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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72541APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Horizon Organic Dairy, Idaho Farm, Inc. Phone (208) 438-8450Post Office address 2589 East 500 South, Paul, Idaho 83347

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other
2. Describe the reason for the proposed changes To provide a water supply for a proposed dairy

RECEIVED

DEC 02 2005

Department of Water Resources
Southern Region

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
Portion 36-15710	12/08/1981	1.07/102.3	Stockwater	04/01 to 10/31
Portion 36-15710	12/08/1981	1.07/50.0	Commercial	04/01 to 10/31

2. Total amount of water being transferred 1.07 cubic feet per second and/or 152.3 acre-feet per annum.3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NW	NE	03	09S	21E	Jerome	Stk Well #1
	SE	NE	NW	03	09S	21E	Jerome	Stk Well #2

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	34												S			S		
09S	21E	03		S, C			S, C												

PART 1

6. General Information:

- a. Description of diversion system Two wells (a primary and back-up well) that service the barn and drinking water for the cows

- 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:
54 acres will be dried up in the POU described under 36-15710

- d. Remarks:

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 _____.

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Transfer No. _____

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

1. Right evidenced by:

- a. Decree No. 36-15710 Decreed to Barbra J. Carney & Gary Carney
in case of See Attached Partial Decree for 36-8003 vs. _____
dated 11/20/2001 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. 69322 which produced this right.

2. Attach a 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 _____3. Source of water Ground water tributary to _____4. Date of priority 12/08/1981

5. Water is used for the following purpose:

Amount 1.70/--- for Irrigation purposes from 04/01 to 10/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.7 cubic feet per second and/or --- acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
08S	21E	32													24			15	39
08S	21E	33			39.3	30.6			40	40	40	40							229.9

Total acres 268.9*

*36-15710 is limited to 85.1 acres within the described POU per irrigation season.

9. Describe any other water rights used for the same purpose as described above 36-15708

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 1.07/--- for Irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
08S	21E	32													24			15	39
08S	21E	33							6	2.9	1.1	5							15

Total acres 54**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. Amount 0.62/--- for Irrigation purposes from 03/15 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:

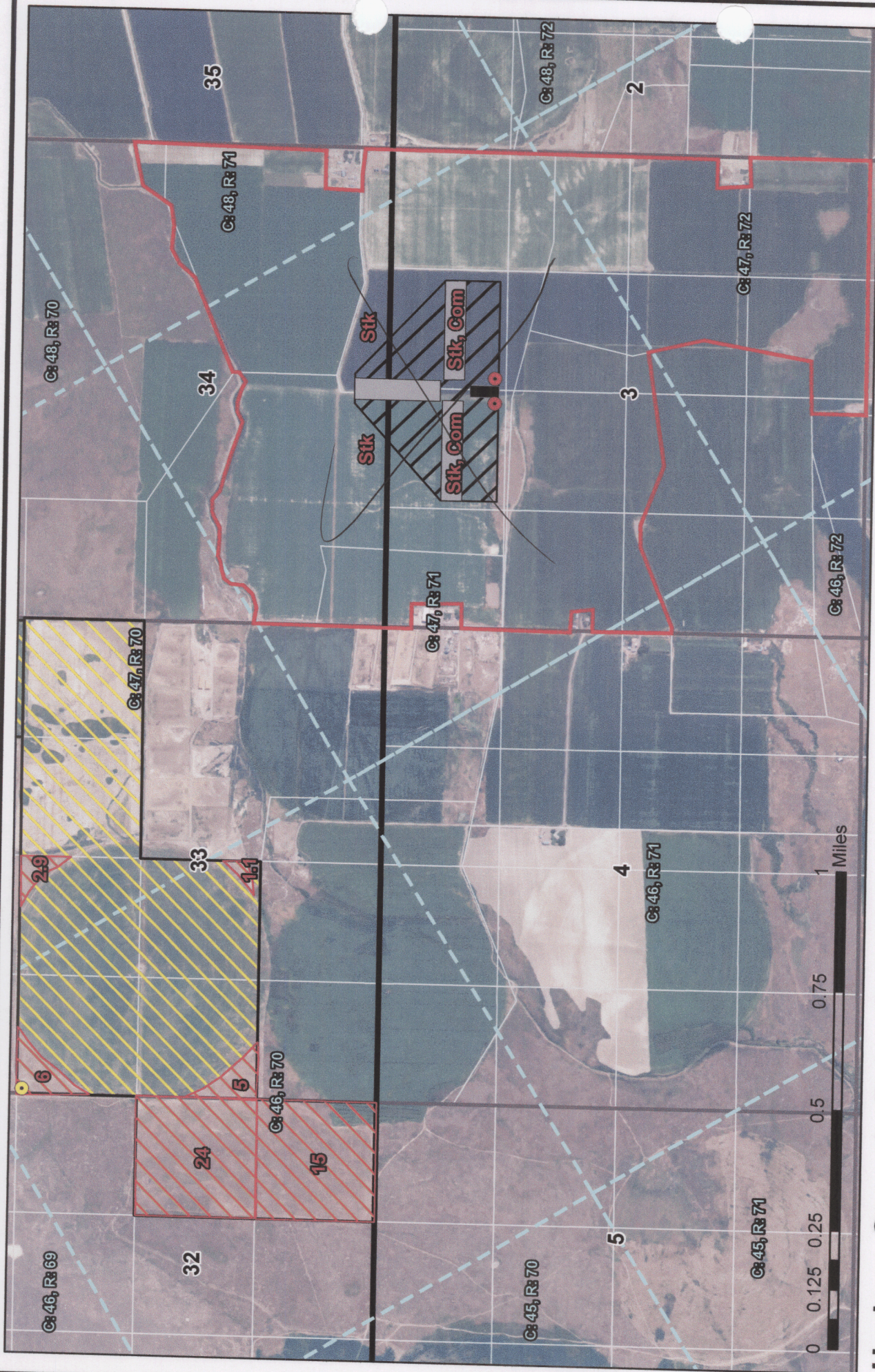
Lot	¼	¼	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NW	33	08S	21E	Jerome	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
08S	21E	32			39.3	30.6			34	37.1	38.9	35							214.9

Total acres 214.9*

*The right will be allowed to irrigate 31.1 acres within the described place of use.



- | | | |
|-----------------------|---------------------|--------------------------|
| PLS - Township/Range | Dairy Site | 36-15710 POD |
| PLS - Sections | Barn | Proposed Wells for Dairy |
| PLS - QQ | Free Stalls | 36-15710 POU |
| 2004 ESRPA Model Grid | Property Boundaries | Acres Being Transferred |

Horizon Organic Dairy Transfer

Township 08S, Range 21E
NAIP 2004 Aerial Photo

BROCKWAY ENGINEERING, PLLC.
DTN - 11/10/2005 (rev. 12/02/2005)

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Transfer No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attached Figures for Transfer: Proposed Horizon Organic Dairy POU & Map for 36-15710

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>
	<u>Stockwater</u>	<u>1.07/102.3</u>	<u>as needed</u>	<u>01/01</u> to <u>12/31</u>
	<u>Commercial</u>	<u>1.07/50.0</u>	<u>as needed</u>	<u>01/01</u> to <u>12/31</u>

2. Quantity and quality of return flows and location of discharge:

IDWR considers stockwater/commercial use at dairies as fully consumptive.

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.

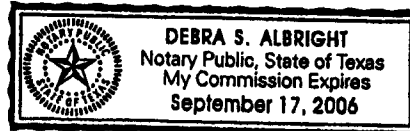
Horizon Organic Dairy, Idaho Farm, Inc.

By: Edward Herman (Signature of Applicant)
Authorized Signatory

Subscribed and sworn to before me this 2nd day of December, 2005.

Debra S. Albright
(Notary Public)

My commission expires 9/17/06



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JP Stanton Date 12-2-05

Protest filed by _____

Prelim. check by _____ Fee \$290.5028204

Receipted by JP Date 12-2-05

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 _____