

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79437**

This is to certify that: **PICABO LIVESTOCK CO INC**
PO BOX 748
PICABO, ID 83348

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-11892	WR/DECREED	4/1/1887	3.300 cfs	N/A	165.0	3037.4	LOVING CREEK, SILVER CREEK
37-11898	WR/DECREED	6/1/1889	1.540 cfs	N/A	77.0	3037.4	LOVING CREEK, SILVER CREEK
37-11900	WR/DECREED	4/1/1890	14.000 cfs	N/A	700.0	3037.4	LOVING CREEK, SILVER CREEK
37-11903	WR/DECREED	6/1/1893	2.800 cfs	N/A	140.0	3037.4	LOVING CREEK, SILVER CREEK
37-186	WR/DECREED	7/1/1886	0.400 cfs	N/A	20.0	3037.4	LOVING CREEK, SILVER CREEK
37-187	WR/DECREED	11/1/1892	1.600 cfs	N/A	80.0	3037.4	LOVING CREEK, SILVER CREEK
37-189	WR/DECREED	4/1/1899	1.800 cfs	N/A	90.0	3037.4	LOVING CREEK, SILVER CREEK
37-20609	WR/DECREED	9/1/1883	19.690 cfs	N/A	984.5	3037.4	LOVING CREEK, SILVER CREEK
37-21	WR/DECREED	9/1/1887	5.600 cfs	N/A	280.0	3037.4	LOVING CREEK, SILVER CREEK
37-213	WR/DECREED	4/1/1885	1.600 cfs	N/A	80.0	3037.4	LOVING CREEK, SILVER CREEK
37-215D	WR/DECREED	3/31/1877	4.000 cfs	N/A	200.0	3037.4	LOVING CREEK, SILVER CREEK
37-22	WR/DECREED	6/17/1899	1.000 cfs	N/A	50.0	3037.4	LOVING CREEK, SILVER CREEK
37-2405	WR/DECREED	2/9/1920	4.000 cfs	N/A	2216.0	3037.4	LOVING CREEK, SILVER CREEK
37-333	WR/DECREED	11/1/1889	1.600 cfs	N/A	80.0	3037.4	LOVING CREEK, SILVER CREEK
37-351A	WR/DECREED	6/1/1886	0.250 cfs	N/A	12.5	3037.4	LOVING CREEK, SILVER CREEK
37-352A	WR/DECREED	6/15/1887	0.600 cfs	N/A	30.0	3037.4	LOVING CREEK, SILVER CREEK
37-377	WR/DECREED	4/1/1888	0.800 cfs	N/A	40.0	3037.4	LOVING CREEK, SILVER CREEK
37-378	WR/DECREED	6/15/1888	2.000 cfs	N/A	100.0	3037.4	LOVING CREEK, SILVER CREEK

Transfer No. 79437

SUPPORT DATA

IN FILE # 37-21

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79437**

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-695	WR/DECREED	4/1/1889	1.200 cfs	N/A	60.0	3037.4	LOVING CREEK, SILVER CREEK
37-942	WR/DECREED	8/1/1917	5.000 cfs	N/A	250.0	3037.4	LOVING CREEK, SILVER CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-11892	NO	NO	NO	YES	NO	NO
37-11898	NO	NO	NO	YES	NO	NO
37-11900	NO	NO	NO	YES	NO	NO
37-11903	NO	NO	NO	YES	NO	NO
37-186	NO	NO	NO	YES	NO	NO
37-187	NO	NO	NO	YES	NO	NO
37-189	NO	NO	NO	YES	NO	NO
37-20609	NO	NO	NO	YES	NO	NO
37-21	NO	NO	NO	YES	NO	NO
37-213	NO	NO	NO	YES	NO	NO
37-215D	NO	NO	NO	YES	NO	NO
37-22	NO	NO	NO	YES	NO	NO
37-2405	NO	NO	NO	YES	NO	NO
37-333	NO	NO	NO	YES	NO	NO
37-351A	NO	NO	NO	YES	NO	NO
37-352A	NO	NO	NO	YES	NO	NO
37-377	NO	NO	NO	YES	NO	NO
37-378	NO	NO	NO	YES	NO	NO
37-695	NO	NO	NO	YES	NO	NO
37-942	NO	NO	NO	YES	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>
37-11892	37-11892	3.300 cfs	N/A	165.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-11898	37-11898	1.540 cfs	N/A	77.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-11900	37-11900	14.000 cfs	N/A	700.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-11903	37-11903	2.800 cfs	N/A	140.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-186	37-186	0.400 cfs	N/A	20.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-187	37-187	1.600 cfs	N/A	80.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-189	37-189	1.800 cfs	N/A	90.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-20609	37-20609	19.690 cfs	N/A	984.5	3037.4	N/A	N/A	N/A	N/A	N/A
37-21	37-21	5.600 cfs	N/A	280.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-213	37-213	1.600 cfs	N/A	80.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-215D	37-215D	4.000 cfs	N/A	200.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-22	37-22	1.000 cfs	N/A	50.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-2405	37-2405	4.000 cfs	N/A	2216.0	3037.4	N/A	N/A	N/A	N/A	N/A

