

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 87731**

This is to certify that: PICABO RANCH LP  
PO BOX 767  
PICABO, ID 83348-0767

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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 37-1082E           | WR/DECREED          | 7/8/1884             | 0.010 cfs             | N/A                     | 15.0              | 841.1              | LOVING CREEK  |
| 37-137C            | WR/DECREED          | 6/1/1889             | 0.014 cfs             | N/A                     | 15.0              | 841.1              | LOVING CREEK  |
| 37-138C            | WR/DECREED          | 5/15/1890            | 0.020 cfs             | N/A                     | 15.0              | 841.1              | LOVING CREEK  |
| 37-207C            | WR/DECREED          | 4/1/1890             | 0.060 cfs             | N/A                     | 15.0              | 841.1              | LOVING CREEK  |
| 37-22389           | WR/DECREED          | 7/18/1960            | 0.520 cfs             | 112.7 af                | 32.2              | 51.4               | GROUND WATER  |
| 37-22391           | WR/DECREED          | 6/1/1889             | 0.280 cfs             | N/A                     | N/A               | 51.4               | LOVING CREEK  |
| 37-22393           | WR/DECREED          | 5/15/1890            | 0.430 cfs             | N/A                     | N/A               | 51.4               | LOVING CREEK  |
| 37-22549           | WR/DECREED          | 6/1/1889             | 0.380 cfs             | N/A                     | 600.8             | 841.1              | LOVING CREEK  |
| 37-22551           | WR/DECREED          | 5/15/1890            | 0.560 cfs             | N/A                     | 600.8             | 841.1              | LOVING CREEK  |
| 37-22553           | WR/DECREED          | 4/1/1890             | 1.680 cfs             | N/A                     | 600.8             | 841.1              | LOVING CREEK  |
| 37-22555           | WR/DECREED          | 6/15/1887            | 1.470 cfs             | N/A                     | 600.8             | 841.1              | LOVING CREEK  |
| 37-22557           | WR/DECREED          | 7/8/1884             | 0.380 cfs             | N/A                     | 600.8             | 841.1              | LOVING CREEK  |
| 37-22559           | WR/DECREED          | 2/26/1955            | 2.860 cfs             | 1134.6 af               | 540.9             | 841.1              | GROUND WATER  |
| 37-22561           | WR/DECREED          | 2/25/1957            | 2.320 cfs             | 920.3 af                | 540.9             | 841.1              | GROUND WATER  |
| 37-22563           | WR/DECREED          | 4/1/1959             | 3.070 cfs             | 1217.9 af               | 540.9             | 841.1              | GROUND WATER  |
| 37-22565           | WR/DECREED          | 6/5/1973             | 1.550 cfs             | 614.9 af                | 540.9             | 841.1              | GROUND WATER  |
| 37-22587           | WR/DECREED          | 7/18/1960            | 0.130 cfs             | 27.6 af                 | 7.9               | 12.6               | GROUND WATER  |
| 37-22588           | WR/DECREED          | 6/1/1889             | 0.070 cfs             | N/A                     | N/A               | 12.6               | LOVING CREEK  |
| 37-22589           | WR/DECREED          | 5/15/1890            | 0.100 cfs             | N/A                     | N/A               | 12.6               | LOVING CREEK  |
| 37-2566A           | WR/DECREED          | 2/26/1955            | 0.070 cfs             | 52.5 af                 | 15.0              | 841.1              | GROUND WATER  |
| 37-2594A           | WR/DECREED          | 2/25/1957            | 0.070 cfs             | 52.5 af                 | 15.0              | 841.1              | GROUND WATER  |
| 37-2612A           | WR/DECREED          | 4/1/1959             | 0.070 cfs             | 52.5 af                 | 15.0              | 841.1              | GROUND WATER  |
| 37-2615            | WR/DECREED          | 5/28/1959            | 1.800 cfs             | 219.8 af                | 62.8              | 841.1              | GROUND WATER  |
| 37-426E            | WR/DECREED          | 4/1/1887             | 0.210 cfs             | N/A                     | 62.8              | 841.1              | LOVING CREEK  |
| 37-448D            | WR/DECREED          | 6/15/1887            | 0.050 cfs             | N/A                     | 15.0              | 841.1              | LOVING CREEK  |
| 37-632G            | WR/DECREED          | 6/3/1897             | 0.250 cfs             | N/A                     | 62.8              | 841.1              | LOVING CREEK  |
| 37-706E            | WR/DECREED          | 3/15/1883            | 0.230 cfs             | N/A                     | 62.8              | 841.1              | LOVING CREEK  |
| 37-7239A           | WR/DECREED          | 6/5/1973             | 0.040 cfs             | 52.5 af                 | 15.0              | 841.1              | GROUND WATER  |
| 37-95G             | WR/DECREED          | 5/29/1893            | 0.210 cfs             | N/A                     | 62.8              | 841.1              | LOVING CREEK  |

