

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78769**

This is to certify that: **BILL GILTNER**
G & G DAIRY
PO BOX 36
JEROME, ID 83338

MIKE GRIFFITH
PO BOX 468
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>
36-14833	WR/DECREED	2/2/1920	0.060 cfs	3.2 af	N/A	N/A	GROUND WATER
36-14834	WR/DECREED	12/12/1979	0.040 cfs	0.6 af	N/A	N/A	GROUND WATER
36-14835	WR/DECREED	2/2/1920	0.060 cfs	3.2 af	N/A	N/A	GROUND WATER
36-15745	WR/DECREED	12/3/1966	0.280 cfs	25.2 af	N/A	N/A	GROUND WATER
36-15747	WR/DECREED	10/18/1968	0.360 cfs	44.3 af	N/A	N/A	GROUND WATER
36-15749	WR/DECREED	2/18/1971	0.150 cfs	11.6 af	N/A	N/A	GROUND WATER
36-15757	WR/DECREED	3/1/1930	0.050 cfs	9.8 af	N/A	N/A	GROUND WATER
36-8532	WR/LICENSE	4/10/1990	0.180 cfs	13.8 af	N/A	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>
36-14833	NO	YES	NO	NO	NO	NO
36-14834	NO	YES	NO	NO	NO	NO
36-14835	NO	YES	NO	NO	NO	NO
36-15745	NO	YES	NO	NO	NO	NO
36-15747	NO	YES	NO	NO	NO	NO
36-15749	NO	YES	NO	NO	NO	NO
36-15757	NO	YES	NO	NO	NO	NO
36-8532	NO	YES	NO	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>
36-14833	36-14833	0.060 cfs	3.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-14834	36-14834	0.040 cfs	0.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-14835	36-14835	0.060 cfs	3.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-15745	36-15745	0.280 cfs	25.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Transfer No. 78769

SUPPORT DATA

IN FILE # 36-8532

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

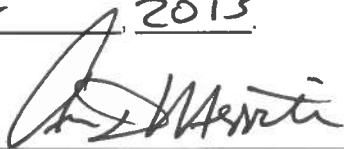
TRANSFER OF WATER RIGHT
TRANSFER NO. 78769

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>
36-15747	36-15747	0.360 cfs	44.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-15749	36-15749	0.150 cfs	11.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-15757	36-15757	0.050 cfs	9.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8532	36-8532	0.180 cfs	13.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.690 cfs	111.7 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 20th day of September, 2013.


Southern Region Manager

WATER RIGHT NO. 36-15745**As Modified by Transfer No. 78769**

In accordance with the approval of Transfer No. 78769, Water Right No. 36-15745 is now described as follows:

Right Holder: G & G DAIRY And
BILL GILTNER
PO BOX 36
JEROME, ID 83338
And
MIKE GRIFFITH
PO BOX 468
JEROME, ID 83338

Priority Date: 12/3/1966

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

01/01
01/01

To

to 12/31
to 12/31

Diversion Rate

0.280 cfs
0.280 cfs
0.280 cfs

Diversion Volume

25.2 af
25.2 af
25.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	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	17E	4															X	X	

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	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 36-15745 and 36-15747 when combined shall not exceed a total diversion rate of 0.36 cfs.

WATER RIGHT NO. 36-15745
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

2. Beginning on the date of approval of Transfer 69357, Rights 36-15745, 36-15747 and 36-15749 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 1 through 5 the rights are limited to 48.4 afa.
Years 6 through 10 the rights are limited to 56.9 afa.
Years 11 through 15 the rights are limited to 64.2afa.
Years 16 through 20 the rights are limited to 69.0 afa.
Years 21 through 29 the rights are limited to 72.6 afa.
Years 30 through 40 the rights are limited to 77.5 afa.
Years 41 through 50 the rights are limited to 78.7 afa.
Years 51 through 70 the rights are limited to 79.9 afa.
Years 71 and beyond the rights are limited to 81.1 afa.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 111.7 af.
4. Prior to diversion and use of water under Transfer approval 78769, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. 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.
7. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Commercial use is for a dairy with barn located in the SWSE and SESE S4, T8S, R17E.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

