

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71611

This is to certify that: SCHENK LAND & CATTLE LP
 1380 S 50 W
 OAKLEY ID 83346
 (208) 862-9219

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>
45-4258B	WR/Decreed	01/01/1961	0.60 cfs	N/A	N/A	N/A	LAND 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>
45-4258B	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>
45-4258B	45-4258B	0.60 cfs	257.6 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.60 cfs	257.6 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of October, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-4258B
As Modified by Transfer No. 71611

In accordance with the approval of Transfer No. 71611, Water Right No. 45-4258B is now described as follows.

Right Holder: SCHENK LAND & CATTLE LP
 1380 S 50 W
 OAKLEY ID 83346

Priority Date: January 01, 1961

Source: LAND CREEK

Tributary: GOOSE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.60 CFS	257.6 AF
			0.60 CFS	257.6 AF

LOCATION OF POINT(S) OF DIVERSION:

LAND CREEK SWNE Sec. 9 Twp 13S Rge 23E CASSIA County

PLACE OF USE: STOCKWATER

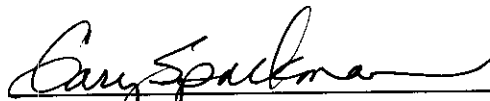
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 22E 25													X	X	X	X	
12S 23E 30													X	X	X	X	
														L3	L4		

CONDITIONS OF APPROVAL

1. 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.
2. This right does not grant any right-of-way or easement across the land of another.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 19th day of October, 20 05


 Chief, Water Allocation Bureau