STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85597

This is to certify that: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
47-12812	WR/DECREED	12/31/1940	0.040 cfs	N/A	N/A	N/A	GROUND WATER
47-13651	WR/DECREED	1/1/1980	0.080 cfs	14.6 af	N/A	N/A	GROUND WATER
47-17553	WR/DECREED	11/6/1961	0.310 cfs	50.2 af	N/A	N/A	GROUND WATER
47-17558	WR/DECREED	8/8/1954	0.140 cfs	45.7 af	N/A	N/A	GROUND WATER
47-17563	WR/DECREED	4/3/1961	0.020 cfs	7.6 af	N/A	N/A	GROUND WATER
47-8011A	WR/LICENSE	8/5/1985	0.390 cfs	44.4 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
47-12812	NO	NO	NO	YES	NO	NO
47-13651	NO	NO	YES	YES	NO	NO
47-17553	NO	NO	YES	YES	NO	NO
47-17558	NO	NO	YES	YES	NO	NO
47-17563	NO	NO	YES	YES	NO	NO
47-8011A	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-12812	47-12812	0.040 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
47-13651	47-13651	0.080 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
47-17553	47-17553	0.310 cfs	50.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
47-17558	47-17558	0.140 cfs	45.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
47-17563	47-17563	0.020 cfs	7.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
47-8011A	47-8011A	0.390 cfs	44.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.820 cfs**	**N/A**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 47-8011A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85597

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 23rd day of February, 2022.

Southern Region Manager

WATER RIGHT NO. 47-12812

As Modified by Transfer No. 85597

In accordance with the approval of Transfer No. 85597, Water Right No. 47-12812 is now described as follows:

Right Holder: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

Priority Date: 12/31/1940

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
DOMESTIC	1/01	to	12/31	0.040 cfs
STOCKWATER	1/01	to	12/31	0.020 cfs
				0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12																X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12																X	

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 85597

WATER RIGHT NO. 47-12812

As Modified by Transfer No. 85597

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

6. 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.

WATER RIGHT NO. 47-8011A

As Modified by Transfer No. 85597

In accordance with the approval of Transfer No. 85597, Water Right No. 47-8011A is now described as follows:

Right Holder: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

Priority Date: 8/5/1985

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	1 /1	to	12/31	0.390 cfs	44.4 af
STOCKWATER	1 /1	to	12/31	0.390 cfs	44.4 af
				0.390 cfs	44.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

2. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

WATER RIGHT NO. 47-8011A

As Modified by Transfer No. 85597

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

4. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

5. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 47-13651

As Modified by Transfer No. 85597

In accordance with the approval of Transfer No. 85597, Water Right No. 47-13651 is now described as follows:

Right Holder: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

Priority Date: 1/1/1980

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
DOMESTIC	01/01	to	12/31	0.040 cfs	14.6 af
STOCKWATER	01/01	to	12/31	0.040 cfs	14.6 af
				0.080 cfs	14.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12														X			

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af
3. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

Transfer No. 85597

WATER RIGHT NO. 47-13651

As Modified by Transfer No. 85597

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

9. 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.

WATER RIGHT NO. 47-17553

As Modified by Transfer No. 85597

In accordance with the approval of Transfer No. 85597, Water Right No. 47-17553 is now described as follows:

Right Holder: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

Priority Date: 11/6/1961

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.310 cfs	50.2 af
STOCKWATER	01/01	to	12/31	0.310 cfs	50.2 af
				0.310 cfs	50.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

CONDITIONS OF APPROVAL

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 85597

WATER RIGHT NO. 47-17553

As Modified by Transfer No. 85597

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

8. 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.

WATER RIGHT NO. 47-17558

As Modified by Transfer No. 85597

In accordance with the approval of Transfer No. 85597, Water Right No. 47-17558 is now described as follows:

Right Holder: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

Priority Date: 8/8/1954

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.140 cfs	45.7 af
STOCKWATER	01/01	to	12/31	0.140 cfs	45.7 af
				0.140 cfs	45.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 12 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E	TWIN FALLS County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

CONDITIONS OF APPROVAL

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 85597

WATER RIGHT NO. 47-17558

As Modified by Transfer No. 85597

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

8. 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.

