

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79452**

SUPPORT DATA

This is to certify that: **ANDERSON ENTERPRISES**
17220 S CLOVERDALE RD
KUNA, ID 83634

IN FILE # 63-9937

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>
63-11343	WR/LICENSE	6/21/1990	0.360 cfs	81.0 af	N/A	18.0	GROUND WATER
63-33817	WR/DECREED	6/4/1963	0.130 cfs	33.4 af	7.4	208.0	GROUND WATER
63-33819	WR/DECREED	1/16/1961	1.170 cfs	419.1 af	93.1	208.0	GROUND WATER
63-33821	WR/DECREED	1/16/1961	0.140 cfs	49.4 af	11.0	96.0	GROUND WATER
63-33823	WR/DECREED	6/4/1963	0.430 cfs	97.7 af	21.7	208.0	GROUND WATER
63-33825	WR/DECREED	6/4/1963	1.100 cfs	276.8 af	61.5	96.0	GROUND WATER
63-33827	WR/DECREED	1/21/1971	0.470 cfs	105.8 af	23.5	96.0	GROUND WATER
63-33829	WR/DECREED	1/20/1967	1.940 cfs	437.1 af	97.1	208.0	GROUND WATER
63-33831	WR/DECREED	3/3/1966	0.860 cfs	193.5 af	N/A	43.0	INDIAN CREEK
63-9937	WR/DECREED	7/15/1982	0.620 cfs	210.1 af	N/A	37.0	INDIAN CREEK, SAND CREEK

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>
63-11343	NO	NO	YES	YES	NO	NO
63-33817	NO	NO	YES	YES	NO	NO
63-33819	NO	NO	YES	YES	NO	NO
63-33821	NO	YES	YES	YES	NO	NO
63-33823	NO	NO	YES	YES	NO	NO
63-33825	NO	YES	YES	YES	NO	NO
63-33827	NO	YES	YES	YES	NO	NO
63-33829	NO	NO	YES	YES	NO	NO
63-33831	NO	NO	YES	YES	NO	NO
63-9937	NO	YES	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-11343	63-11343	0.360 cfs	81.0 af	18.0	445.0	N/A	N/A	N/A	N/A	N/A
63-33817	63-33817	0.130 cfs	33.4 af	7.4	445.0	N/A	N/A	N/A	N/A	N/A
63-33819	63-33819	1.170 cfs	419.1 af	93.1	445.0	N/A	N/A	N/A	N/A	N/A
63-33821	63-33821	0.140 cfs	49.4 af	11.0	445.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 79452

SCANNED

SEP 25 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79452

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>
63-33823	63-33823	0.430 cfs	97.7 af	21.7	445.0	N/A	N/A	N/A	N/A	N/A
63-33825	63-33825	1.100 cfs	276.8 af	61.5	445.0	N/A	N/A	N/A	N/A	N/A
63-33827	63-33827	0.470 cfs	105.8 af	23.5	445.0	N/A	N/A	N/A	N/A	N/A
63-33829	63-33829	1.940 cfs	437.1 af	97.1	445.0	N/A	N/A	N/A	N/A	N/A
63-33831	63-33831	0.860 cfs	193.5 af	43.0	445.0	N/A	N/A	N/A	N/A	N/A
63-9937	63-9937	0.620 cfs	210.1 af	37.0	445.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.580 cfs	1534.5 af	341.0	445.0		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 22nd day of September, 2014.


Western Regional Manager

Transfer No. 79452

WATER RIGHT NO. 63-11343 **As Modified by Transfer No. 79452**

In accordance with the approval of Transfer No. 79452, Water Right No. 63-11343 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 6/21/1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	3/15	to 11/15	0.360 cfs	81.0 af
			0.360 cfs	81.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 18.0
 POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 18 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-11343
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/10/2007.
9. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.

