

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)

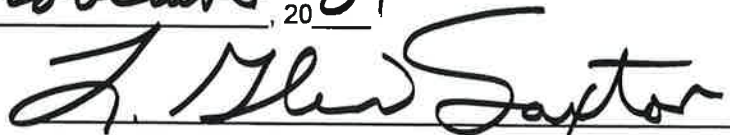
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
29-13157	NO	YES	YES	NO	YES	YES

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

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

PLACE OF USE: STOCKWATER

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69048

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Alan or Norma Andersen Phone (208) 226-7969Post Office address 2459 Lakeview Rd American Falls ID 83211

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use☒ Change nature of use ☐ Change period of use ☐ Other _____2. 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

1. 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 _____

2. Total amount of water being transferred 0.16 cubic feet per second and/or _____ acre-feet per annum.3. Source of water GROUNDWATER tributary to _____

4. 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 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	
<u>7S</u>	<u>32E</u>	<u>7</u>							<u>1.2</u>										

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

PART 2

TRANS NO. 69048

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	:	SUM	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
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 _____

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	

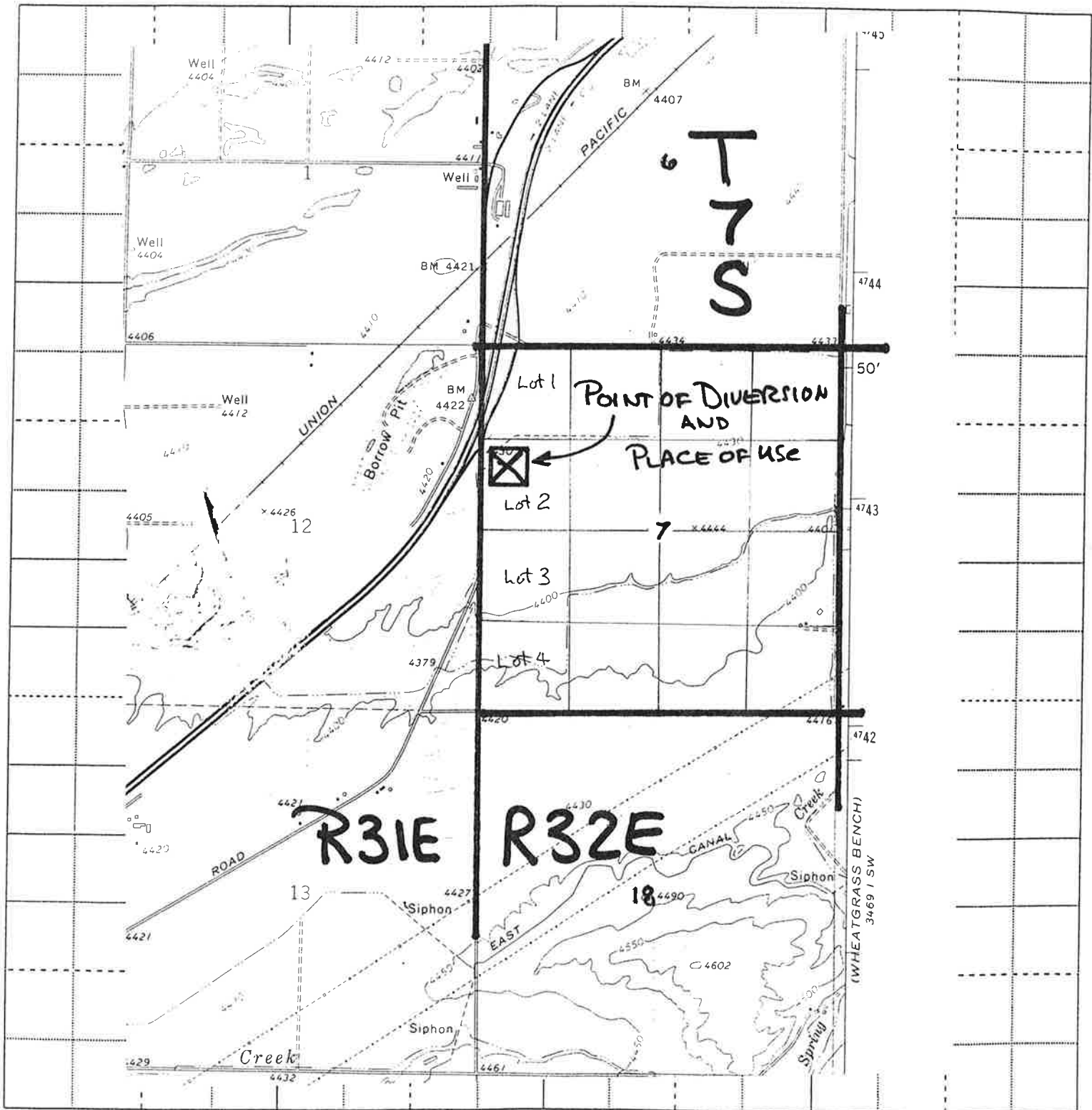
3. Lands irrigated or place of use:

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

APPLICATION 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
<u>Commercial</u>	<u>0.16 cfs / 31.1 af</u>	<u>12 hr / 365d/yr</u>	<u>1/1</u> to <u>12/31</u>
			to <u> </u>
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

Receipted 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