

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71081

This is to certify that: DICKEY LIVESTOCK INC
5915 HWY 93
MACKAY ID 83251
(208)588-2267

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>
34-567	WR/Decreed	05/01/1905	0.8 cfs	N/A	40.0	430.0	BIG LOST RIVER
34-568	WR/Decreed	06/01/1910	0.8 cfs	N/A	40.0	430.0	BIG LOST RIVER

Purpose of Transfer (Changes Proposed)

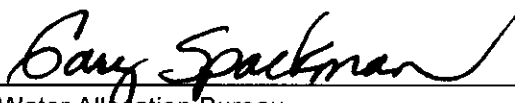
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-567	NO	NO	NO	YES	NO	NO
34-568	NO	NO	NO	YES	NO	NO

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>
34-567	34-567	0.8 cfs	N/A	40.0	430.0		N/A	N/A	N/A	N/A
34-568	34-568	0.8 cfs	N/A	40.0	430.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.6 cfs	N/A	80.0	430.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-567
As Modified by Transfer No. 71081

In accordance with the approval of Transfer No. 71081, Water Right No. 34-567 is now described as follows.

Right Holder: DICKEY LIVESTOCK INC
 5915 HWY 93
 MACKAY ID 83251

Priority Date: May 01, 1905

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 10/15	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NENESE	Sec. 1 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	NENWNW	Sec. 12 Twp 08N Rge 21E 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			
09N	22E	28			40.0					40.0			38.0					40.0			195.0
09N	22E	29																	39.0	39.0	
09N	22E	32	40.0		39.0		40.0													119.0	
09N	22E	33							39.0	38.0										77.0	

Total Acres: 430

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 34- 567 and 34-568 shall not exceed 1.60 cfs.
2. Rights 34-156, 34-566, 34-567, 34-568 and 34-7187 when combined shall not exceed a total diversion rate of 12.2 cfs and the irrigation of 430 acres.
3. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
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. Water delivered through the Ingram Ditch or Chilly Canal.
6. 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.34.

WATER RIGHT NO. 34-567
As Modified by Transfer No. 71081

CONDITIONS OF APPROVAL

7. 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.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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 6th day of May, 20 04



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-568
As Modified by Transfer No. 71081

In accordance with the approval of Transfer No. 71081, Water Right No. 34-568 is now described as follows.

Right Holder: DICKEY LIVESTOCK INC
 5915 HWY 93
 MACKAY ID 83251

Priority Date: June 01, 1910

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01 to	10/15	0.80 CFS	
			0.80 CFS	

LOCATION OF POINT(S) OF DIVERSION:

BIG LOST RIVER	NENESE	Sec. 1 Twp 08N Rge 21E CUSTER County
BIG LOST RIVER	NENWNW	Sec. 12 Twp 08N Rge 21E 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		
09N	22E	28			40.0					40.0	38.0						40.0			195.0
09N	22E	29																39.0	39.0	
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Total Acres: 430

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Dated this 6th day of May, 2004


Chief, Water Allocation Bureau