WATER RIGHT NO. 63-33831**As Modified by Transfer No. 79452**

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33831 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
17220 S CLOVERDALE RD
KUNA, ID 83634

Priority Date: 3/4/1966

Source: INDIAN CREEK

Tributary: BOISE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.860 cfs

0.860 cfs

Diversion Volume

193.5 af

193.5 af

LOCATION OF POINT(S) OF DIVERSION

INDIAN CREEK

NWSW

Sec 3 Twp 01N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 43.0

POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right is limited to the irrigation of 43 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33831
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/10/2007.
6. 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.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. Rights 63-33821, 63-33825, 63-33827 and 63-33831 when combined shall not exceed a total diversion rate of 1.92 cfs, a total annual maximum diversion volume of 432 af at the field headgate, and the irrigation of 96 acres.
10. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.

WATER RIGHT NO. 63-9937**As Modified by Transfer No. 79452**

In accordance with the approval of Transfer No. 79452, Water Right No. 63-9937 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
17220 S CLOVERDALE RD
KUNA, ID 83634

Priority Date: 7/15/1982

Source: INDIAN CREEK
Source: SAND CREEK

Tributary: BOISE RIVER
Tributary: INDIAN CREEK

BENEFICIAL USE

	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	0.620 cfs	166.5 af
IRRIGATION FROM STORAGE	03/15	to 11/15		21.7 af
IRRIGATION STORAGE	01/01	to 12/31		21.7 af
			0.620 cfs	210.1 af

LOCATION OF POINT(S) OF DIVERSION

INDIAN CREEK NWNE Sec 10 Twp 01N Rge 01E ADA County
SAND CREEK SWNE Sec 10 Twp 01N Rge 01E ADA 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	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 37.0

POU Total Acres: 890.0

PLACE OF USE: IRRIGATION FROM STORAGE

			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	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 37.0

POU Total Acres: 890.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 79452

WATER RIGHT NO. 63-9937
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. This right is limited to the irrigation of 37 acres within the authorized place of use in a single irrigation season.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/10/2007.
6. 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.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
9. Rights 63-937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed the irrigation of 341 acres in a single irrigation season.
10. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.

WATER RIGHT NO. 63-33817
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33817 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 6/4/1963

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/01

To

to 11/15

Diversion Rate

0.130 cfs

0.130 cfs

Diversion Volume

33.4 af

33.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWNE

Sec 10 Twp 01N Rge 01E ADA County

GROUND WATER

SWNE

Sec 10 Twp 01N Rge 01E ADA County

GROUND WATER

SWSW

Sec 3 Twp 01N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 7.4

POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 7.4 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33817
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
9. Rights 63-33817, 63-33819, 63-33823 and 63-33829 when combined shall not exceed a total diversion rate of 3.68 cfs, a total annual maximum diversion volume of 936 af at the field headgate, and the irrigation of 208 acres in a single irrigation season.

WATER RIGHT NO. 63-33819
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33819 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 1/16/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.170 cfs	419.1 af
			1.170 cfs	419.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 93.1
 POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 93.1 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33819

As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2007.
9. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
10. Rights 63-33817, 63-33819, 63-33823 and 63-33829 when combined shall not exceed a total diversion rate of 3.68 cfs, a total annual maximum diversion volume of 936 af at the field headgate, and the irrigation of 208 acres in a single irrigation season.

WATER RIGHT NO. 63-33821
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33821 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 1/16/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.140 cfs	49.4 af
			0.140 cfs	49.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 11.0
 POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 11 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33821
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2007.
9. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
10. Rights 63-33821, 63-33825, 63-33827 and 63-33831 when combined shall not exceed a total diversion rate of 1.92 cfs, a total annual maximum diversion volume of 432 af at the field headgate, and the irrigation of 96 acres in a single irrigation season.

WATER RIGHT NO. 63-33823
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33823 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 6/4/1963

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	0.430 cfs	97.7 af
			0.430 cfs	97.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 21.7
 POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 21.7 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33823
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
9. Rights 63-33817, 63-33819, 63-33823 and 63-33829 when combined shall not exceed a total diversion rate of 3.68 cfs, a total annual maximum diversion volume of 936 af at the field headgate, and the irrigation of 208 acres in a single irrigation season.

