

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77948

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>
36-2249	WR/Decreed	03/05/1954	3.33 cfs	N/A	N/A	513.0	GROUND WATER
36-2248	WR/Decreed	03/05/1954	2.74 cfs	N/A	N/A	513.0	GROUND WATER
36-7688	WR/Decreed	04/06/1977	8.36 cfs	N/A	494.2	513.0	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>
36-2249	NO	NO	YES	NO	NO	NO
36-2248	NO	NO	YES	NO	NO	NO
36-7688	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>
36-2249	36-2249	3.33 cfs	1624.8 af	513.0	513.0		N/A	N/A	N/A	N/A
36-2248	36-2248	2.74 cfs	1337 af	513.0	513.0		N/A	N/A	N/A	N/A
36-7688	36-7688	8.36 cfs	1952.8 af	494.2	513.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.36 cfs	1952.8 af	513	513		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 # 36-2248

WATER RIGHT NO. 36-2248
As Modified by Transfer No. 77948

In accordance with the approval of Transfer No. 77948, Water Right No. 36-2248 is now described as follows.

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

Priority Date: March 05, 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	2.74 CFS	1,337.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 27 Twp 09S Rge 21E JEROME County

GROUND WATER NWNESW Sec. 27 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	22												6.5				5.1	11.6
09S	21E	27	38.5	15.0	36.9	39.0	34.7	23.0	38.2	33.2	38.0	39.4	11.5	23.2	26.2	37.9	9.5		444.2
09S	21E	34		14.8			33.8	8.6											57.2

Total Acres: 513

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 36-2248, 36-2249 and 36-7688 when combined shall not exceed a total diversion rate of 8.36 cfs, a total annual maximum diversion volume of 1952.8 af at the field headgate, and the irrigation of 513 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.

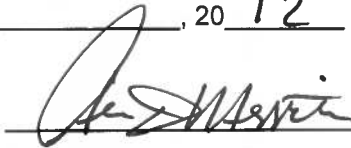
WATER RIGHT NO. 36-2248
As Modified by Transfer No. 77948

CONDITIONS OF APPROVAL

4. Prior to diversion and use of water under Transfer approval 77948, 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 point(s) of diversion in accordance with Department specifications.
6. The right holder shall accomplish the change authorized by this transfer within one years 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. 36-2249
As Modified by Transfer No. 77948

In accordance with the approval of Transfer No. 77948, Water Right No. 36-2249 is now described as follows.

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

Priority Date: March 05, 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	3.33 CFS	1,624.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 27 Twp 09S Rge 21E JEROME County

GROUND WATER NWNESW Sec. 27 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 22												6.5				5.1	11.6
09S 21E 27	38.5	15.0	36.9	39.0	34.7	23.0	38.2	33.2	38.0	39.4	11.5	23.2	26.2	37.9	9.5		444.2
09S 21E 34		14.8			33.8	8.6											57.2

Total Acres: 513

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 36-2248, 36-2249 and 36-7688 when combined shall not exceed a total diversion rate of 8.36 cfs, a total annual maximum diversion volume of 1952.8 af at the field headgate, and the irrigation of 513 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.

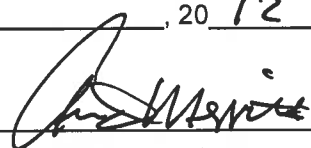
WATER RIGHT NO. 36-2249
As Modified by Transfer No. 77948

CONDITIONS OF APPROVAL

4. Prior to diversion and use of water under Transfer approval 77948, 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 point(s) of diversion in accordance with Department specifications.
6. The right holder shall accomplish the change authorized by this transfer within one years 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, 2012



Southern Region Manager

WATER RIGHT NO. 36-7688
As Modified by Transfer No. 77948

In accordance with the approval of Transfer No. 77948, Water Right No. 36-7688 is now described as follows.

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

Priority Date: April 06, 1977

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	8.36 CFS	1,952.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 27 Twp 09S Rge 21E JEROME County

GROUND WATER NWNESW Sec. 27 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 22												6.5				5.1	11.6
09S 21E 27	38.5	15.0	36.9	39.0	34.7	23.0	38.2	33.2	38.0	39.4	11.5	23.2	26.2	37.9	9.5		444.2
09S 21E 34		14.8			33.8	8.6											57.2

Total Acres: 513

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 494.2 acres within the authorized place of use in a single irrigation season.
3. Rights 36-2248, 36-2249 and 36-7688 when combined shall not exceed a total diversion rate of 8.36 cfs, a total annual maximum diversion volume of 1952.8 af at the field headgate, and the irrigation of 513 acres.

