

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 87083**

This is to certify that: **TED BAAR HOLDINGS LLC**  
334 S 300 W  
JEROME, ID 83338-6045

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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 36-10845           | WR/DECREED          | 1/28/1972            | 0.240 cfs             | 14.6 af                 | N/A               | N/A                | GROUND WATER  |
| 36-16917           | WR/DECREED          | 8/19/1952            | 0.040 cfs             | 12.0 af                 | N/A               | 3.0                | GROUND WATER  |
| 36-8478            | WR/LICENSE          | 11/7/1989            | 0.420 cfs             | 36.7 af                 | N/A               | N/A                | GROUND WATER  |

**Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 36-16196           | WR/DECREED          | 6/11/1957            | 0.070 cfs             | 53.0 af                 |                   | N/A                | GROUND WATER  |
| 36-16198           | WR/DECREED          | 5/11/1957            | 0.220 cfs             | 53.0 af                 |                   | N/A                | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-10845              | YES          | YES        | NO         | NO             | NO                   | NO                   |
| 36-16917              | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 36-8478               | YES          | YES        | NO         | NO             | NO                   | NO                   |

**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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-10845               | 36-17236                         | 0.050 cfs            | 1.6 af                 | N/A               | N/A                | 36-10845                           | 0.190 cfs             | 13.0 af                 | N/A                         | N/A                          |
| 36-16917               | 36-16917                         | 0.040 cfs            | 12.0 af                | N/A               | 3.0                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 36-8478                | 36-17235                         | 0.050 cfs            | 1.6 af                 | N/A               | N/A                | 36-8478                            | 0.370 cfs             | 35.1 af                 | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.090 cfs</b>     | <b>13.6 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>                   |

SUPPORT DATA

IN FILE # 36-8478

Transfer No. 87083

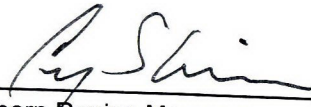
SCANNED  
JAN 23 2023

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 87083

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 16<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
Southern Region Manager

Transfer No. 87083

SCANNED  
JAN 23 2023

**WATER RIGHT NO. 36-16917**  
**As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-16917 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
 334 S 300 W  
 JEROME, ID 83338-6045

**Priority Date:** 8/19/1952

**Source:** GROUND WATER

|                              |                    |                  |                              |                                |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
| IRRIGATION                   | 04/01              | to 10/31         | 0.040 cfs                    | 12.0 af                        |
|                              |                    |                  | 0.040 cfs                    | 12.0 af                        |

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

GROUND WATER      SWNW      Sec 3   Twp 09S Rge 16E   JEROME County

**PLACE OF USE: IRRIGATION**

|     |     |     | NE |    |    |    | NW |    |     |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | 3.0 |    |    |    |    |    |    |    |    |    | 3.0    |

POU Total Acres:      3.0

**CONDITIONS OF APPROVAL**

1. The combination of changes under:

Transfer approval 77438 as described under rights 29-14012 and 29-14013;  
 Transfer approval 77439 as described under rights 25-14345 and 25-14346;  
 Transfer approval 77440 as described under right 36-16917;  
 Transfer approval 77441 as described under right 22-14018;  
 Transfer approval 77443 as described under right 27-12235;  
 Transfer approval 77444 as described under right 25-14347;

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right.

Transfer No.      87083

SCANNED

JAN 23 2023

**WATER RIGHT NO. 36-16917**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

2. 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. The right holder shall accomplish the change authorized by this transfer within one years of the date of this 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-8478****As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-8478 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
334 S 300 W  
JEROME, ID 83338-6045

**Priority Date:** 11/7/1989

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.370 cfs             | 35.1 af                 |
| STOCKWATER            | 01/01       | to 12/31  | 0.370 cfs             | 35.1 af                 |
|                       |             |           | 0.370 cfs             | 35.1 af                 |

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

|              |      |       |                 |               |
|--------------|------|-------|-----------------|---------------|
| GROUND WATER | SWNW | Sec 3 | Twp 09S Rge 16E | JEROME County |
| GROUND WATER | SWNW | Sec 3 | Twp 09S Rge 16E | JEROME County |

**PLACE OF USE: COMMERCIAL**

|     |     |     | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    | X   |    | X  | X  | X  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    | L 3 |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 36-10845 and 36-8478 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 35.1 af.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 71004, 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.

