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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 69754

This is to certify that: HARVEY QUESNELL RANCHES INC  
3542 N 2900 E  
TWIN FALLS ID 83301  
(208)734-3834

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**

| Right   | Origin/Basis | Priority   | Rate    | Volume | Acres | Total | Source       |
|---------|--------------|------------|---------|--------|-------|-------|--------------|
| 36-2595 | WR/Decreed   | 11/27/1964 | 2.1 cfs | 620 af |       | 155.0 | GROUND WATER |

**Purpose of Transfer (Changes Proposed)**

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------------|-------|-----|-----|---------|---------------|---------------|
| 36-2595        | YES   | YES | YES | YES     | YES           | YES           |

**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 |
|----------------|---------------------------|-----------------|-----------------|------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 36-2595        | 36-15995                  | 0.61 cfs        | 135 af          | N/A        | N/A         | 36-15994                    | 1.49 cfs       | 440 af           | N/A                  | 110.0                 |
| <b>TOTALS</b>  |                           | <b>0.61 cfs</b> | <b>135 af</b>   | <b>N/A</b> | <b>N/A</b>  |                             | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Rights 36-15994 and 36-15995 are subject to the conditions of the Preliminary Order dated 12-03-2002 which has become final in the matter of Application for Transfer 69754.

Detailed Water Right Description(s) attached

Dated this

24<sup>th</sup>

day of

January, 2003

*[Signature]*  
Chief, Water Allocation Bureau

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**WATER RIGHT NO. 36-15994**  
**As Modified by Transfer No. 69754**

In accordance with the approval of Transfer No. 69754, Water Right No. 36-15994 is now described as follows.

**Right Holder:** HARVEY QUESNELL RANCHES INC  
 3542 N 2900 E  
 TWIN FALLS ID 83301

**Priority Date:** November 27, 1964

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | 11/15     | 1.49 CFS              | 440.0 AF      |
|                       |             |           | 1.49 CFS              | 440.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NESWNW Sec. 25 Twp 10S Rge 20E JEROME 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 |        |
| 10S 20E 25  |    |    |    |    | 33.0 | 22.0 | 33.0 | 22.0 |    |    |    |    |    |    |    |    | 110.0  |

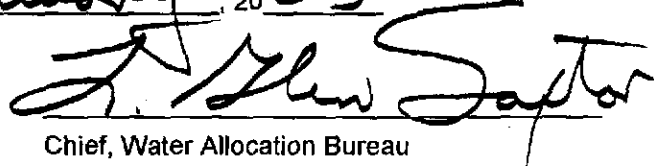
Total Acres: 110

**CONDITIONS OF APPROVAL**

1. Use of this right is combined with water from North Side Canal Company.
2. 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 24<sup>th</sup> day of January, 2003

  
 Chief, Water Allocation Bureau

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**WATER RIGHT NO. 36-15995**  
**As Modified by Transfer No. 69754**

In accordance with the approval of Transfer No. 69754, Water Right No. 36-15995 is now described as follows.

**Right Holder:** HARVEY QUESNELL RANCHES INC  
 3542 N 2900 E  
 TWIN FALLS ID 83301

**Priority Date:** November 27, 1964

**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 |           | 0.61 CFS              | 135.0 AF      |
| STOCKWATER            | 01/01 to 12/31 |           | 0.61 CFS              | 135.0 AF      |
|                       |                |           | 0.61 CFS              | 135.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      SWNE      Sec. 26 Twp 10S    Rge 20E    JEROME County

GROUND WATER                      SWNE      Sec. 26 Twp 10S    Rge 20E    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 |        |
| 10S 20E 25  |    |    |    |    | X  | X  | X  | X  |    |    |    |    |    |    |    |    |        |
| 10S 20E 26  |    | X  | X  | X  |    |    |    |    |    |    |    | X  | X  | X  | X  | X  |        |
| 10S 20E 34  | X  | X  | X  | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 10S 20E 35  |    | 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 |        |
| 10S 20E 26  |    | X  | X  | X  |    |    |    |    |    |    |    |    | X  | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Right 36-15995 shall not exceed 0.61 cfs, nor total combined annual volume of 135.0 af.
3. Prior to the diversion and use of water under Transfer approval 69754, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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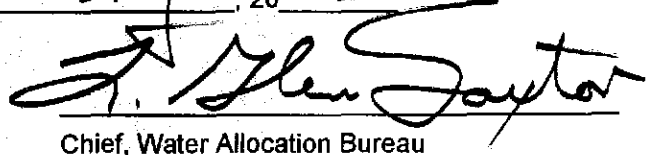
**WATER RIGHT NO. 36-15995**  
**As Modified by Transfer No. 69754**

**CONDITIONS OF APPROVAL**

4. Commercial use is for a dairy facility located within portions of the NE and SE quarters of S26, T10S, R20E
5. 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.
6. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.
7. Prior to the diversion water authorized under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to diversion of water authorized under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
9. The right holder shall accomplish the change authorized by this approval within 5 years.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 29<sup>th</sup> day of January, 2003

  
Chief, Water Allocation Bureau

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# **Transfer 69754 Reference Sheet**

**DATE: May 14, 2004**

**TO: File(s) 36-15994, 36-15995**

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**Original Transfer Application form,  
correspondence and review documents  
regarding Transfer 69754 are located within  
Water Right file 36-2595.**

**Transfer 69754 Reference Sheet**

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**11/12/2004**