WATER RIGHT NO. 47-17563

As Modified by Transfer No. 85597

In accordance with the approval of Transfer No. 85597, Water Right No. 47-17563 is now described as follows:

Right Holder: HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS, ID 83303-0008

Priority Date: 4/3/1961

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.020 cfs	7.6 af
STOCKWATER	01/01	to	12/31	0.020 cfs	7.6 af
				0.020 cfs	7.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec 12 Twp 12S Rge 16E TWIN FALLS County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												
																			0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

CONDITIONS OF APPROVAL

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

WATER RIGHT NO. 47-17563

As Modified by Transfer No. 85597

CONDITIONS OF APPROVAL

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

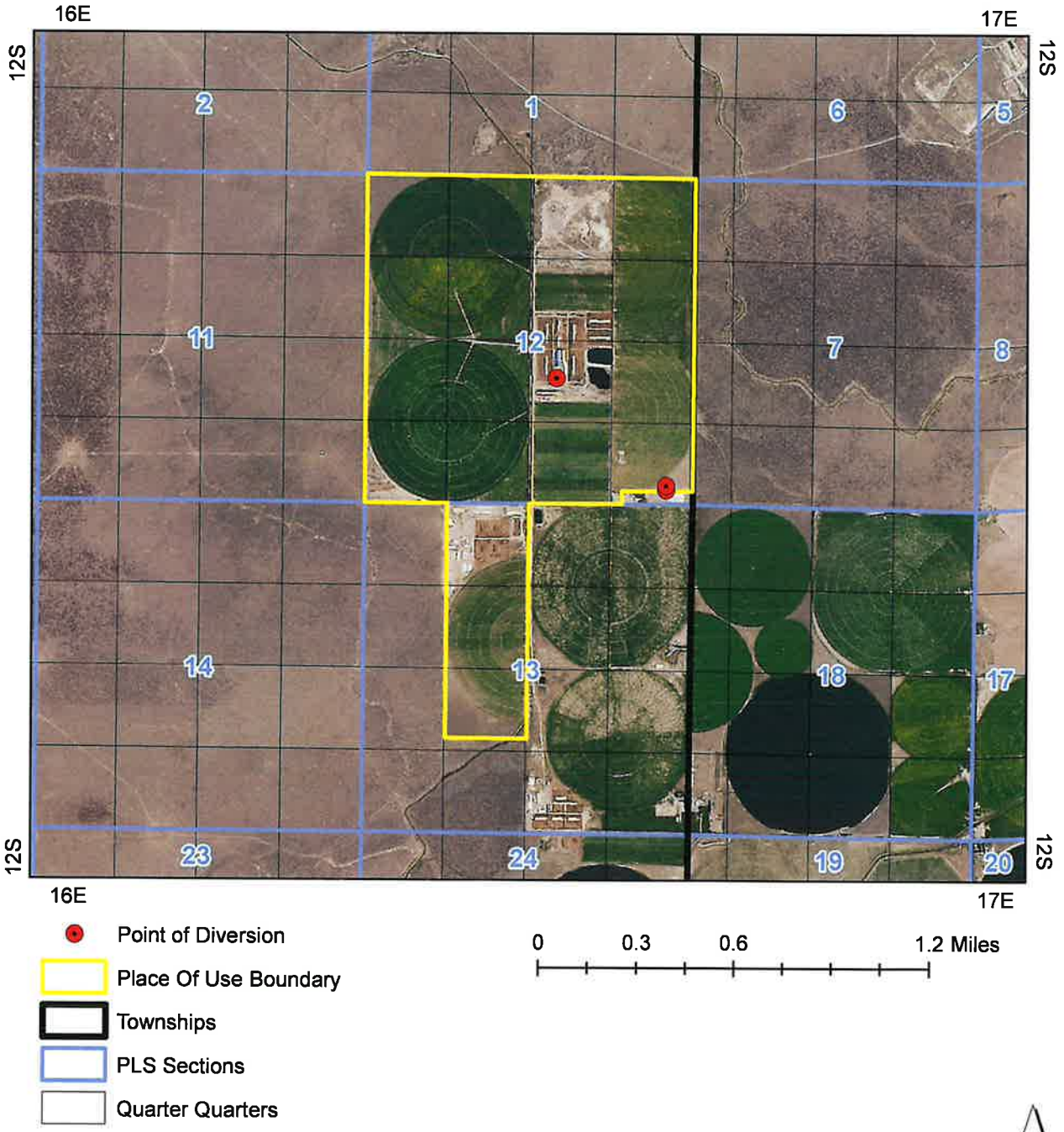
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 85597

