

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90249**

This is to certify that: **SUNRIDGE DAIRY LLC**
4890 DRY LAKE RD
NAMPA, ID 83686-9669

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>
63-3134B	WR/DECREED	7/9/1958	7.890 cfs	3501.0 af	N/A	778.0	GROUND WATER
63-3275B	WR/DECREED	2/21/1962	1.400 cfs	3501.0 af	N/A	778.0	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>
63-3134B	NO	NO	NO	YES	NO	NO
63-3275B	NO	NO	NO	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>
63-3134B	63-3134B	7.890 cfs	3501.0 af	N/A	778.0	N/A	N/A	N/A	N/A	N/A
63-3275B	63-3275B	1.400 cfs	3501.0 af	N/A	778.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.290 cfs	3501.0 af	N/A	778.0		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 1st day of June, 2020.

SUPPORT DATA
IN FILE # 63-3134B


SCOTT STORMS, Water Resources Supervisor

Transfer No. 90249

WATER RIGHT NO. 63-3134B
As Modified by Transfer No. 90249

In accordance with the approval of Transfer No. 90249, Water Right No. 63-3134B is now described as follows:

Right Holder: SUNRIDGE DAIRY LLC
 4890 DRY LAKE RD
 NAMPA, ID 83686-9669

Priority Date: 7/9/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	7.890 cfs	3501.0 af
			7.890 cfs	3501.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 6	Twp 01N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6	Twp 01N Rge 02W CANYON County
GROUND WATER	NESW	Sec 6	Twp 01N Rge 02W CANYON County
GROUND WATER	SENE	Sec 7	Twp 01N Rge 02W CANYON County
GROUND WATER	NWSW	Sec 31	Twp 02N Rge 02W CANYON 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	
01N	02W	5											39.0	39.0					78.0
01N	02W	6					4.4	31.0	38.0	36.0	40.0	40.0	40.0	39.0	30.0	36.0	39.0	39.0	412.4
							L 3	L 4	L 5			L 6	L 7						
01N	02W	7	27.0	40.0	29.0	21.0	40.0	41.0	41.0	40.0									279.0
								L 1	L 2										
02N	02W	31										7.6	1.0						8.6
												L 3	L 4						

POU Total Acres: 778.0

CONDITIONS OF APPROVAL

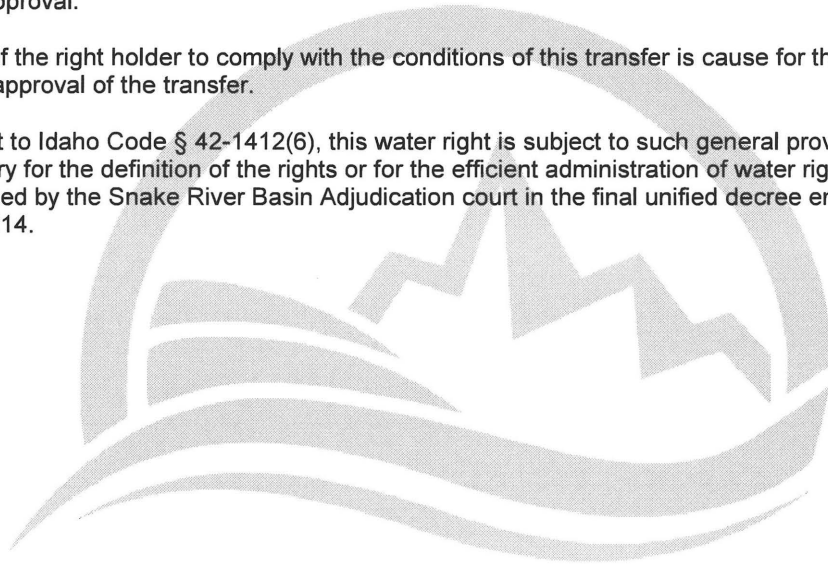
1. Rights 63-3134B and 63-3275B when combined shall not exceed a total annual maximum diversion volume of 3501af at the field headgate, and the irrigation of 778 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 90249

