

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 77572**

This is to certify that: RUTH BEUKERS And  
JOHN BEUKERS  
3831 NORTH 3500 EAST  
KIMBERLY ID 83341  
(208)324-8618

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 Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 45-13788     | WR/Decreed          | 12/03/1971      | 1.64 cfs    | 462 af        | N/A               | N/A                | GROUND WATER  |
| 45-14061     | WR/Decreed          | 12/03/1971      | 1.01 cfs    | 267.1 af      | N/A               | N/A                | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 45-13788              | NO           | NO         | NO         | YES            | NO                   | NO                   |
| 45-14061              | NO           | NO         | NO         | 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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 45-13788               | <b>45-13788</b>                  | 1.64 cfs             | 462 af                 | N/A               |                    |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 45-14061               | <b>45-14061</b>                  | 1.01 cfs             | 267.1 af               | N/A               |                    |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>2.65 cfs</b>      | <b>729.1 af</b>        |                   |                    |                                    | N/A                   | N/A                     | N/A                         | N/A                          |

Detailed Water Right Description(s) attached

Dated this 9<sup>th</sup> day of December, 20 11

  
\_\_\_\_\_  
Southern Region Manager

**SUPPORT DATA**

IN FILE # 45-13788

**WATER RIGHT NO. 45-13788**  
**As Modified by Transfer No. 77572**

In accordance with the approval of Transfer No. 77572, Water Right No. 45-13788 is now described as follows.

**Right Holder:** RUTH BEUKERS            And  
                         JOHN BEUKERS  
                         3831 NORTH 3500 EAST  
                         KIMBERLY ID 83341

**Priority Date:** December 03, 1971

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| COMMERCIAL            | 01/01       | to 12/31  | 1.64 CFS              | 462.0 AF      |
| STOCKWATER            | 01/01       | to 12/31  | 1.64 CFS              | 462.0 AF      |
|                       |             |           | 1.64 CFS              | 462.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |             |                 |         |               |
|--------------|-------------|-----------------|---------|---------------|
| GROUND WATER | SWSWSW      | Sec. 12 Twp 12S | Rge 20E | CASSIA County |
| GROUND WATER | SWSESE      | Sec. 13 Twp 12S | Rge 20E | CASSIA County |
| GROUND WATER | SWSESE      | Sec. 13 Twp 12S | Rge 20E | CASSIA County |
| GROUND WATER | SWSWNE      | Sec. 17 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | SWSWNW      | Sec. 17 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | SWSWSW      | Sec. 18 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | SWSESW      | Sec. 18 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | NENENW      | Sec. 19 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | L4 (SWSWSW) | Sec. 19 Twp 12S | Rge 21E | CASSIA County |

**WATER RIGHT NO. 45-13788**  
**As Modified by Transfer No. 77572**

**PLACE OF USE:** COMMERCIAL

| Twp Rge Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           | Totals |
|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------|
|             | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> |        |
| 12S 21E 18  |           |           |           |           |           |           |           |           |           |           | X         | X         |           |           |           |           |        |
| 12S 21E 19  |           |           |           |           | X         |           | X         | X         |           |           |           |           |           |           |           |           |        |
|             |           |           |           |           |           | L1        | L2        |           |           |           | L4        |           |           |           |           |           |        |

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           | Totals |
|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------|
|             | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> |        |
| 12S 21E 18  |           |           |           |           |           |           |           |           | X         | X         | X         | X         |           | X         | X         |           |        |
| 12S 21E 19  |           |           |           |           | X         |           | X         | X         |           |           |           |           |           |           |           |           |        |
|             |           |           |           |           |           | L1        | L2        |           |           |           | L3        | L4        |           |           |           |           |        |

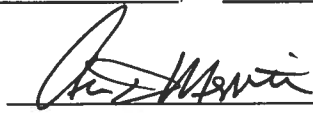
**WATER RIGHT NO. 45-13788**  
**As Modified by Transfer No. 77572**

