

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 77572

RECEIVED

OCT 19 2011

APPLICATION FOR TRANSFER OF WATER RIGHT  
MINIMUM REQUIREMENTS CHECKLISTDEPT. OF WATER RESOURCES  
SOUTHERN REGION

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 and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

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 Proof Report (obtained from Department) or Details Report (obtained on website) 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/water/rights/>.
- ☐ ☒ #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: Add a point of diversion for commercial, stockwater and domestic use. Back up well

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DEPARTMENT OF WATER RESOURCES77572  
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DEPT. OF WATER RESOURCES  
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of Applicant(s) JOHN BEUKERS, RUTH BEUKERS Phone \_\_\_\_\_Mailing address 3831 NORTH 3500 EAST, KIMBERLY, IDAHO 83341 Email \_\_\_\_\_

- ☐ 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 RepresentativeName of Representative TSK ENTERPRISES LLC / GARY L. FUNDERBURG Phone 208 320-0897Mailing address 255 BLUE LAKES BLVD NTH, PMB 617, TWIN FALLS, IDAHO 83301 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 Beukers  
Signature of Applicant or Authorized Representative

John Beukers  
Print Name and Title if applicable

Ruth Beukers  
Signature of Applicant or Authorized Representative

Ruth Beukers  
Print Name and Title if applicable

## A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe 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**. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Continued**

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

| 1. <u>Right Number</u>                          | <u>Amount</u><br>(cfs/ac-ft) | <u>Nature of Use</u> | <u>Period of Use</u> |          | <u>Source &amp; Tributary</u> |
|-------------------------------------------------|------------------------------|----------------------|----------------------|----------|-------------------------------|
| 45-13788                                        | 1.64 / 462                   | STOCK WATER          | 1/1                  | to 12/31 | GROUNDWATER                   |
| 45-13788                                        | 1.64 / 462                   | COMMERCIAL           | 1/1                  | to 12/31 | GROUNDWATER                   |
| 45-14061                                        | 1.01 / 189.7                 | STOCK WATER          | 1/1                  | to 12/31 | GROUNDWATER                   |
| 45-14061                                        | 1.01 / 75.6                  | COMMERCIAL           | 1/1                  | to 12/31 | GROUNDWATER                   |
| 45-14061                                        | 0.04 / 1.8                   | DOMESTIC             | 1/1                  | to 12/31 | GROUNDWATER                   |
|                                                 |                              |                      |                      | to       |                               |
|                                                 |                              |                      |                      | to       |                               |
|                                                 |                              |                      |                      | to       |                               |
|                                                 |                              |                      |                      | to       |                               |
| Total <u>2.65</u> cfs and/or <u>729.1</u> ac-ft |                              |                      |                      |          |                               |

2. Total amount of water being transferred or changed 2.65 cubic feet per second and/or 729.1 acre-feet per annum.

3. Point(s) of Diversion:

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

| New ? | Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Source      | Local name or tag # |
|-------|-----|----|----|----|-----|-----|-----|--------|-------------|---------------------|
|       |     | SW | SW | SW | 12  | 12S | 20E | CASSIA | GROUNDWATER | A0006938            |
|       |     | SW | SE | SE | 13  | 12S | 20E | CASSIA | GROUNDWATER | A0006890            |
|       |     | SW | SE | SE | 13  | 12S | 20E | CASSIA | GROUNDWATER | 2                   |
|       |     | SW | SE | SW | 18  | 12S | 21E | CASSIA | GROUNDWATER | NOT DRILLED         |
|       | 4   | SW | SW | SW | 19  | 12S | 21E | CASSIA | GROUNDWATER | A0006899            |

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

| Twp | Rge | Sec | NE ¼ |    |    |    | NW ¼ |    |    |    | SW ¼ |    |    |    | SE ¼ |    |    |    | Acre Totals |
|-----|-----|-----|------|----|----|----|------|----|----|----|------|----|----|----|------|----|----|----|-------------|
|     |     |     | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE | NE   | NW | SW | SE |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

