

CORRECTEDTransfer No. 72954
Receipt No. S028422

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

RECEIVED**AUG 13 2009****DEPT. OF WATER RESOURCES**
SOUTHERN REGION

1. Applicant Information AARDEMA FARMS LTD PARTNERSHIP
 2306 E 3600 S
 WENDELL ID 83355
 (208)539-1614

Will this transfer result in an ownership change? _____ Yes ☒ No

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-14035B	WR/License	0.42	131.0			GROUND WATER
36-14035C	WR/Decreed	6.45			523.6	GROUND WATER
36-2586C	WR/Decreed	2.96	898.3	340.2	523.6	GROUND WATER
36-2586B	WR/Decreed	0.20	84.5			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
36-14035B	NO	NO	YES	NO	NO	NO
36-14035C	YES	NO	YES	YES	YES	YES
36-2586C	YES	NO	YES	YES	YES	YES
36-2586B	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

This application proposes to increase the volume of water available on this property to allow the existing dairy to be expanded. The application also clarifies the points of diversion and place of use for the existing dairy rights; there is no longer any stockwater use in Sec. 10.

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
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36-14035B	0.42 cfs	131.0 af
36-16449	0.19 cfs	37.8 af
36-16447	0.19 cfs	138.2 af
36-2586B	0.20 cfs	84.5 af
TOTAL	1.00 cfs	307.0 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.



(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20_____.

(Notary Public)

My commission expires _____

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

Current Water Right No. 36-14035B

Priority Date: May 26, 1976
 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	0.42 CFS	85.1 AFA	
COMMERCIAL	1/01	12/31	0.42 CFS	45.9 AFA	
Total Diversion			0.42 CFS	131.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESE Sec. 9 Twp 07S Rge 17E JEROME County

GROUND WATER SESE Sec. 9 Twp 07S Rge 17E 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	
07S	17E	9																	X
07S	17E	10											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	
07S	17E	9																	X

Conditions/Remarks:

1. 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.

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2. USE OF RIGHT NOS. 36-02586B AND 36-14035B IS LIMITED TO A TOTAL COMBINED DIVERSION VOLUME OF 85.1 AF FOR STOCKWATER AND 45.9 AF FOR COMMERCIAL USE AND A COMBINED TOTAL OF 131.0 AF.
3. TWO POINTS OF DIVERSION LOCATED IN T07S, R17E, S09, SESE.
4. A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

There is no longer any stockwater use in Sec. 10.

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. 36-14035C

Priority Date: May 26, 1976
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>
IRRIGATION	3/15	11/15	6.45 CFS		
	Total Diversion		6.45 CFS		

Source and Point(s) of Diversion:

GROUND WATER SENESE Sec. 9 Twp 07S Rge 17E JEROME 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	
07S	17E	8									36.0	37.0		30.0					103.0
07S	17E	9								40.0	40.0	13.0	20.0	20.1	40.0	25.0			198.1
07S	17E	10						35.0	40.0	35.0	35.0	40.0	37.5						222.5

Total Acres: 523.6

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02586C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.41 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2094.4 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-02586C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 523.6 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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.
4. USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

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5. RIGHT NO. 36-02586C IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 36-07506 AND 36-07624.

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

Land will be dried up and not irrigated.

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. 36-2586C

Priority Date: January 28, 1964
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>
IRRIGATION	5/01	9/30	2.96 CFS	898.3 AFA	
	Total Diversion		2.96 CFS	898.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENESE Sec. 9 Twp 07S Rge 17E JEROME 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	
07S 17E 8													36.0	37.0		30.0	103.0
07S 17E 9									40.0	40.0	13.0	20.0	20.1	40.0	25.0		198.1
07S 17E 10							35.0	40.0	35.0	35.0	40.0	37.5					222.5

Total Acres: 523.6

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-14035C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.41 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2094.4 AF.
2. 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 MAY 1 AND AFTER SEPTEMBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH RIGHT NO. 36-14035C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 523.6 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 340.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

4. 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.
5. USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
6. RIGHT NO. 36-14035C IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

Land will be dried up and not irrigated.

