

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

FEB 07 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGIONName of Applicant CASSIA CREEK FARMS LLC Phone (925) 837-1450Post Office address PO BOX 580 DANVILLE, CA 94526

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use☐ Change nature of use ☐ Change period of use ☐ Other _____2. Describe the reason for the proposed changes Combine Cassia Creek Farms irrigation rights into a common irrigation system with a common place of use and common points of diversion to allow irrigation flexibility. The proposed permissible place of use excludes acres that will be converted to a new dairy site proposed on an accompanying transfer application.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
TBD* <u>43-13575</u> *portion of 43-2471	<u>7/7/1959</u>	<u>3.93 cfs / 944 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
TBD* <u>43-13577</u> *portion of 43-2569	<u>9/4/1963</u>	<u>4.08 cfs / 1987.9 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2472</u>	<u>7/7/1959</u>	<u>7.0 cfs / 1440 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2473</u>	<u>7/7/1959</u>	<u>5.6 cfs / 1600 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2475</u>	<u>7/7/1959</u>	<u>8.5 cfs / 1820 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2488</u>	<u>2/11/1960</u>	<u>5.6 cfs / 1200 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2489</u>	<u>2/11/1960</u>	<u>8.9 cfs / 1860 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2504</u>	<u>10/24/1960</u>	<u>6.4 cfs / 1520 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2505</u>	<u>10/24/1960</u>	<u>6.4 cfs / 1480 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2516</u>	<u>3/21/1961</u>	<u>0.6 cfs / 120 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2517</u>	<u>3/21/1961</u>	<u>3.0 cfs / 525 acre-ft</u>	<u>irrigation</u>	<u>3/01</u> to <u>11/30</u>
<u>43-2519</u>	<u>3/28/1961</u>	<u>4.2 cfs / 1216 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-2575</u>	<u>5/20/1964</u>	<u>6.08 cfs / 2448 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-4199</u>	<u>3/15/1962</u>	<u>2.16 cfs / 432 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-13351</u>	<u>3/10/1975</u>	<u>0.39 cfs / 67.4 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>43-13352</u>	<u>3/10/1975</u>	<u>0.37 cfs / 63.2 acre-ft</u>	<u>irrigation</u>	<u>3/15</u> to <u>11/15</u>

2. Total amount of water being transferred *71.05 cubic feet per second and/or *16,509.5 acre-feet per annum.

* Totals based on combined flow rate and volume limitations listed on the water rights minus requirements for a proposed dairy.

3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion for Irrigation Use:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
4		NW	SW	1	11S	26E	Cassia	Existing well
		NE	SE	1	11S	26E	Cassia	Existing well
		SE	NW	12	11S	26E	Cassia	Existing well
		NE	SE	31	10S	27E	Cassia	Existing well
		SW	SW	32	10S	27E	Cassia	Existing well
		NW	SE	32	10S	27E	Cassia	Existing well
		NW	SE	4	11S	27E	Cassia	Existing well
		SE	SE	4	11S	27E	Cassia	Existing well
		SW	NE	5	11S	27E	Cassia	Existing well
		SE	NE	5	11S	27E	Cassia	Existing well
3		NE	NW	5	11S	27E	Cassia	Existing well
2		NW	NE	6	11S	27E	Cassia	Existing well
		NW	NW	8	11S	27E	Cassia	Existing well
		NE	SE	8	11S	27E	Cassia	Existing well

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Total s
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	30							52 Lot 2			52 Lot 3	51 Lot 4	40	40		40	40	315
		31	40	40	40	40	40	425 Lot 1	919 Lot 2	35 40	8			7	40	40 Lot 3	40 Lot 4	40	453.5 466
		32	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		33	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
11S	26E	1	40 Lot 1	40 Lot 2	40	40	40 Lot 3	40 Lot 4	40	40	40	40	40	40	40	40	40	40	640
		12					40	40	40	40									160
	27E	4	40 Lot 1	40 Lot 2	40	40	40 Lot 3	40 Lot 4	40	40	40	40	40	40	40	40	40	40	640
		5	40 Lot 1	40 Lot 2	40	40	40 Lot 3	40 Lot 4	40	40	40	40	40	40	40	40	40	40	640
		6	40 Lot 1	36 Lot 2	37 38	40	12 Lot 3	6 Lot 4	6 Lot 5	1	23	12 Lot 6	52 Lot 7	40	40	40	40	40	455 455
		8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total Acres 4,131.8 irrigated acres within a 5,236-acre permissible place of use
5,236.5