Transfer No. 79437

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

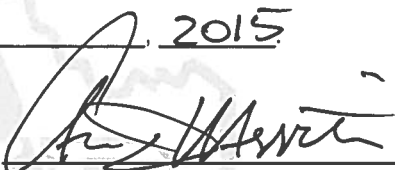
TRANSFER OF WATER RIGHT
TRANSFER NO. 79437

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>
37-333	37-333	1.600 cfs	N/A	80.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-351A	37-351A	0.250 cfs	N/A	12.5	3037.4	N/A	N/A	N/A	N/A	N/A
37-352A	37-352A	0.600 cfs	N/A	30.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-377	37-377	0.800 cfs	N/A	40.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-378	37-378	2.000 cfs	N/A	100.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-695	37-695	1.200 cfs	N/A	60.0	3037.4	N/A	N/A	N/A	N/A	N/A
37-942	37-942	5.000 cfs	N/A	250.0	3037.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		72.780 cfs	17096.6 af	2711.3	3037.4		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 27th day of January, 2015


Southern Region Manager

WATER RIGHT NO. 37-21**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-21 is now described as follows:

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

Priority Date: 9/1/1887

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
5.600 cfs
5.600 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 280.0
POU Total Acres: 3037.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 280 acres within the authorized place of use in a single irrigation season.

Transfer No. 79437

WATER RIGHT NO. 37-21

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-352A**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-352A is now described as follows:

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

Priority Date: 6/15/1887

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.600 cfs

0.600 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 30.0

POU Total Acres: 3037.4

Transfer No. 79437

WATER RIGHT NO. 37-352A

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENE, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-352A
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 37-377**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-377 is now described as follows:

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

Priority Date: 4/1/1888

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From **To**
04/15 to 10/31
01/01 to 12/31

Diversion Rate

0.800 cfs
0.040 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 40.0

POU Total Acres: 3037.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						

Transfer No. 79437

WATER RIGHT NO. 37-377**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-377

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-378**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-378 is now described as follows:

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

Priority Date: 6/15/1888

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to 10/31
to 12/31

To**Diversion Rate**

2.000 cfs
0.040 cfs
2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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	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
								L 1											
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	0.5											114.5
01S	20E	35					41.0	25.0											66.0

Right Acre Limit: 100.0

POU Total Acres: 3037.4

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						

Transfer No. 79437

WATER RIGHT NO. 37-378**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-378

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-695**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-695 is now described as follows:

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

Priority Date: 4/1/1889

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
1.200 cfs
1.200 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 60.0
POU Total Acres: 3037.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the authorized place of use in a single irrigation season.

Transfer No. 79437

WATER RIGHT NO. 37-695

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-942**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-942 is now described as follows:

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

Priority Date: 8/1/1917

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
5.000 cfs
5.000 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 250.0

POU Total Acres: 3037.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 250 acres within the authorized place of use in a single irrigation season.

