

11/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13157

NAME AND ADDRESS: ALAN H ANDERSEN
2459 LAKEVIEW RD
AMERICAN FALLS ID 83211

NORMA ANDERSEN
2459 LAKEVIEW RD
AMERICAN FALLS ID 83211

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

QUANTITY: 0.160 CFS
31.200 AFY

PRIORITY DATE: 09/19/1973

POINT OF DIVERSION:

T07s R32E S7 SWNW Lot 2 Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.160 CFS 31.20 AFY
COMMERCIAL	01/01 12/31	0.160 CFS 31.20 AFY

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

PLACE OF USE: STOCKWATER Within POWER County

T07S R32E S07 Lot 2 SWNW

COMMERCIAL Within POWER County

T07S R32E S07 Lot 2 SWNW

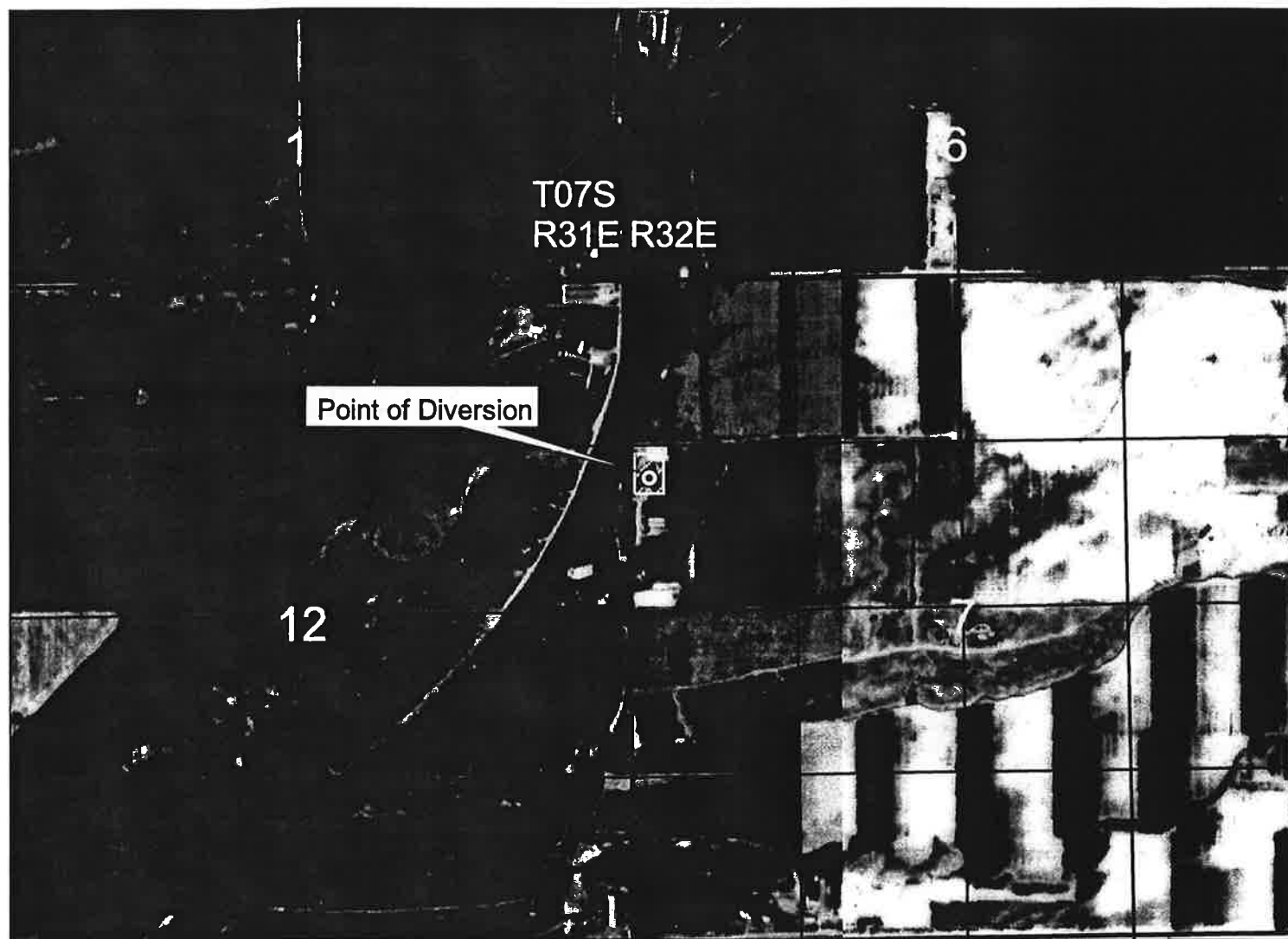
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