PART 1

6. General Information:
- a. Description of diversion system Existing wells, common irrigation 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 X 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Construction of a new dairy facility is planned on a portion of the original farm and will operate from a separate system.
- d. Remarks:
Part of water rights 43-2471 and 43-2569 will be transferred to dairy use as proposed on an accompanying transfer application. The remaining irrigation water rights associated with this farm will be combined into a permissible place of use as proposed on this transfer. Rights 43-2471, 43-2472 and 43-2569 were enrolled in the Idaho Water Supply Bank in 2001.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20_____.

For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED (See Attachment A for 43-2471 Partial Decree)

1. Right as evidenced by:
- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
 - b. License No. _____ issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.
2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Applicant is owner of record

3. Source of water _____ tributary to _____
4. Date or priority _____
5. Water is used for the following purposes:
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above See "Conditions of Approval" listed on the right.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 3.93 cfs / 944 ac-ft for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SE	NW	SW	1	11S	26E	Cassia	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	1	40 Lot 1	36 Lot 2	40	40				40	40								236

Total Acres 236

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* (Portion to be converted to dairy use)

1. amount 2.07 cfs / 496 ac-ft for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	1		4 Lot 2			40 Lot 3	40 Lot 4	40										124

Total Acres 124

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

D. DESCRIPTION OF RIGHT AS RECORDED (See Attachment A for 43-2569 Partial Decree)

1. Right as evidenced by:

- e. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- f. License No. _____ issued by the Idaho Department of Water Resources.
- g. Claim No. _____ on file with the Idaho Department of Water Resources.
- h. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Applicant is owner of record

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above See "Conditions of Approval" listed on the right.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

E. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 4.08 cfs/1987.9 af-ac for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SW	SW	SW	32	10S	27E	Cassia	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	1	40 Lot 1	12 Lot 2	39	40				22	40	2		13	38	36	2	35	319
11S	27E	5										40	40						80
11S	27E	6	40 Lot 1	40 Lot 2	40	40	40 Lot 3	40 Lot 4	24 Lot 5		36	34 Lot 6	35 Lot 7	40	40	40	40	40	569

Total Acres 968

F. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) (Portion to remain with the proposed dairy site for primary irrigation use)

1. amount 0.17 cfs/82.1 ac-ft for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	6								40									40

Total Acres 40

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

G. DESCRIPTION OF RIGHT AS RECORDED (See Attachment A for remaining Partial Decree Nos. 43-2472, 43-2473, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, and 43-13352.

Part 2., G.2., G.9. and G.10. below apply to each of the remaining rights.)

1. Right as evidenced by:

- i. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- j. License No. _____ issued by the Idaho Department of Water Resources.
- k. Claim No. _____ on file with the Idaho Department of Water Resources.
- l. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other Applicant is owner of record

