

AUG 27 2003

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State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 63-31628**Date of Priority:** September 12, 1989**Maximum Diversion Rate:** 1.60 CFS

Comes now **SORRENTO LACTALIS INC**
PO BOX 1280

NAMPA ID 83653 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 63-31628, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</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

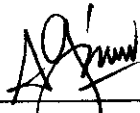
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01W 8									X	X	X	X	X	X	X	X	

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

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 22nd day of August, 2003.



(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-31628

FOR DEPARTMENT USE ONLY
Preliminary check by _____ Fee \$50.00 Receipted by [Signature] # 070642 Date 8/27/03

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 63-31628 with the following:

CONDITIONS OF APPROVAL

1. 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.
2. The use of water for commercial purposes under this right shall not exceed 400 acre-feet each year.
3. The commercial place of use authorized by this approval includes land in the SW1/4SW1/4 of Section 8, Township 3 North, Range 1 West, B.M., where the main commercial facility is located, and additional lands within the S1/2 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 E1/2SW1/4 or the SE1/4 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.

Witness my hand this 28th day of August, 2003.

[Signature]
KARL J. DREHER
Director