

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75087

This is to certify that: HIGH PLAINS DAIRY LLC
 PO BOX 780
 CASTLEFORD ID 83321
 (208)543-8721

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>
47-2382	AJC/License	12/13/1963	1.34 cfs	568.4 af		280.0	GROUND WATER
51-13048	WR/Decreed	11/21/1960	1.33 cfs	416 af		104.0	GROUND WATER
51-13050	WR/Decreed	10/25/1951	1.42 cfs	449.2 af		112.3	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>
47-2382	NO	NO	YES	NO	NO	NO
51-13048	YES	YES	YES	NO	NO	NO
51-13050	NO	YES	YES	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>
47-2382	47-2382	1.34 cfs	568.4 af	225.1	225.1	N/A	N/A	N/A	N/A	N/A
51-13048	47-17506	0.59 cfs	183.6 af	45.9	225.1	51-13051	0.74 cfs	232.4 af	58.1	58.1
51-13050	47-17507	0.69 cfs	216.8 af	54.2	225.1	51-13053	0.73 cfs	232.4 af	58.1	58.1
COMBINED TOTALS		2.42 cfs	785.2 af	225.1	225.1		1.16 cfs	232.4 af	58.1	58.1

Detailed Water Right Description(s) attached

Dated this 19th day of March, 2009

 Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 47-2382

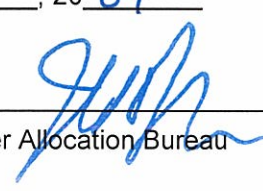
WATER RIGHT NO. 47-2382
As Modified by Transfer No. 75087

CONDITIONS OF APPROVAL

1. 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.
2. Rights 47-2382, 47-17506, and 47-17507 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 785.2 af at the field headgate, and the irrigation of 225.1 acres.
3. This right is limited to the irrigation of 225.1 acres within the place of use described above in a single irrigation season.
4. 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.
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. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 19th day of March, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 51-13051
As Modified by Transfer No. 75087

In accordance with the approval of Transfer No. 75087, Water Right No. 51-13051 is now described as follows.

Right Holder: HIGH PLAINS DAIRY LLC
PO BOX 780
CASTLEFORD ID 83321

Priority Date: November 21, 1960

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	0.74 CFS	232.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENE Sec. 12 Twp 10S Rge 12E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	12E	1			9.9				40.0	7.2							1.0		58.1

Total Acres: 58.1

WATER RIGHT NO. 51-13051
As Modified by Transfer No. 75087

CONDITIONS OF APPROVAL

1. Use of this right with right no. 51-13053 is limited to a total combined annual diversion volume of 232.4 af.
2. Use of this right with right no. 51-13053 is limited to the irrigation of a combined total of 58.1 acres in a single irrigation season.
3. This right when combined with Right No. 51-13053 shall provide no more than .02 cfs per acre.
4. 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.
5. This right is a split from former right 51-13012 and right 51-13036.

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 19th day of March, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 47-17506
As Modified by Transfer No. 75087

In accordance with the approval of Transfer No. 75087, Water Right No. 47-17506 is now described as follows.

Right Holder: HIGH PLAINS DAIRY LLC
 PO BOX 780
 CASTLEFORD ID 83321

Priority Date: November 21, 1960

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	0.59 CFS	183.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSE Sec. 18 Twp 09S Rge 13E TWIN FALLS
 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	
09S 13E 17											40.0						40.0
09S 13E 18								32.9			32.4	20.1	30.7	32.3	36.7		185.1

Total Acres: 225.1

WATER RIGHT NO. 51-13052
As Modified by Transfer No. 75087

CONDITIONS OF APPROVAL

1. 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.
2. Rights 47-2382, 47-17506, and 47-17507 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 785.2 af at the field headgate, and the irrigation of 225.1 acres.
3. This right is limited to the irrigation of 45.9 acres within the place of use described above in a single irrigation season.
4. Rights 47-17506 and 47-17507 when combined shall not exceed a total diversion rate of 1.08 cfs, a total annual maximum diversion volume of 216.8 af at the field headgate, and the irrigation of 54.2 acres.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 19th day of March, 20 09



Chief, Water Allocation Bureau

WATER RIGHT NO. 51-13053
As Modified by Transfer No. 75087

In accordance with the approval of Transfer No. 75087, Water Right No. 51-13053 is now described as follows.

Right Holder: HIGH PLAINS DAIRY LLC
 PO BOX 780
 CASTLEFORD ID 83321

Priority Date: October 25, 1951

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	0.73 CFS	232.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 1 Twp 10S Rge 12E TWIN FALLS
 County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	12E	1			9.9				40.0	7.2							1.0		58.1

Total Acres: 58.1

WATER RIGHT NO. 51-13053
As Modified by Transfer No. 75087

CONDITIONS OF APPROVAL

1. Use of this right with right no. 51-13051 is limited to a total combined annual diversion volume of 232.4 af.
2. Use of this right with right no. 51-13051 is limited to the irrigation of a combined total of 58.1 acres in a single irrigation season.
3. This right when combined with Right No. 51-13051 shall provide no more than .02 cfs per acre.
4. 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.
5. This right is a split from former right 51-13013 and 51-13038.
6. This right is renumbered from former right 47-2261A.

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 19th day of March, 20 09



Chief, Water Allocation Bureau

Right Holder: HIGH PLAINS DAIRY LLC
PO BOX 780
CASTLEFORD ID 83321

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	0.69 CFS	216.8 AF

GROUND WATER SENWSE Sec. 18 Twp 09S Rge 13E TWIN FALLS
County

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>	
09S	13E	17											40.0						40.0
09S	13E	18									32.9			32.4	20.1	30.7	32.3	36.7	185.1

Total Acres: 225.1

WATER RIGHT NO. 47-17507
As Modified by Transfer No. 75087

CONDITIONS OF APPROVAL

1. 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.
2. Rights 47-2382, 47-17506, and 47-17507 when combined shall not exceed a total diversion rate of 2.42 cfs, a total annual maximum diversion volume of 785.2 af at the field headgate, and the irrigation of 225.1 acres.
3. This right is limited to the irrigation of 54.2 acres within the place of use described above in a single irrigation season.
4. Rights 47-17506 and 47-17507 when combined shall not exceed a total diversion rate of 1.08 cfs, a total annual maximum diversion volume of 216.8 af at the field headgate, and the irrigation of 54.2 acres.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within 1 year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 19th day of March, 2009

Chief, Water Allocation Bureau