

THIS RIGHT IS A SPLIT FROM

36-7158 PER APPROVED

TRANSFER NO. 69306

36-15706

March 16, 2004

RONALD A HULME
17834 PARKER RD
CASTRO VALLEY CA 945466

36-15704

Re: Change of Address - Hulme Dairy

Dear Mr. Hulme:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Enclosed is a Change in Address form. Please fill the form out, sign and date the form before returning it to the Department.

Please return this form by April 30, 2004. If your mail delivery address changes in any form, please contact us in writing so we can update our records.

Should you have any questions or need assistance, please feel free to contact this office.

Sincerely,

Carrie Hahn
Clerk

Ronald A. Hulme
17834 Parker Rd.
Castro Valley, CA 94546



PLEASE DETACH THIS PORTION AND REMIT
PAYMENT ON OR BEFORE April 1, 2004

PAYABLE TO: WATER DISTRICT 130

1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301-3380

WMD00068
JIM STROUD
HULME DAIRY
2066 E 400 S
HAZELTON ID 83325

*See corrected
address*

Diversion Charge: \$25.00

Measurement and Reporting Charge: \$231.00

Total 2004 assessment: \$256.00

RECEIVED
MAR 15 2004
Department of Water Resources
Southern Region

26-Feb-04

*Call -
Sandy Form*

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 36-15706

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HULME DAIRY LLC 2275 E 600 S HAZELTON, ID 83335
Previous Owner	RONALD A HULME 17834 PARKER RD CASTRO VALLEY, CA 94546 (510) 821-6006

Priority Date: 2/18/1971

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.110 CFS	9.8 AF
COMMERCIAL	01/01	12/31	0.110 CFS	9.8 AF
	<u>Total Diversion</u>		0.110 CFS	9.8 AF

Source and Point(s) of Diversion

GROUND WATER	SESE	Sec. 4, Twp 09S, Rge 20E, JEROME County
GROUND WATER	SESE	Sec. 4, Twp 09S, Rge 20E, JEROME County
GROUND WATER	SWSE	Sec. 4, Twp 09S, Rge 20E, JEROME County

Place Of Use

STOCKWATER within JEROME 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	
09S	20E	3											X						
09S	20E	4													X	X	X	X	

COMMERCIAL within JEROME 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	
09S	20E	3											X						
09S	20E	4													X	X	X	X	

Conditions of Approval:

1. X35 Rights 36-15702, 36-15704 and 36-15706 when combined shall not exceed a total annual maximum diversion volume of 69.9 af.
2. X35 Rights 36-15702, 36-15704, 36-15706 and 36-14421 when combined shall not exceed a total diversion rate of 0.49 cfs and a total annual maximum diversion volume of 84.5 af.

IDAHO DEPARTMENT OF WATER RESOURCES

Proof Report

3. X35 Rights 36-14421, 36-15666, 36-15668, 36-15670, 36-15690, 36-15692, 36-15694, 36-15702, 36-15704 and 36-15706 when combined shall not exceed a total diversion rate of 0.87 cfs and a total annual maximum diversion volume of 181.80 af.
4. 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. 130.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 80503, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
10. 020 Pursuant to transfer approval 69306, use of water under this right may be affected by an agreement between the protestant and the right holder.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. U42 Place of use does not include federal public lands.
13. Pursuant to transfer approval 69306, the model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from transfer approval 69306. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
14. Commercial use is for a dairy located in the SE of S4 and SWSW of S3, T9S, R20E.
15. The points of diversion described above are located within land further described as Tract G-1 of Section 4, Township 9 South, Range 20 East, B.M.
16. The place of use described above includes land further described as portions of Tract G-1, Tract B, NESE and NWSE of Section 4 and a portion of the SWSW of Section 3, Township 9 South, Range 20 East, B.M.
17. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
18. 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.
19. T19 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.

