

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

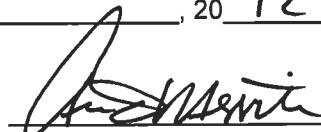
WATER RIGHT NO. 36-16906
As Modified by Transfer No. 77388

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

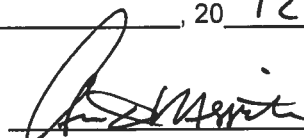
WATER RIGHT NO. 36-7617
As Modified by Transfer No. 77388

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.
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

State of Idaho
Department of Water Resources

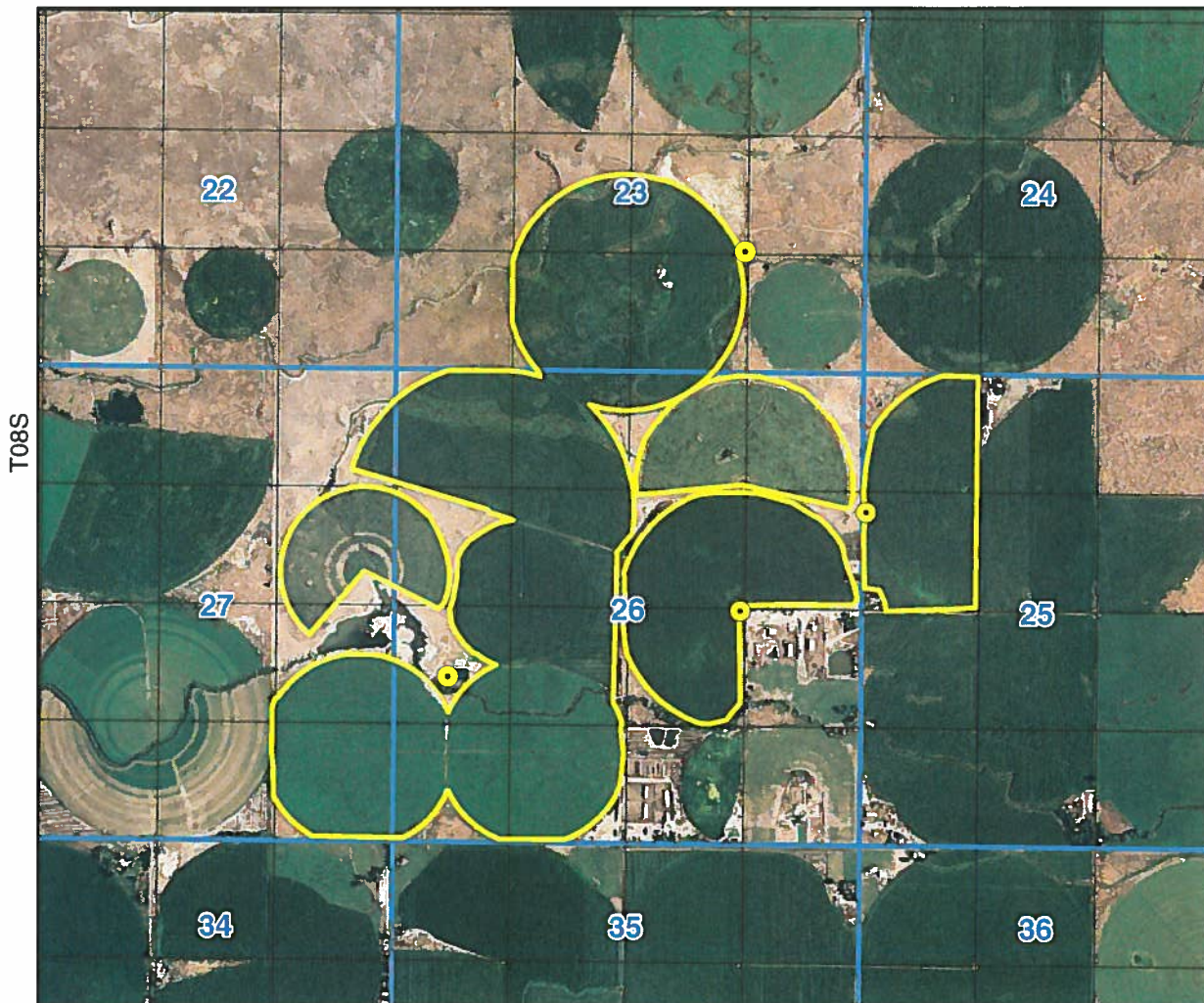
Attachment To Transfer Of Water Right

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



0 0.25 0.5 1 Miles

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





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 3, 2012

BOER DAIRY LLC
472 SOUTH 200 WEST
JEROME ID 83338

RE: Transfer No.: 77388
Water Right No(s): 36-16906 36-7617

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is fluid and cursive, with a large initial "A" and "M".

