

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70855

This is to certify that: PICABO LIVESTOCK CO INC
PO BOX 748
PICABO ID 83348
(208)788-3530

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-7455	AJC/License	09/02/1975	0.06 cfs	12.0 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

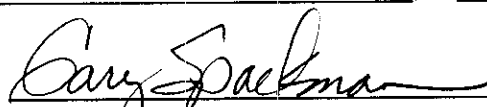
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-7455	NO	YES	YES	YES	NO	YES

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>
37-7455	37-7455	0.06 cfs	12.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.06 cfs	12.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of December, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7455
As Modified by Transfer No. 70855

In accordance with the approval of Transfer No. 70855, Water Right No. 37-7455 is now described as follows.

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

Priority Date: September 02, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	0.06 CFS	12.0 AF
			0.06 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 27 Twp 01S Rge 20E BLAINE County

GROUND WATER NWSWSE Sec. 27 Twp 01S Rge 20E BLAINE County

CONDITIONS OF APPROVAL

1. Place of use is within the area served by the public water supply system of Picabo Livestock Company, Inc. The place of use is generally located within Sections 26 & 27, Township 01S, Range 20E.
2. The total instantaneous diversion of water from all points of diversion under Right 37-7455 shall not exceed 0.06 cfs, nor a total combined annual volume of 12 af.
3. Rights 37-7455 and 37-11628 when combined shall not exceed a total diversion rate of 0.12 cfs and a total annual maximum diversion volume of 26.6 af from all points of diversion.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to the diversion and use of water under Transfer approval 70855, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
8. This right does not grant any right-of-way or easement across the land of another.

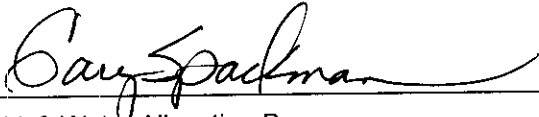
WATER RIGHT NO. 37-7455
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CONDITIONS OF APPROVAL

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 9th day of December, 2005



Chief, Water Allocation Bureau