

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75353

This is to certify that: VISSER HOLSTEINS
DBA EAGLE VIEW FARMS
PO BOX 665
CASTLEFORD ID 83321-0665
(208)537-0918

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>
47-2371	WR/Decreed	03/04/1963	2.02 cfs	857.4 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>
47-2371	NO	YES	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>
47-2371	47-2371/51-13086	2.02 cfs	857.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.02 cfs	857.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of July, 20 10

Chief, Water Allocation Bureau

[illegible]

WATER RIGHT NO. 47-2371/51-13086
As Modified by Transfer No. 75353

CONDITIONS OF APPROVAL

1. Right 47-2371 is also recorded as Right 51-13086 to identify the diversion of ground water from multiple points of diversion located within both Basins 47 and 51 as a result of Transfer approval 75353. These duplicate right numbers represent a single use of water as described on either right.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. The following rights are diverted through points of diversion described above: 47-2331/51-13076, 47-2341/51-13077, 47-2342/51-13078, 47-2353/51-13075, 47-2371/51-13086, 47-2374/51-13080, 47-2376/51-13081, 47-2377/51-13082, 47-2379/51-13083, 47-2381/51-13079, 47-2419/51-13084, 47-7040/51-13085 and 51-13010/47-17542.
4. Commercial use is for a dairy.
5. 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.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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.
11. The diversion and use of water described in this right may be subject to additional limitations agreed to by the protestant(s) of Transfer 5589 and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

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 30th day of July, 20 10

Chief, Water Allocation Bureau