

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80026**

This is to certify that: **SUNVIEW DAIRY LLC**
6600 SW BLANKSMA RD
MOUNTAIN HOME, ID 83647

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>
61-12270	WR/DECREED	2/21/1971	0.260 cfs	64.0 af	N/A	N/A	GROUND WATER
61-2186	WR/DECREED	2/3/1966	3.160 cfs	510.5 af	60.0	920.0	GROUND WATER
61-7222	WR/DECREED	4/14/1975	0.040 cfs	5.5 af	N/A	N/A	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
61-2220	WR/DECREED	4/10/1967	6.400 cfs	1280.0 af	320.0	920.0	GROUND WATER
61-7060	WR/DECREED	6/20/1969	6.400 cfs	1280.0 af	320.0	920.0	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>
61-12270	NO	NO	YES	NO	NO	NO
61-2186	NO	NO	YES	NO	YES	YES
61-7222	NO	NO	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>
61-12270	61-12270	0.260 cfs	64.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
61-2186	61-2186	3.160 cfs	465.0 af	14.5	920.0	N/A	N/A	N/A	N/A	N/A
61-7222	61-7222	0.040 cfs	5.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.460 cfs	534.5 af	14.5	920.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 61-2186

Transfer No. 80026

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80026

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 29th day of February, 2016.

[Signature]
for Chief, Water Allocation Bureau



WATER RIGHT NO. 61-2186**As Modified by Transfer No. 80026**

In accordance with the approval of Transfer No. 80026, Water Right No. 61-2186 is now described as follows:

Right Holder: SUNVIEW DAIRY LLC
6600 SW BLANKSMA RD
MOUNTAIN HOME, ID 83647

Priority Date: 2/3/1966

Source: GROUND WATER

BENEFICIAL USE

	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	1.480 cfs	214.9 af
IRRIGATION	04/01	to 10/31	0.290 cfs	58.0 af
STOCKWATER	01/01	to 12/31	2.300 cfs	328.6 af
			3.160 cfs	465.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S	Rge 06E	ELMORE County
GROUND WATER	SESE	Sec 6	Twp 05S	Rge 06E	ELMORE County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	7	X	X	X	X													
05S	06E	8					X	X	X	X									

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	
05S	05E	12	38.0	39.0	38.0	39.0													154.0
05S	06E	6									40.0	40.0	39.0	39.0	38.0	38.0	38.0	38.0	310.0
05S	06E	7	39.0	39.0	32.0	39.0	39.0	39.0	38.0	39.0									304.0
05S	06E	8	39.0	39.0	39.0	35.0													152.0

Right Acre Limit: 14.5

POU Total Acres: 920.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	7	X	X	X	X													

Transfer No. 80026

WATER RIGHT NO. 61-2186
As Modified by Transfer No. 80026

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	8					X	X	X	X									

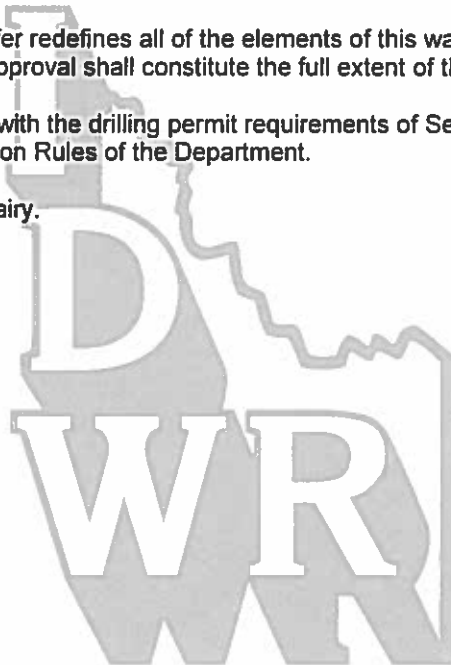
CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
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 total amount of water diverted for irrigation use and shall annually report the information to the Department.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/7/2005.
6. The stockwater and commercial use when combined shall not exceed a total diversion rate of 2.87 cfs, a total annual maximum diversion volume of 407.0 af.
7. This right is limited to the irrigation of 14.5 acres within the place of use described above in a single irrigation season.
8. Rights 61-2186, 61-2220 and 61-7060 when combined shall not exceed the irrigation of 654.5 acres within the place of use described above in a single irrigation season.
9. 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 lands above.
10. The following rights are diverted through points of diversion described above: 61-2186, 61-2220, 61-7060, 61-7222, and 61-12270.
11. Prior to use of water for commercial and stockwater purposes under Right 61-2186, the right holder shall install a measuring device on the dairy mainline to measure the amount of water diverted for dairy use and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.