Dates and Other Information

Decreed Date: 8/27/2001

State or Federal: S

Water District Number: 130

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.870	181.8	
36-15666 ,36-15668 ,36-15670 ,36-15702 ,36-15704 ,36-15706 ,36-14421 ,36-15690 ,36-15692 ,36-15694		

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	69.9	

36-15702 ,36-15704 ,36-15706

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.490	84.5	

36-15702 ,36-15704 ,36-15706 ,36-14421

Verification Log

SubCase:
N/A

Water Supply Bank:
N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 69306

This is to certify that: RON HULME
2066 E 400 S
HAZELTON ID 83325
(208) 829 - 4260

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. 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>
36-7158	WR/Decreed	02/18/1971	1.25 cfs	N/A		372.0	GROUND WATER
36-7044	WR/Decreed	10/18/1968	3.00 cfs	N/A	204.0	372.0	GROUND WATER
36-2676	WR/Decreed	12/03/1966	2.32 cfs	N/A	116.0	372.0	GROUND WATER
36-14421	WR/Decreed	03/01/1944	0.11 cfs	N/A			GROUND WATER

Purpose of Transfer (Changes Proposed)

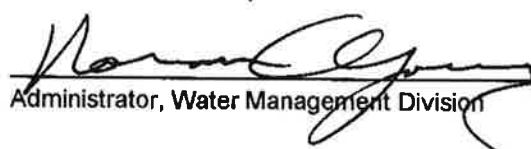
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7158	YES	YES	YES	YES	YES	YES
36-7044	YES	YES	YES	YES	YES	YES
36-2676	YES	YES	YES	YES	YES	YES
36-14421	NO	NO	YES	YES	NO	NO

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>
36-7158	36-15706	0.11 cfs	9.8 af	N/A	N/A	36-15705	1.14 cfs	N/A	N/A	338.7
36-7044	36-15702	0.27 cfs	38.4 af	N/A	N/A	36-15701	2.73 cfs	N/A	185.7	338.7
36-2676	36-15704	0.21 cfs	21.7 af	N/A	N/A	36-15703	2.11 cfs	N/A	105.6	338.7
36-14421	36-14421	0.11 cfs	14.6 af	N/A	N/A					
COMBINED TOTAL		0.49 cfs	84.5 af	N/A	N/A		3.87 cfs	N/A	N/A	338.7

Detailed Water Right Description(s) attached

Dated this 6TH day of FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-14421
As Modified by Transfer No. 69306

In accordance with the approval of Transfer No. 69306, Water Right No. 36-14421 is now described as follows:

Right Holder: RON HULME
 2066 E 400 S
 HAZELTON ID 83325

Priority Date: March 01, 1944

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to	12/31	0.04 CFS	14.6 AF
STOCKWATER	01/01 to	12/31	0.07 CFS	14.6 AF
			0.11 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SWSE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESE	Sec. 4	Twp 09S	Rge 20E	JEROME County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	20E	4															X		

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	
09S	20E	4															X	X	

CONDITIONS OF APPROVAL

1. The quantity of water decreed for this water right for domestic and stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-15702, 36-15704, 36-15706 and 36-14421 shall not exceed 0.49 cfs, nor total combined annual volume of 84.5 af.

WATER RIGHT NO. 36-14421
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under Transfer approval 69306, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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. 130.
5. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. The points of diversion and place of use described above include land further described as Tract G-1 of Township 9 South, Range 20 East, B. M.
10. Domestic use is for a home and associated uses located within Parcel No. RL09S20E048735.
11. Use of water under this right may be affected by an agreement between the protestant and the right holder.
12. The right holder shall accomplish the change authorized by this approval within 5 years.
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. 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 6TH day of FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-15704
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

1. Rights 36-15702 and 36-15704 when combined shall not exceed a total instantaneous diversion rate of 0.27 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-15702, 36-15704, 36-15706 and 36-14421 shall not exceed 0.49 cfs, nor total combined annual volume of 84.5 af.
3. Beginning on the date of approval of Transfer 69306, Rights 36-15702, 36-15704 and 36-15706 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 1 through 3 the rights are limited to 61.8 afa.

Years 4 through 6 the rights are limited to 64.5 afa.

Years 7 through 11 the rights are limited to 67.2 afa.

Years 12 and beyond the rights are limited to 69.9 afa.

4. Prior to the diversion and use of water under Transfer approval 69306, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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. 130.
6. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. Commercial use is for a dairy located in the SE, S4, T9S, R20E.
8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. The points of diversion and place of use described above include land further described as Tract G-1 of Township 9 South, Range 20 East, B. M.
13. Use of water under this right may be affected by an agreement between the protestant and the right holder.

