State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application for Extension of Time to Avoid Forfeiture
Water Right No: 36-16210, 36-16211
Applicant Name: Willow Hills Dairy

Watermaster's Recommendation and Comments:

The dairy operation authorized under these two rights was approved in 2004 pursuant to transfer 70925. The transfer moved additional rights to an existing, small dairy for the purposes of expansion of the operation. The owners of the dairy had obtained the additional rights in order that they could sell their property as "development ready" with sufficient water rights in place. In 2005 (?) the right holders requested and received an extension of time to develop the transfer, since they were having difficulty finding a buyer. At this date the property remains unsold, and additional diversions under the transferred rights is not occurring.

At the time of the transfer the irrigation rights had not been in use for several years but a partial decree had been awarded in July 2002 so forfeiture was not yet an issue. The property owners are still raising some beef cattle, but milking ceased prior to the transfer and the dairy cows were sold. Therefore the commercial use authorized by 36-16210 and 16211 could be in jeopardy this year. The ongoing domestic and stockwater uses at the site are fully encompassed by right no. 36-13645.

I recommend granting the extension for the period of time requested.

Dated: January 22, 2007

Water District 130

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Cindy J Yenter, Watermaster