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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69267

This is to certify that: VANDERHAM DAIRY
85 S 300 W
JEROME ID 83338
(208)324-6412

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. 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>Acres Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-8355	WR/License	05/09/1988	0.13 cfs	27.5 af			GROUND WATER
36-15701	WR/Decreed	10/18/1968	2.73 cfs	N/A	185.7	338.7	GROUND WATER
36-15703	WR/Decreed	12/03/1966	2.11 cfs	N/A	105.6	338.7	GROUND WATER
36-15705	WR/Decreed	02/18/1971	1.14 cfs	N/A		338.7	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>
36-8355	YES	YES	YES	YES	NO	NO
36-15701	YES	YES	YES	YES	YES	YES
36-15703	YES	YES	YES	YES	YES	YES
36-15705	YES	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>
36-8355	36-16100	0.09 cfs	26.3 af	N/A	N/A	36-16101	0.04 cfs	1.2 af	N/A	N/A
36-15701	36-15685	0.17 cfs	30.5 af	N/A	N/A	36-16103	2.07 cfs	N/A	141.3	258.6
						36-16104	0.49 cfs	N/A	33.1	59.4
36-15703	36-15687	0.13 cfs	17.4 af	N/A	N/A	36-16105	1.60 cfs	N/A	80.3	258.6
						36-16106	0.38 cfs	N/A	18.8	59.4
36-15705	36-15689	0.07 cfs	7.8 af	N/A	N/A	36-16107	0.87 cfs	N/A	N/A	258.6
						36-16108	0.20 cfs	N/A	N/A	59.4
COMBINED TOTALS		0.33 cfs	82.0 af	N/A	N/A					

Irrigation Rights 36-16103, 36-16105 & 36-16107 2.95 cfs 1034.4.0 af N/A 258.6
Mitigation Rights 36-16104, 36-16106 & 36-16108 0.68 cfs 237.6 af N/A 59.4

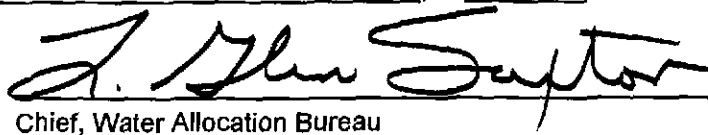
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APR 25 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69267

Detailed Water Right Description(s) attached

Dated this 27th day of December, 2002


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 36-16100
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-16100 is now described as follows.

Right Holder: VANDERHAM DAIRY
 85 S 300 W
 JEROME ID 83338

Priority Date: May 09, 1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.09 CFS	23.5 AF
COMMERCIAL	01/01 to	12/31	0.09 CFS	2.8 AF
			0.09 CFS	26.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E JEROME County

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E 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 16E 21																	X

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	
08S 16E 21															X	X	
08S 16E 22									X	X	X	X					

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-15685, 36-15687, 36-15689 and 36-16100 shall not exceed 0.33 cfs, nor total combined annual volume of 82.0 af.
2. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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WATER RIGHT NO. 36-16100
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

3. 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.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. Commercial use is for a dairy with barn located in the SESE, S21, T8S, R16E.
6. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
7. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Use of water under this right may be affected by an agreement between the protestant and the right holder.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. 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 27th day of December, 2002


Chief, Water Allocation Bureau

MICROFILMED
FEB 13 2003

WATER RIGHT NO. 36-15685
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15685 is now described as follows.

Right Holder: VANDERHAM DAIRY
 85 S 300 W
 JEROME ID 83338

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.17 CFS	30.5 AF
STOCKWATER	01/01	to 12/31	0.17 CFS	30.5 AF
			0.17 CFS	30.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E JEROME County

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E JEROME 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	
08S 16E 21															X	X	
08S 16E 22									X	X	X	X					

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 16E 21																X	

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FEB 25 2003

WATER RIGHT NO. 36-15685
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

1. Rights 36-15685 and 36-15687 when combined shall not exceed a total diversion rate of 0.17 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-15685, 36-15687, 36-15689 and 36-16100 shall not exceed 0.33 cfs, nor total combined annual volume of 82.0 af.
3. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. The water right holder shall maintain control of the necessary portion of Rights 36-16104, 36-16106 and 36-16108 for mitigation purposes under Transfer 69267. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. Water shall not be diverted under this right if the necessary portion of the mitigation rights are sold, transferred, leased or used on any place of use.