WATER RIGHT NO. 36-15745
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

12. Use of water under this right may be affected by an agreement between the protestant and the right holder.
13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 69357. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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. 36-15747
As Modified by Transfer No. 78769

In accordance with the approval of Transfer No. 78769, Water Right No. 36-15747 is now described as follows:

Right Holder: G & G DAIRY And
 BILL GILTNER
 PO BOX 36
 JEROME, ID 83338
 And
 MIKE GRIFFITH
 PO BOX 468
 JEROME, ID 83338

Priority Date: 10/18/1968

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
 STOCKWATER

From

01/01
 01/01

To

to 12/31
 to 12/31

Diversion Rate

0.360 cfs
 0.360 cfs
 0.360 cfs

Diversion Volume

44.3 af
 44.3 af
 44.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	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	17E	4															X	X	

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	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 36-15745 and 36-15747 when combined shall not exceed a total diversion rate of 0.36 cfs.

WATER RIGHT NO. 36-15747
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

2. Beginning on the date of approval of Transfer 69357, Rights 36-15745, 36-15747 and 36-15749 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 1 through 5 the rights are limited to 48.4 afa.
Years 6 through 10 the rights are limited to 56.9 afa.
Years 11 through 15 the rights are limited to 64.2afa.
Years 16 through 20 the rights are limited to 69.0 afa.
Years 21 through 29 the rights are limited to 72.6 afa.
Years 30 through 40 the rights are limited to 77.5 afa.
Years 41 through 50 the rights are limited to 78.7 afa.
Years 51 through 70 the rights are limited to 79.9 afa.
Years 71 and beyond the rights are limited to 81.1 afa.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 111.7 af.
4. Prior to diversion and use of water under Transfer approval 78769, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. 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.
7. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Commercial use is for a dairy with barn located in the SWSE and SESE S4, T8S, R17E.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

WATER RIGHT NO. 36-15747
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

12. Use of water under this right may be affected by an agreement between the protestant and the right holder.
13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 69357. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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. 36-15749
As Modified by Transfer No. 78769

In accordance with the approval of Transfer No. 78769, Water Right No. 36-15749 is now described as follows:

Right Holder: G & G DAIRY And
 BILL GILTNER
 PO BOX 36
 JEROME, ID 83338
 And
 MIKE GRIFFITH
 PO BOX 468
 JEROME, ID 83338

Priority Date: 2/18/1971

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
 STOCKWATER

From

01/01
 01/01

To

to 12/31
 to 12/31

Diversion Rate

0.150 cfs
 0.150 cfs
 0.150 cfs

Diversion Volume

11.6 af
 11.6 af
 11.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	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	17E	4															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	
08S	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

1. Rights 36-15745 and 36-15747 when combined shall not exceed a total diversion rate of 0.36 cfs.

Transfer No. 78769

WATER RIGHT NO. 36-15749
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

2. Beginning on the date of approval of Transfer 69357, Rights 36-15745, 36-15747 and 36-15749 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Years 1 through 5 the rights are limited to 48.4 afa.
Years 6 through 10 the rights are limited to 56.9 afa.
Years 11 through 15 the rights are limited to 64.2afa.
Years 16 through 20 the rights are limited to 69.0 afa.
Years 21 through 29 the rights are limited to 72.6 afa.
Years 30 through 40 the rights are limited to 77.5 afa.
Years 41 through 50 the rights are limited to 78.7 afa.
Years 51 through 70 the rights are limited to 79.9 afa.
Years 71 and beyond the rights are limited to 81.1 afa.
3. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15747, 36-15745 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 108.7 af.
4. Prior to diversion and use of water under Transfer approval 78769, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. 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.
6. 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.
7. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Commercial use is for a dairy with barn located in the SWSE and SESE S4, T8S, R17E.
10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

