVER
33-10983	WR/Decreed	04/15/1961	2.91 cfs	N/A	N/A	571.0	LITTLE LOST RIVER

Purpose of Transfer (Changes Proposed)

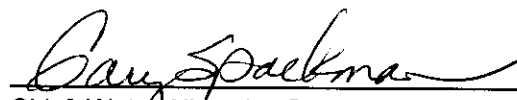
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
33-38	NO	NO	YES	NO	NO	NO
33-10052	NO	NO	YES	NO	NO	NO
33-10983	NO	NO	YES	NO	NO	NO

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>
33-38	33-38	0.80 cfs	N/A	80.0	571.0		N/A	N/A	N/A	N/A
33-10052	33-10052	5.92 cfs	N/A	307.0	571.0		N/A	N/A	N/A	N/A
33-10983	33-10983	2.91 cfs	N/A	222.0	571.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.72 cfs	N/A	571.0	571.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of October, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-38
As Modified by Transfer No. 68830

In accordance with the approval of Transfer No. 68830, Water Right No. 33-38 is now described as follows.

Right Holder: ISHAM FARMS
 C/O DONALD ISHAM
 1480 HWY 22
 HOWE ID 83244-8719

Priority Date: March 14, 1891

Source: LITTLE LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER NWNESE Sec. 4 Twp 05N Rge 29E BUTTE County

LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06N Rge 29E BUTTE 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	
05N 29E 2													39.0			37.0	76.0
05N 29E 3	43.0	33.0	33.0		44.0	44.0	36.0	33.0	39.0			31.0		40.0	39.0		415.0
	L 1				L 3	L 4											
06N 29E 34											40.0	40.0					80.0

Total Acres: 571

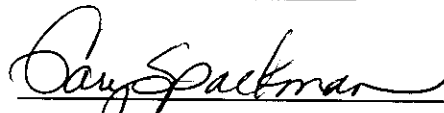
WATER RIGHT NO. 33-38
As Modified by Transfer No. 68830

CONDITIONS OF APPROVAL

1. Rights 33-38, 33-10052 and 33-10948 when combined shall not exceed a total diversion rate of 6.72 cfs and the irrigation of 571 acres.
2. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
3. Right no. 33-10983 is an enlargement of right no 33-38 and right no. 33-10052 pursuant to Section 42-1426, Idaho code.
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. 33.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
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 28th day of October, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-10052
As Modified by Transfer No. 68830

In accordance with the approval of Transfer No. 68830, Water Right No. 33-10052 is now described as follows.

Right Holder: ISHAM FARMS
 C/O DONALD ISHAM
 1480 HWY 22
 HOWE ID 83244-8719

Priority Date: September 01, 1879

Source: LITTLE LOST RIVER **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	5.92 CFS	
			5.92 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER NWNESE Sec. 4 Twp 05N Rge 29E BUTTE County

LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06N Rge 29E BUTTE 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	
05N 29E 2													39.0			37.0	76.0
05N 29E 3	43.0	33.0	33.0		44.0	44.0	36.0	33.0	39.0			31.0		40.0	39.0		415.0
	L 1				L 3	L 4											
06N 29E 34											40.0	40.0					80.0

Total Acres: 571

WATER RIGHT NO. 33-10052
As Modified by Transfer No. 68830

CONDITIONS OF APPROVAL

1. Rights 33-38, 33-10052 and 33-10948 when combined shall not exceed a total diversion rate of 6.72 cfs and the irrigation of 571 acres.
2. This right is limited to the irrigation of 307 acres within the place of use described above in a single irrigation season.
3. Right no. 33-10983 is an enlargement of right no 33-38 and right no. 33-10052 pursuant to Section 42-1426, Idaho code.
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. 33.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
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 28th day of October, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-10983
As Modified by Transfer No. 68830

In accordance with the approval of Transfer No. 68830, Water Right No. 33-10983 is now described as follows.

Right Holder: ISHAM FARMS
 C/O DONALD ISHAM
 1480 HWY 22
 HOWE ID 83244-8719

Priority Date: April 15, 1961

Source: LITTLE LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.91 CFS	
			2.91 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE LOST RIVER NWNESE Sec. 4 Twp 05N Rge 29E BUTTE County

LITTLE LOST RIVER SWNWNW Sec. 32 Twp 06N Rge 29E BUTTE 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	
05N	29E	2													39.0			37.0	76.0
05N	29E	3	43.0	33.0	33.0		44.0	44.0	36.0	33.0	39.0		31.0			40.0	39.0		415.0
			L 1				L 3	L 4											
06N	29E	34											40.0	40.0					80.0

Total Acres: 571

WATER RIGHT NO. 33-10983
As Modified by Transfer No. 68830

CONDITIONS OF APPROVAL

1. Rights 33-38, 33-10052 and 33-10948 when combined shall not exceed a total diversion rate of 6.72 cfs and the irrigation of 571 acres.
2. This right is limited to the irrigation of 222 acres within the place of use described above in a single irrigation season.
3. Right no. 33-10983 is an enlargement of right no 33-38 and right no. 33-10052 pursuant to Section 42-1426, Idaho code.
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. 33.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
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. 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.
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 28th day of October, 2003


Chief, Water Allocation Bureau