

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80573**

This is to certify that: **VANDERVEGT DAIRY LLC**
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-2257	WR/DECREED	4/27/1954	4.740 cfs	1084.4 af	271.1	505.5	GROUND WATER
36-7517	WR/DECREED	12/17/1974	3.670 cfs	959.6 af	239.9	505.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

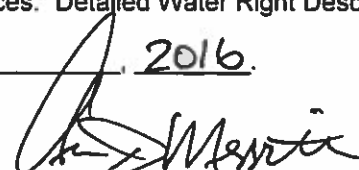
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-2257	YES	YES	YES	NO	NO	NO
36-7517	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-2257	36-17062	0.140 cfs	30.8 af	7.7	14.5	36-2257	4.740 cfs	1084.4 af	271.1	505.5
36-7517	36-17063	0.110 cfs	27.2 af	6.8	14.5	36-7517	3.670 cfs	959.6 af	239.9	505.5
COMBINED TOTALS		0.250 cfs	58.0 af	14.5	14.5		N/A	N/A	N/A	N/A

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 18th day of May, 2016.


Southern Region Manager

SUPPORT DATA

IN FILE # 36-2257

Transfer No. 80573

WATER RIGHT NO. 36-2257**As Modified by Transfer No. 80573**

In accordance with the approval of Transfer No. 80573, Water Right No. 36-2257 is now described as follows:

Right Holder: VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

Priority Date: 4/27/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	4.740 cfs	1084.4 af
			4.740 cfs	1084.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3 (SENENW)	Sec 5	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	SENESW	Sec 5	Twp 09S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5	40.0	40.0	38.3	40.0	40.0		40.0	37.9	38.4	40.0	32.8	40.0	40.0	38.1			505.5
			L 1	L 2			L 3												

Right Acre Limit: 271.1

POU Total Acres: 505.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 271.1 acres within the authorized place of use in a single irrigation season.
2. Rights 36-2257 and 36-7517 when combined shall not exceed a total diversion rate of 8.41 cfs, a total annual maximum diversion volume of 2022 af at the field headgate, and the irrigation of 505.5 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 36-2257

As Modified by Transfer No. 80573

CONDITIONS OF APPROVAL

5. 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.



WATER RIGHT NO. 36-17062**As Modified by Transfer No. 80573**

In accordance with the approval of Transfer No. 80573, Water Right No. 36-17062 is now described as follows:

Right Holder: VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

Priority Date: 4/27/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	0.140 cfs	30.8 af
			0.140 cfs	30.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6	5.8	2.7		6.0													14.5

Right Acre Limit: 7.7

POU Total Acres: 14.5

CONDITIONS OF APPROVAL

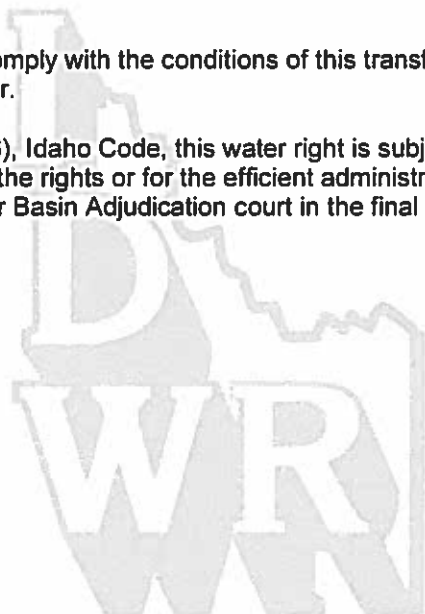
1. This right is limited to the irrigation of 7.7 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 80573, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 80573

WATER RIGHT NO. 36-17062
As Modified by Transfer No. 80573

CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 36-7517**As Modified by Transfer No. 80573**

In accordance with the approval of Transfer No. 80573, Water Right No. 36-7517 is now described as follows:

Right Holder: VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

Priority Date: 12/17/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/15	3.670 cfs	959.6 af
			3.670 cfs	959.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3 (SEENW)	Sec 5	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	SENESW	Sec 5	Twp 09S Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	5	40.0	40.0	38.3	40.0	40.0		40.0	37.9	38.4	40.0	32.8	40.0	40.0	38.1			505.5
			L 1	L 2			L 3												

Right Acre Limit: 239.9

POU Total Acres: 505.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 239.9 acres within the authorized place of use in a single irrigation season.
2. Rights 36-2257 and 36-7517 when combined shall not exceed a total diversion rate of 8.41 cfs, a total annual maximum diversion volume of 2022 af at the field headgate, and the irrigation of 505.5 acres.
3. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

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WATER RIGHT NO. 36-7517
As Modified by Transfer No. 80573

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. 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.