WATER RIGHT NO. 36-15749
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

12. Use of water under this right may be affected by an agreement between the protestant and the right holder.
13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from Transfer approval 69357. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
14. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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. 36-15757
As Modified by Transfer No. 78769

In accordance with the approval of Transfer No. 78769, Water Right No. 36-15757 is now described as follows:

Right Holder: G & G DAIRY And
 BILL GILTNER
 PO BOX 36
 JEROME, ID 83338
 And
 MIKE GRIFFITH
 PO BOX 468
 JEROME, ID 83338

Priority Date: 3/1/1930

Source: GROUND WATER

BENEFICIAL USE
 STOCKWATER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
01/01	to 12/31	0.050 cfs	9.8 af
		0.050 cfs	9.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County

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	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 111.7 af.
2. Prior to diversion and use of water under Transfer approval 78769, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
3. 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.

Transfer No. 78769

WATER RIGHT NO. 36-15757
As Modified by Transfer No. 78769

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Use of water under this right may be affected by an agreement between the protestant and the right holder.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 36-8532**As Modified by Transfer No. 78769**

In accordance with the approval of Transfer No. 78769, Water Right No. 36-8532 is now described as follows:

Right Holder: G & G DAIRY And
BILL GILTNER
PO BOX 36
JEROME, ID 83338
And
MIKE GRIFFITH
PO BOX 468
JEROME, ID 83338

Priority Date: 4/10/1990

Source: GROUND WATER

BENEFICIAL USE

STOCKWATER

From

01/01

To

to 12/31

Diversion Rate

0.180 cfs

0.180 cfs

Diversion Volume

13.8 af

13.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County

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	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 108.7 af.
2. Prior to diversion and use of water under Transfer approval 78769, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
3. 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.

Transfer No. 78769

WATER RIGHT NO. 36-8532

As Modified by Transfer No. 78769

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Use of water under this right may be affected by an agreement between the protestant and the right holder.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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. 36-14833
As Modified by Transfer No. 78769

In accordance with the approval of Transfer No. 78769, Water Right No. 36-14833 is now described as follows:

Right Holder: G & G DAIRY And
 BILL GILTNER
 PO BOX 36
 JEROME, ID 83338
 And
 MIKE GRIFFITH
 PO BOX 468
 JEROME, ID 83338

Priority Date: 2/2/1920

Source: GROUND WATER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DOMESTIC	01/01	to 12/31	0.040 cfs	1.2 af
STOCKWATER	01/01	to 12/31	0.020 cfs	2.0 af
			0.060 cfs	3.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County

PLACE OF USE: DOMESTIC

			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	17E	4															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	
08S	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

- Domestic use is for 1 home including irrigation of lawn less than 1/2 acre. When rights 36-14833, 36-14834 and 36-14835 are combined they provide for a total of 3 homes.

Transfer No. 78769

WATER RIGHT NO. 36-14833
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

2. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 111.7 af.
3. Prior to diversion and use of water under Transfer approval 78769, 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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Use of water under this right may be affected by an agreement between the protestant and the right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 36-14834
As Modified by Transfer No. 78769

In accordance with the approval of Transfer No. 78769, Water Right No. 36-14834 is now described as follows:

Right Holder: G & G DAIRY And
 BILL GILTNER
 PO BOX 36
 JEROME, ID 83338
 And
 MIKE GRIFFITH
 PO BOX 468
 JEROME, ID 83338

Priority Date: 12/12/1979

Source: GROUND WATER

BENEFICIAL USE

DOMESTIC

From
 01/01

To
 to 12/31

Diversion Rate

0.040 cfs
 0.040 cfs

Diversion Volume

0.6 af
 0.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County

PLACE OF USE: DOMESTIC

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	17E	4															X		

CONDITIONS OF APPROVAL

- Domestic use is for 1 home and does not include irrigation of lawn. When rights 36-14833, 36-14834 and 36-14835 are combined they provide for a total of 3 homes.
- The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 111.7 af.
- Prior to diversion and use of water under Transfer approval 78769, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