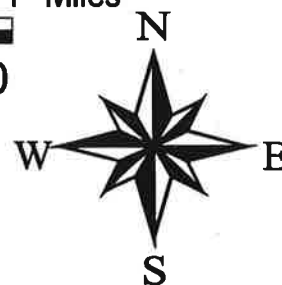
EXPLANATORY MATERIAL: License



State of Idaho
Department of Water Resources
Eastern Region
Water Right 29-13157



1:16000



- ⊙ Point(s) of Diversion
Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: November 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69048

Eastern
Paul
RECEIVED
NOV 30 2001

Department of Water Resources
Eastern Region

This is to certify that: ALAN H ANDERSEN Or
NORMA ANDERSEN
2459 LAKEVIEW RD
AMERICAN FALLS ID 83211
(208)226-7969

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
29-13157	AJC/License	09/19/1973	0.16 cfs	41.6 af	10.4	10.4	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>
29-13157	NO	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>
29-13157	29-13157	0.16 cfs	31.2 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		0.16 cfs	31.2 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of November, 2001

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13157
As Modified by Transfer No. 69048

In accordance with the approval of Transfer No. 69048, Water Right No. 29-13157 is now described as follows.

Right Holder: ALAN H ANDERSEN Or
 NORMA ANDERSEN
 2459 LAKEVIEW RD
 AMERICAN FALLS ID 83211

Priority Date: 09/19/1973

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	0.16 CFS	31.2 AF
STOCKWATER	01/01	to 12/31	0.16 CFS	31.2 AF
			0.16 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 2 SWNW Sec. 7 Twp 07S Rge 32E POWER County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 32E 7							X										
							L 2										

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 32E 7							X										
							L 2										

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
3. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 29-13157
As Modified by Transfer No. 69048

CONDITIONS OF 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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. Commercial use is for a dairy identified as Seagull Bay Dairy Inc.

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 27th day of November, 2001


Chief, Water Allocation Bureau

T69048

ANDERSEN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69048

RECEIVED

NOV 30 2001

Department of Water Resources
Eastern Region

This is to certify that: ALAN H ANDERSEN Or
NORMA ANDERSEN
2459 LAKEVIEW RD
AMERICAN FALLS ID 83211
(208)226-7969

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
29-13157	AJC/License	09/19/1973	0.16 cfs	41.6 af	10.4	10.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
29-13157	NO	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
29-13157	29-13157	0.16 cfs	31.2 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		0.16 cfs	31.2 af	N/A	N/A		N/A	N/A	N/A	N/A

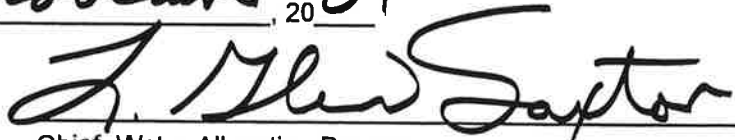
Detailed Water Right Description(s) attached

Dated this

27th

day of

November, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13157
As Modified by Transfer No. 69048

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Right Holder: ALAN H ANDERSEN Or
 NORMA ANDERSEN
 2459 LAKEVIEW RD
 AMERICAN FALLS ID 83211

Priority Date: 09/19/1973

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	0.16 CFS	31.2 AF
STOCKWATER	01/01	to 12/31	0.16 CFS	31.2 AF
			0.16 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 2 SWNW Sec. 7 Twp 07S Rge 32E POWER County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 32E 7							X										
							L 2										

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S 32E 7							X										
							L 2										

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
3. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 29-13157
As Modified by Transfer No. 69048

CONDITIONS OF 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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. Commercial use is for a dairy identified as Seagull Bay Dairy Inc.

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 27th day of November, 2001


Chief, Water Allocation Bureau

50 6/6/01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69048

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Alan or Norma Andersen Phone (208) 226-7969
Post Office address 2459 Lakeview Rd American Falls ID 83211

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☒ Change place of use
☒ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes Changing nature of use from irrigation to commercial dairy operation (see attached water use worksheet) for Seagull Bay Dairy, Inc.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|-------------------|----------------------------|
| <u>29-07157</u> | <u>9/19/1973</u> | <u>0.16 cfs</u> | <u>Commercial</u> | <u>1/1</u> to <u>12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 0.16 cubic feet per second and/or _____ acre-feet per annum.
- Source of water GROUNDWATER tributary to _____
- Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>2</u>		<u>SW</u>	<u>NW</u>	<u>7</u>	<u>7S</u>	<u>32E</u>	<u>Power</u>	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	32E	7							L ² C										