47-8011A, 47-13651, 47-17553, 47-17558, and 47-17563

This map depicts the STOCKWATER 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.

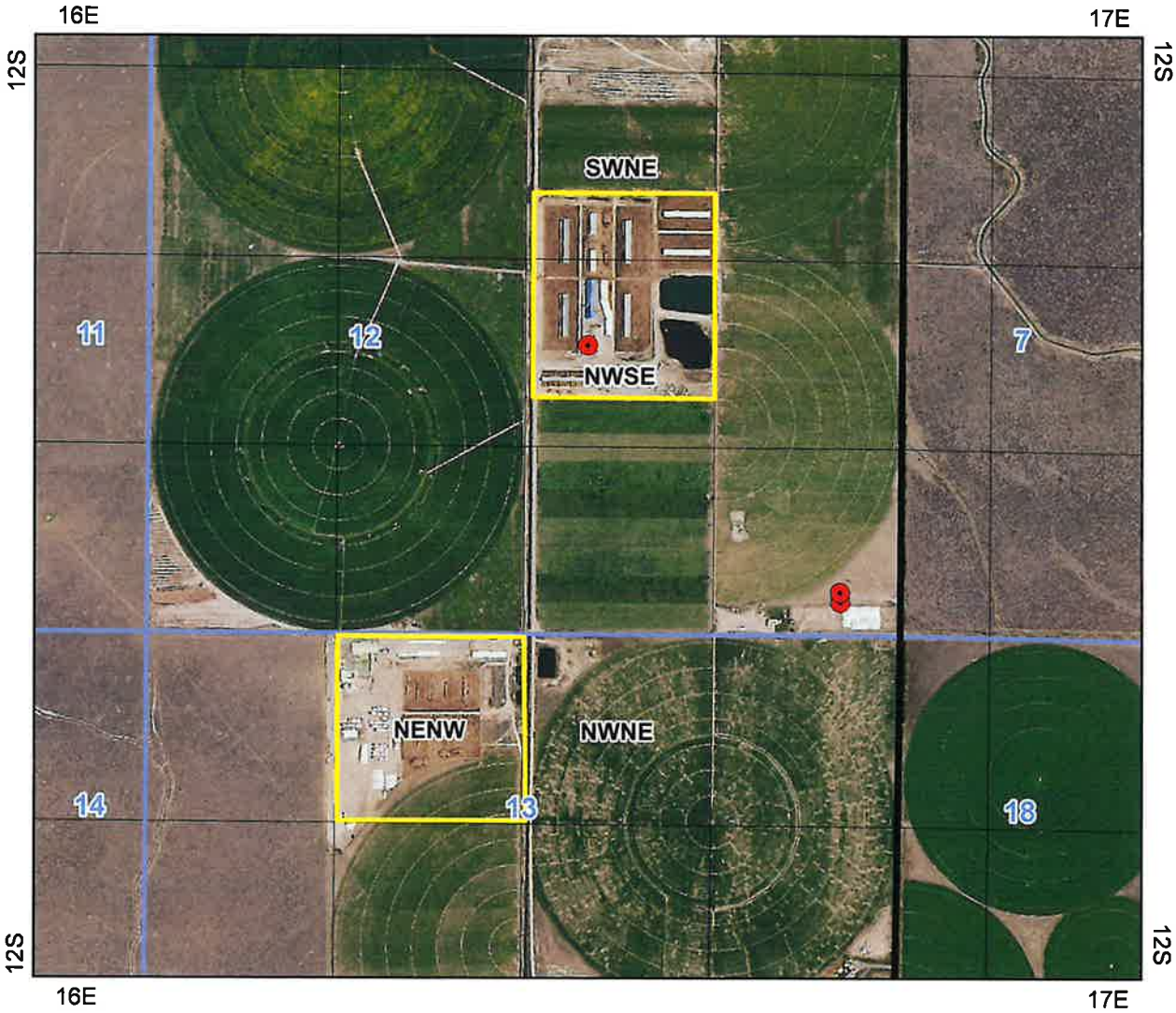


State of Idaho
Department of Water Resources

Attachment to Transfer # 85597

47-8011A, 47-17553, 47-17558, and 47-17563

This map depicts the COMMERCIAL 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.



Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

0 0.15 0.3 0.6 Miles

N

State of Idaho
Department of Water Resources

Attachment to Transfer # 85597

47-13651

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

Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

0 0.075 0.15 0.3 Miles

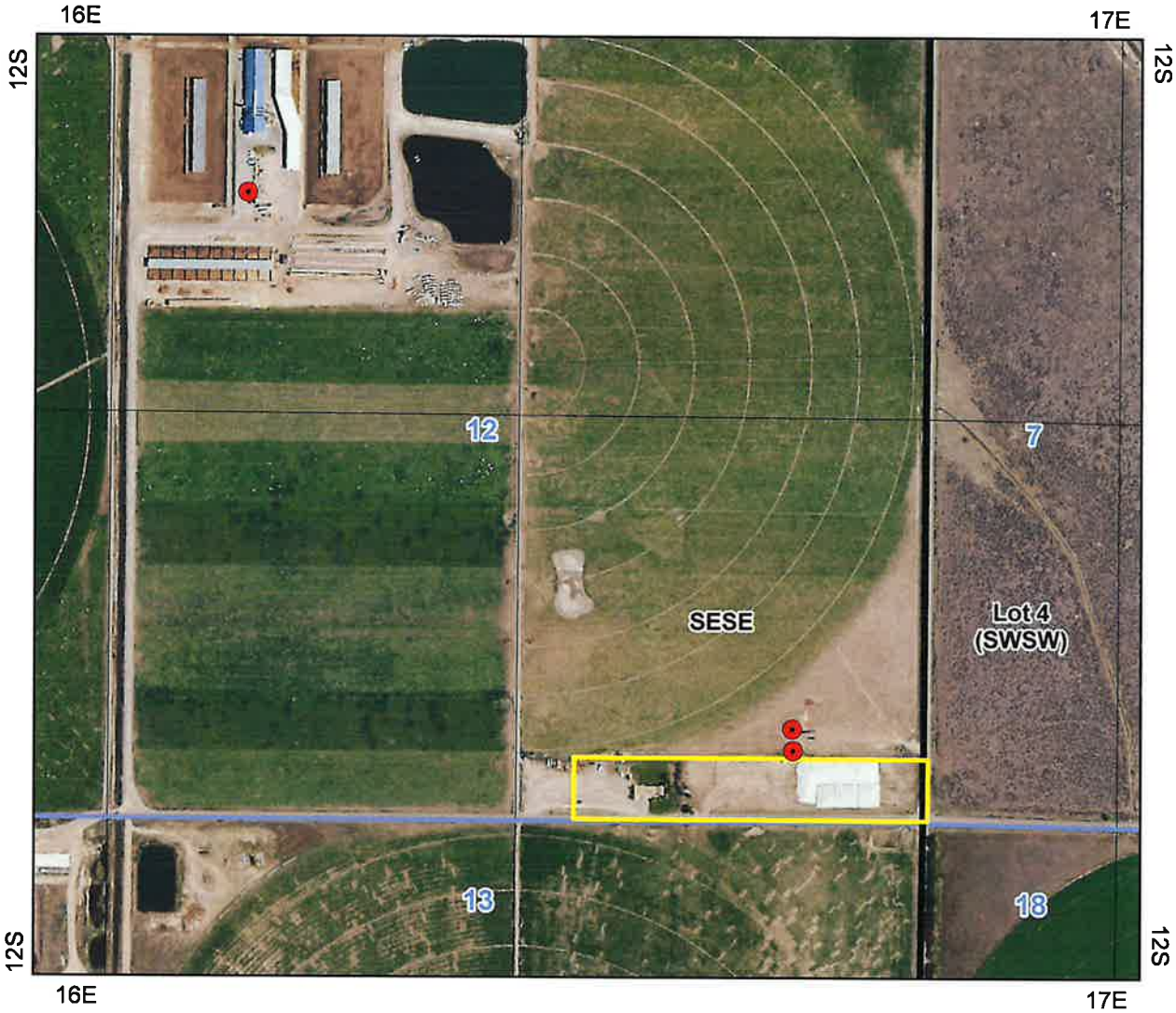
N

State of Idaho
Department of Water Resources

Attachment to Transfer # 85597

47-12812

This map depicts the DOMESTIC & STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles

N

RECEIVED
FEB 07 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

Rev. 07/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85597

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at http://www.idwr.idaho.gov/ .

Name of Applicant(s) HARMONY ORGANIC DAIRY LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- [x] * Completed Application for Transfer of Water Right form, Part 1.
- [x] * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- [x] * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- [x] [ ] Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- [x] * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- [x] * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- [ ] [x] #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- [ ] [x] #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- [ ] [x] #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- [ ] [x] #3 Documentation of authority to make the change if the applicant is not the water right owner.
- [ ] [x] #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- [ ] [x] #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- [x] [ ] #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- [x] * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- [ ] [x] #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- [ ] [x] #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- [ ] [x] #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- [ ] [x] #9 Other. Please describe: _____

RECEIVED
