

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72178

This is to certify that: DIAMOND A LIVESTOCK INC
 1997 S 1875 E
 GOODING ID 83330
 (208)934-5391

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21490	WR/Decreed	01/29/1965	3.16 cfs	632 af	N/A	158.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

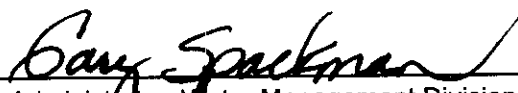
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-21490	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-21490	37-21490	3.16 cfs	632 af	N/A	158.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.16 cfs	632 af	N/A	158.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of March, 20 07


 Acting Administrator, Water Management Division

WATER RIGHT NO. 37-21490
As Modified by Transfer No. 72178

In accordance with the approval of Transfer No. 72178, Water Right No. 37-21490 is now described as follows.

Right Holder: DIAMOND A LIVESTOCK INC
 1997 S 1875 E
 GOODING ID 83330

Priority Date: January 29, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	3.16 CFS	632.0 AF
		3.16 CFS	632.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 30 Twp 06S Rge 15E GOODING 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					
06S	15E	19									10.0	22.0					21.0	8.0	61.0
											L 7								
06S	15E	30	12.0	33.0			35.0	17.0											97.0
								L 1											

Total Acres: 158

CONDITIONS OF APPROVAL

1. 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. 130.
2. Prior to the diversion and use of water under Transfer approval 72178 the right holder shall install and maintain acceptable measuring device, including data logger, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 37-21490
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CONDITIONS OF APPROVAL

6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
7. Use of this right is combined with water from North Side Canal Co., Ltd.
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 Transfer 72178.
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 12th day of March, 20 07


Acting Administrator, Water Management Division