

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 37-11914
Date Received: 10/25/1988
Receipt No: S003232
Received Dy:

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 USA 83348

2. Date of Priority: 05/01/1972

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	6.18	257

7. Total Quantity Appropriated is:

6.18 C.F.S. and/or 257 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	IRRIGATION	39.6
			SE	NE	IRRIGATION	39
			SW	SW	IRRIGATION	37.7
			SE	SW	IRRIGATION	38.7
			NE	SE	IRRIGATION	26.1
			NW	SE	IRRIGATION	32.5
			SW	SE	IRRIGATION	35.3
			SE	SE	IRRIGATION	36.8
					Section Acres	285.7
01S	20E	20	NW	NW	IRRIGATION	39.9
			SW	NW	IRRIGATION	39.6
			NE	SW	IRRIGATION	30.5
			NW	SW	IRRIGATION	38.2
			SW	SW	IRRIGATION	19.1
			SE	SW	IRRIGATION	19
			NE	SE	IRRIGATION	40.2
			NW	SE	IRRIGATION	36.5
			SW	SE	IRRIGATION	10.9
			SE	SE	IRRIGATION	35.6
					Section Acres	309.5
01S	20E	21	SW	NE	IRRIGATION	40.3
			SE	NE	IRRIGATION	27.5
			NE	SW	IRRIGATION	40.3
			NW	SW	IRRIGATION	40.3
			SW	SW	IRRIGATION	40.4
			SE	SW	IRRIGATION	36.4
			NE	SE	IRRIGATION	40.3
			NW	SE	IRRIGATION	40.3
			SW	SE	IRRIGATION	37.5
			SE	SE	IRRIGATION	28.1
					Section Acres	371.4
01S	20E	22	SW	NW	IRRIGATION	23.1
			SE	NW	IRRIGATION	19.1
			NE	SW	IRRIGATION	6.8
			NW	SW	IRRIGATION	36
			SW	SW	IRRIGATION	37.4
			SE	SW	IRRIGATION	26.7
					Section Acres	149.1

01S	20E	26	NW	SW	IRRIGATION	14.4
			SW	SW	IRRIGATION	36.4
			SE	SW	IRRIGATION	3

Section Acres 53.8

01S	20E	27	NW	NE	IRRIGATION	20.3
			SW	NE	IRRIGATION	28.9
			NE	NW	IRRIGATION	36.5
			NW	NW	IRRIGATION	18
			SW	NW	IRRIGATION	31.8
			SE	NW	IRRIGATION	22.2
			NE	SW	IRRIGATION	14.6
			NW	SW	IRRIGATION	24.5
			SW	SW	IRRIGATION	0.6
			SE	SW	IRRIGATION	12
			NE	SE	IRRIGATION	30.5
			NW	SE	IRRIGATION	16.2
			SW	SE	IRRIGATION	32.3
			SE	SE	IRRIGATION	36

Section Acres 324.4

01S	20E	28	NE	NE	IRRIGATION	20
			NW	NE	IRRIGATION	24.2
			SW	NE	IRRIGATION	33.7
			SE	NE	IRRIGATION	28.7
			NE	NW	IRRIGATION	17.3
			NW	NW	IRRIGATION	22.5
			SW	NW	IRRIGATION	40.4
			SE	NW	IRRIGATION	37.7
			NE	SW	IRRIGATION	40.4
			NW	SW	IRRIGATION	40.4
			SW	SW	IRRIGATION	31.7
			SE	SW	IRRIGATION	38
			NE	SE	IRRIGATION	40.4
			NW	SE	IRRIGATION	40.4
			SW	SE	IRRIGATION	36.3
			SE	SE	IRRIGATION	6.4

Section Acres 498.5

01S	20E	29	NE	NE	IRRIGATION	28.9
			NW	NE	IRRIGATION	38.4
			SW	NE	IRRIGATION	40.3
			SE	NE	IRRIGATION	40.3
			NE	NW	IRRIGATION	33.5
			NW	NW	IRRIGATION	27
			SW	NW	IRRIGATION	33.2
			SE	NW	IRRIGATION	40.3
			NE	SE	IRRIGATION	40.3
			NW	SE	IRRIGATION	38.6
			SW	SE	IRRIGATION	2.8

