

RECEIVED

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WATER RESOURCES
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

May 4, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ROCKRIDGE DAIRY
970 E 3700 N
CASTLEFORD ID 83321

RE: Transfer No.: 75226
Water Right No(s): 51-13004 51-13003

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 homepage 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 208-334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Westra".

for John Westra

Western Regional Manager

Enclosure(s)

cc: BROCKWAY ENGINEERING

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75226

This is to certify that: ROCKRIDGE DAIRY
 970 E 3700 N
 CASTLEFORD ID 83321

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
51-13003	WR/Decreed	07/29/1955	2.48 cfs	876.0 af	219.0	464.0	GROUND WATER
51-13004	WR/Decreed	12/21/1959	2.18 cfs	982.0 af	245.4	464.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

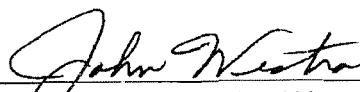
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
51-13003	YES	NO	NO	YES	YES	YES
51-13004	YES	NO	NO	YES	YES	YES

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>
51-13003	51-13061	0.34 cfs	90 af	N/A	N/A	51-13060	2.14 cfs	756.8 af	189.2	401.1
51-13004	51-13063	0.29 cfs	100 af	N/A	N/A	51-13062	1.89 cfs	849.5 af	212.3	401.1
COMBINED										
TOTALS		0.63 cfs	190 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of April, 2009


 John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 51-13603

Right Holder: ROCKRIDGE DAIRY
970 E 3700 N
CASTLEFORD ID 83321

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.14 CFS	756.8 AF
			2.14 CFS	756.8 AF

GROUND WATER SWSESW Sec. 12 Twp 10S Rge 12E TWIN FALLS
County

GROUND WATER SWSESW Sec. 12 Twp 10S Rge 12E TWIN FALLS
County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	12E	12							17.0	38.0	4.0	32.0	35.0		14.0	33.0		173.0	
10S	12E	13		39.0	34.0	18.0	36.0	38.0		19.0					22.0	22.1		228.1	

CONDITIONS OF APPROVAL

1. 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.
2. Rights 51-13060 and 51-13062 when combined shall not exceed a total annual maximum diversion volume of 1604.4 af at the field headgate, and the irrigation of 401.1 acres.

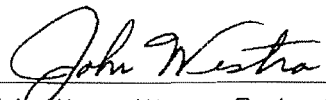
WATER RIGHT NO. 51-13060
As Modified by Transfer No. 75226

CONDITIONS OF APPROVAL

3. This right is limited to the irrigation of 189.2 acres within the place of use described above in a single irrigation season.
4. Right 51-13062 is also diverted through the points of diversion described above.

This water right 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.

Dated this 30th day of April, 2009


John Westra, Western Regional Manager

Right Holder: ROCKRIDGE DAIRY
970 E 3700 N
CASTLEFORD ID 83321

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.34 CFS	90.0 AF
STOCKWATER	01/01	to 12/31	0.34 CFS	90.0 AF
			0.34 CFS	90.0 AF

GROUND WATER NWNESW Sec. 13 Twp 10S Rge 12E TWIN FALLS
County

GROUND WATER NWNESW Sec. 13 Twp 10S Rge 12E TWIN FALLS
County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	12E	13			X					X	X						X		

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	12E	13			X				X	X						X			

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.

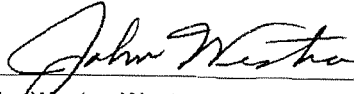
WATER RIGHT NO. 51-13061
As Modified by Transfer No. 75226

CONDITIONS OF APPROVAL

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Right 51-13063 is also diverted through the points of diversion described above.
8. Commercial use is for a dairy.

This water right 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.

Dated this 30th day of April, 20 09


John Westra, Western Regional Manager

WATER RIGHT NO. 51-13062
As Modified by Transfer No. 75226

In accordance with the approval of Transfer No. 75226, Water Right No. 51-13062 is now described as follows.