WATER RIGHT NO. 63-3134B
As Modified by Transfer No. 90249

CONDITIONS OF APPROVAL

4. Transfer 90249 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well is located in Township 01N Range 02W Section 6 NWNW Lot 4.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. 63-3275B
As Modified by Transfer No. 90249

In accordance with the approval of Transfer No. 90249, Water Right No. 63-3275B is now described as follows:

Right Holder: SUNRIDGE DAIRY LLC
 4890 DRY LAKE RD
 NAMPA, ID 83686-9669

Priority Date: 2/21/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.400 cfs	3501.0 af
			1.400 cfs	3501.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 6	Twp 01N Rge 02W CANYON County
GROUND WATER	L4 (NWNW)	Sec 6	Twp 01N Rge 02W CANYON County
GROUND WATER	NESW	Sec 6	Twp 01N Rge 02W CANYON County
GROUND WATER	SENE	Sec 7	Twp 01N Rge 02W CANYON County
GROUND WATER	NWSW	Sec 31	Twp 02N Rge 02W CANYON 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	
01N	02W	5											39.0	39.0					78.0
01N	02W	6					4.4	31.0	38.0	36.0	40.0	40.0	40.0	39.0	30.0	36.0	39.0	39.0	412.4
							L 3	L 4	L 5			L 6	L 7						
01N	02W	7	27.0	40.0	29.0	21.0	40.0	41.0	41.0	40.0									279.0
								L 1	L 2										
02N	02W	31										7.6	1.0						8.6
												L 3	L 4						

POU Total Acres: 778.0

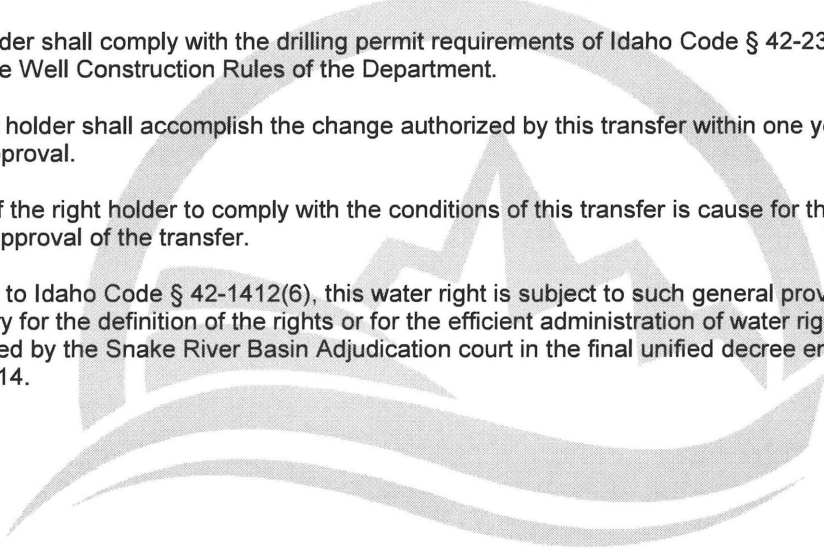
CONDITIONS OF APPROVAL

1. Rights 63-3134B and 63-3275B when combined shall not exceed a total annual maximum diversion volume of 3501af at the field headgate, and the irrigation of 778 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

Transfer No. 90249

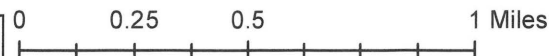
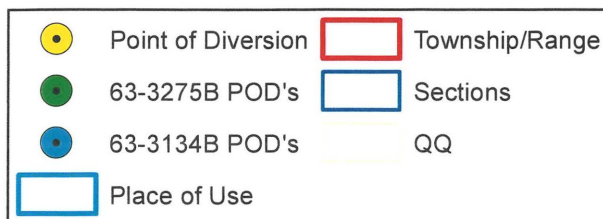
WATER RIGHT NO. 63-3275B
As Modified by Transfer No. 90249

CONDITIONS OF APPROVAL

4. The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
 5. Transfer 90249 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well is located in Township 01N Range 02W Section 6 NWNW Lot 4.
 6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
 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 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.
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State of Idaho
Department of Water Resources
Attachment to Transfer No. 90249
Water Rights: 63-3134B and 63-3275B

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.





