

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 77952**

This is to certify that: HORIZON ORGANIC DAIRY LLC  
2577 E 500 S  
PAUL ID 83347  
(208)438-8450

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 36-8402      | WR/License          | 11/28/1988      | 0.84 cfs    | N/A           |                   | 314.0              | GROUND WATER  |
| 36-2430      | WR/Decreed          | 04/21/1960      | 3.5 cfs     | N/A           |                   | 314.0              | GROUND WATER  |
| 36-8008      | WR/Decreed          | 12/08/1981      | 0.84 cfs    | N/A           |                   | 314.0              | GROUND WATER  |
| 36-16045     | WR/Decreed          | 10/19/1981      | 1.95 cfs    | 173.7 af      |                   | 182.0              | GROUND WATER  |
| 36-16047     | WR/Decreed          | 05/11/1957      | 3 cfs       | 689.2 af      | 172.3             | 182.0              | GROUND WATER  |
| 36-16049     | WR/Decreed          | 11/20/1956      | 4.8 cfs     | N/A           | 282.7             | 522.6              | GROUND WATER  |
| 36-16051     | WR/Decreed          | 02/20/1959      | 0.54 cfs    | N/A           | 36.2              | 522.6              | GROUND WATER  |
| 36-16053     | WR/Decreed          | 07/16/1973      | 1.38 cfs    | N/A           | 164.9             | 522.6              | GROUND WATER  |
| 36-16055     | WR/Decreed          | 12/08/1981      | 4.12 cfs    | N/A           |                   | 522.6              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-8402               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-2430               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-8008               | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-16045              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-16047              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-16049              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-16051              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-16053              | NO           | NO         | YES        | YES            | NO                   | NO                   |
| 36-16055              | NO           | NO         | YES        | YES            | NO                   | NO                   |

**SUPPORT DATA**

IN FILE # 36-2430

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 77952**

**Summary of Water Rights After the Approved Change**

| Existing Right  | New No. (changed portion) | Transfer Rate    | Transfer Volume | Acre Limit  | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|-----------------|---------------------------|------------------|-----------------|-------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 36-8402         | <b>36-8402</b>            | 0.84 cfs         | 356.6 af        | 314.0       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-2430         | <b>36-2430</b>            | 3.5 cfs          | 1256 af         | 314.0       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-8008         | <b>36-8008</b>            | 0.84 cfs         | 409.9 af        | 314.0       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-16045        | <b>36-16045</b>           | 1.95 cfs         | 173.7 af        | 182.0       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-16047        | <b>36-16047</b>           | 3 cfs            | 689.2 af        | 172.3       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-16049        | <b>36-16049</b>           | 4.8 cfs          | 1130.8 af       | 282.7       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-16051        | <b>36-16051</b>           | 0.54 cfs         | 144.8 af        | 36.2        | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-16053        | <b>36-16053</b>           | 1.38 cfs         | 659.6 af        | 164.9       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| 36-16055        | <b>36-16055</b>           | 4.12 cfs         | 155.2 af        | 522.6       | 1,520.      |                             | N/A            | N/A              |                      | N/A                   |
| <b>COMBINED</b> |                           |                  |                 |             |             |                             |                |                  |                      |                       |
| <b>TOTALS</b>   | <b>18.92 cfs</b>          | <b>4074.4 af</b> | <b>1018.6</b>   | <b>1520</b> |             |                             | N/A            | N/A              |                      | N/A                   |

Detailed Water Right Description(s) attached

Dated this 15<sup>th</sup> day of October, 20 12

  
\_\_\_\_\_  
Southern Region Manager

**WATER RIGHT NO. 36-16049**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-16049 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** November 20, 1956

**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  | 4.80 CFS              | 1,130.8 AF    |
|                       |             |           | 4.80 CFS              | 1,130.8 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S 21E 16  | 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  |
| 09S 21E 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S 21E 18  |      |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 200.0  |
| 09S 21E 20  | 40.0 |      |      | 40.0 |      |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      | 200.0  |

Total Acres: 1520

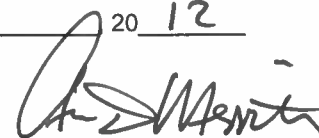
**WATER RIGHT NO. 36-16049**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 282.7 acres within the place of use described above in a single irrigation season.
3. Rights 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2090.4 af at the field headgate, and the irrigation of 522.6 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October 20 12