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 45-13788 and 45-14061 when combined shall not exceed a total diversion rate of 2.65 cfs and a total annual maximum diversion volume of 729.1 af.
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 140.
4. Prior to diversion and use of water under Transfer approval 75991, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications. Water diverted from wells that are also used for irrigation must be measured separately for irrigation and dairy uses.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. Commercial use is for a dairy.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality &/or the Department of Agriculture.
9. The right holder shall accomplish the change authorized by this transfer within five years 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9<sup>th</sup> day of December, 20 11

  
\_\_\_\_\_  
Southern Region Manager

**WATER RIGHT NO. 45-14061**  
**As Modified by Transfer No. 77572**

In accordance with the approval of Transfer No. 77572, Water Right No. 45-14061 is now described as follows.

**Right Holder:** RUTH BEUKERS                      And  
                         JOHN BEUKERS  
                         3831 NORTH 3500 EAST  
                         KIMBERLY ID 83341

**Priority Date:** December 03, 1971

**Source:** GROUND WATER

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Volume</b></u> |
|------------------------------|--------------------|------------------|------------------------------|----------------------|
| DOMESTIC                     | 01/01              | to 12/31         | 0.04 CFS                     | 1.8 AF               |
| COMMERCIAL                   | 01/01              | to 12/31         | 1.01 CFS                     | 75.6 AF              |
| STOCKWATER                   | 01/01              | to 12/31         | 1.01 CFS                     | 189.7 AF             |
|                              |                    |                  | 1.01 CFS                     | 267.1 AF             |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |             |                 |         |               |
|--------------|-------------|-----------------|---------|---------------|
| GROUND WATER | SWSWSW      | Sec. 12 Twp 12S | Rge 20E | CASSIA County |
| GROUND WATER | SWSESE      | Sec. 13 Twp 12S | Rge 20E | CASSIA County |
| GROUND WATER | SWSESE      | Sec. 13 Twp 12S | Rge 20E | CASSIA County |
| GROUND WATER | SWSWNE      | Sec. 17 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | SWSWNW      | Sec. 17 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | SWSWSW      | Sec. 18 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | SWSESW      | Sec. 18 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | NENENW      | Sec. 19 Twp 12S | Rge 21E | CASSIA County |
| GROUND WATER | L4 (SWSWSW) | Sec. 19 Twp 12S | Rge 21E | CASSIA County |



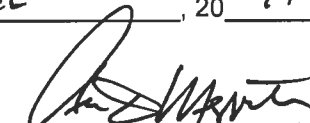
**WATER RIGHT NO. 45-14061**  
**As Modified by Transfer No. 77572**

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Rights 45-13788 and 45-14061 when combined shall not exceed a total diversion rate of 2.65 cfs and a total annual maximum diversion volume of 729.1 af.
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. 140.
4. Prior to diversion and use of water under Transfer approval 75991, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications. Water diverted from wells that are also used for irrigation must be measured separately for irrigation and dairy uses.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.
7. Commercial use is for a dairy.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 9<sup>th</sup> day of December, 2011



