

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-2627A
Date Received: 10/25/1988
Receipt No: S003232
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PICABO LIVESTOCK CO INC Phone: (208)788-3530
PO BOX 748
PICABO ID 83348

2. Date of Priority: 12/09/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01S	20E	30	SE	NE	NW	BLAINE	
01S	20E	20	SE	SW	SE	BLAINE	
01S	20E	30	NW	SW	NE	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	10.65	3865.7

7. Total Quantity Appropriated is:
10.65 C.F.S. and/or 3865.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range Section		1/4 of 1/4		Lot	Use	Acres
01S	20E	19	NE	NE	4	IRRIGATION	40
			SE	NE		IRRIGATION	39
			SW	SW		IRRIGATION	38
			SE	SW		IRRIGATION	39
			NE	SE		IRRIGATION	26
			NW	SE		IRRIGATION	32
			SW	SE		IRRIGATION	35
			SE	SE		IRRIGATION	37
Section Acres						286	
01S	20E	20	NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			NE	SW		IRRIGATION	30
			NW	SW		IRRIGATION	38
			SW	SW		IRRIGATION	19
			SE	SW		IRRIGATION	19
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	36
			SW	SE		IRRIGATION	11
			SE	SE		IRRIGATION	36
Section Acres						309	
01S	20E	21	SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	27
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	36
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	37
			SE	SE		IRRIGATION	28
Section Acres						368	
01S	20E	22	SW	NW		IRRIGATION	23
			SE	NW		IRRIGATION	19
			NE	SW		IRRIGATION	6.8
			NW	SW		IRRIGATION	36
			SW	SW		IRRIGATION	37
			SE	SW		IRRIGATION	27
Section Acres						148.8	

01S	20E	26	NW	SW	IRRIGATION	14
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	3
					Section Acres	53
01S	20E	27	NW	NE	IRRIGATION	20
			SW	NE	IRRIGATION	29
			NE	NW	IRRIGATION	36
			NW	NW	IRRIGATION	18
			SW	NW	IRRIGATION	32
			SE	NW	IRRIGATION	22
			NE	SW	IRRIGATION	15
			NW	SW	IRRIGATION	24
			SW	SW	IRRIGATION	0.6
			SE	SW	IRRIGATION	12
			NE	SE	IRRIGATION	30
			NW	SE	IRRIGATION	16
			SW	SE	IRRIGATION	32
			SE	SE	IRRIGATION	36
					Section Acres	322.6
01S	20E	28	NE	NE	IRRIGATION	20
			NW	NE	IRRIGATION	24
			SW	NE	IRRIGATION	34
			SE	NE	IRRIGATION	29
			NE	NW	IRRIGATION	17
			NW	NW	IRRIGATION	22
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	38
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	32
			SE	SW	IRRIGATION	38
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	36
			SE	SE	IRRIGATION	6.4
					Section Acres	496.4
01S	20E	29	NE	NE	IRRIGATION	29
			NW	NE	IRRIGATION	38
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	33
			NW	NW	IRRIGATION	27
			SW	NW	IRRIGATION	33
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	36
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	39

			SW	SE	IRRIGATION	2.8
			SE	SE	IRRIGATION	29
					Section Acres	426.8
01S	20E	30	NE	NE	IRRIGATION	30
			NW	NE	IRRIGATION	35
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	31
			NE	NW	IRRIGATION	18
			NW	NW	IRRIGATION	2
			SE	NW	IRRIGATION	15
			NE	SE	IRRIGATION	37
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	35
			SE	SE	IRRIGATION	40
					Section Acres	323
01S	20E	31	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	15
			SE	NE	IRRIGATION	40
					Section Acres	95
01S	20E	33	NE	NE	IRRIGATION	4.9
			NW	NE	IRRIGATION	19
			NE	NW	IRRIGATION	4.4
					Section Acres	28.3
01S	20E	34	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	34
			NW	NW	IRRIGATION	0.5
					Section Acres	114.5
01S	20E	35	NW	NW	IRRIGATION	41
			SW	NW	IRRIGATION	25
					Section Acres	66
					Total Acres	3037.4

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

This right is limited to the irrigation of 2496.3 acres within the place of use described above in a single irrigation season.

The total instantaneous diversion of water from all points of diversion under Rights 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.

Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in a single irrigation season.

The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

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. 37M.

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.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69624

This is to certify that: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348
(208)788-3530

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
37-2627A	AJC/License	12/09/1959	10.65 cfs	3865.7 af	2496.3	2,711.3	GROUND WATER
37-11911	AJC/License	07/28/1959	6.18 cfs	1190.0 af	340.0	2,711.3	GROUND WATER
37-11914	AJC/Beneficial Use	05/01/1972	6.18 cfs	1603.2 af	967.0	2,711.3	GROUND WATER

Purpose of Transfer (Changes Proposed)

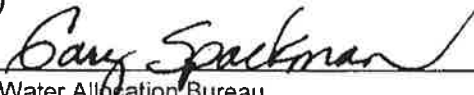
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2627A	NO	NO	YES	NO	NO	NO
37-11911	NO	NO	YES	NO	NO	NO
37-11914	NO	NO	YES	NO	NO	NO

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
37-2627A	37-2627A	10.65cfs	3865.7 af	2,496.3	3,037.4		N/A	N/A	N/A	N/A
37-11911	37-11911	6.18 cfs	1190.0 af	340.0	3,037.4		N/A	N/A	N/A	N/A
37-11914	37-11914	6.18 cfs	257.0 af	967.0	3,037.4		N/A	N/A	N/A	N/A
COMBINED TOTALS		16.83 cfs	5312.7af	2711.3	3037.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2627A
As Modified by Transfer No. 69624

In accordance with the approval of Transfer No. 69624, Water Right No. 37-2627A is now described as follows.