Allen Merritt
Southern Region Manager

Enclosure(s)

cc: SPF WATER ENGINEERING LLC
ROBERT E WILLIAMS, ATTORNEY

CERTIFICATE OF SERVICE

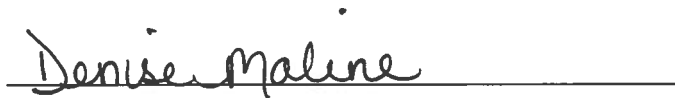
I hereby certify that on July 3, 2012 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**RE: TRANSFER NO. 77388
 WATER RIGHTS NOS. 36-16906 36-7617**

**BOER DAIRY LLC
472 SOUTH 200 WEST
JEROME ID 83338**

**ROBERT E WILLIAMS, ATTORNEY
153 E MAIN ST
PO BOX 168
JEROME ID 83338**

**SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
BOISE ID 83706**

A handwritten signature in cursive script, reading "Denise Maline", is written over a solid horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 3, 2012

CINDY YENTER WATERMASTER
WATER DISTRICT # 130
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301

Hand Delivered

RE: **APPROVED Transfer No(s). 77388 (Boer Dairy LLC)**

Dear Ms. Yenter:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer(s) within your district.

If you have any questions, please feel free to contact this office, or the applicant.

Sincerely,

Denise Maline
Administrative Assistant
Southern Region

Enclosure

RECOMMENDATION OF WATERMASTER

Application No: 77388
Water Right No: 36-7617
Applicant Name: Boer Dairy LLC

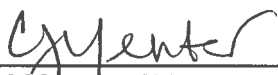
Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Transfer application mentions that surface water may be used but ground water rights are primary, and the lands are part of a mitigation plan. This was a prior conversion project and also received some canal shares plus waste water from Jerome Cheese when the company operated the lands. This farm has not been participating in conversion for at least two years and is not a part of the current IGWUA mitigation plan. The wells are being pumped. I suspect that some NSCC shares are also being delivered and used.

Dated: June 7, 2012

Water District 130



Cindy J Yenter, Watermaster

Yenter, Cindy

From: Yenter, Cindy
Sent: Wednesday, January 25, 2012 1:25 PM
To: Robertson, Jean; 'Scott King'; Williams, Rob
Subject: Boer/Jerome Cheese

FYI – Scott please note the reversal transfer has NOT yet been filed.

I have elected to continue to hold the Boer transfer until we can confirm that the Jerome Cheese transfer is approvable. There is still some uncertainty here because Kohtz has not yet followed through with the reversal filing. According to file information, conveyance of water rights between Boer and Jerome Cheese appears also to be contingent upon “final non-appealable order approving the water right transfer application”.

Cindy

From: Jordan, Blake
Sent: Wednesday, January 25, 2012 1:14 PM
To: Yenter, Cindy
Subject: RE: Kohtz transfer

Out of curiosity, I ran the model to see what would happen and no additional mitigation would be required. Once the transfer is filed and there are no issues with the application and no protests are filed, we can have it approved the day after it comes out of protest. So about a month.

Blake

From: Yenter, Cindy
Sent: Wednesday, January 25, 2012 12:58 PM
To: Jordan, Blake
Cc: Robertson, Jean; Scott King
Subject: RE: Kohtz transfer

Thanks, Blake. I'm happy you have this straight. Will the transfer-back require mitigation of its own, since it's a single transfer? If so I suppose that would be Del's problem. How long do you anticipate the process time to be?