			SE	SE	IRRIGATION	28.9
			NE	SW	IRRIGATION	35.6
					Section Acres	428.1
01S	20E	30	NE	NE	IRRIGATION	30.1
			NW	NE	IRRIGATION	35.4
			SW	NE	IRRIGATION	40.3
			SE	NE	IRRIGATION	31.1
			NE	NW	IRRIGATION	18.2
			NW	NW	IRRIGATION	2
			SE	NW	IRRIGATION	15.3
			NE	SE	IRRIGATION	37.5
			NW	SE	IRRIGATION	40.4
			SW	SE	IRRIGATION	34.7
			SE	SE	IRRIGATION	40.4
					Section Acres	325.4
01S	20E	31	NE	NE	IRRIGATION	40.2
			NW	NE	IRRIGATION	15.4
			SE	NE	IRRIGATION	40.2
					Section Acres	95.8
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	40.3
			NW	NE	IRRIGATION	40.3
			NE	NW	IRRIGATION	34.5
			NW	NW	IRRIGATION	0.5
					Section Acres	115.6
01S	20E	35	NW	NW	IRRIGATION	41
			SW	NW	IRRIGATION	25.4
					Section Acres	66.4
					Total Acres	3052

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 water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

This right is based upon an enlargement of right no. 37 11911 pursuant to Section 42-1426, Idaho Code.

This right is limited to the irrigation of 967 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 37-11911 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.

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.

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.

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. Specifically the volume of use may be revised during the SRBA process if additional historical information is discovered.

15. Basis of Claim: Beneficial Use

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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
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)

<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>
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

<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>
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, 20 04


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	SEENW	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	.8	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. 37-2627A
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, 2004


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 to	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	SEENW	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													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 to	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	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	322.8
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 37-11914
Date Received: 10/25/1988
Receipt No: S003232 49
Received By: \$026900

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 USA 83348

2. Date of Priority: 05/01/1972

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	6.18	257

7. Total Quantity Appropriated is:
6.18 C.F.S. and/or 257 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

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JUL 12 2004
Department of Water Resources
Southern Region

RECEIVED

JUN 25 2004

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	20E	19	NE	NE	IRRIGATION	39.6
			SE	NE	IRRIGATION	39.0
			SW	SW	IRRIGATION	37.7
			SE	SW	IRRIGATION	38.7
			NE	SE	IRRIGATION	26.1
			NW	SE	IRRIGATION	32.5
			SW	SE	IRRIGATION	35.3
			SE	SE	IRRIGATION	36.8
Section Acres						285.7
01S	20E	20	NW	NW	IRRIGATION	39.9
			SW	NW	IRRIGATION	39.6
			NE	SW	IRRIGATION	30.5
			NW	SW	IRRIGATION	38.2
			SW	SW	IRRIGATION	19.1
			SE	SW	IRRIGATION	19.0
			NE	SE	IRRIGATION	40.2
			NW	SE	IRRIGATION	36.5
			SW	SE	IRRIGATION	10.9
			SE	SE	IRRIGATION	35.6
Section Acres						309.5
01S	20E	21	SW	NE	IRRIGATION	40.3
			SE	NE	IRRIGATION	27.5
			NE	SW	IRRIGATION	40.3
			NW	SW	IRRIGATION	40.3
			SW	SW	IRRIGATION	40.4
			SE	SW	IRRIGATION	36.4
			NE	SE	IRRIGATION	40.3
			NW	SE	IRRIGATION	40.3
			SW	SE	IRRIGATION	37.5
			SE	SE	IRRIGATION	28.1
Section Acres						371.4
01S	20E	22	SW	NW	IRRIGATION	23.1
			SE	NW	IRRIGATION	19.1
			NE	SW	IRRIGATION	6.8
			NW	SW	IRRIGATION	36.0
			SW	SW	IRRIGATION	37.4
			SE	SW	IRRIGATION	26.7
Section Acres						149.1
01S	20E	26	NW	SW	IRRIGATION	14.4
			SW	SW	IRRIGATION	36.4
			SE	SW	IRRIGATION	3.0
Section Acres						53.8

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01S	20E	27	NW	NE	IRRIGATION	20.3
			SW	NE	IRRIGATION	28.9
			NE	NW	IRRIGATION	36.5
			NW	NW	IRRIGATION	18.0
			SW	NW	IRRIGATION	31.8
			SE	NW	IRRIGATION	22.2
			NE	SW	IRRIGATION	14.6
			NW	SW	IRRIGATION	24.5
			SW	SW	IRRIGATION	0.6
			SE	SW	IRRIGATION	12.0
			NE	SE	IRRIGATION	30.5
			NW	SE	IRRIGATION	16.2
			SW	SE	IRRIGATION	32.3
			SE	SE	IRRIGATION	36.0

