

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77047

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>
36-11402	WR/Decreed	03/01/1977	0.07 cfs	N/A	N/A	N/A	GROUND WATER
36-14755	WR/Decreed	03/28/1979	0.04 cfs	N/A	N/A	N/A	GROUND WATER
36-7847	WR/Decreed	03/28/1979	0.56 cfs	112 af	N/A	28.0	GROUND WATER
36-8396	WR/License	10/20/1992	0.2 cfs	71.6 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

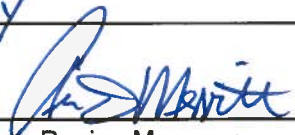
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-11402	NO	NO	NO	YES	NO	NO
36-14755	NO	NO	NO	YES	NO	NO
36-7847	NO	YES	YES	YES	YES	YES
36-8396	NO	NO	NO	YES	NO	NO

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>
36-11402	36-11402	0.07 cfs	14.6 af	N/A			N/A	N/A	N/A	N/A
36-14755	36-14755	0.04 cfs	1.2 af	N/A			N/A	N/A	N/A	N/A
36-7847	36-7847	0.56 cfs	56.3 af	N/A			N/A	N/A	N/A	N/A
36-8396	36-8396	0.2 cfs	71.6 af	N/A			N/A	N/A	N/A	N/A
COMBINED TOTALS		0.56 cfs	142.5 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of May, 2011


 Southern Region Manager

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

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.56 CFS	56.3 AF
STOCKWATER	01/01	to 12/31	0.56 CFS	56.3 AF
			0.56 CFS	56.3 AF

GROUND WATER	NENENE	Sec. 18 Twp 08S	Rge 15E	GOODING County
GROUND WATER	NENENE	Sec. 18 Twp 08S	Rge 15E	GOODING County
GROUND WATER	NWNENE	Sec. 18 Twp 08S	Rge 15E	GOODING County

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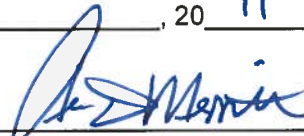
WATER RIGHT NO. 36-7847
As Modified by Transfer No. 77047

CONDITIONS OF APPROVAL

1. Rights 36-7847, 36-8396, 36-11402 and 36-14755 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 142.5 af.
2. 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.
3. Prior to diversion and use of water under Transfer approval 77047, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Commercial use is for a dairy.
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

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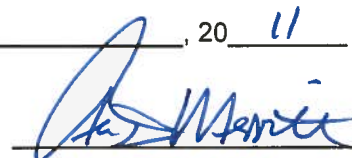
WATER RIGHT NO. 36-8396
As Modified by Transfer No. 77047

CONDITIONS OF APPROVAL

1. Rights 36-7847, 36-8396, 36-11402 and 36-14755 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 142.5 af.
2. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
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. Prior to diversion and use of water under Transfer approval 77047, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Commercial use is for a dairy.
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, 20 11


Southern Region Manager

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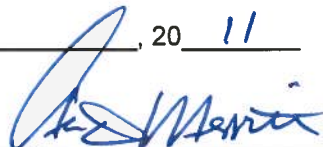
WATER RIGHT NO. 36-11402
As Modified by Transfer No. 77047

CONDITIONS OF APPROVAL

1. Rights 36-11402 and 36-14755 when combined shall not exceed a total annual maximum diversion volume of 14.6 af.
2. Rights 36-7847, 36-8396, 36-11402 and 36-14755 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 142.5 af.
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. Prior to diversion and use of water under Transfer approval 77047, 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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Domestic use is for 1 home.
8. The quantity of water decreed for this water right is not a determination of historical beneficial use.
9. The quantity of water under this right shall not exceed 13,000 gallons per day.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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, 20 11


Southern Region Manager

WATER RIGHT NO. 36-14755
As Modified by Transfer No. 77047

In accordance with the approval of Transfer No. 77047, Water Right No. 36-14755 is now described as follows.

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

Priority Date: March 28, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	1.2 AF
			0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 18 Twp 08S Rge 15E GOODING County
GROUND WATER	NENENE	Sec. 18 Twp 08S Rge 15E GOODING County
GROUND WATER	NWNENE	Sec. 18 Twp 08S Rge 15E GOODING County

PLACE OF USE: DOMESTIC

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	18	X																

CONDITIONS OF APPROVAL

1. Rights 36-11402 and 36-14755 when combined shall not exceed a total annual maximum diversion volume of 14.6 af.
2. Rights 36-7847, 36-8396, 36-11402 and 36-14755 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 142.5 af.
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. Prior to diversion and use of water under Transfer approval 77047, 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.

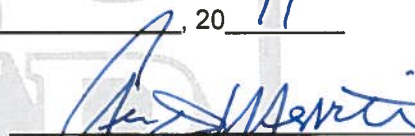
WATER RIGHT NO. 36-14755
As Modified by Transfer No. 77047

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Domestic use is for 1 home.
8. The quantity of water decreed for this water right is not a determination of historical beneficial use.
9. The quantity of water under this right shall not exceed 13,000 gallons per day.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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