

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s)
 ☒ Add diversion point(s)
 ☐ Ownership change
 ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Harmony Organic Dairy LLC Phone _____

2. **MAILING ADDRESS** P.O. BOX 8 City Twin Falls

State Idaho Zip 83301-0008 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** See Attachment Adendum "A"

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 2.47 CFS cubic feet per second and/or N/A acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NE	NW	SE	12	12S	16E	Twin Falls	Groundwater	
		SE	SE	SE	12	12S	16E	Twin Falls	Groundwater	
YES		SE	SE	SE	12	12S	16E	Twin Falls	Groundwater	D0086267
			NE	NE	24	12S	16E	Twin Falls	Groundwater	

SUPPORT DATA

WITHDRAWN

RECEIVED
JUN 30 2021
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

6. 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:

WELLS, MOTORS, METERS AND PIVOTTS

- b. Who owns the property at the point(s) of diversion? OWNER

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

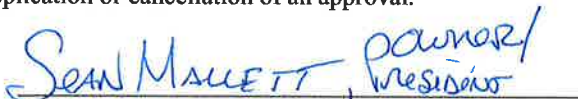
- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.



Signature of applicant or authorized agent



Print name and title if applicable



Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$660.00 Date 6/30/21 Received by SG Receipt # 5038679

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

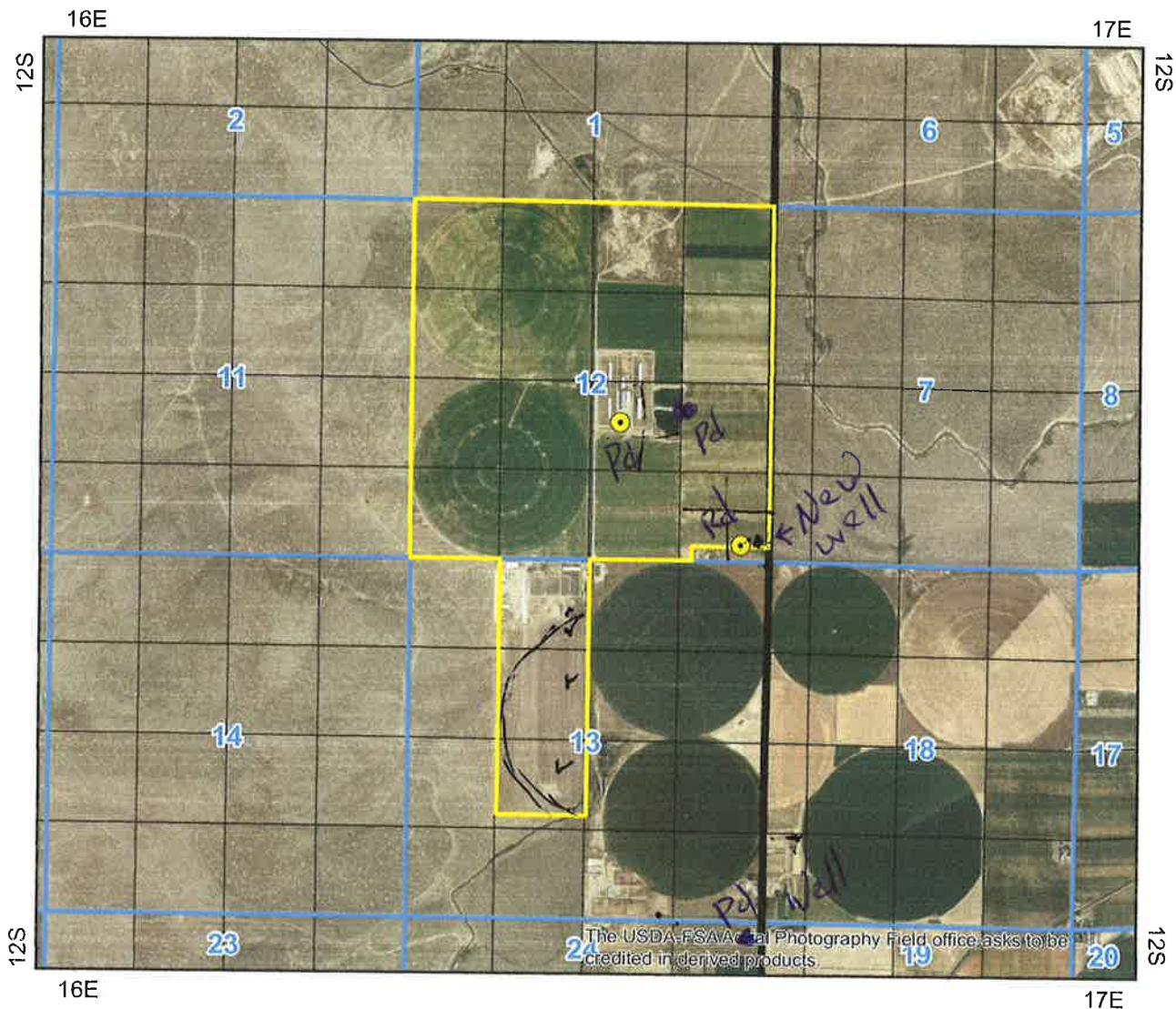
State of Idaho
Department of Water Resources