Transfer No. 87083

SCANNED

JAN 23 2023

**WATER RIGHT NO. 36-8478**

**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.66 cfs, nor a total combined annual volume of 88.1 afa except as modified below.
6. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. The diversion of water was to be evenly distributed throughout the authorized season of use, except that minor variations were allowed for seasonal fluctuations in water requirements. The right holder was to file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule was sought. Year 2004 the rights were limited to 64.2 afa. Year 2005 the rights were limited to 78.6 afa. Year 2006 through 2007 the rights were limited to 82.2 afa. Year 2008 through 2012 the rights were limited to 88.3 afa. Year 2013 through 2017 the rights were limited to 90.1 afa. Year 2018 through 2022 the rights were limited to 91.9 afa. Year 2023 through 2031 the rights were limited to 93.1 afa. Year 2032 through 2042 the rights were limited to 94.3 afa. Year 2043 and beyond the rights were limited to 96.1 afa.  
As a result of the approval of Transfer 79202, rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. Year 2014 through 2017 the rights were limited to 83.7 afa. Year 2018 through 2022 the rights were limited to 85.5 afa. Year 2023 through 2031 the rights were limited to 86.7 afa. Year 2032 through 2042 the rights were limited to 87.9 afa. Year 2043 and beyond the rights were limited to 89.7 afa.  
As a result of the approval of Transfer 87083, which split off an eventual 1.6 afa portion of rights 36-8478 and 36-10845 for a separate system, creating rights 36-17236 and 36-17235 which are limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 1.5 afa. Year 2032 and beyond the rights are limited to 1.6 afa. This also resulted in rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined being limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 85.2 afa. Year 2032 through 2042 the rights are limited to 86.3 afa. Year 2043 and beyond the rights are limited to 88.1 afa.
7. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

**WATER RIGHT NO. 36-8478**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF 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.
12. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.
13. Approval of this transfer does not confirm the validity of this water right.



**WATER RIGHT NO. 36-17235**  
**As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-17235 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
 334 S 300 W  
 JEROME, ID 83338-6045

**Priority Date:** 11/7/1989

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| DOMESTIC              | 01/01       | to 12/31  | 0.040 cfs             | 1.2 af                  |
| STOCKWATER            | 01/01       | to 12/31  | 0.010 cfs             | 0.4 af                  |
|                       |             |           | 0.050 cfs             | 1.6 af                  |

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

GROUND WATER      SWNW      Sec 3   Twp 09S Rge 16E   JEROME County

**PLACE OF USE: DOMESTIC**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    | 0.0    |

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    | 0.0    |

**CONDITIONS OF APPROVAL**

1. Rights 36-17235 and 36-17236 when combined shall not exceed a total diversion rate of 0.05 cfs and a total annual maximum diversion volume of 1.6 af.
2. 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 87083

SCANNED  
 JAN 23 2023

**WATER RIGHT NO. 36-17235**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

4. As a result of the approval of Transfer 87083, which split off an eventual 1.6 afa portion of rights 36-8478 and 36-10845 for a separate system, creating rights 36-17236 and 36-17235 which are limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 1.5 afa. Year 2032 and beyond the rights are limited to 1.6 afa. This also resulted in rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined being limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 85.2 afa. Year 2032 through 2042 the rights are limited to 86.3 afa. Year 2043 and beyond the rights are limited to 88.1 afa.
5. Domestic use is for 1 home within the SWNW, S3, T9S, R16E.
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.

**WATER RIGHT NO. 36-10845**  
**As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-10845 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
 334 S 300 W  
 JEROME, ID 83338-6045

**Priority Date:** 1/28/1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| STOCKWATER            | 01/01       | to 12/31  | 0.190 cfs             | 13.0 af                 |
|                       |             |           | 0.190 cfs             | 13.0 af                 |

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

|              |      |       |         |         |               |
|--------------|------|-------|---------|---------|---------------|
| GROUND WATER | SWNW | Sec 3 | Twp 09S | Rge 16E | JEROME County |
| GROUND WATER | SWNW | Sec 3 | Twp 09S | Rge 16E | JEROME County |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 36-10845 and 36-8478 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 35.1 af.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 71004, 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.
4. Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.66 cfs and a total diversion volume of 88.1 afa except as modified below.
5. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.66 cfs, nor a total combined annual volume of 88.1 afa except as modified below.

