

Valid
Right
not yet
reported

03/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-7260B

NAME AND ADDRESS: MARK WALTERS
DBA WALTERS DAIRY
423 WEST RD
JEROME ID 83338

MARVA WALTERS
DBA WALTERS DAIRY
423 WEST RD
JEROME ID 83338

LUIS M BETTENCOURT
DBA WALTERS DAIRY
423 WEST RD
JEROME ID 83338

MARIA A BETTENCOURT
DBA WALTERS DAIRY
423 WEST RD
JEROME ID 83338

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.10 CFS
27.0 AFY

PRIORITY DATE: 09/15/1972

POINT OF DIVERSION:

T08S R16E S17 NESE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.070 CFS
		25.60 AFY
COMMERCIAL	1/01 12/31	0.030 CFS
		1.40 AFY

PLACE OF USE: STOCKWATER Within JEROME County

T08S R16E S17 NESE

COMMERCIAL Within JEROME County

T08S R16E S17 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL MAINTAIN OWNERSHIP OF AT LEAST NINE (9) SHARES OF NORTHSIDE CANAL COMPANY WATER FOR MITIGATION PURPOSES AND SHALL COMPLY WITH THE TERMS OF MITIGATION AS THE TERMS MAY BE DETERMINED IN THE FUTURE BY THE DEPARTMENT. 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.

EXPLANATORY MATERIAL: License

Water Right 36-7260B

03/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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holder

Prior to the diversion and use of water under this approval, the right

shall install and maintain a measuring device on each diversion associated with the dairy and shall annually report the amount of water diverted to the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval from the department relative to the type of device.

This approval does not authorize the construction of any new wells.

The right holder shall at its own expense annually test the wells of the protestants for contamination in compliance with requirements of DEQ, if the protestants agree to the testing.

this

Failure of the right holder to comply with any condition of approval of

transfer is cause for the Director to rescind approval of the transfer.

The right holder shall comply with zoning ordinances of Jerome County.

03/15/2002

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SOURCE: GROUND WATER
QUANTITY: 0.10 CFS
27.0 AFY
PRIORITY DATE: 09/15/1972
POINT OF DIVERSION:
T08S R16E S17 NESE Within JEROME County

TRIBUTARY:

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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T08S R16E S17 NESE
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EXPLANATORY MATERIAL: License

Water Right 36-7260B

03/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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The amount of water authorized under this approval when combined with any other water rights for the dairy shall not exceed the amount of water which the right holder can beneficially use for a total of 900 cows at Liberty dairy.

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Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each diversion associated with the dairy and shall annually report the amount of water diverted to the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval from the department relative to the type of device.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4425
WATER RIGHT NO(S). 36-07260B/36-07368B

This is to certify that: JOHN REITSMA
75 N 400 W
JEROME ID 83338

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07260B :			
STOCKWATER	01/01 to 12/31	0.07 CFS	25.6 AF
COMMERCIAL	01/01 to 12/31	0.03 CFS	1.4 AF
Priority: 09/15/1972			
SUBTOTAL:		0.10 CFS	27.0 AF
Right No. 36-07368B :			
STOCKWATER	01/01 to 12/31	0.03 CFS	8.5 AF
COMMERCIAL	01/01 to 12/31	0.01 CFS	0.5 AF
Priority: 08/16/1973			
SUBTOTAL:		0.04 CFS	9.0 AF
TOTAL:		0.14 CFS	36.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE, Sec. 17, Township 08S, Range 16E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 16E 17

NESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PAGE 2

TRANSFER NO. 4425
WATER RIGHT NO(S). 36-07260B/36-07368B

CONDITIONS/REMARKS:

See Final Order dated March 16, 1995.

Dated this 16th day of March, 1995.

J. Glenn Saxton
Chief, Water Alloc. Bureau

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 4425 OF)
LICENSE NO. 36-07260 AND 36-)
07368 IN THE NAME OF JOHN)
REITSMA)

FINAL ORDER

On February 21, 1995, the hearing officer for the department of Water Resources (department) issued a Recommended Order in connection with Application for Transfer No. 4425 of License Nos. 36-07260 and 36-07368 in the name of John Reitsma (applicant). Neither the applicant nor the protestants filed a Petition for Reconsideration in connection with the Recommended Order.

