

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 30 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-2365 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-637C OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
~~34-638B~~	~~Yes~~	Yes ☐		Yes ☐	Yes ☐
34-7239A OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-14920 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Patrick Sean Powers Living Trust John L Powers
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Byron Peterson
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ orMailing address 3820 N 3580 WCity Moore State Idaho Zip 83255Telephone 208-588-3101

Email _____

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: July 14th 2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ No fee is required for pending adjudication claims.

- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Byron Peterson Signature of new owner/claimant
Byron Peterson Print name
Owner Title, if applicable
Aug 21-23 Date

Signature: _____
 Signature of new owner/claimant
 Title, if applicable
 Date

Received by M. Petter Date 8-30-23 For IDWR Office Use Only:
 Active in the Water Supply Bank? Yes ☐ No ☐ Receipt No. E049458 Receipt Amt. 100.00
 Name on W-9 _____ If yes, forward to the State Office for processing
 Approved by JB/C Processed by JB W-9 received? Yes ☐ No ☐
 Date 8/31/2023

QUITCLAIM DEED

FOR VALUE RECEIVED, **Patrick Sean Powers**, hereinafter called "Grantor", does hereby grant and convey, to **Byron and Terri Pehrson**, husband and wife, of 3820 N 3580 W, Moore, ID 83255, hereinafter called "Grantee."

WITNESSETH, that the Grantor, for and in consideration of the esteem he holds for the Grantee, by these presents, does give, convey and confirm unto the Grantee, the following described water right property, located in Custer County, Idaho, to-wit:

See Attached Exhibit A

Together with all appurtenances.

IN WITNESS WHEREOF, the Grantor has hereunto set his hands and seals this day.

DATED this 22 day of Aug, 2023.

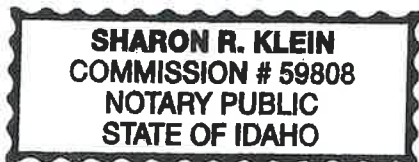
"GRANTOR"

Patrick Sean Powers

Patrick Sean Powers
Patrick Sean Powers

STATE OF IDAHO)
)ss.
County of Custer)

This record was acknowledged before me on the 22 day of Aug, 2023 by
GRANTOR'S NAME.



Sharon R. Klein
Notary Public for Idaho
My Commission Expires: 9.01.2024

Exhibit A

Page 2 of 47

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT TRANSFER NO. 87871

Purpose of Transfer (Changes Proposed)

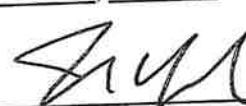
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-2365	NO	YES	YES	NO	NO	NO
34-637C	NO	YES	YES	NO	NO	NO
34-638A	YES	YES	YES	NO	NO	NO
34-7239A	NO	YES	YES	NO	NO	NO

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>
34-2365	34-2365	0.330 cfs	57.8 af	16.5	31.0	N/A	N/A	N/A	N/A	N/A
34-637C	34-637C	0.220 cfs	N/A	16.5	31.0	N/A	N/A	N/A	N/A	N/A
34-638A	34-14920	0.120 cfs	N/A	6.7	31.0	34-638A	0.030 cfs	N/A	0.7	29.3
34-7239A	34-7239A	0.290 cfs	50.7 af	14.5	31.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.620 cfs	N/A	31.0	31.0		N/A	N/A	N/A	N/A

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 14th day of July, 2023.


Regional Manager

Transfer No. 87871

QUITCLAIM DEED

FOR VALUE RECEIVED, **Patrick Sean Powers**, hereinafter called "Grantor", does hereby grant and convey, to **Byron and Terri Pehrson**, husband and wife, of 3820 N 3580 W, Moore, ID 83255, hereinafter called "Grantee."

WITNESSETH, that the Grantor, for and in consideration of the esteem he holds for the Grantee, by these presents, does give, convey and confirm unto the Grantee, the following described water right property, located in Custer County, Idaho, to-wit:

See Attached Exhibit A

Together with all appurtenances.

IN WITNESS WHEREOF, the Grantor has hereunto set his hands and seals this day.

DATED this 22 day of Aug, 2023.

