

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78948**

This is to certify that: **SUNRISE ORGANIC DAIRY LLC**
329 S 417 E
JEROME, ID 83338

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>
36-2254A	WR/DECREED	3/16/1954	4.360 cfs	1440.0 af	360.0	520.0	GROUND WATER
36-2284	WR/DECREED	5/16/1955	3.060 cfs	1493.1 af	N/A	520.0	GROUND WATER
36-8401	WR/LICENSE	11/28/1988	0.680 cfs	288.6 af	N/A	520.0	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>
36-16396	WR/DECREED	12/8/1981	0.750 cfs	152.3 af		N/A	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>
36-2254A	YES	YES	YES	YES	YES	YES
36-2284	YES	YES	YES	YES	YES	YES
36-8401	YES	YES	YES	YES	YES	YES

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>
36-2254A	36-16993	0.400 cfs	102.0 af	N/A	N/A	36-2254A	3.960 cfs	1307.6 af	326.9	472.2
36-2284	36-16994	0.280 cfs	106.0 af	N/A	N/A	36-2284	2.780 cfs	1355.8 af	N/A	472.2
36-8401	36-16995	0.060 cfs	21.0 af	N/A	N/A	36-8401	0.620 cfs	262.1 af	N/A	472.2
COMBINED TOTALS		0.740 cfs	148.0 af	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 36-2254A

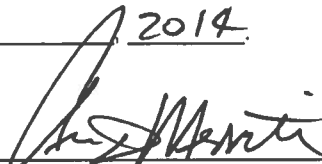
Transfer No. 78948

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78948

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 14th day of August, 2014.


Southern Region Manager



WATER RIGHT NO. 36-2254A
As Modified by Transfer No. 78948

In accordance with the approval of Transfer No. 78948, Water Right No. 36-2254A is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
 329 S 417 E
 JEROME, ID 83338

Priority Date: 3/16/1954

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
 3.960 cfs
 3.960 cfs

Diversion Volume
 1307.6 af
 1307.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE Sec 28 Twp 09S Rge 21E JEROME County
 GROUND WATER SWSW Sec 28 Twp 09S Rge 21E JEROME 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	21E	28			6.1	13.5			20.2	12.3	29.3	37.6	34.7	36.9					292.3
09S	21E	29													22.2	35.7	40.0	26.6	124.5
09S	21E	32	12.6	33.7															46.3
09S	21E	33					0.2	8.9											9.1

Right Acre Limit: 326.9

POU Total Acres: 472.2

CONDITIONS OF APPROVAL

1. 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.
2. This right is limited to the irrigation of 326.9 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2254A, 36-2284, and 36-8401 when combined shall not exceed a total diversion rate of 7.36 cfs, a total annual maximum diversion volume of 1888.8 af at the field headgate, and the irrigation of 472.2 acres.
4. 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.

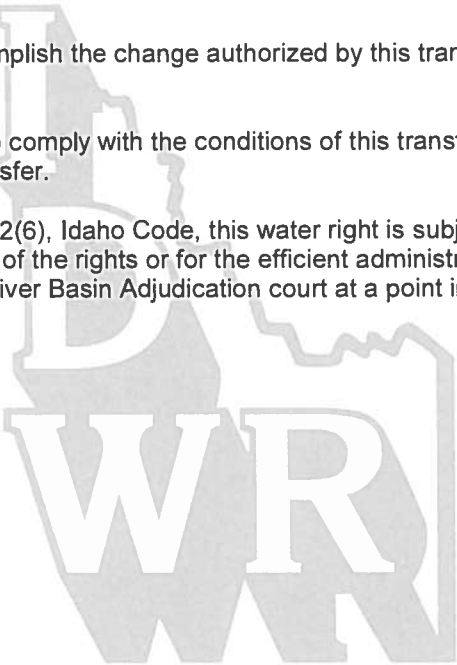
Transfer No. 78948

WATER RIGHT NO. 36-2254A

As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

5. Prior to diversion and use of water under Transfer approval 77949, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points 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 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. 36-16993**As Modified by Transfer No. 78948**

In accordance with the approval of Transfer No. 78948, Water Right No. 36-16993 is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

