

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 13 2015

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in accordance with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) Allen Farms Phone _____
 2. MAILING ADDRESS 2799 Vollmer LP City American Falls
 State ID Zip 83211 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 35-2215, 35-2301 & 35-12772

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 8 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.
☐ Attach a Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New well being drilled to replace

New	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Y	SW	NW	SE	21	07S	30E	Power	Ground Water	A0006100
N	SE	NE	SW	21	07S	30E	Power	Ground Water	
N	SE	NW	SE	21	07S	30E	Power	Ground Water	A0006099
N	NE	NW	NW	28	07S	30E	Power	Ground Water	A0006004
N	SW	NE	NE	29	07S	30E	Power	Ground Water	A0006005

New well being drilled

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 13 2015

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** Allen Farms Phone _____

2. **MAILING ADDRESS** 2799 Vollmer LP City American Falls

State ID Zip 83211 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
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If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 35-2215, 35-2301 & 35-12772

- ☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 8 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Tw	Rge	County	Source	Local name or tag #
Y		SW	NW	SE	21	07S	30E	Power	Ground Water	A0006100
N		SE	NE	SW	21	07S	30E	Power	Ground Water	
N		SE	NW	SE	21	07S	30E	Power	Ground Water	A0006099
N		NE	NW	NW	28	07S	30E	Power	Ground Water	A0006004
N		SW	NE	NE	29	07S	30E	Power	Ground Water	A0006005

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

- b. Who owns the property at the point(s) of diversion? The applicant.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐☒

undergone a period of five or more consecutive years of non-use,

☐☒

currently used in a mitigation plan limiting the use of water under the right(s), or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

☐

If yes and there are multiple owners, attach a Lessor Designation form.

☐

If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Sid E. Allen
Signature of applicant or authorized agent

Sid E. Allen Owner
Print name and title if applicable

2-13-15
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov/WaterRightTransfers/Step4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$1,060.00 Date 2-13-2015 Received by [Signature] Receipt # E040645

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

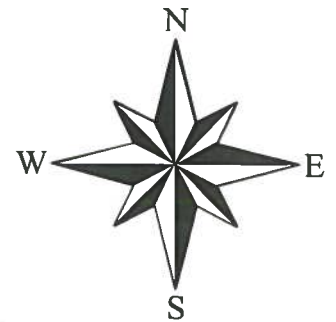
(Do NOT scan the W-9 – confidential information is held by fiscal only)