Right Holder: PICABO LIVESTOCK CO INC
 PO BOX 748
 PICABO ID 83348

Priority Date: December 09, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	10.65 CFS	3,865.7 AF
			10.65 CFS	3,865.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 20 Twp 01S Rge 20E	BLAINE County
GROUND WATER	NWSWNE	Sec. 30 Twp 01S Rge 20E	BLAINE County
GROUND WATER	SENENW	Sec. 30 Twp 01S Rge 20E	BLAINE 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	
01S 20E 19	40.0			39.0							38.0	39.0	26.0	32.0	35.0	37.0	286.0
01S 20E 20					40.0	40.0			30.0	38.0	19.0	19.0	40.0	36.0	11.0	36.0	309.0
01S 20E 21			40.0	27.0					40.0	40.0	40.0	36.0	40.0	40.0	37.0	28.0	368.0
01S 20E 22							23.0	19.0	6.8	36.0	37.0	27.0					148.8
01S 20E 26										14.0	36.0	3.0					53.0
01S 20E 27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	.6	12.0	30.0	16.0	32.0	36.0	322.6
01S 20E 28	20.0	24.0	34.0	29.0	17.0	22.0	40.0	38.0	40.0	40.0	32.0	38.0	40.0	40.0	36.0	6.4	496.4
01S 20E 29	29.0	38.0	40.0	40.0	33.0	27.0	33.0	40.0	36.0				40.0	39.0	2.8	29.0	426.8
01S 20E 30	30.0	35.0	40.0	31.0	18.0	2.0		15.0					37.0	40.0	35.0	40.0	323.0
01S 20E 31	40.0	15.0		40.0		L 1											95.0
01S 20E 33	4.9	19.0			4.4												28.3
01S 20E 34	40.0	40.0			34.0	.5											114.5
01S 20E 35						41.0	25.0										66.0

Total Acres: 3037.4

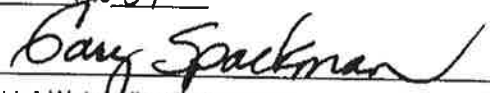
WATER RIGHT NO. 37-2627A
As Modified by Transfer No. 69624

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2496.3 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 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.
3. Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. 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. 37M.
8. 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.
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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 7th day of May 20 04


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-11911
As Modified by Transfer No. 69624

In accordance with the approval of Transfer No. 69624, Water Right No. 37-11911 is now described as follows.

Right Holder: PICABO LIVESTOCK CO INC
 PO BOX 748
 PICABO ID 83348

Priority Date: July 28, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	6.18 CFS	1,190.0 AF
			6.18 CFS	1,190.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSE Sec. 20 Twp 01S Rge 20E BLAINE County

GROUND WATER NWSWNE Sec. 30 Twp 01S Rge 20E BLAINE County

GROUND WATER SENENW Sec. 30 Twp 01S Rge 20E BLAINE 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	
01S 20E 19	40.0			39.0							38.0	39.0	26.0	32.0	35.0	37.0	286.0
											L 4						
01S 20E 20					40.0	40.0			30.0	38.0	19.0	19.0	40.0	36.0	11.0	36.0	309.0
01S 20E 21			40.0	27.0					40.0	40.0	40.0	36.0	40.0	40.0	37.0	28.0	368.0
01S 20E 22							23.0	19.0	6.8	36.0	37.0	27.0					148.8
01S 20E 26										14.0	36.0	3.0					53.0
01S 20E 27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	.6	12.0	30.0	16.0	32.0	36.0	322.6
01S 20E 28	20.0	24.0	34.0	29.0	17.0	22.0	40.0	38.0	40.0	40.0	32.0	38.0	40.0	40.0	36.0	6.4	496.4
01S 20E 29	29.0	38.0	40.0	40.0	33.0	27.0	33.0	40.0	36.0				40.0	39.0	2.8	29.0	426.8
01S 20E 30	30.0	35.0	40.0	31.0	18.0	2.0		15.0					37.0	40.0	35.0	40.0	323.0
01S 20E 31	40.0	15.0		40.0													95.0
01S 20E 33	4.9	19.0			4.4												28.3
01S 20E 34	40.0	40.0			34.0	.5											114.5
01S 20E 35					41.0	25.0											66.0

Total Acres: 3037.4

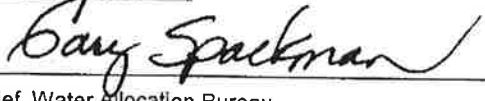
WATER RIGHT NO. 37-11911
As Modified by Transfer No. 69624

CONDITIONS OF APPROVAL

1. This right is a combination of old rights 37-2617 and 37-2620 using the priority of the junior right.
2. Right No. 37-11914 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
3. This right is limited to the irrigation of 340 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion under Rights 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.
5. Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in a single irrigation season.
6. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. 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. 37M.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. 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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 7th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-11914
As Modified by Transfer No. 69624

In accordance with the approval of Transfer No. 69624, Water Right No. 37-11914 is now described as follows.

Right Holder: PICABO LIVESTOCK CO INC
 PO BOX 748
 PICABO ID 83348

Priority Date: May 01, 1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	6.18 CFS	257.0 AF
			6.18 CFS	257.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER	NWSWNE	Sec. 30 Twp 01S Rge 20E BLAINE County
GROUND WATER	SENENW	Sec. 30 Twp 01S Rge 20E BLAINE 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	
01S 20E 19	40.0			39.0							38.0	39.0	25.0	32.0	35.0	37.0	286.0
01S 20E 20					40.0	40.0			30.0	38.0	19.0	19.0	40.0	36.0	11.0	36.0	309.0
01S 20E 21			40.0	27.0					40.0	40.0	40.0	36.0	40.0	40.0	37.0	28.0	368.0
01S 20E 22							23.0	19.0	6.8	36.0	37.0	27.0					148.8
01S 20E 26									14.0	36.0	3.0						53.0
01S 20E 27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	.6	12.0	30.0	16.0	32.0	36.0	322.6
01S 20E 28	20.0	24.0	34.0	29.0	17.0	22.0	40.0	38.0	40.0	40.0	32.0	38.0	40.0	40.0	36.0	6.4	496.4
01S 20E 29	29.0	38.0	40.0	40.0	33.0	27.0	33.0	40.0	36.0				40.0	39.0	2.8	29.0	426.8
01S 20E 30	30.0	35.0	40.0	31.0	18.0	2.0		15.0					37.0	40.0	35.0	40.0	323.0
01S 20E 31	40.0	15.0		40.0													95.0
01S 20E 33	4.9	19.0			4.4												28.3
01S 20E 34	40.0	40.0			34.0	.5											114.5
01S 20E 35						41.0	25.0										66.0

Total Acres: 3037.4

WATER RIGHT NO. 37-11914
As Modified by Transfer No. 69624

CONDITIONS OF APPROVAL

1. 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.
2. This right is based upon an enlargement of right no. 37-11911 pursuant to Section 42-1426, Idaho Code.
3. This right is limited to the irrigation of 967 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion under Rights 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.
5. Rights 37-11911 and 37-11914 when combined shall not exceed a total diversion rate of 6.18 cfs, nor a total combined annual volume of 1447 af, nor the irrigation of more than 1307 acres within the place of use described above in any one season.
6. Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in any one season.
7. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
10. 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. 37M.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication. Specifically the volume of use may be revised during the SRBA process if additional historical information is discovered.

