

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77949

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>
36-8401	WR/License	11/28/1988	0.68 cfs	N/A	N/A	360.0	GROUND WATER
36-2254A	WR/Decreed	03/16/1954	4.36 cfs	N/A	360.0	520.0	GROUND WATER
36-2284	WR/Decreed	05/16/1955	3.06 cfs	N/A	N/A	520.0	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>
36-8401	NO	NO	YES	NO	NO	NO
36-2254A	NO	NO	YES	NO	NO	NO
36-2284	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-8401	36-8401	0.68 cfs	288.6 af	N/A	520.0		N/A	N/A	N/A	N/A
36-2254A	36-2254A	4.36 cfs	1440 af	360.0	520.0		N/A	N/A	N/A	N/A
36-2284	36-2284	3.06 cfs	1493.1 af	N/A	520.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.1 cfs	2080 af		520		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of June, 2012


 Southern Region Manager

SUPPORT DATA

IN FILE # 36-2254A

WATER RIGHT NO. 36-2254A
As Modified by Transfer No. 77949

In accordance with the approval of Transfer No. 77949, Water Right No. 36-2254A is now described as follows.

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

Priority Date: March 16, 1954

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	4.36 CFS	1,440.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 28 Twp 09S Rge 21E JEROME County

GROUND WATER SENWSE Sec. 28 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	28			19.7	13.5			20.2	21.5	38.5	37.6	34.7	36.9	37.8	37.7	27.0	15.0	340.1
09S	21E	29													22.2	35.7	40.0	26.6	124.5
09S	21E	32	12.6	33.7															46.3
09S	21E	33					.2	8.9											9.1

Total Acres: 520

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 360 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2254A, 36-2284, and 36-8401 when combined shall not exceed a total diversion rate of 8.1 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.

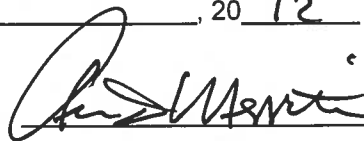
WATER RIGHT NO. 36-2254A
As Modified by Transfer No. 77949

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Prior to diversion and use of water under Transfer approval 77949, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 28th day of June, 20 12



Southern Region Manager

WATER RIGHT NO. 36-2284
As Modified by Transfer No. 77949

In accordance with the approval of Transfer No. 77949, Water Right No. 36-2284 is now described as follows.

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

Priority Date: May 16, 1955

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	3.06 CFS	1,493.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 28 Twp 09S Rge 21E JEROME County

GROUND WATER SENWSE Sec. 28 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 28			19.7	13.5			20.2	21.5	38.5	37.6	34.7	36.9	37.8	37.7	27.0	15.0	340.1
09S 21E 29													22.2	35.7	40.0	26.6	124.5
09S 21E 32	12.6	33.7															46.3
09S 21E 33					.2	8.9											9.1

Total Acres: 520

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
2. Rights 36-2254A, 36-2284, and 36-8401 when combined shall not exceed a total diversion rate of 8.1 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

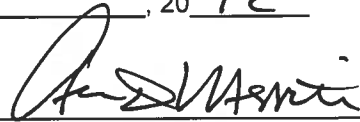
WATER RIGHT NO. 36-2284
As Modified by Transfer No. 77949

CONDITIONS OF APPROVAL

4. Prior to diversion and use of water under Transfer approval 77949, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 28th day of June, 20 12


Southern Region Manager

WATER RIGHT NO. 36-8401
As Modified by Transfer No. 77949

In accordance with the approval of Transfer No. 77949, Water Right No. 36-8401 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	0.68 CFS	288.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSW Sec. 28 Twp 09S Rge 21E JEROME County

GROUND WATER NWSE Sec. 28 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	28			19.7	13.5			20.2	21.5	38.5	37.6	34.7	36.9	37.8	37.7	27.0	15.0	340.1
09S	21E	29													22.2	35.7	40.0	26.6	124.5
09S	21E	32	12.6	33.7															46.3
09S	21E	33					.2	8.9											9.1

Total Acres: 520

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
2. Rights 36-2254A, 36-2284, and 36-8401 when combined shall not exceed a total diversion rate of 8.1 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 520 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