Total Acres (for irrigation use) \_\_\_\_\_

**Attachment # 5**

**Additional Points of Diversions  
John and Ruth Beukers  
Golden Valley Dairy Transfer**

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DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**Well Locations**

| New | Lot # | (1/4) | (1/4) | (1/4) | Sec | Twp | Rge | County | Source      | Local name or tag # |             |            |
|-----|-------|-------|-------|-------|-----|-----|-----|--------|-------------|---------------------|-------------|------------|
|     |       |       |       |       |     |     |     |        |             |                     | Site Tag    |            |
| YES |       |       | SW    | NW    | 17  | 12S | 21E | Cassia | Groundwater | # 5                 | A0006942    | EXISTING   |
| YES |       |       | SW    | SW    | 18  | 12S | 21E | Cassia | Groundwater |                     | Not Drilled | <b>NEW</b> |
| YES |       |       | NE    | NW    | 19  | 12S | 21E | Cassia | Groundwater |                     | Not Drilled | <b>NEW</b> |
| YES |       |       | SW    | NE    | 17  | 12S | 21E | Cassia | Groundwater | # 4                 | A0006943    | EXISTING   |

XDD  
to WR

NO

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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: All wells will pump into an existing storage tank, then repumped to places of use.

- 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?  
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: N/A

- e. Describe the use of any other water right(s) for the same purpose or land, or the 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

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

**A. DESCRIPTION OF RIGHT(S) AS RECORDED**

**For each water right** listed in Part 1B.1. of the application, attach a Proof Report (obtained from Department) or Details Report (obtained from website @ <http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp> ). Label it **Part 2A.**

**B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES**

- ☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable.

Right Number: \_\_\_\_\_

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use) \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. PLAT MAP** (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ 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.

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(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**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ 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.:

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 0 attachments.

Received by ASR Date 10-19-2011 Prelim. Check by ASR Date 10-19-2011

Fee Paid \$6.00- Date 10-19-2011 Received by ASR Receipt # 3032182

Add'l Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

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Water Right Report

9/15/2009

WATER RIGHT NO. 45-14061

| <u>Owner Type</u>      | <u>Name and Address</u>        |
|------------------------|--------------------------------|
| Current Owner          | JOHN BEUKERS                   |
| Current Owner          | RUTH BEUKERS                   |
|                        | 3831 NORTH 3500 EAST           |
|                        | KIMBERLY, ID 83341             |
|                        | (208)324-8618                  |
| Directors Report Owner | MC REITS LLC                   |
|                        | PO BOX 5178                    |
|                        | TWIN FALLS, ID 83303           |
|                        | (208)734-0004                  |
| Original Owner         | GOLDEN VALLEY LAND & CATTLE CO |
|                        | RT 1                           |
|                        | MURTAUGH, ID 83344             |
|                        | (208)432-5400                  |

Priority Date: 12/03/1971

Basis: Decreed

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| STOCKWATER            | 01/01       | 12/31     | 1.01 CFS              | 189.7 AFA     |
| COMMERCIAL            | 01/01       | 12/31     | 1.01 CFS              | 75.6 AFA      |
| DOMESTIC              | 01/01       | 12/31     | 0.04 CFS              | 1.8 AFA       |
| Total Diversion       |             |           | 1.01 CFS              |               |

Location of Point(s) of Diversion:

|              |             |         |              |           |               |
|--------------|-------------|---------|--------------|-----------|---------------|
| GROUND WATER | SWSESE      | Sec. 13 | Township 12S | Range 20E | CASSIA County |
| GROUND WATER | SWSESE      | Sec. 13 | Township 12S | Range 20E | CASSIA County |
| GROUND WATER | SWSESW      | Sec. 18 | Township 12S | Range 21E | CASSIA County |
| GROUND WATER | SWSWSW Lt 4 | Sec. 19 | Township 12S | Range 21E | CASSIA County |

DOMESTIC Use:

Number of homes: 3

Place(s) of use:

Place of Use Legal Description: STOCKWATER CASSIA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 12S      | 21E   | 18      |     | NESW  |       | 3   | NWSW  |       | 4   | SWSW  |       |     | SESW  |       |
|          |       | 19      |     | NWSE  |       | 1   | SWSE  |       | 2   | SWNW  |       |     | SESW  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       |       |     | SESW  |       |

Place of Use Legal Description: COMMERCIAL CASSIA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 12S      | 21E   | 18      |     | NESW  |       | 3   | NWSW  |       | 4   | SWSW  |       |     | SESW  |       |
|          |       | 19      |     | NWSE  |       | 1   | SWSE  |       | 2   | SWNW  |       |     | SESW  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       |       |     | SESW  |       |

Place of Use Legal Description: DOMESTIC CASSIA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 12S      | 20E   | 13      |     | SENE  |       |     | SESE  |       |     |       |       |     |       |       |
|          |       |         |     | NESE  |       |     |       |       |     |       |       |     |       |       |