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. 36-2586B

Priority Date: January 28, 1964
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	0.20 CFS	54.9 AFA	
COMMERCIAL	1/01	12/31	0.20 CFS	29.6 AFA	
	Total Diversion		0.20 CFS	84.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 9 Twp 07S Rge 17E JEROME County
GROUND WATER	SESE	Sec. 9 Twp 07S Rge 17E 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	
07S 17E 9																	X
07S 17E 10											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	
07S 17E 9																	X

Conditions/Remarks:

- USE OF RIGHT NOS. 36-02586B AND 36-14035B IS LIMITED TO A TOTAL COMBINED DIVERSION VOLUME OF 85.1 AF FOR STOCKWATER AND 45.9 AF FOR COMMERCIAL USE AND A COMBINED TOTAL OF 131.0 AF.
- TWO POINTS OF DIVERSION LOCATED IN T07S, R17E, S09, SESE.

3. 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.

Documentation of Ownership of the Current Place of Use
Warranty Deed

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

Transfer corrects pou description for stockwater usage to reflect actual location of corrals.

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. 36-14035B

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.42 CFS	85.1 AFA	
COMMERCIAL	01/01 12/31	0.42 CFS	45.9 AFA	Dairy
Total Diversion		0.42 CFS	131.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 9 Twp 07S Rge 17E JEROME County

GROUND WATER SESESE Sec. 9 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system

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

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

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>	
07S	17E	9																X	
09S	17E	9															X		

PLACE OF USE: COMMERCIAL

[illegible]

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-16449

Priority Date: May 26, 1976

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.19 CFS	37.8 AFA	Dairy
STOCKWATER	01/01 12/31	0.19 CFS	37.8 AFA	
Total Diversion		0.19 CFS	37.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESESE Sec. 9 Twp 07S Rge 17E JEROME County

GROUND WATER SESESE Sec. 9 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system

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

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

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	
07S 17E 9																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	
07S 17E 9																X	
09S 17E 9															X		

Proposed Water Right No. 36-16447

Status: Active

<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	0.19 CFS	138.2 AFA	
COMMERCIAL	01/01	12/31	0.19 CFS	138.2 AFA	Dairy
Total Diversion			0.19 CFS	138.2 AFA	

GROUND WATER	SESESE	Sec. 9	Twp 07S	Rge 17E	JEROME County
GROUND WATER	SESESE	Sec. 9	Twp 07S	Rge 17E	JEROME County

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

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>	
07S	17E	9																X	
09S	17E	9															X		

[illegible]

Proposed Water Right No. 36-2586B

Status: Active

<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	0.20 CFS	54.9 AFA	
COMMERCIAL	1/01	12/31	0.20 CFS	29.6 AFA	
Total Diversion			0.20 CFS	84.5 AFA	

GROUND WATER SESESE Sec. 9 Twp 07S Rge 17E JEROME County

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

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>	
07S	17E	9																X	
09S	17E	9															X		

[illegible]

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3B**

PORTION OF RIGHT No. 36-14035C BEING TRANSFERRED

Priority Date: May 26, 1976

Origin:

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>
IRRIGATION	03/15 11/15	0.19 CFS	164.5 AFA	
	Total Diversion	0.19 CFS	164.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENESE Sec. 9 Twp 07S Rge 17E JEROME 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	
07S 17E 8													18.2				18.2
07S 17E 9									2.9	2.2			23.8	12.4			41.3
07S 17E 10							6.2			6.3							12.5

Total Acres: 72

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTION OF RIGHT No. 36-2586C BEING TRANSFERRED

Priority Date: January 28, 1964

Origin:

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>
IRRIGATION	05/01 09/30	0.19 CFS	123.6 AFA	
	Total Diversion	0.19 CFS	123.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENESE Sec. 9 Twp 07S Rge 17E JEROME 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	
07S 17E 8													18.2				18.2
07S 17E 9									2.9	2.2			23.8	12.4			41.3
07S 17E 10							6.2			6.3							12.5

Total Acres: 72

Corrals

T72954 Aardema

PDs

SE/SE Sec. 9

Barn