From: Jordan, Blake
Sent: Wednesday, January 25, 2012 12:52 PM
To: Yenter, Cindy
Subject: RE: Kohtz transfer

Hi Cindy,

I talked to Jason Helms last week about filing a transfer moving the portion of the water right sold to Jerome Cheese water right back to the original place of use. Jason said that he would possibly have the transfer into us by last Friday, but that didn't happen.

We looked into cancelling the transfer that moved Jerome cheeses portion but it was involved in a offsetting package that we didn't want to start over on. We figured that the best way to fix Del Kohtz conflict was to have them file one transfer moving the Jerome Cheese portion back to the original place of use.

Blake

Yenter, Cindy

From: Yenter, Cindy
Sent: Wednesday, January 25, 2012 11:14 AM
To: Jordan, Blake
Cc: Robertson, Jean
Subject: Kohtz transfer

Blake – Are you processing (or do you have in hand) a recent transfer from IWC on a portion of 35-2241A which returns the right to its original pou? I'm sorry I really don't know which split it is. The issue is that Kohtz sold this portion for mitigation in B36 after he had already sold and transferred it somewhere else. According to SPF Water, Del is transferring the right back, in order that we may then process the transfer for SPF's client, Jerome Cheese.

Is this your understanding of this mess? Why didn't Kohtz just ask that the transfer be cancelled and reverted? Is that what is in fact going on?

Cindy

RECEIVED

OCT 17 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Affidavit of Publication

STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 6th day of October, 2011 and ending with the issue dated 13th day of October, 2011

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

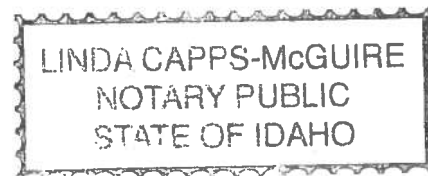
Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 14th day of October, 2011, before me,

a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps-McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5-19-15

✓ OK
DB 10-20-2011

✓ The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16382

BUCKEYE FARMS INC

PO BOX 269

HAGERMAN, ID 83332

Point of Diversion NWSWSW S27 T07S R13E GOODING County

Source WASTE WATER Tributary SNAKE RIVER

Point of Diversion SWSWNE S27 T07S R13E GOODING County

Source WASTE WATER Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 11.63 CFS 8419 AF

Use: FISH PROPAGATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: RECREATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: WILDLIFE 01/01 to 12/31 11.63 CFS 8419 AF

Total Diversion: 11.63 CFS 8419 AF

Date Filed: 10/18/2005

Place Of Use: AESTHETIC, WILDLIFE & RECREATION

T07S R13E S28

SESW SE (ALL)

T07S R13E S33

NE (ALL) NENW SENW NESE NWSE SESE

T07S R13E S34

SWNW NWSW SWSW

Place Of Use: FISH PROPAGATION

T07S R13E S34

L7(SWNW)

Application for Permit to divert 11.63 cfs of wastewater for year round use in existing ponds and fish facility for aesthetic, wildlife, recreation, and fish propagation purposes. The wastewater will be diverted from two points of diversion along the Buckeye Ditch; one approximately 1 ½ miles south & 1 mile west, the other 1 ¾ miles south & 1 ½ miles west of Hagerman. The ponds and fish facility are located between 1 ¾ - 2 ¾ south & 1 ½ - 2 miles west of Hagerman. Published in the Times News, Post Register, Idaho Statesman and Lewiston Tribune on October 6th & 13th, 2011.

✓ **45-14352**

BARNEY GREENER

SHERRIE GREENER

19 WEST 200 SOUTH

BURELY, ID 83318

Point of Diversion NENW S6 T11S R23E CASSIA County Source
GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.02 CFS

Use: HEATING 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/20/2011

Place Of Use: HEATING & COOLING

T11S R23E S6 NENW

Application proposes to divert up to 0.02 cfs of groundwater from an existing well for heating and cooling of a daycare facility. The well and daycare facility property are located approximately 2.0 miles south and 0.07 miles west of the center of the city of Burley (Overland and Main intersection). The diverted water will be reinjected into the aquifer via an existing injection well located on the property.