Transfer No. 79437

WATER RIGHT NO. 37-942

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-2405**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-2405 is now described as follows:

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

Priority Date: 2/9/1920

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to

To

10/31
12/31

Diversion Rate

4.000 cfs
0.040 cfs
4.000 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 2216.0

POU Total Acres: 3037.4

WATER RIGHT NO. 37-2405**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2216 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

Transfer No. 79437

WATER RIGHT NO. 37-2405

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-11892**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-11892 is now described as follows:

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

Priority Date: 4/1/1887

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to

To

10/31
12/31

Diversion Rate

3.300 cfs
0.080 cfs
3.300 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 165.0
POU Total Acres: 3037.4

WATER RIGHT NO. 37-11892
As Modified by Transfer No. 79437

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 165 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-11892
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-11898**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-11898 is now described as follows:

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

Priority Date: 6/1/1889

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

1.540 cfs

1.540 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 77.0

POU Total Acres: 3037.4

WATER RIGHT NO. 37-11898
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 77 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-11898
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 37-11900**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-11900 is now described as follows:

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

Priority Date: 4/1/1890

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	14.000 cfs
STOCKWATER	01/01	to 12/31	0.120 cfs
			14.000 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 700.0
POU Total Acres: 3037.4

Transfer No. 79437

WATER RIGHT NO. 37-11900
As Modified by Transfer No. 79437

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 700 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-11900
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-11903**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-11903 is now described as follows:

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

Priority Date: 6/1/1893

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to 10/31
to 12/31

To**Diversion Rate**

2.800 cfs
0.080 cfs
2.800 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 140.0

POU Total Acres: 3037.4

Transfer No. 79437

WATER RIGHT NO. 37-11903**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26									X	X	X						
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

Transfer No. 79437

WATER RIGHT NO. 37-11903
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-22**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-22 is now described as follows:

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

Priority Date: 6/17/1899

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
1.000 cfs
1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 50.0
POU Total Acres: 3037.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the authorized place of use in a single irrigation season.

Transfer No. 79437

WATER RIGHT NO. 37-22

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. When diverted through the points of diversion located at TWP 01S, RNG 20E, Sec. 20, SWSWSE, Sec. 30 SWNENW and Sec. 30 Lot 1 (NENWNW) the water diverted pursuant to this right is saved or developed water having a priority date senior to all rights except other saved or developed water rights having priority dates senior to it. When this right is diverted out of the point of diversion located at TWP 01S, RNG 19E, Sec. 24, NESENW its priority date is June 17, 1899.
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.

WATER RIGHT NO. 37-22

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 37-20609**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-20609 is now described as follows:

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

Priority Date: 9/1/1883

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to 10/31
to 12/31

To**Diversion Rate**

19.690 cfs
0.120 cfs
19.690 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
									L 1										
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 984.5
POU Total Acres: 3037.4

WATER RIGHT NO. 37-20609**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26									X	X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 984.5 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

Transfer No. 79437

WATER RIGHT NO. 37-20609

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-186**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-186 is now described as follows:

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

Priority Date: 7/1/1886

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.400 cfs
STOCKWATER	01/01	to 12/31	0.050 cfs
			0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35					41.0	25.0											66.0

Right Acre Limit: 20.0

POU Total Acres: 3037.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						

Transfer No. 79437

WATER RIGHT NO. 37-186**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 20 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-186
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-187**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-187 is now described as follows:

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

Priority Date: 11/1/1892

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to 10/31
to 12/31

To**Diversion Rate**

1.600 cfs
0.040 cfs
1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 80.0

POU Total Acres: 3037.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						

Transfer No. 79437

WATER RIGHT NO. 37-187**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-187

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-189**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-189 is now described as follows:

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

Priority Date: 4/1/1899

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	1.800 cfs
STOCKWATER	01/01	to 12/31	0.040 cfs
			1.800 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 90.0

POU Total Acres: 3037.4

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						

Transfer No. 79437

WATER RIGHT NO. 37-189**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-189
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-213**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-213 is now described as follows:

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

Priority Date: 4/1/1885

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	1.600 cfs
STOCKWATER	01/01	to 12/31	0.120 cfs
			1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 80.0

