

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66920**

This is to certify that: BOX CANYON DAIRY
PO BOX 140
WENDELL ID 83355-0140
(208)536-2928

And

FRANS AARDEMA
1646 BOB BARTON HWY
WENDELL ID 83355-0140

And

CORNELIA AARDEMA
1646 BOB BARTON HWY
WENDELL ID 83355-0140

And

THOMAS HEIDA
PO BOX 140
WENDELL ID 83355-0140

And

MARY JANE HEIDA
PO BOX 140
WENDELL ID 83355-0140

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>
36-4117	AJC/Statutory Claim	03/15/1955	1.5 cfs	100 af		25.0	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>
36-4117	NO	NO	YES	NO	NO	NO

STATE OF IDAHO
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Associated Right Included In Transfer (Conditions Updated)

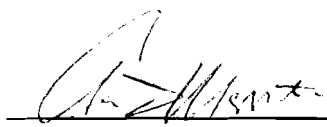
Right	Origin Basis	Priority	Rate	Volume	Total Acres	Source
36-2535	WR/Decreed	12/23/1961	1.42 cfs	392 af	98.0	GROUND WATER

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-4117	36-4117	0.5 cfs	100 af	25.0	74.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.5 cfs	100 af	25	74		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of December, 2009


for Chief, Water Allocation Bureau

WATER RIGHT NO. 36-4117
As Modified by Transfer No. 66920

In accordance with the approval of Transfer No. 66920, Water Right No. 36-4117 is now described as follows.

Right Holder: BOX CANYON DAIRY
PO BOX 140
WENDELL ID 83355-0140

And

FRANS AARDEMA
1646 BOB BARTON HWY
WENDELL ID 83355-0140

And

CORNELIA AARDEMA
1646 BOB BARTON HWY
WENDELL ID 83355-0140

And

THOMAS HEIDA
PO BOX 140
WENDELL ID 83355-0140

And

MARY JANE HEIDA
PO BOX 140
WENDELL ID 83355-0140

Priority Date: March 15, 1955

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	0.50 CFS	100.0 AF
			0.50 CFS	100.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSW Sec. 25 Twp 08S Rge 14E GOODING County

WATER RIGHT NO. 36-4117
As Modified by Transfer No. 66920

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
08S	14E	25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									19.0	34.0	14.0	7.0							74.0

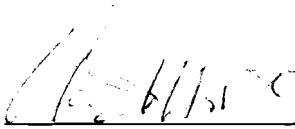
Total Acres: 74

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.
2. 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.
3. Use of this right is combined with water from the North Side Canal Co. Ltd.
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 the diversion and use of water under Transfer approval 66920, the right holder shall install and maintain an acceptable measuring device at the authorized point of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain a data logger to record water usage information at the authorized point of diversion in accordance with Department specifications.
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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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 7th day of December, 2009



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2535
As Modified by Transfer No. 66920

In accordance with the approval of Transfer No. 66920, Water Right No. 36-2535 is now described as follows.

Right Holder: BOX CANYON DAIRY
PO BOX 140
WENDELL ID 83355-0140

And

MARY JANE HEIDA
PO BOX 140
WENDELL ID 83355-0140

And

CORNELIA AARDEMA
1646 BOB BARTON HWY
WENDELL ID 83355-0140

And

THOMAS HEIDA
PO BOX 140
WENDELL ID 83355-0140

And

FRANS AARDEMA
1646 BOB BARTON HWY
WENDELL ID 83355-0140

Priority Date: December 23, 1961

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	0.78 CFS	155.2 AF
			0.78 CFS	155.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWSW Sec. 15 Twp 08S Rge 14E GOODING County

WATER RIGHT NO. 36-2535
As Modified by Transfer No. 66920

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	
08S 14E 15										38.0	0.8						38.8

Total Acres: 38.8

CONDITIONS OF APPROVAL

1. The portion of Right 36-2535 in excess of 0.78 cfs, 38.8 acres and 155.2 afa shall be considered forfeited through approval of Transfer 66920.
2. Use of this right is combined with water from the North Side Canal Co. Ltd.
3. 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 8/27/2001.
4. 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 _____ day of December, 2009



 Chief, Water Allocation Bureau

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