

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86488**

This is to certify that: **MIDWAY DAIRY LLC**
2500 OVERLAND AVE
BURLEY, ID 83318-2941

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>
43-2366B	WR/DECREED	8/15/1951	0.770 cfs	139.2 af	N/A	N/A	GROUND WATER
43-2375B	WR/DECREED	3/6/1952	1.350 cfs	403.7 af	N/A	2.0	GROUND WATER
43-2555B	WR/DECREED	10/30/1962	0.980 cfs	186.3 af	N/A	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>
43-2366B	NO	NO	YES	YES	NO	NO
43-2375B	NO	NO	YES	YES	NO	NO
43-2555B	NO	NO	YES	YES	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>
43-2366B	43-2366B	0.770 cfs	139.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
43-2375B	43-2375B	1.350 cfs	403.7 af	N/A	2.0	N/A	N/A	N/A	N/A	N/A
43-2555B	43-2555B	0.980 cfs	186.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.100 cfs	590.0 af	N/A	N/A		N/A	N/A	N/A	N/A

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 7th day of November, 2022.



Southern Region Manager

SUPPORT DATA

Transfer No. 86488

IN FILE # 43-2366B

SCANNED

NOV 08 2022

WATER RIGHT NO. 43-2366B**As Modified by Transfer No. 86488**

In accordance with the approval of Transfer No. 86488, Water Right No. 43-2366B is now described as follows:

Right Holder: MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 8/15/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.770 cfs	139.2 af
STOCKWATER	01/01	to 12/31	0.770 cfs	139.2 af
			0.770 cfs	139.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA 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	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X	X		X													
11S	27E	18					X	X	X	X									
								L1	L2										

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	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X			X													

CONDITIONS OF APPROVAL

1. Use of water under this right may 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. 143.

WATER RIGHT NO. 43-2366B
As Modified by Transfer No. 86488

CONDITIONS OF APPROVAL

2. 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 diversions.
3. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
4. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
5. The right holder shall accomplish the change authorized by this transfer within one year 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. 43-2375B**As Modified by Transfer No. 86488**

In accordance with the approval of Transfer No. 86488, Water Right No. 43-2375B is now described as follows:

Right Holder: MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 3/6/1952

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	1.350 cfs	390.9 af
DOMESTIC	01/01	to 12/31	0.130 cfs	4.8 af
IRRIGATION	03/15	to 11/15	0.060 cfs	8.0 af
STOCKWATER	01/01	to 12/31	1.350 cfs	390.9 af
			1.350 cfs	403.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA 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	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X	X		X													
11S	27E	18					X	X	X	X									
							L 1	L 2											

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	X																

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	2.0																2.0

POU Total Acres: 2.0

Transfer No. 86488

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NOV 08 2022

WATER RIGHT NO. 43-2375B
As Modified by Transfer No. 86488

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	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X			X													

CONDITIONS OF APPROVAL

1. Use of water under this right may 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. 143.
2. 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 diversions.
3. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
4. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
5. The right holder shall accomplish the change authorized by this transfer within one year 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. 43-2555B**As Modified by Transfer No. 86488**

In accordance with the approval of Transfer No. 86488, Water Right No. 43-2555B is now described as follows:

Right Holder: MIDWAY DAIRY LLC
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 10/30/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.980 cfs	186.3 af
STOCKWATER	01/01	to 12/31	0.980 cfs	186.3 af
			0.980 cfs	186.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA 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	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X	X		X													
11S	27E	18					X	X	X	X									
								L 1	L 2										

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	
11S	26E	13	X	X	X	X	X	X	X	X									
11S	26E	14	X			X													