Transfer No. 78769

WATER RIGHT NO. 36-14834
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Use of water under this right may be affected by an agreement between the protestant and the right holder.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 36-14835
As Modified by Transfer No. 78769

In accordance with the approval of Transfer No. 78769, Water Right No. 36-14835 is now described as follows:

Right Holder: G & G DAIRY And
 BILL GILTNER
 PO BOX 36
 JEROME, ID 83338
 And
 MIKE GRIFFITH
 PO BOX 468
 JEROME, ID 83338

Priority Date: 2/2/1920

Source: GROUND WATER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DOMESTIC	01/01	to 12/31	0.040 cfs	1.2 af
STOCKWATER	01/01	to 12/31	0.020 cfs	2.0 af
			0.060 cfs	3.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County
GROUND WATER	SWSE	Sec 4	Twp 08S Rge 17E	JEROME County

PLACE OF USE: DOMESTIC

			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	17E	4															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	
08S	17E	4													X	X	X	X	

CONDITIONS OF APPROVAL

- Domestic use is for 1 home including irrigation of lawn less than 1/2 acre. When rights 36-14833, 36-14834 and 36-14835 are combined they provide for a total of 3 homes.

Transfer No. 78769

WATER RIGHT NO. 36-14835
As Modified by Transfer No. 78769

CONDITIONS OF APPROVAL

2. The total instantaneous diversion of water from all points of diversion under Rights 36-8532, 36-14833, 36-14834, 36-14835, 36-15757, 36-15745, 36-15747 and 36-15749 shall not exceed 0.69 cfs, nor total combined annual volume of 111.7 af.
3. Prior to diversion and use of water under Transfer approval 78769, 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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Use of water under this right may be affected by an agreement between the protestant and the right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 78769
Rights: 36-14833, 36-14834 and 36-14835

This map depicts the DOMESTIC 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 0.0425 0.085 0.17 Miles



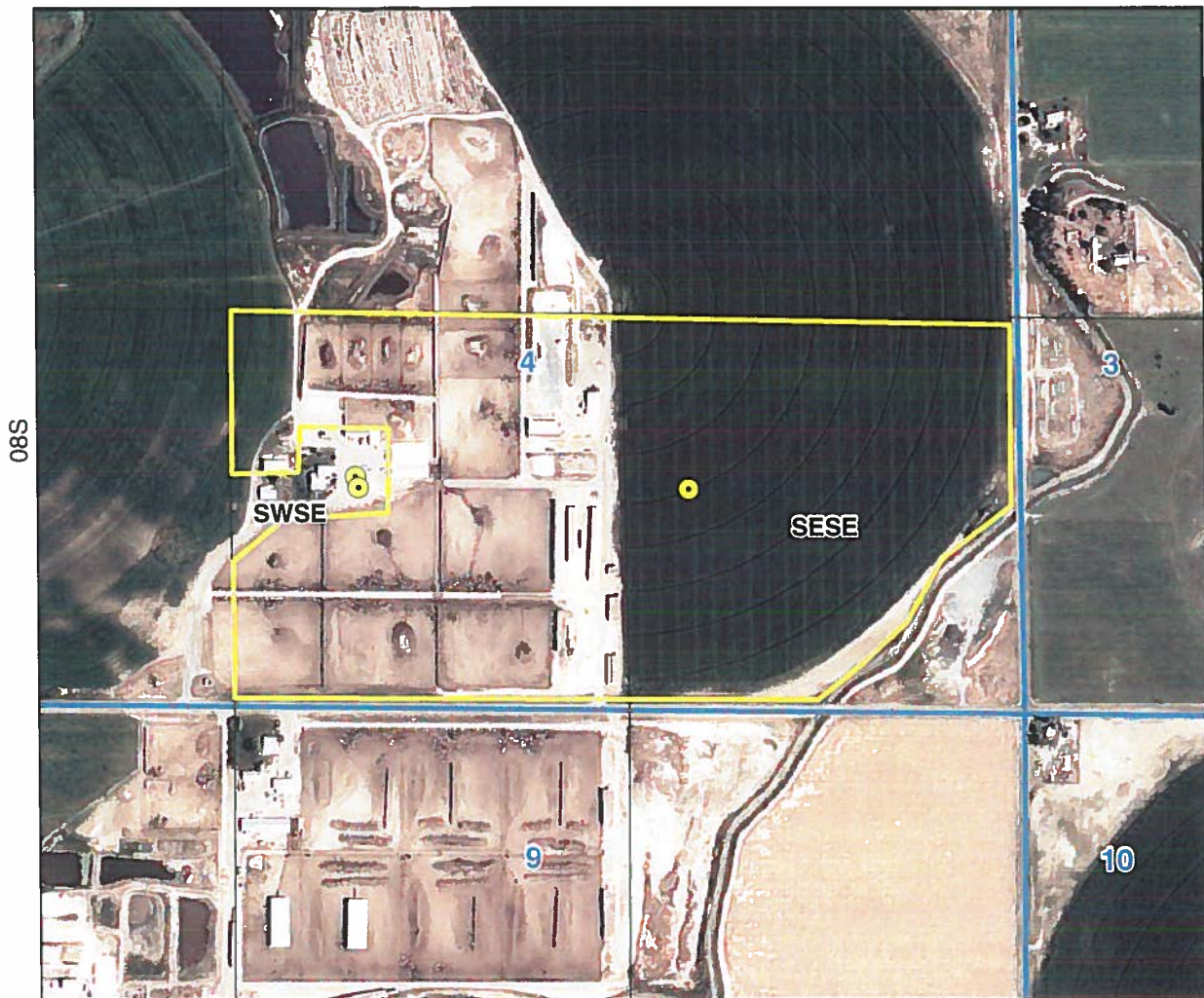
State of Idaho
Department of Water Resources

