

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79142

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

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
36-2257	WR/DECREED	4/27/1954	4.960 cfs	1133.6 af	283.4	534.2	GROUND WATER
36-7517	WR/DECREED	12/17/1974	3.840 cfs	1003.2 af	250.8	534.2	GROUND WATER

Purpose of Transfer (Changes Proposed)

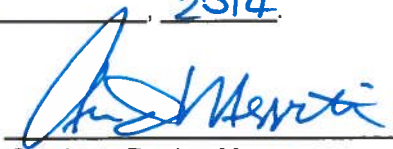
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2257	YES	YES	YES	YES	YES	YES
36-7517	YES	YES	YES	YES	YES	YES

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
36-2257	36-17013	0.080 cfs	14.3 af	N/A	N/A	36-2257	4.880 cfs	1115.2 af	278.8	520.0
36-7517	36-17012	0.060 cfs	12.8 af	N/A	N/A	36-7517	3.780 cfs	986.8 af	246.7	520.0
COMBINED TOTALS		0.140 cfs	27.1 af	N/A	N/A		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 16th day of September, 2014.


Southern Region Manager

SUPPORT DATA
IN FILE # 36-2257

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WATER RIGHT NO. 36-7517**As Modified by Transfer No. 79142**

In accordance with the approval of Transfer No. 79142, 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	3.780 cfs	986.8 af
			3.780 cfs	986.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3 (SENENW)	Sec 5	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec 5	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	5	40.0	40.0	40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			520.0
			L 1	L 2			L 3	L 4											

Right Acre Limit: 246.7

POU Total Acres: 520.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 246.7 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 8.66 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.
3. Right No. 36-02257 is also diverted through point of diversion described above.
4. 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 the date a partial decree is entered for this right.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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WATER RIGHT NO. 36-7517
As Modified by Transfer No. 79142

CONDITIONS OF APPROVAL

6. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
7. 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.



WATER RIGHT NO. 36-17012**As Modified by Transfer No. 79142**

In accordance with the approval of Transfer No. 79142, Water Right No. 36-17012 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>
COMMERCIAL	1/1	to 12/31	0.060 cfs	12.8 af
STOCKWATER	1/1	to 12/31	0.060 cfs	12.8 af
			0.060 cfs	12.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 5 Twp 09S Rge 22E MINIDOKA 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	
09S	22E	5						X											0.0
								L 4											

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	
09S	22E	5						X											0.0
								L 4											

CONDITIONS OF APPROVAL

1. Commercial use is for a heifer facility.
2. Rights 36-17012 and 36-17013 when combined shall not exceed a total diversion rate of 0.14 cfs, and a total annual maximum diversion volume of 27.1 af.
3. 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.

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WATER RIGHT NO. 36-17012

As Modified by Transfer No. 79142

CONDITIONS OF APPROVAL

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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under Transfer approval 79142, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. 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.
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.
10. 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.

WATER RIGHT NO. 36-2257**As Modified by Transfer No. 79142**

In accordance with the approval of Transfer No. 79142, 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	4.880 cfs	1115.2 af
			4.880 cfs	1115.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L3 (SEENW)	Sec 5	Twp 09S Rge 22E	MINIDOKA County
GROUND WATER	NESESW	Sec 5	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	5	40.0	40.0	40.0	40.0	40.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0			520.0
			L 1	L 2			L 3	L 4											

Right Acre Limit: 278.8

POU Total Acres: 520.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 278.8 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 8.66 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.
3. Right No. 36-07517 is also diverted through point of diversion described above.
4. 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 the date a partial decree is entered for this right.
5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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WATER RIGHT NO. 36-2257
As Modified by Transfer No. 79142

CONDITIONS OF APPROVAL

6. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
7. 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.



WATER RIGHT NO. 36-17013**As Modified by Transfer No. 79142**

In accordance with the approval of Transfer No. 79142, Water Right No. 36-17013 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

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/1	to 12/31	0.080 cfs	14.3 af
STOCKWATER	1/1	to 12/31	0.080 cfs	14.3 af
			0.080 cfs	14.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 5 Twp 09S Rge 22E MINIDOKA 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	
09S	22E	5						X											0.0
								L 4											

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	
09S	22E	5						X											0.0
								L 4											

CONDITIONS OF APPROVAL

1. Commercial use is for a heifer facility.
2. Rights 36-17012 and 36-17013 when combined shall not exceed a total diversion rate of 0.14 cfs, and a total annual maximum diversion volume of 27.1 af.
3. 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.