FEB 07 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant HARMONY ORGANIC DAIRY LLC Phone (208) 308-2590
Mailing Address PO BOX 8, TWIN FALLS ID 83303-0008 Email

- [x] If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- [ ] Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- [ ] If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- [ ] Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.
- [ ] No Representative

Name of Representative GARY L FUNDERBURG Phone (208) 320-0897
Mailing Address 400 S 147 W, JEROME ID 83338 Email

- [ ] Send all correspondence for this application to the representative and not to the applicant.

OR

- [x] Send original correspondence to the applicant and copies to the representative.

- [x] The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

- [ ] The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	Sean Mallett, President	2-2-22

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
47-8011A	No	No	Yes	Yes	No	No
47-12812	No	No	Yes	Yes	No	No
47-13651	No	No	Yes	Yes	No	No
47-17553	No	No	Yes	Yes	No	No
47-17558	No	No	Yes	Yes	No	No
47-17563	No	No	Yes	Yes	No	No

Transfer No. 85597

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

The application proposes to update the place of use for the commercial, stockwater and domestic rights for an existing dairy and add/or update the location of three existing points of diversion for stockwater, commercial and domestic uses to six water right to show the current points of diversion.

B. **DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-12812	0.040 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
47-8011A	0.390 cfs	44.4 af	N/A	N/A		N/A	N/A	N/A	N/A
47-13651	0.080 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
47-17553	0.310 cfs	50.2 af	N/A	N/A		N/A	N/A	N/A	N/A
47-17558	0.140 cfs	45.7 af	N/A	N/A		N/A	N/A	N/A	N/A
47-17563	0.020 cfs	7.6 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.820 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.82 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.