Water Right

47-17563 ✓

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.3 0.6 1.2 Miles



Water Rights R/L E



Esri, HERE, iPC | Maxar | USGS TNM – National Hydrography Dataset. Data Refreshed April, 2021. | Idaho Department of Water Resources | Esri, HERE, Garmin, iPC

IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

5/17/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-8011A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	LOUGHMILLER FARMS INC 3170 HWY 93 TWIN FALLS, ID 83301 2087335761
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 08/05/1985

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.48 CFS	333.2 AFA
STOCKWATER	01/01	12/31	0.39 CFS	44.4 AFA
COMMERCIAL	01/01	12/31	0.39 CFS	44.4 AFA
Total Diversion			1.87 CFS	377.6 AFA

Location of Point(s) of Diversion:

GROUND WATER | NENWSE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County
GROUND WATER | SESESE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	12		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		13		NENW			SENW							
				NESW										

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	12		SWNE										
				NWSE										
		13		NENW										

Place of Use Legal Description: IRRIGATION TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	13		NENW	12.8		SENW	40						
				NESW	30.5									

Total Acres: 83.3

Conditions of Approval:

- 205 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.
- R64 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.
- 01M 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.
- Commercial use is for a dairy.
- 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

6. 106 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. R55 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date: 08/26/2005

Decreed Date:

Permit Proof Due Date: 4/1/1994

Permit Proof Made Date: 5/6/1994

Permit Approved Date: 4/5/1991

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit:

Combined Volume Limit: 2329.4

Combined Rate Limit: 5.87

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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WATER RIGHT REPORT

6/18/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-16823

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	OLMSTEAD FARMS 3165 E 3500 N TWIN FALLS, ID 83301 2087336779
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017-2003 3143178000

Priority Date: 09/26/1967

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.17 CFS	30 AFA
COMMERCIAL	01/01	12/31	0.17 CFS	30 AFA
Total Diversion			0.17 CFS	30 AFA

Location of Point(s) of Diversion:

GROUND WATER|NENE|Sec. 24|Township 12S|Range 16E|TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	13		NENE			NWNE			SWNE			SENE	
				NESE			NWSE			SWSE			SESE	

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	13		SWSE			SESE							
		24		NWNE										

Conditions of Approval:

1. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
3. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
4. WD8 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
5. 01M 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 06/01/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

