

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75846**

This is to certify that: DONALD JOHN AARDEMA
2306 E 3600 S
WENDELL ID 83355

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>
36-2726C	WR/Decreed	05/23/1962	1.83 cfs	N/A	91.7	524.4	GROUND WATER
36-2726D	WR/Decreed	05/23/1962	0.22 cfs	35.5 af			GROUND WATER
36-15256D	WR/Decreed	03/15/1975	0.11 cfs	35.5 af			GROUND WATER
36-8169	WR/Decreed	04/06/1983	0.26 cfs	20 af			GROUND WATER

Associated Water Right Included in Transfer (Conditions Updated and Acres Conformed to PPU)

*36-15256C	WR/Decreed	03/15/1975	0.92 cfs	N/A		524.4	GROUND WATER
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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>
36-2726C	YES	NO	YES	YES	YES	YES
36-2726D	NO	NO	YES	YES	NO	NO
36-15256D	NO	NO	YES	YES	NO	NO
36-8169	NO	NO	YES	NO	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>
36-2726C	36-16763	0.08 cfs	13.5 af	N/A		36-16762	1.75 cfs	350.8 af	87.7	401.6
36-2726D	36-2726D	0.22 cfs	35.5 af	N/A			N/A	N/A	N/A	N/A
36-15256D	36-15256D	0.11 cfs	35.5 af	N/A			N/A	N/A	N/A	N/A
36-8169	36-8169	0.26 cfs	20.0 af	N/A			N/A	N/A	N/A	N/A
						*36-15256C	0.92 cfs	366.8 af	91.7	401.6
COMBINED TOTALS		0.56 cfs	104.5 af				1.75 cfs	717.6 af	179.4	401.6

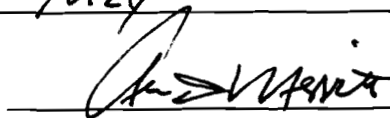
SUPPORT DATA

IN FILE # 36-2726C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75846

Detailed Water Right Description(s) attached

Dated this 19th day of May, 2010



Southern Region Manager

WATER RIGHT NO. 36-16762
As Modified by Transfer No. 75846

In accordance with the approval of Transfer No. 75846, Water Right No. 36-16762 is now described as follows.

Right Holder: DONALD JOHN AARDEMA
 2306 E 3600 S
 WENDELL ID 83355

Priority Date: May 23, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.75 CFS	350.8 AF
			1.75 CFS	350.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 2 Twp 09S Rge 15E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	15E	2					30.0	32.0	35.0	32.0	39.0	30.0	20.0	22.0		5.1	1.4		246.5
							L 3	L 4											
09S	15E	3	34.0	1.5	1.6	38.0									40.0	1.0	14.0	25.0	155.1
			L 1	L 2															

Total Acres: 401.6

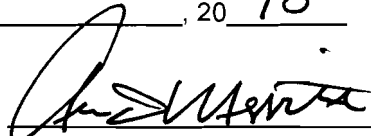
WATER RIGHT NO. 36-16762
As Modified by Transfer No. 75846

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 87.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-16762 and 36-15256C when combined shall not exceed a total diversion rate of 1.75 cfs, a total annual maximum diversion volume of 717.6 af at the field headgate, and the irrigation of 179.4 acres.
3. Use of this right is combined with water from North Side Canal Co. Ltd.
4. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
5. Right No. 36-15256C is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Right No. 36-15256C is also diverted through the point of diversion described above.
7. 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 19th day of May, 20 10


Southern Region Manager

WATER RIGHT NO. 36-16763
As Modified by Transfer No. 75846

In accordance with the approval of Transfer No. 75846, Water Right No. 36-16763 is now described as follows.

Right Holder: DONALD JOHN AARDEMA
 2306 E 3600 S
 WENDELL ID 83355

Priority Date: May 23, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.08 CFS	13.5 AF
COMMERCIAL	01/01	to 12/31	0.08 CFS	13.5 AF
			0.08 CFS	13.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 15E 35															X	X	

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 15E 35																X	

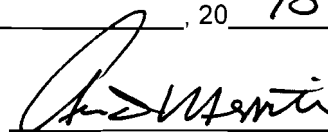
WATER RIGHT NO. 36-16763
As Modified by Transfer No. 75846

CONDITIONS OF APPROVAL

1. Rights 36-2726D, 36-8169, 36-15256D, and 36-16763 when combined shall not exceed a total diversion rate of 0.56 cfs.
2. 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. 130.
3. Prior to diversion and use of water under Transfer approval 75846, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
4. 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.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Commercial use is for a dairy.
7. The dairy operation authorized under this approval 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 permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year 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.

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 19th day of May, 2010



Southern Region Manager

WATER RIGHT NO. 36-2726D
As Modified by Transfer No. 75846

In accordance with the approval of Transfer No. 75846, Water Right No. 36-2726D is now described as follows.