June 02, 2026

SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
NAMPA ID 83686-9669

Re: Transfer No: 90249
Water Right No(s): 63-3134B, 63-3275B

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of

the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in blue ink that reads "Marina Bozdog". The signature is written in a cursive style with a large, stylized 'M' and 'B'.

Marina Bozdog
Technical Records Specialist 1

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 04, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 90249

Water Right No(s): 63-3134B, 63-3275B

SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
NAMPA ID 83686-9669

HDR INC
C/O LORI GRAVES
412 E PARKCENTER BLVD STE 100
BOISE ID 83706-6659



Marina Bozdog
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Preliminary Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will issue a written order disposing of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure of the presiding officer to dispose of a petition for reconsideration of this preliminary order within twenty-one (21) days, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is necessary, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the final written brief or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order,

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the Director for review of the preliminary order.

or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department's Rules of Procedure.

MEMORANDUM

TO: Transfer No. 90249 and Water Right Files
FROM: Allen Bradbury
RE: Evaluation of Application for Transfer 90249
DATE: May 4, 2026

In Transfer Application 90249, Sunridge Dairy LLC proposes to add a groundwater point of diversion to water right nos. 63-3134B and 63-3275B as part of a common system. The total authorized diversion rate under these rights will remain 9.29 cfs.

The water will be used within the existing irrigation places of use near the intersection of Rim Rd. and Stagecoach Rd, Nampa, ID 83686.

Summary of Information Submitted

Authority to File: Sunridge Dairy LLC is the recorded owner of both water rights included in this transfer. The application was signed by Adrian Kroes, the managing member of Sunridge Dairy LLC. The proposed well will be located in Township 01N, Range 02W, Section 6, NWNW, Lot 4. Canyon County tax parcel records list Sunridge Dairy LLC as the current property owner, confirming that the applicant has the authority to request the changes described in the application.

Water Right Validity/Historical Beneficial Use: Water right numbers 63-3134B and 63-3275B were decreed on October 6, 2008, and November 21, 2012, respectively. Beneficial use has occurred within the past five years, as confirmed through Department aerial imagery and a review of Google Earth. The rights are therefore presumed to be valid.

Injury to Other Water Rights: These are decreed rights within the South Canyon moratorium area. Notice of the proposed transfer was published in the Press Tribune on April 2 and April 9, 2026, as required. No protests were filed. Because the quantity of water diverted under this right will not change, the transfer is not expected to injure any other water rights. Based on these circumstances, no adverse impacts or calls from other water users are anticipated.

Enlargement of Use: The transfer does not propose altering the diversion rate, diversion volume, or season of use. Accordingly, no enlargement of use is expected.

Local Public Interest: No adverse impacts to recreation, fisheries, or wildlife resources are expected as a result of the proposed transfer. Available information indicates that applicable water-quality and hazardous-substance standards will continue to be met. The transfer is consistent with the objectives and policies established in the State Water Plan. No evidence suggests that the proposed changes would conflict with the local public interest.

Beneficial Use/Conservation of Water Resources: The applicant will continue to apply the water rights for irrigation within the authorized place of use. The proposed action is consistent with the efficient and beneficial use of Idaho's water resources. No concerns or compliance issues were identified.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Additional Information/Analysis

Overlap Analysis: Water right applications 63-33644, 63-33713, 63-33756 are new appropriation applications that overlap 63-3134B and 63-3275B. All three of these applications are currently in protest.

Discussion

Conditions: If approved the following changes should be made to the conditions of water rights. Add conditions 046, T07 and T08 and replace C18 with T19 as per Department standards. Add condition R65 and 01M. Remove conditions C03 & C05. Update conditions E53 & E55 to X35. Also added the following condition:

Transfer 90249 authorizes the following additional well as a point of diversion under this right as of the date of the approval: Well is located in Township 01N Range 02W Section 6 NWNW Lot 4.

Summary

Assuming no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.