Priority Date: 3/16/1954

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	0.400 cfs	102.0 af
STOCKWATER	1 /1	to 12/31	0.400 cfs	102.0 af
			0.400 cfs	102.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME 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	
08S	21E	34												X			X		0.0
														L 96			L 96		
08S	21E	34												X			X		0.0
														L 97			L 97		
08S	21E	34															X		0.0
																	L 98		
09S	21E	3		X			X												0.0
				L 96			L 97												

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	
08S	21E	34												X			X		0.0
														L 96			L 96		
08S	21E	34												X			X		0.0
														L 97			L 97		
08S	21E	34															X		0.0
																	L 98		
09S	21E	3		X			X												0.0
				L 96			L 97												

WATER RIGHT NO. 36-16993
As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

1. Rights 36-16993, 36-16994, and 36-16995 when combined shall not exceed a total diversion rate of 0.74 cfs and a total annual maximum diversion volume of 148 af.
2. Rights 36-16993, 36-16994, 36-16995, and 36-16396 when combined shall not exceed a total diversion rate of 1.49 cfs and a total annual maximum diversion volume of 300.3 af.
3. Prior to diversion and use of water under Transfer approval 74948, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. 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.
6. 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.
7. Place of use for Stockwater/Commercial use is within Farm Tracts C and D of S3, T09S, R21E and Farm Tracts B, C and D of S34, T08S, R21E. All Points of Diversion are within Farm Tract D of S3, T09S, R21E.
8. The following convention is used to convert the government lots listed in the points of diversion to the official U.S. government tract designation: Lot 99 = Tract A, Lot 98 = Tract B, Lot 97 = Tract C, Lot 96 = Tract D, Lot 95 = Tract E, Lot 94 = Tract F, Lot 93 = Tract G, Lot 92 = Tract H, Lot 91 = Tract J, Lot 90 = Tract K, Lot 89 = Tract L, Lot 88 = Tract M, Lot 87 = Tract N, Lot 86 = Tract O, Lot 85 = Tract P, Lot 84 = Tract Q, Lot 83 = Tract R, Lot 82 = Tract S.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 36-2284**As Modified by Transfer No. 78948**

In accordance with the approval of Transfer No. 78948, Water Right No. 36-2284 is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

Priority Date: 5/16/1955

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
2.780 cfs
2.780 cfs

Diversion Volume
1355.8 af
1355.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE
GROUND WATER SWSW

Sec 28 Twp 09S Rge 21E JEROME County
Sec 28 Twp 09S Rge 21E JEROME 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	21E	28			6.1	13.5			20.2	12.3	29.3	37.6	34.7	36.9	37.8	21.9	27.0	15.0	292.3
09S	21E	29													22.2	35.7	40.0	26.6	124.5
09S	21E	32	12.6	33.7															46.3
09S	21E	33					0.2	8.9											9.1

POU Total Acres: 472.2

CONDITIONS OF APPROVAL

1. 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.
2. Rights 36-2254A, 36-2284, and 36-8401 when combined shall not exceed a total diversion rate of 7.36 cfs, a total annual maximum diversion volume of 1888.8 af at the field headgate, and the irrigation of 472.2 acres.
3. 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.
4. Prior to diversion and use of water under Transfer approval 77949, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.

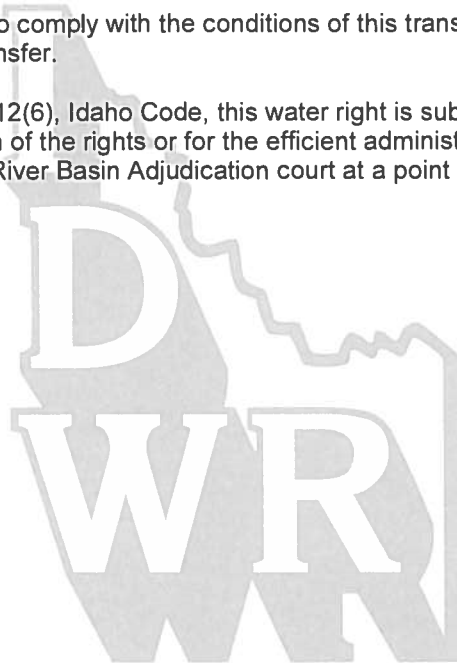
Transfer No. 78948

WATER RIGHT NO. 36-2284

As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 36-16994**As Modified by Transfer No. 78948**