Transfer No. 87083

SCANNED  
JAN 23 2023

**WATER RIGHT NO. 36-10845**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

6. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. The diversion of water was to be evenly distributed throughout the authorized season of use, except that minor variations were allowed for seasonal fluctuations in water requirements. The right holder was to file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule was sought. Year 2004 the rights were limited to 64.2 afa. Year 2005 the rights were limited to 78.6 afa. Year 2006 through 2007 the rights were limited to 82.2 afa. Year 2008 through 2012 the rights were limited to 88.3 afa. Year 2013 through 2017 the rights were limited to 90.1 afa. Year 2018 through 2022 the rights were limited to 91.9 afa. Year 2023 through 2031 the rights were limited to 93.1 afa. Year 2032 through 2042 the rights were limited to 94.3 afa. Year 2043 and beyond the rights were limited to 96.1 afa.  
As a result of the approval of Transfer 79202, rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. Year 2014 through 2017 the rights were limited to 83.7 afa. Year 2018 through 2022 the rights were limited to 85.5 afa. Year 2023 through 2031 the rights were limited to 86.7 afa. Year 2032 through 2042 the rights were limited to 87.9 afa. Year 2043 and beyond the rights were limited to 89.7 afa.  
As a result of the approval of Transfer 87083, which split off an eventual 1.6 afa portion of rights 36-8478 and 36-10845 for a separate system, creating rights 36-17236 and 36-17235 which are limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 1.5 afa. Year 2032 and beyond the rights are limited to 1.6 afa. This also resulted in rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined being limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 85.2 afa. Year 2032 through 2042 the rights are limited to 86.3 afa. Year 2043 and beyond the rights are limited to 88.1 afa.
7. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 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.
10. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
11. Approval of this transfer does not confirm the validity of this water right.

**WATER RIGHT NO. 36-17236**  
**As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-17236 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
 334 S 300 W  
 JEROME, ID 83338-6045

**Priority Date:** 1/28/1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| DOMESTIC              | 01/01       | to 12/31  | 0.040 cfs             | 1.2 af                  |
| STOCKWATER            | 01/01       | to 12/31  | 0.010 cfs             | 0.4 af                  |
|                       |             |           | 0.050 cfs             | 1.6 af                  |

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

GROUND WATER      SWNW      Sec 3   Twp 09S Rge 16E   JEROME County

**PLACE OF USE: DOMESTIC**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    | 0.0    |

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    | 0.0    |

**CONDITIONS OF APPROVAL**

1. Rights 36-17235 and 36-17236 when combined shall not exceed a total diversion rate of 0.05 cfs and a total annual maximum diversion volume of 1.6 af.
2. 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 87083

SCANNED  
 JAN 23 2023

**WATER RIGHT NO. 36-17236**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

4. As a result of the approval of Transfer 87083, which split off an eventual 1.6 afa portion of rights 36-8478 and 36-10845 for a separate system, creating rights 36-17236 and 36-17235 which are limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 1.5 afa. Year 2032 and beyond the rights are limited to 1.6 afa. This also resulted in rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined being limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 85.2 afa. Year 2032 through 2042 the rights are limited to 86.3 afa. Year 2043 and beyond the rights are limited to 88.1 afa.
5. Domestic use is for 1 home within the SWNW, S3, T9S, R16E.
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.
8. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-16196****As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-16196 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
334 S 300 W  
JEROME, ID 83338-6045

**Priority Date:** 6/11/1957

**Source:** GROUND WATER

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.070 cfs             | 53.0 af                 |
| STOCKWATER            | 01/01       | to 12/31  | 0.070 cfs             | 53.0 af                 |
|                       |             |           | 0.070 cfs             | 53.0 af                 |

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

|              |      |       |                 |               |
|--------------|------|-------|-----------------|---------------|
| GROUND WATER | SWNW | Sec 3 | Twp 09S Rge 16E | JEROME County |
| GROUND WATER | SWNW | Sec 3 | Twp 09S Rge 16E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    | X   |    | X  | X  | X  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    | L 3 |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 36-16196 and 36-16198 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 53 af.
2. Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.66 cfs and a total diversion volume of 88.1 afa except as modified below.