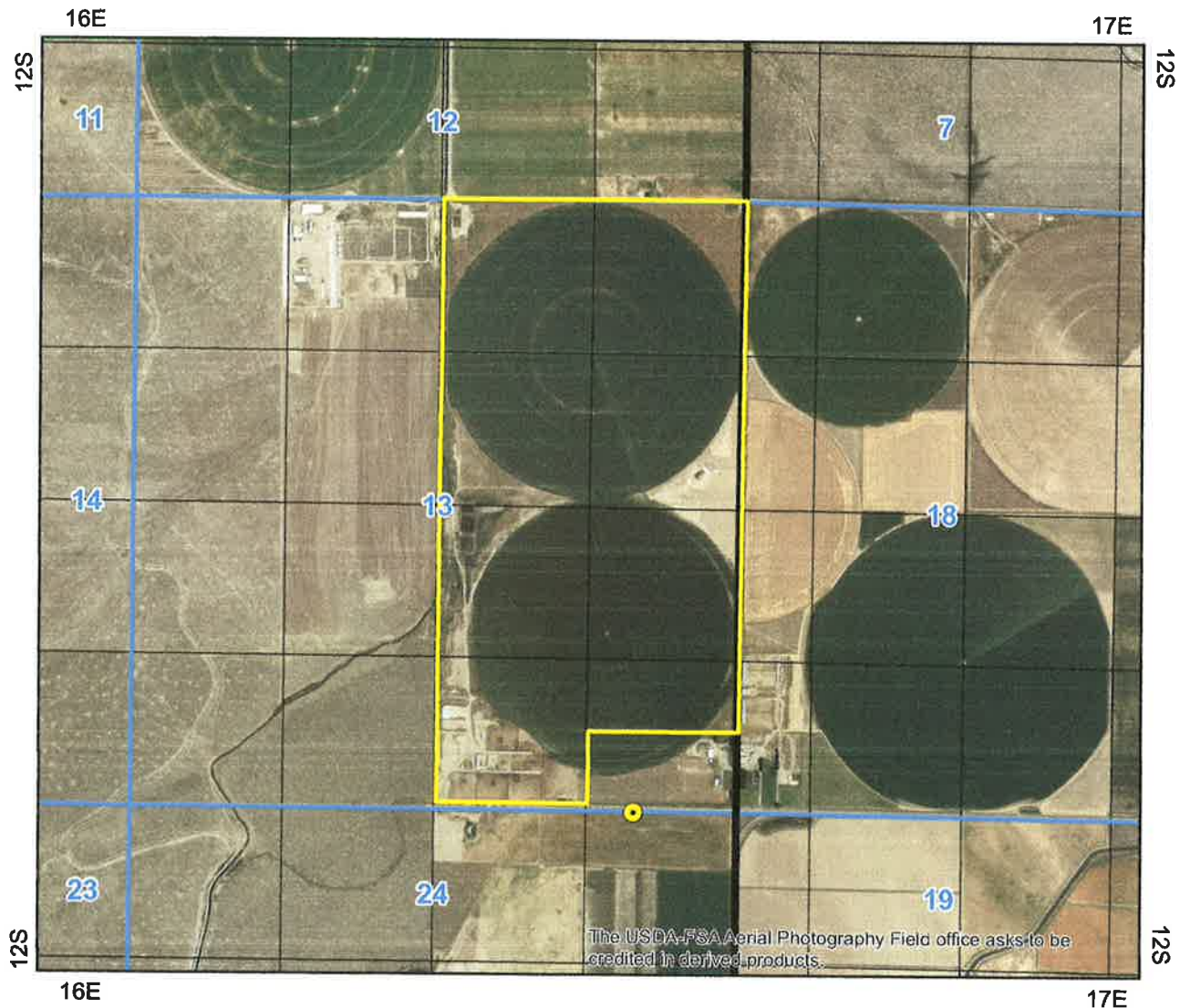
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
47-16823

