

RECEIVED**NOV 25 2013****DEPT. OF WATER RESOURCES
SOUTHERN REGION****STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Transfer No. 78510**MINIMUM REQUIREMENTS CHECKLIST****TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) BUSHMAN FARM & LIVESTOCK CO LP**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.****Yes N/A** *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 25 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant BUSHMAN FARM & LIVESTOCK CO LP

Phone 801-768-7035

Mailing Address 680 W MAIN, LEHI UT 84043

Email jkbushman@msn.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

John K Bushman
Signature of Applicant or Authorized Representative

John K Bushman
Print Name and Title if applicable

11/21/2013
Date

Kent Bushman
Signature of Applicant or Authorized Representative

Kent Bushman
Print Name and Title if applicable

11/21/2013
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-13286	No	Yes	No	No	No	No
	43-13288	No	Yes	No	No	No	No
	43-13290	No	Yes	No	No	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Application proposes to move irrigation well from center of pivot to southeast corner within the same 40 acre tract.

- B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13286	2.750 cfs	550.0 af	137.5	394.5		N/A	N/A	N/A	N/A
43-13288	3.680 cfs	736.8 af	184.2	394.5		N/A	N/A	N/A	N/A
43-13290	1.040 cfs	N/A	72.8	394.5		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

5.490 cfs	1,286.8 af	N/A	394.5	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 5.49 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-13286

Current Water Right Owner
 BUSHMAN FARM &
 LIVESTOCK CO LP
 680 W MAIN
 LEHI, UT 84043

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2.750 CFS	550.0 AFA	
Total Diversion			2.750 CFS	550.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NWSW	Sec. 36 Twp 12S Rge 26E CASSIA 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	
12S	26E	36									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															

Right Acre Limit: 137.5

POU Total Acres: 394.5

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-13288

Current Water Right Owner
 BUSHMAN FARM &
 LIVESTOCK CO LP
 680 W MAIN
 LEHI, UT 84043

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	3.680 CFS	736.8 AFA	
Total Diversion			3.680 CFS	736.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NWSW	Sec. 36 Twp 12S Rge 26E CASSIA 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	
12S	26E	36									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															

Right Acre Limit: 184.2

POU Total Acres: 394.5

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-13290

Current Water Right Owner
BUSHMAN FARM &
LIVESTOCK CO LP
680 W MAIN
LEHI, UT 84043

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.040 CFS	
Total Diversion			1.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NWSW	Sec. 36 Twp 12S Rge 26E CASSIA 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	
12S	26E	36									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															

Right Acre Limit: 72.8

POU Total Acres: 394.5

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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

Applicant

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. 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 leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-13286

Current Water Right Owner

BUSHMAN FARM &
LIVESTOCK CO LP
680 W MAIN
LEHI, UT 84043

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2.750 CFS	550.0 AFA	
Total Diversion			2.750 CFS	550.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWSE	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NENENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	SWNENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NWNWSW	Sec. 36 Twp 12S Rge 26E CASSIA 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	
12S	26E	36									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															

Right Acre Limit: 137.5

POU Total Acres: 394.5

Conditions/Remarks:

1. This right is limited to the irrigation of 137.5 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-13286, 43-13288 and 43-13290 shall not exceed 5.49 cfs.
3. 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.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
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.

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 right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-13288

Current Water Right Owner
 BUSHMAN FARM &
 LIVESTOCK CO LP
 680 W MAIN
 LEHI, UT 84043

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	3.680 CFS	736.8 AFA	
Total Diversion			3.680 CFS	736.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWSE	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NENENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	SWNENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NWNWSW	Sec. 36 Twp 12S Rge 26E CASSIA 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	
12S	26E	36									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															

Right Acre Limit: 184.2
 POU Total Acres: 394.5

Conditions/Remarks:

1. This right is limited to the irrigation of 184.2 acres within the place of use described above in a single irrigation season.
2. Right No. 43-13290 is an expansion of this right pursuant to Section 42-1416B of the Idaho Code.
3. Use of this right with Right No. 43-13290 is limited to a total combined diversion rate of 3.68 cfs and to a total combined annual diversion volume of 736.8 afa.
4. The total instantaneous diversion of water from all points of diversion under Rights 43-13286, 43-13288 and 43-13290 shall not exceed 5.49 cfs.
5. 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.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.

Conditions/Remarks:

7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 43-13290

Current Water Right Owner

BUSHMAN FARM &
LIVESTOCK CO LP
680 W MAIN
LEHI, UT 84043

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.040 CFS	
Total Diversion			1.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWSWSE	Sec. 36 Twp 12S Rge 26E CASSIA County
GROUND WATER	NENENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	SWNENE	Sec. 2 Twp 13S Rge 26E CASSIA County
GROUND WATER	NWNWSW	Sec. 36 Twp 12S Rge 26E CASSIA 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	
12S	26E	36									40.0	38.0	38.0	32.5		32.5	32.5		213.5
13S	26E	1						36.0											36.0
								L 4											
13S	26E	2	40.0	32.5	32.5	40.0													145.0
			L 1	L 2															
Right Acre Limit:			72.8																
POU Total Acres:			394.5																

Conditions/Remarks:

1. This right is limited to the irrigation of 72.8 acres within the place of use described above in a single irrigation season.
2. This right is an expansion of Right No. 43-13288 pursuant to Section 42-1416B of the Idaho Code.
3. Use of this right with Right No. 43-13288 is limited to a total combined diversion rate of 3.68 cfs and to a total combined annual diversion volume of 736.8 afa.
4. The total instantaneous diversion of water from all points of diversion under Rights 43-13286, 43-13288 and 43-13290 shall not exceed 5.49 cfs.
5. 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.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

