

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69875

This is to certify that: SUNSET RIDGE LLC
PO BOX 1207
MOUNTAIN HOME ID 83647
(208) 587-5319

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>
61-7017	WR/Decreed	08/02/1968	3.11 cfs	N/A	317.0	914.0	GROUND WATER
61-7186	WR/Decreed	06/14/1974	3.14 cfs	N/A	157.0	914.0	GROUND WATER
61-7205B	WR/Decreed	10/25/1974	3.20 cfs	N/A	160.0	914.0	GROUND WATER
61-7206B	WR/Decreed	11/08/1974	4.00 cfs	N/A	200.0	914.0	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>
61-7017	YES	YES	YES	NO	YES	YES
61-7186	YES	YES	YES	NO	YES	YES
61-7205B	YES	YES	YES	NO	YES	YES
61-7206B	YES	YES	YES	NO	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>
61-7017	61-11997	0.52 cfs	139.9 af	N/A	N/A	61-11996	2.59 cfs	N/A	264.6	776.0
61-7186	61-11999	0.52 cfs	69.4 af	N/A	N/A	61-11998	2.62 cfs	N/A	131.0	776.0
61-7205B	61-12003	0.53 cfs	70.8 af	N/A	N/A	61-12002	2.67 cfs	N/A	133.5	776.0
61-7206B	61-12001	0.66 cfs	88.4 af	N/A	N/A	61-12000	3.34 cfs	N/A	166.9	776.0

COMBINED

TOTALS **2.23 cfs 368.5 af N/A N/A** **11.22 cfs 2784.0 af 696.0 776.0**

Detailed Water Right Description(s) attached

Dated this 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-11996
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-11996 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: August 02, 1968

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	2.59 CFS	
			2.59 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 35 Twp 04S Rge 06E	ELMORE County
GROUND WATER	SESENE	Sec. 35 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NESWSE	Sec. 35 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NWSWSE	Sec. 36 Twp 04S Rge 06E	ELMORE 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	
04S 06E 26													40.0			40.0	80.0
04S 06E 35	40.0	40.0	40.0	40.0												20.0	180.0
04S 06E 36			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0		39.0	40.0	39.0	39.0	516.0

Total Acres: 776

WATER RIGHT NO. 61-11996
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 264.6 acres within the place of use described above in a single irrigation season.
2. Rights 61-11996, 61-11998, 61-12000 and 61-12002 when combined shall not exceed a total diversion rate of 11.22 cfs, a total annual maximum diversion volume of 2784.0 af at the field headgate, and the irrigation of 696.0 acres in a single irrigation season.
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 10-26-2000.
4. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. Rights 61-11998, 61-12000 and 61-12002 are also diverted through the point(s) of diversion described above.
6. 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 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-11997
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-11997 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: August 02, 1968

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	0.52 CFS	139.9 AF
COMMERCIAL	01/01	to 12/31	0.52 CFS	139.9 AF
			0.52 CFS	139.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSE Sec. 35 Twp 04S Rge 06E ELMORE 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	
04S 06E 35													X	X	X	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	
04S 06E 35													X	X	X	X	

WATER RIGHT NO. 61-11997
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 61-11997, 61-11999, 61-12001 and 61-12003 when combined shall not exceed a total diversion rate of 2.23 cfs, and a total annual maximum diversion volume of 368.5 af.
3. After specific notification by the Department, the right holder shall install a suitable measuring device 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 the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 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.
6. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-11998
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-11998 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: June 14, 1974

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	2.62 CFS	
			2.62 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 35 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SESENE	Sec. 35 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NESWSE	Sec. 35 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSWSE	Sec. 36 Twp 04S	Rge 06E	ELMORE 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	
04S	06E	26													40.0			40.0	80.0
04S	06E	35	40.0	40.0	40.0	40.0												20.0	180.0
04S	06E	36			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0		39.0	40.0	39.0	39.0	516.0

Total Acres: 776

WATER RIGHT NO. 61-11998
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 131.0 acres within the place of use described above in a single irrigation season.
2. Rights 61-11996, 61-11998, 61-12000 and 61-12002 when combined shall not exceed a total diversion rate of 11.22 cfs, a total annual maximum diversion volume of 2784.0 af at the field headgate, and the irrigation of 696.0 acres in a single irrigation season.
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 10-26-2000.
4. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. Rights 61-11996, 61-12000 and 61-12002 are also diverted through the point(s) of diversion described above.
6. 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 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-11999
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-11999 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: June 14, 1974

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	0.52 CFS	69.4 AF
STOCKWATER	01/01 to	12/31	0.52 CFS	69.4 AF
			0.52 CFS	69.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSE Sec. 35 Twp 04S Rge 06E ELMORE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 06E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X	X	X	X	

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 06E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X	X	X	X	