WATER RIGHT NO. 36-15704
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

14. The right holder shall accomplish the change authorized by this approval within 5 years.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.
17. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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 FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-15703
As Modified by Transfer No. 69306

In accordance with the approval of Transfer No. 69306, Water Right No. 36-15703 is now described as follows:

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 10/31	2.11 CFS
			2.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	19			37.0	33.0					38.0			40.0	33.0	40.0	22.5		243.5
08S	22E	30		21.2	34.0		40.0												95.2

Total Acres: 338.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 105.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-15701 and 36-15703 when combined shall not exceed 2.73 cfs.
3. Rights 36-15701, 36-15703, and 36-15705 when combined shall not exceed a total diversion rate of 3.87 cfs, a total annual maximum diversion volume of 1354.8 af at the field headgate, and the irrigation of 338.7 acres.
4. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
5. Rights 36-15701 and 36-15705 are also diverted through the point(s) of diversion described above.

WATER RIGHT NO. 36-15703
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. 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 6TH day of FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-15706
As Modified by Transfer No. 69306

In accordance with the approval of Transfer No. 69306, Water Right No. 36-15706 is now described as follows:

Right Holder: RON HULME
 2066 E 400 S
 HAZELTON ID 83325

Priority Date: February 18, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.11 CFS	9.8 AF
STOCKWATER	01/01	to 12/31	0.11 CFS	9.8 AF
			0.11 CFS	9.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SWSE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESE	Sec. 4	Twp 09S	Rge 20E	JEROME County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	20E	4									X	X	X	X	X	X	X	X	
09S	20E	5													X			X	
09S	20E	8	X																
09S	20E	9		X			X	X											

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	
09S	20E	4															X	X	

WATER RIGHT NO. 36-15706
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-15702, 36-15704, 36-15706 and 36-14421 shall not exceed 0.49 cfs, nor total combined annual volume of 84.5 af.
2. Beginning on the date of approval of Transfer 69306, Rights 36-15702, 36-15704 and 36-15706 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 1 through 3 the rights are limited to 61.8 afa.
Years 4 through 6 the rights are limited to 64.5 afa.
Years 7 through 11 the rights are limited to 67.2 afa.
Years 12 and beyond the rights are limited to 69.9 afa.
3. Prior to the diversion and use of water under Transfer approval 69306, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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. 130.
5. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. Commercial use is for a dairy located in the SE, S4, T9S, R20E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. The points of diversion and place of use described above include land further described as Tract G-1 of Township 9 South, Range 20 East, B. M.
12. Use of water under this right may be affected by an agreement between the protestant and the right holder.
13. The right holder shall accomplish the change authorized by this approval within 5 years.

WATER RIGHT NO. 36-15706
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.
16. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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 FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-15705
As Modified by Transfer No. 69306

In accordance with the approval of Transfer No. 69306, Water Right No. 36-15705 is now described as follows:

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: February 18, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	1.14 CFS
			1.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	19			37.0	33.0					38.0			40.0	33.0	40.0	22.5		243.5
08S	22E	30			21.2	34.0			40.0										95.2

Total Acres: 338.7

CONDITIONS OF APPROVAL

1. Rights 36-15701, 36-15703, and 36-15705 when combined shall not exceed a total diversion rate of 3.87 cfs, a total annual maximum diversion volume of 1354.8 af at the field headgate, and the irrigation of 338.7 acres.
2. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
4. Rights 36-15701 and 36-15703 are also diverted through the point(s) of diversion described above.

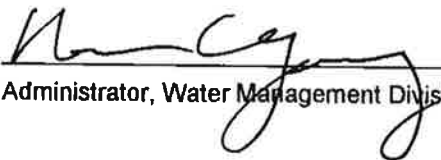
WATER RIGHT NO. 36-15705
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. 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 6TH day of FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-15701
As Modified by Transfer No. 69306

In accordance with the approval of Transfer No. 69306, Water Right No. 36-15701 is now described as follows:

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/01	to 10/31	2.73 CFS
			2.73 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	19			37.0	33.0					38.0			40.0	33.0	40.0	22.5		243.5
08S	22E	30			21.2	34.0			40.0										95.2

