

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78385

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

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
61-11963	WR/DECREED	1/5/1965	3.000 cfs	824.0 af	206.0	640.0	GROUND WATER
61-7208	WR/DECREED	11/18/1974	2.560 cfs	1170.0 af	260.0	640.0	GROUND WATER
61-7312	WR/DECREED	3/8/1977	0.590 cfs	135.0 af	30.0	640.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-11963	NO	NO	NO	YES	NO	NO
61-7208	NO	NO	NO	YES	NO	NO
61-7312	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
61-11963	61-11963	3.000 cfs	824.0 af	206.0	640.0	N/A	N/A	N/A	N/A	N/A
61-7208	61-7208	2.560 cfs	1170.0 af	260.0	640.0	N/A	N/A	N/A	N/A	N/A
61-7312	61-7312	0.590 cfs	135.0 af	30.0	640.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.150 cfs	2129.0 af	496.0	640.0		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 22nd day of March, 2013.


Western Regional Manager

SUPPORT DATA
IN FILE # 61-7208

Transfer No. 78385

WATER RIGHT NO. 61-7208
As Modified by Transfer No.

In accordance with the approval of Transfer No. 78385, Water Right No. 61-7208 is now described as follows:

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

Priority Date: 11/18/1974

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

2.560 cfs

2.560 cfs

Diversion Volume

1170.0 af

1170.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 36 Twp 04S Rge 05E	ELMORE County
GROUND WATER	SWNE	Sec 36 Twp 04S Rge 05E	ELMORE County
GROUND WATER	SWSE	Sec 36 Twp 04S Rge 05E	ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	36	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	40.0	40.0	40.0	640.0

Right Acre Limit: 260.0

POU Total Acres: 640.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 78385

WATER RIGHT NO. 61-7208
As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 260 acres within the authorized place of use in a single irrigation season.
7. Rights 61-7208, 61-7312 and 61-11963 when combined shall not exceed the irrigation of 496 acres within the authorized place of use in a single irrigation season.
8. 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.
9. The following rights are diverted through points of diversion described above: 61-7208, 61-7312 and 61-11963.

WATER RIGHT NO. 61-7312
As Modified by Transfer No.

In accordance with the approval of Transfer No. 78385, Water Right No. 61-7312 is now described as follows:

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

Priority Date: 3/8/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.590 cfs	135.0 af
			0.590 cfs	135.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 36 Twp 04S Rge 05E ELMORE County
GROUND WATER	NWSE	Sec 36 Twp 04S Rge 05E ELMORE County
GROUND WATER	SWSE	Sec 36 Twp 04S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	36	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	40.0	40.0	40.0	640.0

Right Acre Limit: 30.0

POU Total Acres: 640.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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WATER RIGHT NO. 61-7312
As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
7. Rights 61-7208, 61-7312 and 61-11963 when combined shall not exceed the irrigation of 496 acres within the authorized place of use in a single irrigation season.
8. 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.
9. The following rights are diverted through points of diversion described above: 61-7208, 61-7312 and 61-11963.

WATER RIGHT NO. 61-11963**As Modified by Transfer No.**

In accordance with the approval of Transfer No. 78385, Water Right No. 61-11963 is now described as follows:

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

Priority Date: 1/5/1965

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

3.000 cfs

3.000 cfs

Diversion Volume

824.0 af

824.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 36 Twp 04S Rge 05E	ELMORE County
GROUND WATER	NWSE	Sec 36 Twp 04S Rge 05E	ELMORE County
GROUND WATER	SWSE	Sec 36 Twp 04S Rge 05E	ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	05E	36	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	40.0	40.0	40.0	640.0

Right Acre Limit: 206.0

POU Total Acres: 640.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 78385

WATER RIGHT NO. 61-11963
As Modified by Transfer No.

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
7. This right is limited to the irrigation of 206 acres within the authorized place of use in a single irrigation season.
8. Rights 61-7208, 61-7312 and 61-11963 when combined shall not exceed the irrigation of 496 acres within the authorized place of use in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. The following rights are diverted through points of diversion described above: 61-7208, 61-7312 and 61-11963.