Southern Region Manager

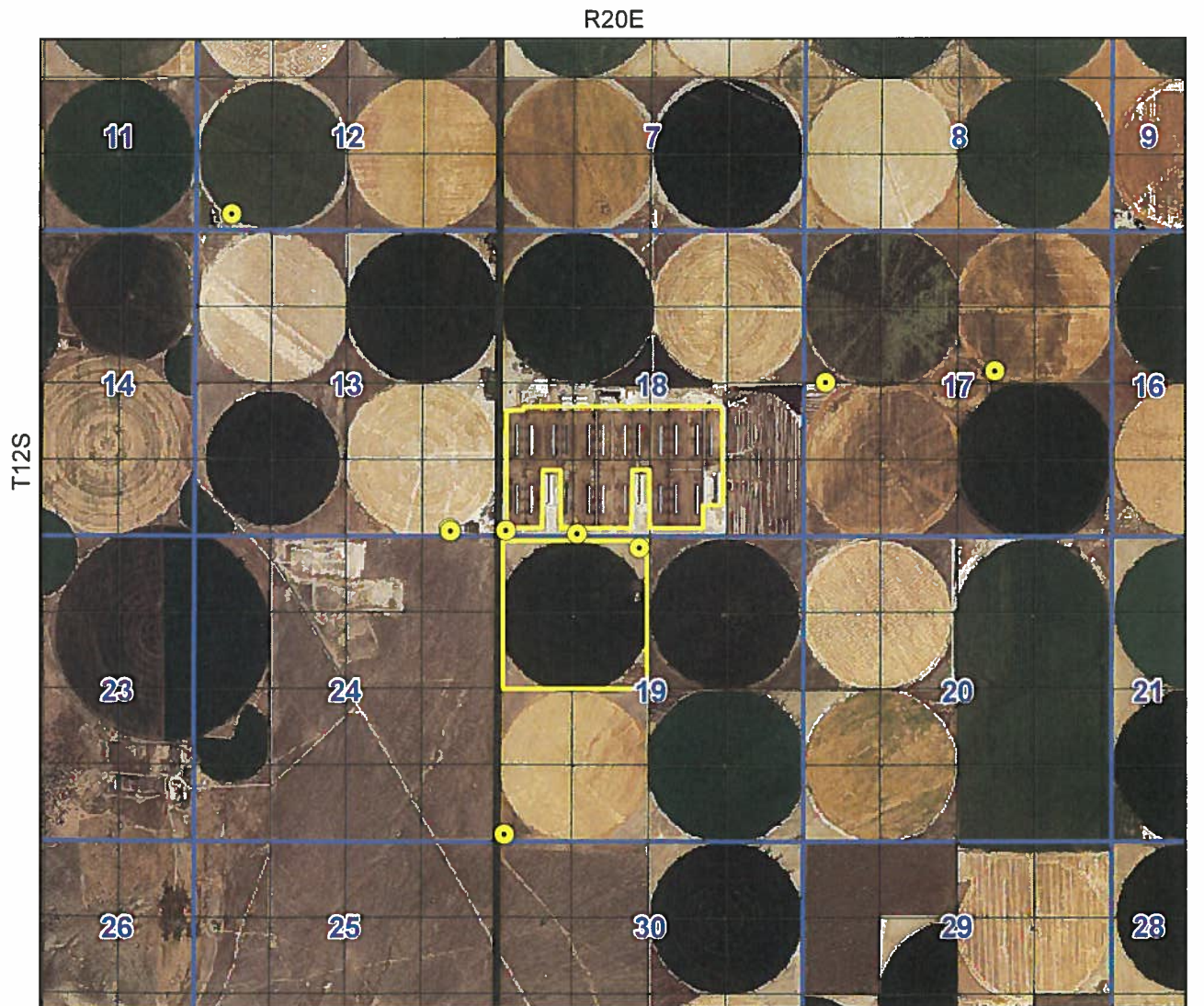
State of Idaho  
Department of Water Resources