Total Acres _____

6. General Information:

a. Description of diversion system well, pump, mainline to dairy operation (Commercial) and stockwater.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes ☒ No ☐ If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will no longer be irrigated

d. Remarks:

Commercial use - dairy & stockwater use

PLACE OF USE AKA Seagull Bay Dairy, Inc.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-07157

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 11/01	5.10 CFS	1336.0 AF

SOURCE

GROUND WATER

Priority: 09/19/1973

LOCATION OF POINT(S) OF DIVERSION:

SENWNW , Sec. 32, Township 08S, Range 31E
 SESWNW , Sec. 32, Township 08S, Range 31E
 POWER County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE						
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
08S	31E	29	:										30	40								70.0
08S	31E	30	:															17	21			38.0
08S	31E	31	:	35	19	02	24										10	30				120.0
08S	31E	32	:							39	39	28										106.0
																			TOTAL ACRES	334.0		

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Water Right No. 29-07157

CONDITIONS/REMARKS:

6. After specific notification by the department, the right holder shall measure the diversion 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. The total instantaneous diversion of water from all points of diversion under Transfer 5725 shall not exceed 5.10 cfs, nor total combined annual volume of 1336.0 af.

Describe any other water rights used for the same purpose as described above:

NONETo your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☒ Warranty Deed ☐ Other _____

PART 2

Transfer No. 69048

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.16 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SE	NW	NW	32	8S	31E	Power	
	SE	SW	NW	32	8S	31E	Power	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	31E	29										10.4							10.4

Total Acres 10.4 ac

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 4.94 cfs for IRRIGATION purposes from 4/15 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SE	NW	NW	32	8S	31E	Power	
	SE	SW	NW	32	8S	31E	Power	

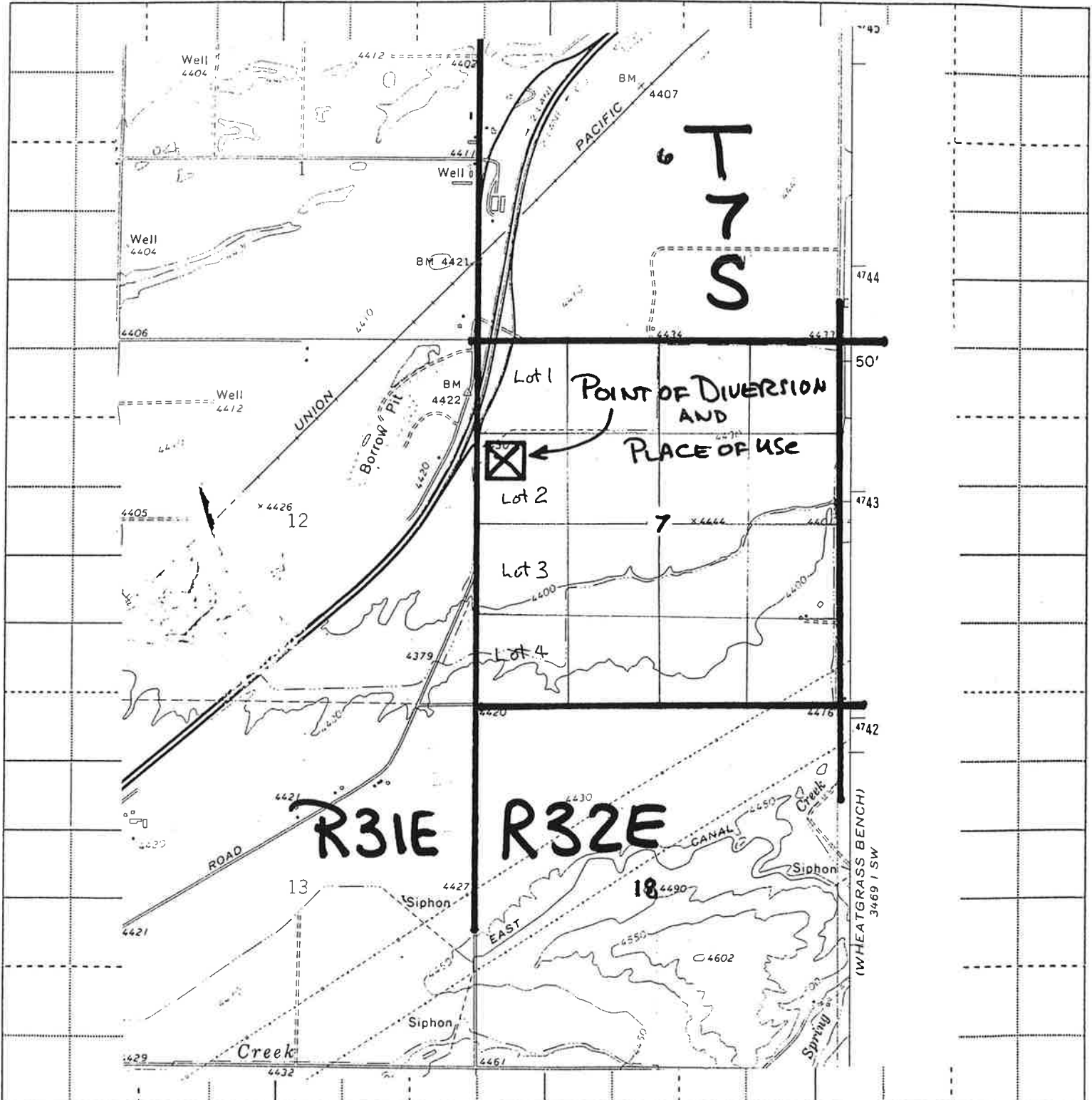
3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	31E	29										19.6	40						59.6
		30															17	21	38
		31	35	19	2	24								10	30				120
		32					39	39	28										106