WATER RIGHT NO. 37-11914
As Modified by Transfer No. 69624

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 7th day of May, 20 04


Chief, Water Allocation Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02627A
Date Received: 10/21/1988
Receipt No: 5003232
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PICABO LIVESTOCK CO., INC. 208-788-2516
Address: P. O. BOX 688
PICABO, ID 83348

2. Date of Priority: DEC 09, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	20E	20	SW	SE	SE		BLAINE

5. Description of diverting works:
WELL & PUMP, 60 HP MOTOR, GRAVITY & SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.900		

7. Total Quantity Appropriated is:
6.900 C.F.S. (and/or) 2928.80 A.F.A.

8. Total consumptive use is 2928.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	20	NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			NE	SW		IRR	30.0
			NW	SW		IRR	38.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	20	SW	SW		IRR	7.0
			SE	SW		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	35.0
			SW	SE		IRR	12.0
			SE	SE		IRR	35.0
						Section Acres	293.0
		21	SW	NE		IRR	39.0
			SE	NE		IRR	28.0
			NE	SW		IRR	39.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	25.0
			NE	SE		IRR	40.0
			NW	SE		IRR	39.0
			SW	SE		IRR	37.0
			SE	SE		IRR	25.0
						Section Acres	352.0
		22	SW	NW		IRR	18.0
			SE	NW		IRR	19.0
			NE	SW		IRR	16.0
			NW	SW		IRR	25.0
			SW	SW		IRR	37.0
			SE	SW		IRR	36.0
						Section Acres	151.0
		27	NW	NE		IRR	21.0
			SW	NE		IRR	20.0
			NE	NW		IRR	38.0
			NW	NW		IRR	16.0
			SE	NW		IRR	20.0
			NE	SE		IRR	1.0
			SW	SE		IRR	14.0
			SE	SE		IRR	7.0
						Section Acres	137.0
		28	NE	NW		IRR	9.0
			NW	NW		IRR	16.0
						Section Acres	25.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	29	NE	NE		IRR	2.0
			NW	NW		IRR	2.0
						Section Acres	4.0
		30	NE	NE		IRR	20.0
			SE	NE		IRR	10.0
						Section Acres	30.0
						Total Acres	992.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
MANY DECREEED RIGHTS

14. Remarks:

LAND IS CLAIMED AS IRRIGATED UNDER SEC. 42-1416 IDAHO CODE. LAND IS THAT PART OF THE RANCH NORTH OF THE ORIGINAL CHANNEL OF SILVER CREEK. THE WELL SUPPLEMENTS OUR DECREEED RIGHTS AS NEEDED. IN WET YEARS IT IS USED VERY LITTLE, BUT CAN RUN A GREAT DEAL IN DRY YEARS. THE LAND DESCRIPTION IN THE ORIGINAL LICENSE APPEARS TO BE INCORRECT.

15. Basis of Claim: LICENSE

COPY

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FEB 23 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Provo Lumber Co., that I have signed the foregoing
document in the space below as President of
_____ and that the statements contained in the
foregoing document are true and correct.

J. M. Perry
Signature of Authorized Agent

President
Title and Organization

Date

State of Idaho)
County of Twila Tally) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of Oct. 19 88

Joe D. Hentz
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/20/98

COPY

MICROFILMED
FEB 23 1993

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 NOV 4 PM 2 49

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No: 37-2627A, 37-11911,
37-11914

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 AMENDED TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒	Combined Limit Conditions (Quantity)	☐	Split of Water Right
☐	Point of Diversion	☐	Place of Use
☐	Period of Use	☐	Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/28/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-4, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Picabo Livestock Co Inc
PO Box 748
Picabo ID 83348

Gary Slette
Robertson & Slette PLLC
PO Box 1906
Twin Falls ID 83301-1906

Craig Hobdey
Hobdey & Hobdey
PO Box 176
Gooding ID 83330



Signature of person or attorney mailing the form

10/14/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2627A

NAME AND ADDRESS: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 10.650 CFS
3,865.70 AFY

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.83 cfs and to a total combined annual diversion volume of 5312.7 AF.

The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate points of diversion of 9489.6 17,081 af.

PRIORITY DATE: 12/09/1959

POINT OF
DIVERSION:

T01S R20E S20 SESWSE Within BLAINE County

T01S R20E S30 NWSWNE Within BLAINE County

T01S R20E S30 SENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

10.650 CFS
3,865.70 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S19	NENE	40.00	T01S R20E S19	SENE	39.00
T01S R20E S19 Lot 4 SWSW		38.00	T01S R20E S19	SESW	39.00
T01S R20E S19	NESE	26.00	T01S R20E S19	NWSE	32.00
T01S R20E S19	SWSE	35.00	T01S R20E S19	SESE	37.00
T01S R20E S20	NWNW	40.00	T01S R20E S20	SWNW	40.00
T01S R20E S20	NESW	30.00	T01S R20E S20	NWSW	38.00
T01S R20E S20	SWSW	19.00	T01S R20E S20	SESW	19.00
T01S R20E S20	NESE	40.00	T01S R20E S20	NWSE	36.00
T01S R20E S20	SWSE	11.00	T01S R20E S20	SESE	36.00
T01S R20E S21	SWNE	40.00	T01S R20E S21	SENE	27.00
T01S R20E S21	NESW	40.00	T01S R20E S21	NWSW	40.00
T01S R20E S21	SWSW	40.00	T01S R20E S21	SESW	36.00
T01S R20E S21	NESE	40.00	T01S R20E S21	NWSE	40.00
T01S R20E S21	SWSE	37.00	T01S R20E S21	SESE	28.00
T01S R20E S22	SWNW	23.00	T01S R20E S22	SENW	19.00
T01S R20E S22	NESW	6.80	T01S R20E S22	NWSW	36.00
T01S R20E S22	SWSW	37.00	T01S R20E S22	SESW	27.00
T01S R20E S26	NWSW	14.00	T01S R20E S26	SWSW	36.00
T01S R20E S26	SESW	3.00	T01S R20E S27	NWNE	20.00
T01S R20E S27	SWNE	29.00	T01S R20E S27	NENW	36.00

