

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76977

This is to certify that: G & H DAIRY LLC
 299 ADDISON AVE W
 TWIN FALLS ID 83301-5049
 (208)734-8821

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>
36-7409A	WR/Decreed	11/21/1973	2.19 cfs	N/A	254.0	268.0	GROUND WATER
36-7631A	WR/Decreed	06/23/1976	3.17 cfs	N/A	N/A	268.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

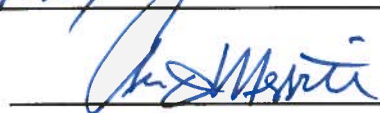
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7409A	NO	NO	NO	YES	NO	NO
36-7631A	NO	NO	NO	YES	NO	NO

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>
36-7409A	36-7409A	2.19 cfs	N/A	254.0	268.0		N/A	N/A	N/A	N/A
36-7631A	36-7631A	3.17 cfs	N/A	N/A	268.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		5.36 cfs	1072 af	268	268		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of May, 20 11


 Southern Region Manager

WATER RIGHT NO. 36-7631A
As Modified by Transfer No. 76977

In accordance with the approval of Transfer No. 76977, Water Right No. 36-7631A is now described as follows.

Right Holder: G & H DAIRY LLC
 299 ADDISON AVE W
 TWIN FALLS ID 83301-5049

Priority Date: June 23, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	3.17 CFS
			3.17 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE	Sec. 7 Twp 08S Rge 15E GOODING County
GROUND WATER	SWSWSE	Sec. 7 Twp 08S Rge 15E GOODING County
GROUND WATER	NWNWNE	Sec. 18 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	7	35.0		40.0	40.0									40.0	40.0	38.0	35.0	268.0

Total Acres: 268

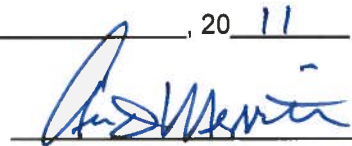
WATER RIGHT NO. 36-7631A
As Modified by Transfer No. 76977

CONDITIONS OF APPROVAL

1. Rights 36-7409A and 36-7631A when combined shall not exceed a total diversion rate of 5.36 cfs, a total annual maximum diversion volume of 1072.0 af at the field headgate, and the irrigation of 268 acres.
2. Diversion of water from the additional well authorized under Transfer 76977 located in NWNWNE, Sec. 18, T08S, R15E shall not exceed a maximum diversion rate of 1.56 cfs.
3. 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.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 76977, 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.
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 lands above.
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 23rd day of May, 2011


Southern Region Manager

WATER RIGHT NO. 36-7409A
As Modified by Transfer No. 76977

In accordance with the approval of Transfer No. 76977, Water Right No. 36-7409A is now described as follows.

Right Holder: G & H DAIRY LLC
 299 ADDISON AVE W
 TWIN FALLS ID 83301-5049

Priority Date: November 21, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	2.19 CFS
			2.19 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESWNE	Sec. 7	Twp 08S	Rge 15E	GOODING County
GROUND WATER	SWSWSE	Sec. 7	Twp 08S	Rge 15E	GOODING County
GROUND WATER	NWNWNE	Sec. 18	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	7	35.0		40.0	40.0					40.0	40.0	38.0	35.0					268.0

Total Acres: 268

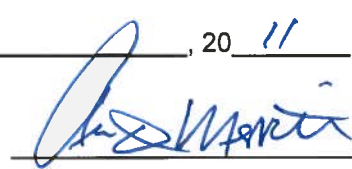
WATER RIGHT NO. 36-7409A
As Modified by Transfer No. 76977

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 254 acres within the authorized place of use in a single irrigation season.
2. Rights 36-7409A and 36-7631A when combined shall not exceed a total diversion rate of 5.36 cfs, a total annual maximum diversion volume of 1072.0 af at the field headgate, and the irrigation of 268 acres.
3. Diversion of water from the additional well authorized under Transfer 76977 located in NWNWNE, Sec. 18, T08S, R15E shall not exceed a maximum diversion rate of 1.56 cfs.
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 76977, 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 lands above.
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 23rd day of May, 2011


Southern Region Manager