Southern Region Manager

**WATER RIGHT NO. 36-16051**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-16051 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** February 20, 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  | 0.54 CFS              | 144.8 AF      |
|                       |             |           | 0.54 CFS              | 144.8 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S 21E 16  | 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  |
| 09S 21E 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S 21E 18  |      |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 200.0  |
| 09S 21E 20  | 40.0 |      |      | 40.0 |      |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      | 200.0  |

Total Acres: 1520

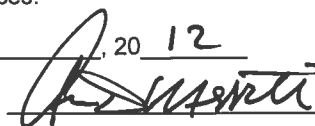
**WATER RIGHT NO. 36-16051**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 36.2 acres within the place of use described above in a single irrigation season.
3. Rights 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2090.4 af at the field headgate, and the irrigation of 522.6 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36, 16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October, 20 12



Southern Region Manager

**WATER RIGHT NO. 36-16053**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-16053 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** July 16, 1973

**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  | 1.38 CFS              | 659.6 AF      |
|                       |             |           | 1.38 CFS              | 659.6 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S | 21E | 16  | 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  |
| 09S | 21E | 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S | 21E | 18  |      |      |      |      |      |      |      | 40.0 |      |      |      | 40.0 |      | 40.0 | 40.0 | 40.0 | 200.0  |
| 09S | 21E | 20  | 40.0 |      |      | 40.0 |      |      |      | 40.0 |      |      |      |      | 40.0 | 40.0 |      |      | 200.0  |

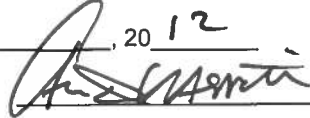
Total Acres: 1520

**WATER RIGHT NO. 36-16053**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 164.9 acres within the place of use described above in a single irrigation season.
3. Rights 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2090.4 af at the field headgate, and the irrigation of 522.6 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36, 16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one years 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.

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 15<sup>th</sup> day of October, 2012  
  
Southern Region Manager

**WATER RIGHT NO. 36-16055**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-16055 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** December 08, 1981

**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  | 4.12 CFS              | 155.2 AF      |
|                       |             |           | 4.12 CFS              | 155.2 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S 21E 16  | 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  |
| 09S 21E 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S 21E 18  |      |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 200.0  |
| 09S 21E 20  | 40.0 |      |      | 40.0 |      |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      | 200.0  |

Total Acres: 1520

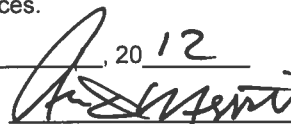
**WATER RIGHT NO. 36-16055**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 522.6 acres within the authorized place of use in a single irrigation season.
3. Rights 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 10.39 cfs, a total annual maximum diversion volume of 2090.4 af at the field headgate, and the irrigation of 522.6 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 af per acre at the field headgate for irrigation of the place of use.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October, 2012



Southern Region Manager

**WATER RIGHT NO. 36-8402**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-8402 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** November 28, 1988

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.84 CFS              | 356.6 AF      |
|                       |             |           | 0.84 CFS              | 356.6 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S | 21E | 16  | 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  |
| 09S | 21E | 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S | 21E | 18  |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 |      | 40.0 | 40.0 | 40.0 |      | 200.0  |
| 09S | 21E | 20  | 40.0 |      |      | 40.0 |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      |      | 200.0  |

Total Acres: 1520

**WATER RIGHT NO. 36-8402**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 314 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2430, 36-8008 and 36-8402 when combined shall not exceed a total diversion rate of 5.18 cfs, a total annual maximum diversion volume of 1256 af at the field headgate, and the irrigation of 314 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
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 the date of this approval.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one 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.

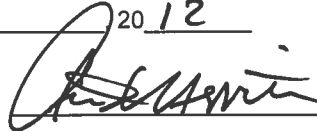
**WATER RIGHT NO. 36-8402  
As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

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.

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 15<sup>th</sup> day of October 2012



Southern Region Manager

**WATER RIGHT NO. 36-2430**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-2430 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** April 21, 1960

**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  | 3.50 CFS              | 1,256.0 AF    |
|                       |             |           | 3.50 CFS              | 1,256.0 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                 |         |               |
|--------------|------|-----------------|---------|---------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S | Rge 21E | JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S | Rge 21E | JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S | Rge 21E | JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S | Rge 21E | JEROME 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   |        |
| 09S 21E 16  | 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  |
| 09S 21E 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S 21E 18  |      |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 200.0  |
| 09S 21E 20  | 40.0 |      |      | 40.0 |      |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      | 200.0  |

