

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED*****TRANSFER NO. 70680**

This is to certify that: CHALLIS CREEK CATTLE CO LLC
PO BOX 10
CHALLIS ID 83226
(208)879-4242

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

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
72-4Q	WR/Decreed	05/01/1879	1.38 cfs	N/A	N/A	103.5	CHALLIS CREEK
72-10483	WR/Decreed	05/01/1879	6.28 cfs	N/A	330.0	370.7	CHALLIS CREEK
72-32B	WR/Decreed	07/22/1910	0.88 cfs	N/A	N/A	103.5	CHALLIS CREEK
72-2044	WR/Decreed	11/06/1915	0.24 cfs	N/A	12.0	370.7	CHALLIS CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-4Q	YES	YES	YES	NO	NO	NO
72-10483	YES	NO	YES	NO	NO	NO
72-32B	YES	YES	YES	NO	NO	NO
72-2044	YES	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
72-4Q	72-16633	0.05 cfs	N/A	4.1	244.7	72-16632	1.33 cfs	N/A	N/A	99.4
72-10483	72-16639	4.15 cfs	N/A	201.6	244.7	72-16638	2.13 cfs	N/A	128.4	145.3
72-32B	72-16635	0.03 cfs	N/A	4.1	244.7	72-16634	0.85 cfs	N/A	N/A	99.4
72-2044	72-16637	0.15 cfs	N/A	7.3	244.7	72-16636	0.09 cfs	N/A	4.7	145.3
COMBINED TOTALS		4.38 cfs	N/A	213.0	244.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of April, 2009

SUPPORT DATAIN FILE # 72-4Q

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16632
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16632 is now described as follows.

Right Holder: ROBERT A Or KAY A PIVA
HC 63 BOX 1641
CHALLIS ID 83226

Priority Date: May 01, 1879

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	1.33 CFS
			1.33 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10(SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK NESWSE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N 19E 16												35.3			25.5	38.6	99.4

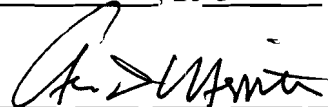
Total Acres: 99.4

CONDITIONS OF APPROVAL

1. Use of the rights listed below is limited to the irrigation of a combined total of 99.4 acres in a single irrigation season. Combined Right Nos.: 72-16632 and 72-16634.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009


for Chief, Water Allocation Bureau

**WATER RIGHT NO. 72-16633
As Modified by Transfer No. 70680**

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16633 is now described as follows.

Right Holder: CHALLIS CREEK CATTLE CO LLC
PO BOX 10
CHALLIS ID 83226

Priority Date: May 01, 1879

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.05 CFS
			0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10(SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14N 19E 15					4.7	2.6											7.3
14N 19E 16	40.0	40.0	40.0	40.0	40.0	7.6		17.0					6.4	6.4			237.4

Total Acres: 244.7

CONDITIONS OF APPROVAL

1. Rights 72-16633 and 72-16635 when combined shall not exceed the irrigation of 4.1 acres.
2. Rights 72-16633, 72-16635, 72-16637, and 72-16639 when combined shall not exceed a total diversion rate of 4.38 cfs and the irrigation of 213 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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. 72C.
5. 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).
6. This right does not grant any right-of-way or easement across the land of another.

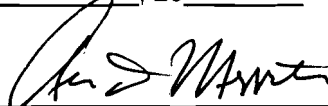
WATER RIGHT NO. 72-16633
As Modified by Transfer No. 70680

CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. The right holder shall accomplish the change authorized by this transfer within one 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009



FOL Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16634
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16634 is now described as follows.

Right Holder: ROBERT A Or KAY A PIVA
HC 63 BOX 1641
CHALLIS ID 83226

Priority Date: July 22, 1910

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.85 CFS
			0.85 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10 (SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK NESWSE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 19E 16												35.3			25.5	38.6	99.4

Total Acres: 99.4

CONDITIONS OF APPROVAL

1. Use of the rights listed below is limited to the irrigation of a combined total of 99.4 acres in a single irrigation season. Combined Right Nos.: 72-16632 and 72-16634.
2. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009



F-32 Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16635
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16635 is now described as follows.