In accordance with the approval of Transfer No. 78948, Water Right No. 36-16994 is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

Priority Date: 5/16/1955

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	0.280 cfs	106.0 af
STOCKWATER	1/1	to 12/31	0.280 cfs	106.0 af
			0.280 cfs	106.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	21E	34												X			X		0.0
														L 96			L 96		
08S	21E	34												X			X		0.0
														L 97			L 97		
08S	21E	34															X		0.0
																	L 98		
09S	21E	3		X			X												0.0
				L 96			L 97												

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	
08S	21E	34												X			X		0.0
														L 96			L 96		
08S	21E	34												X			X		0.0
														L 97			L 97		
08S	21E	34															X		0.0
																	L 98		
09S	21E	3		X			X												0.0
				L 96			L 97												

WATER RIGHT NO. 36-16994
As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

1. Rights 36-16993, 36-16994, and 36-16995 when combined shall not exceed a total diversion rate of 0.74 cfs and a total annual maximum diversion volume of 148 af.
2. Rights 36-16993, 36-16994, 36-16995, and 36-16396 when combined shall not exceed a total diversion rate of 1.49 cfs and a total annual maximum diversion volume of 300.3 af.
3. Prior to diversion and use of water under Transfer approval 74948, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. 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.
6. 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.
7. Place of use for Stockwater/Commercial use is within Farm Tracts C and D of S3, T09S, R21E and Farm Tracts B, C and D of S34, T08S, R21E. All Points of Diversion are within Farm Tract D of S3, T09S, R21E.
8. The following convention is used to convert the government lots listed in the points of diversion to the official U.S. government tract designation: Lot 99 = Tract A, Lot 98 = Tract B, Lot 97 = Tract C, Lot 96 = Tract D, Lot 95 = Tract E, Lot 94 = Tract F, Lot 93 = Tract G, Lot 92 = Tract H, Lot 91 = Tract J, Lot 90 = Tract K, Lot 89 = Tract L, Lot 88 = Tract M, Lot 87 = Tract N, Lot 86 = Tract O, Lot 85 = Tract P, Lot 84 = Tract Q, Lot 83 = Tract R, Lot 82 = Tract S.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 36-8401**As Modified by Transfer No. 78948**

In accordance with the approval of Transfer No. 78948, Water Right No. 36-8401 is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

Priority Date: 11/28/1988

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.620 cfs
0.620 cfs

Diversion Volume
262.1 af
262.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE
GROUND WATER SWSW

Sec 28 Twp 09S Rge 21E JEROME County
Sec 28 Twp 09S Rge 21E JEROME 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	21E	28			6.1	13.5			20.2	12.3	29.3	37.6	34.7	36.9					292.3
09S	21E	29													22.2	35.7	40.0	26.6	124.5
09S	21E	32	12.6	33.7															46.3
09S	21E	33					0.2	8.9											9.1

POU Total Acres: 472.2

CONDITIONS OF APPROVAL

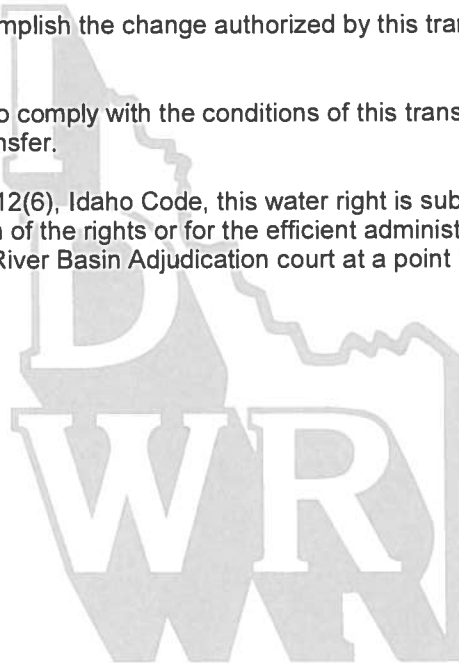
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
2. Rights 36-2254A, 36-2284, and 36-8401 when combined shall not exceed a total diversion rate of 7.36 cfs, a total annual maximum diversion volume of 1888.8 af at the field headgate, and the irrigation of 472.2 acres.
3. 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.
4. Prior to diversion and use of water under Transfer approval 77949, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.