**WATER RIGHT NO. 36-16196**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

3. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. The diversion of water was to be evenly distributed throughout the authorized season of use, except that minor variations were allowed for seasonal fluctuations in water requirements. The right holder was to file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule was sought. Year 2004 the rights were limited to 64.2 afa. Year 2005 the rights were limited to 78.6 afa. Year 2006 through 2007 the rights were limited to 82.2 afa. Year 2008 through 2012 the rights were limited to 88.3 afa. Year 2013 through 2017 the rights were limited to 90.1 afa. Year 2018 through 2022 the rights were limited to 91.9 afa. Year 2023 through 2031 the rights were limited to 93.1 afa. Year 2032 through 2042 the rights were limited to 94.3 afa. Year 2043 and beyond the rights were limited to 96.1 afa.  
As a result of the approval of Transfer 79202, rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. Year 2014 through 2017 the rights were limited to 83.7 afa. Year 2018 through 2022 the rights were limited to 85.5 afa. Year 2023 through 2031 the rights were limited to 86.7 afa. Year 2032 through 2042 the rights were limited to 87.9 afa. Year 2043 and beyond the rights were limited to 89.7 afa.  
As a result of the approval of Transfer 87083, which split off an eventual 1.6 afa portion of rights 36-8478 and 36-10845 for a separate system, creating rights 36-17236 and 36-17235 which are limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 1.5 afa. Year 2032 and beyond the rights are limited to 1.6 afa. This also resulted in rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined being limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 85.2 afa. Year 2032 through 2042 the rights are limited to 86.3 afa. Year 2043 and beyond the rights are limited to 88.1 afa.
4. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.66 cfs, nor a total combined annual volume as set forth above.
5. 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.
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 county zoning and use ordinances.
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.
9. Prior to the diversion and use of water under Transfer approval 71004, 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.

**WATER RIGHT NO. 36-16196**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

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.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
13. 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.
14. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.

**WATER RIGHT NO. 36-16198****As Modified by Transfer No. 87083**

In accordance with the approval of Transfer No. 87083, Water Right No. 36-16198 is now described as follows:

**Right Holder:** TED BAAR HOLDINGS LLC  
334 S 300 W  
JEROME, ID 83338-6045

**Priority Date:** 5/11/1957

**Source:** GROUND WATER

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| COMMERCIAL            | 01/01       | to 12/31  | 0.220 cfs             | 53.0 af                 |
| STOCKWATER            | 01/01       | to 12/31  | 0.220 cfs             | 53.0 af                 |
|                       |             |           | 0.220 cfs             | 53.0 af                 |

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

|              |      |       |                 |               |
|--------------|------|-------|-----------------|---------------|
| GROUND WATER | SWNW | Sec 3 | Twp 09S Rge 16E | JEROME County |
| GROUND WATER | SWNW | Sec 3 | Twp 09S Rge 16E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    | X   |    | X  | X  | X  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    | L 3 |    |    |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 16E | 3   |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Rights 36-16196 and 36-16198 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 53 af.
2. 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.
3. Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.66 cfs and a total diversion volume of 88.1 afa except as modified below.

Transfer No. 87083

SCANNED

JAN 23 2023

**WATER RIGHT NO. 36-16198**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

4. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. The diversion of water was to be evenly distributed throughout the authorized season of use, except that minor variations were allowed for seasonal fluctuations in water requirements. The right holder was to file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule was sought. Year 2004 the rights were limited to 64.2 afa. Year 2005 the rights were limited to 78.6 afa. Year 2006 through 2007 the rights were limited to 82.2 afa. Year 2008 through 2012 the rights were limited to 88.3 afa. Year 2013 through 2017 the rights were limited to 90.1 afa. Year 2018 through 2022 the rights were limited to 91.9 afa. Year 2023 through 2031 the rights were limited to 93.1 afa. Year 2032 through 2042 the rights were limited to 94.3 afa. Year 2043 and beyond the rights were limited to 96.1 afa.  
As a result of the approval of Transfer 79202, rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined were limited to the following schedule of allowed diversion volume. Year 2014 through 2017 the rights were limited to 83.7 afa. Year 2018 through 2022 the rights were limited to 85.2 afa. Year 2023 through 2031 the rights were limited to 86.7 afa. Year 2032 through 2042 the rights were limited to 87.9 afa. Year 2043 and beyond the rights were limited to 89.7 afa.  
As a result of the approval of Transfer 87083, which split off an eventual 1.6 afa portion of rights 36-8478 and 36-10845 for a separate system, creating rights 36-17236 and 36-17235 which are limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 1.5 afa. Year 2032 and beyond the rights are limited to 1.6 afa. This also resulted in rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined being limited to the following schedule of allowed diversion volume. Year 2023 through 2031 the rights are limited to 85.2 afa. Year 2032 through 2042 the rights are limited to 86.3 afa. Year 2043 and beyond the rights are limited to 88.1 afa.
5. The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.66 cfs, nor a total combined annual volume as set forth above.
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 county zoning and use ordinances.
8. Prior to the diversion and use of water under Transfer approval 71004, 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.
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.
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.