Right Holder: ROCKRIDGE DAIRY
 970 E 3700 N
 CASTLEFORD ID 83321

Priority Date: December 21, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15		1.89 CFS	849.5 AF
			1.89 CFS	849.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 12 Twp 10S Rge 12E TWIN FALLS
 County

GROUND WATER SWSESW Sec. 12 Twp 10S Rge 12E TWIN FALLS
 County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	12E	12								17.0	38.0	4.0	32.0	35.0		14.0	33.0		173.0
10S	12E	13								19.0					22.0	22.1			228.1

Total Acres: 401.1

CONDITIONS OF APPROVAL

- 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.
- Rights 51-13060 and 51-13062 when combined shall not exceed a total annual maximum diversion volume of 1604.4 af at the field headgate, and the irrigation of 401.1 acres.

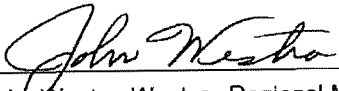
WATER RIGHT NO. 51-13062
As Modified by Transfer No. 75226

CONDITIONS OF APPROVAL

3. This right is limited to the irrigation of 212.3 acres within the place of use described above in a single irrigation season.
4. Right 51-13060 is also diverted through the points of diversion described above.

This water right 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.

Dated this 30th day of April, 2009



John Westra, Western Regional Manager

Right Holder: ROCKRIDGE DAIRY
970 E 3700 N
CASTLEFORD ID 83321

Source: GROUND WATER

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNESW Sec. 13 Twp 10S Rge 12E TWIN FALLS
County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10S	12E	13			X				X	X						X			

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10S	12E	13			X				X		X					X			

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.

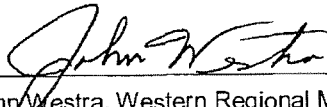
WATER RIGHT NO. 51-13063
As Modified by Transfer No. 75226

CONDITIONS OF APPROVAL

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Right 51-13063 is also diverted through the points of diversion described above.
8. Commercial use is for a dairy.

This water right 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.

Dated this 30th day of April, 2009


John Westra, Western Regional Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

December 13, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Rockridge Dairy Farm
970 East 3700 North
Castleford ID 83321

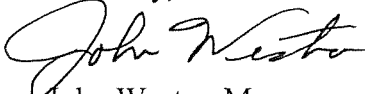
RE: Order to Rescind Transfer No. 75226—Rights 51-13003 & 51-13004

Dear Right Holder:

Attached is a preliminary order rescinding above transfer approval per your request. Copies are attached of water rights 51-13003 and 51-13004 reinstated to status prior to the transfer approval.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,



John Westra, Manager

Enclosure: order, right copies, explanation sheet.

Preliminary Order Rescinding Transfer

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.)
75226 IN THE NAME OF ROCKRIDGE)
DAIRY)
_____)

PRELIMINARY ORDER TO
RESCIND TRANSFER APPROVAL

FINDINGS OF FACT

1. On April 30, 2009, Application for Transfer No.75226 was approved by the Idaho Department of Water Resources (Department). The transfer changed the nature of use for a (split) portion of water rights 51-13003 and 51-13004 to commercial and stockwater uses. The new water uses eliminated 62.9 acres of irrigated land. Two new groundwater sources (wells) were added as points of diversion to the new split commercial-stockwater water rights.

2. The Transfer approval authorized the following:

Existing	New No.	Use	Rate (cfs.)	Volume (ac-ft.)	Acres
51-13003	51-13060	Irrigation	.34	56.8	189.2
51-13004	51-13062	Irrigation	1.89	49.5	212.3
Split	51-13061	Com./Stock	.34	90.0	-----
Split	51-13063	Com./Stock	.29	100.0	-----

Added 2 Points of diversion (wells) in the NWNESW, Sec. 13, Twp.10S, Rge.12E for water rights 51-13061 & 51-13063.

3. The transfer conditions of approval included: *The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.*

4. On November 30, 2012, the Department received a letter petition from Rockridge Dairy (right holder) stating the transfer authorizations/changes for the dairy development had not been implemented. The right holder was not intending to construct the proposed dairy in the future, and the water rights should be reinstated to prior irrigation purposes.

CONCLUSIONS

1. The Department is authorized to issue Preliminary Orders to rescind prior approvals.
2. Rockridge Dairy has not accomplished the transfer and has shown sufficient cause for the transfer to be rescinded.
3. The transfer approval should be rescinded.

Preliminary Order Rescinding Transfer

ORDER

IT IS HEREBY ORDERED that Transfer Approval No. 75226 is **RESCINDED**.

IT IS FURTHER ORDERED that water right nos. 51-13003 and 51-13004 be returned to the state/condition prior to the transfer approval.