Total Acres: 338.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 185.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-15701 and 36-15703 when combined shall not exceed 2.73 cfs.
3. Rights 36-15701, 36-15703, and 36-15705 when combined shall not exceed a total diversion rate of 3.87 cfs, a total annual maximum diversion volume of 1354.8 af at the field headgate, and the irrigation of 338.7 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

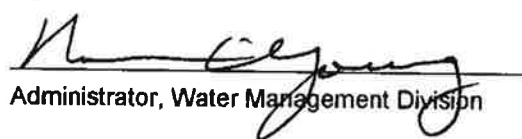
WATER RIGHT NO. 36-15701
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
6. Rights 36-15703 and 36-15705 are also diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. 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 6TH day of FEBRUARY, 2003


Administrator, Water Management Division

WATER RIGHT NO. 36-15702
As Modified by Transfer No. 69306

In accordance with the approval of Transfer No. 69306, Water Right No. 36-15702 is now described as follows:

Right Holder: RON HULME
 2066 E 400 S
 HAZELTON ID 83325

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.27 CFS	38.4 AF
STOCKWATER	01/01 to	12/31	0.27 CFS	38.4 AF
			0.27 CFS	38.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SWSE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESE	Sec. 4	Twp 09S	Rge 20E	JEROME County
GROUND WATER	SESE	Sec. 4	Twp 09S	Rge 20E	JEROME County

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	20E	4									X	X	X	X	X	X	X	X	
09S	20E	5											L7		X			X	
09S	20E	8	X																
09S	20E	9		X			X	X											

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	
09S	20E	4															X	X	

WATER RIGHT NO. 36-15702
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

1. Rights 36-15702 and 36-15704 when combined shall not exceed a total instantaneous diversion rate of 0.27 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-15702, 36-15704, 36-15706 and 36-14421 shall not exceed 0.49 cfs, nor total combined annual volume of 84.5 af.
3. Beginning on the date of approval of Transfer 69306, Rights 36-15702, 36-15704 and 36-15706 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 1 through 3 the rights are limited to 61.8 afa.
Years 4 through 6 the rights are limited to 64.5 afa.
Years 7 through 11 the rights are limited to 67.2 afa.
Years 12 and beyond the rights are limited to 69.9 afa.
4. Prior to the diversion and use of water under Transfer approval 69306, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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. 130.
6. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. Commercial use is for a dairy located in the SE, S4, T9S, R20E.
8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. The points of diversion and place of use described above include land further described as Tract G-1 of Township 9 South, Range 20 East, B. M.
13. Use of water under this right may be affected by an agreement between the protestant and the right holder.

WATER RIGHT NO. 36-15702
As Modified by Transfer No. 69306

CONDITIONS OF APPROVAL

14. The right holder shall accomplish the change authorized by this approval within 5 years.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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.
17. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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 FEBRUARY, 2003


Administrator, Water Management Division

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
)
Case No. 39576)

Water Right 36-07158

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on January 02, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT. ccc

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

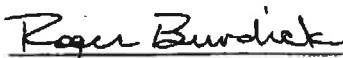
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

JOHN C LARSEN
VIVIAN K LARSEN
129 S 2900 E
PAUL, ID 83347

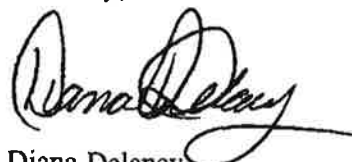
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-07158. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on January 02, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

1997 JAN -2 AM 8:15

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07158

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

PAGE 1
DEC-5-1997

1998 JAN -2 AM 8:15

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) **ORDER OF PARTIAL DECREE**

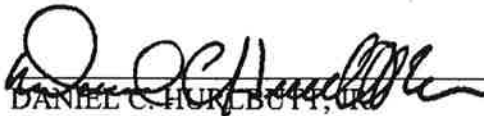
) **For Water Right 36-07158**

On November 28, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-07158 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 2 1998.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

1998 JAN 02 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-07158

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-07158 was mailed
on January 02, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
01/02/98

JOHN C. & VIVIAN K. LARSEN
129 SOUTH 2900 EAST
PAUL, ID 83347

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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01/02/98