

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77388

This is to certify that: BOER DAIRY LLC
472 SOUTH 200 WEST
JEROME ID 83338

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>
36-7617	WR/Decreed	03/11/1976	10 cfs	2476 af	N/A	619.0	GROUND WATER
36-16906	WR/Decreed	07/18/1973	1.14 cfs	335.2 af	83.8	83.8	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>
36-7617	NO	NO	YES	YES	NO	NO
36-16906	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-7617	36-7617	10 cfs	2476 af	619.0	920.0		N/A	N/A	N/A	N/A
36-16906	36-16906	1.14 cfs	335.2 af	83.8	920.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		11.14 cfs	2811.2 af	702.8	920		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of July, 2012



Southern Region Manager

SUPPORT DATA

IN FILE # 36-7617

WATER RIGHT NO. 36-16906
As Modified by Transfer No. 77388

In accordance with the approval of Transfer No. 77388, Water Right No. 36-16906 is now described as follows.

Right Holder: BOER DAIRY LLC
 472 SOUTH 200 WEST
 JEROME ID 83338

Priority Date: July 18, 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	1.14 CFS	335.2 AF
			1.14 CFS	335.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNSE	Sec. 23 Twp 08S	Rge 15E	GOODING County
GROUND WATER	NWSWNW	Sec. 25 Twp 08S	Rge 15E	GOODING County
GROUND WATER	SWNWSW	Sec. 26 Twp 08S	Rge 15E	GOODING County
GROUND WATER	NENWSE	Sec. 26 Twp 08S	Rge 15E	GOODING 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			
08S	15E	23									40.0				40.0				40.0	40.0	160.0
08S	15E	25					40.0	40.0													80.0
08S	15E	26	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					520.0
08S	15E	27	40.0			40.0									40.0			40.0			160.0

Total Acres: 920

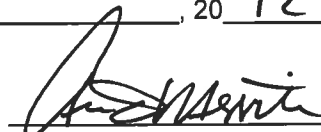
WATER RIGHT NO. 36-16906
As Modified by Transfer No. 77388

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 83.8 acres within the authorized place of use in a single irrigation season.
2. Rights 36-7617 and 36-16906 when combined shall not exceed the irrigation of 702.8 acres.
3. This right is limited to the irrigation of a specific 702.8 acres within the 920 acre place of use authorized by this right in a single irrigation season. The specific 702.8 acres to be irrigated 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 702.8 acres to be irrigated within the 920 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.
4. 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.
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. Prior to the diversion and use of water under Transfer approval 77388, the right holder shall install and maintain acceptable measuring devices at the authorized points 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.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 3rd day of July, 2012



Southern Region Manager

WATER RIGHT NO. 36-7617
As Modified by Transfer No. 77388

In accordance with the approval of Transfer No. 77388, Water Right No. 36-7617 is now described as follows.

Right Holder: BOER DAIRY LLC
 472 SOUTH 200 WEST
 JEROME ID 83338

Priority Date: March 11, 1976

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	10.00 CFS	2,476.0 AF
			10.00 CFS	2,476.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SEWNSE	Sec. 23 Twp 08S Rge 15E GOODING County
GROUND WATER	NWSWNW	Sec. 25 Twp 08S Rge 15E GOODING County
GROUND WATER	SWNWSW	Sec. 26 Twp 08S Rge 15E GOODING County
GROUND WATER	NENWSE	Sec. 26 Twp 08S Rge 15E GOODING 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	
08S 15E 23									40.0			40.0		40.0	40.0		160.0
08S 15E 25						40.0	40.0										80.0
08S 15E 26	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			520.0
08S 15E 27	40.0			40.0									40.0			40.0	160.0

Total Acres: 920

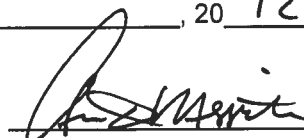
WATER RIGHT NO. 36-7617
As Modified by Transfer No. 77388

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 619 acres within the authorized place of use in a single irrigation season.
2. Rights 36-7617 and 36-16906 when combined shall not exceed the irrigation of 702.8 acres.
3. This right is limited to the irrigation of a specific 702.8 acres within the 920 acre place of use authorized by this right in a single irrigation season. The specific 702.8 acres to be irrigated 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 702.8 acres to be irrigated within the 920 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.
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7. 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.
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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 3rd day of July, 2012


