

Transfer No. 173362

RECEIVED
JUN 09 2006
T. OF WATER RESOURCES
SOUTHERN REGION

[illegible]

PART 1

6. General Information:

a. Description of diversion system Three wells tie in together in to one system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

d. Remarks:

All three wells will be tied together as one system.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

05/17/2006

WATER RIGHT NO. 37-4335

Owner Type	Name and Address
Current Owner	FRANCE INC 2050 E 1500 S GOODING, ID 83330 (208)934-5382

Priority Date: 01/01/1956

Basis: Statutory Claim

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.67 CFS	
DOMESTIC	1/01	12/31	0.06 CFS	
Total Diversion			0.67 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	NWNE	Sec. 21	Township 05S	Range 15E	GOODING County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										
		21		NWNE										

Dates:
Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2006

WATER RIGHT NO. 37-12832

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIG SKY DAIRY PO BOX 407 JEROME, ID 83338 (208) 934-9072
Original Owner	FRANCE INC 2050 E 1500 S GOODING, ID 83330 (208)934-5382

Priority Date: 05/31/1919

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.04 CFS	
DOMESTIC	01/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	SWNWNE	Sec. 21	Township 05S	Range 15E	GOODING County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	21		NWNE										

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.		RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.
4.	P29	THIS RIGHT IS A PORTION OF OLD RIGHT NO. 37-4335.
5.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2006

WATER RIGHT NO. 37-12833

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIG SKY DAIRY PO BOX 407 JEROME, ID 83338 (208) 934-9072
Original Owner	FRANCE INC 2050 E 1500 S GOODING, ID 83330 (208)934-5382

Priority Date: 01/01/1977

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.17 CFS	
DOMESTIC	01/01	12/31	0.08 CFS	
Total Diversion			0.17 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	SWNWNE	Sec. 21	Township 05S	Range 15E	GOODING County

DOMESTIC Use:

Number of homes: 3

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

<http://www.idwr.state.id.us/apps/ExtSearch/RightReportAJ.asp?BasinNumber=37&SequenceNumber=12...> 5/17/2006

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Place of Use Legal Description: DOMESTIC GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										
		21		NWNE										

Conditions of Approval:

1.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.		RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.
4.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5.	P29	THIS RIGHT IS A PORTION OF OLD RIGHT NO. 37-4335.

Dates:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2006

WATER RIGHT NO. 37-20858

Owner Type	Name and Address
Current Owner	BIG SKY DAIRY PO BOX 407 JEROME, ID 83338 (208) 934-9072

Priority Date: 01/01/1971
Basis: Beneficial Use
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	SWNWNE	Sec. 21	Township 05S	Range 15E	GOODING County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Conditions of Approval:

1.	P29	THIS RIGHT IS A PORTION OF OLD RIGHT NO. 37-4335.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5.	E51	RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.

Dates:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2006

WATER RIGHT NO. 37-20859

Owner Type	Name and Address
Current Owner	BIG SKY DAIRY PO BOX 407 JEROME, ID 83338 (208) 934-9072

Priority Date: 01/01/1974

Basis: Beneficial Use

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	SWNWNE	Sec. 21	Township 05S	Range 15E	GOODING County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Conditions of Approval:

1.		THIS RIGHT IS A PORTION OF OLD RIGHT NO. 37-4335.
2.		RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.
3.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates:

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2006

WATER RIGHT NO. 37-20860

Owner Type	Name and Address
Current Owner	BIG SKY DAIRY PO BOX 407 JEROME, ID 83338 (208) 934-9072

Priority Date: 01/01/1975
Basis: Beneficial Use
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	SWNWSE	Sec. 21	Township 05S	Range 15E	GOODING County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.		THIS RIGHT IS A PORTION OF OLD RIGHT NO. 37-4335.
3.		RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.
4.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree.
		Section 42-1412(6), Idaho Code.

Dates:

Other Information:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

05/17/2006

WATER RIGHT NO. 37-20861

Owner Type	Name and Address
Current Owner	BIG SKY DAIRY PO BOX 407 JEROME, ID 83338 (208) 934-9072

Priority Date: 01/01/1982
Basis: Beneficial Use
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.17 CFS	
Total Diversion			0.17 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 16	Township 05S	Range 15E	GOODING County
GROUND WATER	SWNWSE	Sec. 21	Township 05S	Range 15E	GOODING County

Place(s) of use:

Place of Use Legal Description: STOCKWATER GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05S	15E	16		SWSE										

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.		THIS RIGHT IS A PORTION OF OLD RIGHT NO. 37-4335.
3.		RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.
4.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close