T01S R20E S27	NWNW	18.00	T01S R20E S27	SWNW	32.00
T01S R20E S27	SESW	22.00	T01S R20E S27	NESW	15.00
T01S R20E S27	NWSW	24.00	T01S R20E S27	SWSW	0.60
T01S R20E S27	SESW	12.00	T01S R20E S27	NESE	30.00
T01S R20E S27	NWSE	16.00	T01S R20E S27	SWSE	32.00
T01S R20E S27	SESE	36.00	T01S R20E S28	NENE	20.00
T01S R20E S28	NWNE	24.00	T01S R20E S28	SWNE	34.00
T01S R20E S28	SENE	29.00	T01S R20E S28	NENW	17.00
T01S R20E S28	NWNW	22.00	T01S R20E S28	SWNW	40.00
T01S R20E S28	SESW	38.00	T01S R20E S28	NESW	40.00
T01S R20E S28	NWSW	40.00	T01S R20E S28	SWSW	32.00
T01S R20E S28	SESW	38.00	T01S R20E S28	NESE	40.00
T01S R20E S28	NWSE	40.00	T01S R20E S28	SWSE	36.00
T01S R20E S28	SESE	6.40	T01S R20E S29	NENE	29.00
T01S R20E S29	NWNE	38.00	T01S R20E S29	SWNE	40.00
T01S R20E S29	SENE	40.00	T01S R20E S29	NENW	33.00
T01S R20E S29	NWNW	27.00	T01S R20E S29	SWNW	33.00
T01S R20E S29	SESW	40.00	T01S R20E S29	NESW	36.00
T01S R20E S29	NESE	40.00	T01S R20E S29	NWSE	39.00
T01S R20E S29	SWSE	2.80	T01S R20E S29	SESE	29.00
T01S R20E S30	NENE	30.00	T01S R20E S30	NWNE	35.00
T01S R20E S30	SWNE	40.00	T01S R20E S30	SENE	31.00
T01S R20E S30	NENW	18.00	T01S R20E S30 Lot 1	NWNW	2.00
T01S R20E S30	SESW	15.00	T01S R20E S30	NESE	37.00
T01S R20E S30	NWSE	40.00	T01S R20E S30	SWSE	35.00
T01S R20E S30	SESE	40.00	T01S R20E S31	NENE	40.00
T01S R20E S31	NWNE	15.00	T01S R20E S31	SENE	40.00
T01S R20E S33	NENE	4.90	T01S R20E S33	NWNE	19.00
T01S R20E S33	NENW	4.40	T01S R20E S34	NENE	40.00
T01S R20E S34	NWNE	40.00	T01S R20E S34	NENW	34.00
T01S R20E S34	NWNW	0.50	T01S R20E S35	NWNW	41.00
T01S R20E S35	SWNW	25.00			

3037.4 ACRES TOTAL

Rights identified under Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

This right is limited to the irrigation of 2496.3 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right shall not be used 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 partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 37M.

10/14/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11911

NAME AND ADDRESS: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.180 CFS
1,190.00 AFY

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.83 cfs and to a total combined annual diversion volume of 5312.7 AF.

The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field-headgate points of diversion of ~~9489.6~~ 17,081 af.

PRIORITY DATE: 07/28/1959

POINT OF DIVERSION:

T01S R20E S20 SESWSE Within BLAINE County
T01S R20E S30 NWSWNE Within BLAINE County
T01S R20E S30 SENENW Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	6.180 CFS 1,190.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S19	NENE	40.00	T01S R20E S19	SENE	39.00
T01S R20E S19 Lot 4 SWSW		38.00	T01S R20E S19	SESW	39.00
T01S R20E S19	NESE	26.00	T01S R20E S19	NWSE	32.00
T01S R20E S19	SWSE	35.00	T01S R20E S19	SESE	37.00
T01S R20E S20	NWNW	40.00	T01S R20E S20	SWNW	40.00
T01S R20E S20	NESW	30.00	T01S R20E S20	NWSW	38.00
T01S R20E S20	SWSW	19.00	T01S R20E S20	SESW	19.00
T01S R20E S20	NESE	40.00	T01S R20E S20	NWSE	36.00
T01S R20E S20	SWSE	11.00	T01S R20E S20	SESE	36.00
T01S R20E S21	SWNE	40.00	T01S R20E S21	SENE	27.00
T01S R20E S21	NESW	40.00	T01S R20E S21	NWSW	40.00
T01S R20E S21	SWSW	40.00	T01S R20E S21	SESW	36.00
T01S R20E S21	NESE	40.00	T01S R20E S21	NWSE	40.00
T01S R20E S21	SWSE	37.00	T01S R20E S21	SESE	28.00
T01S R20E S22	SWNW	23.00	T01S R20E S22	SENE	19.00
T01S R20E S22	NESW	6.80	T01S R20E S22	NWSW	36.00
T01S R20E S22	SWSW	37.00	T01S R20E S22	SESW	27.00
T01S R20E S26	NWSW	14.00	T01S R20E S26	SWSW	36.00
T01S R20E S26	SESW	3.00	T01S R20E S27	NWNE	20.00
T01S R20E S27	SWNE	29.00	T01S R20E S27	NENW	36.00