Attachment To Transfer No. 78769

Rights: 36-15745, 36-15747 and 36-15749

This map depicts the 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.

17E



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

0 0.075 0.15 0.3 Miles

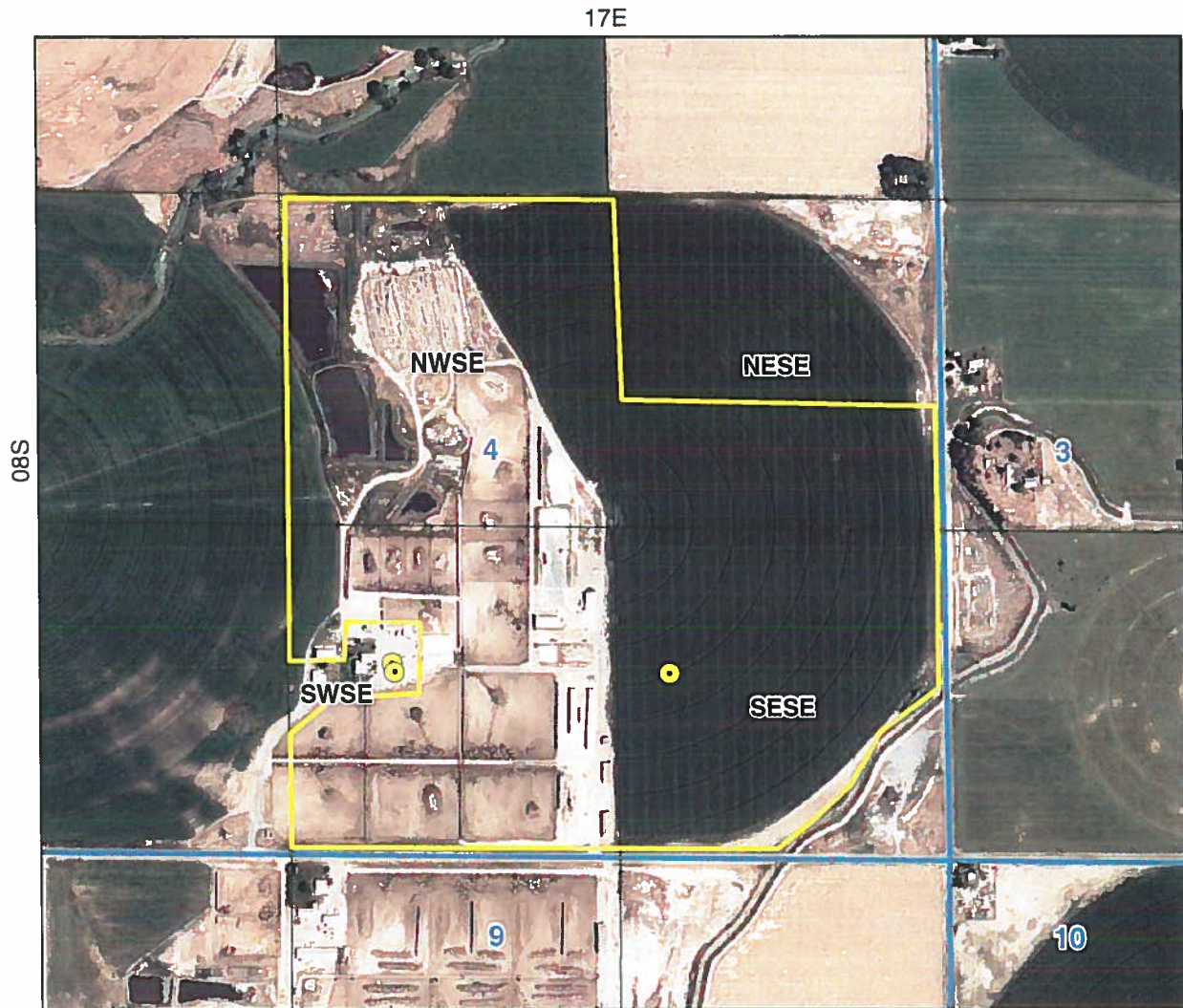


State of Idaho
Department of Water Resources

Attachment To Transfer No. 78769

Rights: 36-8532, 36-14833, 36-14835, 36-15745, 36-15747, 36-15749 and 36-15757

This map depicts the 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.



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

0 0.075 0.15 0.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 20, 2013

G & G DAIRY
PO BOX 36
JEROME ID 83338

MIKE GRIFFITH
PO BOX 468
JEROME ID 83338

BILL GILTNER
PO BOX 36
JEROME ID 83338

Re: Transfer No: 78769

Water Right No(s): 36-8532, 36-14833, 36-14834, 36-14835, 36-15745, 36-15747,
36-15749, 36-15757

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt", with a stylized flourish at the end.

Allen Merritt
Southern Region Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2013 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