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.175 0.35 0.7 Miles

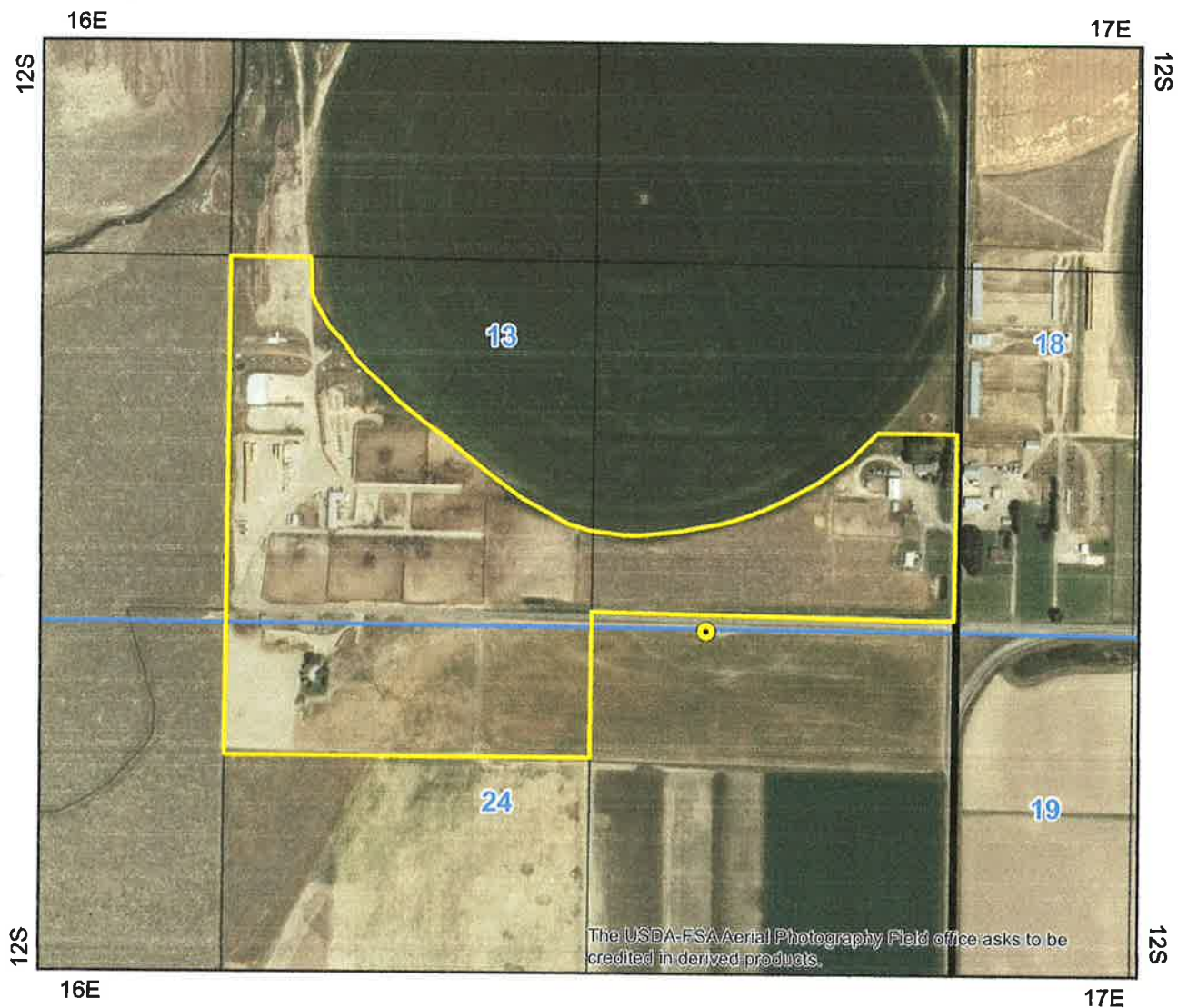


State of Idaho
Department of Water Resources

Water Right
47-16823

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.075 0.15 0.3 Miles





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WATER RIGHT REPORT

6/18/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-12812

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	LORRAINE PRATT
Original Owner	WILLIAM JAMES PRATT 2684 E 2700 N TWIN FALLS, ID 83301 2086554450
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 12/31/1940