WATER RIGHT NO. 61-2186
As Modified by Transfer No. 80026

CONDITIONS OF APPROVAL

12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. 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.
14. 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.
15. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
16. Commercial use is for a dairy.



WATER RIGHT NO. 61-7222**As Modified by Transfer No. 80026**

In accordance with the approval of Transfer No. 80026, Water Right No. 61-7222 is now described as follows:

Right Holder: SUNVIEW DAIRY LLC
6600 SW BLANKSMA RD
MOUNTAIN HOME, ID 83647

Priority Date: 4/14/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.010 cfs	1.6 af
STOCKWATER	01/01	to 12/31	0.030 cfs	3.9 af
			0.040 cfs	5.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	SESE	Sec 6	Twp 05S Rge 06E	ELMORE County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	7	X	X	X	X													
05S	06E	8					X	X	X	X									

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	7	X	X	X	X													
05S	06E	8					X	X	X	X									

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 80026

WATER RIGHT NO. 61-7222
As Modified by Transfer No. 80026

CONDITIONS OF APPROVAL

3. 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.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
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. The following rights are diverted through points of diversion described above: 61-2186, 61-2220, 61-7060, 61-7222, and 61-12270.
7. Prior to use of water under this right, the right holder shall install a measuring device to the dairy mainline to measure the amount of water diverted to the dairy and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.
8. Commercial use is for a dairy.

WATER RIGHT NO. 61-12270
As Modified by Transfer No. 80026

In accordance with the approval of Transfer No. 80026, Water Right No. 61-12270 is now described as follows:

Right Holder: SUNVIEW DAIRY LLC
 6600 SW BLANKSMA RD
 MOUNTAIN HOME, ID 83647

Priority Date: 2/21/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.260 cfs	64.0 af
STOCKWATER	01/01	to 12/31	0.260 cfs	64.0 af
			0.260 cfs	64.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	SESE	Sec 6	Twp 05S Rge 06E	ELMORE County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	7	X	X	X	X													
05S	06E	8					X	X	X	X									

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	06E	7	X	X	X	X													
05S	06E	8					X	X	X	X									

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 80026

WATER RIGHT NO. 61-12270
As Modified by Transfer No. 80026

CONDITIONS OF APPROVAL

3. 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.
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. This right does not grant any right-of-way or easement across the land of another.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. 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.
8. The following rights are diverted through point(s) of diversion described above: 61-2186, 61-2220, 61-7060, 61-7222, and 61-12270.
9. Commercial use is for a dairy.

WATER RIGHT NO. 61-2220**As Modified by Transfer No. 80026**

In accordance with the approval of Transfer No. 80026, Water Right No. 61-2220 is now described as follows:

Right Holder: SUNVIEW DAIRY LLC
6600 SW BLANKSMA RD
MOUNTAIN HOME, ID 83647

Priority Date: 4/10/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	6,400 cfs	1280.0 af
			6,400 cfs	1280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	SESE	Sec 6	Twp 05S Rge 06E	ELMORE 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	
05S	05E	12	38.0	39.0	38.0	39.0													154.0
05S	06E	6									40.0	40.0	39.0	39.0	38.0	38.0	38.0	38.0	310.0
05S	06E	7	39.0	39.0	32.0	39.0	39.0	38.0	38.0	39.0									304.0
05S	06E	8	39.0	39.0	39.0	35.0													152.0

Right Acre Limit: 320.0

POU Total Acres: 920.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

Transfer No. 80026

WATER RIGHT NO. 61-2220

As Modified by Transfer No. 80026

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/7/2005.
7. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
8. Rights 61-2186, 61-2220 and 61-7060 when combined shall not exceed the irrigation of 654.5 acres within the place of use described above in a single irrigation season.
9. 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 lands above.
10. The following rights are diverted through points of diversion described above: 61-2186, 61-2220, 61-7060, 61-7222, and 61-12270.

WATER RIGHT NO. 61-7060**As Modified by Transfer No. 80026**

In accordance with the approval of Transfer No. 80026, Water Right No. 61-7060 is now described as follows:

Right Holder: SUNVIEW DAIRY LLC
6600 SW BLANKSMA RD
MOUNTAIN HOME, ID 83647

Priority Date: 6/20/1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	6.400 cfs	1280.0 af
			6.400 cfs	1280.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec 6	Twp 05S Rge 06E	ELMORE County
GROUND WATER	SESE	Sec 6	Twp 05S Rge 06E	ELMORE 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	
05S	05E	12	38.0	39.0	38.0	39.0													154.0
05S	06E	6									40.0	40.0	39.0	39.0	38.0	38.0	38.0	38.0	310.0
05S	06E	7	39.0	39.0	32.0	39.0	39.0	38.0	38.0	39.0									304.0
05S	06E	8	39.0	39.0	39.0	35.0													152.0

Right Acre Limit: 320.0

POU Total Acres: 920.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.