POU Total Acres: 3037.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						

Transfer No. 79437

WATER RIGHT NO. 37-213**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

WATER RIGHT NO. 37-213

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-215D**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-215D is now described as follows:

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

Priority Date: 3/31/1877

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to

To

10/31
12/31

Diversion Rate

4.000 cfs
0.080 cfs
4.000 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 200.0

POU Total Acres: 3037.4

Transfer No. 79437

WATER RIGHT NO. 37-215D**As Modified by Transfer No. 79437****PLACE OF USE: STOCKWATER**

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	20E	19	X			X							X	X	X	X	X	X	
													L 4						
01S	20E	20						X	X		X	X	X	X	X	X	X	X	
01S	20E	21			X	X					X	X	X	X	X	X	X	X	
01S	20E	22							X	X	X	X	X	X					
01S	20E	26										X	X	X					
01S	20E	27		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
01S	20E	29	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
01S	20E	30	X	X	X	X	X	X		X					X	X	X	X	
								L 1											
01S	20E	31	X	X		X													
01S	20E	33	X	X			X												
01S	20E	34	X	X			X	X											
01S	20E	35						X	X										

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 200 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.

Transfer No. 79437

WATER RIGHT NO. 37-215D
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
13. As long as the dike situated in the SE1/4SE1/4NE1/4, Section 27, T.1S., R.20E., B.M., Blaine County, Idaho, located approximately at Latitude N 43° 18.586' and Longitude W 114° 03.483', is maintained so as to prevent the waters of Silver Creek from wasting through sink holes, Water Rights 37-215G and 37-215D, and all splits therefrom, are for saved or salvaged water and shall therefore have the prior and exclusive right to the delivery of 6.4 cfs of the waters of Silver Creek, as established by, controlled by, and subject to the provisions within the Frost v. Alturas Water Company decree (Lincoln County District Court, December 13, 1909). Accordingly, they shall not be subject to the priority system during calls in times of scarcity. The above described dike was first constructed on 6-1-1899. This date is listed solely for purpose of documenting when the saved and salvaged water was first put to beneficial use, and not for purpose of subjecting this right (or any splits therefrom) to priority calls based upon this date.

WATER RIGHT NO. 37-333**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-333 is now described as follows:

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

Priority Date: 11/1/1889

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
1.600 cfs
1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35						41.0	25.0										66.0

Right Acre Limit: 80.0

POU Total Acres: 3037.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80 acres within the authorized place of use in a single irrigation season.

Transfer No. 79437

WATER RIGHT NO. 37-333

As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-351A**As Modified by Transfer No. 79437**

In accordance with the approval of Transfer No. 79437, Water Right No. 37-351A is now described as follows:

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

Priority Date: 6/1/1886

Source: LOVING CREEK
Source: SILVER CREEK

Tributary: SILVER CREEK
Tributary: LITTLE WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15

To

to 10/31

Diversion Rate

0.250 cfs

0.250 cfs

LOCATION OF POINT(S) OF DIVERSION

LOVING CREEK	NESENW	Sec 24 Twp 01S Rge 19E	BLAINE County
SILVER CREEK	SWSWSE	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NESW	Sec 20 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	NWSW	Sec 26 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	SWNENW	Sec 30 Twp 01S Rge 20E	BLAINE County
SILVER CREEK	L1 (NENWNW)	Sec 30 Twp 01S Rge 20E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rng	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	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
								L 1											
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	0.5											114.5
01S	20E	35					41.0	25.0											66.0

Right Acre Limit: 12.5

POU Total Acres: 3037.4

WATER RIGHT NO. 37-351A
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.5 acres within the authorized place of use in a single irrigation season.
2. Rights 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, and 37-20609 when combined shall not exceed a total diversion rate of 72.78 cfs, nor a total combined annual volume measured at the points of diversion of 17,096.6 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,081 af at the point of diversion and the irrigation of 2711.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
3. When water is diverted under this right at the Point of Diversion, located in TWP 01S, RNG 20E, Sec. 20 NESW, the watermaster shall deliver 0.22 cfs from the following rights: 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, and 37-20609 into the point of diversion, located in TWP 01S, RNG 19E, Sec. 24 NESENW, locally known as the Gillihan Ditch, to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 01S, RNG 20E, Sec. 20 NESW is curtailed the mitigation requirement ceases.
4. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 20 NESW is limited to a maximum diversion rate of 10 cfs, when diverted under rights 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, and 37-20609.
5. The Silver Creek point of diversion located in TWP 01S, RNG 20E, Sec. 26 NWSW is limited to a maximum diversion rate of 6 cfs, when diverted under rights 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, and 37-20609.
6. 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. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-351A
As Modified by Transfer No. 79437