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WATER RIGHT NO. 36-17013

As Modified by Transfer No. 79142

CONDITIONS OF APPROVAL

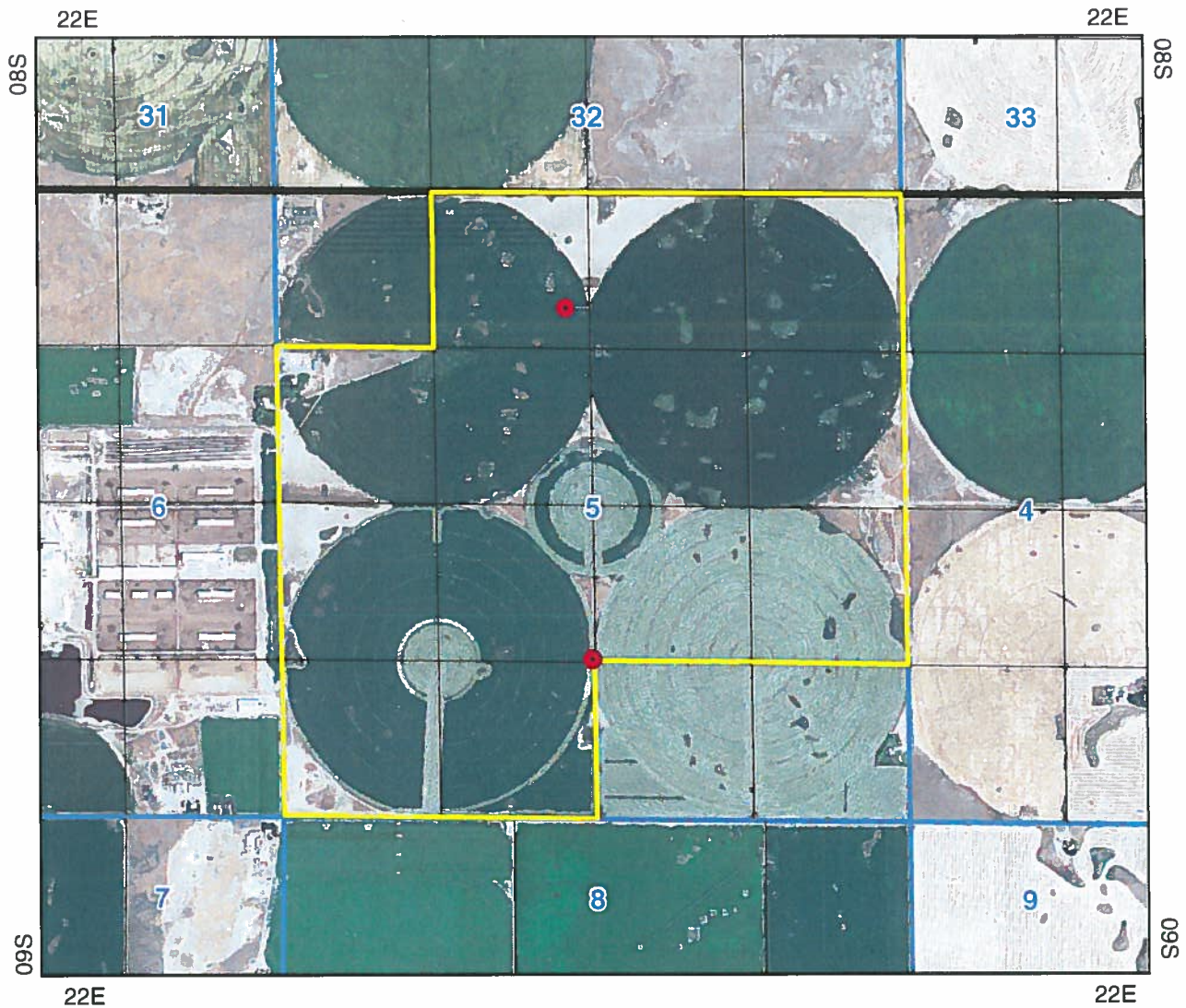
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to diversion and use of water under Transfer approval 79142, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. 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.
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.
10. 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

Attachment To Transfer No, 79142

Rights: 36-2257 and 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.