Total Acres: 1520

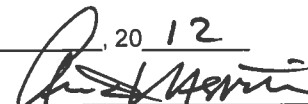
**WATER RIGHT NO. 36-2430**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 314 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2430, 36-8008 and 36-8402 when combined shall not exceed a total diversion rate of 5.18 cfs, a total annual maximum diversion volume of 1256 af at the field headgate, and the irrigation of 314 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 af per acre at the field headgate for irrigation of the place of use.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October, 2012



Southern Region Manager

**WATER RIGHT NO. 36-8008**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-8008 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
ATT: TOM SPOHN  
12002 AIRPORT WAY  
BROOMFIELD CO 80021

**Priority Date:** December 08, 1981

**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  | 0.84 CFS              | 409.9 AF      |
|                       |             |           | 0.84 CFS              | 409.9 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S 21E 16  | 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  |
| 09S 21E 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S 21E 18  |      |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 200.0  |
| 09S 21E 20  | 40.0 |      |      | 40.0 |      |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      | 200.0  |

Total Acres: 1520

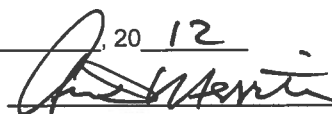
**WATER RIGHT NO. 36-8008**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 314 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2430, 36-8008 and 36-8402 when combined shall not exceed a total diversion rate of 5.18 cfs, a total annual maximum diversion volume of 1256 af at the field headgate, and the irrigation of 314 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36, 16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October, 2012



Southern Region Manager

**WATER RIGHT NO. 36-16045**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-16045 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** October 19, 1981

**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  | 1.95 CFS              | 173.7 AF      |
|                       |             |           | 1.95 CFS              | 173.7 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S | 21E | 16  | 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  |
| 09S | 21E | 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S | 21E | 18  |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      | 200.0  |
| 09S | 21E | 20  | 40.0 |      |      | 40.0 |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      |      | 200.0  |

Total Acres: 1520

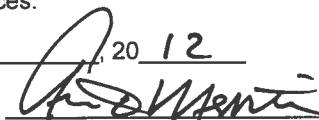
**WATER RIGHT NO. 36-16045**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 182 acres within the authorized place of use in a single irrigation season.
3. Rights 36-16047 and 36-16045 when combined shall not exceed a total diversion rate of 3.35 cfs, a total annual maximum diversion volume of 728.0 af at the field headgate, and the irrigation of 182 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36, 16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October, 2012



Southern Region Manager

**WATER RIGHT NO. 36-16047**  
**As Modified by Transfer No. 77952**

In accordance with the approval of Transfer No. 77952, Water Right No. 36-16047 is now described as follows.

**Right Holder:** HORIZON ORGANIC DAIRY LLC  
 2577 E 500 S  
 PAUL ID 83347

**Priority Date:** May 11, 1957

**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  | 3.00 CFS              | 689.2 AF      |
|                       |             |           | 3.00 CFS              | 689.2 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESE | Sec. 16 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NENE | Sec. 17 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NWSE | Sec. 18 Twp 09S Rge 21E JEROME County |
| GROUND WATER | NESE | Sec. 20 Twp 09S Rge 21E JEROME 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   |        |
| 09S | 21E | 16  | 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  |
| 09S | 21E | 17  | 40.0 |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 480.0  |
| 09S | 21E | 18  |      |      |      |      |      |      |      | 40.0 |      |      | 40.0 | 40.0 | 40.0 | 40.0 |      |      | 200.0  |
| 09S | 21E | 20  | 40.0 |      |      | 40.0 |      |      |      | 40.0 |      |      |      | 40.0 | 40.0 |      |      |      | 200.0  |

Total Acres: 1520

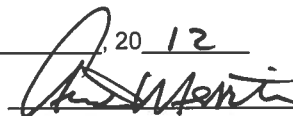
**WATER RIGHT NO. 36-16047**  
**As Modified by Transfer No. 77952**

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. This right is limited to the irrigation of 172.3 acres within the place of use described above in a single irrigation season.
3. Rights 36-16047 and 36-16045 when combined shall not exceed a total diversion rate of 3.35 cfs, a total annual maximum diversion volume of 728.0 af at the field headgate, and the irrigation of 182 acres.
4. Rights 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051, 36-16053 and 36-16055 when combined shall not exceed a total diversion rate of 18.92 cfs, a total annual maximum diversion volume of 4074.4 af at the field headgate, and the irrigation of 1018.6 acres.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. 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.
7. Rights 36-8402, 36-2430, 36-8008, 36-16045, 36-16047, 36-16049, 36, 16051, 36-16053 and 36-16055 are limited to the irrigation of a specific 1018.6 acres within the 1520 acre place of use authorized by these rights in a single irrigation season. The specific 1018.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 1018.6 acres to be irrigated within the 1520 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. Prior to the diversion and use of water under Transfer approval 77952, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. The right holder shall accomplish the change authorized by this transfer within one 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.