Total Acres 323.6 ac

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE SEE ATTACHED DAIRY WORKSHEET dtd 3/21/01

1.

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
Commercial	0.16 cfs / 31.1 af	12 hr / 365 d / yr	1/1 to 12/31
			to
2. Quantity and quality of return flows and location of discharge:
Location of pond SWNW(L-2) Sec 7, T7S, R32E
3. Describe effects on other water uses resulting from the proposed change:
NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Alan H. Andersen
(Signature of Applicant)

Subscribed and sworn to before me this 26th day of March, 20 01.

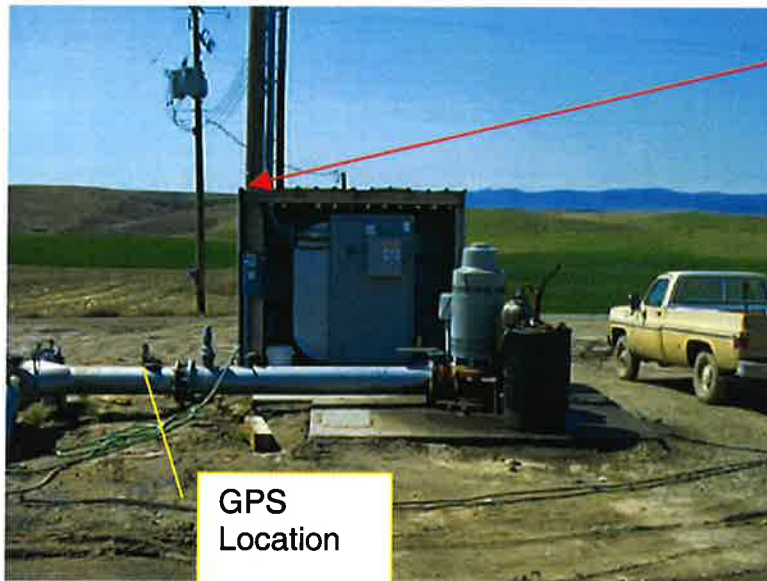
Wendy J. Murphy
(Notary Public)
My commission expires 6/23/06

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 10 attachments
 Received by Kaw Date 3/26/2001 Protest filed by
 Prelim. Check by Fee 100⁰⁰ #E026579
 Received by Kaw Date 3/26/2001
 Published in Power Co. Press Copies of protest forwarded by
 Pub. Dates 5-2 & 5-9-2001 Hearing held by Date
 Watermaster recommendations requested on Recommended for ☐ approval ☐ denial
 received by

Copy of transfer sent to lien holder

Photo #5



Site tag
A0010165

Placed by
GW District

GPS
Location

North well, looking south.

Photo #7



Site tag A0010172

Placed by
Ground Water
District

GPS
Location

South Well, looking West.

Photos for claims 29-13156, 29-13157, 29-13158, 29-13159 (All claims are from same two points of diversion).

Photos 5/1/2001 by Dean Byington and Bryce Contor.

Claims review 6/7/2001 by Bryce Contor.

Photo write-up 6/8/2001 by Bryce Contor.