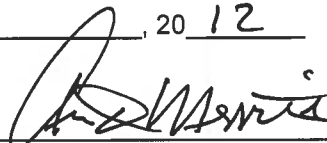
WATER RIGHT NO. 36-7688
As Modified by Transfer No. 77948

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 77948, 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 point(s) of diversion in accordance with Department specifications.
7. The right holder shall accomplish the change authorized by this transfer within one years 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

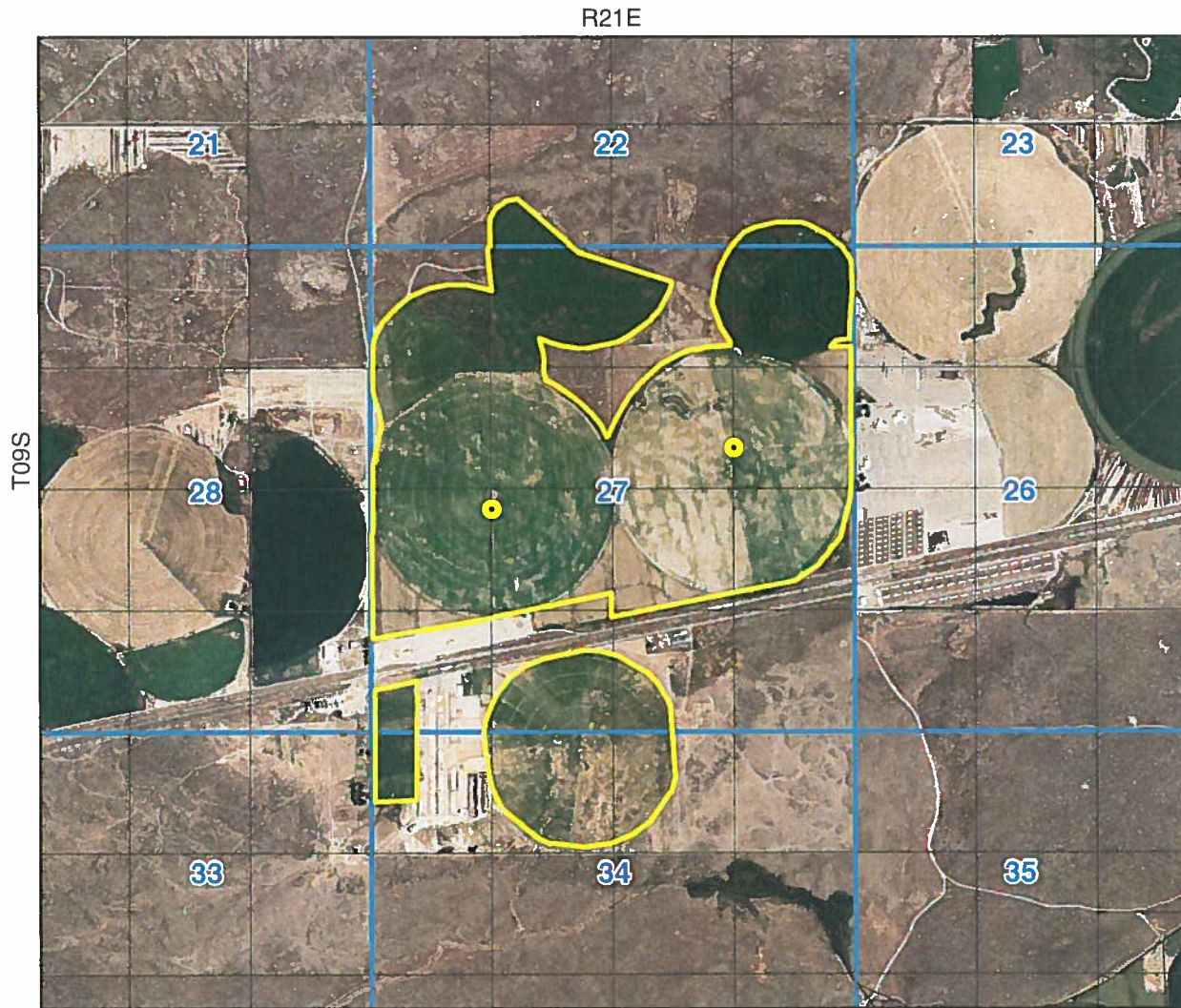
State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

Transfer No. 77948

Rights: 36-2248, 36-2249, 36-7688

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