Years 1 through 3 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (59.4 acres left unirrigated).

Years 4 and beyond the diversion and use of water under the rights are limited to 0.47 cfs, 165.6 afa and 41.4 acres (18 acres left unirrigated).

7. Commercial use is for a dairy with barn located in the SESE, S21, T8S, R16E.
8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

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SEP 23 2003

WATER RIGHT NO. 36-15685
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

10. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Use of water under this right may be affected by an agreement between the protestant and the right holder.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

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 27th day of December, 20 02


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 36-15687
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15687 is now described as follows.

Right Holder: VANDERHAM DAIRY
 85 S 300 W
 JEROME ID 83338

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.13 CFS	17.4 AF
COMMERCIAL	01/01	to 12/31	0.13 CFS	17.4 AF
			0.13 CFS	17.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E JEROME County

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E 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 16E 21																X	

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	
08S 16E 21															X	X	
08S 16E 22									X	X	X	X					

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SEP 25 2003

WATER RIGHT NO. 36-15687
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

1. Rights 36-15685 and 36-15687 when combined shall not exceed a total diversion rate of 0.17 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-15685, 36-15687, 36-15689 and 36-16100 shall not exceed 0.33 cfs, nor total combined annual volume of 82.0 af.
3. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. The water right holder shall maintain control of the necessary portion of Rights 36-16104, 36-16106 and 36-16108 for mitigation purposes under Transfer 69267. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. Water shall not be diverted under this right if the necessary portion of the mitigation rights are sold, transferred, leased or used on any place of use.

Years 1 through 3 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (59.4 acres left unirrigated).

Years 4 and beyond the diversion and use of water under the rights are limited to 0.47 cfs, 165.6 afa and 41.4 acres (18 acres left unirrigated).

7. Commercial use is for a dairy with barn located in the SESE, S21, T8S, R16E.
8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
9. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

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FEB 25 2003

WATER RIGHT NO. 36-15687
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

10. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Use of water under this right may be affected by an agreement between the protestant and the right holder.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

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SEP 23 2003

WATER RIGHT NO. 36-15689
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15689 is now described as follows.

Right Holder: VANDERHAM DAIRY
 85 S 300 W
 JEROME ID 83338

Priority Date: February 18, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.07 CFS	7.8 AF
COMMERCIAL	01/01	to 12/31	0.07 CFS	7.8 AF
			0.07 CFS	7.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E JEROME County

GROUND WATER NESESE Sec. 21 Twp 08S Rge 16E 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 16E 21																X	

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	
08S 16E 21															X	X	
08S 16E 22									X	X	X	X					

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FEB 25 2001

WATER RIGHT NO. 36-15689
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 36-15685, 36-15687, 36-15689 and 36-16100 shall not exceed 0.33 cfs, nor total combined annual volume of 82.0 af.
2. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. 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.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The water right holder shall maintain control of the necessary portion of Rights 36-16104, 36-16106 and 36-16108 for mitigation purposes under Transfer 69267. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. Water shall not be diverted under this right if the necessary portion of the mitigation rights are sold, transferred, leased or used on any place of use.

Years 1 through 3 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (59.4 acres left unirrigated).

Years 4 and beyond the diversion and use of water under the rights are limited to 0.47 cfs, 165.6 afa and 41.4 acres (18 acres left unirrigated).

6. Commercial use is for a dairy with barn located in the SESE, S21, T8S, R16E.
7. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

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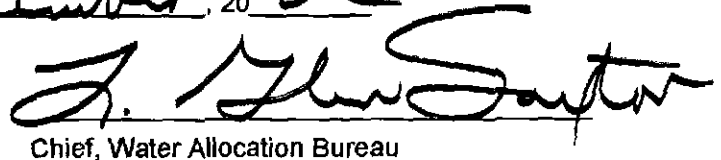
WATER RIGHT NO. 36-15689
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

9. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Use of water under this right may be affected by an agreement between the protestant and the right holder.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year 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.
13. 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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 36-16101
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-16101 is now described as follows.