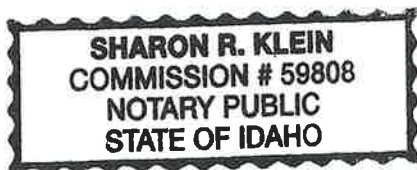
"GRANTOR"

Patrick Sean Powers


Patrick Sean Powers

STATE OF IDAHO)
)ss.
County of Custer)

This record was acknowledged before me on the 22 day of Aug, 2023 by
GRANTOR'S NAME.




Notary Public for Idaho
My Commission Expires: 09-01-2024

Exhibit A

Page 2 of 47

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT TRANSFER NO. 87871

Purpose of Transfer (Changes Proposed)

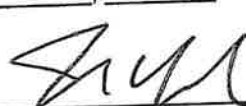
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
34-2365	NO	YES	YES	NO	NO	NO
34-637C	NO	YES	YES	NO	NO	NO
34-638A	YES	YES	YES	NO	NO	NO
34-7239A	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
34-2365	34-2365	0.330 cfs	57.8 af	16.5	31.0	N/A	N/A	N/A	N/A	N/A
34-637C	34-637C	0.220 cfs	N/A	16.5	31.0	N/A	N/A	N/A	N/A	N/A
34-638A	34-14920	0.120 cfs	N/A	6.7	31.0	34-638A	0.030 cfs	N/A	0.7	29.3
34-7239A	34-7239A	0.290 cfs	50.7 af	14.5	31.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.620 cfs	N/A	31.0	31.0		N/A	N/A	N/A	N/A

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 14th day of July, 2023.


Regional Manager

Transfer No. 87871

AGREEMENT FOR CHANGE OF POINT OF DELIVERY

THIS AGREEMENT made this 6 day of June 2023, by and between Big Lost River Irrigation District, hereinafter referred to as "District", an irrigation district organized and existing under and by virtue of the laws of the State of Idaho and Loy & Byron Pehrson (B & L Farms) of Darlington, Idaho 83255 3624W 3700N hereinafter referred to as the "Landowner".

WITNESSETH:

WHEREAS, the Landowner is the owner of those lands described in the Assessment Rolls of the District as Account Number _____, more fully described as:

And,

WHEREAS, the above described real property is within the Big Lost River Irrigation District and the Landowner presently receives water for the irrigation of said lands from the District at the following point, to-wit:

<u>Burnett Ditch</u>
<u>Beck Ditch</u>
<u>3+1 Ditch</u>
<u>Pehrson Ditch</u>

WHEREAS, the Landowner desires to change his method of irrigation of the above described lands and desires to accept water for the irrigation of all of the above lands at the following point, to-wit:

<u>Burnett Ditch</u>
<u>Beck Ditch</u>
<u>3+1 Ditch</u>
<u>Pehrson Ditch</u>

WHEREAS, the DISTRICT is willing to allow that portion of Sharp 34 CFS (canal, lateral, or ditch, if any) to be abandoned which is no longer needed to provide water to lands within the DISTRICT or Landowner's land.

NOW, THEREFORE, in consideration of the mutual covenants herein contained it is agreed by the Landowner that he will accept as his point of delivery of water from the District for the irrigation of the lands described in the District's Assessment Roll under Account Number _____, at the following point, to-wit:

Burgett Ditch
Beck Ditch
3rd Ditch
Rehman Ditch

IT IS FURTHER AGREED between the parties hereto that the Landowner, his successors and assigns, will be solely responsible, at his cost and expense, for the delivery of water from the above described delivery point to the lands under Account Number _____, and does hereby agree to accept the point of delivery of irrigation water herein provided for the Landowner.

#34-637C #34-638A .12 cfs
22 cfs
34-14920
Portion of

IT IS FURTHER AGREED by and between the parties hereto that the District may abandon ~~all~~ portion of Sharp 34 CFS (ditch, lateral or canal) which is no longer necessary to convey water to the Landowner's land and assumes no further obligations of whatsoever kind or nature to operate and maintain that portion of the said delivery facility which is no longer needed for the delivery of water to the Landowner's land.

IT IS FURTHER AGREED that the District assumes no obligation to deliver water to the Landowner at the new point of delivery under pressure and the Landowner does hereby agree to assume all costs and expenses, if any, in providing pressure to water lines for the delivery of water from the new point of delivery to the place of use, or for the construction of any ditches or laterals over easements retained by the District, upon approval by the District.