**WATER RIGHT NO. 36-16198**  
**As Modified by Transfer No. 87083**

**CONDITIONS OF APPROVAL**

12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
13. 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.
14. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.

State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 87083**  
36-17235 & 36-17236

This map depicts the DOMESTIC place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

16E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

0 0.035 0.07 0.14 Miles

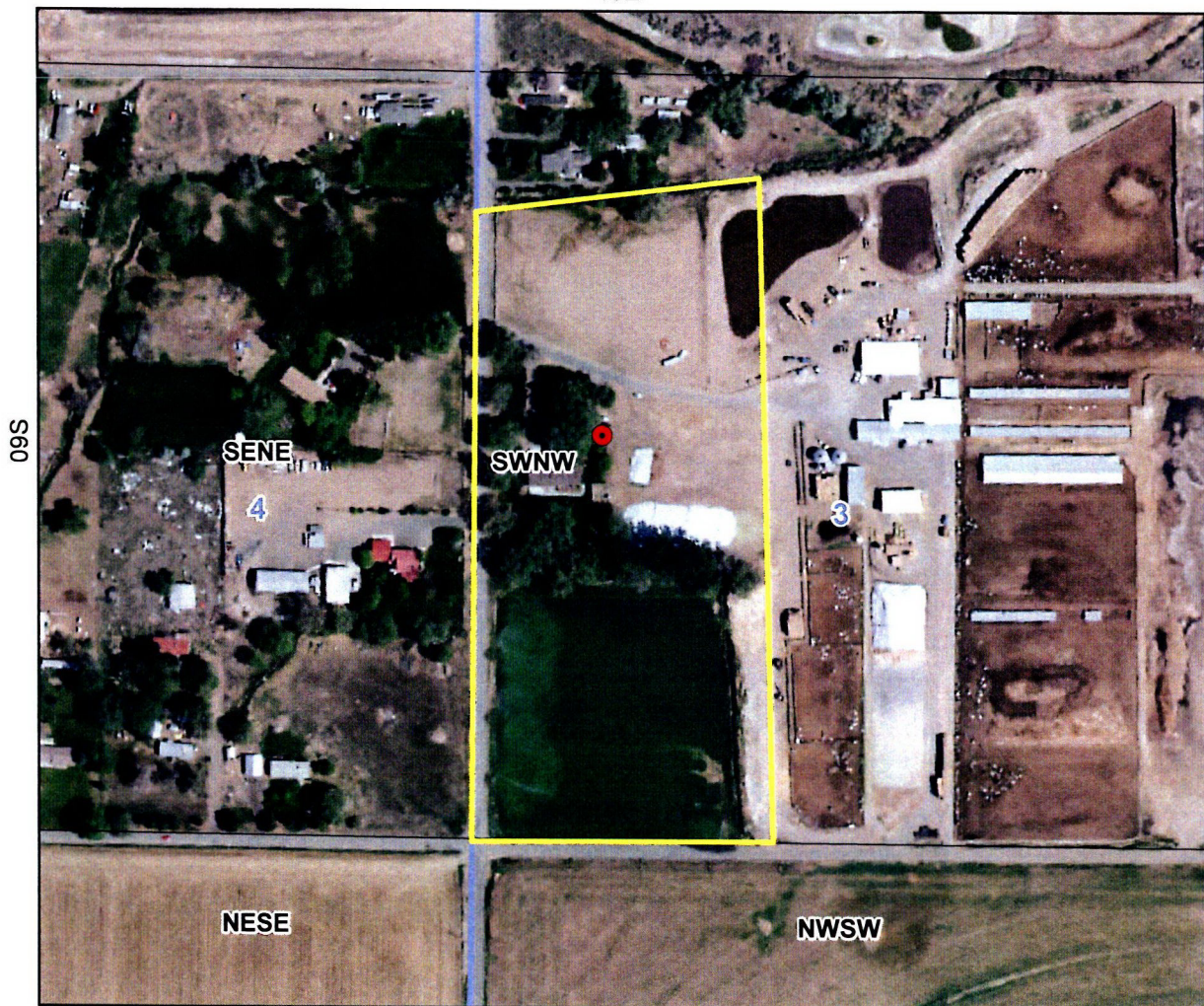


SCANNED  
JAN 23 2023

State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 87083**  
36-17235 & 36-17236