Transfer No. 85597

HO DEPARTMENT OF WATER RESOUR
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-12812

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 12/31/1940

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
DOMESTIC	1/01	12/31	0.040 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
Total Diversion			0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP
WELL AND PUMP
WELL AND PUMP

Place of Use: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12																X	

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12																X	

Transfer No. 85597

IHO DEPARTMENT OF WATER RESOUR(
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-8011A

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 8/5/1985

Origin: Water Right

Basis: License

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1 /1	12/31	0.390 CFS	44.4 AFA	
STOCKWATER	1 /1	12/31	0.390 CFS	44.4 AFA	
Total Diversion			0.390 CFS	44.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP
WELL AND PUMP
WELL AND PUMP

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

Transfer No. 85597

IHO DEPARTMENT OF WATER RESOUR(
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-13651

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 1/1/1980

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
DOMESTIC	01/01	12/31	0.040 CFS	14.6 AFA	
STOCKWATER	01/01	12/31	0.040 CFS	14.6 AFA	
Total Diversion			0.080 CFS	14.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP
WELL AND PUMP
WELL AND PUMP

Place of Use: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12														X			

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

Transfer No. 85597

HO DEPARTMENT OF WATER RESOUR(
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-17553

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 11/6/1961

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.310 CFS	50.2 AFA	
STOCKWATER	01/01	12/31	0.310 CFS	50.2 AFA	
Total Diversion			0.310 CFS	50.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP
WELL AND PUMP
WELL AND PUMP

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

Transfer No. 85597

HO DEPARTMENT OF WATER RESOUR
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-17558

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 8/8/1954

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.140 CFS	45.7 AFA	Dairy
STOCKWATER	01/01	12/31	0.140 CFS	45.7 AFA	
Total Diversion			0.140 CFS	45.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP
WELL AND PUMP
WELL AND PUMP

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

Transfer No. 85597

HO DEPARTMENT OF WATER RESOUR(
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-17563

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 4/3/1961

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.020 CFS	7.6 AFA	Dairy
STOCKWATER	01/01	12/31	0.020 CFS	7.6 AFA	
Total Diversion			0.020 CFS	7.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP
WELL AND PUMP
WELL AND PUMP

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			
12S	16E	13					X												0
																			0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
12S	16E	13					X			X	X								

Transfer No. 85597

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
Measuring devices will be installed when required.

b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ **If Yes,** ☑
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Metropolitan Life Insurance Company. The transfer does not impact property values.
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A

e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
N/A

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Transfer No. 85597

Current Water Right No. 47-12812

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 12/31/1940

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Subuse Code
DOMESTIC	1/01	12/31	0.040 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
Total Diversion			0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Describe the proposed diversion system

WELL AND PUMP

Place of Use: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12																X	0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12																X	0.0

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. 20 CATTLE RP 12S16E129000

Transfer No. 85597

Current Water Right No. 47-8011A

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 8/5/1985

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1 /1	12/31	0.390 CFS	44.4 AFA	
STOCKWATER	1 /1	12/31	0.390 CFS	44.4 AFA	
Total Diversion			0.390 CFS	44.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			0.0
12S	16E	13					X												0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0
12S	16E	13					X			X	X								0.0

Conditions/Remarks:

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

4. Commercial use is for a dairy.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

Transfer No. 85597

Conditions/Remarks:

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

7. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Current Water Right No. 47-13651

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 1/1/1980

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
DOMESTIC	01/01	12/31	0.040 CFS	14.6 AFA	
STOCKWATER	01/01	12/31	0.040 CFS	14.6 AFA	
Total Diversion			0.080 CFS	14.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Place of Use: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0
12S	16E	13					X			X	X								0.0

Conditions/Remarks:

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

3. The quantity of water under this right shall not exceed 13,000 gallons per day.

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

Transfer No. 85597

Conditions/Remarks:

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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

9. 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.