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESESE|Sec. 12|Township 12S|Range 16E|TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	12		SESE										

Place of Use Legal Description: DOMESTIC TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	12		SESE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. 20 CATTLE RP 12S16E129000

Dates:

Licensed Date:

Decreed Date: 06/25/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
47-12812

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.035 0.07 0.14 Miles





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WATER RIGHT REPORT

5/17/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-13651

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	LOUGHMILLER FARMS INC 3170 HWY 93 TWIN FALLS, ID 83301 2087335761
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 01/01/1980

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.04 CFS	14.6 AFA
DOMESTIC	01/01	12/31	0.04 CFS	14.6 AFA
Total Diversion			0.08 CFS	14.6 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWSE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County
GROUND WATER | SESE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	12		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		13		NENW			SENW							
				NESW										

Place of Use Legal Description: DOMESTIC TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	12		SWNE										
				NWSE										

Conditions of Approval:

1. X35 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. X35 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. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. 01M 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. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. 106 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

9, T19 Pursuant to Section 42-412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 06/29/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 64.8

Combined Rate Limit: 0.39

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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WATER RIGHT REPORT

6/18/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-17553

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	MATHERS RANCH INC 3485 E 3100 N KIMBERLY, ID 83341 2084235847
Original Owner	DOROTHY S FORTNER PO BOX 512 TWIN FALLS, ID 83303 2087337298
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 11/06/1961

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.31 CFS	50.2 AFA
COMMERCIAL	01/01	12/31	0.31 CFS	50.2 AFA
Total Diversion			0.31 CFS	50.2 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWSE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County
GROUND WATER | SESE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	12		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		13		NENW			SENW							
				NESW										

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12S	16E	12		SWNE										
				NWSE										

Conditions of Approval:

1. X35 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. X35 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. 01M 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. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 106 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

8. T19 Pursuant to Section 42-412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 07/14/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 64.8