Right Holder: DONALD JOHN AARDEMA
 2306 E 3600 S
 WENDELL ID 83355

Priority Date: May 23, 1962

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	0.22 CFS	35.5 AF
STOCKWATER	01/01	to 12/31	0.22 CFS	35.5 AF
			0.22 CFS	35.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 15E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 15E 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X X

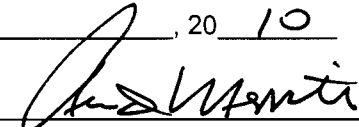
WATER RIGHT NO. 36-2726D
As Modified by Transfer No. 75846

CONDITIONS OF APPROVAL

1. Rights 36-2726D and 36-15256D when combined shall not exceed a total diversion rate of 0.22 cfs.
2. Rights 36-2726D, 36-8169, 36-15256D, and 36-16763 when combined shall not exceed a total diversion rate of 0.56 cfs.
3. Right 36-15256D is an expansion of Right 36-2726D pursuant to Section 42-1426, Idaho Code.
4. 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. 130.
5. Prior to diversion and use of water under Transfer approval 75846, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
6. 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.
7. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Commercial use is for a dairy.
9. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
10. 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.
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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 19th day of May, 20 10



Southern Region Manager

WATER RIGHT NO. 36-15256D
As Modified by Transfer No. 75846

In accordance with the approval of Transfer No. 75846, Water Right No. 36-15256D is now described as follows.

Right Holder: DONALD JOHN AARDEMA
2306 E 3600 S
WENDELL ID 83355

Priority Date: March 15, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.11 CFS	35.5 AF
COMMERCIAL	01/01	to 12/31	0.11 CFS	35.5 AF
			0.11 CFS	35.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

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>	
08S	15E	35															X	X	

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	<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>	<u>Totals</u>
08S 15E 35																X	

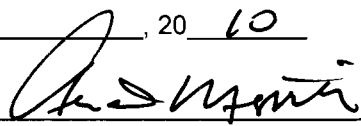
WATER RIGHT NO. 36-15256D
As Modified by Transfer No. 75846

CONDITIONS OF APPROVAL

1. Rights 36-2726D and 36-15256D when combined shall not exceed a total diversion rate of 0.22 cfs.
2. Rights 36-2726D, 36-8169, 36-15256D, and 36-16763 when combined shall not exceed a total diversion rate of 0.56 cfs.
3. Right 36-15256D is an expansion of Right 36-2726D pursuant to Section 42-1426, Idaho Code.
4. 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. 130.
5. Prior to diversion and use of water under Transfer approval 75846, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
6. 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.
7. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. Commercial use is for a dairy.
9. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
10. 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.
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.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 19th day of May, 20 10


Southern Region Manager

WATER RIGHT NO. 36-8169
As Modified by Transfer No. 75846

In accordance with the approval of Transfer No. 75846, Water Right No. 36-8169 is now described as follows.

Right Holder: DONALD JOHN AARDEMA
 2306 E 3600 S
 WENDELL ID 83355

Priority Date: April 06, 1983

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	0.03 CFS	4.0 AF
STOCKWATER	01/01	to 12/31	0.23 CFS	16.0 AF
			0.26 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

GROUND WATER SWSESE Sec. 35 Twp 08S Rge 15E GOODING County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 15E 35																X	

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 15E 35															X	X	

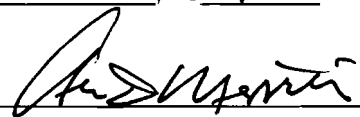
WATER RIGHT NO. 36-8169
As Modified by Transfer No. 75846

CONDITIONS OF APPROVAL

1. Rights 36-2726D, 36-8169, 36-15256D, and 36-16763 when combined shall not exceed a total diversion rate of 0.56 cfs.
2. 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. 130.
3. Prior to diversion and use of water under Transfer approval 75846, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
4. 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.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Commercial use is for a dairy.
7. The dairy operation authorized under this approval 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 permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year 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.

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 19th day of May, 2010


Southern Region Manager

WATER RIGHT NO. 36-15256C
As Modified by Transfer No. 75846

In accordance with the approval of Transfer No. 75846, Water Right No. 36-15256C is now described as follows.

Right Holder: DONALD JOHN AARDEMA
 2306 E 3600 S
 WENDELL ID 83355

Priority Date: March 15, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.92 CFS	366.8 AF
			0.92 CFS	366.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 2 Twp 09S Rge 15E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	15E	2					30.0	32.0	35.0	32.0	39.0	30.0	20.0	22.0		5.1	1.4		246.5
							L 3	L 4											
09S	15E	3	34.0	1.5	1.6	38.0									40.0	1.0	14.0	25.0	155.1
			L 1	L 2															

Total Acres: 401.6

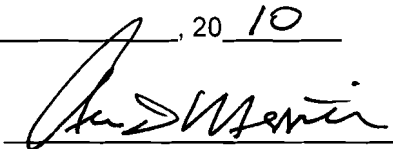
WATER RIGHT NO. 36-15256C
As Modified by Transfer No. 75846

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 91.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-16762 and 36-15256C when combined shall not exceed a total diversion rate of 1.75 cfs, a total annual maximum diversion volume of 717.6 af at the field headgate, and the irrigation of 179.4 acres.
3. Use of this right is combined with water from North Side Canal Co. Ltd.
4. This right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
5. This right is based upon an enlargement of Right No. 36-16762 pursuant to Section 42-1426, Idaho Code.
6. Right No. 36-16762 is also diverted through the point of diversion described above.
7. 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 19th day of May, 20 10


Southern Region Manager