

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72670

This is to certify that: CASSIA CREEK FARMS LLC
 PO BOX 580
 DANVILLE CA 94526
 (925)837-1450

AMENDED APPROVAL

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>
43-13578	WR/Decreed	09/04/1963	0.17 cfs	82.1 af	N/A	40.0	GROUND WATER
43-13604	WR/Decreed	07/07/1959	1.74 cfs	496 af	N/A	124.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

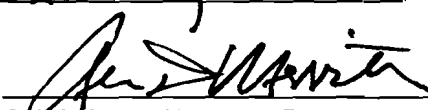
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-13578	NO	YES	YES	YES	NO	NO
43-13604	NO	YES	YES	YES	YES	YES

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>
43-13578	43-13578	0.17 cfs	82.1 af	40.0	233.0		N/A	N/A	N/A	N/A
43-13604	43-13604	1.74 cfs	394.3 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		1.91 cfs	476.4 af	40	233.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of January, 2009


 FOR Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 43-13578

**WATER RIGHT NO. 43-13578
As Modified by Transfer No. 72670**

In accordance with the approval of Transfer No. 72670, Water Right No. 43-13578 is now described as follows.

Right Holder: CASSIA CREEK FARMS LLC
PO BOX 580
DANVILLE CA 94526

Priority Date: September 04, 1963

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	0.17 CFS	82.1 AF
		0.17 CFS	82.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 1 Twp 11S Rge 26E CASSIA County
GROUND WATER	L5 (SWNW)	Sec. 6 Twp 11S Rge 27E CASSIA County
GROUND WATER	SENW	Sec. 6 Twp 11S Rge 27E CASSIA County
GROUND WATER	SENW	Sec. 6 Twp 11S Rge 27E CASSIA 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	
11S 27E 6	4.0	3.0			38.0	45.0	46.0	39.0	18.0	40.0							233.0
	L 2				L 3	L 4	L 5			L 6							

Total Acres: 233

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
3. 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.
4. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within three years of the date of this approval.

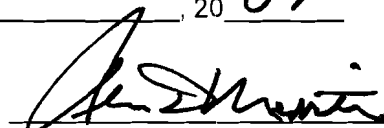
WATER RIGHT NO. 43-13578
As Modified by Transfer No. 72670

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 27th day of January, 2009

For



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-13604
As Modified by Transfer No. 72670

In accordance with the approval of Transfer No. 72670, Water Right No. 43-13604 is now described as follows.

Right Holder: CASSIA CREEK FARMS LLC
 PO BOX 580
 DANVILLE CA 94526

Priority Date: July 07, 1959

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	1.74 CFS	394.3 AF
STOCKWATER	01/01 to	12/31	1.74 CFS	394.3 AF
			1.74 CFS	394.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 1	Twp 11S	Rge 26E	CASSIA County
GROUND WATER	L5 (SWNW)	Sec. 6	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 6	Twp 11S	Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 6	Twp 11S	Rge 27E	CASSIA County

PLACE OF USE: COMMERCIAL

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>	
11S	27E	6							X	X									
									L 5										

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>	
11S	27E	6		X	X		X	X	X	X		X	X						
				L 2			L 3	L 4	L 5		L 6								

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

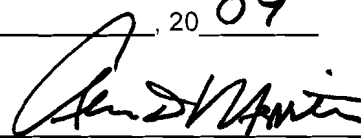
WATER RIGHT NO. 43-13604
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3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. Commercial use is for a dairy.
6. The right holder shall accomplish the change authorized by this transfer within three years 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 27th day of January, 2009

FOR



Chief, Water Allocation Bureau