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 15<sup>th</sup> day of October, 2012



Southern Region Manager

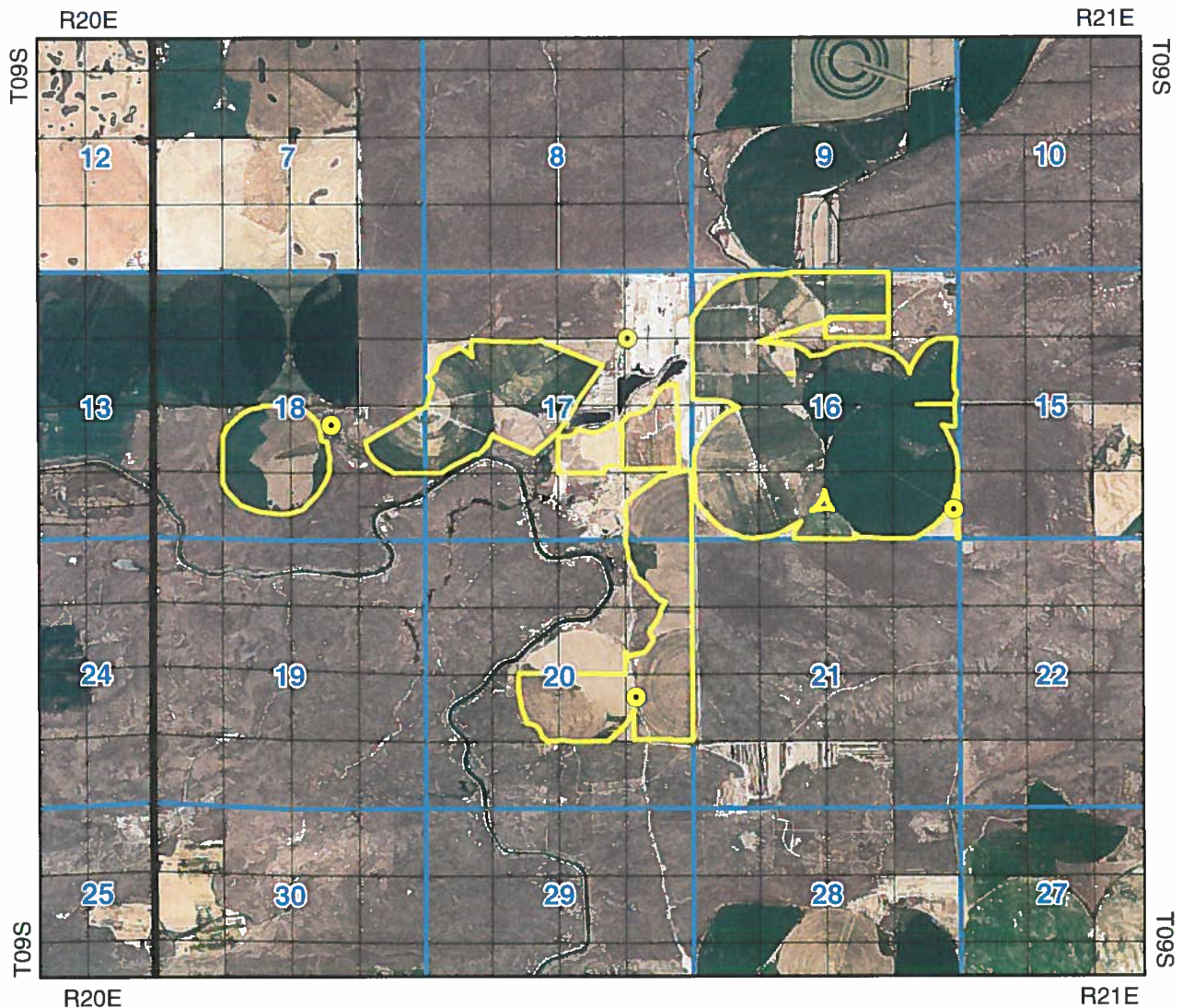
State of Idaho  
Department of Water Resources

# Attachment To Transfer Of Water Right

Transfer No. 77952

Rights: 36-2430, 36-8008, 36-8402, 36-16045, 36-16047, 36-16049, 36-16051,  
36-16053, 36-16055

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.425 0.85 1.7 Miles

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