Current Water Right No. 47-17553

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 11/6/1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.310 CFS	50.2 AFA	
STOCKWATER	01/01	12/31	0.310 CFS	50.2 AFA	
Total Diversion			0.310 CFS	50.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0
12S	16E	13					X			X	X								0.0

Conditions/Remarks:

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

Transfer No. 85597

Conditions/Remarks:

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

Current Water Right No. 47-17558

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 8/8/1954
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.140 CFS	45.7 AFA	Dairy
STOCKWATER	01/01	12/31	0.140 CFS	45.7 AFA	
Total Diversion			0.140 CFS	45.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0
12S	16E	13					X			X	X								0.0

Conditions/Remarks:

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

Transfer No. 85597

Conditions/Remarks:

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

Current Water Right No. 47-17563

Current Water Right Owner

HARMONY ORGANIC
DAIRY LLC
PO BOX 8
TWIN FALLS, ID
83303-0008

Priority Date: 4/3/1961
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.020 CFS	7.6 AFA	Dairy
STOCKWATER	01/01	12/31	0.020 CFS	7.6 AFA	
Total Diversion			0.020 CFS	7.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	NWSE	Sec. 12 Twp 12S Rge 16E TWIN FALLS County

Place of Use: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12			X											X			0.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	16E	12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0
12S	16E	13					X			X	X								0.0

Conditions/Remarks:

1. Rights 47-13651, 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.39 cfs, a total annual maximum diversion volume of 64.8 af

2. Rights 47-17553, 47-17558, and 47-17563 when combined shall not exceed a total diversion rate of 0.31 cfs, a total annual maximum diversion volume of 50.2 af

3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

Transfer No. 85597

Conditions/Remarks:

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7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

☑ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.** If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 22 pages and _____ attachments.

Received By Dm Date 2.7.2022 Prelim. Check By _____ Date _____

Fee Paid $500- Date 2.7.2022 Receipted By Dm Receipt # 5039074

Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Transfer No. 85597

Commercial
Domestic
Stockwater
Point of Diversion
Place of Use
Dom/SW
The USDA-FSA Aerial Photography Field office asks to be credited in derived products

85597

Attachment #3

0004411316

STATE OF IDAHO
Office of the secretary of state, Lawerence Denney
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only
-FILED-
File #: 0004411316
Date Filed: 9/8/2021 11:57:04 AM

Entity Name and Mailing Address:

Entity Name:	HARMONY ORGANIC DAIRY, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0000435693
Address	2650 N 2700 E TWIN FALLS, ID 83301

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W142988

The registered agent on record is:

Registered Agent	SEAN MALLETT Registered Agent Physical Address 2679 POLELINE RD. EAST TWIN FALLS, ID 83301 Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Sean Mallett	Member	2679 POLELINE ROAD EAST TWIN FALLS, ID 83301

The annual report must be signed by an authorized signer of the entity.

Job Title: Sean Mallet

Sean Mallet — Sign Here

09/08/2021 — Date

B0646-3441 09/08/2021 11:57 AM Received by ID Secretary of State Lawerence Denney

ATT #6

RECEIVED
FEB 07 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

MetLife Investment Management

Leon A. Moreno

Jonathan B. Dressler

Robert Prudden

September 28, 2021

Harmony Organic Dairy, LLC
Sean and Staci Mallett
2679 Poletine Road East
Twin Falls, ID 83301

Re: Metropolitan Life Insurance Company ("Lender")
Loan No. 201610 – Harmony Organic ("Borrower")
Consent to Water Rights Transfer

Ladies and Gentlemen,

Reference is made to that certain Application for Transfer of Water Rights submitted to your office by our borrower, Harmony Organic Dairy, LLC, requesting to update the points of diversion for the irrigation portion water right 47-8011A and shift the irrigation place of use to identify the currently irrigated place of use; and, your request that Lender consent to this request.

For good and valuable consideration, Lender does hereby consent to the request to transfer water rights. Lender will, in due course, provide Loan modification documents necessary to secure Lender's priority in the water rights. Borrower shall execute all Loan modification documents and shall be responsible for all costs associated with said modification. All other terms and conditions of Loan No. 201610 remain in full force and effect.

We appreciate the opportunity to handle this transaction for you.

Sincerely,

Metropolitan Life Insurance Company,
a New York corporation

By: MetLife Investment Management, LLC,
its investment manager

By: Jonath B. Dresl
Jonathan B. Dressler
Its Authorized Signatory and Director

ATT #6

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Fresno

On September 28, 2021, before me, Erin E. Thorpe, a Notary Public, personally appeared Jonathan B. Oressler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Erin E Thorpe
Signature

This area for official notarial seal.