Based upon his understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law, Analysis and Final Order:

FINDINGS OF FACT

1. On November 30, 1983, the department issued Transfer no. 2938 involving water right License Nos. 36-07260 and 36-07368 to Bert and Arlin Hilarides as follows:

Source: Ground water
Rate of div: 2.0 cubic feet per second (cfs)
Priority: September 15, 1972 - 36-07260
August 16, 1973 - 36-07368
Use: Irrigation
Point of div: NW1/4NE1/4 Section 23, T7S, R14E, BM.
Place of use: 129 acres in parts of Sections 14 and 23, T7S, R14E, BM.
Conditions of approval: Water diverted by the rights identified in this transfer shall not exceed 516 acre feet per annum and the land irrigated shall not exceed 129 acres.

2. On June 7, 1994, John Reitsma (applicant) filed Application for Transfer No. 4425 of License Nos. 36-07260 and 36-07368 with the department. The applicant proposes to change a portion of the licenses from irrigation use to stockwater and commercial use for the operation of a dairy as follows:

Ident No. 36-07260B
Amount: Stockwater
Rate of diversion: 0.07 cfs
Volume: 25.6 AF

Commercial
Rate of diversion: 0.03 cfs
Volume: 1.4 AF
Point of Div: NE1/4SE1/4 Section 17, T8S, R16E, BM.
Place of use: NE1/4SE1/4 Section 17, T8S, R16E, BM.

Ident No. 36-07368B
Amount: Stockwater
Rate of diversion: 0.03 cfs
Volume: 8.5 AF

Commercial
Rate of diversion: 0.01 cfs
Volume 0.5 AF
Point of Div: Same as 36-07260B above,
Place of use: Same as 36-07260B above.

TOTAL: 0.14 cfs and 36.0 AF

The proposed transfer would change the place of use of a portion of the rights from the Wendell area to the Jerome area which is approximately 12 miles to the southeast of the original place of use. The applicant proposes commercial and stockwater uses for a maximum of 800 lactating cows and 100 dry cows.

3. The remainder of licenses 36-07260 and 36-07368 are as follows:

Ident No. 36-07260A
Rate: 1.4 cfs *
Use: Irrigation
Volume: **
Point of Div: NW1/4NE1/4 Section 23, T7S, R14E, BM.
Place of use: 120 acres as follows:
T7S, R14E, BM.

Section 14
SE1/4SW1/4 - 38 acres
SW1/4SE1/4 - 2
Section 23
NW1/4NE1/4 - 35
NE1/4NW1/4 - 39
SE1/4NW1/4 - 6

Ident No. 36-07368A
Rate: 0.46 cfs *
Use: Irrigation
Volume: **
Consumptive volume:
Point of Div: Same as 36-07260A above,
Place of use: Same as 36-07260A above.

* The combined rates of diversion for 36-07260A and 36-07368A shall not exceed 1.86 cfs for a total of 120 acres.

** The combined volume of water to be diverted for 36-07260A and 36-07368A shall not exceed 480 AF for a total of 120 acres.

4. The department published notice of the application which was protested by Randall B. Smith and Edward Hartman.

5. On December 13, 1994, the department conducted a hearing in the matter in Jerome, Idaho. The applicant was present and was represented by Harry DeHaan. Protestants Randall B. Smith, Sharon Lebreque Smith, Edward Hartman and Denzil Pendleton were present and represented themselves.

6. Issues identified by the protestants include the following:

- a) The proposed changes will injure other water rights.
- b) The proposed changes will constitute an enlargement in use of the original right.
- c) The proposed changes conflict with the local public interest.
- d) The application is not consistent with the conservation of water resources within Idaho.

7. Exhibits offered and accepted as a part of the record unless otherwise noted include the following:

- a. Protestant's Exhibit A - NOT ADMITTED since the protestant withdrew the proposed exhibit.
- b. Protestant's Exhibit B - Protestant's Response to Application For Transfer issues.
- c. Protestant's Exhibit C - Letter dated May 17, 1994 to Jerome County Planning and Zoning from Edward Hartman and others.

8. The application for transfer was filed in connection with an existing dairy locally known as Liberty Dairy. The dairy was constructed in about 1978 and has been provided water from two (2) wells constructed in 1976 and 1978. The dairy was constructed on a 55 acre tract which is presently owned together with another 40 acre tract by the applicant. The dairy has operated in the past with up to 750 cows. The applicant purchased the dairy in May 1994.

