

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76255

This is to certify that: NUNES BROTHERS DAIRY
2933C S 1500 E
WENDELL ID 83355
(208)5366106

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>
36-10658	WR/Decreed	06/11/1937	0.2 cfs	N/A			GROUND WATER
36-2244	WR/Decreed	12/29/1953	2.06 cfs	436 af		109.0	GROUND WATER
36-8552	WR/License	06/28/1990	0.12 cfs	41.7 af			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>
36-10658	NO	NO	NO	YES	NO	NO
36-2244	YES	YES	YES	YES	YES	YES
36-8552	NO	NO	NO	NO	NO	NO

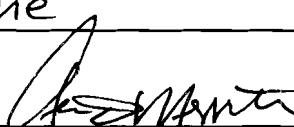
Summary of Water Rights After the Approved Change

<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>
36-8552	36-8552	0.12 cfs	41.7 af	N/A			N/A	N/A	N/A	N/A
36-10658	36-10658	0.2 cfs	14.6 af	N/A			N/A	N/A	N/A	N/A
36-2244	36-16825	0.09 cfs	18 af	N/A		36-16824	1.97 cfs	418 af	104.0	104.0
COMBINED										
TOTALS		0.29 cfs	74.3 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of June, 20 10

SUPPORT DATA


Southern Region Manager

IN FILE # 36-2244

WATER RIGHT NO. 36-16824
As Modified by Transfer No. 76255

In accordance with the approval of Transfer No. 76255, Water Right No. 36-16824 is now described as follows.

Right Holder: NUNES BROTHERS DAIRY
 2933C S 1500 E
 WENDELL ID 83355

Priority Date: December 29, 1953

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	1.97 CFS	418.0 AF
			1.97 CFS	418.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSW Sec. 35 Twp 07S Rge 14E 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	
07S 14E 34													35.0	36.0			71.0
07S 14E 35									33.0								33.0

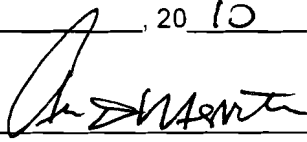
Total Acres: 104

CONDITIONS OF APPROVAL

- 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 8th day of June, 20 10



 Southern Region Manager

WATER RIGHT NO. 36-16825
As Modified by Transfer No. 76255

In accordance with the approval of Transfer No. 76255, Water Right No. 36-16825 is now described as follows.

Right Holder: NUNES BROTHERS DAIRY
2933C S 1500 E
WENDELL ID 83355

Priority Date: December 29, 1953

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	0.09 CFS	18.0 AF
STOCKWATER	01/01	to 12/31	0.09 CFS	18.0 AF
			0.09 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 34 Twp 07S	Rge 14E	GOODING County
GROUND WATER	SENE	Sec. 34 Twp 07S	Rge 14E	GOODING County

PLACE OF USE: COMMERCIAL

[illegible]

PLACE OF USE: STOCKWATER

[illegible]

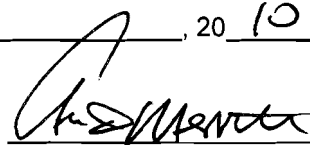
WATER RIGHT NO. 36-16825
As Modified by Transfer No. 76255

CONDITIONS OF APPROVAL

1. The following rights are diverted through point(s) of diversion described above: 36-8552, 36-10658 and 36-16825.
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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 76255, 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.
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 8th day of June, 2010



Southern Region Manager

WATER RIGHT NO. 36-10658
As Modified by Transfer No. 76255

In accordance with the approval of Transfer No. 76255, Water Right No. 36-10658 is now described as follows.

Right Holder: NUNES BROTHERS DAIRY
2933-A S 1500 E
WENDELL ID 83355

MARIA NUNES
2933A S 1500 E
WENDELL ID 83355

Priority Date: June 11, 1937

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.20 CFS	12.0 AF
DOMESTIC	01/01	to 12/31	0.04 CFS	2.6 AF
			0.20 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 34 Twp 07S Rge 14E GOODING County

GROUND WATER SENE Sec. 34 Twp 07S Rge 14E GOODING County

PLACE OF USE: STOCKWATER

[illegible]

PLACE OF USE: DOMESTIC

[illegible]

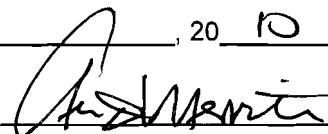
WATER RIGHT NO. 36-10658
As Modified by Transfer No. 76255

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and 1/2 acre of irrigation.
2. Rights 36-8552 & 36-10658 when combined shall not exceed a total diversion rate of 0.2 cfs, a total annual maximum diversion volume of 56.3 af and the irrigation of 1.5 acres.
3. The following rights are diverted through point(s) of diversion described above: 36-8552, 36-10658 and 36-16825.
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 130.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 76255, 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.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one years 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 8th day of June, 2010



Southern Region Manager

WATER RIGHT NO. 36-8552
As Modified by Transfer No. 76255

In accordance with the approval of Transfer No. 76255, Water Right No. 36-8552 is now described as follows.

