

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71280

This is to certify that: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607
(208)454-7705

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>
63-2839	AJC/License	09/14/1955	1.35 cfs	N/A	N/A	80.0	GROUND WATER
63-29025	AJC/Beneficial Use	08/15/1960	0.64 cfs	N/A	N/A	32.0	GROUND WATER
63-3329	AJC/License	02/16/1963	2.06 cfs	865.0 af	N/A	205.0	GROUND WATER
63-8253	AJC/License	01/16/1976	1.16 cfs	563.7 af	N/A	139.0	GROUND WATER
63-3366	AJC/License	08/26/1963	2.09 cfs	720.0 af	144.3	428.0	GROUND WATER
63-3396	AJC/License	12/13/1963	1.20 cfs	270.0 af	54.1	428.0	GROUND WATER
63-8232	AJC/License	10/28/1975	2.73 cfs	1228.3 af	250.1	428.0	GROUND WATER
63-10268	WR/License	10/03/1984	1.54 cfs	347.0 af	N/A	77.0	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>
63-2839	NO	NO	YES	YES	NO	NO
63-29025	NO	NO	YES	YES	NO	NO
63-3329	NO	NO	YES	YES	NO	NO
63-8253	NO	NO	YES	YES	NO	NO
63-3366	NO	NO	YES	YES	NO	NO
63-3396	NO	NO	YES	YES	NO	NO
63-8232	NO	NO	YES	YES	NO	NO
63-10268	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 63-2839

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71280

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2839	63-2839	1.35 cfs	355.5 af	79.0	825.0		N/A	N/A	N/A	N/A
63-29025	63-29025	0.64 cfs	144.0 af	32.0	825.0		N/A	N/A	N/A	N/A
63-3329	63-3329	2.06 cfs	738.0 af	164.0	825.0		N/A	N/A	N/A	N/A
63-8253	63-8253	1.16 cfs	563.7 af	139.0	825.0		N/A	N/A	N/A	N/A
63-3366	63-3366	2.09 cfs	720.0 af	144.3	825.0		N/A	N/A	N/A	N/A
63-3396	63-3396	1.20 cfs	270.0 af	54.1	825.0		N/A	N/A	N/A	N/A
63-8232	63-8232	2.73 cfs	1228.3 af	250.1	825.0		N/A	N/A	N/A	N/A
63-10268	63-10268	1.54 cfs	347.0 af	77.0	825.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		8.98 cfs	3622.7 af	780.0	825.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-10268
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-10268 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: October 03, 1984

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	1.54 CFS	347.0 AF
			1.54 CFS	347.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

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	
02N 03W 8															40.0		40.0
02N 03W 9											40.0	39.0			32.0		111.0
02N 03W 16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-10268
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

3. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.
7. Rights 63-3329, 63-8253 and 63-10268 when combined shall not exceed a total diversion rate of 3.22 cfs, and a total annual maximum diversion volume of 1085.0 af at the field headgate for the irrigation of 241 acres.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-8253
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-8253 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: January 16, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.16 CFS	563.7 AF
			1.16 CFS	563.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

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	
02N 03W 8																	40.0
02N 03W 9											40.0	39.0			32.0		111.0
02N 03W 16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-8253
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
7. This right is limited to the irrigation of 139 acres within the place of use described above in a single irrigation season.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. Rights 63-3329, 63-8253 and 63-10268 when combined shall not exceed a total diversion rate of 3.22 cfs, and a total annual maximum diversion volume of 1085.0 af at the field headgate for the irrigation of 241 acres.
10. Rights 63-3329 and 63-8253 when combined shall not exceed the irrigation of 164 acres.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-10268 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-3329
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-3329 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: February 16, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	2.06 CFS	738.0 AF
			2.06 CFS	738.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

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	
02N 03W 8															40.0		40.0
02N 03W 9											40.0	39.0			32.0		111.0
02N 03W 16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-3329
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. This right is limited to the irrigation of 164 acres within the place of use described above in a single irrigation season.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. Rights 63-3329, 63-8253 and 63-10268 when combined shall not exceed a total diversion rate of 3.22 cfs, and a total annual maximum diversion volume of 1085.0 af at the field headgate for the irrigation of 241 acres.
9. Rights 63-3329 and 63-8253 when combined shall not exceed the irrigation of 164 acres.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. Rights 63-2839, 63-3366, 63-3396, 63-8232, 63-08253, 63-10268 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-2839
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-2839 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: September 14, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to	11/15	1.35 CFS	355.5 AF
			1.35 CFS	355.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

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	
02N 03W 8															40.0		40.0
02N 03W 9											40.0	39.0			32.0		111.0
02N 03W 16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-2839
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.
7. Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.
8. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
10. Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. Rights 63-3329, 63-3366, 63-3396, 63-8232, 63-08253, 63-10268 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-29025
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-29025 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: August 15, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.64 CFS	144.0 AF
			0.64 CFS	144.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NENW	Sec. 16	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NENW	Sec. 16	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NWSW	Sec. 16	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NWSW	Sec. 16	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NESE	Sec. 16	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NENE	Sec. 17	Twp 02N	Rge 03W	CANYON County
GROUND WATER	NENE	Sec. 17	Twp 02N	Rge 03W	CANYON County