CONDITIONS OF APPROVAL

1. Use of water under this right may 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. 143.

Transfer No. 86488

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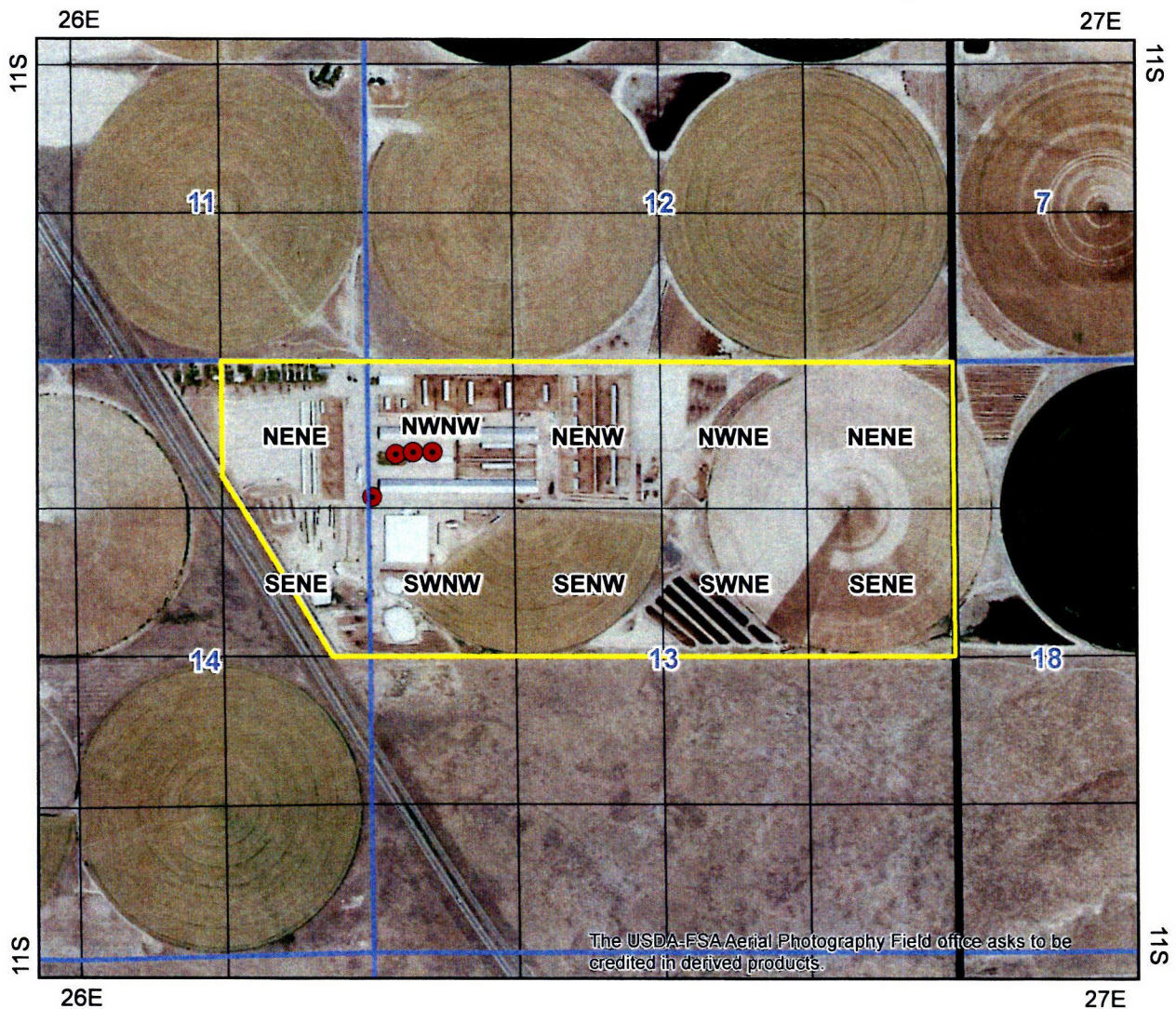
WATER RIGHT NO. 43-2555B
As Modified by Transfer No. 86488

CONDITIONS OF APPROVAL

2. 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 diversions.
3. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.

State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2366B, 43-2375B, and 43-2555B

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.



