

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75373

This is to certify that: JOHN W VAN BEEK and DIANNE VAN BEEK
83 W 600 S
JEROME ID 83338
(208)324-8904

have 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>
36-8398	WR/License	02/14/1995	0.51 cfs	121 af			GROUND WATER
36-16717	WR/Decreed	05/23/1962	0.09 cfs	15 af			GROUND WATER
36-16720	WR/Decreed	03/15/1975	0.05 cfs	15 af			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>
36-8398	NO	NO	YES	NO	NO	NO
36-16717	NO	YES	YES	YES	NO	NO
36-16720	NO	YES	YES	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>
36-8398	36-8398	0.51 cfs	121 af	N/A			N/A	N/A	N/A	N/A
36-16717	36-16717	0.09 cfs	15 af	N/A			N/A	N/A	N/A	N/A
36-16720	36-16720	0.05 cfs	15 af	N/A			N/A	N/A	N/A	N/A
COMBINED TOTALS		0.6 cfs	151 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of October, 2009

SUPPORT DATA

IN FILE # 36-8398

for 
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16717
As Modified by Transfer No. 75373

In accordance with the approval of Transfer No. 75373, Water Right No. 36-16717 is now described as follows.

Right Holder: JOHN W VAN BEEK
83 W 600 S
JEROME ID 83338

And

DIANNE VAN BEEK
83 W 600 S
JEROME ID 83338

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	0.09 CFS	15.0 AF
STOCKWATER	01/01	to 12/31	0.09 CFS	15.0 AF
			0.09 CFS	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 3 Twp 09S Rge 16E JEROME County

GROUND WATER SESESE Sec. 3 Twp 09S Rge 16E JEROME County

PLACE OF USE: COMMERCIAL

[illegible]

PLACE OF USE: STOCKWATER

[illegible]

WATER RIGHT NO. 36-16717
As Modified by Transfer No. 75373

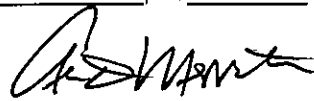
CONDITIONS OF APPROVAL

1. Rights 36-16717 and 36-16720 when combined shall not exceed a total diversion rate of 0.09 cfs, and a total annual maximum diversion volume of 30 af at the field headgate.
2. Rights 36-8398, 36-16717 and 36-16720 when combined shall not exceed a total diversion rate of 0.60 cfs, and a total annual maximum diversion volume of 151 af at the field headgate.
3. Right No. 36-16720 is an enlargement of Right No. 36-16717 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 the diversion and use of water under Transfer approval 75373, the right holder shall install and maintain acceptable measuring devices at the authorized points 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 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 2nd day of October, 20 09

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Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16720
As Modified by Transfer No. 75373

In accordance with the approval of Transfer No. 75373, Water Right No. 36-16720 is now described as follows.

Right Holder: JOHN W VAN BEEK
83 W 600 S
JEROME ID 83338

And

DIANNE VAN BEEK
83 W 600 S
JEROME ID 83338

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>
COMMERCIAL	01/01 to	12/31	0.05 CFS	15.0 AF
STOCKWATER	01/01 to	12/31	0.05 CFS	15.0 AF
			0.05 CFS	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 3 Twp 09S Rge 16E JEROME County

GROUND WATER SESESE Sec. 3 Twp 09S Rge 16E JEROME County

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 3																X	

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 3																X	

WATER RIGHT NO. 36-16720
As Modified by Transfer No. 75373

CONDITIONS OF APPROVAL

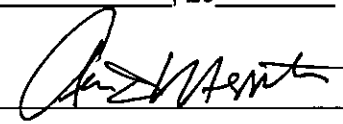
1. Rights 36-16717 and 36-16720 when combined shall not exceed a total diversion rate of 0.09 cfs, and a total annual maximum diversion volume of 30 af at the field headgate.
2. Rights 36-8398, 36-16717 and 36-16720 when combined shall not exceed a total diversion rate of 0.60 cfs, and a total annual maximum diversion volume of 151 af at the field headgate.
3. Right No. 36-16720 is an enlargement of Right No. 36-16717 pursuant to Section 42-1426, Idaho Code.
4. This water 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. 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.
6. Prior to the diversion and use of water under Transfer approval 75373, the right holder shall install and maintain acceptable measuring devices at the authorized points 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.
7. 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.
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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.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 36-16720
As Modified by Transfer No. 75373

14. 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 2nd day of October, 2009

For 
Chief, Water Allocation Bureau

WATER RIGHT NO. 36-8398
As Modified by Transfer No. 75373

In accordance with the approval of Transfer No. 75373, Water Right No. 36-8398 is now described as follows.

Right Holder: JOHN W VAN BEEK
 83 W 600 S
 JEROME ID 83338

And

DIANNE VAN BEEK
 83 W 600 S
 JEROME ID 83338

Priority Date: February 14, 1995

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	0.51 CFS	121.0 AF
COMMERCIAL	01/01 to	12/31	0.51 CFS	121.0 AF
			0.51 CFS	121.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESE Sec. 3 Twp 09S Rge 16E JEROME County

GROUND WATER SESESE Sec. 3 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	3																	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	3																	X

WATER RIGHT NO. 36-8398
As Modified by Transfer No. 75373

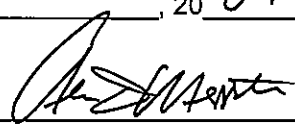
CONDITIONS OF APPROVAL

1. Rights 36-8398, 36-16717 and 36-16720 when combined shall not exceed a total diversion rate of 0.60 cfs, and a total annual maximum diversion volume of 151 af at the field headgate.
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.
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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. The right holder shall accomplish the change authorized by this transfer within one (1) year 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.

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 2nd day of October, 2009

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Chief, Water Allocation Bureau