Right Holder: KEN VANDERHAM
 300 W 82 S
 JEROME ID 83338

Priority Date: May 09, 1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
		0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 21 Twp 08S Rge 16E JEROME County

PLACE OF USE: DOMESTIC

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 16E 21																X	

CONDITIONS OF APPROVAL

- Domestic use is for 1 home.
- The irrigation occurring under this domestic use shall not exceed 1/2 acre.
- The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
- 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.
- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

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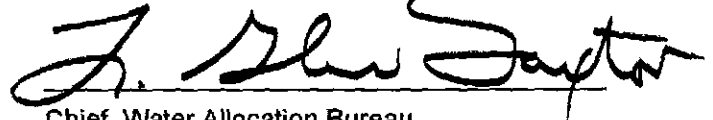
WATER RIGHT NO. 36-16101
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

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

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 27th day of December, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 36-16103
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15684 is now described as follows.

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	2.07 CFS	
			2.07 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	19			26.9	15.6					20.0			40.0	29.3	9.1	22.5		163.4
08S	22E	30		21.2	34.0		40.0												95.2

Total Acres: 258.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 141.3 acres within the place of use described above in a single irrigation season.
2. Rights 36-16103 and 36-16105 when combined shall not exceed 2.07 cfs.
3. Rights 36-16103, 36-16105, and 36-16107 when combined shall not exceed a total diversion rate of 2.95 cfs, a total annual maximum diversion volume of 1034.4 af at the field headgate, and the irrigation of 258.6 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

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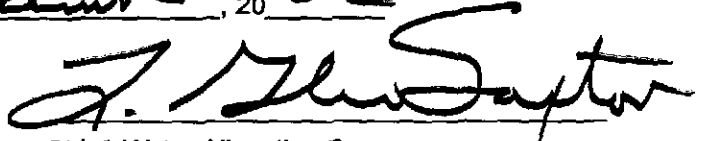
WATER RIGHT NO. 36-16103
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to 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 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 the originating approval/SRBA partial decree date.
6. Rights 36-16105 and 36-16107 are also diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. 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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

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FEB 25 2003

WATER RIGHT NO. 36-16104
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15684 is now described as follows.

Right Holder: VANDERHAM DAIRY
 85 S 300 W
 JEROME ID 83338

Priority Date: October 18, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to 10/31	0.49 CFS	
		0.49 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 22E 19			10.1	17.4									3.7	28.2			59.4

Total Acres: 59.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 33.1 acres within the place of use described above in a single irrigation season.
2. Rights 36-16104 and 36-16106 when combined shall not exceed 0.49 cfs.
3. Rights 36-16104, 36-16106, and 36-16108 when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 237.6 af at the field headgate, and the irrigation of 59.4 acres.
4. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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WATER RIGHT NO. 36-16104
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Rights 36-16104, 36-16106 and 36-16108 are used for mitigation purposes under Transfer 69267. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. The right holder shall file a notice of intent with the Department prior to increasing the use of water each time an increase according to the schedule is sought.

Years 1 through 3 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (59.4 acres left unirrigated).

Years 4 and beyond the diversion and use of water under the rights are limited to 0.47 cfs, 165.6 afa and 41.4 acres (18 acres left unirrigated).

7. The period of use for the irrigation described in this approval may be extended to 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 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 the originating approval/SRBA partial decree date.
8. Rights 36-16106 and 36-16108 are also diverted through the point(s) of diversion described above.
9. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 36-16105
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15686 is now described as follows.

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	10/31	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S 22E 19			26.9	15.6					20.0			40.0	29.3	9.1	22.5		163.4
08S 22E 30		21.2	34.0		40.0												95.2

Total Acres: 258.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80.3 acres within the place of use described above in a single irrigation season.
2. Rights 36-16103 and 36-16105 when combined shall not exceed 2.07 cfs.
3. Rights 36-16103, 36-16105, and 36-16107 when combined shall not exceed a total diversion rate of 2.95 cfs, a total annual maximum diversion volume of 1034.4 af at the field headgate, and the irrigation of 258.6 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

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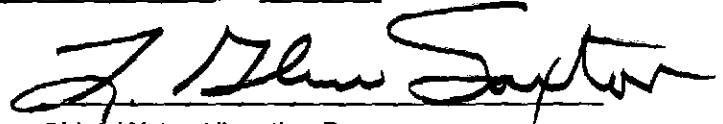
WATER RIGHT NO. 36-16105
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to 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 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 the originating approval/SRBA partial decree date.
6. Rights 36-16103 and 36-16107 are also diverted through the point(s) of diversion described above.
7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. 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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 36-16106
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15686 is now described as follows.

