

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72541

This is to certify that: HORIZON ORGANIC DAIRY IDAHO FARM INC
 2589 E 500 S
 PAUL ID 83347
 (208)438-8450

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>
36-16396	WR/Decreed	12/08/1981	1.08 cfs	216 af	N/A	54.0	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>
36-16396	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>
36-16396	36-16396	0.75 cfs	152.3 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.75 cfs	152.3 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of July, 20 06


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16396
As Modified by Transfer No. 72541

In accordance with the approval of Transfer No. 72541, Water Right No. 36-16396 is now described as follows.

Right Holder: HORIZON ORGANIC DAIRY IDAHO FARM INC
 2589 E 500 S
 PAUL ID 83347

Priority Date: December 08, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.75 CFS	152.3 AF
COMMERCIAL	01/01	12/31	0.75 CFS	152.3 AF
			0.75 CFS	152.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NENWNE) Sec. 3 Twp 09S Rge 21E JEROME County

GROUND WATER L2 (NENWNE) Sec. 3 Twp 09S Rge 21E JEROME County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 21E 34												X				X	
09S 21E 3		X			X												
		L 2				L 3											

PLACE OF USE: COMMERCIAL

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 21E 3		X															
		L 2															

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. Prior to the diversion and use of water under Transfer approval 72541, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.

WATER RIGHT NO. 36-16396
As Modified by Transfer No. 72541

CONDITIONS OF APPROVAL

3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. The approval of this transfer redefines all 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Commercial use is for a dairy.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. 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.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within three years of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 11th day of July, 20 06


Chief, Water Allocation Bureau