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	
02N 03W 8															40.0		40.0
02N 03W 9											40.0	39.0			32.0		111.0
02N 03W 16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-29025
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. Right 63-29025 is an enlargement of Right 63-2839 pursuant to Section 42-1426, Idaho Code.
9. Rights 63-2839 and 63-29025 when combined shall not exceed a total diversion rate of 1.35 cfs.
10. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
12. Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-08253 and 63-10268 are also diverted through the points of diversion described above.

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 31st day of January, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 63-8232
As Modified by Transfer No. 71280

In accordance with the approval of Transfer No. 71280, Water Right No. 63-8232 is now described as follows.

Right Holder: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

Priority Date: October 28, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	1/01	to 12/31	0.32 CFS	20.6 AF
IRRIGATION	3/15	to 11/15	2.73 CFS	1,125.5 AF
STOCKWATER	1/01	to 12/31	0.32 CFS	82.2 AF
			2.73 CFS	1,228.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

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	
02N	03W	8															40.0		40.0
02N	03W	9											40.0	39.0			32.0		111.0
02N	03W	16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N	03W	17	18.0	36.0	26.0	15.0													95.0

Total Acres: 825

PLACE OF USE: STOCKWATER

[illegible]

WATER RIGHT NO. 63-8232
As Modified by Transfer No. 71280

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 03W 17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X	X	X	X													

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
8. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
9. Irrigation use under Rights 63-3366 and 63-8232 when combined shall not exceed a total annual maximum diversion volume of 1594.8 af at the field headgate and the irrigation of 354.4 acres.
10. Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af and the irrigation of 428 acres.
11. Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs and a total annual maximum diversion volume of 2038.2 af.

WATER RIGHT NO. 63-8232
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
14. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
15. This right is limited to the irrigation of 250.1 acres within the place of use described above in a single irrigation season.
16. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
17. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
18. Commercial use is for a dairy barn.
19. Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8253, 63-10268 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 20 05



Chief, Water Allocation Bureau

[illegible]

WATER RIGHT NO. 63-3396
As Modified by Transfer No. 71280

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	03W	17	X	X	X	X													

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
6. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
8. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
9. Rights 63-3366 and 63-3396 when combined shall not exceed a total diversion rate of 2.09 cfs.
10. Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af and the irrigation of 428 acres.
11. Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs and a total annual maximum diversion volume of 2038.2 af.

WATER RIGHT NO. 63-3396
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

12. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
13. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
14. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
15. This right is limited to the irrigation of 54.1 acres within the place of use described above in a single irrigation season.
16. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
17. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
18. Commercial use is for a dairy barn.
19. Rights 63-2839, 63-3329, 63-3366, 63-8232, 63-8253, 63-10268 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 2005



Chief, Water Allocation Bureau

Right Holder: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

Source: GROUND WATER

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 9 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	8															40.0		40.0
02N	03W	9											40.0	39.0			32.0		111.0
02N	03W	16	38.0	37.0	40.0	39.0	39.0	40.0	40.0	40.0	40.0	28.0	32.0	37.0	39.0	20.0	30.0	40.0	579.0
02N	03W	17	18.0	36.0	26.0	15.0													95.0

PLACE OF USE: STOCKWATER

[illegible]

WATER RIGHT NO. 63-3366
As Modified by Transfer No. 71280

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 03W 17	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
	X	X	X	X													

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
7. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
8. The total instantaneous diversion of water from all points of diversion under Rights 63-2839, 63-3329, 63-3366, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 shall not exceed 8.98 cfs, nor a total combined annual volume of 3622.7 af for the irrigation of 780 acres in a single irrigation season.
9. Irrigation use under Rights 63-3366 and 63-8232 when combined shall not exceed a total annual maximum diversion volume of 1594.8 af at the field headgate and the irrigation of 354.4 acres.
10. Rights 63-3366 and 63-3396 when combined shall not exceed a total diversion rate of 2.09 cfs.
11. Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af and the irrigation of 428 acres.

WATER RIGHT NO. 63-3366
As Modified by Transfer No. 71280

CONDITIONS OF APPROVAL

12. Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs and a total annual maximum diversion volume of 2038.2 af.
13. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
14. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
15. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
16. This right is limited to the irrigation of 144.3 acres within the place of use described above in a single irrigation season.
17. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
18. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
19. Commercial use is for a dairy barn.
20. Rights 63-2839, 63-3329, 63-3396, 63-8232, 63-8253, 63-10268 and 63-29025 are also diverted through the points of diversion described above.

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 3rd day of January, 2005


Chief, Water Allocation Bureau