Right Holder: CHALLIS CREEK CATTLE CO LLC
 PO BOX 10
 CHALLIS ID 83226

Priority Date: July 22, 1910

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.03 CFS
			0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10 Sec. 7 Twp 14N Rge 19E CUSTER County
 (SWNWNW)

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	15						4.7	2.6										7.3
14N	19E	16	40.0	40.0	40.0	40.0	40.0	7.6		17.0					6.4	6.4			237.4

Total Acres: 244.7

CONDITIONS OF APPROVAL

1. Rights 72-16633 and 72-16635 when combined shall not exceed the irrigation of 4.1 acres.
2. Rights 72-16633, 72-16635, 72-16637, and 72-16639 when combined shall not exceed a total diversion rate of 4.38 cfs and the irrigation of 213 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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. 72C.
5. 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).

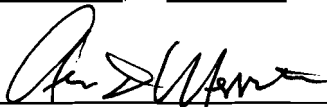
WATER RIGHT NO. 72-16635
As Modified by Transfer No. 70680

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. The right holder shall accomplish the change authorized by this transfer within one 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009



FOL Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16636
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16636 is now described as follows.

Right Holder: ROBERT A Or KAY A PIVA
 HC 63 BOX 1641
 CHALLIS ID 83226

Priority Date: November 06, 1915

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.09 CFS
			0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10(SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 19E 15					31.0	33.3	37.4	31.0									132.7
14N 19E 16								12.6									12.6

Total Acres: 145.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.7 acres within the place of use described above in a single irrigation season.
2. Use of the rights listed below is limited to the irrigation of a combined total of 133.1 acres in a single irrigation season. Combined right nos.: 72-16636 and 72-16638.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009


 Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16637
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16637 is now described as follows.

Right Holder: CHALLIS CREEK CATTLE CO LLC
 PO BOX 10
 CHALLIS ID 83226

Priority Date: November 06, 1915

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 11/01	0.15 CFS
			0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10(SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 19E 15						4.7	2.6										7.3
14N 19E 16	40.0	40.0	40.0	40.0	40.0	7.6		17.0					6.4	6.4			237.4

Total Acres: 244.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.3 acres within the place of use described above in a single irrigation season.
2. Rights 72-16633, 72-16635, 72-16637, and 72-16639 when combined shall not exceed a total diversion rate of 4.38 cfs and the irrigation of 213 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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. 72C.
5. 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).

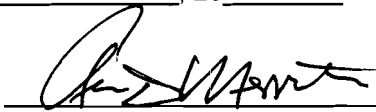
WATER RIGHT NO. 72-16637
As Modified by Transfer No. 70680

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. The right holder shall accomplish the change authorized by this transfer within one 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009



For Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16638
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16638 is now described as follows.

Right Holder: ROBERT A Or KAY A PIVA
 HC 63 BOX 1641
 CHALLIS ID 83226

Priority Date: May 01, 1879

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	2.13 CFS
			2.13 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK	L10(SWNWNW)	Sec. 7	Twp 14N	Rge 19E	CUSTER County
CHALLIS CREEK	SWNWNW	Sec. 17	Twp 14N	Rge 19E	CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 19E 15					31.0	33.3	37.4	31.0									132.7
14N 19E 16								12.6									12.6

Total Acres: 145.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 128.4 acres within the place of use described above in a single irrigation season.
2. Use of the rights listed below is limited to the irrigation of a combined total of 133.1 acres in a single irrigation season. Combined right nos.: 72-16636 and 72-16638.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 2009


 For Chief, Water Allocation Bureau

WATER RIGHT NO. 72-16639
As Modified by Transfer No. 70680

In accordance with the approval of Transfer No. 70680, Water Right No. 72-16639 is now described as follows.

Right Holder: CHALLIS CREEK CATTLE CO LLC
PO BOX 10
CHALLIS ID 83226

Priority Date: May 01, 1879

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	4.15 CFS
			4.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK L10(SWNWNW) Sec. 7 Twp 14N Rge 19E CUSTER County

CHALLIS CREEK SWNWNE Sec. 17 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 19E 15						4.7	2.6										7.3
14N 19E 16	40.0	40.0	40.0	40.0	40.0	7.6		17.0					6.4	6.4			237.4

Total Acres: 244.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 201.6 acres within the place of use described above in a single irrigation season.
2. Rights 72-16633, 72-16635, 72-16637, and 72-16639 when combined shall not exceed a total diversion rate of 4.38 cfs and the irrigation of 213 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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. 72C.
5. 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).

WATER RIGHT NO. 72-16639
As Modified by Transfer No. 70680

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. The right holder shall accomplish the change authorized by this transfer within one 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of April, 20 09



For

Chief, Water Allocation Bureau