✓ OK DB 10/20/2011

SEE NEXT PAGE FOR REMAINDER OF AD →

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

✓
ADTD FARMS LLC, 246 E 300 S, BURLEY, ID 83318 has filed Application No. 77288 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2492, 43-12990, 43-13620, 43-13621, 43-13622, 43-13623, 43-13624, 43-13625, 43-13626, 43-13627, 43-13628, 43-13629, 43-13630, 43-13631, 43-13632, 43-13633, 43-13689; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer combines 17 ground water rights from 8 existing wells, 3 of which are located within the Raft River Critical Groundwater Management Area, authorized for the combined total diversion of 21.81 cfs & 5,111.2 AF and places them in a permissible place of use (PPU) of 1,429.0 acres, limited to 1,418.2 acres during any given irrigation season. No new wells will be drilled. Location of the proposed place of use and existing wells is between ½ mile north and extending about 3 miles south of Yale Road, between 1½ - 4 miles east of Interstate 84, and approximately 12 miles north of Malta. Published in the Times News, Post Register, Idaho Statesman and Lewiston Tribune on October 6th & 13th, 2011.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

✓
BOER DAIRY LLC, 472 SOUTH 200 WEST, JEROME, ID 83338 has filed Application No. 77388 for changes to the following water rights within GOODING County(s): Right No(s). 36-7617, 36-16906; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows:

Transfer combines 2 groundwater rights from 4 existing wells currently authorized for the combined diversion of 11.14 cfs & 2,811.2 AF to create a permissible place of use of 920.0 acres, limited to 702.8 acres during any irrigation season. No new wells will be drilled. Location is on the north side of Bob Barton Highway between approximately ½ - 1½ miles south and 7¼ - 8½ miles west of the center of Jerome.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 10/6 & 10/13/2011

✓ OK DB 10/20/2011

Proof of Publication
The Post Register

RECEIVED

OCT 17 2011

State of Idaho
Bonneville County:

DEPT. OF WATER RESOURCES
SOUTHERN REGION

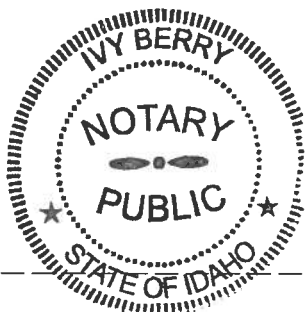
I, ~~Hilary Witt~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under this ad number: **423054**, for **2** consecutive (days) weeks, between **10/06/2011** and **10/13/2011**,

and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 13 day of October 2011



Ivy Berry

Notary Public

My Commission expires: 1/10/2015

----- attached jurat -----

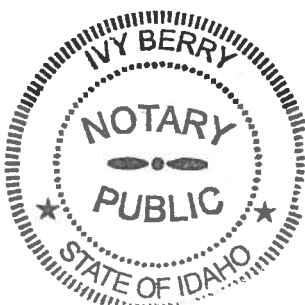
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 13 day of October 2011, before me, the undersigned, a Notary public for said state, personally appeared ~~Hilary Witt~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal the day and year in this certificate first above written.



Ivy Berry

Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 1/10/2015

✓ OK
DB 10-20-2011

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓
36-16382
BUCKEYE FARMS INC
PO BOX 269
HAGERMAN, ID 83332
Point of Diversion NWSWSW S27 T07S R13E
GOODING County Source WASTE WATER
Tributary SNAKE RIVER
Point of Diversion SWSWNE S27 T07S R13E
GOODING County Source WASTE WATER
Tributary SNAKE RIVER
Use: AESTHETIC 01/01 to 12/31 11.63 CFS
8419 AF
Use: FISH PROPAGATION 01/01 to 12/31
11.63 CFS 8419 AF
Use: RECREATION 01/01 to 12/31 11.63 CFS
8419 AF
Use: WILDLIFE 01/01 to 12/31 11.63 CFS
8419 AF
Total Diversion: 11.63 CFS 8419 AF
Date Filed: 10/21/2005
Place Of Use: AESTHETIC, WILDLIFE &
RECREATION
T07S R13E S28
SESW SE (ALL)
T07S R13E S33
NE (ALL) NENW SENW NESE NWSE SESE
T07S R13E S34
SWNW NWSW SWSW
Place Of Use: FISH PROPAGATION
T07S R13E S34
L7(SWNW)

Application for Permit to divert 11.63 cfs of wastewater for year round use in existing ponds and fish facility for aesthetic, wildlife, recreation, and fish propagation purposes. The wastewater will be diverted from two points of diversion along the Buckeye Ditch; one approximately 1 ½ miles south & 1 mile west, the other 1 ¾ miles south & 1 ½ miles west of Hagerman. The ponds and fish facility are located between 1 ¾ - 2 ¾ south & 1 ½ - 2 miles west of Hagerman.