Southern Region Manager

State of Idaho
Department of Water Resources

Attachment To Transfer Of Water Right

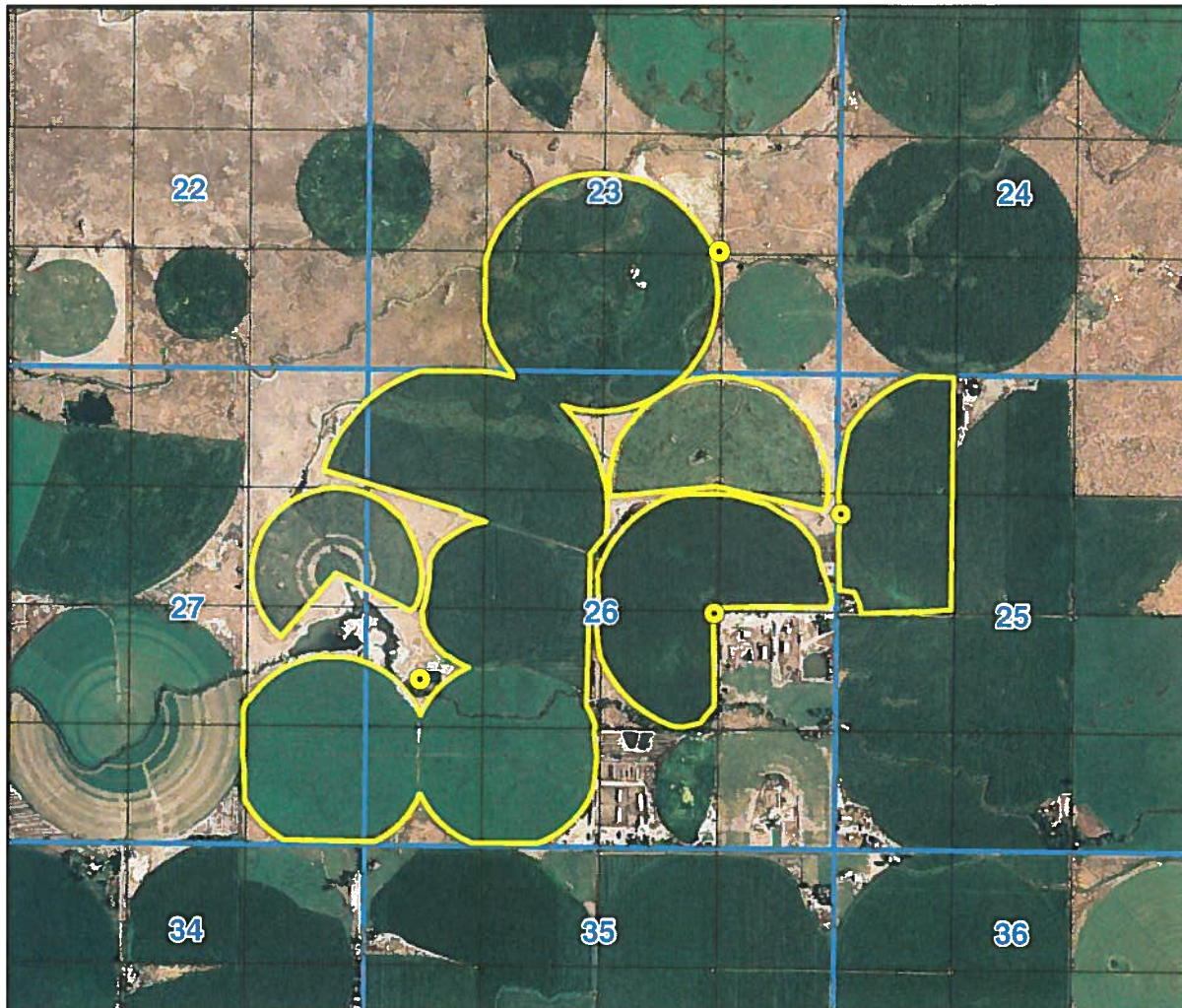
Transfer No. 77388

Rights: 36-7617, 36-16906

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.

R15E

T08S



0 0.25 0.5 1 Miles

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