Current Water Use



Legend

- 35-2215, 35-2301 & 35-12772 Current PODs
- Township/Range
- Sections
- QQ



0 0.175 0.35 0.7 Miles

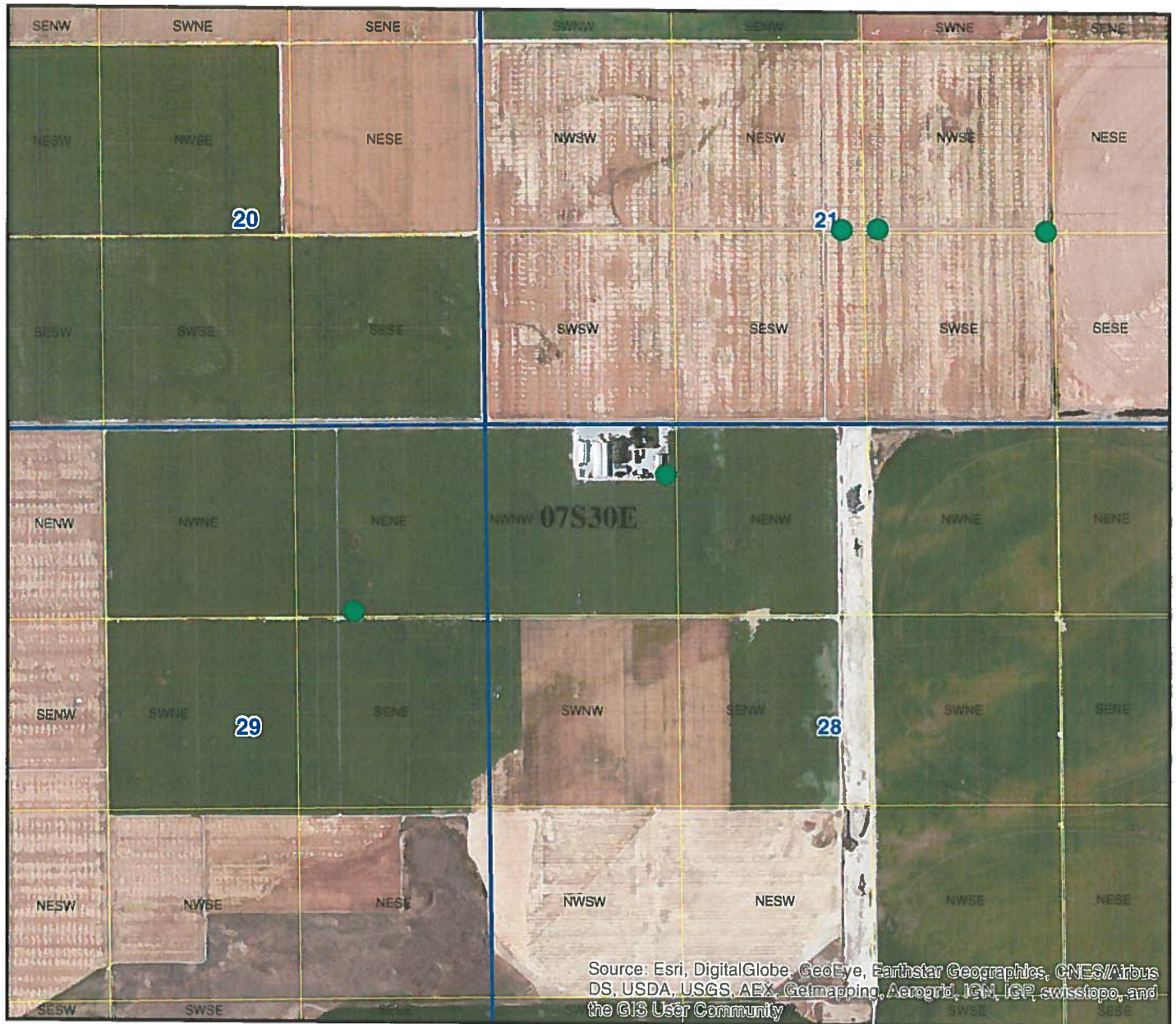
79825

Imagery: 2013 NAIP

Idaho Department of Water Resources

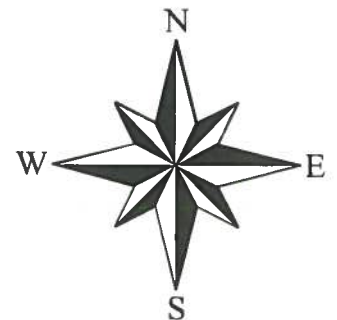
Map Prepared by Heather Bohac, February 13, 2015

Proposed Water Use



Legend

- 35-2215, 35-2301 & 35-12772 Proposed PODs
- Township/Range
- Sections
- QQ



0 0.175 0.35 0.7 Miles

79825

Imagery: 2013 NAIP

Idaho Department of Water Resources

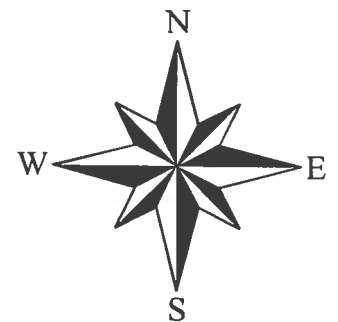
Map Prepared by Heather Bohac, February 13, 2015

Physical Changes Taking Place



Legend

- 35-12772 Actual Well Locations
- Proposed POD (New Well)
- Township/Range
- Sections
- QQ



0 0.1 0.2 0.4 Miles

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Imagery: 2013 NAIP
Idaho Department of Water Resources
Map Prepared by Heather Bohac, February 13, 2015

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/17/2015

WATER RIGHT NO. 35-2215

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEN FARMS 2799 VOLLMER LP AMERICAN FALLS, ID 83211 (208)226-7907
Original Owner	JOHN RAST AMERICAN FALLS, ID 83211

Priority Date: 02/04/1952

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.32 CFS	1280 AFA
Total Diversion			2.32 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENESW	Sec. 21	Township 07S	Range 30E	POWER County
GROUND WATER	SENWSE	Sec. 21	Township 07S	Range 30E	POWER County
GROUND WATER	NENWNW	Sec. 28	Township 07S	Range 30E	POWER County
GROUND WATER	SWNE	Sec. 29	Township 07S	Range 30E	POWER County

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IRRIGATION Use:
Acre Limit: 320