9. The applicant intends to increase the dairy operation from the previous 750 cows to a maximum of 800 milking cows and 100 non-milking cows. The general components of the proposed dairy include a dairy barn and two (2) dairy waste water lagoons

(lagoons). The applicant has changed the dairy operation to more efficiently use the existing water supply by eliminating the sprinkler pen and has changed the location of one of the lagoons to make the location more acceptable to neighbors.

10. Neither the applicant nor predecessors-in-interest have filed a claim in the Snake River Basin Adjudication (SRBA) in connection with past use of water for Liberty dairy. The applicant has filed a motion with the SRBA court, however, to file a late claim.

11. The applicant's stated intent is that the water sought for transfer when combined with any other right for the dairy which may be determined to exist in the SRBA is to be the total water supply for the dairy which will have a maximum of 900 cows (800 milking cows and 100 dry cows).

12. The dairy operation will require a total of about 36 acre feet per year of which 34 acre feet per year is for stockwater use and 2 acre feet is for commercial use associated with operation of the dairy. The amount of irrigated land which would need to be "dried up" to prevent an expansion of use is about 9 acres based on a total annual diversion of 4 acre feet per acre.

13. The new lagoon was designed by the Twin Falls extension office of the University of Idaho. The applicant plans to dispose of liquid waste in the lagoons by combining the waste with other irrigation water and applying it for irrigation of lands owned by the applicant using a center pivot. The solid waste will be disposed of by composting it on the dairy site.

14. While the applicant did not provide specific information relative to the amount of income generated from the dairy facility, the applicant showed that the revenue from the facility had a positive economic effect upon the general economy of the area including a general multiplier effect.

15. The applicant has an agreement with Luis Bettencourt for the purchase of ground water sought for transfer. The land from which the water is sought to be transferred has been irrigated in the past with surface water provided by the North Side Canal Company and with water from wells.

16. The applicant owns shares of stock in the North Side Canal Company and has offered nine (9) of those shares to serve as mitigation to other rights in the area that could be adversely affected by the transfer.

17. On May 6, 1992, the applicant filed Application for Permit No. 36-08656 with the department proposing the diversion of 1.0 cfs of ground water for stock and commercial uses within Section 16, T8S, R16E, BM. The application proposed water for 1,000 dairy cattle and 1,000 beef cattle. When questioned about

the intent of the application, the applicant had no knowledge of the pending application.

18. Six domestic residences adjoin the dairy property. Two (2) of the residences were occupied and two (2) were under construction when Liberty dairy started operation in 1978.

19. There are approximately five (5) large dairies within a mile or so of the protestant's property.

20. The protestants provided information to show that water levels in their wells have decreased about twenty (20) feet over the last 15 or more years. The cause of the lowered water table was not shown, however, and the protestants were able to obtain water by lowering their pump intake setting.

21. The protestants do not want the existing dairy near them enlarged from 750 cows to 900 cows. The protestants are concerned with potential contamination of ground water, insects, odor, and additional traffic in the vicinity transporting milk and cattle feed.

22. DEQ does not require a permit for disposal of liquid waste water from a lagoon by the land application method but does recommend best management practices.

ANALYSIS

To allow "unstacking" of water rights used for irrigation of a given tract of land generally results in enlargement of water use. To further explain the "unstacking" concept, both surface water provided by the North Side Canal Company (NSCC) and ground water under a portion of License Nos. 36-07260 and 36-07368 have been used in the past for the irrigation of the land from which the applicant seeks to transfer water. The two sources likely have been used at different times during the irrigation season with the ground water source typically being used early or late in the irrigation season when surface water is not available. Each source provides part of the total volume and part of the consumptive volume needed to raise an irrigated crop.

If a transfer proposes to change the place of use of either the primary surface water right or the supplemental ground water right, care must be taken to avoid an increase in use of the supplemental rights over that which occurred prior to the transfer. If a right used as a supplemental supply of water becomes the full water supply on either the existing or a new tract of land, the ultimate result is that a larger total volume of water and larger consumptive volume of water will be used than when the two rights were jointly used upon the same tract.