Two photos, number 5 and number 7

06/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-13157

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAMAR ISAAK 3298 S ISAAK LOOP AMERICAN FALLS, ID 83211 (208)226-2618
Current Owner	VIOLET ISAAK 3298 S ISAAK LP AMERICAN FALLS, ID 83211 (208)226-2618
Original Owner	ROLAND MAYER & SONS 2948 LITTLE CREEK RD AMERICAN FALLS, ID 83211 (208)226-5291

Priority Date: 09/19/1973
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	11/01	0.16 CFS	41.6 AFA	
Total Diversion			0.16 CFS	41.6 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SENWNW	Sec. 32	Township 08S	Range 31E	POWER County
GROUND WATER	SESWNW	Sec. 32	Township 08S	Range 31E	POWER County

IRRIGATION Use:
Acre Limit: 10.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Townshi</u>	<u>Rang</u>	<u>Sectio</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	31E	29		NWSW	10.4									

Total Acres: 10.4

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

Author	Date	Subject	Comment
bcontor	6/7/2001	recommendation	See field exam notes in 29-7157. This is a "temporary" recommendation pending approval of transfer to change POU, POD, and nature of use. Upon completion of transfer, right will be owned by Alan and Norma Andersen.
bcontor	6/7/2001	Volume	See copy of e-mail to Shelley Keen in 29-7157.

Dates:

Licensed Date:
 Claim Received Date: 05/10/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Summary	6/7/2001 12:34:54 PM		6/7/2001 12:34:54 PM	bcontor	Complete

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False
 Parent Right: 29-7157 ChangeOfOwnership

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	6/7/2001 12:30:10 PM	bcontor	Edited point location
POD	6/7/2001 12:29:46 PM	bcontor	Edited point location
POU	6/7/2001 12:32:01 PM	bcontor	Edited shape boundary
Summary	6/7/2001 12:34:52 PM	bcontor	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (YES) This is a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Alan and Norma Andersen
2459 Lakeview Road
American Falls, Idaho 83211

Re: Splits of water right 29-7157

Dear Mr. and Mrs. Anderson:

Last month I met with LaMar, Violet, and Jonathan Isaak. They requested a slight adjustment of the division of irrigated acres from the split of water right 29-7157.

Enclosed is a copy of the adjustments I have made to the allocation of lands. There is no change to your portion.

Please call me if there are questions. I'm getting harder and harder to catch but I will return your voice mail messages.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

enclosure

SCANNED

MAY 14 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 07 2001

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-7157		Yes			

2. The following **REQUIRED** information must be submitted with this form:

A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ N/A

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Lama / Violet Isaak

4. New Owner/Claimant(s)

J. Wm ISAAC, SAMUEL W. ISAAC, LUCY M. ISAAC

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

3082 ISAAC LOOP

City, State and ZIP Code

AM. FALLS, IDA. 83211

New Telephone Number

(208) 226 2152

5. Date you acquired the property

5-1-01

PART 3**9. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Jon W. ISAAC

(Signature of Applicant)

Subscribed and sworn to before me this 1st day of May, 2001.Bart Brown

(Notary Public)

My commission expires 1-25-05

BART BROWN
NOTARY PUBLIC
STATE OF IDAHO

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6.** Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7.** If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

BILL OF SALE

Violet and LaMar Isaak sell 34 acres of water right 29-7157, from the NW Quarter of the SW quarter, NE quarter of the SW quarter, SE quarter of the SW Quarter, Section 29, Township 8 South, Range 31E; from the NW quarter of The NW quarter, NE quarter of the NW quarter, Section 32, Township 8 South, Range 31E, to Jonathan W. Isaak.

We hereby authorize Jonathan W. Isaak to transfer this portion of the water Right to other land.

Violet Isaak
Violet Isaak

LaMar Isaak
LaMar Isaak

Date _____

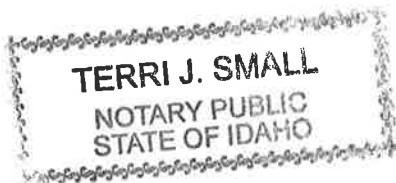
State of Idaho)
) SS.

County of Bannock)

Subscribed and sworn (or affirmed) before me this 15th day

Of May 2001

Terri J. Small
Notary Public



Residing at Pocatello, ID

My commission expired 4/28/2005

MAY 1,2001

I, A. William Isaak, agree with the conveyance of 34 acres
Of water right that LaMar Isaak sold to Jonathan W. Isaak.