Transfer No. 80026

WATER RIGHT NO. 61-7060
As Modified by Transfer No. 80026

CONDITIONS OF APPROVAL

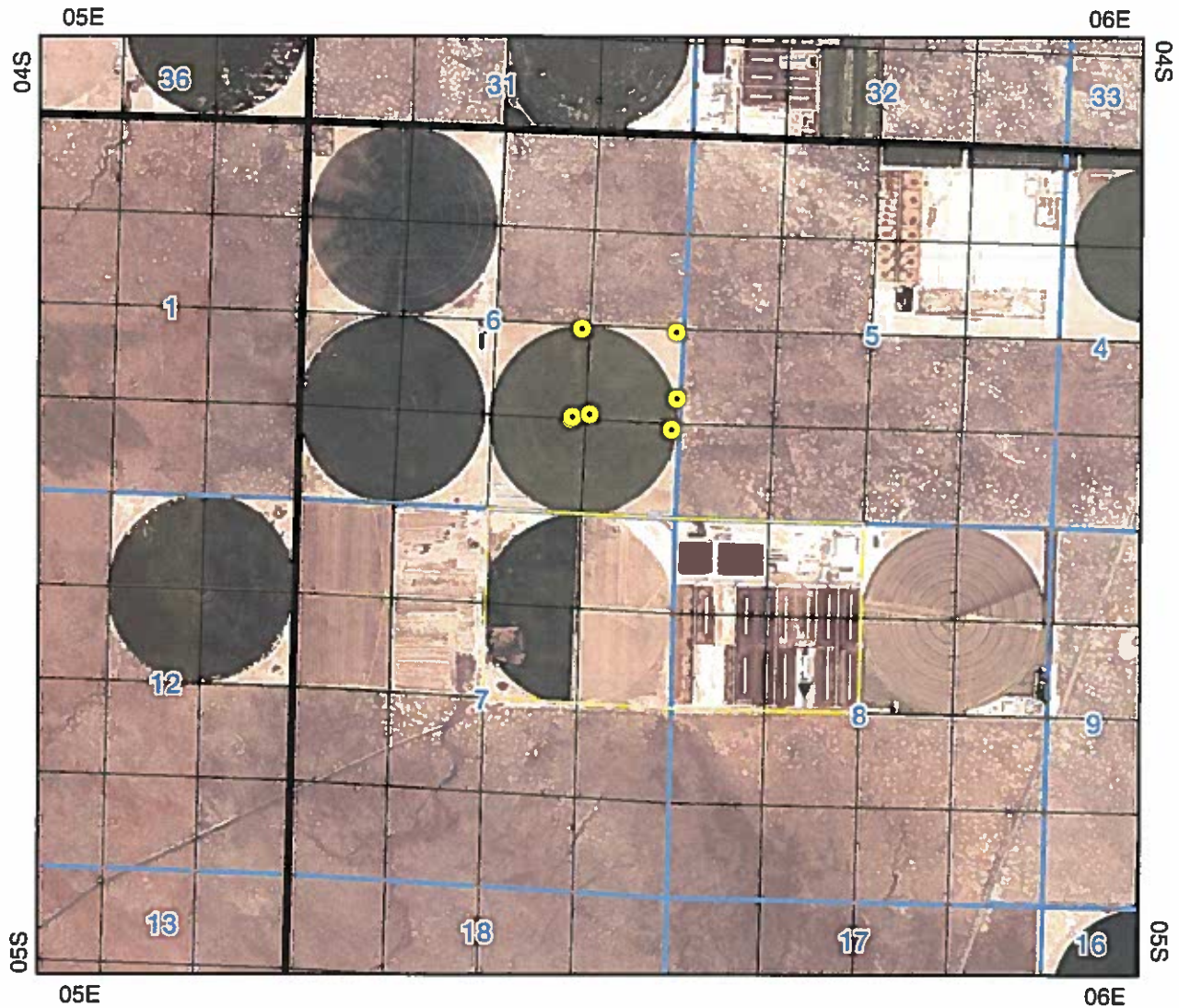
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/7/2005.
7. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
8. Rights 61-2186, 61-2220 and 61-7060 when combined shall not exceed the irrigation of 654.5 acres within the place of use described above in a single irrigation season.
9. 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 lands above.
10. The following rights are diverted through points of diversion described above: 61-2186, 61-2220, 61-7060, 61-7222, and 61-12270.