Right Holder: NUNES BROTHERS DAIRY
 2933 S 1500 E
 WENDELL ID 83355

Priority Date: June 28, 1990

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	0.06 CFS	35.3 AF
DOMESTIC	01/01	to 12/31	0.10 CFS	6.4 AF
STOCKWATER	01/01	to 12/31	0.06 CFS	35.3 AF
			0.12 CFS	41.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 34 Twp 07S Rge 14E GOODING County

GROUND WATER SENE Sec. 34 Twp 07S Rge 14E GOODING County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 14E 34				X													

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 14E 34				X													

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 14E 34				X													

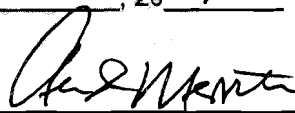
WATER RIGHT NO. 36-8552
As Modified by Transfer No. 76255

CONDITIONS OF APPROVAL

1. Rights 36-8552 & 36-10658 when combined shall not exceed a total diversion rate of 0.2 cfs, a total annual maximum diversion volume of 56.3 af and the irrigation of 1.5 acres.
2. The following rights are diverted through point(s) of diversion described above: 36-8552, 36-10658 and 36-16825.
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 130.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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 76255, 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. Commercial use is for a dairy barn.
8. Domestic use is for 4 homes.
9. The irrigation occurring under this domestic use shall not exceed 0.5 acre per home or 1 acre of total irrigated area, whichever is less

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 8th day of June, 2010

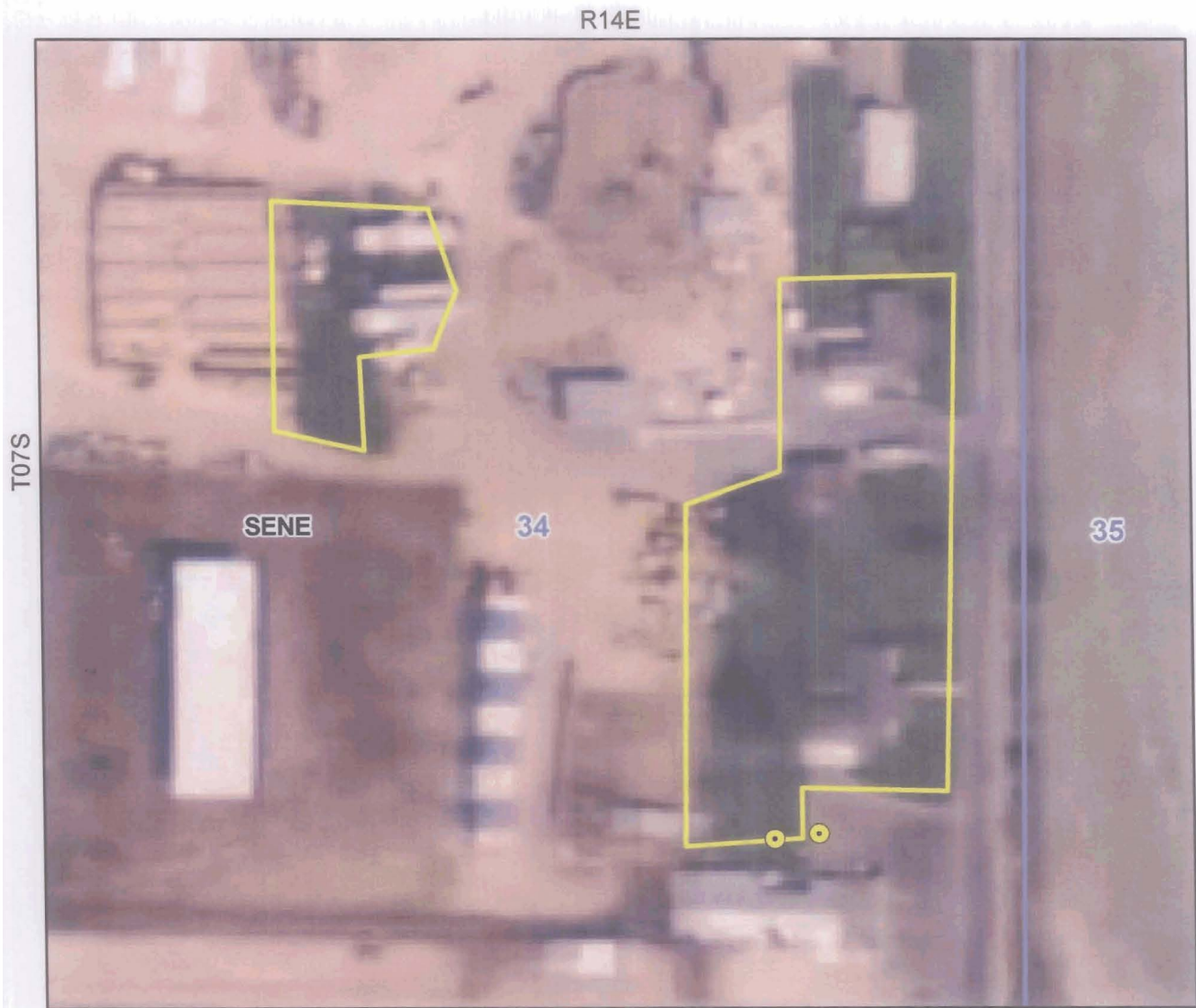


Southern Region Manager

State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 76255

Water Service Area Boundary for Nunes Brothers Dairy
Rights: 36-8552, 36-10658 (Domestic)



Legend

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

0 0.015 0.03 0.06 Miles



State of Idaho
Department of Water Resources
Transfer Of Water Right

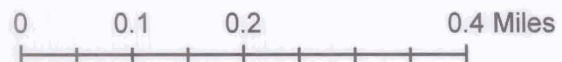
Transfer No. 76255

Water Service Area Boundary for Nunes Brothers Dairy
Rights: 36-16824,(Irrigation)



Legend

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



State of Idaho
Department of Water Resources
Transfer Of Water Right

Transfer No. 76255

Water Service Area Boundary for Nunes Brothers Dairy
Rights: 36-8552, 36-10658, 36-16825 (Stockwater & Commercial)

R14E

T07S



Legend

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

0 0.0375 0.075 0.15 Miles