IT IS FURTHER AGREED that nothing contained herein shall be considered as a relinquishment or abandonment of the existing right-of-way for the maintenance of said lateral or the right of the District to reconstruct the lateral, ditch or other water conveyance system on said right-of-way at such time and under such terms as the District may determine proper under the circumstances.

This agreement shall be binding upon the heirs, administrators, executors personal representatives, and assigns of the parties hereto, and shall run with the land above described.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

BIG LOST RIVER IRRIGATION DISTRICT

M. J. [Signature]
Chairman of the Board

ATTEST:

Monica Anderson
Secretary-Treasurer of the Board

Landowner

Printed name below:

STATE OF IDAHO)
County of CUSTER)

ON THIS 26th day of July, 20 23, before me, the undersigned, a Notary Public in and for said State, personally appeared Mojaneti Broadie, known to me to be the Chairman, and Monica Anderson, known to me to be the Secretary-Treasurer and _____ and _____, know to me to be the person(s) whose name(s) subscribed to the written instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Stephanie Leavitt
Notary Public residing at:
Mackay ID
My commission expires: 07/05/2024

STATE OF IDAHO)
County of _____)

ON THIS _____ day of _____, 20 _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the Chairman, and _____, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

SEAL

Notary Public residing at:

My commission expires: _____

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

Water Right 34-637C

Owner Type **Name and Address**
Current Owner JOHN L POWERS
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Current Owner PATRICK SEAN POWERS LIVING
 TRUST
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Priority Date: 6/1/1888

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	0.220 CFS	
	Total Diversion		0.220 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER NWNW Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	32															9.0	22.0	31.0
																			Right Acre Limit: 16.50
																			POU Total Acres: 31.0

Conditions of Approval:

1. X35 Rights 34-637C, 34-2365, and 34-14920 when combined shall not exceed a total diversion rate of 0.33 cfs and the irrigation of 16.5 acres.
2. X35 Rights 34-637C, 34-2365, 34-7239A, and 34-14920 when combined shall not exceed a total diversion rate of 0.62 cfs and the irrigation of 31 acres.
3. X35 Rights 34-637C, 34-2365, 34-7239A, 34-14920, 34-4010, 34-7056, 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-14209, 34-14824, 34-14825, 34-14826, 34-14827, and 34-14828, when combined shall not exceed a total diversion rate of 18.36 cfs and the irrigation of 645 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

- | | | |
|-----|-----|--|
| 4. | R05 | 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. | R02 | A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. |
| 6. | R43 | 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. | 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. |
| 8. | | Water is delivered through the Burnett Ditch. |
| 9. | R59 | 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 place of use. |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | T08 | 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. | T19 | 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. |

Dates and Other Information:

Decreed Date: 12/14/2001

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		65.6	34-440B ,34-2365 ,34-637C ,34-638A ,34-7239A
0.540		18.7	34-2365 ,34-637C ,34-638A

SubCase:

N/A

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

N/A

State of Idaho
Department of Water Resources

Water Right

34-637C

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/30/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary



**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

8/30/2023

Water Right 34-2365

Owner Type **Name and Address**
Current Owner JOHN L POWERS
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Current Owner PATRICK SEAN POWERS LIVING
 TRUST
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Priority Date: 5/4/1960

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.330 CFS	57.8 AF
	<u>Total Diversion</u>		0.330 CFS	57.8 AF

Source and Point(s) of Diversion:

GROUND WATER NWSE Sec. 32, Twp 07N, Rge 25E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

IRRIGATION within GUSTER County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	25E	32														9.0	22.0	31.0	

Right Acre Limit: 16.50
POU Total Acres: 31.0

Conditions of Approval:

1. X35 Rights 34-637C, 34-2365, and 34-14920 when combined shall not exceed a total diversion rate of 0.33 cfs and the irrigation of 16.5 acres.
2. X35 Rights 34-637C, 34-2365, 34-7239A, and 34-14920 when combined shall not exceed a total diversion rate of 0.62 cfs and the irrigation of 31 acres.
3. X35 Rights 34-637C, 34-2365, 34-7239A, 34-14920, 34-4010, 34-7056, 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-14209, 34-14824, 34-14825, 34-14826, 34-14827, and 34-14828, when combined shall not exceed a total diversion rate of 18.36 cfs and the irrigation of 645 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

4. R05 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. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 87871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point of diversion in accordance with Department specifications.
8. R59 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 place of use.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 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. T19 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.