Transfer No. 78948

WATER RIGHT NO. 36-8401
As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



WATER RIGHT NO. 36-16995**As Modified by Transfer No. 78948**

In accordance with the approval of Transfer No. 78948, Water Right No. 36-16995 is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

Priority Date: 11/28/1988

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	21.0 af
STOCKWATER	1 / 1	to 12/31	0.060 cfs	21.0 af
			0.060 cfs	21.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME 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	
08S	21E	34												X			X		0.0
														L 96			L 96		
08S	21E	34												X			X		0.0
														L 97			L 97		
08S	21E	34															X		0.0
																	L 98		
09S	21E	3		X			X												0.0
				L 96			L 97												

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	
08S	21E	34												X			X		0.0
														L 96			L 96		
08S	21E	34												X			X		0.0
														L 97			L 97		
08S	21E	34															X		0.0
																	L 98		
09S	21E	3		X			X												0.0
				L 96			L 97												

WATER RIGHT NO. 36-16995
As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

1. Rights 36-16993, 36-16994, and 36-16995 when combined shall not exceed a total diversion rate of 0.74 cfs and a total annual maximum diversion volume of 148 af.
2. Rights 36-16993, 36-16994, 36-16995, and 36-16396 when combined shall not exceed a total diversion rate of 1.49 cfs and a total annual maximum diversion volume of 300.3 af.
3. Prior to diversion and use of water under Transfer approval 74948, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. 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.
6. 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.
7. Place of use for Stockwater/Commercial use is within Farm Tracts C and D of S3, T09S, R21E and Farm Tracts B, C and D of S34, T08S, R21E. All Points of Diversion are within Farm Tract D of S3, T09S, R21E.
8. The following convention is used to convert the government lots listed in the points of diversion to the official U.S. government tract designation: Lot 99 = Tract A, Lot 98 = Tract B, Lot 97 = Tract C, Lot 96 = Tract D, Lot 95 = Tract E, Lot 94 = Tract F, Lot 93 = Tract G, Lot 92 = Tract H, Lot 91 = Tract J, Lot 90 = Tract K, Lot 89 = Tract L, Lot 88 = Tract M, Lot 87 = Tract N, Lot 86 = Tract O, Lot 85 = Tract P, Lot 84 = Tract Q, Lot 83 = Tract R, Lot 82 = Tract S.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 36-16396**As Modified by Transfer No. 78948**

In accordance with the approval of Transfer No. 78948, Water Right No. 36-16396 is now described as follows:

Right Holder: SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

Priority Date: 12/8/1981

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	0.750 cfs	152.3 af
STOCKWATER	01/01	to 12/31	0.750 cfs	152.3 af
			0.750 cfs	152.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME County
GROUND WATER	L96 (NWNE)	Sec 3	Twp 09S Rge 21E	JEROME 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	
08S	21E	34												X			X		
														L 96			L 96		
08S	21E	34												X			X		
														L 97			L 97		
08S	21E	34															X		
																	L 98		
09S	21E	3		X			X												
				L 96			L 97												

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	
08S	21E	34												X			X		
														L 96			L 96		
08S	21E	34												X			X		
														L 97			L 97		
08S	21E	34															X		
																	L 98		
09S	21E	3		X			X												
				L 96			L 97												

