

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69624

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>
37-2627A	AJC/License	12/09/1959	10.65 cfs	3865.7 af	2496.3	2,711.3	GROUND WATER
37-11911	AJC/License	07/28/1959	6.18 cfs	1190.0 af	340.0	2,711.3	GROUND WATER
37-11914	AJC/Beneficial Use	05/01/1972	6.18 cfs	1603.2 af	967.0	2,711.3	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>
37-2627A	NO	NO	YES	NO	NO	NO
37-11911	NO	NO	YES	NO	NO	NO
37-11914	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>
37-2627A	37-2627A	10.65cfs	3865.7 af	2,496.3	3,037.4		N/A	N/A	N/A	N/A
37-11911	37-11911	6.18 cfs	1190.0 af	340.0	3,037.4		N/A	N/A	N/A	N/A
37-11914	37-11914	6.18 cfs	257.0 af	967.0	3,037.4		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		16.83 cfs	5312.7af	2711.3	3037.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of May, 20 04


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2627A
As Modified by Transfer No. 69624

In accordance with the approval of Transfer No. 69624, Water Right No. 37-2627A is now described as follows.

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

Priority Date: December 09, 1959

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	10.65 CFS	3,865.7 AF
			10.65 CFS	3,865.7 AF

LOCATION OF POINT(S) OF DIVERSION:

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

GROUND WATER NWSWNE Sec. 30 Twp 01S Rge 20E BLAINE County

GROUND WATER SENENW Sec. 30 Twp 01S Rge 20E BLAINE 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	
01S 20E 19	40.0			39.0							38.0	39.0	26.0	32.0	35.0	37.0	286.0
01S 20E 20					40.0	40.0			30.0	38.0	19.0	19.0	40.0	36.0	11.0	36.0	309.0
01S 20E 21			40.0	27.0					40.0	40.0	40.0	36.0	40.0	40.0	37.0	28.0	368.0
01S 20E 22						23.0	19.0		6.8	36.0	37.0	27.0					148.8
01S 20E 26									14.0	36.0	3.0						53.0
01S 20E 27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	.6	12.0	30.0	16.0	32.0	36.0	322.6
01S 20E 28	20.0	24.0	34.0	29.0	17.0	22.0	40.0	38.0	40.0	40.0	32.0	38.0	40.0	40.0	36.0	6.4	496.4
01S 20E 29	29.0	38.0	40.0	40.0	33.0	27.0	33.0	40.0	36.0				40.0	39.0	2.8	29.0	426.8
01S 20E 30	30.0	35.0	40.0	31.0	18.0	2.0		15.0					37.0	40.0	35.0	40.0	323.0
01S 20E 31	40.0	15.0		40.0													95.0
01S 20E 33	4.9	19.0			4.4												28.3
01S 20E 34	40.0	40.0			34.0	.5											114.5
01S 20E 35						41.0	25.0										66.0

Total Acres: 3037.4

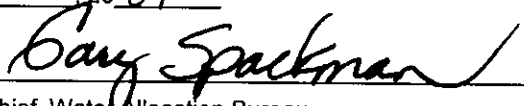
WATER RIGHT NO. 37-2627A
As Modified by Transfer No. 69624

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2496.3 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.
3. Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. 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. 37M.
8. 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.
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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) 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 7th day of May, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-11911
As Modified by Transfer No. 69624

In accordance with the approval of Transfer No. 69624, Water Right No. 37-11911 is now described as follows.

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

Priority Date: July 28, 1959

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	6.18 CFS	1,190.0 AF
			6.18 CFS	1,190.0 AF

LOCATION OF POINT(S) OF DIVERSION:

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

GROUND WATER NWSWNE Sec. 30 Twp 01S Rge 20E BLAINE County

GROUND WATER SENENW Sec. 30 Twp 01S Rge 20E BLAINE 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	
01S 20E 19	40.0			39.0							38.0	39.0	26.0	32.0	35.0	37.0	286.0
01S 20E 20					40.0	40.0			30.0	38.0	19.0	19.0	40.0	36.0	11.0	36.0	309.0
01S 20E 21			40.0	27.0					40.0	40.0	40.0	36.0	40.0	40.0	37.0	28.0	368.0
01S 20E 22							23.0	19.0	6.8	36.0	37.0	27.0					148.8
01S 20E 26									14.0	36.0	3.0						53.0
01S 20E 27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	.6	12.0	30.0	16.0	32.0	36.0	322.6
01S 20E 28	20.0	24.0	34.0	29.0	17.0	22.0	40.0	38.0	40.0	40.0	32.0	38.0	40.0	40.0	36.0	6.4	496.4
01S 20E 29	29.0	38.0	40.0	40.0	33.0	27.0	33.0	40.0	36.0				40.0	39.0	2.8	29.0	426.8
01S 20E 30	30.0	35.0	40.0	31.0	18.0	2.0		15.0					37.0	40.0	35.0	40.0	323.0
01S 20E 31	40.0	15.0		40.0													95.0
01S 20E 33	4.9	19.0			4.4												28.3
01S 20E 34	40.0	40.0			34.0	.5											114.5
01S 20E 35						41.0	25.0										66.0

