

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-31628

Priority: September 12, 1989

Maximum Diversion Rate: 1.60 CFS

It is hereby certified that SORRENTO LACTALIS INC
PO BOX 1280
NAMPA ID 83653 has complied with the terms and conditions of the permit,
issued pursuant to Application for Permit dated August 25, 1989; has submitted Proof of Beneficial Use
on July 19, 1991. An examination indicates that the works have a diversion capacity of 1.6 cfs of water
from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
COMMERCIAL	01/01 to 12/31	1.60 CFS
IRRIGATION	03/01 to 11/15	0.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, Twp 03N, Rge 01W, B.M.	CANYON County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, Twp 03N, Rge 01W, B.M.	CANYON County

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	
03N 01W 8									X	X	X	X	X	X	X	X	

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01W 8									5.7		20.0						25.7

Total Acres: 25.7

CONDITIONS OF APPROVAL

- Commercial use is for a cheese production facility, a combination deli and retail outlet, and the year-round dilution and land application of effluent discharged from the cheese production facility.
- The use of water for commercial purposes under this right shall not exceed 400 acre-feet each year.

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CONDITIONS OF APPROVAL CONTINUED

3. The commercial place of use authorized by this approval includes land in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 3 North, Range 1 West, B.M., where the main commercial facility is located, and additional lands within the S $\frac{1}{2}$ of Section 8, Township 3 North, Range 1 West, B.M., upon which wastewater may be applied to satisfy water quality requirements. Water diverted for irrigation purposes under this approval shall not be used to irrigate more than the 25.7 acres described as the place of use for irrigation purposes under this right. Water diverted under this approval shall not be applied to the E $\frac{1}{2}$ SW $\frac{1}{4}$ or the SE $\frac{1}{4}$ of Section 8, Township 3 North, Range 1 West, B.M., unless the water is first used in the cheese processing facility as authorized by this water right.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water for irrigation under this right to those times when the surface water supply for irrigation is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 116 af at the field headgate for irrigation of the 25.7 acres described above.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 28th day of July, 2003.


for **KARL J. DREHER**
Director