

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/10/2024

Water Right 37-11914
WR Report AFTER Ownership Change Split

Owner Type **Name and Address**
Current Owner PICABO LIVESTOCK COMPANY INC
 PO BOX 748
 PICABO, ID 83348-0748
 (208) 788-3530

Priority Date: 5/1/1972

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	6.090 CFS	253.2 AF
	<u>Total Diversion</u>		6.090 CFS	253.2 AF

Source and Point(s) of Diversion:

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

Place Of Use:

IRRIGATION within BLAINE County

Twp	Rng	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 L4	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										11.1	18.1	0.9					30.1
01S	20E	27		20.0	29.0		36.0	18.0	32.0	22.0	15.0	24.0	0.6	7.0	23.8	16.0	25.0	33.3	301.7
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 L1		15.0					37.0	40.0	35.0	40.0	323.0
01S	20E	31	40.0	15.0		40.0													95.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/10/2024

01S	20E	33	4.9	19.0			4.4											28.3
01S	20E	34	40.0	40.0			34.0	0.5										114.5
01S	20E	35						41.0	25.0									66.0

Right Acre Limit: 952.60
POU Total Acres: 2,993.6

Conditions of Approval:

1. X27 This right is limited to the irrigation of 952.6 acres within the place of use described above in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C11 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.
4. K02 This right is based upon an enlargement of right No. 37-11911 pursuant to Section 42-1426, Idaho Code.
5. 079 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.
6. R05 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. 37.
7. T18 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. E60 Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.58 cfs and to a total combined annual diversion volume of 5233.6 AF.
11. E55 Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2670.9 acres in a single irrigation season.
12. E60 Right Nos. 37-11911, and 37-11914 are limited to a total combined diversion rate of 6.08 cfs and to a total combined annual diversion volume of 1425.5 AF.
13. E55 Right Nos. 37-11911, and 37-11914 are limited to the irrigation of a combined total of 1287.5 acres in a single irrigation season.
14. 065 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.
15. X35 Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/10/2024

- 351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-2627A, 37-11892, 37-11898, 37-11900, 37-11903, 37-11911, 37-11914, and 37-20609 when combined shall not exceed a total diversion rate of 71.70 cfs, nor a total combined annual volume measured at the points of diversion of 16842.0 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 16826.70 af at the point of diversion and the irrigation of 2670.9 acres. When combined these rights shall also not exceed a total diversion rate of 0.16 cfs and a total annual maximum diversion volume of 15.4 af at the point of diversion for stockwater purposes.
16. Rights identified under this Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2670.9 acres in a single irrigation season.

Comments:

- | | | | |
|---|-------------|------------|-------------------|
| 1 | pskaggs | 5/7/2004 | Transferred Right |
| This is now a approved transfer, transfer number = 69624 | | | |
| 2 | mvanbussum | 2/8/2007 | Conditions |
| Updated conditions. | | | |
| 3 | tfawcett | 10/13/2009 | Condition X35 |
| Condition X35 updated to reflect preliminary order correcting transfer approvals dated 8/12/2009. | | | |
| 4 | amerritt | 11/22/2013 | Transferred Right |
| This is now an approved transfer. Transfer Number = 78831 | | | |
| 5 | jbitzenburg | 6/7/2023 | Split Right |
| Split into 37-23453. | | | |
| 6 | jbitzenburg | 6/13/2023 | POU |
| Updated Shape | | | |
| 7 | jbitzenburg | 9/19/2024 | Split Right |
| Split into 37-23625. | | | |
| 8 | jbitzenburg | 10/10/2024 | POU |
| Updated Shape for WaterUseCode 01 | | | |

Dates and Other Information:

Decreed Date: 11/30/2010
Enlargement Statute Priority Date: 4/12/1994
State or Federal: S
Water District Number: 37
Swan Falls Trust or Nontrust: T
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/10/2024

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
72.460	17,020.9	2,699.3	37-2627A, 37-11911 ,37-11914 ,37-21 ,37-22 ,37-186 ,37-187 ,37-189 ,37-213 ,37-215D ,37-333 ,37-351A ,37-352A ,37-377 ,37-378 ,37-695 ,37-942 ,37-2405 ,37-11892 ,37-11898 ,37-11900 ,37-11903 ,37-20609
16.760	5,289.2	2,699.3	37-2627A ,37-11911 ,37-11914
6.150	1,440.6	1,301.2	37-11911 ,37-11914