Transfer Contains 14 pages and 2 attachments.
 Received By N. ENSCKSON Date 11/25/13 Prelim. Check By N. ENSCKSON Date 11/25/13
 Fee Paid \$ 900.00 Date 11/25/13 Received By N. ENSCKSON Receipt # 5033656
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

No. L 4528		Due no later than Nov 30, 2013		Annual Report Form				2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. BUSHMAN FARM & LIVESTOCK CO L.P. JOHN K BUSHMAN 680 W MAIN LEHI UT 84043 USA		B & D, INC. 1200 OVERLAND AVE C/O DAVID PRICE (PRESIDENT) BURLEY ID 83318					
				3. <u>New</u> Registered Agent Signature:*					
Office Held	Name	Street or PO Address	City	State	Country	Postal Code			
GENERAL PARTNER	BUSHMAN MANAGEMENT LLC	680 WEST MAIN	LEHI	UT	USA	84043			
GENERAL PARTNER	KENT BUSHMAN	1610 W 700 S	LEHI	UT	USA	84043			
GENERAL PARTNER	JOHN K BUSHMAN	680 W MAIN	LEHI	UT	USA	84043			
GENERAL PARTNER	ANN BUSHMAN	680 W MAIN	LEHI	UT	USA	84043			
5. Organized Under the Laws of: UT L 4528		6. Annual Report must be signed.* Signature: john K Bushman Name (type or print): john K Bushman							
		Date: 09/30/2013 Title: Manager							
Processed 09/30/2013		* Electronically provided signatures are accepted as original signatures.							

TRANSFER 78510

BUSHMAN FARM & LIVESTOCK CO LP
TRANSFER #78510
WR 43-13286, 43-13288, AND 43-13290
Move POD

Existing irrigation well
to be replaced

12S 26E 36 SWSE

Proposed new irrigation well



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 27, 2013

BUSHMAN FARM & LIVESTOCK CO LP
680 W MAIN
LEHI, UT 84043

RE: Transfer No. 78510
Water Right No(s). 43-13286, 43-13288, 43-13290

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 12/5/2013 and 12/12/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**December 23, 2013**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Wednesday, November 27, 2013 10:02 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on December 5th & 12th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

November 27, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 78476
Water Right No(s): 37-327, 37-329, 37-59M

RE: Transfer No. 78510
Water Right No(s): 43-13286, 43-13288, 43-13290

RE: Transfer No. 78942
Water Right No(s): 43-10088

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 23, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78476

KAREN A ARKOOSH and WILLIAM ARKOOSH, 2005 US HWY 26, GOODING, ID 83330; has filed Application No. 78476 for changes to the following water rights within LINCOLN County(s): Right No(s). 37-327, 37-329, 37-59M. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the place of use and adding a point of diversion for two Little Wood River irrigation rights and a Big Wood River irrigation right that is injected into and rediverted from the Little Wood River. The rights currently allow for the diversion of up to 5.88 cfs from the Little Wood River for the irrigation of up to 245 acres on a farm located approximately 7.0 – 10.0 miles east and 1.5 – 2.25 miles north of the center of Gooding. The proposed change in place of use will allow for the installation of a new sprinkler system on the farm. The proposed additional point of diversion is an existing power plant canal diversion downstream of the currently authorized irrigation diversions on the farm. It is proposed to divert water into this canal and then redivert water from the canal for the new sprinkler system.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78510

BUSHMAN FARM & LIVESTOCK CO LP, 680 W MAIN, LEHI, UT 84043; has filed Application No. 78510 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13286, 43-13288, 43-13290. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to move a point of diversion associated with water rights 43-13286, 43-13288 and 43-13290. The new well will be one-third of a mile southeast of the old well which will be abandoned. The water rights have a diversion rate of 5.49 cfs. The well will be located approximately one-half of a mile east and 1.5 miles north of the City of Malta.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78942

WEBB BROTHERS LAND & LIVESTOCK LLC, 22 N YALE RD, DECLO, ID 83323; has filed Application No. 78942 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10088. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the authorized point of diversion for a 0.08 cfs domestic and stockwater right to a recently drilled well located approximately 14.9 miles north and 5.6 miles east of Malta (just north of the Yale Road & Heglar Canyon Road intersection). The application also proposes to properly record the actual historical stockwater place of use location.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before December 23, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on December 5th & 12th, 2013

MEMORANDUM

Date: November 25, 2013
To: Transfer 78510 File
From: Nathan Erickson
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to move a point of diversion for water rights 43-13286, 43-13288 and 43-13290. The new well will be located approximately 1/2 mile east and 1 1/2 miles north of the City of Malta. The irrigation well is being moved approximately 1/3 of a mile to the southeast within the same 40-acre tract, currently the water rights identify the POD in the 10-acre tract, the transfer will remove the 10-acre tract and only identify the 40-acre tract. The water rights have a total flow rate of 5.49 cfs. There will be no change to the place of use. Water rights are located within the Raft River Critical Ground Water Management Area; it is recommended that this transfer be processed with a public notice and protest period.

- **Authority to File:**
The water right is currently in the name of Bushman Farm & Livestock CO LP.
- **Water Right Validity:**
Water rights 43-13286, 43-13288 and 43-13290 were decreed in the SRBA on 6/28/2002. Recent aerial and satellite imagery indicate the property involved with this transfer appears irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Located in the Raft River Critical Ground Water Management Area, transfer should be advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.