

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 86042**

This is to certify that: JANETTE S PETERSON AND  
KENNETH J PETERSON  
PO BOX 58  
LEADORE, ID 83464  
AND  
STEVEN L JOHNSON AND  
SUSAN JOHNSON  
1019 LEE CREEK RD  
LEADORE, ID 83464-5011

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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>       |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------------|
| 74-15714           | WR/DECREED          | 3/25/1887            | 0.330 cfs             | N/A                     | N/A               | N/A                | BIG EIGHTMILE CREEK |
| 74-15715           | WR/DECREED          | 3/25/1887            | 0.330 cfs             | N/A                     | N/A               | N/A                | BIG EIGHTMILE CREEK |
| 74-411             | WR/DECREED          | 3/25/1887            | 0.330 cfs             | N/A                     | N/A               | N/A                | BIG EIGHTMILE 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 74-15714              | NO           | NO         | NO         | NO             | YES                  | NO                   |
| 74-15715              | NO           | NO         | NO         | NO             | YES                  | NO                   |
| 74-411                | NO           | NO         | NO         | NO             | YES                  | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 74-15714               | 74-15714                         | 0.330 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 74-15715               | 74-15715                         | 0.330 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 74-411                 | 74-411                           | 0.330 cfs            | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.990 cfs</b>     | <b>N/A</b>             | <b>N/A</b>        | <b>N/A</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Transfer No. 86042

SUPPORT DATA  
IN FILE # 74-411

SCANNED  
OCT 26 2022

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 86042

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 24<sup>th</sup> day of October, 2022.



Regional Manager

# **WATER RIGHT NO. 74-411**

## **As Modified by Transfer No. 86042**

In accordance with the approval of Transfer No. 86042, Water Right No. 74-411 is now described as follows:

**Right Holder:** STEVEN L JOHNSON AND  
SUSAN JOHNSON  
1019 LEE CREEK RD  
LEADORE, ID 83464-5011

**Priority Date:** 3/25/1887

**Source:** BIG EIGHTMILE CREEK

**Tributary:** LEMHI RIVER

### **BENEFICIAL USE**

STOCKWATER

### **From**

1/01

to 12/31

### **To**

### **Diversion Rate**

0.330 cfs

0.330 cfs

### **LOCATION OF POINT(S) OF DIVERSION**

BIG EIGHTMILE CREEK

SWNW

Sec 33 Twp 16N Rge 25E LEMHI County

### **PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 16N | 25E | 20  |    |    |    |    |    |    |    |    | X  |    | X  | X  |    | X  | X  |    |        |
| 16N | 25E | 29  |    | X  |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |        |

### **CONDITIONS OF APPROVAL**

1. This right shall only be used to provide the quantity of water necessary for stockwater at the authorized place of use and to offset any associated conveyance losses. If pipelines and troughs are used to deliver water to stock, thereby reducing conveyance losses in the delivery system, the diversion from the creek shall be reduced accordingly to prevent waste.
2. This right shall not be used for irrigation.
3. The quantity of water under this right shall not exceed 13,000 gallons per day for stockwater use. Any water diverted in excess of 13,000 gallons per day shall only be used to offset conveyance losses.
4. The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. Use of water under this right may 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. 74Z.

Transfer No. 86042

SCANNED

OCT 26 2022

**WATER RIGHT NO. 74-411**  
**As Modified by Transfer No. 86042**

**CONDITIONS OF APPROVAL**

6. 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(s).
7. Water is delivered through Diversion E-14, which is also known as the Schoonover-Freeman-Seamour Ditch.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 74-15714**  
**As Modified by Transfer No. 86042**

In accordance with the approval of Transfer No. 86042, Water Right No. 74-15714 is now described as follows:

**Right Holder:** KENNETH J PETERSON AND  
 JANETTE S PETERSON  
 PO BOX 58  
 LEADORE, ID 83464

**Priority Date:** 3/25/1887

**Source:** BIG EIGHTMILE CREEK      **Tributary:** LEMHI RIVER

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| STOCKWATER                   | 01/01              | to 12/31         | 0.330 cfs<br>0.330 cfs       |

**LOCATION OF POINT(S) OF DIVERSION**

BIG EIGHTMILE CREEK      SWNW      Sec 33 Twp 16N Rge 25E LEMHI County

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 16N | 25E | 20  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    | X  |        |
| 16N | 25E | 21  |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |    |    |    |        |
| 16N | 25E | 28  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |
| 16N | 25E | 29  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. This right shall only be used to provide the quantity of water necessary for stockwater at the authorized place of use and to offset any associated conveyance losses. If pipelines and troughs are used to deliver water to stock, thereby reducing conveyance losses in the delivery system, the diversion from the creek shall be reduced accordingly to prevent waste.
2. This right shall not be used for irrigation.
3. The quantity of water under this right shall not exceed 13,000 gallons per day for stockwater use. Any water diverted in excess of 13,000 gallons per day shall only be used to offset conveyance losses.
4. The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. Use of water under this right may 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. 74Z.

Transfer No. 86042

SCANNED  
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**WATER RIGHT NO. 74-15714**

**As Modified by Transfer No. 86042**

**CONDITIONS OF APPROVAL**

6. 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(s).
7. Water is delivered through Diversion E-14, which is also known as the Schoonover-Freeman-Seamour Ditch.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 74-15715**  
**As Modified by Transfer No. 86042**

In accordance with the approval of Transfer No. 86042, Water Right No. 74-15715 is now described as follows:

**Right Holder:** STEVEN L JOHNSON AND  
 SUSAN JOHNSON  
 1019 LEE CREEK RD  
 LEADORE, ID 83464-5011

**Priority Date:** 3/25/1887

**Source:** BIG EIGHTMILE CREEK      **Tributary:** LEMHI RIVER

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| STOCKWATER                   | 01/01              | to 12/31         | 0.330 cfs<br>0.330 cfs       |

**LOCATION OF POINT(S) OF DIVERSION**

BIG EIGHTMILE CREEK      SWNW      Sec 33 Twp 16N Rge 25E LEMHI County

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 16N | 25E | 20  | X  |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    | X  |        |
| 16N | 25E | 21  |    |    |    |    |    | X  | X  | X  | X  | X  | X  | X  |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. This right shall only be used to provide the quantity of water necessary for stockwater at the authorized place of use and to offset any associated conveyance losses. If pipelines and troughs are used to deliver water to stock, thereby reducing conveyance losses in the delivery system, the diversion from the creek shall be reduced accordingly to prevent waste.
2. This right shall not be used for irrigation.
3. The quantity of water under this right shall not exceed 13,000 gallons per day for stockwater use. Any water diverted in excess of 13,000 gallons per day shall only be used to offset conveyance losses.
4. The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. Use of water under this right may 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. 74Z.

Transfer No. 86042

SCANNED  
OCT 26 2022

**WATER RIGHT NO. 74-15715**  
**As Modified by Transfer No. 86042**

**CONDITIONS OF APPROVAL**

6. 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(s).
7. Water is delivered through Diversion E-14, which is also known as the Schoonover-Freeman-Seamour Ditch.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.