Conditions of Approval:

|    |     |                                                                                                                                                                                                                                                        |
|----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | 046 | Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.                                                                                                |
| 2. | R05 | 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. |
|    |     | Prior to the diversion and use of water under Transfer approval 73592, the right holder shall                                                                                                                                                          |

|     |     |                                                                                                                                                                                                                                                                                                                                                      |
|-----|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.  | 115 | install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications. Water diverted from the irrigation well within SESESE Sec 13, T12S, R20E, for use at the dairy must be measured independently from the irrigation water also diverted from the well. |
| 4.  | R43 | 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 diversions.                                                                                                                                             |
| 5.  | 106 | 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.                                                                                                           |
| 6.  | 082 | Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.                                                                                                                                                                                                         |
| 7.  | X01 | Commercial use is for a dairy.                                                                                                                                                                                                                                                                                                                       |
| 8.  | WB5 | Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.                                                                                                                                                                                                                                              |
| 9.  | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.                                                                                                                                                                                                                               |
| 10. | T08 | 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. | T19 | 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.           |

## Dates:

Licensed Date:

Decreed Date: 07/05/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

## Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: True

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IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

9/15/2009

WATER RIGHT NO. 45-13788

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Current Owner     | JOHN BEUKERS            |
| Current Owner     | RUTH BEUKERS            |
|                   | 3831 NORTH 3500 EAST    |
|                   | KIMBERLY, ID 83341      |
|                   | (208)324-8618           |

Priority Date: 12/03/1971

Basis: Decreed

Status: Active

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

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| STOCKWATER            | 01/01       | 12/31     | 1.64 CFS              | 462 AFA       |
| COMMERCIAL            | 01/01       | 12/31     | 1.64 CFS              | 462 AFA       |
| Total Diversion       |             |           | 1.64 CFS              |               |

Location of Point(s) of Diversion:

|              |             |         |              |           |               |
|--------------|-------------|---------|--------------|-----------|---------------|
| GROUND WATER | SWSESE      | Sec. 13 | Township 12S | Range 20E | CASSIA County |
| GROUND WATER | SWSESE      | Sec. 13 | Township 12S | Range 20E | CASSIA County |
| GROUND WATER | SWSES       | Sec. 18 | Township 12S | Range 21E | CASSIA County |
| GROUND WATER | SWSWSW Lt 4 | Sec. 19 | Township 12S | Range 21E | CASSIA County |

Place(s) of use:

Place of Use Legal Description: STOCKWATER CASSIA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 12S      | 21E   | 18      |     | NESW  |       | 3   | NWSW  |       | 4   | SWSW  |       |     | SESW  |       |
|          |       | 19      |     | NWSE  |       | 1   | SWSE  |       | 2   | SWNW  |       |     | SESW  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       |       |     | SESW  |       |

Place of Use Legal Description: COMMERCIAL CASSIA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 12S      | 21E   | 18      |     | NESW  |       | 3   | NWSW  |       | 4   | SWSW  |       |     | SESW  |       |
|          |       | 19      |     | NWSE  |       | 1   | SWSE  |       | 2   | SWNW  |       |     | SESW  |       |
|          |       |         |     | NENW  |       |     | NWNW  |       |     |       |       |     | SESW  |       |

Conditions of Approval:

|     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | 046 | Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.                                                                                                                                                                                                                                                                                            |
| 2.  | R05 | 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.                                                                                                                                                                                              |
| 3.  | 115 | Prior to the diversion and use of water under Transfer approval 73592, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications. Water diverted from the irrigation well within SESESE Sec 13, T12S, R20E, for use at the dairy must be measured independently from the irrigation water also diverted from the well. |
| 4.  | R02 | A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.                                                                                                                                                                                                                                                            |
| 5.  | 106 | 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.                                                                                                                                                                                                                                  |
| 6.  | 082 | Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.                                                                                                                                                                                                                                                                                                       |
| 7.  |     | Commercial use is for a dairy.                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8.  | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.                                                                                                                                                                                                                                                                                                                             |
| 9.  | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.                                                                                                                                                                                                                                                                                                          |
| 10. | T19 | 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.                                                                                                         |

Dates:

Licensed Date:

Decreed Date: 07/05/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 140

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

12

7

8

13

18

17

ADD EXISTING

ADD EXISTING



new

new

new

24

19

20

25

30

29