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

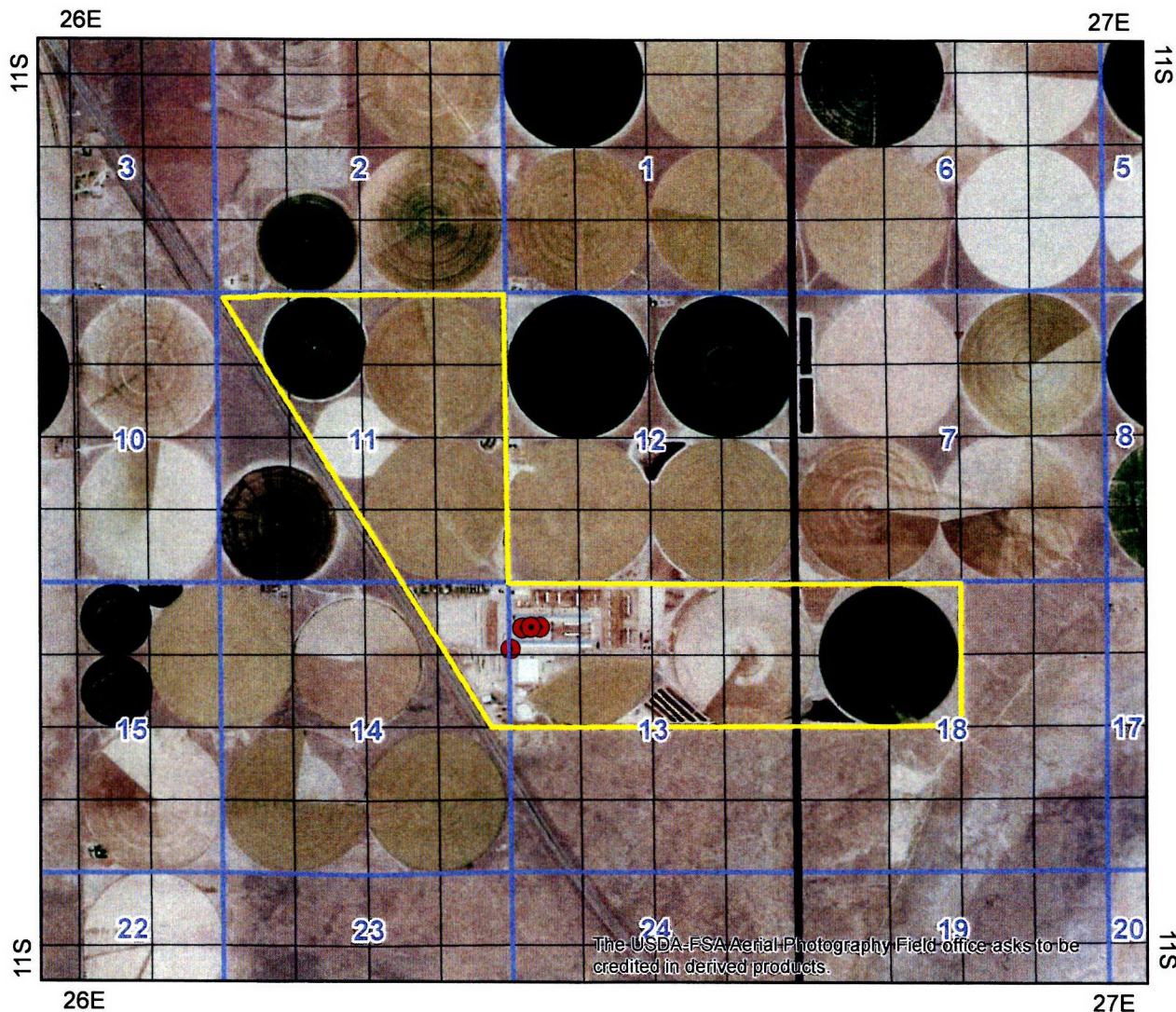
0 0.175 0.35 0.7 Miles



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State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2366B, 43-2375B, and 43-2555B

This map depicts the COMMERCIAL 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.