Combined Rate Limit: 0.39

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

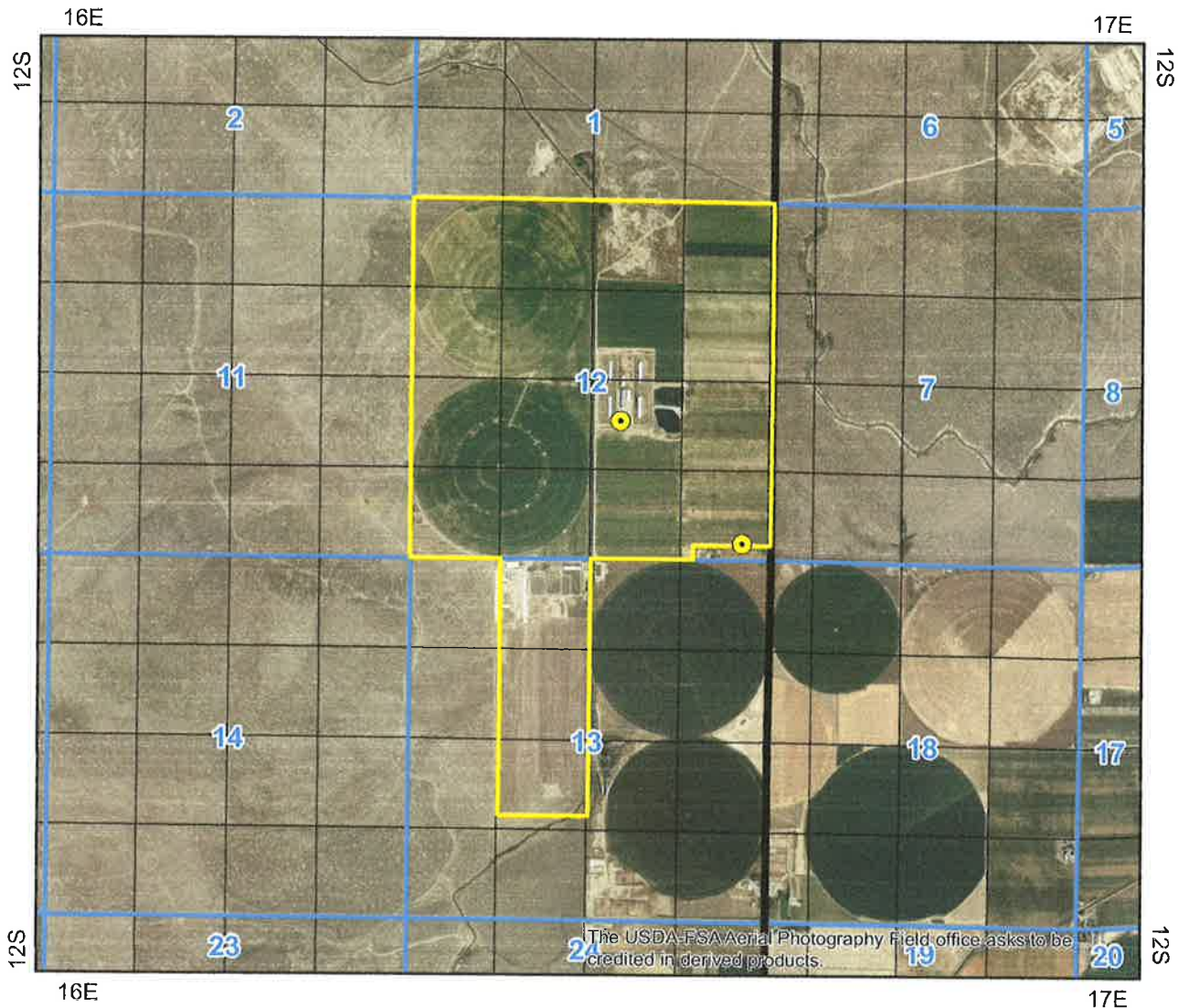
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
47-17553