✓
**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

BOER DAIRY LLC, 472 SOUTH 200 WEST, JEROME, ID 83338 has filed Application No. 77388 for changes to the following water rights within GOODING County(s): Right No(s). 36-7617, 36-16906; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows:

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Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published: October 6 and 13, 2011 (423054)

RECEIVED

OCT 17 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

✓ OK DB 10/20/2011

TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

Sold To: DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 200
TWIN FALLS ID 83301

Date:	<u>10/13/2011</u>	INVOICE NO.	<u>48982</u>
Account No.	<u>446620</u>		
Description	<u>48982 The follo</u>		
Times	<u>2</u>	Lines	<u>57</u>
		Tab. lines	

\$ 273.60

PO#

RECEIVED

OCT 17 2011

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

DEPT. OF WATER RESOURCES
SOUTHERN REGION

AFFIDAVIT OF PUBLICATION

Karen J. Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 48982 The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune, 2 time(s). Publication being on 10/06, or once a Week for 2 consecutive Week, the first publication thereof being on the 10/06/2011, and the last publication thereof being on the 10/13/2011, and said 48982 The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

State of Idaho

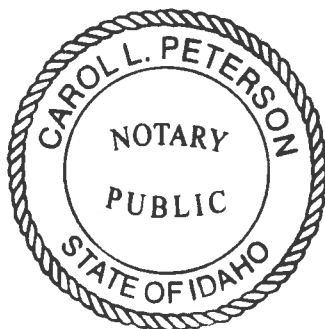
S.S.

County of Nez Perce

On this 13th day of October in the year of 2011, before me, a Notary Public, personally appeared Karen J. Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Carol L. Peterson

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 9-1-2017



✓ OK
DB 10-20-2011

36-16382

+ 77388

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16382

BUCKEYE FARMS INC

PO BOX 269

HAGERMAN, ID 83332

Point of Diversion NWSWSW S27 T07S R13E GOODING County Source WASTE WATER
Tributary SNAKE RIVER

Point of Diversion SWSWNE S27 T07S R13E GOODING County Source WASTE WATER
Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 11.63 CFS 8419 AF

Use: FISH PROPAGATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: RECREATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: WILDLIFE 01/01 to 12/31 11.63 CFS 8419 AF

Total Diversion: 11.63 CFS 8419 AF

Date Filed: 10/21/2005

Place Of Use: AESTHETIC, WILDLIFE & RECREATION

T07S R13E S28

SESW SE (ALL)

T07S R13E S33

NE (ALL) NENW SENW NESE NWSE SESE

T07S R13E S34

SWNW NWSW SWSW

Place Of Use: FISH PROPAGATION

T07S R13E S34

L7(SWNW)

Application for Permit to divert 11.63 cfs of wastewater for year round use in existing ponds and fish facility for aesthetic, wildlife, recreation, and fish propagation purposes. The wastewater will be diverted from two points of diversion along the Buckeye Ditch; one approximately 1 1/2 miles south & 1 mile west, the other 1 3/4 miles south & 1 1/2 miles west of Hagerman. The ponds and fish facility are located between 1 3/4 - 2 3/4 south & 1 1/2 - 2 miles west of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

BOER DAIRY LLC, 472 SOUTH 200 WEST, JEROME, ID 83338 has filed Application No. 77388 for changes to the following water rights within GOODING County(s): Right No(s). 36-7617, 36-16906; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows:

Transfer combines 2 groundwater rights from 4 existing wells currently authorized for the combined diversion of 11.14 cfs & 2,811.2 AF to create a permissible place of use of 920.0 acres, limited to 702.8 acres during any irrigation season. No new wells will be drilled. Location is on the north side of Bob Barton Highway between approximately 1/2 - 1 1/2 miles south and 7/4 - 8 1/2 miles west of the center of Jerome.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published in the Times News, Post Register, Idaho Statesman and Lewiston Tribune on October 6th & 13th. 2011.