Section Acres 324.4

01S	20E	28	NE	NE	IRRIGATION	20.0
			NW	NE	IRRIGATION	24.2
			SW	NE	IRRIGATION	33.7
			SE	NE	IRRIGATION	28.7
			NE	NW	IRRIGATION	17.3
			NW	NW	IRRIGATION	22.5
			SW	NW	IRRIGATION	40.4
			SE	NW	IRRIGATION	37.7
			NE	SW	IRRIGATION	40.4
			NW	SW	IRRIGATION	40.4
			SW	SW	IRRIGATION	31.7
			SE	SW	IRRIGATION	38.0
			NE	SE	IRRIGATION	40.4
			NW	SE	IRRIGATION	40.4
			SW	SE	IRRIGATION	36.3
			SE	SE	IRRIGATION	6.4

Section Acres 498.5

01S	20E	29	NE	NE	IRRIGATION	28.9
			NW	NE	IRRIGATION	38.4
			SW	NE	IRRIGATION	40.3
			SE	NE	IRRIGATION	40.3
			NE	NW	IRRIGATION	33.5
			NW	NW	IRRIGATION	27.0
			SW	NW	IRRIGATION	33.2
			SE	NW	IRRIGATION	40.3
			NE	SW	IRRIGATION	35.6
			NE	SE	IRRIGATION	40.3
			NW	SE	IRRIGATION	38.6
			SW	SE	IRRIGATION	2.8
			SE	SE	IRRIGATION	28.9

Section Acres 428.1

01S	20E	30	NE	NE	IRRIGATION	30.1
			NW	NE	IRRIGATION	35.4
			SW	NE	IRRIGATION	40.3
			SE	NE	IRRIGATION	31.1
			NE	NW	IRRIGATION	18.2

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			NW	NW	1	IRRIGATION	2.0
			SE	NW		IRRIGATION	15.3
			NE	SE		IRRIGATION	37.5
			NW	SE		IRRIGATION	40.4
			SW	SE		IRRIGATION	34.7
			SE	SE		IRRIGATION	40.4
						Section Acres	325.4
01S	20E	31	NE	NE		IRRIGATION	40.2
			NW	NE		IRRIGATION	15.4
			SE	NE		IRRIGATION	40.2
						Section Acres	95.8
01S	20E	33	NE	NE		IRRIGATION	4.9
			NW	NE		IRRIGATION	19.0
			NE	NW		IRRIGATION	4.4
						Section Acres	28.3
01S	20E	34	NE	NE		IRRIGATION	40.3
			NW	NE		IRRIGATION	40.3
			NE	NW		IRRIGATION	34.5
			NW	NW		IRRIGATION	0.5
						Section Acres	115.6
01S	20E	35	NW	NW		IRRIGATION	41.0
			SW	NW		IRRIGATION	25.4
						Section Acres	66.4
						Total Acres	3052.0

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:

14. Remarks:

This right is based upon an enlargement of right no. 37-11911 pursuant to Section 42-1426, Idaho Code.

This right is limited to the irrigation of 967 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 at the field headgate.

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 at the field

COPY

headgate, nor the irrigation of more than 1307 acres within the place of use described above in any one season.

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 at the field headgate, nor irrigation of more than 2852.8 acres within the place of use described above in any one season.

15. Basis of Claim: Beneficial Use

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 _____ Title

Picabo Livestock Co., Inc. that I have signed the foregoing document in the Organization
space below as President of Picabo Livestock Co., Inc. Title Organization

and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

U-Pac
Title and Organization

6-16-04
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day of June 2004

[Signature]
Notary Public

Residing at Twin Falls

My commission Expires 11-18-2004



COPY

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: A37-11914
Date Received: 10/24/1988
Receipt No: 5003232
Received By: JS

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: MAY 01, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, PUMP, 30 HP MOTOR, PUMPAGE INTO KILPATRICK CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.180		