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.3 0.6 1.2 Miles

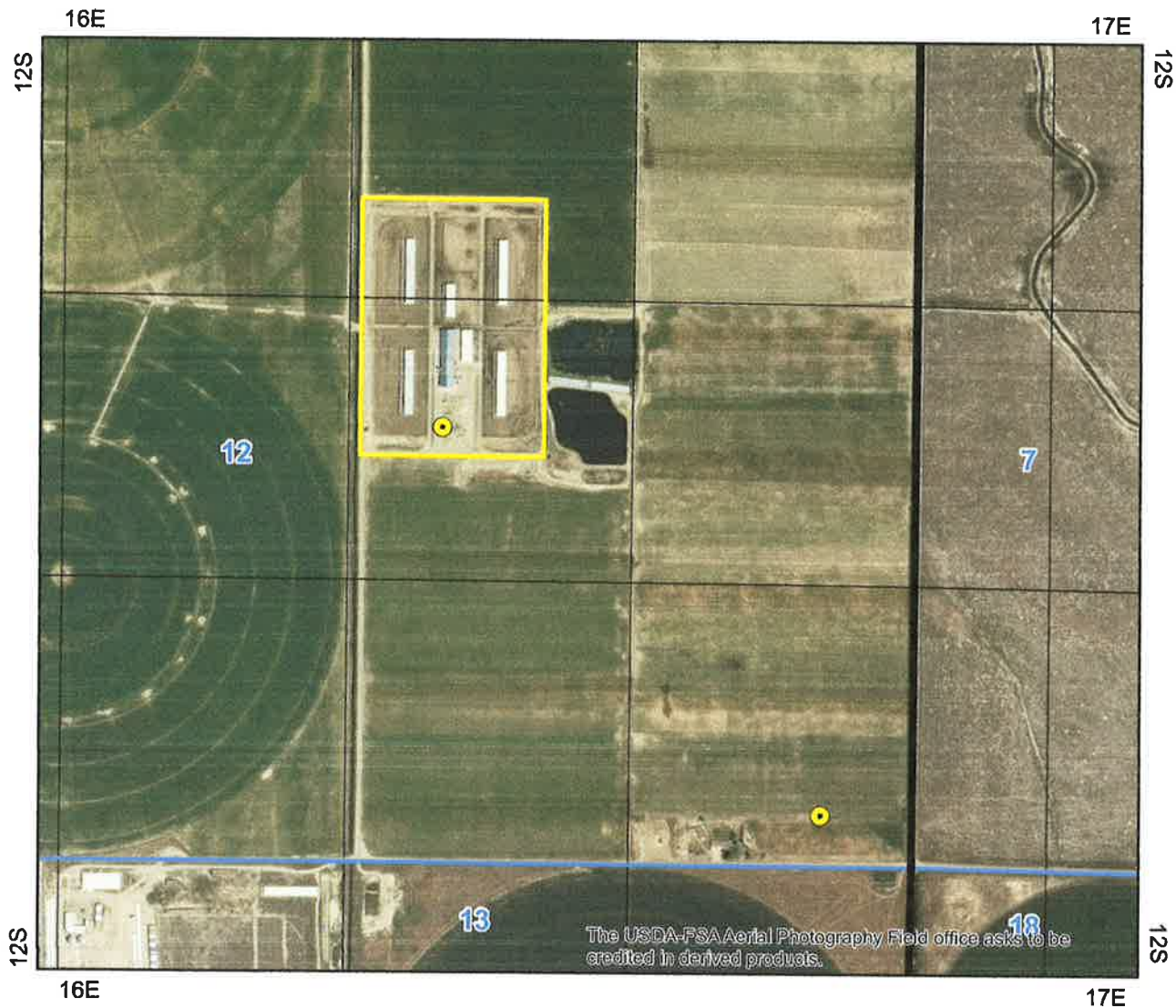


State of Idaho
Department of Water Resources

Water Right
47-17553

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.1 0.2 0.4 Miles



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

6/18/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-17558

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	HOOPS CONSTRUCTION CO , ID
Original Owner	MATHERS RANCH INC 3485 E 3100 N KIMBERLY, ID 83341 2084235847
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 08/08/1954

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.14 CFS	45.7 AFA

COMMERCIAL	01/01	12/31	6.14 CFS	45.7 AFA
Total Diversion			0.14 CFS	45.7 AFA

Location of Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 12	Township 12S	Range 16E	TWIN FALLS County
GROUND WATER	SESE	Sec. 12	Township 12S	Range 16E	TWIN FALLS County

STOCKWATER Use:

Number of stock: 900

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	12		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		13		NENW			SENW							
				NESW										

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	12		SWNE										
				NWSE										

Conditions of Approval:

1. X35 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. X35 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. 01M 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. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 106 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 07/14/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 64.8

Combined Rate Limit: 0.39

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
47-17558

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.1 0.2 0.4 Miles



State of Idaho
Department of Water Resources

Water Right
47-17558

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.3 0.6 1.2 Miles





IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

5/17/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-17563

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONY ORGANIC DAIRY LLC PO BOX 8 TWIN FALLS, ID 83303-0008 2083082590
Original Owner	MATHERS RANCH INC 3485 E 3100 N KIMBERLY, ID 83341 2084235847
Original Owner	MRS HARLEY O FORTNER PO BOX 512 TWIN FALLS, ID 83301
Security Interest	METROPOLITAN LIFE INSURANCE COMPANY AGRICULTURAL INVESTMENTS 10801 MASTIN ST STE 930 OVERLAND PARK, KS 66210-1677 9132172986

Priority Date: 04/03/1961

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
-----------------------	-------------	-----------	-----------------------	---------------