PD

PD

T73357
Big Sky Dairy

PD

BIG SKY HEIFER RANCH



05S15E15

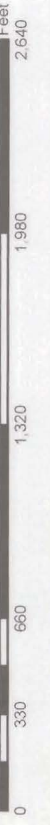
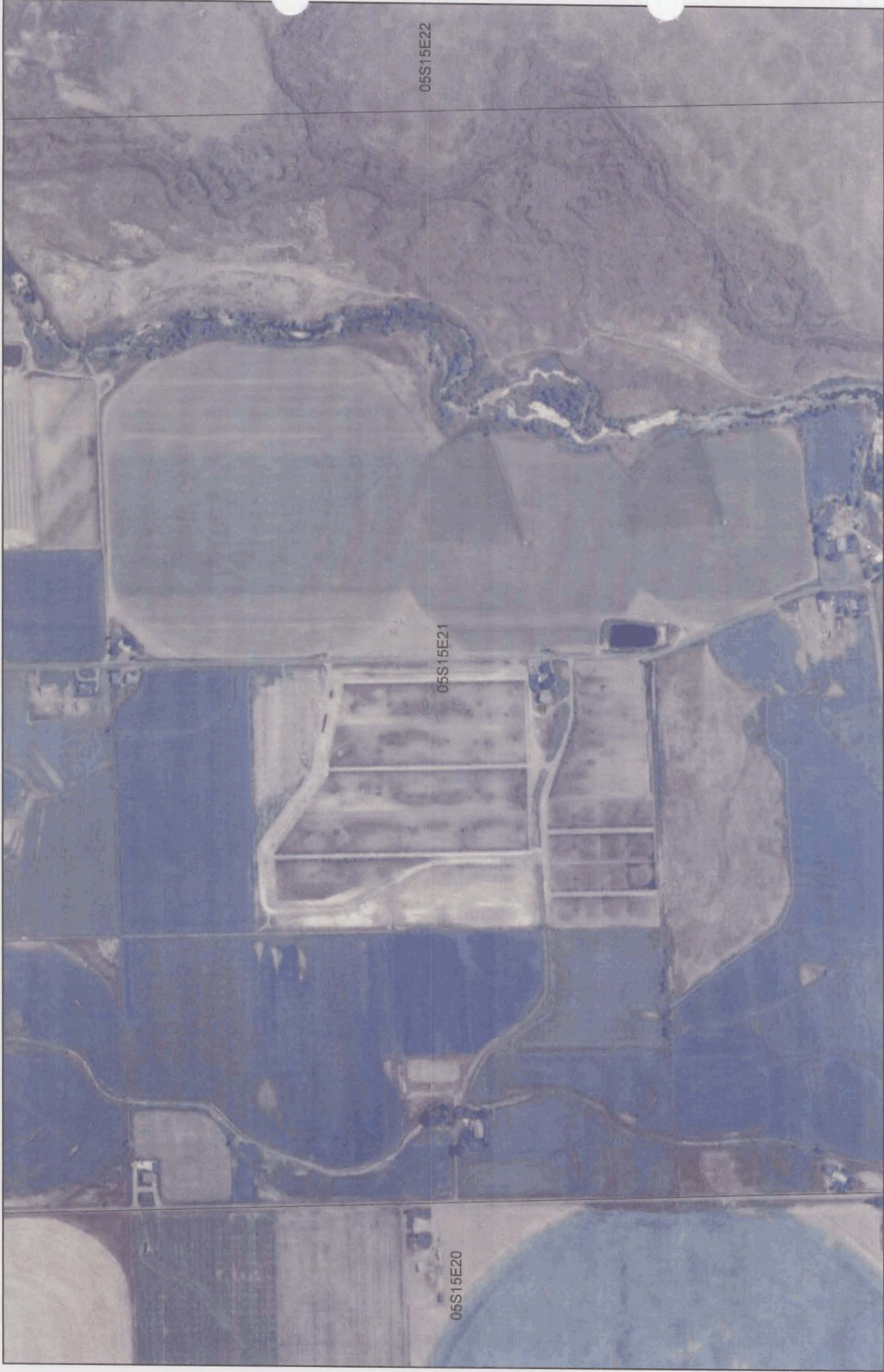
05S15E22