T01S R20E S27	NWNW	18.00	T01S R20E S27	SWNW	32.00
T01S R20E S27	SENW	22.00	T01S R20E S27	NESW	15.00
T01S R20E S27	NWSW	24.00	T01S R20E S27	SWSW	0.60
T01S R20E S27	SESW	12.00	T01S R20E S27	NESE	30.00
T01S R20E S27	NWSE	16.00	T01S R20E S27	SWSE	32.00
T01S R20E S27	SESE	36.00	T01S R20E S28	NENE	20.00
T01S R20E S28	NWNE	24.00	T01S R20E S28	SWNE	34.00
T01S R20E S28	SENE	29.00	T01S R20E S28	NENW	17.00
T01S R20E S28	NWNW	22.00	T01S R20E S28	SWNW	40.00
T01S R20E S28	SENW	38.00	T01S R20E S28	NESW	40.00
T01S R20E S28	NWSW	40.00	T01S R20E S28	SWSW	32.00
T01S R20E S28	SESW	38.00	T01S R20E S28	NESE	40.00
T01S R20E S28	NWSE	40.00	T01S R20E S28	SWSE	36.00
T01S R20E S28	SESE	6.40	T01S R20E S29	NENE	29.00
T01S R20E S29	NWNE	38.00	T01S R20E S29	SWNE	40.00
T01S R20E S29	SENE	40.00	T01S R20E S29	NENW	33.00
T01S R20E S29	NWNW	27.00	T01S R20E S29	SWNW	33.00
T01S R20E S29	SENW	40.00	T01S R20E S29	NESW	36.00
T01S R20E S29	NESE	40.00	T01S R20E S29	NWSE	39.00
T01S R20E S29	SWSE	2.80	T01S R20E S29	SESE	29.00
T01S R20E S30	NENE	30.00	T01S R20E S30	NWNE	35.00
T01S R20E S30	SWNE	40.00	T01S R20E S30	SENE	31.00
T01S R20E S30	NENW	18.00	T01S R20E S30 Lot 1	NWNW	2.00
T01S R20E S30	SENW	15.00	T01S R20E S30	NESE	37.00
T01S R20E S30	NWSE	40.00	T01S R20E S30	SWSE	35.00
T01S R20E S30	SESE	40.00	T01S R20E S31	NENE	40.00
T01S R20E S31	NWNE	15.00	T01S R20E S31	SENE	40.00
T01S R20E S33	NENE	4.90	T01S R20E S33	NWNE	19.00
T01S R20E S33	NENW	4.40	T01S R20E S34	NENE	40.00
T01S R20E S34	NWNE	40.00	T01S R20E S34	NENW	34.00
T01S R20E S34	NWNW	0.50	T01S R20E S35	NWNW	41.00
T01S R20E S35	SWNW	25.00			

3037.4 ACRES TOTAL

Rights identified under Transfer No. 69624 and the surface water rights identified under Transfer 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

This right is limited to the irrigation of 340 acres within the place of use described above in a single irrigation season.

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Right No. 37-11914 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

This right is a combination of old rights 37-2617 and 37-2620 using the priority of the junior right.

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. 37M.

10/14/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-11914
NAME AND ADDRESS: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.180 CFS
257.00 AFY

Right Nos. 37-11911, and 37-11914 are limited to a total combined diversion rate of 6.18 cfs and to a total combined annual diversion volume of 1447 AF.

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.83 cfs and to a total combined annual diversion volume of 5312.7 AF.

The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field-headgate points of diversion of ~~9489.6~~ 17,081 af.

PRIORITY DATE: 05/01/1972

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.

POINT OF
DIVERSION:

T01S R20E S20 SESWSE Within BLAINE County
T01S R20E S30 NWSWNE Within BLAINE County
T01S R20E S30 SENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	6.180 CFS 257.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S19	NENE	40.00	T01S R20E S19	SENE	39.00
T01S R20E S19 Lot 4 SWSW		38.00	T01S R20E S19	SESW	39.00
T01S R20E S19	NESE	26.00	T01S R20E S19	NWSE	32.00
T01S R20E S19	SWSE	35.00	T01S R20E S19	SESE	37.00
T01S R20E S20	NWNW	40.00	T01S R20E S20	SWNW	40.00
T01S R20E S20	NESW	30.00	T01S R20E S20	NWSW	38.00
T01S R20E S20	SWSW	19.00	T01S R20E S20	SESW	19.00
T01S R20E S20	NESE	40.00	T01S R20E S20	NWSE	36.00
T01S R20E S20	SWSE	11.00	T01S R20E S20	SESE	36.00
T01S R20E S21	SWNE	40.00	T01S R20E S21	SENE	27.00
T01S R20E S21	NESW	40.00	T01S R20E S21	NWSW	40.00
T01S R20E S21	SWSW	40.00	T01S R20E S21	SESW	36.00
T01S R20E S21	NESE	40.00	T01S R20E S21	NWSE	40.00

T01S R20E S21	SWSE	37.00	T01S R20E S21	SESE	28.00
T01S R20E S22	SWNW	23.00	T01S R20E S22	SENW	19.00
T01S R20E S22	NESW	6.80	T01S R20E S22	NWSW	36.00
T01S R20E S22	SWSW	37.00	T01S R20E S22	SESW	27.00
T01S R20E S26	NWSW	14.00	T01S R20E S26	SWSW	36.00
T01S R20E S26	SESW	3.00	T01S R20E S27	NWNE	20.00
T01S R20E S27	SWNE	29.00	T01S R20E S27	NENW	36.00
T01S R20E S27	NWNW	18.00	T01S R20E S27	SWNW	32.00
T01S R20E S27	SENW	22.00	T01S R20E S27	NESW	15.00
T01S R20E S27	NWSW	24.00	T01S R20E S27	SWSW	0.60
T01S R20E S27	SESW	12.00	T01S R20E S27	NESE	30.00
T01S R20E S27	NWSE	16.00	T01S R20E S27	SWSE	32.00
T01S R20E S27	SESE	36.00	T01S R20E S28	NENE	20.00
T01S R20E S28	NWNE	24.00	T01S R20E S28	SWNE	34.00
T01S R20E S28	SENE	29.00	T01S R20E S28	NENW	17.00
T01S R20E S28	NWNW	22.00	T01S R20E S28	SWNW	40.00
T01S R20E S28	SENW	38.00	T01S R20E S28	NESW	40.00
T01S R20E S28	NWSW	40.00	T01S R20E S28	SWSW	32.00
T01S R20E S28	SESW	38.00	T01S R20E S28	NESE	40.00
T01S R20E S28	NWSE	40.00	T01S R20E S28	SWSE	36.00
T01S R20E S28	SESE	6.40	T01S R20E S29	NENE	29.00
T01S R20E S29	NWNE	38.00	T01S R20E S29	SWNE	40.00
T01S R20E S29	SENE	40.00	T01S R20E S29	NENW	33.00
T01S R20E S29	NWNW	27.00	T01S R20E S29	SWNW	33.00
T01S R20E S29	SENW	40.00	T01S R20E S29	NESW	36.00
T01S R20E S29	NESE	40.00	T01S R20E S29	NWSE	39.00
T01S R20E S29	SWSE	2.80	T01S R20E S29	SESE	29.00
T01S R20E S30	NENE	30.00	T01S R20E S30	NWNE	35.00
T01S R20E S30	SWNE	40.00	T01S R20E S30	SENE	31.00
T01S R20E S30	NENW	18.00	T01S R20E S30 Lot 1	NWNW	2.00
T01S R20E S30	SENW	15.00	T01S R20E S30	NESE	37.00
T01S R20E S30	NWSE	40.00	T01S R20E S30	SWSE	35.00
T01S R20E S30	SESE	40.00	T01S R20E S31	NENE	40.00
T01S R20E S31	NWNE	15.00	T01S R20E S31	SENE	40.00
T01S R20E S33	NENE	4.90	T01S R20E S33	NWNE	19.00
T01S R20E S33	NENW	4.40	T01S R20E S34	NENE	40.00
T01S R20E S34	NWNE	40.00	T01S R20E S34	NENW	34.00
T01S R20E S34	NWNW	0.50	T01S R20E S35	NWNW	41.00
T01S R20E S35	SWNW	25.00			