Right Holder: VANDERHAM DAIRY
85 S 300 W
JEROME ID 83338

Priority Date: December 03, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 10/31	0.38 CFS	
			0.38 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S 22E 19			10.1	17.4									3.7	28.2			59.4

Total Acres: 59.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.8 acres within the place of use described above in a single irrigation season.
2. Rights 36-16104 and 36-16106 when combined shall not exceed 0.49 cfs.
3. Rights 36-16104, 36-16106, and 36-16108 when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 237.6 af at the field headgate, and the irrigation of 59.4 acres.
4. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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WATER RIGHT NO. 36-16106
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Rights 36-16104, 36-16106 and 36-16108 are used for mitigation purposes under Transfer 69267. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. The right holder shall file a notice of intent with the Department prior to increasing the use of water each time an increase according to the schedule is sought.

Years 1 through 3 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (59.4 acres left unmitigated).

Years 4 and beyond the diversion and use of water under the rights are limited to 0.47 cfs, 165.6 afa and 41.4 acres (18 acres left unmitigated).

7. The period of use for the irrigation described in this approval may be extended to 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 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 the originating approval/SRBA partial decree date.
8. Rights 36-16104 and 36-16108 are also diverted through the point(s) of diversion described above.
9. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

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 27th day of December, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16107
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15688 is now described as follows.

Right Holder: VIVIAN K LARSEN
 JOHN C LARSEN
 129 S 2900 E
 PAUL ID 83347

Priority Date: February 18, 1971

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	0.87 CFS	
		0.87 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	19			26.9	15.6					20.0			40.0	29.3	9.1	22.5		163.4
08S	22E	30			21.2	34.0			40.0										95.2

Total Acres: 258.6

CONDITIONS OF APPROVAL

1. Rights 36-16103, 36-16105, and 36-16107 when combined shall not exceed a total diversion rate of 2.95 cfs, a total annual maximum diversion volume of 1034.4 af at the field headgate, and the irrigation of 258.6 acres.
2. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 4/1 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 the originating approval/SRBA partial decree date.
4. Rights 36-16103 and 36-16105 are also diverted through the point(s) of diversion described above.

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SEP 25 2000

WATER RIGHT NO. 36-16107
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. 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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16108
As Modified by Transfer No. 69267

In accordance with the approval of Transfer No. 69267, Water Right No. 36-15688 is now described as follows.

Right Holder: VANDERHAM DAIRY
 85 S 300 W
 JEROME ID 83338

Priority Date: February 18, 1971

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	0.20 CFS	
		0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

GROUND WATER NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	22E	19			10.1	17.4									3.7	28.2			59.4

Total Acres: 59.4

CONDITIONS OF APPROVAL

1. Rights 36-16104, 36-16106, and 36-16108 when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 237.6 af at the field headgate, and the irrigation of 59.4 acres.
2. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.
3. Prior to the diversion and use of water under Transfer approval 69267, the right holder shall install and maintain acceptable measuring devices(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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WATER RIGHT NO. 36-16108
As Modified by Transfer No. 69267

CONDITIONS OF APPROVAL

4. Rights 36-16104, 36-16106 and 36-16108 are used for mitigation purposes under Transfer 69267. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. The right holder shall file a notice of intent with the Department prior to increasing the use of water each time an increase according to the schedule is sought.

Years 1 through 3 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (59.4 acres left unirrigated).

Years 4 and beyond the diversion and use of water under the rights are limited to 0.47 cfs, 165.6 afa and 41.4 acres (18 acres left unirrigated).

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 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 4/1 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 the originating approval/SRBA partial decree date.
6. Rights 36-16104 and 36-16106 are also diverted through the point(s) of diversion described above.
7. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
9. 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.

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 27th day of December, 2002


Chief, Water Allocation Bureau

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FEB 23 2003

MEMORANDUM

TO: FILE 36-16101

FROM: VAULT

RE: TRANSFER # 69267

DATE: 12.30.02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 36-08355

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FEB 25 2003