STOCKWATER	01/01	12/31	0.02 CFS	7.6 AFA
COMMERCIAL	01/01	12/31	0.02 CFS	7.6 AFA
Total Diversion			0.02 CFS	7.6 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWSE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County
GROUND WATER | SESE | Sec. 12 | Township 12S | Range 16E | TWIN FALLS County

STOCKWATER Use:

Number of stock: 900

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	12		NENE			NWNE			SWNE			SENE	
				NENW			NWNW			SWNW			SENW	
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE			SESE	
		13		NENW			SENW							
				NESW										

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	16E	12		SWNE										
				NWSE										

Conditions of Approval:

1. X35 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. X35 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. 01M 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. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 106 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 07/14/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 64.8

Combined Rate Limit: 0.39

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



0003993771

**STATE OF IDAHO***Office of the secretary of state, Lawrence 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 #: 0003993771

Date Filed: 9/3/2020 10:21:06 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: PO BOX 8
TWIN FALLS, ID 83303-0008

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.

Sean Mallett

Sign Here

09/03/2020

Date

Job Title: Member

DUPLICATE RECEIVED BY ID SECRETARLY OF STATE LAWRENCE DENNEY



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

August 2, 2021

HARMONY ORGANIC DAIRY LLC
SEAN MALLET
PO BOX 8
TWIN FALLS ID 83301-0008

Re: Withdrawal of Application for Transfer No. 85163, Water Right No. 47-8011A, etc.

Dear Mr. Mallett:

Thank you for your recent withdrawal of the above referenced application for transfer. No further action is necessary at this time.

Please contact our office at 208-736-3033 if you have additional questions on this matter. Also, more information about water rights and other matters administered by this agency is available on our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline for:

Corey Skinner
Southern Regional Manager

c: Gary Funderburg, dba TSK Enterprises LLC

TSK ENTERPRISE LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDHAO 83301
208 320-0897



July 28, 2021

IDAHO DEPT. OF WATER RES.
650 ADDISON AVE WEST
SUITE 500
TWIN FALLS, IDAHO 83301
ATT: Corey Skinner, Benny Walker

RECEIVED
JUL 29 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

This letter is request to with draw the application for Harmony Organic Dairy submitted on 6-21 -21

Please contact Gary L. Funderburg at 208-320-0897 or at the above address if you have further questions.

We will be filing a new application as you requested.

Sincerely Yours

A handwritten signature in blue ink, appearing to read 'Sean Mallett', is written over a horizontal line.

Sean Mallett

TSK ENTERPRISE LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDHAO 83301
208 320-0897

RECEIVED

JUL 19 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION



July 15, 2021

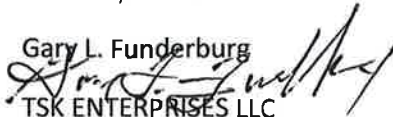
IDAHO DEPT. OF WATER RES.
650 ADDISON AVE WEST
SUITE 500
TWIN FALLS, IDAHO 83301
ATT: Corey Skinner

This letter is request to with draw the application for Harmony Organic Dairy submitted on 6-21 -21

Please contact Gary L. Funderburg at 208-320-0897 or at the above address if you have further questions.

We will be filing a new application as you requested.

Sincerely Yours

Gary L. Funderburg

TSK ENTERPRISES LLC

**TSK ENTERPRISE LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDHAO 83301
208 320-0897**



IDAHO DEPT. OF WATER RES.
650 ADDISON AVE WEST
SUITE 500
TWIN FALLS, IDAHO 83301
ATT: JIM

RECEIVED
JUN 30 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

GENTLEMEN,

Please find enclosed an application for transfer to add a point of diversion, along with a check # 3635 in the amount of \$660.00.

Please contact Gary L. Funderburg at 208-320-0897 or at the above address if you have further questions.

Sincerely Yours

Gary L. Funderburg

TSK ENTERPRISES LLC