ERIN E. THORPE
COMM. #2311628
Notary Public - California
Fresno County
My Comm. Expires Dec. 4, 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

February 24, 2022

HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS ID 83303-0008

Re: Transfer No: 85597
Water Right No(s).: 47-8011A, 47-12812, 47-13651, 47-17553, 47-17558, 47-17563

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

GARY L FUNDERBURG
400 S 147 W
JEROME ID 83338

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

METROPOLITAN TOWER LIFE INSURANCE COMPANY
10801 MASTIN ST STE 700
OVERLAND PARK KS 66210-1673

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85597
Water Right No(s).: 47-8011A, 47-12812, 47-13651, 47-17553, 47-17558, 47-17563

HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS ID 83303-0008

GARY L FUNDERBURG
400 S 147 W
JEROME ID 83338

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

METROPOLITAN TOWER LIFE INSURANCE COMPANY
10801 MASTIN ST STE 700
OVERLAND PARK KS 66210-1673

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) The petition for reconsideration is disposed of; or
(b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sufficiency Memorandum

Date: February 14, 2022

To: Transfer 85597

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

Application proposes to add/or update the location of three existing points of diversion (POD) for the stockwater, commercial, and domestic uses to six ground water rights, 47-8011A, 47-17553, 47-17558, 47-17563, 47-12815, and 47-13654. This transfer also proposes to shift the commercial place of use (POU) to identify the current dairy location. The POD's and the POU of the existing dairy are located approximately 11.7 miles south and 3.3 miles west of the City of Twin Falls. A lien holder letter has been submitted with this transfer.

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

- **Authority to File:**
  The applicant is listed as the current owner of the water rights involved in the transfer according to department records. A lien holder letter has been submitted with this transfer. This transfer does not impact the value of the property.

- **Water Right Validity:**
  The water rights involved in the transfer were decreed in 1999, 2009 and licensed in 1985. Recent aerial photography indicates that the land has been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated. There will be no change to the water rights uses as a result of this transfer.

- **Local Public Interest:**
  No negative impacts anticipated. This transfer application is not subject to notice and protest.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water

- **Effect on Economy of the Local Area:**
  None anticipated.

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

TO: Transfer 85597 File

FROM: Benny Walker

DATE: February 14, 2022

SUBJECT: Filing Fee

The filing fee of, $500.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.82 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is $500.00. The applicant submitted a fee of $500.00 for this transfer. (Receipts S039074).

MEMORANDUM

Date: February 14, 2022

To: Transfer 85597

From: Benny Walker

Re: Legal Notice Not Required

Legal Notice Not Required
2/14/2022

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 7, 2022

RECEIVED
FEB 07 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

HARMONY ORGANIC DAIRY LLC
PO BOX 8
TWIN FALLS ID 83303

C/O: Gary Funderburg (Sent Via-email)

RE: Harmony Organic Dairy LLC, Transfer Application 85597

Dear Mr. Funderburg

Please find the enclosed transfer application #85597 and associated map for Harmony Organic Dairy LLC, to review and discuss with your client. The application proposes to add all three wells to the six water rights associated with the dairy. It also identifies the current place of use for the commercial, stockwater, and domestic uses. Please review the application and map for accuracy. The map is color coded for the various uses, stockwater place of use is outlined in purple, commercial in red, domestic in orange, and the solid green area is for domestic and stockwater. The blue dots represent the location of the wells used for the dairy. The blue dot over the words point of diversion is for representation purpose only.

Sign and date the application and return all documents along with the map and processing fee to the Department.

The fee for processing the transfer will be $500.00 based on the amount of water, 0.82 cfs, that can be used at the dairy. Please make the check payable to IDWR in the amount of $500.00 and use the transfer #85597 for a reference.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Benny Walker

Benny Walker
Sr.Water Resource Agent