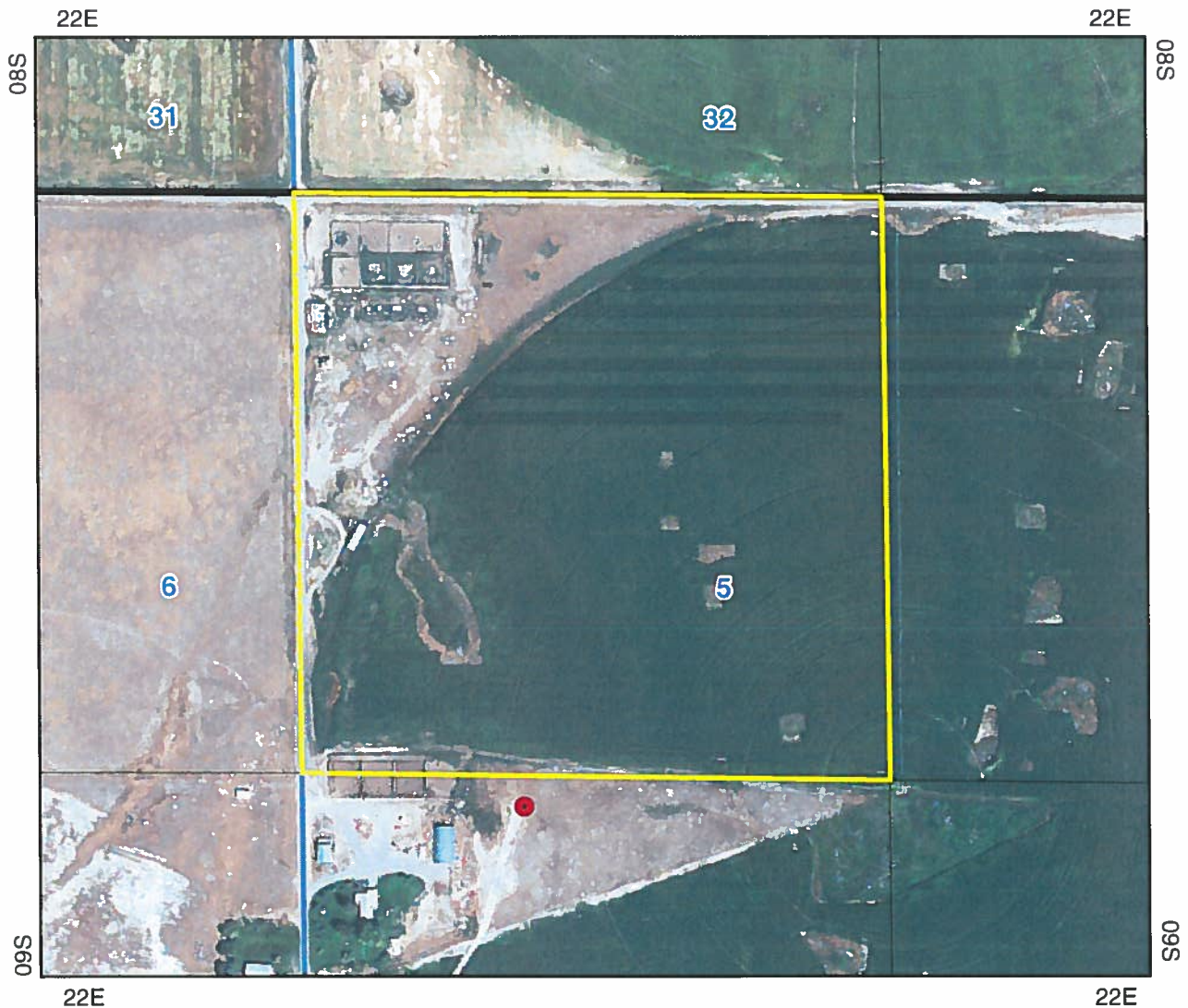
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.175 0.35 0.7 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79142
Rights: 36-17012 and 36-17013

This map depicts the STOCKWATER and COMMERCIAL 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.