WATER RIGHT NO. 36-16396

As Modified by Transfer No. 78948

CONDITIONS OF APPROVAL

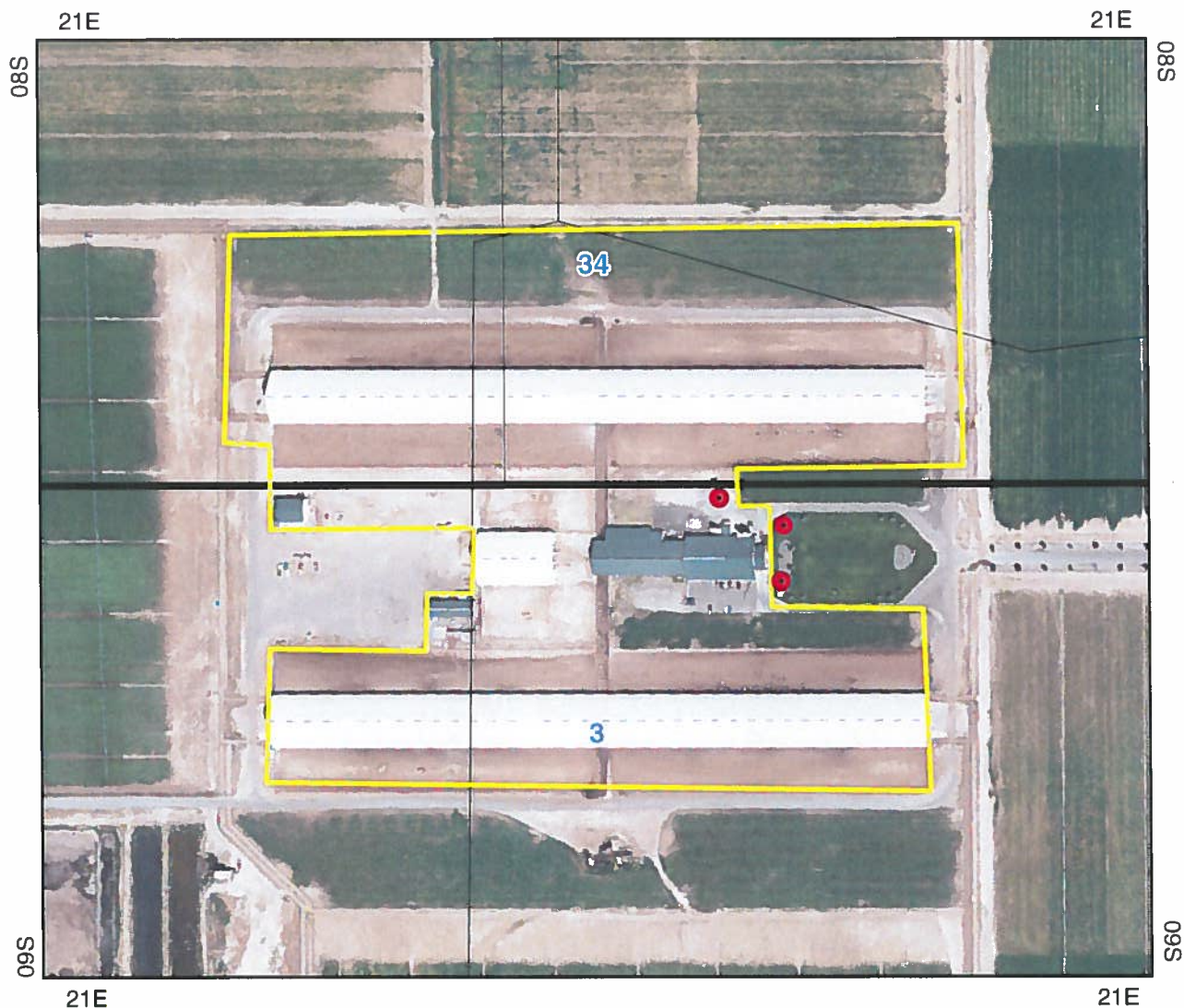
1. Rights 36-16993, 36-16994, 36-16995, and 36-16396 when combined shall not exceed a total diversion rate of 1.49 cfs and a total annual maximum diversion volume of 300.3 af.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. Prior to the diversion and use of water under Transfer approval 78050, the right holder shall install and maintain acceptable measuring devices at the authorized points 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.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
5. Commercial use is for a dairy.
6. Place of use for Stockwater use is within Farm Tracts C and D of S3, T09S, R21E and Farm Tracts B, C and D of S34, T08S, R21E.
Place of use for Commercial use is within Farm Tracts C and D of S3, T09S, R21E.
All Points of Diversion are within Farm Tract D of S3, T09S, R21E.
7. The following convention is used to convert the government lots listed in the points of diversion to the official U.S. government tract designation: Lot 99 = Tract A, Lot 98 = Tract B, Lot 97 = Tract C, Lot 96 = Tract D, Lot 95 = Tract E, Lot 94 = Tract F, Lot 93 = Tract G, Lot 92 = Tract H, Lot 91 = Tract J, Lot 90 = Tract K, Lot 89 = Tract L, Lot 88 = Tract M, Lot 87 = Tract N, Lot 86 = Tract O, Lot 85 = Tract P, Lot 84 = Tract Q, Lot 83 = Tract R, Lot 82 = Tract S.
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. 78948