Dated this 13th day of December, 2012.



JOHN WESTRA, Manager Western Region

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

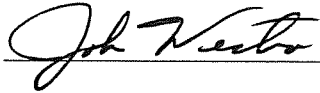
Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter 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 MAILING

I hereby certify that on the 13th day of December, 2012, I mailed a true and correct copy, postage prepaid, of these documents to those on the attached list.



Rachel Sommer
Administrative Assistant

Documents Sent

- Preliminary Order Rescinding Transfer
- Order information sheet.

Rockridge Dairy Farm
970 East 3700 North
Castleford ID 83321

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report **51-13003**

WATER RIGHT NUMBER: 51-13003

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROCKRIDGE DAIRY 970 E 3700 N CASTLEFORD, ID 83321

Priority Date: 07/29/1955

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.480 CFS	876.00 AF
	<u>Total Diversion:</u>	2.480 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 12, Twp 10S, Rge 12E, B.M. TWIN FALLS County

GROUND WATER SE1/4SW1/4 Sec. 12, Twp 10S, Rge 12E, B.M. TWIN FALLS County

Place of Use

IRRIGATION		NE				NW				SW				SE				Totals	
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW		SE
10S	12E	12									17.0	38.0	4.0	32.0	35.0		14.0	33.0	173.0
10S	12E	13		39.0	40.0	18.0	36.0	38.0		40.0	24.0					22.0	34.0		291.0

Total Acres: 464

Conditions of Approval:

1. E53 Right Nos. 51-13003 and 51-13004 are limited to a total combined annual diversion volume of 1,856 AF.
2. This right is renumbered from former right 47-2290.
3. E56 The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 51-13003 and 51-13004.
4. K06 This right is limited to the irrigation of 219 acres within the place of use described above in a single irrigation season.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Comments:

12/12/2012 Rescinded Transfer

Comment: Rights 51-13003 and 51-13004 were split into 51-13060 thru 51-13063 by Transfer 75226, approved in 2009. That transfer was not accomplished and is being rescinded. Rights 51-13003 and 51-13004 will be changed to Active status and the four splits will be changed to See Remarks.

Dates and Other Information:

Decreed Date: 10/30/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report **51-13004**

WATER RIGHT NUMBER: 51-13004

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROCKRIDGE DAIRY 970 E 3700 N CASTLEFORD, ID 83321

Priority Date: 12/21/1959

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.180 CFS	982.00 AF
	<u>Total Diversion:</u>	2.180 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4	Sec. 12, Twp 10S, Rge 12E, B.M.	TWIN FALLS County
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 12, Twp 10S, Rge 12E, B.M.	TWIN FALLS County

Place of Use

			NE				NW				SW				SE					
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
10S	12E	12									17.0	38.0	4.0	32.0	35.0			14.0	33.0	173.0
10S	12E	13			39.0	40.0	18.0	36.0	38.0		40.0	24.0				22.0	34.0			291.0

Total Acres: 464

Conditions of Approval:

1. This right was renumbered from former right 47-2329.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. K06 This right is limited to the irrigation of 245.4 acres within the place of use described above in a single irrigation season.
4. E56 The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 51-13003 and 51-13004.
5. E53 Right Nos. 51-13003 and 51-13004 are limited to a total combined annual diversion volume of 1,856 AF.

Comments:

12/12/2012 Rescinded Transfer

Comment: Rights 51-13003 and 51-13004 were split into 51-13060 thru 51-13063 by Transfer 75226, approved in 2009. That transfer was not accomplished and is being rescinded. Rights 51-13003 and 51-13004 will be changed to Active status and the four splits will be changed to See Remarks.