Dates and Other Information:

Decreed Date: 12/14/2001

State or Federal: S

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		65.6	34-440B ,34-2365 ,34-637C ,34-638A ,34-7239A
0.540		18.7	34-2365 ,34-637C ,34-638A

SubCase:

N/A

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

N/A

State of Idaho
Department of Water Resources

Water Right

34-2365

IRRIGATION

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Date created: 8/30/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

Water Right 34-7239A

Owner Type **Name and Address**
Current Owner JOHN L POWERS TRUST
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Priority Date: 1/22/1980

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.290 CFS	50.7 AF
	<u>Total Diversion</u>		0.290 CFS	50.7 AF

Source and Point(s) of Diversion:

GROUND WATER NWSE Sec. 32, Twp 07N, Rge 25E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	25E	32														9.0	22.0		31.0

Right Acre Limit: 14.50
POU Total Acres: 31.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 14.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-637C, 34-2365, 34-7239A, and 34-14920 when combined shall not exceed a total diversion rate of 0.62 cfs and the irrigation of 31 acres.
3. X35 Rights 34-637C, 34-2365, 34-7239A, 34-14920, 34-4010, 34-7056, 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-14209, 34-14824, 34-14825, 34-14826, 34-14827, and 34-14828, when combined shall not exceed a total diversion rate of 18.36 cfs and the irrigation of 645 acres.
4. R05 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. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

- | | | |
|-----|-----|--|
| 6. | 214 | watermaster suitable control of the diversion.
Prior to the diversion and use of water under Transfer approval 87871, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device. |
| 7. | 213 | Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications. |
| 8. | 933 | This right is for the use of trust water, and it is subject to review 20 years after its initial approval (March 3, 1980) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water. |
| 9. | R59 | 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 place of use. |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |

Dates and Other Information:

Licensed Date: 3/1/2010
Water District Number: 34
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		65.6	34-440B ,34-2365 ,34-637C ,34-638A ,34-7239A
	164.0	46.9	34-440B ,34-7239A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right

34-7239A

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/30/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

Water Right 34-14920

Owner Type **Name and Address**
Current Owner JOHN L POWERS
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Current Owner PATRICK SEAN POWERS LIVING
 TRUST
 PO BOX 493
 MACKAY, ID 83251-0493
 (208) 339-3358

Priority Date: 10/12/1884

Basis: Decreed

Status: Active

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	10/15	0.120 CFS	
	<u>Total Diversion</u>		0.120 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER NWNW

Sec. 34, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	25E	32															9.0	22.0	31.0

Right Acre Limit: 6.70
POU Total Acres: 31.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 6.7 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-637C, 34-2365, and 34-14920 when combined shall not exceed a total diversion rate of 0.33 cfs and the irrigation of 16.5 acres.
3. X35 Rights 34-637C, 34-2365, 34-7239A, and 34-14920 when combined shall not exceed a total diversion rate of 0.62 cfs and the irrigation of 31 acres.
4. X35 Rights 34-637C, 34-2365, 34-7239A, 34-14920, 34-4010, 34-7056, 34-14189, 34-14191, 34-14193, 34-14195, 34-14197, 34-14199, 34-14201, 34-14203, 34-14205, 34-14207, 34-14209, 34-14824, 34-14825, 34-14826, 34-14827, and

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/30/2023

- | | | |
|-----|-----|--|
| 5. | R05 | 34-14828, when combined shall not exceed a total diversion rate of 18.36 cfs and the irrigation of 645 acres.
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. |
| 6. | R02 | A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. |
| 7. | R43 | 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). |
| 8. | 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. |
| 9. | | Water is delivered through the Burnett Ditch. |
| 10. | R59 | 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 place of use. |
| 11. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 12. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 13. | T19 | 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. |

Dates and Other Information:

Decreed Date: 12/14/2001

State or Federal: S

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right

34-14920

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/30/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 31, 2023

BYRON PEHRSON
TERRI PEHRSON
3820 W 3580 N
DARLINGTON ID 83231

Re: Change in Ownership for Water Right No(s): 34-637C, 34-2365, 34-7239A, 34-14920

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 34
BIG LOST RIVER IRRIGATION DISTRICT