Total Acres: 3037.4

WATER RIGHT NO. 37-11911
As Modified by Transfer No. 69624

CONDITIONS OF APPROVAL

1. This right is a combination of old rights 37-2617 and 37-2620 using the priority of the junior right.
2. Right No. 37-11914 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
3. This right is limited to the irrigation of 340 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion under Rights 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.
5. Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in a single irrigation season.
6. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. 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. 37M.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) 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 7th day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-11914
As Modified by Transfer No. 69624

In accordance with the approval of Transfer No. 69624, Water Right No. 37-11914 is now described as follows.

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

Priority Date: May 01, 1972

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	6.18 CFS	257.0 AF
			6.18 CFS	257.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSE	Sec. 20 Twp 01S	Rge 20E	BLAINE County
GROUND WATER	NWSWNE	Sec. 30 Twp 01S	Rge 20E	BLAINE County
GROUND WATER	SENENW	Sec. 30 Twp 01S	Rge 20E	BLAINE 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	
01S	20E	19	40.0			39.0							38.0	39.0	26.0	32.0	35.0	37.0	286.0
													L 4						
01S	20E	20					40.0	40.0			30.0	38.0	19.0	19.0	40.0	36.0	11.0	36.0	309.0
01S	20E	21			40.0	27.0					40.0	40.0	40.0	36.0	40.0	40.0	37.0	28.0	368.0
01S	20E	22						23.0	19.0	6.8	36.0	37.0	27.0						148.8
01S	20E	26									14.0	36.0	3.0						53.0
01S	20E	27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	.6	12.0	30.0	16.0	32.0	36.0	322.6
01S	20E	28	20.0	24.0	34.0	29.0	17.0	22.0	40.0	38.0	40.0	40.0	32.0	38.0	40.0	40.0	36.0	6.4	496.4
01S	20E	29	29.0	38.0	40.0	40.0	33.0	27.0	33.0	40.0	36.0				40.0	39.0	2.8	29.0	426.8
01S	20E	30	30.0	35.0	40.0	31.0	18.0	2.0		15.0					37.0	40.0	35.0	40.0	323.0
01S	20E	31	40.0	15.0		40.0													95.0
01S	20E	33	4.9	19.0			4.4												28.3
01S	20E	34	40.0	40.0			34.0	.5											114.5
01S	20E	35					41.0	25.0											66.0

Total Acres: 3037.4

WATER RIGHT NO. 37-11914
As Modified by Transfer No. 69624

CONDITIONS OF APPROVAL

1. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
2. This right is based upon an enlargement of right no. 37-11911 pursuant to Section 42-1426, Idaho Code.
3. This right is limited to the irrigation of 967 acres within the place of use described above in a single irrigation season.
4. The total instantaneous diversion of water from all points of diversion under Rights 37-2627A, 37-11911 and 37-11914 shall not exceed 16.83 cfs, nor a total combined annual volume of 5312.7 af.
5. Rights 37-11911 and 37-11914 when combined shall not exceed a total diversion rate of 6.18 cfs, nor a total combined annual volume of 1447 af, nor the irrigation of more than 1307 acres within the place of use described above in any one season.
6. Rights 37-2627A, 37-11911, and 37-11914 when combined shall not exceed a total rate of diversion of 16.83 cfs, nor a total combined annual volume of 5312.7 af, nor irrigation of more than 2711.3 acres within the place of use described above in any one season.
7. The total instantaneous diversion of water from all points of diversion for all ground water rights identified under this transfer No. 69624 and the surface water rights identified under transfer 69626 shall not exceed 72.78 cfs, nor a total combined annual volume measured at the field headgate of 9489.6 af for irrigation of 2711.3 acres in any one season.
8. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
10. 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. 37M.
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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication. Specifically the volume of use may be revised during the SRBA process if additional historical information is discovered.

WATER RIGHT NO. 37-11914
As Modified by Transfer No. 69624

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 7th day of May, 20 04



Chief, Water Allocation Bureau