

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72177

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>
37-21491	WR/Decreed	01/29/1965	0.04 cfs	8.0 af	N/A	2.0	GROUND WATER
37-21492	WR/Decreed	06/01/1971	0.04 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

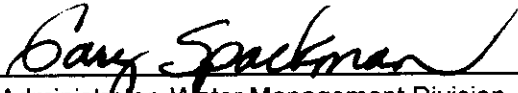
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-21491	NO	YES	YES	NO	YES	YES
37-21492	NO	NO	YES	NO	NO	YES

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>
37-21491	37-21491	0.04 cfs	8.0 af	N/A	N/A		N/A	N/A	N/A	N/A
37-21492	37-21492	0.04 cfs	2.8 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.08 cfs	10.8 af	N/A	N/A		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

SUPPORT DATA

IN FILE # 37-21491

WATER RIGHT NO. 37-21491
As Modified by Transfer No. 72177

In accordance with the approval of Transfer No. 72177, Water Right No. 37-21491 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>
COMMERCIAL	01/01	to 12/31	0.04 CFS	8.0 AF
			0.04 CFS	8.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSE Sec. 19 Twp 06S Rge 15E GOODING County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	15E	19																X	

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. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
5. Prior to the diversion and use of water under this water right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion in accordance with Department specifications.
6. The right holder shall read and record monthly maximum flow rate and monthly accumulated volume. The right holder shall maintain the records in its possession. Upon request by the Department, the right holder shall submit the measurement records to the Department.

WATER RIGHT NO. 37-21491
As Modified by Transfer No. 72177

CONDITIONS OF APPROVAL

7. Prior to diverting water under this right for commercial purposes, the right holder shall obtain all required approvals from the Idaho Department of Agriculture and the Idaho Department of Environmental Quality.
8. Failure to adhere to the conditions of this water right is cause for the Director of the Department to revoke the approval of the commercial use authorized by this water right.
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the truck wash facility as authorized by water rights 37-21491 and 37-21492.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of transfer no. 72177.
11. Commercial Use is for a truck washing facility.
12. Rights 37-10604, 37-21491 and 37-21492 are diverted through the point of diversion described above.
13. Prior to diverting water under this right, the permit holder shall do one of the following: (a) Limit its water use to one hose and nozzle and only one wash bay at any given time; or (b) Construct sufficient water storage at the truck wash to provide peak flows in excess of 0.08 cfs; or (c) Install flow control mechanisms that will limit the flow from the well to the truck wash to the combined flow rate authorized by this right and right no. 37-21492 (0.08 or less).

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

WATER RIGHT NO. 37-21492
As Modified by Transfer No. 72177

In accordance with the approval of Transfer No. 72177, Water Right No. 37-21492 is now described as follows.

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

Priority Date: June 01, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	2.8 AF
		0.04 CFS	2.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSE Sec. 19 Twp 06S Rge 15E GOODING County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	15E	19																X	

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. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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.
5. Prior to the diversion and use of water under this water right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion in accordance with Department specifications.
6. The right holder shall read and record monthly maximum flow rate and monthly accumulated volume. The right holder shall maintain the records in its possession. Upon request by the Department, the right holder shall submit the measurement records to the Department.

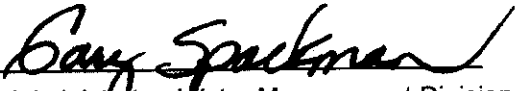
WATER RIGHT NO. 37-21492
As Modified by Transfer No. 72177

CONDITIONS OF APPROVAL

7. Prior to diverting water under this right for commercial purposes, the right holder shall obtain all required approvals from the Idaho Department of Agriculture and the Idaho Department of Environmental Quality.
8. Failure to adhere to the conditions of this water right is cause for the Director of the Department to revoke the approval of the commercial use authorized by this water right.
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the truck wash facility as authorized by water rights 37-21491 and 37-21492.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of transfer no. 72177.
11. Commercial Use is for a truck washing facility.
12. Rights 37-10604, 37-21491 and 37-21492 are diverted through the point of diversion described above.
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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