State of Idaho
Department of Water Resources

Attachment to Application for Transfer 80026

61-2186, 61-7222 & 61-12270

This map depicts the COMMERCIAL and 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.



0 0.3 0.6 1.2 Miles

- Points of Diversion
- Place of Use
- Townships
- PLS Sections

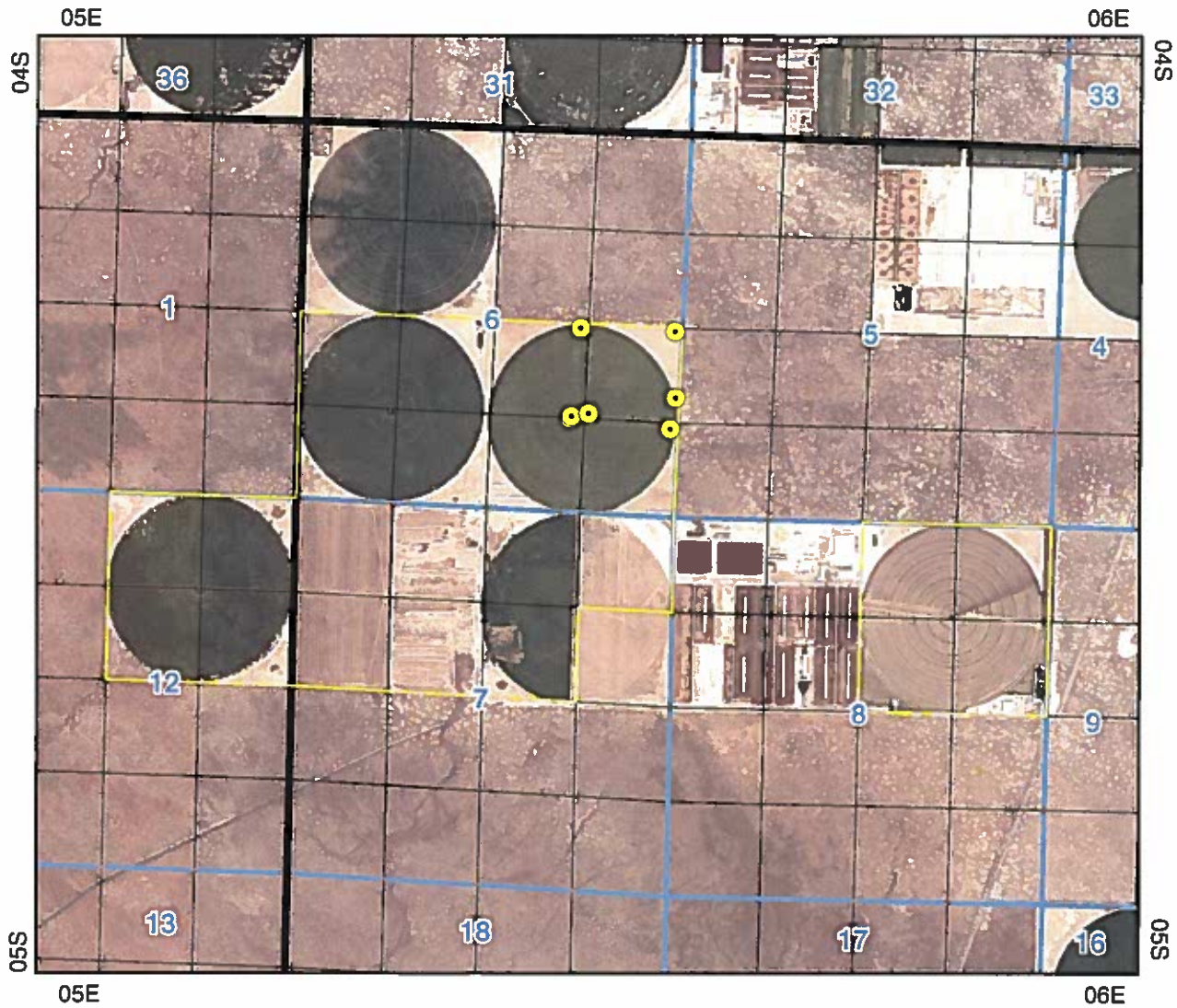


State of Idaho
Department of Water Resources

Attachment to Application for Transfer 80026

61-2186

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.



-  Points of Diversion
-  Place of Use
-  Townships
-  PLS Sections

0 0.3 0.6 1.2 Miles