WATER RIGHT NO. 36-17063**As Modified by Transfer No. 80573**

In accordance with the approval of Transfer No. 80573, Water Right No. 36-17063 is now described as follows:

Right Holder: VANDERVEGT DAIRY LLC
4098 HIDDEN LAKES DR
KIMBERLY, ID 83341

Priority Date: 12/17/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/15	0.110 cfs	27.2 af
			0.110 cfs	27.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENE Sec 6 Twp 09S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	22E	6	5.8	2.7		6.0													14.5

Right Acre Limit: 6.8

POU Total Acres: 14.5

CONDITIONS OF APPROVAL

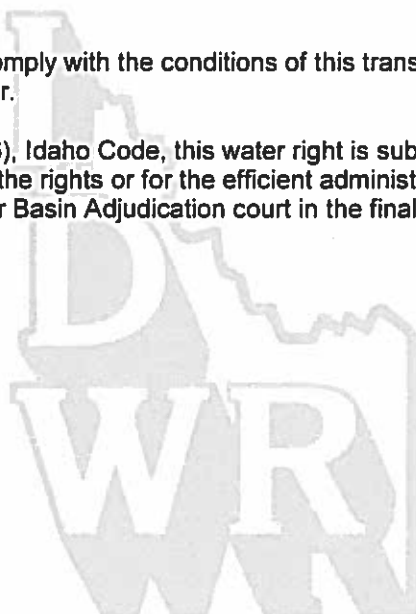
1. This right is limited to the irrigation of 6.8 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 80573, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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WATER RIGHT NO. 36-17063
As Modified by Transfer No. 80573

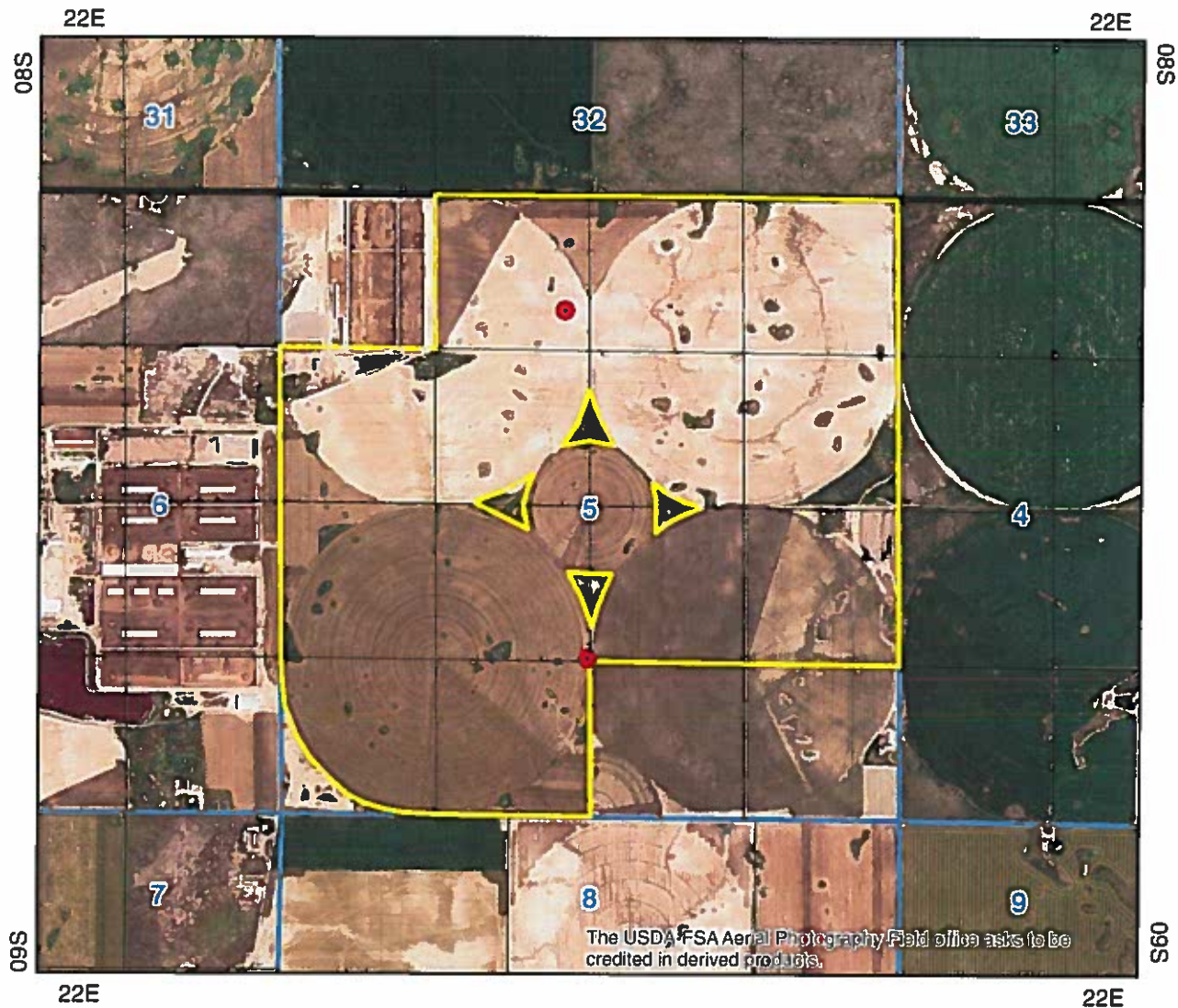
CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 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 No. 80573
Rights: 36-2257 & 36-7517

