

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73357

This is to certify that: BIG SKY DAIRY
 PO BOX 407
 JEROME ID 83338
 (208) 934-9072

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>
37-20720	WR/Decreed	01/10/1973	1.96 cfs	392 af		98.0	GROUND WATER
37-20721	WR/Decreed	01/10/1973	0.44 cfs	92.8 af			GROUND WATER
37-20857	AJC/Beneficial Use	08/10/1925	0.04 cfs	N/A			GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

<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>
37-7488	WR/Decreed	04/15/1976	1.98 cfs	396 af		99.0	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>
37-20720	YES	NO	YES	YES	YES	YES
37-20721	NO	NO	YES	YES	NO	YES
37-20857	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>
37-20720	37-22159	0.19 cfs	35.7 af	N/A		37-22158	1.77 cfs	344.4 af	N/A	86.1
37-20721	37-20721	0.44 cfs	92.8 af	N/A			N/A	N/A	N/A	N/A
37-20857	37-20857	0.04 cfs	N/A	N/A			N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.63 cfs	128.5 af				N/A	N/A	N/A	N/A

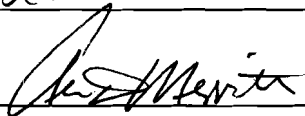
SUPPORT DATA

IN FILE # 37-20720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73357

Detailed Water Right Description(s) attached

Dated this 29th day of October, 2009

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22158
As Modified by Transfer No. 73357

In accordance with the approval of Transfer No. 73357, Water Right No. 37-22158 is now described as follows.

Right Holder: BIG SKY DAIRY
 PO BOX 407
 JEROME ID 83338

Priority Date: January 10, 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	1.77 CFS	344.4 AF
			1.77 CFS	344.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENE Sec. 20 Twp 06S Rge 18E LINCOLN 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	
06S 18E 20	33.0																33.0
06S 18E 21						13.1	40.0										53.1

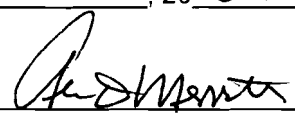
Total Acres: 86.1

CONDITIONS OF APPROVAL

1. Use of this right with Right No. 37-7488 is limited to a combined diversion rate of 2.56 cfs.
2. 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 29th day of October, 2009


 R. D. Minter Chief, Water Allocation Bureau

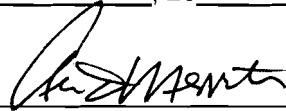
WATER RIGHT NO. 37-22159
As Modified by Transfer No. 73357

CONDITIONS OF APPROVAL

1. Rights 37-20721, 37-20857 and 37-22159 when combined shall not exceed a total diversion rate of 0.63 cfs, and a total annual maximum diversion volume of 128.5 af at the field headgate.
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 73357, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
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.

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 29th day of October, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20721
As Modified by Transfer No. 73357

In accordance with the approval of Transfer No. 73357, Water Right No. 37-20721 is now described as follows.

Right Holder: BIG SKY DAIRY
PO BOX 407
JEROME ID 83338

Priority Date: January 10, 1973

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	0.44 CFS	92.8 AF
			0.44 CFS	92.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENE	Sec. 20 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	SWNENW	Sec. 21 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	NENWNW	Sec. 21 Twp 06S	Rge 18E	LINCOLN County

PLACE OF USE: STOCKWATER

[illegible]

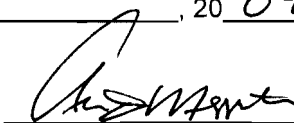
WATER RIGHT NO. 37-20721
As Modified by Transfer No. 73357

CONDITIONS OF APPROVAL

1. Rights 37-20721, 37-20857 and 37-22159 when combined shall not exceed a total diversion rate of 0.63 cfs, and a total annual maximum diversion volume of 128.5 af at the field headgate.
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 73357, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
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.

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 29th day of October, 2009



For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20857
As Modified by Transfer No. 73357

In accordance with the approval of Transfer No. 73357, Water Right No. 37-20857 is now described as follows.

Right Holder: BIG SKY DAIRY
PO BOX 407
JEROME ID 83338

Priority Date: August 10, 1925

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	0.04 CFS	
DOMESTIC	01/01	to 12/31	0.04 CFS	
			0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 20 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	SWNENW	Sec. 21 Twp 06S	Rge 18E	LINCOLN County
GROUND WATER	NENWNW	Sec. 21 Twp 06S	Rge 18E	LINCOLN County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
06S	18E	21					X	X	X	X									

PLACE OF USE: DOMESTIC

[illegible]

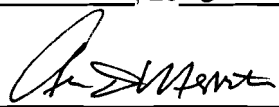
WATER RIGHT NO. 37-20857
As Modified by Transfer No. 73357

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. Use of this right with Right 37-20721 shall not exceed the total usage described in Right 37-20721.
4. Rights 37-20721, 37-20857 and 37-22159 when combined shall not exceed a total diversion rate of 0.63 cfs, and a total annual maximum diversion volume of 128.5 af at the field headgate.
5. Domestic use is for 1 home.
6. 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.
7. Prior to diversion and use of water under Transfer approval 73357, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 29th day of October, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7488
As Modified by Transfer No. 73357

In accordance with the approval of Transfer No. 73357, Water Right No. 37-7488 is now described as follows.

Right Holder: BIG SKY DAIRY
 PO BOX 407
 JEROME ID 83338

Priority Date: April 15, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15 to 11/15	1.98 CFS	396.0 AF
		1.98 CFS	396.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENE Sec. 20 Twp 06S Rge 18E LINCOLN 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	
06S 18E 17															33.0	33.0	66.0
06S 18E 20		33.0															33.0

Total Acres: 99

CONDITIONS OF APPROVAL

1. Use of this right with Right No. 37-22158 is limited to a combined diversion rate of 2.56 cfs.
2. 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 29th day of October, 2009



 For Chief, Water Allocation Bureau