SubCase:

SubCaseNumber: 37-11914
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed: 11/14/2007
Objection Status: Active

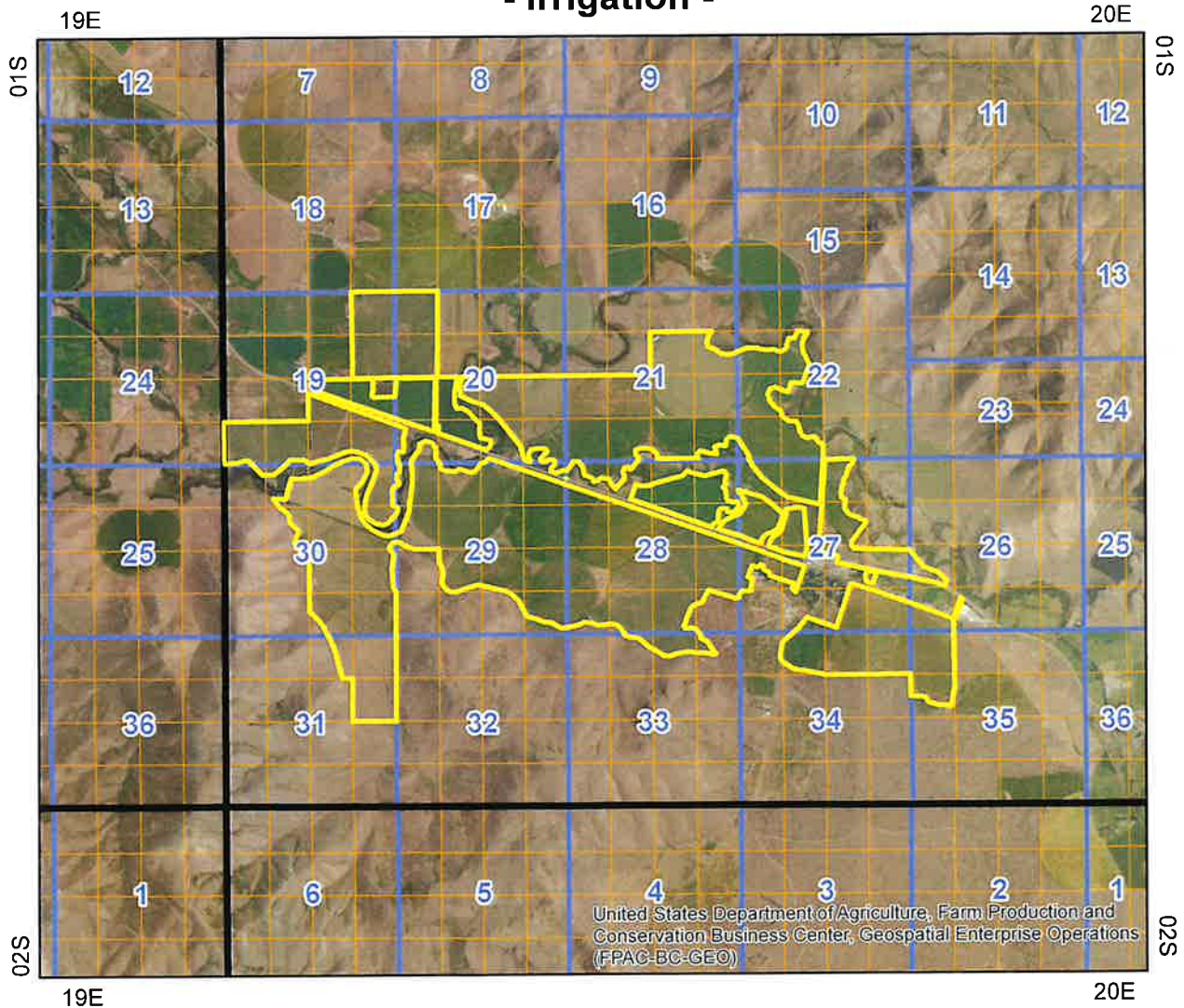
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