SUPPORT DATA

Transfer No. 87731

IN FILE # 37-95G

SCANNED  
JUN 09 2023

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 87731**

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-1082E              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-137C               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-138C               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-207C               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22389              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-22391              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22393              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22549              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22551              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22553              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22555              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22557              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22559              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-22561              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-22563              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-22565              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-22587              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-22588              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22589              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-2566A              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-2594A              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-2612A              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-2615               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-426E               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-448D               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-632G               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-706E               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-7239A              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 37-95G                | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-1082E              | 37-1082E                         | 0.010 cfs            | N/A                    | 15.0              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-137C               | 37-137C                          | 0.014 cfs            | N/A                    | 15.0              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-138C               | 37-138C                          | 0.020 cfs            | N/A                    | 15.0              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-207C               | 37-207C                          | 0.060 cfs            | N/A                    | 15.0              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22389              | 37-22389                         | 0.520 cfs            | 112.7 af               | 32.2              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22391              | 37-22391                         | 0.280 cfs            | N/A                    | 51.4              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22393              | 37-22393                         | 0.430 cfs            | N/A                    | 51.4              | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22549              | 37-22549                         | 0.380 cfs            | N/A                    | 600.8             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22551              | 37-22551                         | 0.560 cfs            | N/A                    | 600.8             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22553              | 37-22553                         | 1.680 cfs            | N/A                    | 600.8             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22555              | 37-22555                         | 1.470 cfs            | N/A                    | 600.8             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22557              | 37-22557                         | 0.380 cfs            | N/A                    | 600.8             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22559              | 37-22559                         | 2.860 cfs            | 1134.6 af              | 540.9             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22561              | 37-22561                         | 2.320 cfs            | 920.3 af               | 540.9             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 37-22563              | 37-22563                         | 3.070 cfs            | 1217.9 af              | 540.9             | 905.1              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |

Transfer No. 87731

SCANNED

JUN 09 2023

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 87731

Summary Of Water Rights After the Approved Change

| Existing Right         | New No.<br>(Changed Portion) | Transfer Rate     | Transfer Volume | Acre Limit   | Total Acres  | New No.<br>(remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|------------------------|------------------------------|-------------------|-----------------|--------------|--------------|--------------------------------|----------------|------------------|----------------------|-----------------------|
| 37-22565               | 37-22565                     | 1.550 cfs         | 614.9 af        | 540.9        | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-22587               | 37-22587                     | 0.130 cfs         | 27.6 af         | 7.9          | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-22588               | 37-22588                     | 0.070 cfs         | N/A             | 12.6         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-22589               | 37-22589                     | 0.100 cfs         | N/A             | 12.6         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-2566A               | 37-2566A                     | 0.070 cfs         | 52.5 af         | 15.0         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-2594A               | 37-2594A                     | 0.070 cfs         | 52.5 af         | 15.0         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-2612A               | 37-2612A                     | 0.070 cfs         | 52.5 af         | 15.0         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-2615                | 37-2615                      | 1.800 cfs         | 219.8 af        | 62.8         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-426E                | 37-426E                      | 0.210 cfs         | N/A             | 62.8         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-448D                | 37-448D                      | 0.050 cfs         | N/A             | 15.0         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-632G                | 37-632G                      | 0.250 cfs         | N/A             | 62.8         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-706E                | 37-706E                      | 0.230 cfs         | N/A             | 62.8         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-7239A               | 37-7239A                     | 0.040 cfs         | 52.5 af         | 15.0         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| 37-95G                 | 37-95G                       | 0.210 cfs         | N/A             | 62.8         | 905.1        | N/A                            | N/A            | N/A              | N/A                  | N/A                   |
| <b>COMBINED TOTALS</b> |                              | <b>18.904 cfs</b> | <b>N/A</b>      | <b>679.8</b> | <b>905.1</b> |                                | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 2nd day of June, 2023.