7. Total Quantity Appropriated is:
6.180 C.F.S. (and/or) 1603.20 A.F.A.

8. Total consumptive use is 1603.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	20E	26	SW	SW		IRR	30.0
			SE	SW		IRR	8.0
Section Acres							38.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	20E	27	SW		NE		IRR	2.0
			NW		NW		IRR	8.0
			SW		NW		IRR	30.0
			SE		NW		IRR	2.0
			NE		SW		IRR	14.0
			NW		SW		IRR	24.0
			SW		SW		IRR	2.0
			SE		SW		IRR	8.0
			NE		SE		IRR	6.0
			NW		SE		IRR	10.0
			SW		SE		IRR	13.0
			SE		SE		IRR	20.0

Section Acres 139.0

28	NE	NE	IRR	22.0
	NW	NE	IRR	23.0
	SW	NE	IRR	29.0
	SE	NE	IRR	21.0
	NE	NW	IRR	8.0
	NW	NW	IRR	9.0
	SW	NW	IRR	40.0
	SE	NW	IRR	35.0
	NE	SW	IRR	38.0
	NW	SW	IRR	40.0
	SW	SW	IRR	29.0
	SE	SW	IRR	38.0
	NE	SE	IRR	40.0
	NW	SE	IRR	39.0
	SW	SE	IRR	32.0
	SE	SE	IRR	10.0

Section Acres 453.0

29	NE	NE	IRR	24.0
	NW	NE	IRR	38.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	SE	IRR	12.0

Section Acres 154.0

33	NE	NE	IRR	5.0
	NW	NE	IRR	21.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	33	NE	NW		IRR	7.0
			Section Acres				33.0
		34	NE	NE		IRR	32.0
			NW	NE		IRR	20.0
			NE	NW		IRR	32.0
			NW	NW		IRR	1.0
			Section Acres				85.0
		35	NW	NW		IRR	35.0
			SW	NW		IRR	30.0
			Section Acres				65.0
			Total Acres				967.0

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 DECREED RIGHTS, 37-2627B

14. Remarks:
CLAIM COVERS USE OF LIC. 37-2617 & 2620 NOT COVERED BY CLAIM A37-11911. EXPANDED USE CLAIMED PER SEC. 42-1416 IDAHO CODE.
VOLUME CLAIMED IS WELL CAPACITY AT CONSTANT PUMPAGE FOR FULL IRRIGATION SEASON MINUS ACREAGE REQUIREMENT FOR 340 AC. CLAIMED UNDER A37-11911.

15. Basis of Claim: BENEFICIAL USE

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 Quota Meat Producers, 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.

L. H. Purdy
Signature of Authorized Agent

President
Title and Organization

10-25-88
Date

State of Idaho

County of Timber Falls) SS.

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

[Signature]
Notary Public

Seal

Residing at Kimberly, ID

My Commission Expires 6/30/94

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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

Case No. 39576

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

37-11914

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:

PLACE OF USE:	PURPOSE OF USE		PERIOD OF USE		QUANTITY	
	IRRIGATION		04/15	10/31		
						10.650 CFS 3,865.70 AFY
	<u>IRRIGATION in BLAINE County</u>					
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

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 USEPERIOD OF USEQUANTITY

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	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 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:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

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: 37-11914

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: 6.180 CFS
257.000 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.

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 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 of 9489.6 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 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

10/09/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The use of water for irrigation under this right may begin as early as April 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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
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	SENE	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	SENE	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

10/09/2006

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

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	SENE	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	SENE	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

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.

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.

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.

10/09/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

This right is based upon an enlargement of right no. 37-11911 pursuant to Section 42-1426, Idaho Code.

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



Idaho Department of Water Resources

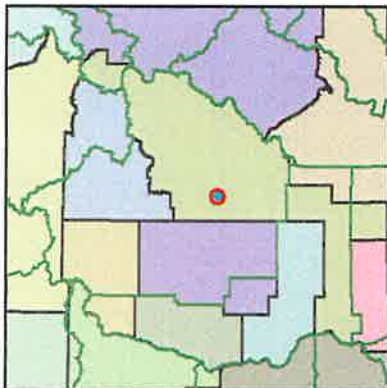
SRBA Recommendation:

37-11914

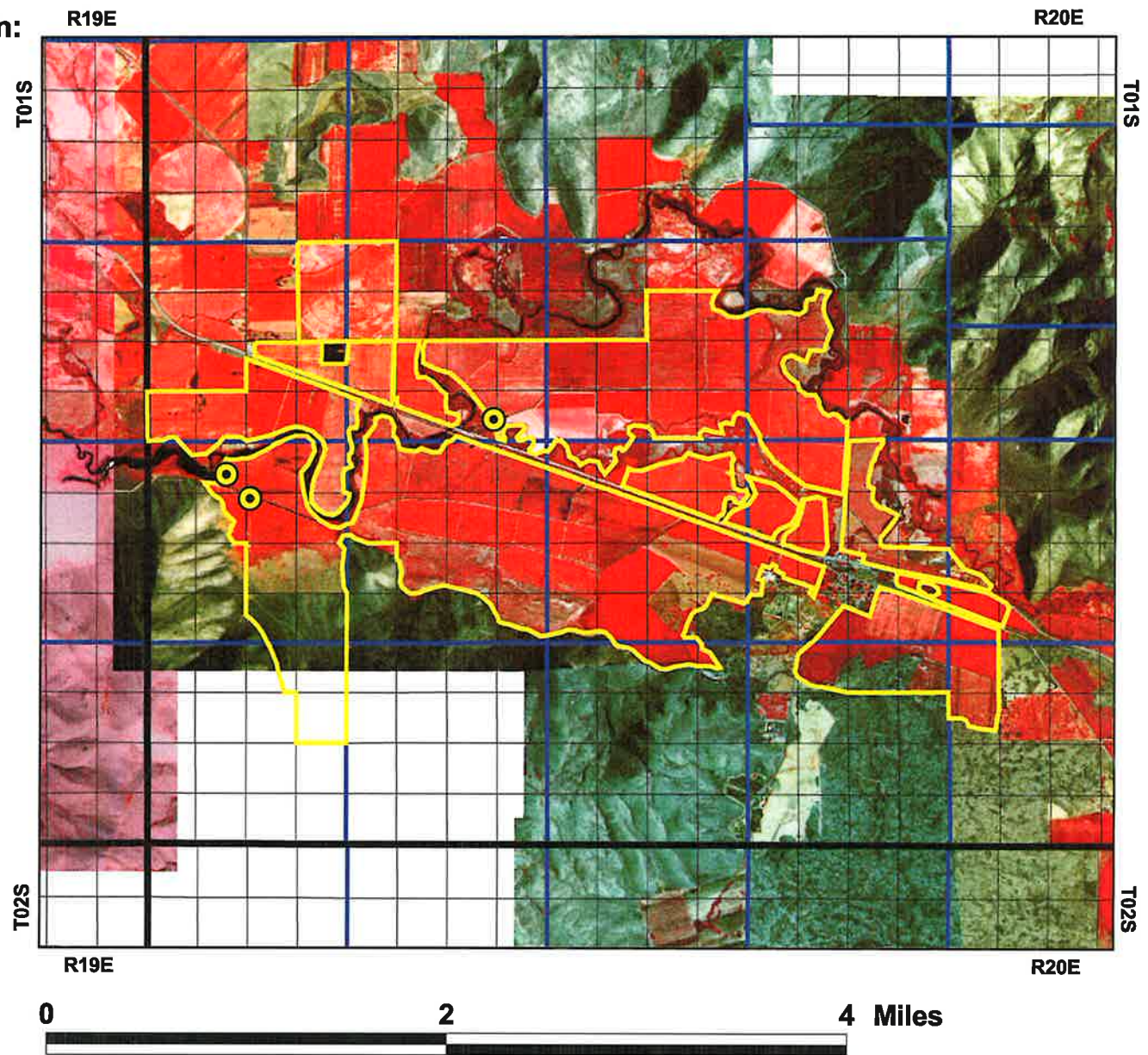
(Irrigation)

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 26, 2005

Mr. Doug Jones
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

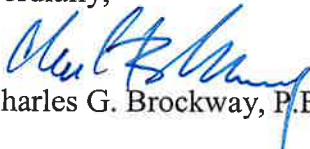
Re: 37-11914 Evidence of Priority

Dear Doug:

The priority date for this claim was resolved in the course of Transfer No. 69624. Enclosed is a letter to Allen Merritt from me outlining the historical usage of the three wells and transmitting an affidavit from Nick Purdy supporting the priority date. Also enclosed is a copy of a memorandum from Allen indicating that the affidavit supports the claimed priority.

If you need anything further regarding this claim, please do not hesitate to contact me.

Cordially,


Charles G. Brockway, P.E.