3037.4 ACRES TOTAL

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

Rights identified under this Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

This right is limited to the irrigation of 967 acres within the place of use described above in a single irrigation season.

Right Nos. 37-11911, and 37-11914 are limited to the irrigation of a combined total of 1307 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right shall not be used 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 is based upon an enlargement of right no. 37-11911 pursuant to Section 42-1426, Idaho Code.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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. 37M.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

November 4, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348

RE: SRBA Claim(s) 37-21, 37-22, 37-186, 37-187, 37-189,
 37-213, 37-215D, 37-333, 37-351A,
 37-352A, 37-377, 37-378, 37-695,
 37-942, 37-2405, 37-11892, 37-11898,
 37-11900, 37-11903, 37-20609, 37-2627A,
 37-11911, 37-11914

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Gary Slette, Robertson & Slette PLLC
Craig Hobdey, Hobdey & Hobdey

10/09/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2627A

NAME AND ADDRESS: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

QUANTITY:

10.650 CFS

3,865.700 AFY 4228

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.

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.83 cfs and to a total combined annual diversion volume of 6312.7 AFY 5675

The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af.

PRIORITY DATE: 12/09/1959

POINT OF DIVERSION:

T01S R20E S20 SESWSE Within BLAINE County

T01S R20E S30 NWSWNE Within BLAINE County

T01S R20E S30 SENENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

10.650 CFS

3,865.70 AFY 4228

PLACE OF USE:

IRRIGATION Within BLAINE County

T01S R20E S19	NENE	40.00	T01S R20E S19	SENE	39.00
T01S R20E S19 Lot 4 SWSW		38.00	T01S R20E S19	SESW	39.00
T01S R20E S19	NESE	26.00	T01S R20E S19	NWSE	32.00
T01S R20E S19	SWSE	35.00	T01S R20E S19	SESE	37.00
T01S R20E S20	NWNW	40.00	T01S R20E S20	SWNW	40.00
T01S R20E S20	NESW	30.00	T01S R20E S20	NWSW	38.00
T01S R20E S20	SWSW	19.00	T01S R20E S20	SESW	19.00
T01S R20E S20	NESE	40.00	T01S R20E S20	NWSE	36.00
T01S R20E S20	SWSE	11.00	T01S R20E S20	SESE	36.00
T01S R20E S21	SWNE	40.00	T01S R20E S21	SENE	27.00
T01S R20E S21	NESW	40.00	T01S R20E S21	NWSW	40.00
T01S R20E S21	SWSW	40.00	T01S R20E S21	SESW	36.00
T01S R20E S21	NESE	40.00	T01S R20E S21	NWSE	40.00

10/09/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T01S R20E S19	SWSE	35.00	T01S R20E S19	SESE	37.00
T01S R20E S20	NWNW	40.00	T01S R20E S20	SWNW	40.00
T01S R20E S20	NESW	30.00	T01S R20E S20	NWSW	38.00
T01S R20E S20	SWSW	19.00	T01S R20E S20	SESW	19.00
T01S R20E S20	NESE	40.00	T01S R20E S20	NWSE	36.00
T01S R20E S20	SWSE	11.00	T01S R20E S20	SESE	36.00
T01S R20E S21	SWNE	40.00	T01S R20E S21	SENE	27.00
T01S R20E S21	NESW	40.00	T01S R20E S21	NWSW	40.00
T01S R20E S21	SWSW	40.00	T01S R20E S21	SESW	36.00
T01S R20E S21	NESE	40.00	T01S R20E S21	NWSE	40.00
T01S R20E S21	SWSE	37.00	T01S R20E S21	SESE	28.00
T01S R20E S22	SWNW	23.00	T01S R20E S22	SENW	19.00
T01S R20E S22	NESW	6.80	T01S R20E S22	NWSW	36.00
T01S R20E S22	SWSW	37.00	T01S R20E S22	SESW	27.00
T01S R20E S26	NWSW	14.00	T01S R20E S26	SWSW	36.00
T01S R20E S26	SESW	3.00	T01S R20E S27	NWNE	20.00
T01S R20E S27	SWNE	29.00	T01S R20E S27	NENW	36.00
T01S R20E S27	NWNW	18.00	T01S R20E S27	SWNW	32.00
T01S R20E S27	SENW	22.00	T01S R20E S27	NESW	15.00
T01S R20E S27	NWSW	24.00	T01S R20E S27	SWSW	0.60
T01S R20E S27	SESW	12.00	T01S R20E S27	NESE	30.00
T01S R20E S27	NWSE	16.00	T01S R20E S27	SWSE	32.00
T01S R20E S27	SESE	36.00	T01S R20E S28	NENE	20.00
T01S R20E S28	NWNE	24.00	T01S R20E S28	SWNE	34.00
T01S R20E S28	SENE	29.00	T01S R20E S28	NENW	17.00
T01S R20E S28	NWNW	22.00	T01S R20E S28	SWNW	40.00
T01S R20E S28	SENW	38.00	T01S R20E S28	NESW	40.00
T01S R20E S28	NWSW	40.00	T01S R20E S28	SWSW	32.00
T01S R20E S28	SESW	38.00	T01S R20E S28	NESE	40.00
T01S R20E S28	NWSE	40.00	T01S R20E S28	SWSE	36.00
T01S R20E S28	SESE	6.40	T01S R20E S29	NENE	29.00
T01S R20E S29	NWNE	38.00	T01S R20E S29	SWNE	40.00
T01S R20E S29	SENE	40.00	T01S R20E S29	NENW	33.00
T01S R20E S29	NWNW	27.00	T01S R20E S29	SWNW	33.00
T01S R20E S29	SENW	40.00	T01S R20E S29	NESW	36.00
T01S R20E S29	NESE	40.00	T01S R20E S29	NWSE	39.00
T01S R20E S29	SWSE	2.80	T01S R20E S29	SESE	29.00
T01S R20E S30	NENE	30.00	T01S R20E S30	NWNE	35.00
T01S R20E S30	SWNE	40.00	T01S R20E S30	SENE	31.00
T01S R20E S30	NENW	18.00	T01S R20E S30 Lot 1	NWNW	2.00