CONDITIONS OF APPROVAL

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

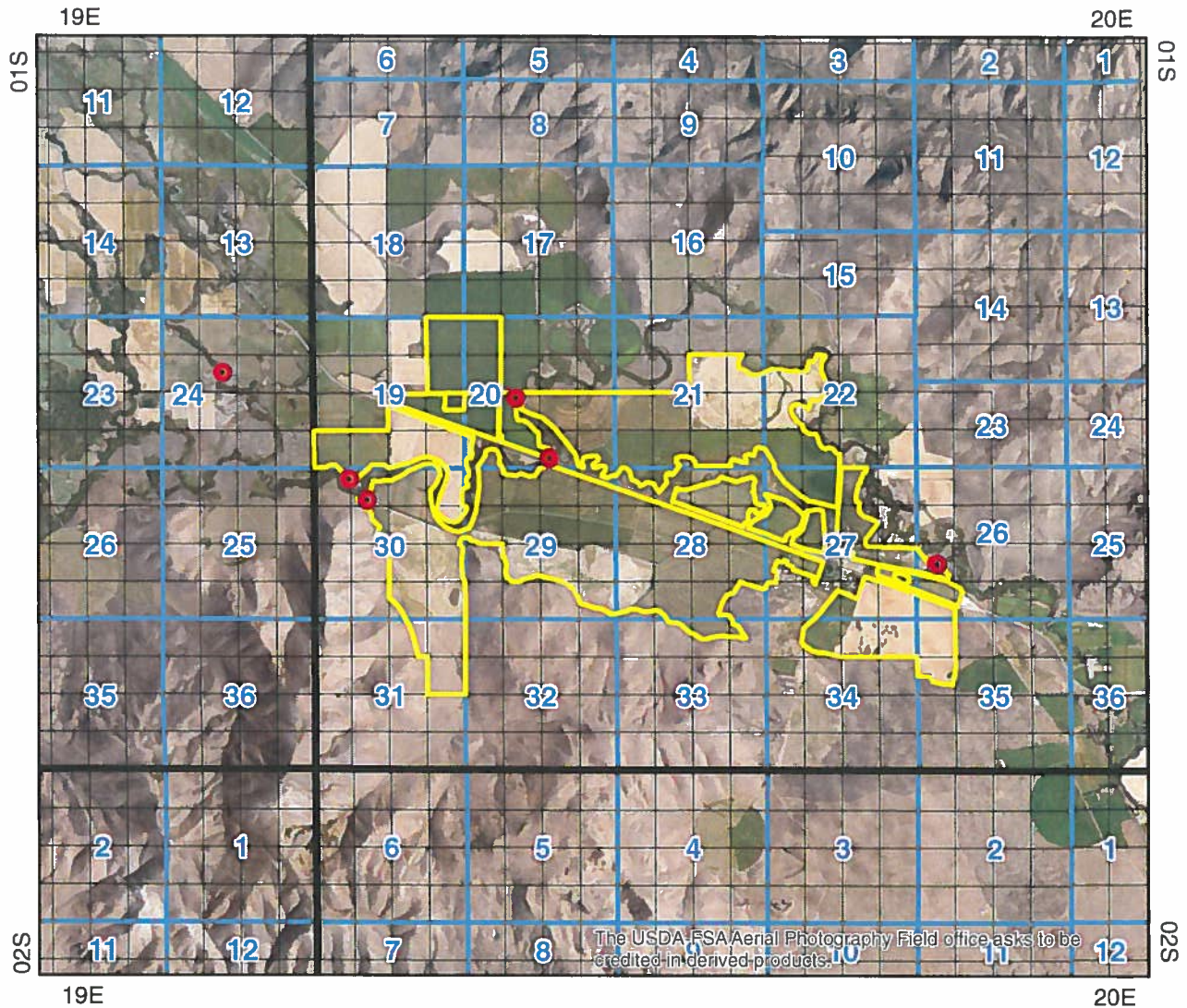


State of Idaho
Department of Water Resources

Attachment To Transfer No. 79437

Rights: 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 and 37-20609

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.75 1.5 3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 27, 2015

PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348

Re: Transfer No: 79437

Water Right No(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

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

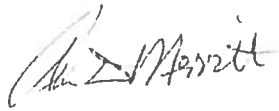
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is written in a cursive style with a large, stylized "A" and "M".

Allen Merritt
Southern Regional Manager

Enclosure

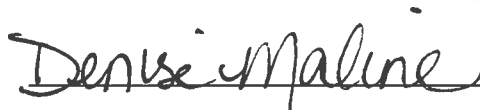
CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79437

Water Right No(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

**PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348**

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in black ink and is positioned above a solid horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 27, 2015

KEVIN LAKEY WATERMASTER
WATER DISTRICT # 37
107 W 1ST ST
SHOSHONE, ID 83352

Via e-mail

Re: **APPROVED Transfer No. 79437 (Picabo Livestock Co Inc)**

Dear Mr. Lakey:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

RECEIVED

AUG 28 2014

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

DEPT OF WATER RESOURCES
SOUTHERN REGION

Transfer Application No.: 79437

Water Right No(s): 37-11892, 37-11898, 37-11900,
37-11903, 37-186, 37-187, 37-189, 37-20609,
37-21, 37-213, 37-215D, 37-22, 37-2405, 37-333,
37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942

Transfer Applicant's Name: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO, ID 83348

Watermaster's Recommendation:

- a) I do not oppose approval of this application.
- b) I do not oppose approval of this application if it is conditioned as follows:
- c) I oppose approval of this application for the following reasons:
- d) Additional comments:

Dated this 28th day of August, 2014

Water District No. 37

Kevin LaKey

Watermaster's Signature

Kevin LaKey

Printed Name

Jones, Doug

From: Jones, Doug
Sent: Tuesday, August 26, 2014 3:36 PM
To: 'watermanager@cableone.net'
Subject: Picabo Livestock transfer #79437 Comments

Hello Kevin,

On 8/1 Denise sent an email with attached Comment Request form and copy of transfer to you. Have you had a chance to look it over and prepare a response? In a nut shell they are adding a point of diversion to Silver Creek in the NWSW Sec 26 to inject a maximum of 6 cfs into O-Drain. Presumably there would be less water diverted at the Sec 30 POD and a savings in conveyance loss within the ditch system to the creek.

Please let me know about the status of your review in the next couple of days and I look forward to including your comments in the very near future.

Doug

TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

Sold To: DEPT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

Date:	<u>08/14/2014</u>	INVOICE NO.	<u>99300</u>
Account No.	<u>446620</u>		
Description	<u>99300 NOTICE OF</u>		
Times	<u>2</u>	Lines	<u>81</u>
		Tab. lines	
		\$	<u>115.43</u>
	PO#	<u>79437</u>	

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

RECEIVED

AUG 20 2014

**99300
NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
TRANSFER NO. 79437**

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AFFIDAVIT OF PUBLICATION

DEPT OF WATER RESOURCES
SOUTHERN REGION

Karen J. Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 99300 NOTICE OF attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

2 time(s). Publication being on 08/07, or once a Week for 2 consecutive Week, the first publication thereof being on the 08/07/2014, and the last publication thereof being on the 08/14/2014, and said 99300 NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

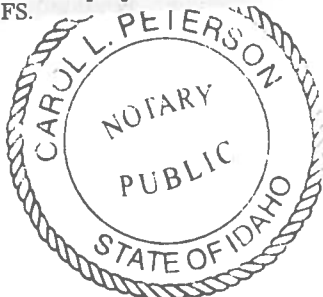
State of Idaho

S.S.