To prevent enlargement in use of the right sought for transfer, the applicant should maintain the use of 9 shares of NSCC

water for use in ground water recharge or a similar program. Such a recharge program does not presently exist in the vicinity of the dairy, but the applicant should be required to maintain ownership and control of the shares for future mitigation of other water rights as may be determined by the department. The conditions of approval should prevent enlargement in use of the right.

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code;

2. Section 42-203A, Idaho Code, provides in part as follows:

In all applications whether protested or not protested where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor...

3. Licenses 36-07260 and 36-07368 represent a supplemental use of ground water for irrigation purposes, since the land from which the water is sought to be transferred is also irrigated with surface water provided by the North Side Canal Company. The transfer will not enlarge the use of water, if the approval is properly conditioned with respect to the ownership and use of canal company shares.

4. Information was not shown that use of water by the dairy would adversely affect the protestant's use of water. The proposed change will not injure the rights of the protestants.

5. The applicant or predecessors-in-interest have not

vicinity of the applicant's dairy. Jerome County has approved dairy use at the Liberty Dairy site for up to 750 head of dairy cattle.

7. The application is not found to conflict with the local public interest.

8. The applicant has made changes in the use of water for the dairy which will conserve water as compared with prior use of water at the dairy. The application is found to be consistent with the conservation of water resources within Idaho.

9. The department should approve the application for transfer with certain conditions and limitations.

10. The department should reject pending Application for Permit No. 36-08656 which the applicant filed in 1992.

ORDER

IT IS THEREFORE, hereby ORDERED that Application for Transfer No. 4425 of License Nos. 36-07260 and 36-07368 in the name of John Reitsma is APPROVED subject to the following conditions and limitations.

1. The right holder shall not use water under this approval for a dairy operation larger than 800 milking cows and 100 dry cows for a total of 900 cows.

2. The amount of water authorized under this approval when combined with any other water rights for the dairy shall not exceed the amount of water which the right holder can beneficially use for a total of 900 cows at Liberty dairy.

3. Prior to the diversion and use of water under this approval, the right holder shall install and maintain a measuring device on each diversion associated with the dairy and shall annually report the amount of water diverted to the department. The right holder shall obtain prior approval from the department relative to the type of device.

4. The right holder shall maintain ownership of at least nine (9) shares of Northside Canal Company water for mitigation purposes and shall comply with the terms of mitigation as the terms may be determined in the future by the department.

5. This approval does not authorize the construction of any new wells.

6. The right holder shall comply with zoning ordinances of Jerome County.

7. The right holder shall at its own expense annually test

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7. The right holder shall at its own expense annually test the wells of the protestants for contamination in compliance with requirements of DEQ, if the protestants agree to the testing.

8. Failure of the right holder to comply with any condition of approval of this transfer is cause for the Director to rescind approval of the transfer.

9. The change authorized by this approval shall be accomplished within one (1) year of the date of the Final Order.

10. Approval of this transfer does not preclude the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.

IT IS FURTHER HEREBY ORDERED that Application for Permit No. 36-08656 is REJECTED pursuant to provisions of Section 42-203A, Idaho Code.

Signed this 16th day of MARCH, 1995.


R. KEITH HIGGINSON
Director

AJ5808NP
(OD-26)

Water Right Number - X36-07260B

+ - - - - Last Name - - - - +

*** C - CURRENT OWNER ***
WALTERS

WALTERS

BETTENCOURT

BETTENCOURT

*** O - ORIGINAL OWNER ***
REITSMA

HILARIDES

HILARIDES

+ - - Priority Date - - +
09/15/1972

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - +
TwN Rng Sec Tract Lot RFlg County
08S 16E 17 NE SE (53) JEROME

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Prefix Translation: XFER OF RECOM. CLAIM