Enc.

cc: Nick Purdy

RECEIVED

APR 28 2005

Department of Water Resources
Southern Region

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Charles Brockway

From: Merritt, Allen [AMerritt@idwr.state.id.us]
Sent: Friday, June 11, 2004 8:18 AM
To: Chuck Jr. Brockway (E-mail)
Subject: memmo

MEMORANDUM

Date: June 11, 2004
To: Transfer 69624

From: ameritt

Re: volume limit for 37-11914

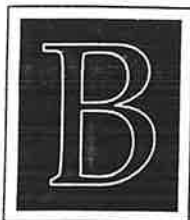
RECEIVED

APR 28 2005

Department of Water Resources
Southern Region

This claim is for additional use beyond right 37-11911 for the use of the one well. Historically it is claimed the well runs all the time during the irrigation season. Review of the power records indicate that when no other rights were authorized for use from the well other than 37-11911 which allows for 1190 afa. that in 1991 1447 af were used. The allowed volume is 257 (1447-1190). Affidavit by Purdy supports priority claimed.

6/11/2004



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

FILE

RECEIVED

APR 28 2005

Department of Water Resources
Southern Region

June 5, 2003

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Picabo Livestock transfer
Project No. 160-04-2000

Dear Allen:

You requested additional information regarding the usage of the three wells on the Picabo Livestock property, specifically as the usage relates to SRBA claim 37-11914.

This claim is based on beneficial use and was intended to provide additional volume above claim 37-11911, which is a consolidation claim for licenses 37-2617 and 37-2620. Claim 37-11914 represents additional volume necessary to allow the diversion rate of 6.18 cfs to be run continuously for the entire irrigation season.

First, the issue of priority date should be resolved by the enclosed affidavit of Nick Purdy. Second, I have researched and obtained as many power usage records as possible for the three wells in order to estimate volume pumped for approximately the past 10 years. The wells and the location numbers are as follows:

Well Name	Location	Pump No.
Leduc well	NWSWNE Section 30	4560
RR Well	SENENW Section 30	4520
Iden Well	SWSE Section 20	4420

The records are complicated by the fact that beginning in 2000, the Leduc well pump was combined on one power meter with two booster pumps from the ditch at that location. Prior to this time, there was a separate meter for each pump. Also, power records were not available for the RR Well for 1992 through 1994. Unfortunately, the periods 1991-1994 and 2000-2002 were periods of high well usage due to drought conditions. During the normal or above-normal years of 1995 through 1999, the well usage was low since the surface water supply was nearly adequate.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

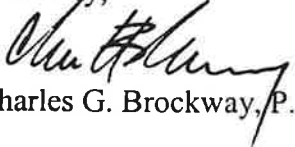
FAX: 736•8506

Please note that the amount of well usage depends on the available surface water supply. IDWR should allow the wells to provide sufficient supplemental water during extreme drought conditions, even those worse than have been experienced to date. Historical well usage is not necessarily an indicator of the future well volume requirement. Basing a claim recommendation on historical usage could severely limit the ability of the supplemental right to provide adequate water in the future.

Incidentally, I deciphered the 3865.7 ac-ft number on 37-2627A that we were wrestling with the other day. It represents the 10.65 diversion rate under this right run continuously for the 183-day irrigation season (4/15 to 10/15). The total volume limitation between 37-2627A and 37-11911 is 5055.7 ac-ft, which is the sum of 3865.7 ac-ft and the 1190 ac-ft (3.5 afa x 340 acres) allowed under 37-11911. On the subject of 37-2627A, I believe an error was made when Boise staff was modifying the claims to reflect the 1997 transfer. The claim for 37-2627A lists 6.9 cfs for irrigation, but a total of 10.65 cfs. Also, it lists an acre limit of 992 ac-ft. Neither of these components agree with the approved transfer.

Please do not hesitate to call if you have any questions.

Sincerely,



Charles G. Brockway, P.E.

Enc.

cc: Nick Purdy

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE NOTICE OF CLAIM TO
A WATER RIGHT IN THE SNAKE RIVER BASIN
ADJUDICATION NO. 37-11914.