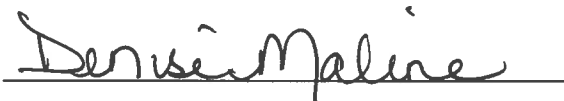
Re: Transfer No.: 78769

**Water Right No(s): 36-8532, 36-14833, 36-14834, 36-14835, 36-15745, 36-15747,
36-15749, 36-15757**

**G & G DAIRY
PO BOX 36
JEROME ID 83338**

**MIKE GRIFFITH
PO BOX 468
JEROME ID 83338**

**BILL GILTNER
PO BOX 36
JEROME ID 83338**

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 20, 2013

CINDY YENTER WATERMASTER
WATER DISTRICT # 130
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301

Hand-Delivered

Re: **APPROVED Transfer No. 78769 (G & G DAIRY; Bill Giltner; Mike Griffith)**

Dear Ms. Yenter:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 78769
Water Right No: 36-8532
Applicant Name: G&G Dairy

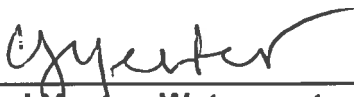
Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☒ Additional comment:

Old measurement condition no 115 is on all the rights. Should this be updated to the newer 212 / 213 transfer conditions? Data loggers are not required at these diversions.

Dated: September 18, 2013

Water District 130



Cindy J Yenter, Watermaster