Rights: 36-16993, 36-16994, 36-16995 and 36-16396

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 0.045 0.09 0.18 Miles

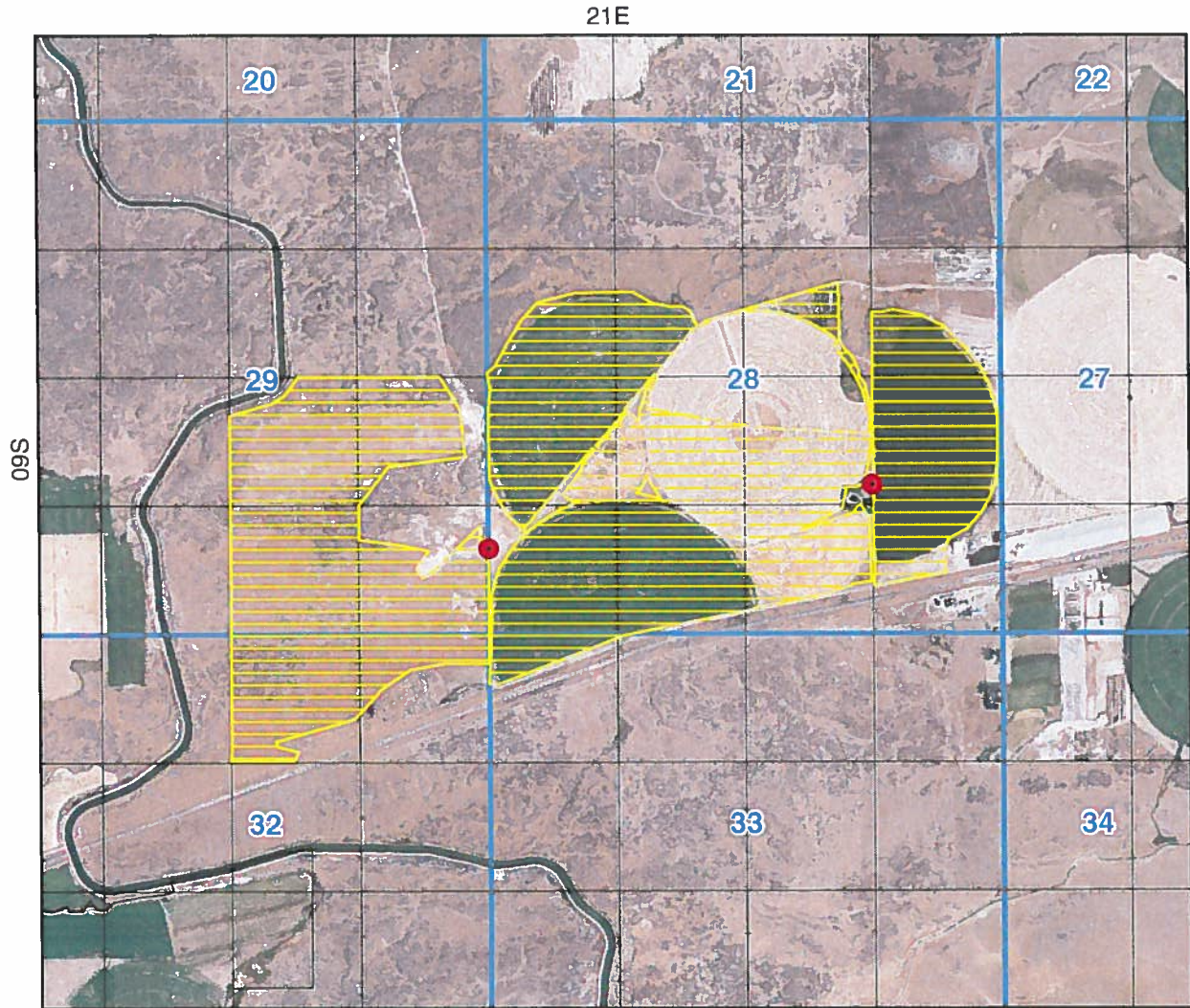


State of Idaho
Department of Water Resources

Attachment To Transfer No. 78948

Rights: 36-2254A, 36-2284 and 36-8401

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 0.225 0.45 0.9 Miles