) COMMENTS AND
) EVIDENCE OF
) NICK PURDY
)

COMES NOW, Nick Purdy, and provides the following comments and evidence in this matter:

1. The groundwater wells in the SE1/4 NE1/4 NW1/4 Section 30 (pump field well), and the NW1/4 SW1/4 NE1/4 Section 30 (Leduc well), and SE1/4 SW1/4 SE1/4 Section 20 (Iden well), T. 1 S., R. 20 E. were drilled in 1959, and irrigation with the wells was begun the same year.
2. A 30 HP vertical turbine pump has been on the pump field well since it was drilled. A 50 HP vertical turbine pump has been on the Leduc well since it was drilled. A 50 HP vertical turbine pump has been on the Iden well since it was drilled. The pumping water level in each well is approximately 30 feet below ground on the pump field well, and approximately 90 feet below ground on the Leduc well and the Iden well.
3. The power usage records obtained from Idaho Power, attached as Exhibit A to this affidavit, are appurtenant to this well.
4. The pump field and Leduc wells have historically been used to pump groundwater for gravity irrigation of lands in the vicinity of the wells, or into to the Kilpatrick Ditch for use on various lands within the Picabo Livestock property. The Iden well has historically been used to pump groundwater into to the Iden Canal for use on various lands within the Picabo Livestock property.
5. The well pumping has historically occurred more or less continuously through each irrigation season, and is needed to provide the additional water volume necessary for gravity irrigation.
6. The wells

DATED this 4th day of MARCH, 2003

Nick Purdy

Nick Purdy

SUBSCRIBED and SWORN to before me this 4th day of MARCH, 2003.



Heather M. Maxson

NOTARY PUBLIC

Residing at: Twin Falls

My Commission Expires: 2-24-07

PICABO LIVESTOCK **WELL PUMPING VOLUME ESTIMATE - SUMMARY**

Brockway Engineering, PLLC 6/4/03

				Total
Theo. capacity	6.61	4.72	4.41	15.74

VOLUMES IN ACRE-FEET

Year	4520 RR Well	4560 Leduc Well	4420 Iden Well	Total
1991	1447	965	897	3310
1992	no rec	1331	1251	2582 Excluding RR
1993	no rec	26	514	540 Excluding RR
1994	no rec	928	914	1842 Excluding RR
1995	0	0	688	688
1996	453	0	584	1037
1997	0	0	711	711
1998	0	0	696	696
1999	0	0	589	589
2000	1297	no rec	1298	2596 Excluding Leduc
2001	1861	no rec	1858	3720 Excluding Leduc
2002	1704	no rec	1120	2824 Excluding Leduc

Estimated maximum pumping years:

1992* 4443 acre-feet

2001** 5051 acre-feet

* 1992 volume for Leduc Well and Iden Well + 2001 volume for RR Well

** 2001 volume for RR Well and Iden Well + 1992 volume for Leduc Well

PICABO LIVESTOCK WELL DIVERSIONS

Brockway Engineering, PLLC 5/29/03

Pump:	RR Well or "Pump field" well
Pump #:	4520
HP:	30

THEORETICAL PCC

Pumping level	30 feet
Discharge pressure head	0 (free discharge)
Horsepower	30 HP
Assumed total efficiency	0.75

Calculated:

Pumping rate	6.61 cfs
KW used	22.38 KW

PCC	0.02441 ac-ft/KWh
	40.96 KWh/ac-ft

IDAHO POWER RECORDS

Year	KWh	Estimated Ac-Ft
1991	59283	1447
1992	no rec	no rec
1993	no rec	no rec
1994	no rec	no rec
1995	0	0
1996	18537	453
1997	0	0
1998	0	0
1999	0	0
2000	53142	1297
2001	76238	1861
2002	69803	1704

Maximum volume	1861	acre-feet
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PICABO LIVESTOCK WELL DIVERSIONS

Brockway Engineering, PLLC 5/29/03

Pump:	Leduc Well
Pump #:	4560
HP:	50

THEORETICAL PCC

Pumping level	70 feet
Discharge pressure head	0 (free discharge)
Horsepower	50 HP
Assumed total efficiency	0.75

Calculated:

Pumping rate	4.72 cfs
KW used	37.3 KW

PCC	0.01046 ac-ft/KWh
	95.58 KWh/ac-ft

IDAHO POWER RECORDS

Year	KWh	Estimated Ac-Ft
1991	92275	965
1992	127227	1331
1993	2517	26
1994	88730	928
1995	0	0
1996	0	0
1997	0	0
1998	0	0
1999	0	0
2000	*	*
2001	*	*
2002	*	*

Maximum volume	1331	acre-feet
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* Meter reflects well pump plus two booster pumps

PICABO LIVESTOCK WELL DIVERSIONS

Brockway Engineering, PLLC 5/29/03

Pump:	Iden Well
Pump #:	4420
HP:	60

THEORETICAL PCC

Pumping level	90 feet
Discharge pressure head	0 (free discharge)
Horsepower	60 HP
Assumed total efficiency	0.75