Dates and Other Information:

Decreed Date: 10/30/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report **51-13060**

WATER RIGHT NUMBER: 51-13060

<u>Owner Type</u>	<u>Name and Address</u>
Representative	BROCKWAY ENGINEERING PLLC C/O ERICK POWELL 2016 N WASHINGTON ST STE 4 TWIN FALLS, ID 83301 (208)736-8543
Current Owner	ROCKRIDGE DAIRY 970 E 3700 N CASTLEFORD, ID 83321

Priority Date: 07/29/1955

Basis: Decreed

Status: See Remarks

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.140 CFS	756.80 AF
	<u>Total Diversion:</u>	2.140 CFS	756.80 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4SE1/4SW1/4 Sec. 12, Twp 10S, Rge 12E, B.M. TWIN FALLS County

GROUND WATER SW1/4SE1/4SW1/4 Sec. 12, Twp 10S, Rge 12E, B.M. TWIN FALLS County

Place of Use

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10S	12E	12									17.0	38.0	4.0	32.0	35.0			14.0	33.0	173.0
10S	12E	13			39.0	34.0	18.0	36.0	38.0		19.0					22.0	22.1			228.1

Total Acres: 401.1

Conditions of Approval:

1. F06 Right 51-13062 is also diverted through the points of diversion described above.
2. X35 Rights 51-13060 and 51-13062 when combined shall not exceed a total annual maximum diversion volume of 1604.4 af at the field headgate, and the irrigation of 401.1 acres.
3. X27 This right is limited to the irrigation of 189.2 acres within the place of use described above in a single irrigation season.
4. T19 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.

Comments:

12/12/2012 Rescinded Transfer

Comment: Rights 51-13003 and 51-13004 were split into 51-13060 thru 51-13063 by Transfer 75226, approved in 2009. That transfer was not accomplished and is being rescinded. Rights 51-13003 and 51-13004 will be changed to Active status and the four splits will be changed to See Remarks.

Dates and Other Information:

Decreed Date: 10/30/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report **51-13061**

WATER RIGHT NUMBER: 51-13061

<u>Owner Type</u>	<u>Name and Address</u>
Representative	BROCKWAY ENGINEERING PLLC C/O ERICK POWELL 2016 N WASHINGTON ST STE 4 TWIN FALLS, ID 83301 (208)736-8543
Current Owner	ROCKRIDGE DAIRY 970 E 3700 N CASTLEFORD, ID 83321

Priority Date: 07/29/1955

Basis: Decreed

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.340 CFS	90.00 AF
STOCKWATER	01/01 to 12/31	0.340 CFS	90.00 AF
	<u>Total Diversion:</u>	0.340 CFS	90.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SW1/4 Sec. 13, Twp 10S, Rge 12E, B.M.	TWIN FALLS County
GROUND WATER	NW1/4NE1/4SW1/4 Sec. 13, Twp 10S, Rge 12E, B.M.	TWIN FALLS County

Place of Use

COMMERCIAL																		
Twp Rge Sec		NE		NW		SW		SE										
10S 12E 13	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
			X				X		X						X			

STOCKWATER																		
Twp Rge Sec		NE		NW		SW		SE										
10S 12E 13	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
			X				X		X						X			

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Commercial use is for a dairy.
3. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. F06 Right 51-13063 is also diverted through the points of diversion described above.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. T19 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.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Comments:

12/12/2012 Rescinded Transfer

Comment: Rights 51-13003 and 51-13004 were split into 51-13060 thru 51-13063 by Transfer 75226, approved in 2009. That transfer was not accomplished and is being rescinded. Rights 51-13003 and 51-13004 will be changed to Active status and the four splits will be changed to See Remarks.

Dates and Other Information:

Decreed Date: 10/30/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report **51-13062**

WATER RIGHT NUMBER: 51-13062

<u>Owner Type</u>	<u>Name and Address</u>
Representative	BROCKWAY ENGINEERING PLLC C/O ERICK POWELL 2016 N WASHINGTON ST STE 4 TWIN FALLS, ID 83301 (208)736-8543
Current Owner	ROCKRIDGE DAIRY 970 E 3700 N CASTLEFORD, ID 83321

Priority Date: 12/21/1959

Basis: Decreed

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.890 CFS	849.50 AF
	<u>Total Diversion:</u>	1.890 CFS	849.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SW1/4 Sec. 12, Twp 10S, Rge 12E, B.M.	TWIN FALLS County
GROUND WATER	SW1/4SE1/4SW1/4 Sec. 12, Twp 10S, Rge 12E, B.M.	TWIN FALLS County

Place of Use

IRRIGATION																			
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	12E	12									17.0	38.0	4.0	32.0	35.0		14.0	33.0	173.0
10S	12E	13		39.0	34.0	18.0	36.0	38.0		19.0						22.0	22.1		228.1

Total Acres: 401.1

Conditions of Approval:

1. X27 This right is limited to the irrigation of 212.3 acres within the place of use described above in a single irrigation season.
2. T19 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.
3. X35 Rights 51-13060 and 51-13062 when combined shall not exceed a total annual maximum diversion volume of 1604.4 af at the field headgate, and the irrigation of 401.1 acres.
4. F06 Right 51-13060 is also diverted through the points of diversion described above.