05S15E16

05S15E21

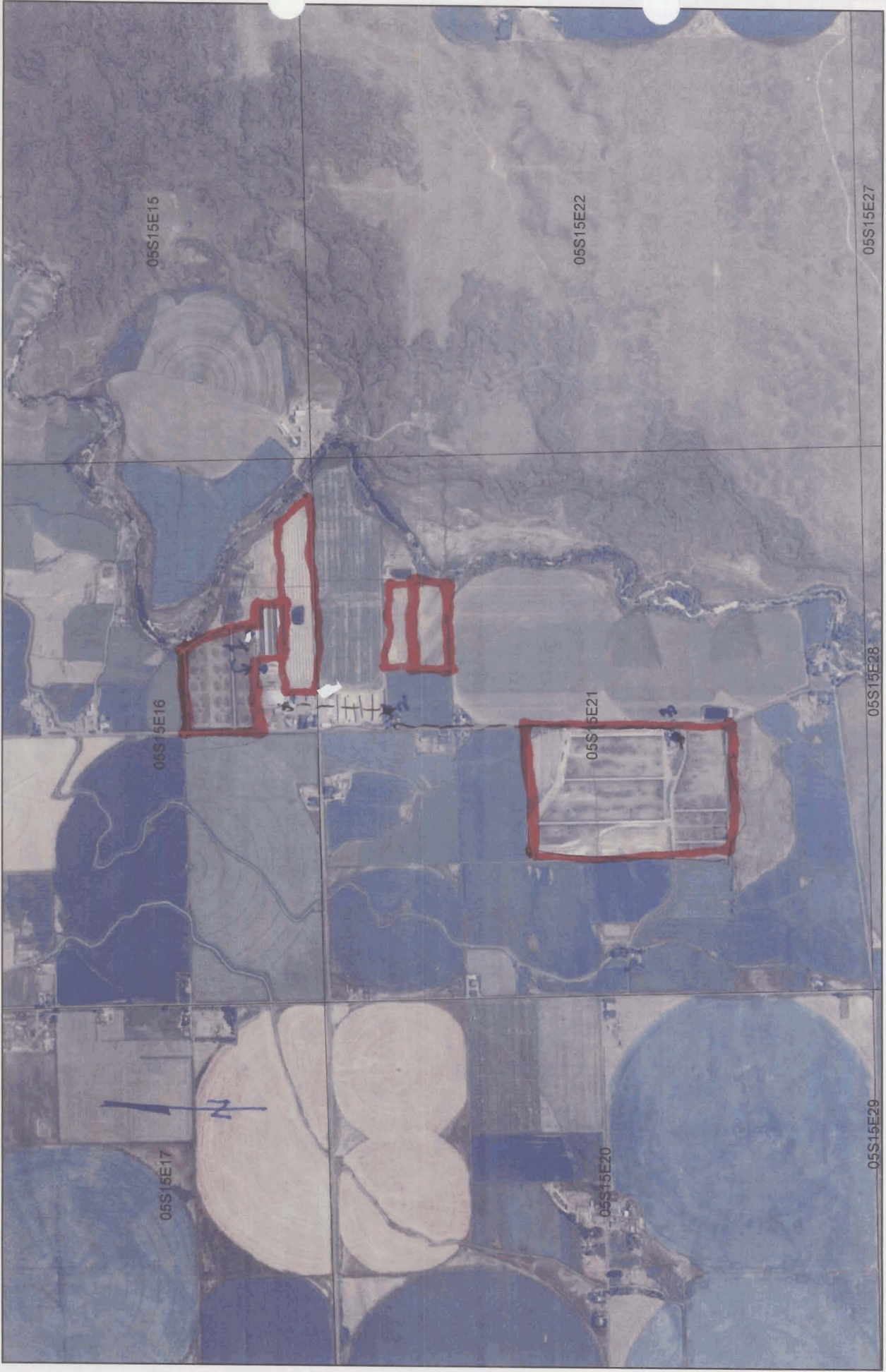


BIG SKY HEIFER RANCH



BIG SKY HEIFER RANCH

Goodly



PART 3

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--|------------------------------|------------------------|----------------------|
| | _____ | _____ | _____ | _____ to _____ |
| | _____ | _____ | _____ | _____ to _____ |
| 2. | Quantity and quality of return flows and location of discharge: | | | |
| | NONE | | | |
| 3. | Describe the effects on other water uses resulting from the proposed change: | | | |
| | NONE | | | |

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

8th

day of

(Signature of Applicant) *P. J. Newman*

Jane _____ 18 2006

Jonica Somerset
(Notary Public)

(Notary Public)

My commission expires _____

July 31, 2008

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [Signature] Date 6-9-06

Protest filed by _____

Prelim. check by Fee \$250, 5028705

Received by JS Date 6-9-06

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

ADDENDUM PART #1

BIG SKY DAIRYS GOODING LIVESTOCK TRANSFER

APPLICATION

B

RIGHT NUMBER	PRIORITY	AMOUNT	TOTAL	NAT-USE	PERIOD OF USE
37-12832	5/31/1919	0.04CFS		STOCK	1/1 TO 12/31
		0.04CFS	0.04CFS	WATER DOMESTIC	1/1 TO 12/31
37-12833	1/1/1977	0.17CFS		STOCK	1/1 TO 12/31
		0.08CFS	0.17CFS	WATER DOMESTIC	1/1 TO 12/31
37-12831	1/1/1940	0.07CFS		STOCK	1/1 TO 12/31
		0.04CFS	0.07CFS	WATER DOMESTIC	1/1 TO 12/31
37-20858	01/01/171	0.04CFS	0.04CFS	STOCK WATER	1/1 TO 12/31