+ - First Name - - +

MARK

MARVA

LUIS M

MARIA A

JOHN

ARLIN C

BERT R

+ - - Region - - - +
17 SOUTHERN

Approved T 4425

03/14/02 14:10:51

Page 1

Old (D) Number -

+ - - - - Address - - - - - +

1 - DBA WALTERS DAIRY
2 - 423 WEST RD
3 -

City- JEROME
Phone - 208-324-6863

State- ID Zip- 83338

1 - DBA WALTERS DAIRY
2 - 423 WEST RD
3 -

City- JEROME
Phone - 208-324-6863

State- ID Zip- 83338

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2 - 423 WEST RD
3 -

City- JEROME
Phone - 208-324-6863

State- ID Zip- 83338

1 - DBA WALTERS DAIRY
2 - 423 WEST RD
3 -

City- JEROME
Phone - 208-324-6863

State- ID Zip- 83338

1 - 75 N 400 W
2 -
3 -

City- JEROME
Phone - 208-324-4536

State- ID Zip- 83338

1 -
2 -
3 -

City- X
Phone - 208-000-0000

State- ID Zip- 0

1 -
2 -
3 -

City- X
Phone - 208-000-0000

State- ID Zip- 0

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Tributary - - - - - +

+ - - - - Diversion Name - - - - - +

Water right number - X36-07260B

Prefix Translation: XFER OF RECOM. CLAIM

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.070	25.60
10 - COMMERCIAL		01/01	12/31	0.030	1.40
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +					
0.100		27.00		0.0	

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
08S	16E	17	NE SE			04	STOCKWATER	(53) JEROME
08S	16E	17	NE SE			10	COMMERCIAL	(53) JEROME

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS & CONDITIONS

+ - - - - - Remarks - - - - -

GEN THE RIGHT HOLDER SHALL NOT USE WATER UNDER THIS APPROVAL FOR A DAIRY OPERATION LARGER THAN 800 MILKING COWS AND 100 DRY COWS FOR A TOTAL OF 900 COWS.

THE AMOUNT OF WATER AUTHORIZED UNDER THIS APPROVAL WHEN COMBINED WITH ANY OTHER WATER RIGHTS FOR THE DAIRY SHALL NOT EXCEED THE AMOUNT OF WATER WHICH THE RIGHT HOLDER CAN BENEFICIALLY USE FOR A TOTAL OF 900 COWS AT LIBERTY DAIRY.

PRIOR TO THE DIVERSION AND USE OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER SHALL INSTALL AND MAINTAIN A MEASURING DEVICE ON EACH DIVERSION ASSOCIATED WITH THE DAIRY AND SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DAIRY AND SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

THE RIGHT HOLDER SHALL OBTAIN PRIOR APPROVAL FROM THE DEPARTMENT RELATIVE TO THE TYPE OF DEVICE.

THE RIGHT HOLDER SHALL MAINTAIN OWNERSHIP OF AT LEAST NINE (9) SHARES OF NORTHSIDE CANAL COMPANY WATER FOR MITIGATION PURPOSES AND SHALL COMPLY WITH THE TERMS OF MITIGATION AS THE TERMS MAY BE DETERMINED IN THE FUTURE BY THE DEPARTMENT.

THIS APPROVAL DOES NOT AUTHORIZE THE CONSTRUCTION OF ANY NEW WELLS.

THE RIGHT HOLDER SHALL AT ITS OWN EXPENSE ANNUALLY TEST THE WELLS OF THE PROTESTANTS FOR CONTAMINATION IN COMPLIANCE WITH REQUIREMENTS OF DEQ, IF THE PROTESTANTS AGREE TO THE TESTING.

FAILURE OF THE RIGHT HOLDER TO COMPLY WITH ANY CONDITION OF APPROVAL OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.

THE CHANGE AUTHORIZED BY THIS APPROVAL SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE FINAL ORDER.

THE RIGHT HOLDER SHALL COMPLY WITH ZONING ORDINANCES OF JEROME

Water right number - X36-072608

Prefix Translation: XFER OF RECOM. CLAIM

+ - - - - Remarks - - - - - +

COUNTY.

9/25/96, DJ: CLAIM AMENDED PURSUANT APPROVED TRANSFER #4425

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

T09 - 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.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 09/25/96 DJONES 09/25/97 TFAWCETT

+ - - - - Comments - - - - - +

Date: 08/10/1994 User Id: SCURTIS Subject: TRANSFER NO. 4425

Transfer #4425 was filed to change the nature of use under
T# 4425 protested on 9/12/94.

portions of Rights 36-07260 and 36-07368.
APPROVED BY FINAL ORDER DATED 03-16-95.

Date: 09/25/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED REITSMA TO WALTERS DAIRY PER WARRANTY DEED.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 00/00/0000	Last Amended Date	- 09/25/1996	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-