A. William Isaak
A. William Isaak

Jonathan W. ISAAC
Jonathan W. Isaak

Place of groundwater sold to Jonathan W. Isaak:

$\frac{1}{4}$	$\frac{1}{4}$	SEC.	TWP.	RGE.	COUNTY
NW	SW	29	8S	31E	POWER
NE	SW	29	8S	31E	"
SE	SW	29	8S	31E	"
NW	NW	32	8S	31E	"
NE	NW	32	8S	31E	"

MEMORANDUM

To: File 29-7157, 29-13154
Fr: Bryce Contor
Date: 4/27/2001
Re: Explanation of Planned Sales and Transfers

The attached map shows the lands currently owned by LaMar and Violet Isaak, outlined in black. Outlined in pink is the approximate licensed place of use under 29-7157. This license was issued for 334 acres. Transfer 5725 proposed to move some of the place of use to the pivot outside the black line, marked out with a black "X." This transfer was rescinded 4/16/2001.

LaMar and Violet have sold 10.4 acres of water right to Alan Anderson, represented by the dark blue rectangle on the north. Mr. Anderson has applied for transfer 69048 (tentative WR number 29-13154), proposing to change place of use, point of diversion, and nature of use, of this part of the water right. This leaves 323.6 acres for 29-7157. When the transfer is approved, the remaining portion of 29-7157 will be given a new number.

The farm, and the remaining portion of the water right, will be split. The lands outlined in heavy red lines will be retained by LaMar and Violet Isaak. The parcel shaded in red will continue to be irrigated, the rest will not be irrigated. LaMar and Violet will retain ownership of 79.6 acres of water right. Of this, ~~33~~ 34 acres will be sold to Steve Isaak, who will apply for a transfer to move the water right to a new point of diversion and place of use. Jonathan W. Isaak

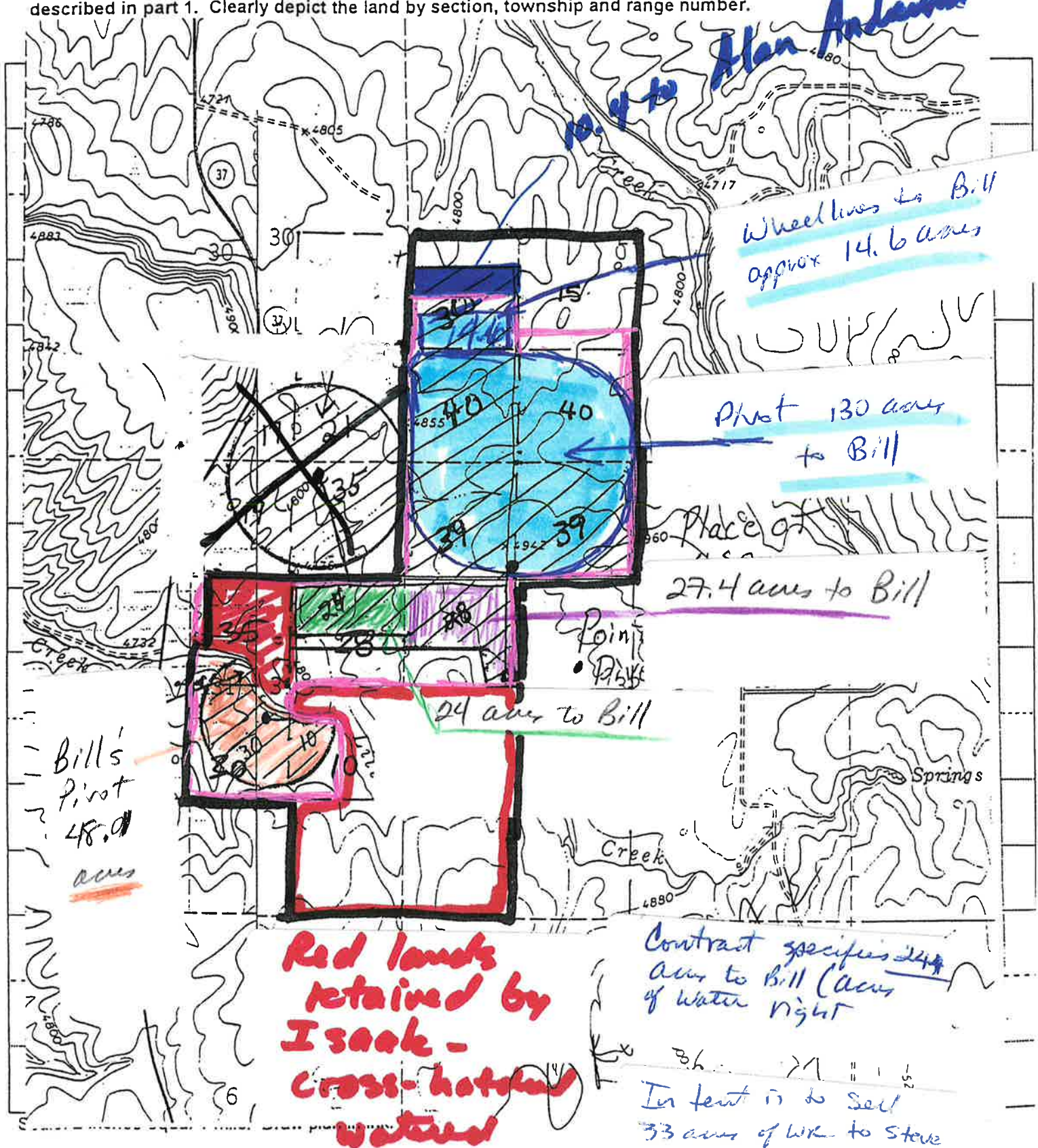
The lands not outlined in heavy red, will be sold to Bill Isaak. The other colored shaded areas represent areas to be irrigated by Bill. The sale contract specifies that Bill will receive a 244-acre share of water right 29-7157. Some of the acres of water right to be sold to Steve Isaak will be taken from areas of lands sold to Bill but not irrigated under the planned systems, and not included within the 244 acres of water right conveyed to Bill in the sale contract.