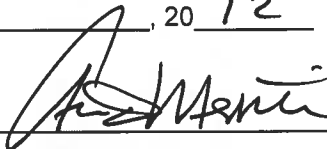
WATER RIGHT NO. 36-8401
As Modified by Transfer No. 77949

CONDITIONS OF APPROVAL

4. Prior to diversion and use of water under Transfer approval 77949, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 28th day of June, 20 12



Southern Region Manager

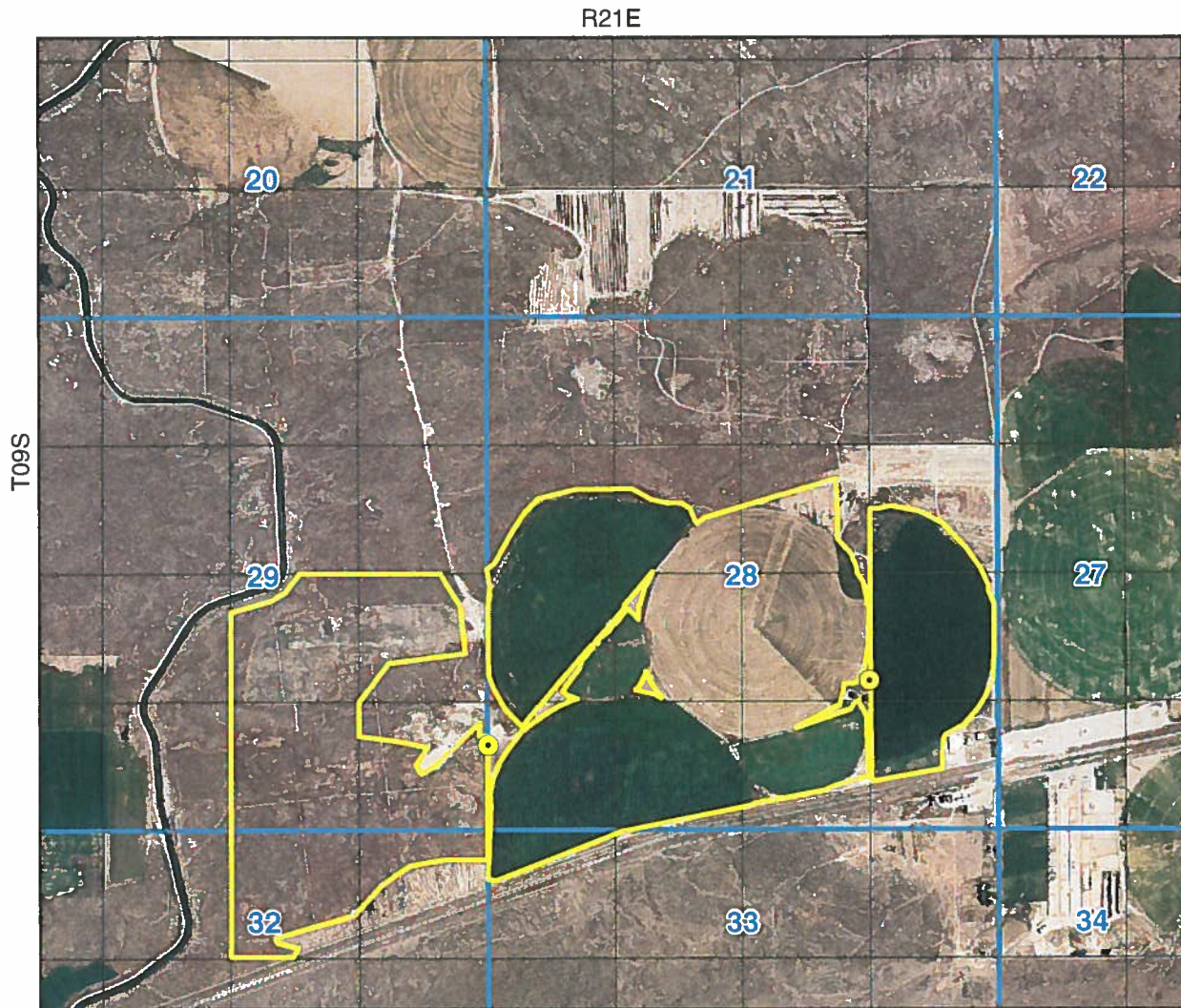
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77949

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

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



0 0.225 0.45 0.9 Miles

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