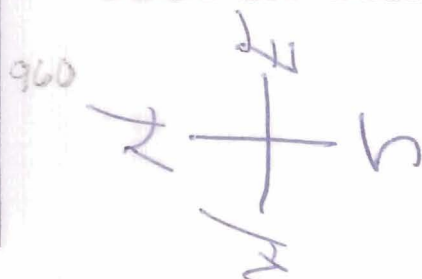
Capacity

Gooding

250-400

80	12	6	80
80	11	5	80
80	10	4	80
80	9	3	80
80	8	2	80
80	7	1	80

North Ranch



Corn
Silage

CS



Haylage

soy
corn

Hospital
200

20
19
18
17

16 15 14 13

300

38

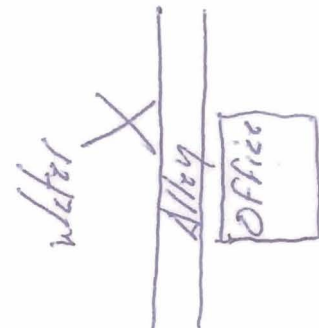
900

360

M M

37	100	32	100	26	100
36	100	31	100	25	100
35	100	30	100	24	100
34	100	29	100	23	100
33	100	28	100	22	100
		27	100	21	100

1700



500-600

BIG SKY DAIRY'S LIVESTOCK FACILITIES

GOODING LIVESTOCK FACILITIES

Location	Weights lbs	Capacity	Ages Months
CAPACITY			
Hutches	200	5250	3
3/18/2006 Actual Numbers	"	4960	3
Total		10210	
North Ranch			
1 to 12	400	960	4
13 to 20	200	200	3
21 to 37	600	1700	6
38	300	900	3.5
Total		3760	

3/18/2006 Actual Numbers

1 to 12	400	960	4
13 to 20	200	30	3
21 to 37	600	1500	6
38	900	200	13
Total		2690	

SOUTH RANCH PENS

39 TO 41	300	750	3.5
42 TO 57	750	960	12.5
58 TO 61	1000	1000	21
62 TO 63	540	1000	7
64 TO 65	720	1000	12.5
66	420	1000	4.5
Total		5710	

3/18/2006 Actual Numbers

PENS

39 to 41	300	750	3.5
42 to 53	600	960	6
54 to 57	240	960	3
58 to 61	1000	1000	21
62 to 63	520	1000	7
64 to 65	600	1000	6
66	400	1000	4
Total		6670	

Carriers 8/12/25/1

2/10 11000 2241

02 145 35 2m28



STATEMENT OF PARTNERSHIP AUTHORITY

(Instructions on back of application)

01 AUG 23 PM 1:09

SECRETARY OF STATE

The undersigned partnership hereby files a statement of partnership authority, and submits the following information to the Secretary of State pursuant to Idaho Code § 53-3-303.

- The name of the partnership is: BIG SKY DAIRY
- The street address of its chief executive office is: 2395 South 1500 East, Gooding,
Idaho 83330
- The street address of one (1) office in Idaho: 2395 South 1500 East, Gooding, ID 83330
- The names and mailing addresses of all partners (attached sheets may be added):

Name	Address
<u>Tony Visser</u>	<u>2395 South 1500 East, Gooding, ID 83330</u>
<u>Russell Visser</u>	<u>2395 South 1500 East, Gooding, ID 83330</u>
<u>Michael Bosma</u>	<u>2395 South 1500 East, Gooding, ID 83330</u>

OR the name and address of the registered agent in Idaho is:

- The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

<u>TONY VISSER</u>		
<u>RUSSELL VISSER</u>	(NOTE: ALL THREE SIGNATURES REQUIRED)	
<u>MICHAEL BOSMA</u>		

- Signature of at least 2 partners:

1) _____
Typed Name RUSSELL VISSER

2) _____
Typed Name MICHAEL BOSMA

3) _____
Typed Name _____

Secretary of State use only

IDaho SECRETARY OF STATE
08/23/2001 05:00
CK: 12878 CT: 1668 BH: 415282
1 @ 100.00 = 100.00 PARTN AUT # 2

p:\compliance\forms\partnershipauth.pdf
Revised 01/2001

K17