10/09/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

T01S R20E S30	SENW	15.00	T01S R20E S30	NESE	37.00
T01S R20E S30	NWSE	40.00	T01S R20E S30	SWSE	35.00
T01S R20E S30	SESE	40.00	T01S R20E S31	NENE	40.00
T01S R20E S31	NWNE	15.00	T01S R20E S31	SENE	40.00
T01S R20E S33	NENE	4.90	T01S R20E S33	NWNE	19.00
T01S R20E S33	NENW	4.40	T01S R20E S34	NENE	40.00
T01S R20E S34	NWNE	40.00	T01S R20E S34	NENW	34.00
T01S R20E S34	NWNW	0.50	T01S R20E S35	NWNW	41.00
T01S R20E S35	SWNW	25.00			

3037.4 ACRES TOTAL

Rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2711.3 acres in a single irrigation season.

This right is limited to the irrigation of 2496.3 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a State Water District No. 37M.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



Idaho Department of Water Resources

SRBA Recommendation:

37-2627A

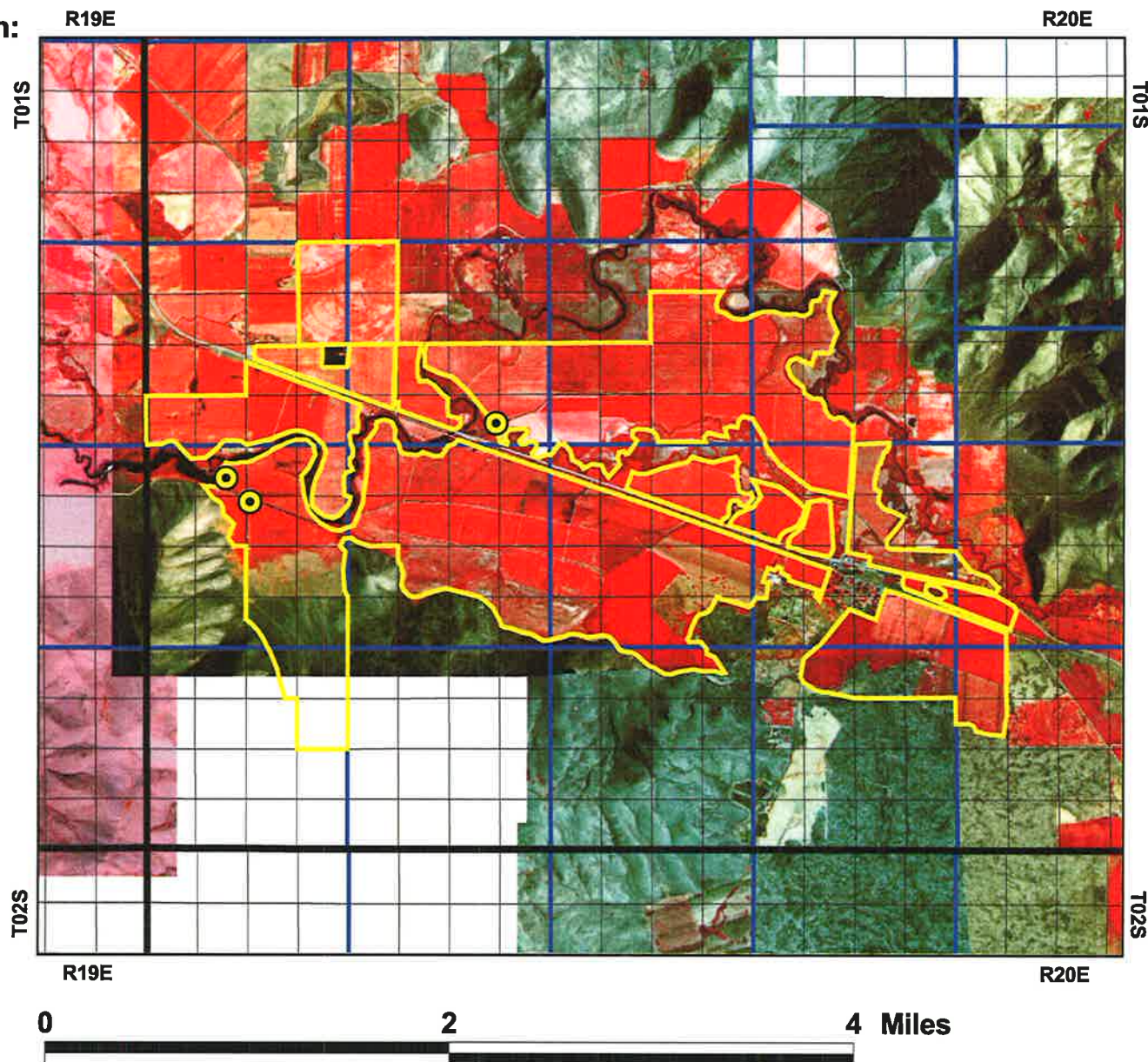
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by M. Ciscell
On Wednesday, November 15, 2006
1987/88 Aerial Photography

Memo to Picabo Livestock Co. Files

February 10, 2005

Claims : 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-2627A, 37-11892, 37-11898, 37-11900, 37-11903, 37-11911, 37-11914, 37-20609

Transfers 69626 (surface water rights) and 69634 (groundwater rights) were approved May 7, 2004. Adjudication claims were updated and recommendations created that reflected the approved transfers. On June 25, 2004, we received amendments that redistributed and added acres to all the claims involved in the transfers except 37-2627A. We data entered the amendments into the claims, but not the recommendations. *The recommendations still reflect the approved transfers.*

Transfer 69626 is 55 pages long and can be found in file 37-21.