✓ OK DB 10/20/2011

RECEIVED

OCT 17 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
 505 C St., P.O.Box 957
 Lewiston, Idaho 83501
 (208) 743-9411

Date:	<u>10/13/2011</u>	INVOICE NO.	<u>48982</u>
Account No.	<u>446620</u>		
Description	<u>48982 The follo</u>		
Times	<u>2</u>	Lines	<u>57</u>
		Tab. lines	

**LEGAL ADVERTISING
INVOICE**

Sold To: DEPT OF WATER RESOURCES
 1341 FILLMORE STREET, SUITE 200
 TWIN FALLS ID 83301

*duplicate
copy*

PO#

\$ 273.60

RECEIVED

OCT 17 2011

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month. **DEPT. OF WATER RESOURCES SOUTHERN REGION**
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

Karen J. Lewis , being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 48982 The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune, 2 time(s). Publication~ being on 10/06 , or once a ~~Week~~ Week , for 2 consecutive ~~Weeks~~ Weeks , the first publication thereof being on the 10/06/2011 , and the last publication thereof being on the 10/13/2011 , and said 48982 The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

State of Idaho
 S.S.
 County of Nez Perce

On this _____ day of _____ in the year of _____, before me, a Notary Public, personally appeared Karen J. Lewis , known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public in and for the State of Idaho,
 residing at Lewiston, therein
 Commission Expires _____

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 48982

36-16382

BUCKEYE FARMS INC

PO BOX 269

HAGERMAN, ID 83332

Point of Diversion NWSWSW S27 T07S R13E GOODING County Source WASTE WATER
Tributary SNAKE RIVER

Point of Diversion SWSWNE S27 T07S R13E GOODING County Source WASTE WATER
Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 11.63 CFS 8419 AF

Use: FISH PROPAGATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: RECREATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: WILDLIFE 01/01 to 12/31 11.63 CFS 8419 AF

Total Diversion: 11.63 CFS 8419 AF

Date Filed: 10/21/2005

Place Of Use: AESTHETIC, WILDLIFE & RECREATION

T07S R13E S28

SESW SE (ALL)

T07S R13E S33

NE (ALL) NENW SENW NESE NWSE SESE

T07S R13E S34

SWNW NWSW SWSW

Place Of Use: FISH PROPAGATION

T07S R13E S34

L7(SWNW)

Application for Permit to divert 11.63 cfs of wastewater for year round use in existing ponds and fish facility for aesthetic, wildlife, recreation, and fish propagation purposes. The wastewater will be diverted from two points of diversion along the Buckeye Ditch; one approximately 1 1/2 miles south & 1 mile west, the other 1 1/4 miles south & 1 1/2 miles west of Hagerman. The ponds and fish facility are located between 1 3/4 - 2 3/4 south & 1 1/2 - 2 miles west of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

BOER DAIRY LLC, 472 SOUTH 200 WEST, JEROME, ID 83338 has filed Application No. 77388 for changes to the following water rights within GOODING County(s): Right No(s). 36-7617, 36-16906; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows:

Transfer combines 2 groundwater rights from 4 existing wells currently authorized for the combined diversion of 11.14 cfs & 2,811.2 AF to create a permissible place of use of 920.0 acres, limited to 702.8 acres during any irrigation season. No new wells will be drilled. Location is on the north side of Bob Barton Highway between approximately 1/2 - 1 1/2 miles south and 7/4 - 8 1/2 miles west of the center of Jerome.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published in the Times News, Post Register, Idaho Statesman and Lewiston Tribune on October 6th & 13th, 2011.