Comments:

12/12/2012 Rescinded Transfer

Comment: Rights 51-13003 and 51-13004 were split into 51-13060 thru 51-13063 by Transfer 75226, approved in 2009. That transfer was not accomplished and is being rescinded. Rights 51-13003 and 51-13004 will be changed to Active status and the four splits will be changed to See Remarks.

Dates and Other Information:

Decreed Date: 10/30/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 51-13063

WATER RIGHT NUMBER: 51-13063

<u>Owner Type</u>	<u>Name and Address</u>
Representative	BROCKWAY ENGINEERING PLLC C/O ERICK POWELL 2016 N WASHINGTON ST STE 4 TWIN FALLS, ID 83301 (208)736-8543
Current Owner	ROCKRIDGE DAIRY 970 E 3700 N CASTLEFORD, ID 83321

Priority Date: 12/21/1959

Basis: Decreed

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01	to 12/31	0.290 CFS	100.00 AF
STOCKWATER	01/01	to 12/31	0.290 CFS	100.00 AF
	<u>Total Diversion:</u>		0.290 CFS	100.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4SW1/4	Sec. 13, Twp 10S, Rge 12E, B.M.	TWIN FALLS County
GROUND WATER	NW1/4NE1/4SW1/4	Sec. 13, Twp 10S, Rge 12E, B.M.	TWIN FALLS County

Place of Use

COMMERCIAL																		
Twp Rge Sec																		
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
10S 12E 13			X				X		X					X				

STOCKWATER

Twp Rge Sec																		
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
10S 12E 13			X				X		X					X				

Conditions of Approval:

1. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
2. Commercial use is for a dairy.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. F06 Right 51-13063 is also diverted through the points of diversion described above.
5. 01M 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. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. T19 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.

Comments:

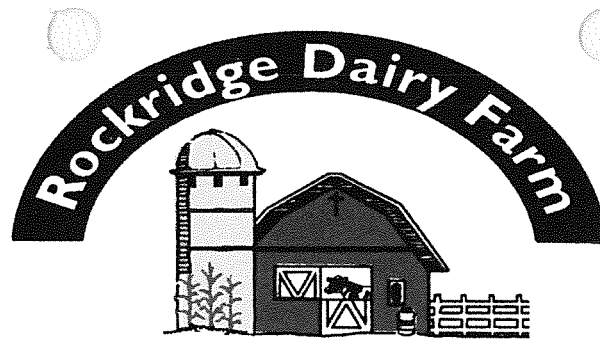
12/12/2012 Rescinded Transfer

Comment: Rights 51-13003 and 51-13004 were split into 51-13060 thru 51-13063 by Transfer 75226, approved in 2009. That transfer was not accomplished and is being rescinded. Rights 51-13003 and 51-13004 will be changed to Active status and the four splits will be changed to See Remarks.

Dates and Other Information:

Decreed Date: 10/30/2007

Got
Milk?



Milk...
Nature's Most
Perfect Food

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NOV 30 2012

WATER RESOURCES
WESTERN REGION

November 29, 2012

To whom it May concern:

Rockridge Dairy previously initiated an Amendment to Transfer 75226, transferring water rights from number 51-13004 and 51-13003 for use in a proposed dairy in Township 10S, Range 12E, Section 13. Rockridge Dairy hasn't started the proposed dairy and has no plans to build the dairy in the immediate future. Rockridge Dairy has not drilled the two proposed wells at T10S R12E Sec 13NWNESW and would like to maintain the water use prior to the transfer from the two wells located at T10S R12E Sec 12SWSESW. Rockridge Dairy would like to reinstate the water for irrigation purposes for the 62.9 acres that were dried up.

Respectfully,

A handwritten signature in black ink, appearing to read 'Andrew Davis', is written over a horizontal line.

Rockridge Dairy

Enclosure(s)

2% Milk is 98% Fat Free!
OFFICE (208) 537-6844 • FAX (208) 537-6756
970 EAST 3700 NORTH • CASTLEFORD, ID 83321