This map depicts the STOCKWATER place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

16E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

0 0.0375 0.075 0.15 Miles

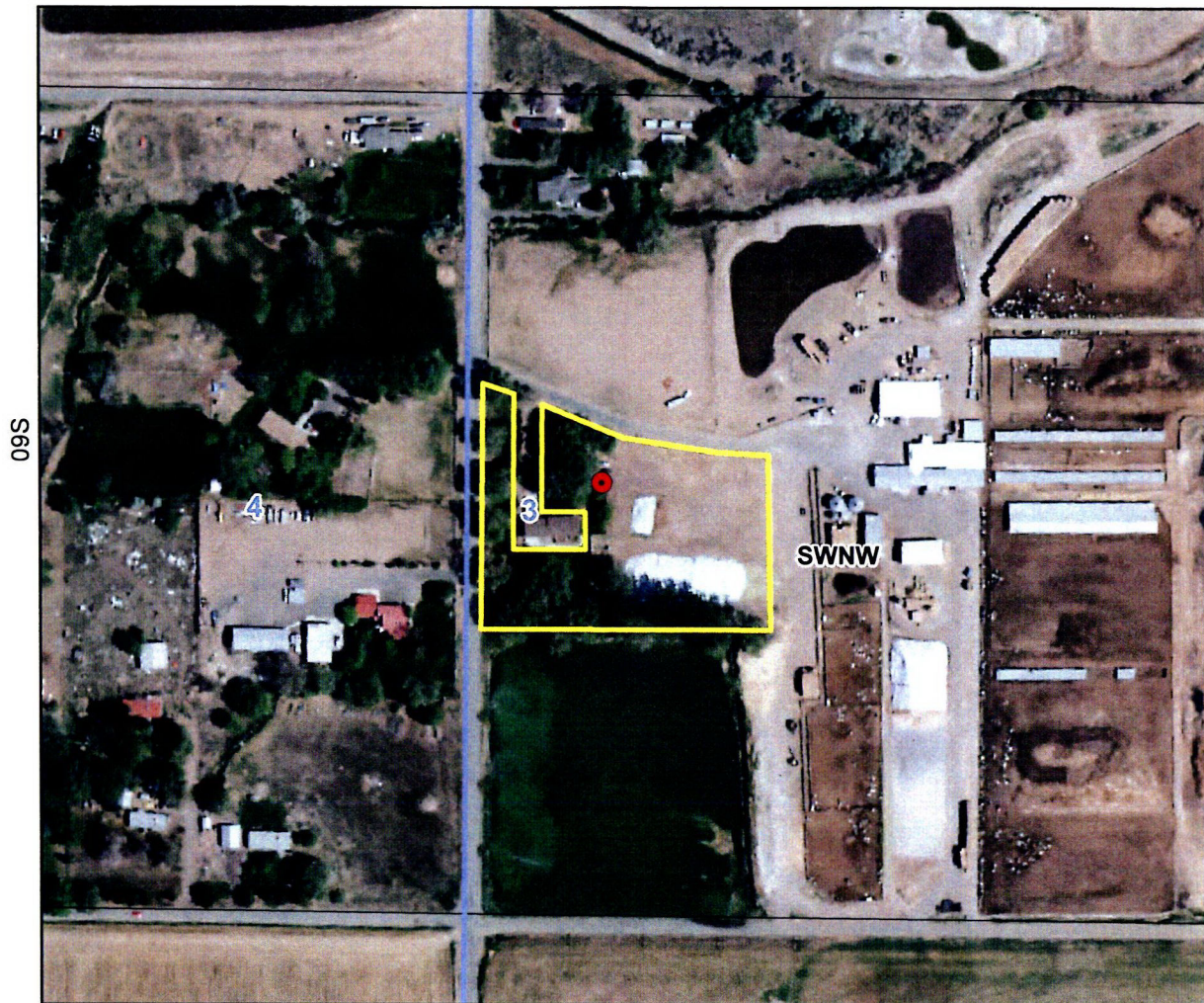


SCANNED  
JAN 23 2023

State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 87083**  
36-16917

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

16E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

0 0.035 0.07 0.14 Miles



SCANNED  
JAN 23 2023