RECEIVED

OCT 17 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED
OCT 14 2011
DEPT. OF WATER RESOURCES
SOUTHERN REGION**LEGAL PROOF OF PUBLICATION**

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
100632	0000570878	LEGAL NOTICE	BuckeyeFarms	\$227.16	2	64

Attention: Denise Buffington

IDAHO DEPT WATER RESOURCE

1341 FILLMORE ST STE 200

TWIN FALLS ID 83301

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓ **36-16382****BUCKEYE FARMS INC**

PO BOX 269

HAGERMAN, ID 83332

Point of Diversion NWSWSW S27 T07S R13E GOODING County Source

WASTE WATER Tributary SNAKE RIVER

Point of Diversion SWSWNE S27 T07S R13E GOODING County Source

WASTE WATER Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 11.63 CFS 8419 AF

Use: FISH PROPAGATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: RECREATION 01/01 to 12/31 11.63 CFS 8419 AF

Use: WILDLIFE 01/01 to 12/31 11.63 CFS 8419 AF

Total Diversion: 11.63 CFS 8419 AF

Date Filed: 10/21/2005

Place Of Use: AESTHETIC, WILDLIFE & RECREATION

T07S R13E S28

SESW SE (ALL)

T07S R13E S33

NE (ALL) NENW SENW NESE NWSE SESE

T07S R13E S34

SWNW NWSW SWSW

Place Of Use: FISH PROPAGATION

T07S R13E S34

L7(SWNW)

Application for Permit to divert 11.63 cfs of wastewater for year round use in existing ponds and fish facility for aesthetic, wildlife, recreation, and fish propagation purposes. The wastewater will be diverted from two points of diversion along the Buckeye Ditch; one approximately 1 1/2 miles south & 1 mile west, the other 1 3/4 miles south & 1 1/2 miles west of Hagerman. The ponds and fish facility are located between 1 3/4 - 2 3/4 south & 1 1/2 - 2 miles west of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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GARY SPACKMAN, Interim Director

Pub. Oct. 6, 13, 2011

0000570878-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 InsertionsBeginning issue of: 10/06/2011Ending issue of: 10/13/2011

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

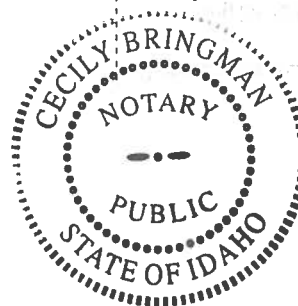
COUNTY OF ADA)

On this 13 day of October in the year of 2011 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cecily Bringman
Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

8-27-15



✓ OK DB 10/20/2011

Proof of legal notice for review, received from Post Register 10/4/2011

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16382
BUCKEYE FARMS INC
PO BOX 269
HAGERMAN, ID 83332
Point of Diversion NWSWSW S27 T07S R13E
GOODING County Source WASTE WATER
Tributary SNAKE RIVER
Point of Diversion SWSWNE S27 T07S R13E
GOODING County Source WASTE WATER
Tributary SNAKE RIVER
Use: AESTHETIC 01/01 to 12/31 11.63 CFS
8419 AF
Use: FISH PROPAGATION 01/01 to 12/31
11.63 CFS 8419 AF
Use: RECREATION 01/01 to 12/31 11.63 CFS
8419 AF
Use: WILDLIFE 01/01 to 12/31 11.63 CFS
8419 AF
Total Diversion: 11.63 CFS 8419 AF
Date Filed: 10/21/2005
Place Of Use: AESTHETIC, WILDLIFE &
RECREATION
T07S R13E S28
SESW SE (ALL)
T07S R13E S33
NE (ALL) NENW SENW NESE NWSE SESE
T07S R13E S34
SWNW NWSW SWSW
Place Of Use: FISH PROPAGATION
T07S R13E S34
L7(SWNW)

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BOER DAIRY LLC, 472 SOUTH 200 WEST, JEROME, ID 83338 has filed Application No. 77388 for changes to the following water rights within GOODING County(s): Right No(s). 36-7617, 36-16906; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows:

Transfer combines 2 groundwater rights from 4 existing wells currently authorized for the combined diversion of 11.14 cfs & 2,811.2 AF to create a permissible place of use of 920.0 acres, limited to 702.8 acres during any irrigation season. No new wells will be drilled. Location is on the north side of Bob Barton Highway between approximately ½ - 1 ½ miles south and 7¼ - 8½ miles west of the center of Jerome.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before October 24, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published: October 6 and 13, 2011 (423054)

✓ ok
DB 10/4/2011

E-mail sent
to newspaper.