**Water Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213,
37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695,
37-942, 37-2405, 37-2627A, 37-11892, 37-11898, 37-11900,
37-11903, 37-11911, 37-11914, and 37-20609**

**Map AFTER Ownership Change Split
- Irrigation -**



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.5 1 2 Miles



9/10/2024

37-11914

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/10/2024

01S	20E	33	4.9	19.0			4.4										28.3
01S	20E	34	40.0	40.0			34.0	0.5									114.5
01S	20E	35						41.0	25.0								66.0

Right Acre Limit: 962.70
POU Total Acres: 3,025.4

Conditions of Approval:

1. X27 This right is limited to the irrigation of 962.7 acres within the place of use described above in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C11 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.
4. K02 This right is based upon an enlargement of right No. 37-11911 pursuant to Section 42-1426, Idaho Code.
5. 079 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.
6. R05 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. 37.
7. T18 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. E60 Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to a total combined diversion rate of 16.76 cfs and to a total combined annual diversion volume of 5289.2 AF.
11. E55 Right Nos. 37-2627A, 37-11911, and 37-11914 are limited to the irrigation of a combined total of 2699.3 acres in a single irrigation season.
12. E60 Right Nos. 37-11911, and 37-11914 are limited to a total combined diversion rate of 6.15 cfs and to a total combined annual diversion volume of 1440.6 AF.
13. E55 Right Nos. 37-11911, and 37-11914 are limited to the irrigation of a combined total of 1301.2 acres in a single irrigation season.
14. 065 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.

Proof Report

15. X35 Rights 37-21, 37-22, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-333, 37-351A, 37-352A, 37-377, 37-378, 37-695, 37-942, 37-2405, 37-2627A, 37-11892, 37-11898, 37-11900, 37-11903, 37-11911, 37-11914, and 37-20609 when combined shall not exceed a total diversion rate of 72.46 cfs, nor a total combined annual volume measured at the points of diversion of 17,020.9 af. When combined these rights shall not exceed a total annual maximum diversion volume for irrigation purposes of 17,005.4 af at the point of diversion and the irrigation of 2699.3 acres. When combined these rights shall also not exceed a total diversion rate of 0.17 cfs and a total annual maximum diversion volume of 15.6 af at the point of diversion for stockwater purposes.
16. Rights identified under this Transfer No. 69624 and the surface water rights identified under Transfer No. 69626 are limited to the irrigation of a combined total of 2699.3 acres in a single irrigation season.

Comments:

- 1 pskaggs 5/7/2004 Transferred Right
This is now a approved transfer, transfer number = 69624
- 2 mvanbussum 2/8/2007 Conditions
Updated conditions.
- 3 tfawcett 10/13/2009 Condition X35
Condition X35 updated to reflect preliminary order correcting transfer approvals dated 8/12/2009.
- 4 amerritt 11/22/2013 Transferred Right
This is now an approved transfer. Transfer Number = 78831
- 5 jbitzenburg 6/7/2023 Split Right
Split into 37-23453.
- 6 jbitzenburg 6/13/2023 POU
Updated Shape

Dates and Other Information:

Decreed Date: 11/30/2010
 Enlargement Statute Priority Date: 4/12/1994
 State or Federal: S
 Water District Number: 37
 Swan Falls Trust or Nontrust: T
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
72.460	17,020.9	2,699.3	37-2627A ,37-11911 ,37-11914 ,37-21 ,37-22 ,37-186 ,37-187 ,37-189

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/10/2024

16.760	5,289.2	2,699.3	,37-213 ,37-215D ,37-333 ,37-351A ,37-352A ,37-377 ,37-378 ,37-695 ,37-942 ,37-2405 ,37-11892 ,37-11898 ,37-11900 ,37-11903 ,37-20609 37-2627A ,37-11911 ,37-11914
6.150	1,440.6	1,301.2	37-11911 ,37-11914

SubCase:

SubCaseNumber: 37-11914

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Beneficial Use

Date Filed: 11/14/2007

Objection Status: Active

Water Supply Bank:

N/A

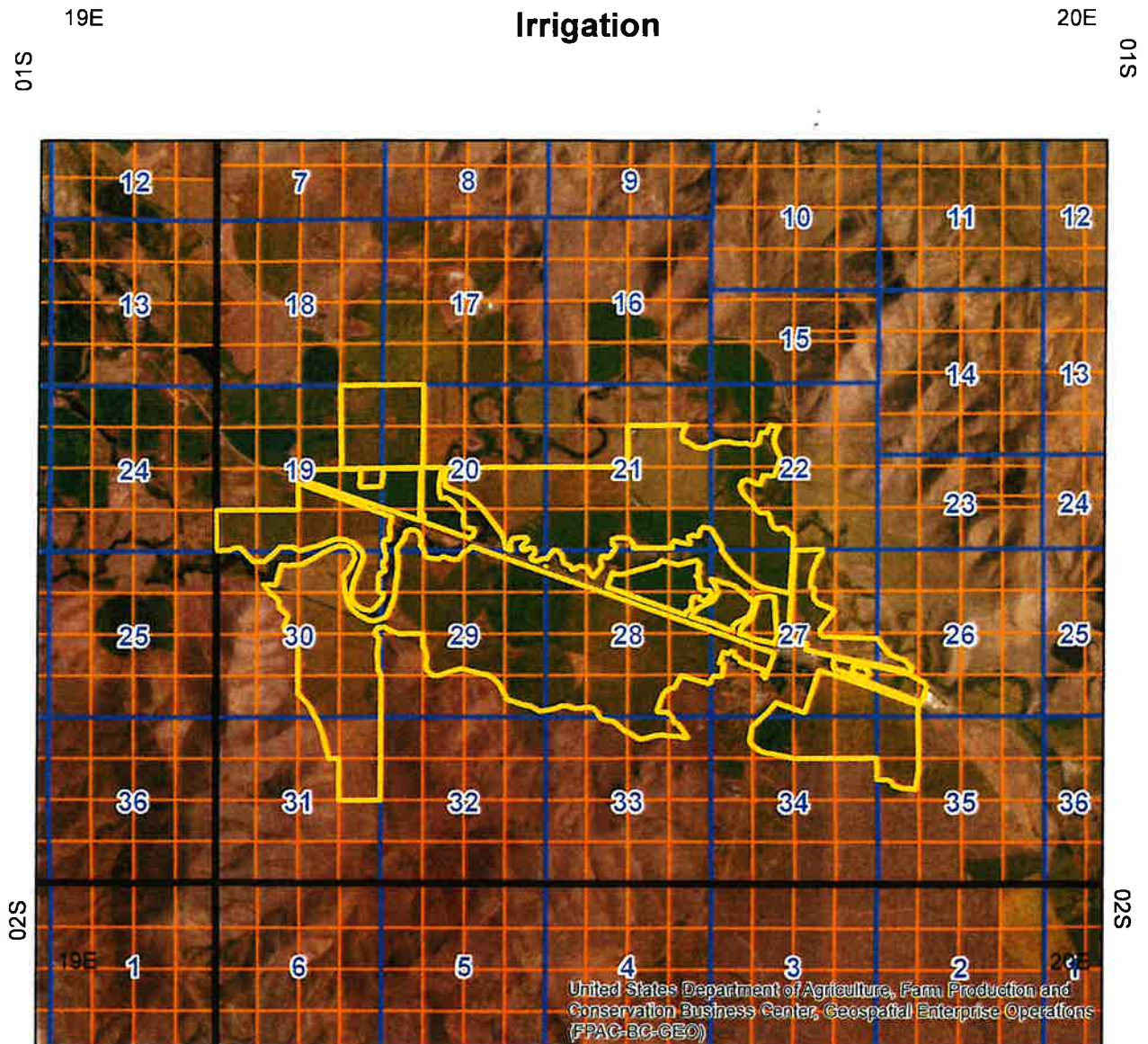
State of Idaho

Department of Water Resources

Water Rights 37-21, 37-22, 37-333, 37-351A, 37-352A, 37-695,
37-942, 37-2627A, 37-186, 37-187, 37-189, 37-213, 37-215D, 37-11898,
37-11911, 37-11914, 37-377, 37-378, 37-2405, 37-11892, 37-11900, 37-11903 & 37-20609

Map BEFORE Ownership Change Split

Irrigation



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.5 1 2 Miles