WATER RIGHT NO. 63-33825
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33825 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 6/4/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.100 cfs	276.8 af
			1.100 cfs	276.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E	ADA 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	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 61.5

POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 61.5 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33825

As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2007.
9. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
10. Rights 63-33821, 63-33825, 63-33827 and 63-33831 when combined shall not exceed a total diversion rate of 1.92 cfs, a total annual maximum diversion volume of 432 af at the field headgate, and the irrigation of 96 acres in a single irrigation season.

WATER RIGHT NO. 63-33827
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33827 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 1/21/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.470 cfs	105.8 af
			0.470 cfs	105.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E	ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E	ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 23.5
 POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 23.5 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33827

As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/6/2007.
9. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
10. Rights 63-33821, 63-33825, 63-33827 and 63-33831 when combined shall not exceed a total diversion rate of 1.92 cfs, a total annual maximum diversion volume of 432 af at the field headgate, and the irrigation of 96 acres in a single irrigation season.

WATER RIGHT NO. 63-33829
As Modified by Transfer No. 79452

In accordance with the approval of Transfer No. 79452, Water Right No. 63-33829 is now described as follows:

Right Holder: ANDERSON ENTERPRISES
 17220 S CLOVERDALE RD
 KUNA, ID 83634

Priority Date: 1/20/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.940 cfs	437.1 af
			1.940 cfs	437.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 10 Twp 01N Rge 01E ADA County
GROUND WATER	SWNE	Sec 10 Twp 01N Rge 01E ADA County
GROUND WATER	SWSW	Sec 3 Twp 01N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	01E	3									3.0	15.0	40.0	37.0			30.0		125.0
01N	01E	10		40.0	40.0	40.0	40.0	40.0	40.0	40.0									280.0
01N	01E	11							40.0										40.0

Right Acre Limit: 97.1
 POU Total Acres: 445.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
4. This right is limited to the irrigation of 97.1 acres within the authorized place of use in a single irrigation season.

Transfer No. 79452

WATER RIGHT NO. 63-33829
As Modified by Transfer No. 79452

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/16/2007.
6. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
7. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used on the land with an appurtenant surface water right(s) without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1534.5 af at the field headgate for the place of use.
9. Rights 63-9937, 63-11343, 63-33817, 63-33819, 63-33821, 63-33823, 63-33825, 63-33827, 63-33829 and 63-33831 when combined shall not exceed a total diversion rate of 6.58 cfs, a total annual maximum diversion volume of 1534.5 af at the field headgate, and the irrigation of 341 acres in a single irrigation season.
10. Rights 63-33817, 63-33819, 63-33823 and 63-33829 when combined shall not exceed a total diversion rate of 3.68 cfs, a total annual maximum diversion volume of 936 af at the field headgate, and the irrigation of 208 acres in a single irrigation season.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 22, 2014

ANDERSON ENTERPRISES
17220 S CLOVERDALE RD
KUNA ID 83634

Re: Transfer No. 79452

Water Right No's: 63-9937, 63-11343, 63-33817, 63-33819, 63-33821,
63-33823, 63-33825, 63-33827, 63-33829 & 63-33831.

Transfer Approval Notice

Dear Water Right Holders:

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 cursive script that reads "Rachel Sommer". The signature is written in black ink and is positioned above the printed name and title.

Rachel Sommer
Administrative Assistant

Enclosures

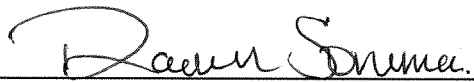
CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No. 79452

**Water Right No's: 63-9937, 63-11343, 63-33817, 63-33819, 63-33821,
63-33823, 63-33825, 63-33827, 63-33829 & 63-33831.**

**ANDERSON ENTERPRISES
17220 S CLOVERDALE RD
KUNA ID 83634**



**Rachel Sommer
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

The accompanying order or approved document 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 of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director 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 Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.