The remaining 46.6 acres of water right, not conveyed to Bill Isaak or Steve Isaak, will be retained by LaMar and Violet for the time being.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3 - SEE U-G-S map attached

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 11, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Alan and Norma Andersen
2459 Lakeview Road
American Falls, Idaho 83211

Re: Water Right 29-7157, 29-13154, 29-13157

Dear Mr. and Mrs. Andersen:

Our records show that you have purchased a part of water right 29-7157 from LaMar and Violet Isaak, and applied for transfer 69048 to move that water right to a new use, on a new location.

The transfer computer program gave your part of the water right the tentative number 29-13154. Since your application, the parent right has been further split by a change of ownership. This has resulted in your part of the right being renumbered 29-13157. A copy of the printout is attached.

You will notice that Mr. and Mrs. Isaak are still listed as the owners of that right, until the transfer is complete. While it doesn't show on the printout, the computer record shows you as the "transfer applicants." The printout also shows the pre-transfer place and nature of use.

There is no action required of you at this time, this is simply for your information. However, you may call if you have concerns or questions.

Later this summer I may need to contact you regarding your other water right claims.

Sincerely,

Bryce A. Contor



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 11, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LaMar and Violet Isaak
3298 S Isaak Loop
American Falls, Idaho 83211

Re: Splits of Adjudication Claim 29-7157

Dear Mr. and Mrs. Isaak:

Enclosed are copies of the water rights that have been split from your original license 29-7157, with a map showing the lands associated with each split. Please review carefully the division of lands between yourselves and Jonathan Isaak, and let me know if it needs to be adjusted.

Split 29-13156 is the portion that will remain in your name. Allan Andersen will receive split 29-13157. Until the transfer is complete, your name appears as "current owner," and his as "transfer applicant." Bill Isaak will receive split 29-13158 and Jonathan Isaak will receive 29-13159.

To aid in claims review, it would help me if you could go to the Farm Service Agency office and get me a photo that shows what was irrigated in 1987. It is important that the FSA staff write on the photo that it represents 1987 crop usage, stamp it with an FSA stamp, and sign it. To protect your privacy, FSA has decided not to give us access to these photos any more, so the monkey is on your back.

I may also need to do a field inspection, if so I'll contact you so you may come with me if you wish.

Please call me at 525-7161 if you have concerns or questions. Later in the week is usually better than earlier.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

MEMORANDUM

To:

29-7157
29-13156
29-13157
29-13158
29-13159

Fr: Bryce Center
Date: 5/10/01

Bryce

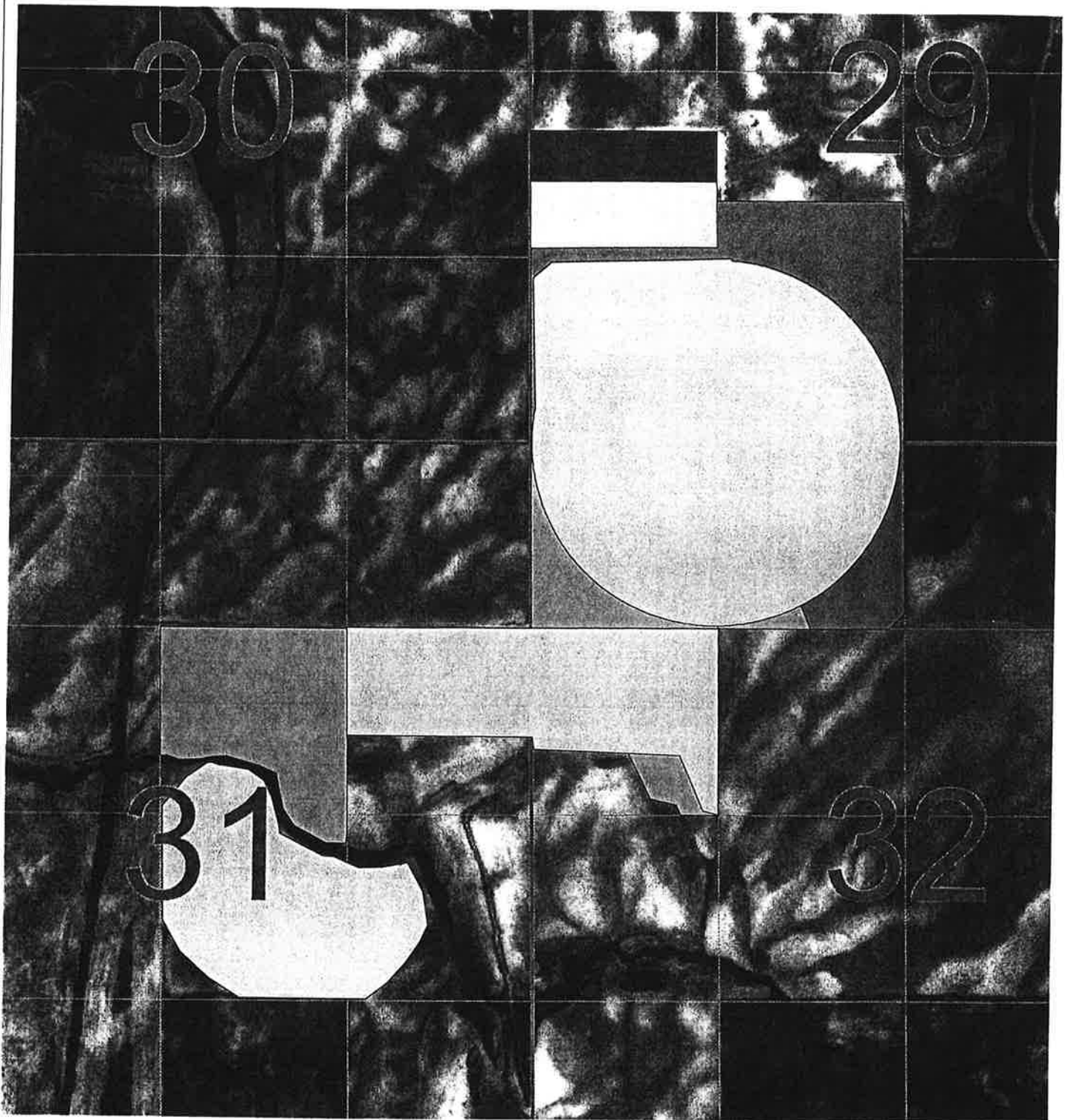
Re: Splits of cfs and accs.

WR #	Acc	cfs	acc ft
Original 29-7157	334	5.10	1336.0 *
29-13156	415.6	0.69	182.4
29-13157 (see T 69048)	10.4	0.16	41.6
29-13158	244	3.73	976.0
29-13159	34	0.52	136.0

Original paper license has different value! This is the value from Part 2 of T 69048.

29-7157

Illustration of Split of Claim



	Alan Anderson
	Bill Isaak
	Jonathan Isaak
	LaMar Isaak

MAY 14 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-13157
Date Received: 5/10/01
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

VIOLET ISAAK Phone: (208)226-2618

3298 S ISAAK LP
AMERICAN FALLS ID USA 83211

LAMAR ISAAK Phone: (208)226-2618

3298 S ISAAK LOOP
AMERICAN FALLS ID USA 83211

2. Date of Priority: 09/19/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	31E	32	SE SW NW	POWER	
08S	31E	32	SE NW NW	POWER	

5. Description of diverting works:

2 WELLS 400', 20" CASING 125 HP EL., 420' 20" CASING 175 HP MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	11/01	0.16	41.6

7. Total Quantity Appropriated is:
0.16 C.F.S. and/or 41.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	31E	29	NW	SW	IRRIGATION	10.4
					Section Acres	10.4
					Total Acres	10.4

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This is a portion of 29-7157 sold to Alan and Norma Andersen. Andersens have applied for transfer 69048 to change POU, POD, and purpose of use.

This Adjudication claim corresponds to the Allocations split 29-13154. See memo in file 29-7157 describing database problems that lead to numbering discrepancy.

15. Basis of Claim: License