County of Nez Perce

On this 18th day of August in the year of 2014, before me, a Notary Public, personally appeared Karen J. Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Carol Peterson
Notary Public in and for the State of Idaho,
residing at Lewiston therein
Commission Expires 9-1-2017



over
←

✓ ok
DM
8-21-2014

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before August 25, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

Published in Idaho Mtn Express on August 6th & 13th, 2014; and Times News, Idaho Statesman, Post Register and Lewiston Tribune on August 7th & 14th, 2014

✓ OK DM 8/21/2014

RECEIVED

AUG 18 2014

COPY OF NOTICE

State of Idaho
County of BlaineDEPT OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT of PUBLICATION

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 6 day of

August, 20 14, and the date of the last publication was

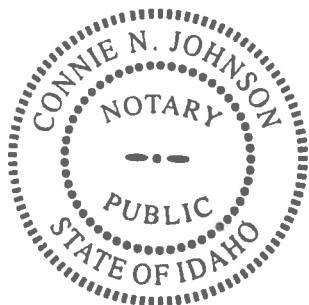
on the 13 day of August, 20 14

Pam Morris

Subscribed and sworn to before me this 13 day of

August, 20 14.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 58
Number of Insertions 2

58 Lines tabular at 53.36 9.0 cents/pica
58 Lines straight at 46.69 8.0 cents/pica
58 Subsequent lines at 100.05 7.0 cents/pica
TOTAL COST \$ 100.05

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR
BILL TO

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79437

PICABO LIVESTOCK CO INC, PO BOX 748, PICABO, ID 83348; has filed Application No. 79437 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11892, 37-11898, 37-11900, 37-11903, 37-186, 37-187, 37-189, 37-20609, 37-21, 37-213, 37-215D, 37-22, 37-2405, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion (POD) on Silver Creek for several stockwater and irrigation rights, which are currently authorized to divert from both Loving Creek and Silver Creek. The proposed POD is to facilitate better delivery of waters currently diverted from an authorized Silver Creek POD, located approximately 0.5 mi N & 3.2 mi. W of Picabo. The proposed POD will be located downstream approximately 0.7 mi. E of Picabo. Rights involved in this transfer are authorized to divert up a total of 72.78 CFS from all authorized PODs. Applicant proposes to limit the total flow at the proposed POD to 6 CFS.

OVER

✓ OK DM
8/21/2014

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before August 25, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
August 6, & 13, 2014

✓ ok DM 8/21/2014



AUG 18 2014DEPT OF WATER RESOURCES
SOUTHERN REGION**LEGAL PROOF OF PUBLICATION**

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263982	0001190398	LEGAL NOTICE NOTICE OF PROPOSED C	PICABO LIVESTOCK	\$115.48	1	67

Attention: DENISE MALINEIDAHO DEPT WATER RESOURCE / SOUTH
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301**LEGAL NOTICE
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 79437**

PICABO LIVESTOCK CO INC.
PO BOX 748, PICABO, ID 83348;
has filed Application No. 79437
for changes to the following water
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21, 37-213, 37-215D, 37-22, 37-
2405, 37-333, 37-351A, 37-
352A, 37-377, 37-378, 37-695,
37-942; to see a full description of
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transfer, please visit our website
at www.idwr.idaho.gov and
search under New Water Right Ap-
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ters currently diverted from an au-
thorized Silver Creek POD, located
approximately 0.5 mi N & 3.2 mi
W of Picabo. The proposed POD
will be located downstream ap-
proximately 0.7 mi. E of Picabo.
Rights involved in this transfer are
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72.78 CFS from all authorized
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to 6 CFS.

For additional information concern-
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must be filed with the Department
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gion, 650 Addison Ave W Ste 500,
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application on or before August
25, 2014. The protestant must al-
so send a copy of the protest to
the applicant.