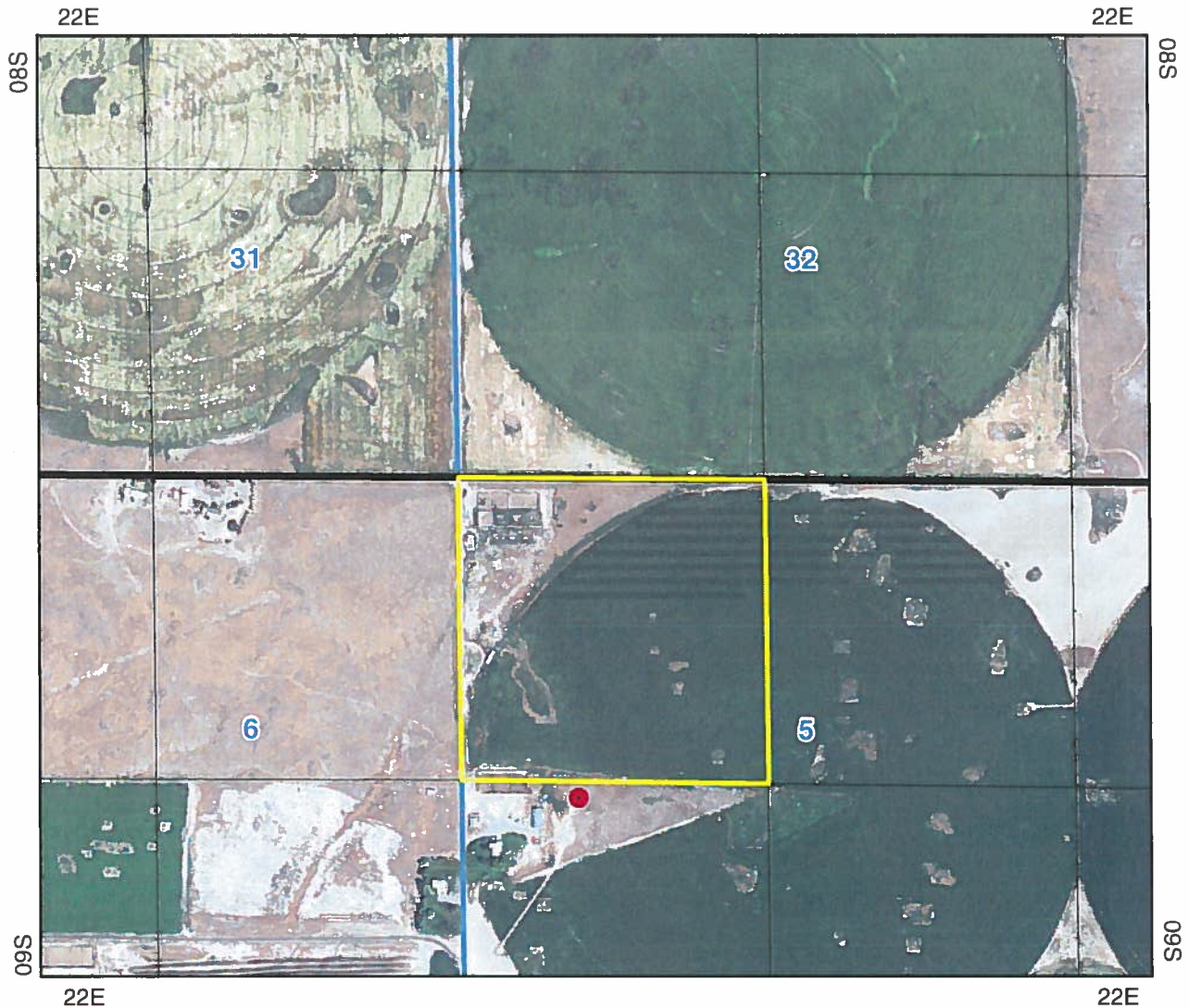
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0475 0.095 0.19 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79142
Rights: 36-17012 & 36-17013

This map depicts the STOCKWATER and COMMERCIAL place of use boundary for these water rightst 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