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

H. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

I. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

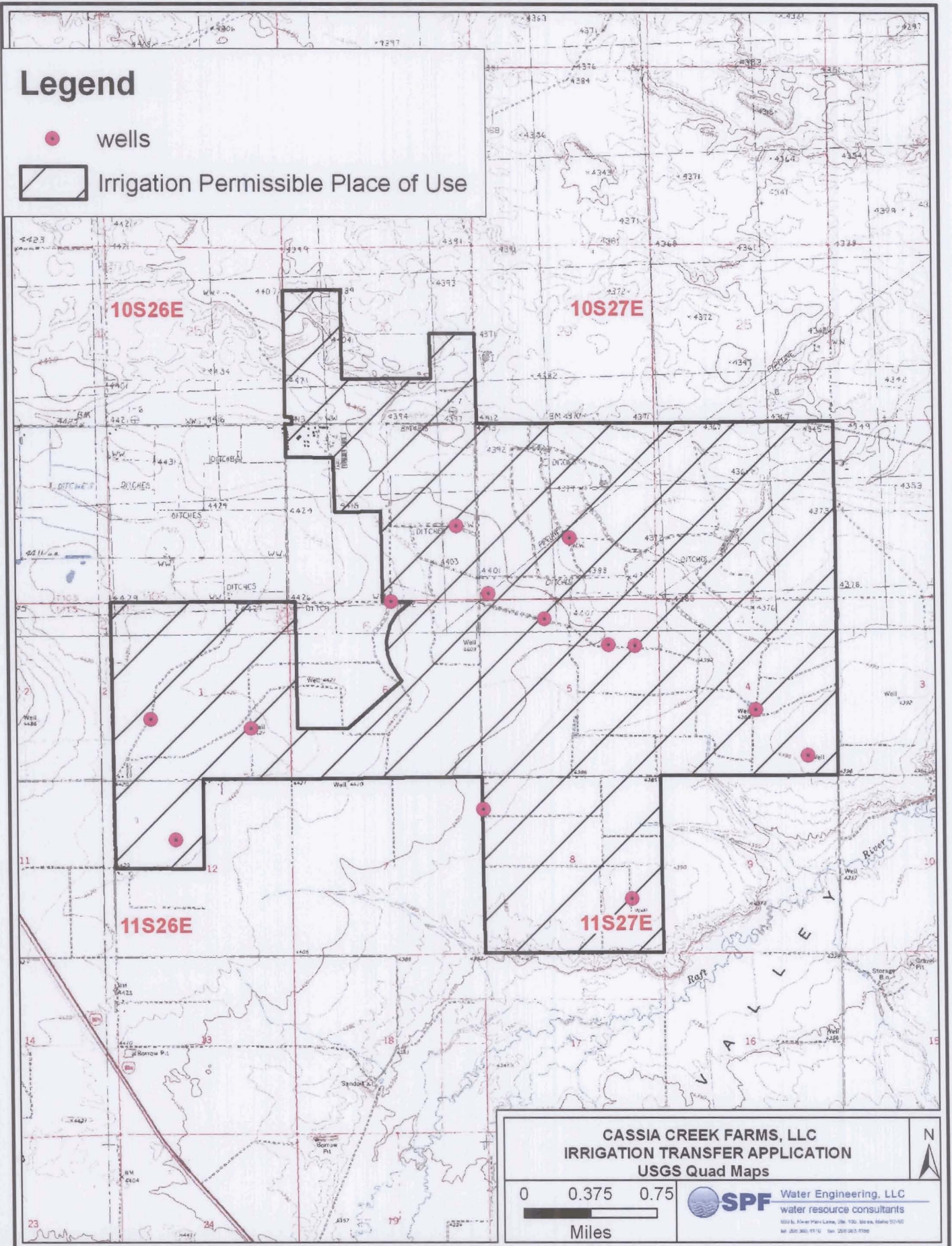
Legend



wells



Irrigation Permissible Place of Use



CASSIA CREEK FARMS, LLC
IRRIGATION TRANSFER APPLICATION
USGS Quad Maps

0 0.375 0.75
Miles



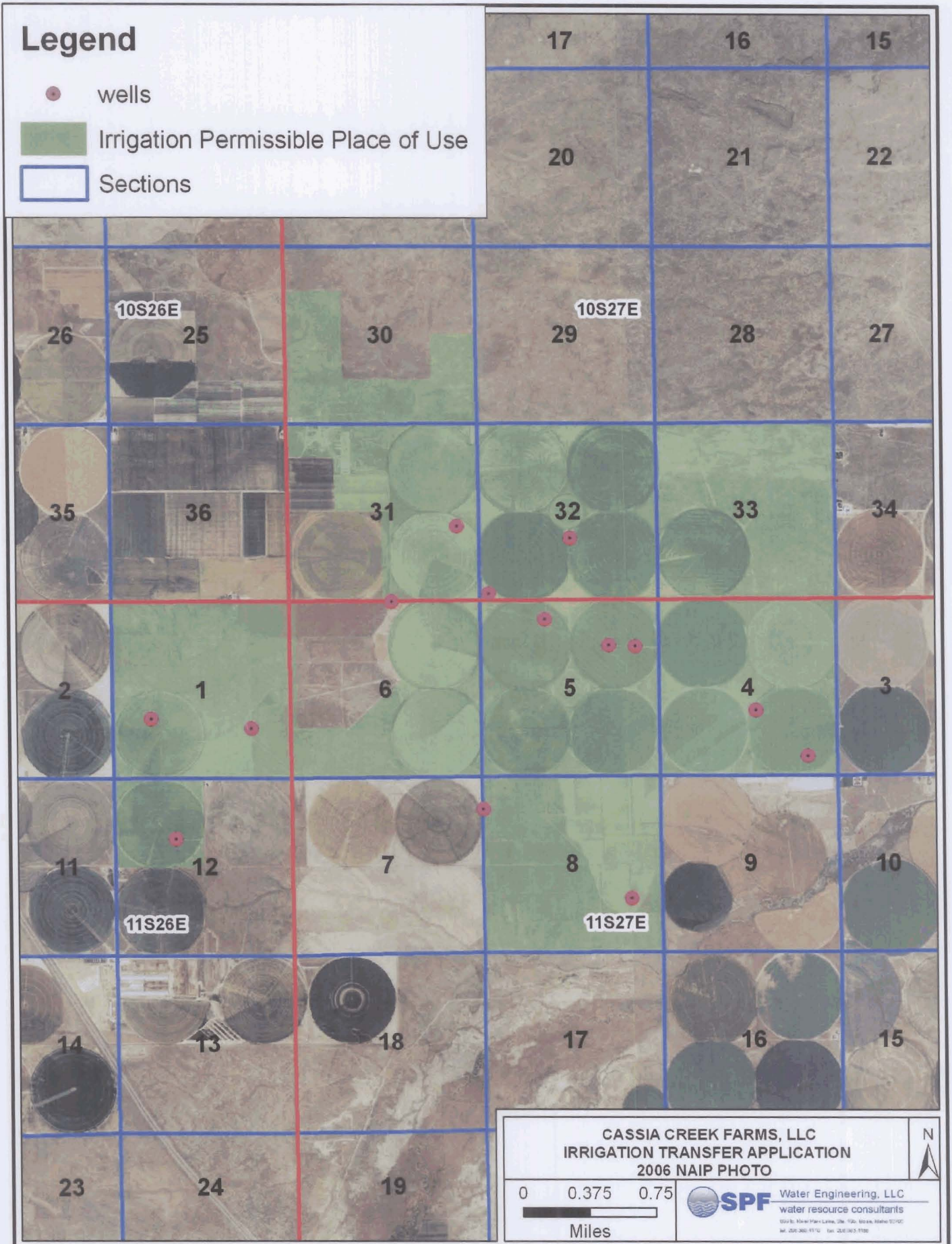
Water Engineering, LLC
water resource consultants
800 S. River View Lane, Ste. 100, Boise, Idaho 83706
Tel: 208.365.1111 Fax: 208.365.1700

Legend

• wells

 Irrigation Permissible Place of Use

 Sections



PART 3**B. CHANGES IN NATURE OF USE**

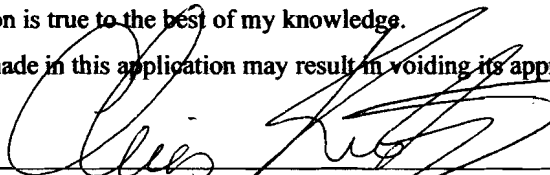
1.	<u>New Nature of Use</u>	<u>Amount(cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

Quantity and quality of return flows and location of discharge: _____

2. Describe effects on other water uses resulting from the proposed change:

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.


(Signature of Applicant)

Subscribed and sworn to before me this 28th day of January, 20 08.


(Notary Public)

My commission expires March 2, 2008**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____