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</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>
07S	30E	21		NESW	40		NWSW	40		SWSW	39		SESW	39
				NWSE	40		SWSE	39						
		28		NENW	31		NWNW	35		SWNW	40		SENW	31
				NESW	37		NWSW	37						
		29		NENE	39		NWNE	39		SWNE	40		SENE	40

Total Acres: 606

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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.01 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2424 AF. COMBINED RIGHT NOS.: 35-02301 AND 35-12772.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 606 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02301 AND 35-12772. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 35-02301 AND 35-12772.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Permit Proof Due Date:

79825

Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector:
Water District Number: 120
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 606
Combined Volume Limit: 2424
Combined Rate Limit: 11.01
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/17/2015

WATER RIGHT NO. 35-2301

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEN FARMS 2799 VOLLMER LP AMERICAN FALLS, ID 83211 (208)226-7907
Original Owner	JOHN RAST AMERICAN FALLS, ID 83211

Priority Date: 11/29/1953

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.84 CFS	960 AFA
Total Diversion			2.84 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENESEW	Sec. 21	Township 07S	Range 30E	POWER County
GROUND WATER	SENESEW	Sec. 21	Township 07S	Range 30E	POWER County
GROUND WATER	NENWNW	Sec. 28	Township 07S	Range 30E	POWER County
GROUND WATER	SWNESE	Sec. 29	Township 07S	Range 30E	POWER County

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IRRIGATION Use:

Acre Limit: 240

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</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>
07S	30E	21		NESW	40		NWSW	40		SWSW	39		SESW	39
				NWSE	40		SWSE	39						
		28		NENW	31		NWNW	35		SWNW	40		SENW	31
				NESW	37		NWSW	37						
		29		NENE	39		NWNE	39		SWNE	40		SENE	40

Total Acres: 606

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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.01 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2424 AF. COMBINED RIGHT NOS.: 35-02215 AND 35-12772.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 606 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02215 AND 35-12772. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 35-02215 AND 35-12772.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Permit Proof Due Date:

79825

Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector:
Water District Number: 120
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 606
Combined Volume Limit: 2424
Combined Rate Limit: 11.01
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/13/2015

WATER RIGHT NO. 35-12772

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLEN FARMS 2799 VOLLMER LP AMERICAN FALLS, ID 83211 (208)226-7907

Priority Date: 02/24/1975

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/15	7.45 CFS	
Total Diversion			7.45 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENESEW	Sec. 21	Township 07S	Range 30E	POWER County
GROUND WATER	SENWSE	Sec. 21	Township 07S	Range 30E	POWER County
GROUND WATER	NENWNW	Sec. 28	Township 07S	Range 30E	POWER County
GROUND WATER	SWNESE	Sec. 29	Township 07S	Range 30E	POWER County

Place(s) of use:

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Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</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>
07S	30E	21		NESW	40		NWSW	40		SWSW	39		SESW	39
				NWSE	40		SWSE	39						
		28		NENW	31		NWNW	35		SWNW	40		SENW	31
				NESW	37		NWSW	37						
		29		NENE	39		NWNE	39		SWNE	40		SENE	40

Total Acres: 606

Conditions of Approval:

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2. USE OF THIS RIGHT WITH RIGHT NOS. 35-02215 AND 35-02301 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.01 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2424 AF.
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER OCTOBER 15 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.
4. USE OF THIS RIGHT WITH RIGHT NOS. 35-02215 AND 35-02301 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 606 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 35-07472 AND 35-07484. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 35-02215 AND 35-02301.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

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Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 606

Combined Volume Limit: 2424

Combined Rate Limit: 11.01

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

79825

FILED/EFFECTIVE

CERTIFICATE OF ASSUMED BUSINESS NAME

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Allen Farms

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

Name

Address

Sidney E. Allen

2799 S. Vollmer Loop - Am. Falls, ID 83211

Marilyn Allen

Same

3. The general type of business transacted under the assumed business name is:

Agricultural

See categories on the reverse

4. The name and address to which correspondence should be addressed:

Sidney E. Allen

2799 S. Vollmer Loop

American Falls, ID 83211

Signed Allen Farms

By X Sidney E. Allen

Capacity Owner

Submit Certificate of Assumed
Business Name and \$20.00 fee to:

Secretary of State
700 West Jefferson
PO Box 83720
Boise ID 83720-0080

Customer #

IDAHO SECRETARY OF STATE only

04/12/2001 09:00
CK: 7659 CT: 5550 BH: 390756

1 @ 20.00 = 20.00 ASSUM NAME # 2

D44411

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