

Transfer No. 75847

Receipt No.S031039

CORRECTED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED

1. Applicant Information DONALD JOHN AARDEMA
2306 E 3600 S
WENDELL ID 83355

DEC 23 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-8517	WR/License	0.04	16.3			GROUND WATER
36-2412D	WR/License	0.65	163.0			GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-8517	NO	YES	YES	NO	NO	NO
36-2412D	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Transfer moves water from one existing dairy to another so more cows can be milked at the new place of use. This will maximize production at Dairy #5 for maximum efficiency of system operation, while the golf course dairy will be shut down. The transfer also clarifies that there are two points of diversion at Dairy #5, and correctly describes the current place of use.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-8517	0.04 cfs			16.3 af
36-2412D	0.65 cfs			163.0 af
TOTAL	0.69 cfs			179.3 af

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

A handwritten signature in dark ink, appearing to read "Don Anderson", is written over a horizontal line.

(Signature of Applicant)

(Title or Office)

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

Current Water Right No. 36-8517

Priority Date: April 03, 1990
 Origin: Water Right
 Basis: License
 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>
STOCKWATER	01/01	12/31	0.04 CFS	16.3 AFA	Dairy
COMMERCIAL	01/01	12/31	0.04 CFS	16.3 AFA	Dairy
Total Diversion			0.04 CFS	16.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 1	Twp 09S	Rge 16E	JEROME County
GROUND WATER	SENE	Sec. 1	Twp 09S	Rge 16E	JEROME County

PLACE OF USE: STOCKWATER

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	16E	1				X													

PLACE OF USE: COMMERCIAL

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	16E	1				X													

Conditions/Remarks:

- Commercial use is for a dairy.
- The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right.

3. Use of water under this water right will be regulated by the watermaster of State Water District No. 130.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The dairy on this property will be shut down and no longer operated.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 36-2412D

Priority Date: January 22, 1960
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>
STOCKWATER	1/01	12/31	0.33 CFS	123.8 AFA	
COMMERCIAL	1/01	12/31	0.32 CFS	39.2 AFA	
	Total Diversion		0.65 CFS	163.0 AFA	

Source and Point(s) of Diversion:

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

PLACE OF USE: STOCKWATER

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		X	X														
				L 2															

Conditions/Remarks:

1. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-2412B, PER APPROVED TRANSFER #4841.
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

5. The total instantaneous diversion of water from all points of diversion under Transfer No. 4841 shall not exceed 0.65 cfs, nor total combined annual volume of 163.0 af.

Prior to diversion of water under this approval, the right holder shall install suitable measuring devices at all authorized points of diversion or shall enter into an agreement with the department to determine the total amount of water diverted from power record and shall annually report the information to the department.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

The remainder of Right No. 36-02412B is identified as 36-02412C and is limited to a diversion rate of 5.14 cfs, an annual diversion volume of 1288.0 af, and irrigation of 322.0 acres each year.

Prior to use of water for irrigation purposes under Right No.

36-02412C, the right holder shall install a measuring device to measure the amount of water diverted and shall annually report the diversion to the department. The right holder shall obtain prior approval from the department of the type of measuring device to install.

The acres which are no longer authorized for irrigation under Right No. 36-02412C are specifically described as follows: 36.0 acres located in SWNE, and 5.0 acres located in NWSE, S02, T09S, R15E.

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Yes

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The pou description is being corrected to reflect current usage.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Proposed Water Right No. 36-8517

Source: GROUND WATER

Source and Point(s) of Diversion:

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

Point of Diversion # 1 Existing well, motor, pump, pipelines to dairy (north well in tract)
Point of Diversion # 2 Existing well, motor, pump, pipelines to dairy (south well in tract)

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>
09S	15E	2		X	X											X			

[illegible]

Proposed Water Right No. 36-2412D

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>
STOCKWATER	1/01	12/31	0.33 CFS	123.8 AFA	
COMMERCIAL	1/01	12/31	0.32 CFS	39.2 AFA	
Total Diversion			0.65 CFS	163.0 AFA	

Source and Point(s) of Diversion:

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

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

Describe the proposed diversion system

Point of Diversion # 1 Existing well, motor, pump, pipelines to dairy (north well in tract)

Point of Diversion # 2 Existing well, motor, pump, pipelines to dairy (south well in tract)

PLACE OF USE: STOCKWATER

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>
09S	15E	2		X	X											X			

PLACE OF USE: COMMERCIAL

[illegible]

Dairy #2

POB
Bar

POB

Wells
Barn

T75847 Aardema

Corrals