This map depicts the IRRIGATION 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.



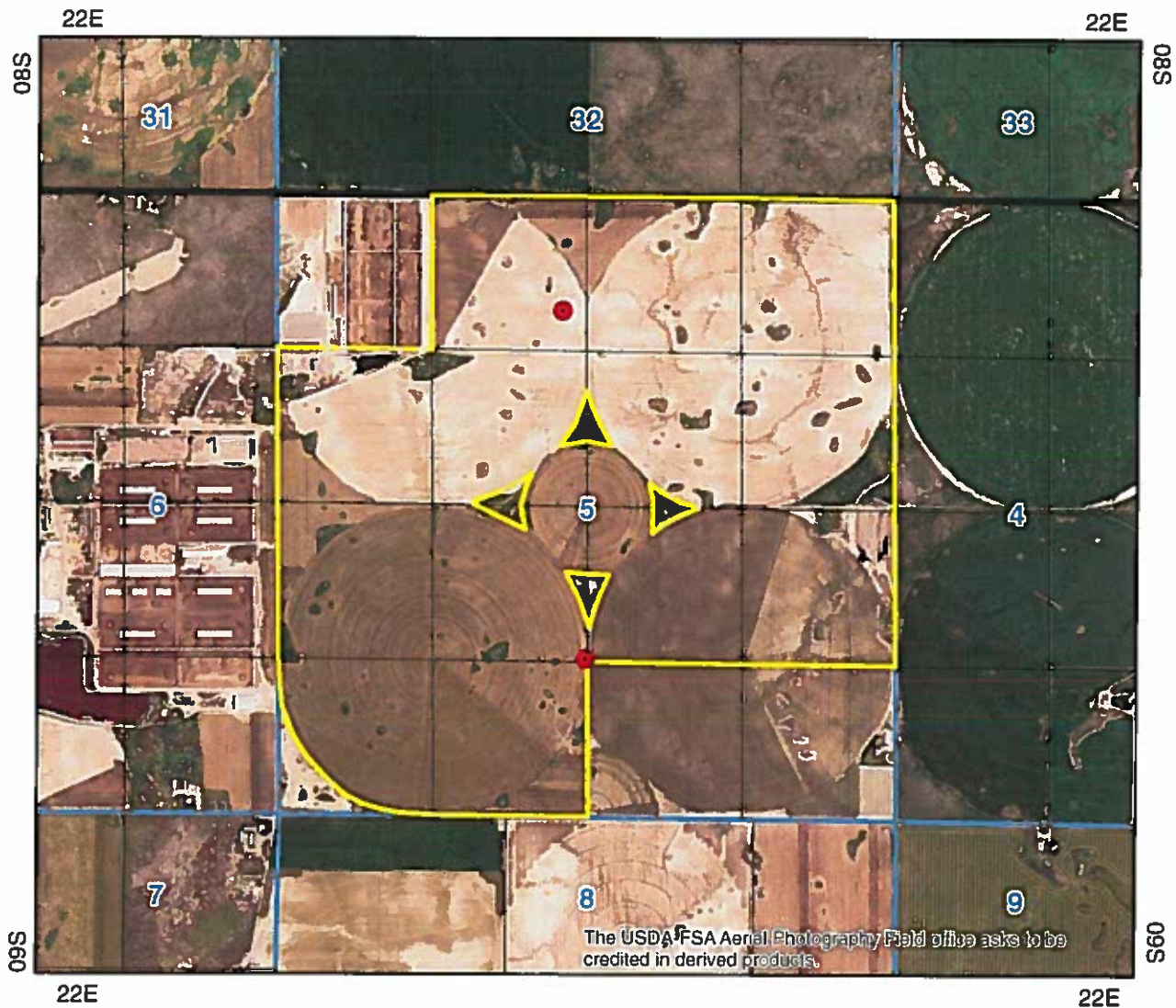
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.175 0.35 0.7 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer No. 80573
Rights: 36-17062 & 36-17063

This map depicts the IRRIGATION 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

0 0.175 0.35 0.7 Miles