GARY SPACKMAN, Director

Pub. Aug. 7, 14, 2014

0001190398-01

JANICE HILDRETH, being duly
sworn, deposes and says: That she is
the Principal Clerk of The Idaho
Statesman, a daily newspaper printer
and published at Boise, Ada County,
State of Idaho, and having a
general circulation therein, and which
said newspaper has been
continuously and uninterruptedly
published in said County during a
period of twelve consecutive months
prior to the first publication of the
notice, a copy of which is attached
hereto: that said notice was published
in The Idaho Statesman, in conformit
with Section 60-108, Idaho Code, as
amended, for:

2 InsertionsBeginning issue of: 08/07/2014Ending issue of: 08/14/2014

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)
..SS

COUNTY OF ADA)

On this 14th day of August in the yea
of 2014 before me, a Notary Public,
personally appeared before me Janic
Hildreth known or identified to me to
be the person whose name subscribe
to the within instrument, and being by
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that she
executed the same.

Heather Harradine
Notary Public FOR Idaho

Residing at: Boise, Idaho

My Commission expires: 2/11/2020

✓ OK DM
8/21/2014

AUG 18 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Proof of Publication The Post Register

State of Idaho
Bonneville County:

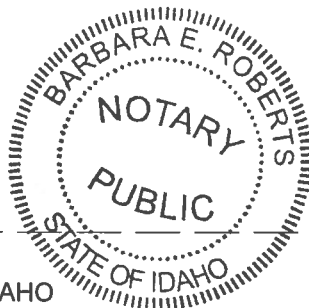
I, ~~Hilary Witt~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under this ad number: **671084**, for **2** consecutive (days) weeks, between **08/07/2014** and **08/14/2014**,

and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 14 day of August 2014



Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019

_____ attached jurat _____

STATE OF IDAHO

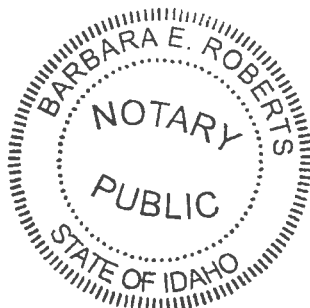
SS.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 14 day of August 2014, before me, the undersigned, a Notary public for said state, personally appeared ~~Hilary Witt~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

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

✓ ok DM
8/21/2014



Barbara E. Roberts
Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 5/9/2019

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79437**

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GARY SPACKMAN, Director

Published in Idaho Mtn Express on August 6th & 13th, 2014; and Times News, Idaho Statesman, Post Register and Lewiston Tribune on August 7th & 14th, 2014 (671084)

✓ OK DM 8/21/2014

RECEIVED

AUG 15 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 7th day of August, 2014 and ending with the issue dated 14th day of August, 2014

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 14th day of August, 2014, before me,

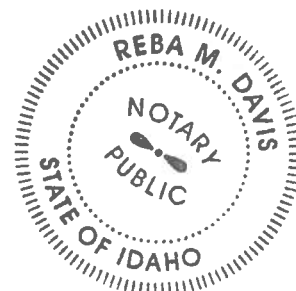
a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Reba M Davis

Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: May 8, 2020

✓ OK DM 8/21/2014



RECEIVED

AUG 15 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

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Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

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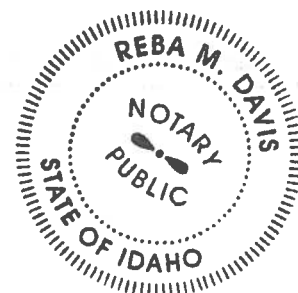
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Reba M Davis

Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: May 8, 2020

✓ OK DM 8/21/2014



**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
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GARY SPACKMAN, Director

Published in Idaho Mtn Express on August 6th & 13th, 2014; and
Times News, Idaho Statesman, Post Register and Lewiston
Tribune on **August 7th & 14th, 2014**

✓ OK dm 8/21/2014

Proof of legal notice
received from Post Register 8/6/2014

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OF WATER RIGHT
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GARY SPACKMAN, Director

Published in Idaho Mtn Express on August 6th & 13th, 2014; and Times News, Idaho Statesman, Post Register and Lewiston Tribune on August 7th & 14th, 2014 (671084)

✓ OK DM 8/6/2014

E-mail sent to newspaper