# Attachment To Transfer Of Water Right

Transfer No. 77572

Rights: 45-13788, 45-14061

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.4 0.8 1.6 Miles

## Legend

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



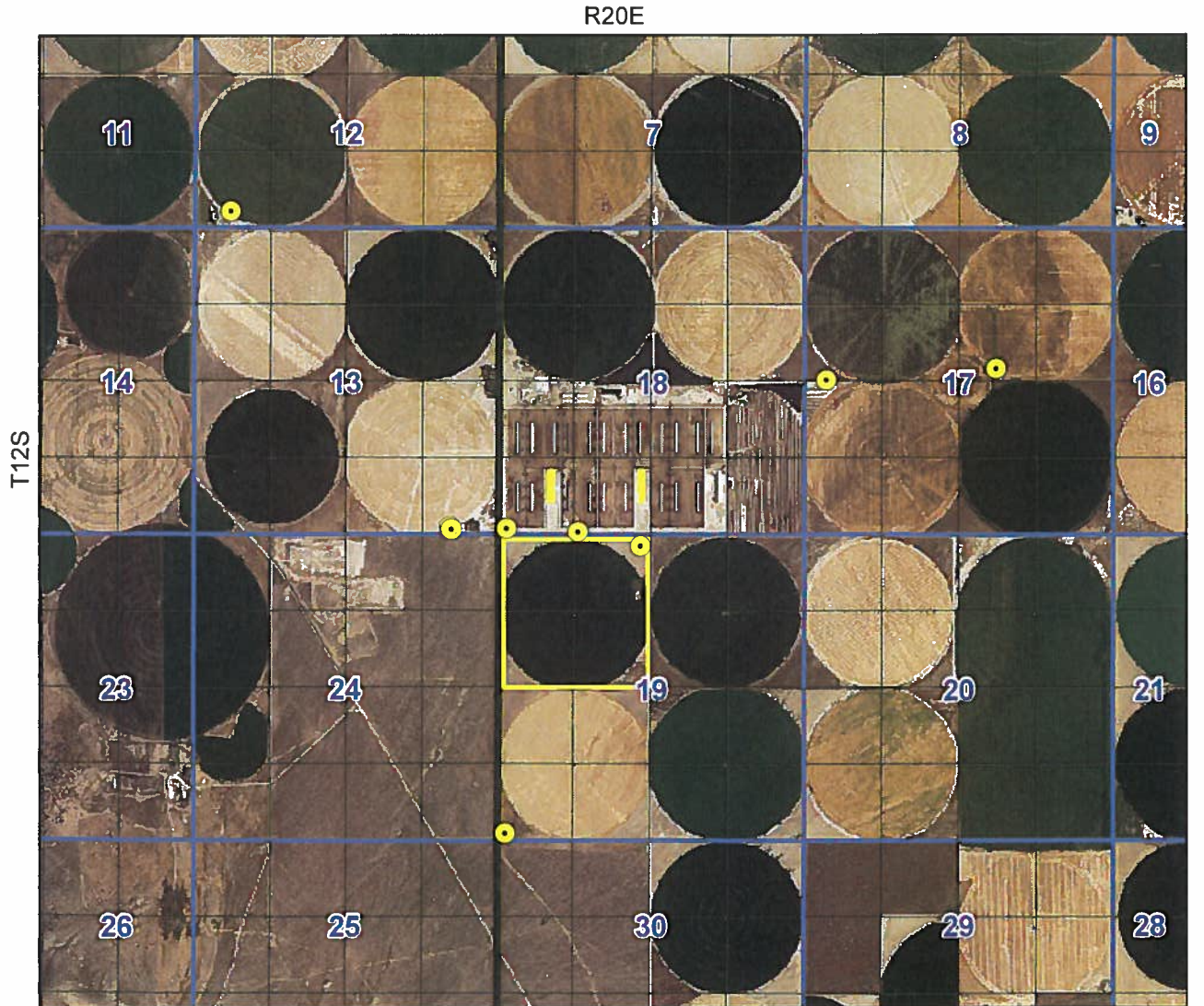
State of Idaho  
Department of Water Resources

# Attachment To Transfer Of Water Right

Transfer No. 77572

Rights: 45-13788, 45-14061

This map depicts the COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.4 0.8 1.6 Miles