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

0 0.4 0.8 1.6 Miles

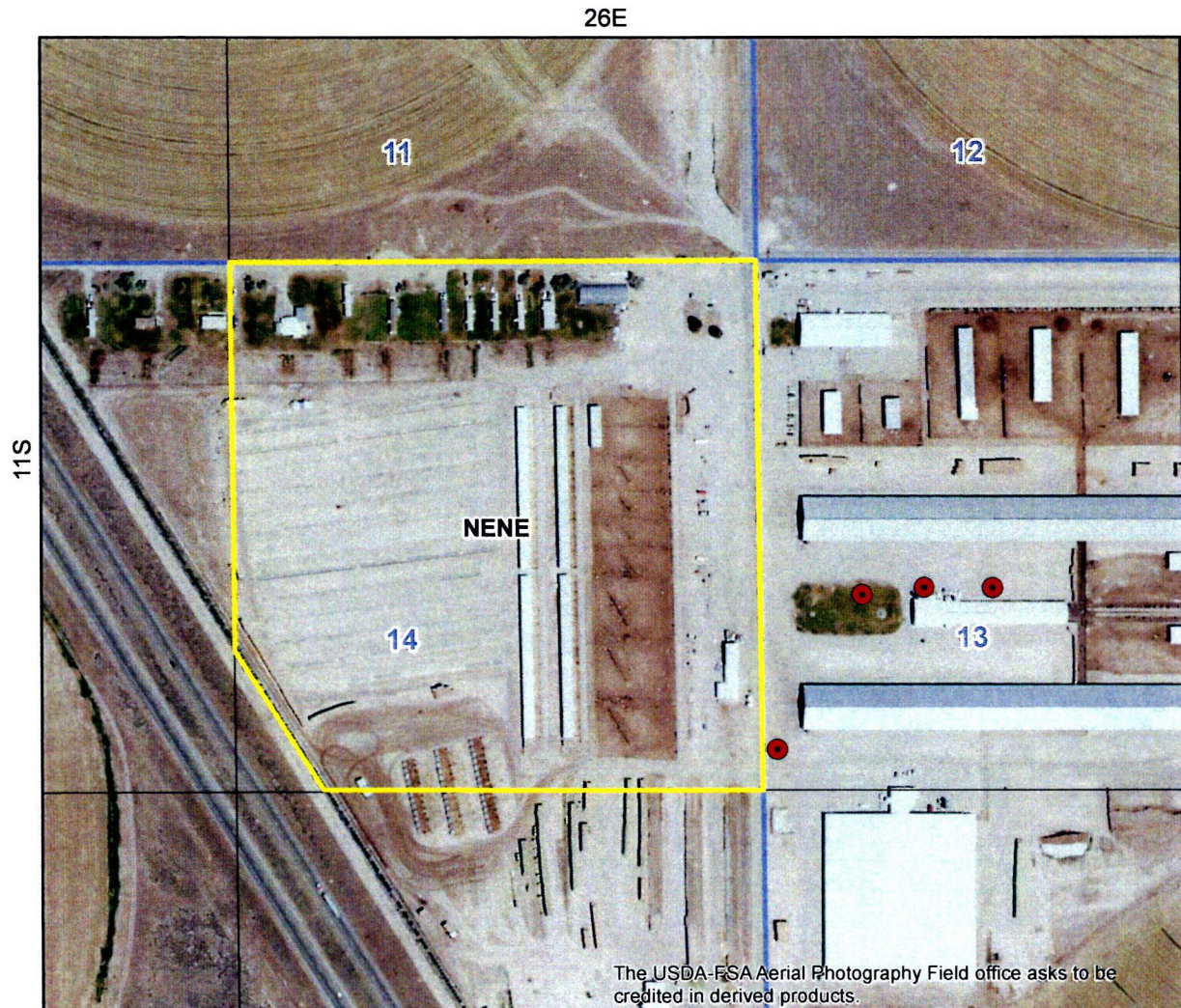


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NOV 08 2022

State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2375B

This map depicts the DOMESTIC 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.