  
\_\_\_\_\_  
Southern Region Manager

**WATER RIGHT NO. 37-22553****As Modified by Transfer No. 87731**

In accordance with the approval of Transfer No. 87731, Water Right No. 37-22553 is now described as follows:

**Right Holder:** PICABO RANCH LP  
PO BOX 767  
PICABO, ID 83348-0767

**Priority Date:** 4/1/1890

**Source:** LOVING CREEK

**Tributary:** SILVER CREEK

**BENEFICIAL USE**  
IRRIGATION

**From** 04/15 **To** 10/31

**Diversion Rate**  
1.680 cfs  
1.680 cfs

**LOCATION OF POINT(S) OF DIVERSION**

LOVING CREEK NESENW Sec 24 Twp 01S Rge 19E BLAINE County

**PLACE OF USE: IRRIGATION**

| 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 | 16  |      |      |      |      |      |      |      |      |      |      | 18.9 |      |      |      |      |      | 18.9   |
| 01S | 20E | 17  | 1.0  | 35.3 | 39.6 | 6.7  | 40.2 | 40.1 | 40.1 | 40.3 | 40.1 | 40.0 | 38.7 | 38.8 | 10.6 | 39.7 | 35.4 | 29.5 | 516.1  |
| 01S | 20E | 18  | 41.0 | 41.0 | 40.8 | 40.9 |      |      |      |      |      |      |      |      | 40.7 |      |      | 38.9 | 243.3  |
| 01S | 20E | 19  |      | 34.0 | 30.0 |      |      |      |      |      |      |      |      |      |      |      |      |      | 64.0   |
| 01S | 20E | 20  | 26.9 |      |      | 3.7  |      |      |      |      |      |      |      |      |      |      |      |      | 30.6   |
| 01S | 20E | 21  |      |      |      |      |      | 27.4 | 4.8  |      |      |      |      |      |      |      |      |      | 32.2   |

Right Acre Limit: 600.8

POU Total Acres: 905.1

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 600.8 acres within the authorized place of use in a single irrigation season.
2. 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Rights 37-22549, 37-22551, 37-22553, 37-22555, 37-22557 when combined shall not exceed the irrigation of 600.8 acres within the authorized place of use.

Transfer No. 87731

SCANNED

JUN 09 2023

**WATER RIGHT NO. 37-22553**

**As Modified by Transfer No. 87731**

**CONDITIONS OF APPROVAL**

5. Rights 37-95G, 37-137C, 37-138C, 37-207C, 37-426E, 37-448D, 37-632G, 37-706E, 37-1082E, 37-2566A, 37-2594A, 37-2612A, 37-2615, 37-7239A, 37-22549, 37-22551, 37-22553, 37-22555, 37-22557, 37-22559, 37-22561, 37-22563 and 37-22565 when combined shall not exceed the irrigation of 615.8 acres.
6. Rights 37-95G, 37-137C, 37-138C, 37-207C, 37-426E, 37-448D, 37-632G, 37-706E, 37-1082E, 37-2566A, 37-2594A, 37-2612A, 37-2615, 37-7239A, 37-22389, 37-22391, 37-22393, 37-22549, 37-22551, 37-22553, 37-22555, 37-22557, 37-22559, 37-22561, 37-22563, 37-22565, 37-22587, 37-22588 and 37-22589 when combined shall not exceed the irrigation of 679.8 acres.
7. Rights 37-95G, 37-137C, 37-138C, 37-207C, 37-426E, 37-448D, 37-632G, 37-706E, 37-1082E, 37-2566A, 37-2594A, 37-2612A, 37-2615, 37-7239A, 37-22389, 37-22391, 37-22393, 37-22549, 37-22551, 37-22553, 37-22555, 37-22557, 37-22559, 37-22561, 37-22563, 37-22565, 37-22587, 37-22588 and 37-22589 are limited to the irrigation of a specific 679.8 acres within the 905.1 acre place of use authorized by these rights in a single irrigation season. The specific 679.8 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 679.8 acres to be irrigated within the 905.1 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. This right in combination with all other right for irrigation of the lands above shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre, measured at the field, when water is applied via pump and pressurized irrigation system.
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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho  
Department of Water Resources

## Attachment to Transfer # 87731

37-95G, 37-137C, 37-138C, 37-207C, 37-426E, 37-448D, 37-632G, 37-706E, 37-1082E, 37-2566A, 37-2594A, 37-2612A, 37-2615, 37-7239A, 37-22389, 37-22391, 37-22393, 37-22549, 37-22551, 37-22553, 37-22555, 37-22557, 37-22559, 37-22561, 37-22563, 37-22565, 37-22587, 37-22588, and 37-22589

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

20E



0 0.275 0.55 1.1 Miles

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



SCANNED

JUN 09 2023

State of Idaho  
Department of Water Resources

## Attachment to Transfer # 87731

37-2566A, 37-2594A, 37-2612A, 37-2615, 37-7239A,  
37-22389, 37-22559, 37-22561, 37-22563, 37-22565, and 37-22587

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

20E



0 0.275 0.55 1.1 Miles

- Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters



SCANNED

JUN 09 2023