## Legend

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



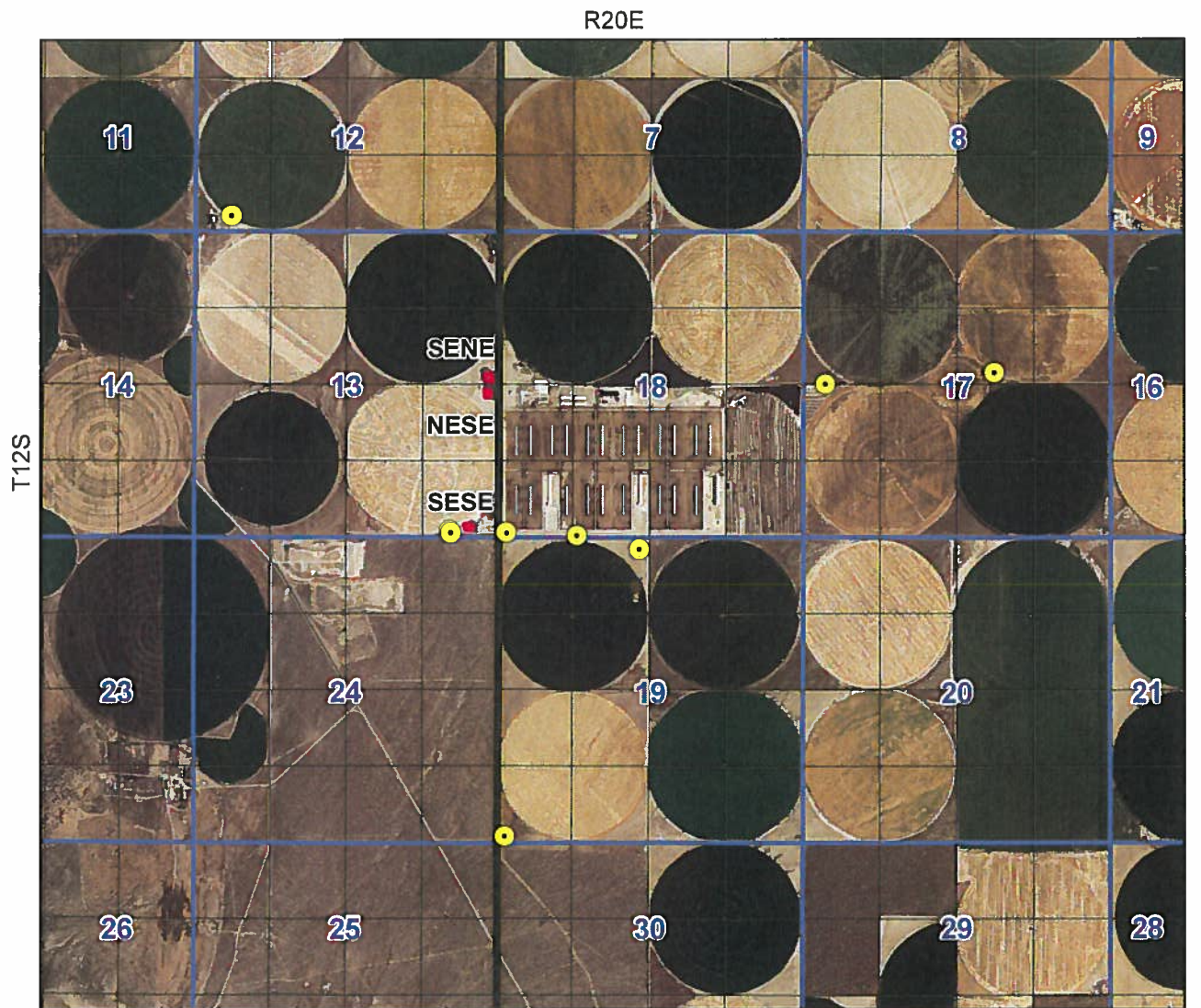
State of Idaho  
Department of Water Resources

# Attachment To Transfer Of Water Right

Transfer No. 77572

Rights: 45-14061

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.4 0.8 1.6 Miles

## Legend

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