WATER RIGHT NO. 61-11999
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 61-11997, 61-11999, 61-12001 and 61-12003 when combined shall not exceed a total diversion rate of 2.23 cfs, and a total annual maximum diversion volume of 368.5 af.
3. After specific notification by the Department, the right holder shall install a suitable measuring device 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 the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 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.
6. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 16th day of June, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12000
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-12000 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: November 08, 1974

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	3.34 CFS	
			3.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 35 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	SESENE	Sec. 35 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NESWSE	Sec. 35 Twp 04S	Rge 06E	ELMORE County
GROUND WATER	NWSWSE	Sec. 36 Twp 04S	Rge 06E	ELMORE 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				
04S	06E	26																	40.0		40.0	80.0
04S	06E	35	40.0	40.0	40.0	40.0														20.0		180.0
04S	06E	36			40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	39.0		39.0	40.0	39.0	39.0				516.0

Total Acres: 776

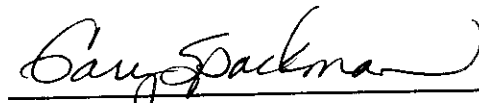
WATER RIGHT NO. 61-12000
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 166.9 acres within the place of use described above in a single irrigation season.
2. Rights 61-11996, 61-11998, 61-12000 and 61-12002 when combined shall not exceed a total diversion rate of 11.22 cfs, a total annual maximum diversion volume of 2784.0 af at the field headgate, and the irrigation of 696.0 acres in a single irrigation season.
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 10-26-2000.
4. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. Rights 61-11996, 61-11998 and 61-12002 are also diverted through the point(s) of diversion described above.
6. 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 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12001
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-12001 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: November 08, 1974

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	0.66 CFS	88.4 AF
COMMERCIAL	01/01 to	12/31	0.66 CFS	88.4 AF
			0.66 CFS	88.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSE Sec. 35 Twp 04S Rge 06E ELMORE 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	
04S 06E 35													X	X	X	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	
04S 06E 35													X	X	X	X	

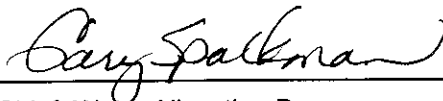
WATER RIGHT NO. 61-12001
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 61-11997, 61-11999, 61-12001 and 61-12003 when combined shall not exceed a total diversion rate of 2.23 cfs, and a total annual maximum diversion volume of 368.5 af.
3. After specific notification by the Department, the right holder shall install a suitable measuring device 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 the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 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.
6. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12002
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-12002 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: October 25, 1974

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	2.67 CFS	
			2.67 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENENE	Sec. 35 Twp 04S Rge 06E	ELMORE County
GROUND WATER	SESENE	Sec. 35 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NESWSE	Sec. 35 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NWSWSE	Sec. 36 Twp 04S Rge 06E	ELMORE 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	
04S 06E 26																	
04S 06E 35	40.0	40.0	40.0	40.0													80.0
04S 06E 36																	20.0
																	180.0
																	516.0

Total Acres: 776

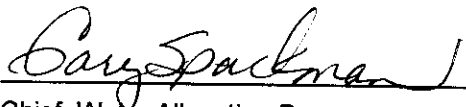
WATER RIGHT NO. 61-12002
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 133.5 acres within the place of use described above in a single irrigation season.
2. Rights 61-11996, 61-11998, 61-12000 and 61-12002 when combined shall not exceed a total diversion rate of 11.22 cfs, a total annual maximum diversion volume of 2784.0 af at the field headgate, and the irrigation of 696.0 acres in a single irrigation season.
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 10-26-2000.
4. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
5. Rights 61-11996, 61-11998 and 61-12000 are also diverted through the point(s) of diversion described above.
6. 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 16th day of June, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 61-12003
As Modified by Transfer No. 69875

In accordance with the approval of Transfer No. 69875, Water Right No. 61-12003 is now described as follows.

Right Holder: SUNSET RIDGE LLC
 PO BOX 1207
 MOUNTAIN HOME ID 83647

Priority Date: October 25, 1974

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	0.53 CFS	70.8 AF
COMMERCIAL	01/01	to 12/31	0.53 CFS	70.8 AF
			0.53 CFS	70.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESWSE Sec. 35 Twp 04S Rge 06E ELMORE 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	
04S 06E 35													X	X	X	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	
04S 06E 35													X	X	X	X	

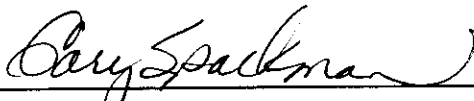
WATER RIGHT NO. 61-12003
As Modified by Transfer No. 69875

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Rights 61-11997, 61-11999, 61-12001 and 61-12003 when combined shall not exceed a total diversion rate of 2.23 cfs, and a total annual maximum diversion volume of 368.5 af.
3. After specific notification by the Department, the right holder shall install a suitable measuring device 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 the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. 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.
6. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 16th day of June, 2004



Chief, Water Allocation Bureau