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

0 0.05 0.1 0.2 Miles

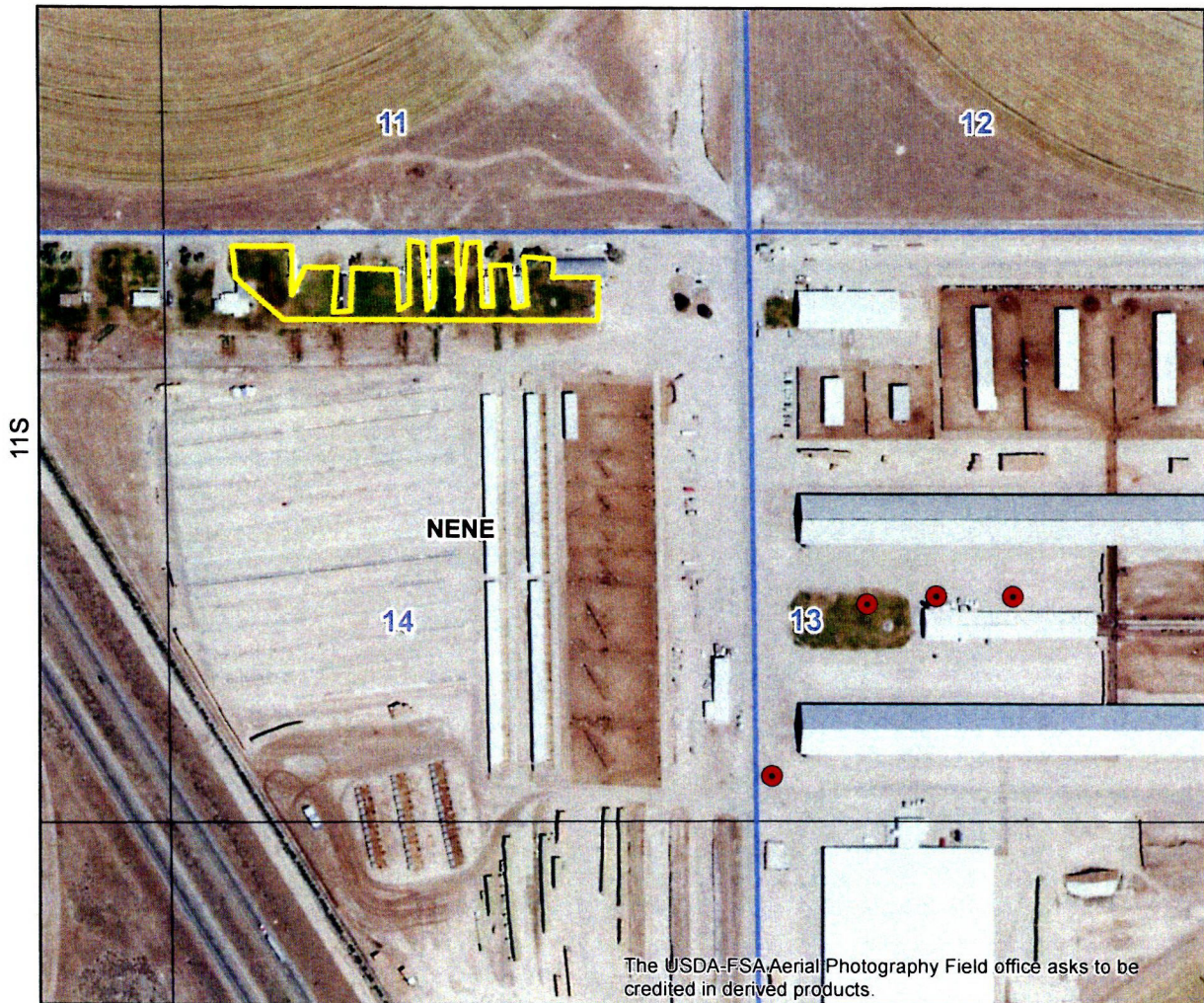


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NOV 08 2022

State of Idaho
Department of Water Resources
Attachment to Transfer # 86488
43-2375B

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.

26E



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

0 0.05 0.1 0.2 Miles



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NOV 08 2022