Jush

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5045
WATER RIGHT NOS. 37-02627A & 37-02627B

MAR 26 1998

Idaho Department of Water Resources
Southern Region

This is to certify that: **PICABO LIVESTOCK CO**
PO BOX 688
PICABO ID 83348

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

RIGHT NO. 37-02627A:

Priority: 12/09/1959

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/15 to 10/15

DIVERSION
RATE
10.65 CFS

ANNUAL
VOLUME
3865.7 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 20, Township 01S, Range 20E
SWNE , Sec. 30, Township 01S, Range 20E
NENW , Sec. 30, Township 01S, Range 20E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	20E	19	NENE 39.0	SENE 40.0	SWSW 36.0	
			SESW 35.0	NESE 29.0	NWSE 32.0	
			SWSE 31.0	SESE 35.0		277.0
	20		NWNW 38.0	SWNW 39.0	NESW 29.0	
			NWSW 37.0	SWSW 15.0	SESW 24.0	
			NESE 39.0	NWSE 36.0	SWSE 11.0	
			SESE 32.0			300.0
	21		SWNE 40.0	SENE 27.0	NESW 40.0	
			NWSW 40.0	SWSW 40.0	SESW 23.0	
			NESE 39.0	NWSE 40.0	SWSE 33.0	
			SESE 24.0			346.0
	22		SWNW 18.0	SENW 19.0	NESW 9.4	
			NWSW 24.0	SWSW 36.0	SESW 32.0	138.4
	26		NESW 1.0	NWSW 11.0	SWSW 35.0	
			SESW 10.0			57.0
	27		NWNE 21.1	SWNE 25.9	NENW 38.0	
			NWNW 24.0	SWNW 32.0	SENW 26.0	
			NESW 14.0	NWSW 21.0	SWSW 1.0	
			SESW 11.0	NESE 23.5	NWSE 14.0	
			SWSE 32.0	SESE 32.0		315.5
	28		NENE 27.0	NWNE 23.0	SWNE 31.0	
			SENE 26.0	NENW 8.3	NWNW 19.4	

TRANSFER NO. 5045
WATER RIGHT NOS. 37-02627A & 37-02627B

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40.0	SENE 35.0	NESW 38.0	
			NWSW 40.0	SWSW 29.0	SESW 39.0	
			NESE 40.0	NWSE 39.0	SWSE 32.0	
			SESE 12.0			478.7
29			NENE 24.0	NWNE 38.0	SWNE 40.0	
			SENE 40.0	NENW 33.0	NWNW 25.0	
			SWNW 22.9	SENE 38.2	NESW 28.3	
			NWSW 3.0	NESE 40.0	NWSE 29.4	
			SWSE 1.9	SESE 31.0		394.7
30			NENE 29.0	NWNE 34.0	SWNE 36.0	
			SENE 17.0	NENW 12.0	NWNW 2.0	
			SENE 20.0	NESE 22.0	NWSE 34.0	206.0
33			NENE 4.0	NWNE 21.0	NENW 5.0	30.0
34			NENE 40.0	NWNE 40.0	NENW 27.0	
			NWNW 1.0			108.0
35			NWNW 40.0	SWNW 20		60.0
Total number of acres irrigated:						* 2711.3

RIGHT NO. 37-02627B:

Priority: 12/09/1959

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/15 to 10/15

DIVERSION**RATE**

1.25 CFS

ANNUAL**VOLUME**

219.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:SWNE, Sec. 18, Township 03N, Range 18E
BLAINE County**PLACE OF USE: IRRIGATION**

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	18E	7	SESW 12.0	SWSE 38.5	SESE 3.5	54.0
		18	NENW 8.7			8.7
Total number of acres irrigated:						62.7

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

TRANSFER NO. 5045
WATER RIGHT NOS. 37-02627A & 37-02627B

CONDITIONS OF APPROVAL AND REMARKS

4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Prior to diversion of water under Transfer 5045 the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- * 10. Right 37-02627A is limited to the irrigation of 2496.3 acres in the place of use described above in a single irrigation season.
11. Rights 37-02627A, 37-02617 and 37-02620 when combined shall not exceed a total annual diversion volume of 5055.7 af at the field headgate and the irrigation of 2711.3 acres.
12. Use of water under Right 37-02627B may be affected by an agreement between the protestant and the right holder.
13. The Director maintains jurisdiction of Right 37-02627B up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
14. Approval of Transfer 5045 does not authorize the irrigation of any new land under Right 37-02627B not previously irrigated under other rights.
15. Rights 37-02627B, 37-02632 and 37-08854 are diverted from the same well located in SWNE, S18, T03N, R18E.

Dated this 20th day of March, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 37-02627

FROM: PAM SKAGGS/^{PS}STATE OFFICE

SUBJECT: TRANSFER 5045

DATE: February 5, 1998

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Transfer 5045 is the second of three transfer applications filed to combine rights and identify current use on a large parcel of land. This transfer also splits a portion of Right 37-02627 from the original system to supplement a separate system several miles north. ✓

Under Part A, the transfer adds points of diversion and changes the place of use to create a 2711.3 acre common permissible place of use with groundwater Rights 37-02617 and 37-02620, and multiple surface water rights under Transfer 5046. Under Part B, the transfer changes the point of diversion and place of use to irrigate 62.7 acres not covered by groundwater Right 37-02632. ✓

Recommended conditions include watermaster control, measuring devices/multiple points of diversion, no new well, supplemental groundwater, irrigation overlap, permissible place of use, combined right limits and standard transfer conditions. ✓

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