Calculated:

Pumping rate	4.41 cfs
KW used	44.76 KW

PCC	0.00814 ac-ft/KWh
	122.89 KWh/ac-ft

IDAHO POWER RECORDS

Year	KWh	Estimated Ac-Ft
1991	110250	897
1992	153698	1251
1993	63162	514
1994	112325	914
1995	84538	688
1996	71770	584
1997	87361	711
1998	85559	696
1999	72339	589
2000	159566	1298
2001	228396	1858
2002	137698	1120

Maximum volume	1858	acre-feet
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WAY
RING

ORTH
GTON
SUITE 4
FALLS,
83301



Mr. Doug Jones
Id Dept of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

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.

A handwritten signature in cursive script, appearing to read "Jush", is located in the lower right portion of the page.

37-11911

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 02 1998

TRANSFER OF WATER RIGHT

Department of Water Resources
Southern Region

TRANSFER NO. 5044
WATER RIGHT NO(S). 37-02617/37-02620

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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02617 :			
IRRIGATION	04/15 to 10/15	3.72 CFS	1190.0 AF
Priority: 06/23/1959			
Right No. 37-02620 :			
IRRIGATION	04/15 to 10/15	2.46 CFS	892.9 AF
Priority: 07/28/1959			
TOTAL:		* 6.18 CFS	* 1190.0 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	SENE 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	

TRANSFER NO. 5044
WATER RIGHT NO(S). 37-02617/37-02620

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>
		SESW	10.0			57.0
27		NWNE	21.1	SWNE	25.9	
		NWNW	24.0	SWNW	32.0	
		NESW	14.0	NWSW	21.0	
		SESW	11.0	NESE	23.5	
		SWSE	32.0	SESE	32.0	315.5
28		NENE	27.0	NWNE	23.0	
		SENE	26.0	NENW	8.3	
		SWNW	40.0	SENE	35.0	
		NWSW	40.0	SWSW	29.0	
		NESE	40.0	NWSE	39.0	
		SESE	12.0			478.7
29		NENE	24.0	NWNE	38.0	
		SENE	40.0	NENW	33.0	
		SWNW	22.9	SENE	38.2	
		NWSW	3.0	NESE	40.0	
		SWSE	1.9	SESE	31.0	394.7
30		NENE	29.0	NWNE	34.0	
		SENE	17.0	NENW	12.0	
		SENE	20.0	NESE	22.0	
33		NENE	4.0	NWNE	21.0	206.0
34		NENE	40.0	NWNE	40.0	30.0
		NWNW	1.0			108.0
35		NWNW	40.0	SWNW	20.0	60.0
Total number of acres irrigated:						** 2711.3

CONDITIONS OF APPROVAL AND REMARKS

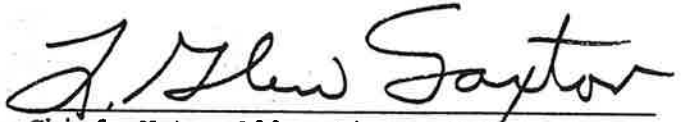
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
3. The right holder shall use the full allotment of appurtenant surface 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.
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.

TRANSFER NO. 5044
WATER RIGHT NO(S). 37-02617/37-02620

CONDITIONS OF APPROVAL AND REMARKS

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 this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of the diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- ** 10. Right 37-02617 is limited to the irrigation of 340.0 acres in the place of use described above in a single irrigation season.
- ** 11. Right 37-02620 is limited to the irrigation of 340.0 acres in the place of use described above in a single irrigation season.
- * 12. Rights 37-02617 and 37-02620 when combined shall not exceed a total diversion rate of 6.18 cfs, a total annual diversion volume of 1190.0 af at the field headgate, and the irrigation of 340.0 acres.

Dated this 20th day of March, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 37-02617 & 37-02620

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5044

DATE: February 4, 1998

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Transfer 5044 is the first of three transfer applications filed by the applicant to combine rights and identify current use on a large parcel of land. This transfer adds points of diversion and changes the place of use to create a 2711.3 acre common permissible place of use under Rights 37-02617 and 37-02620. ✓

These rights overlap the multiple surface rights that are modified under Transfer 5046, and the proposed place of use includes the additional groundwater right under Transfer 5045 less the portion moved north to supplement a separate system. ✓

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