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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

APR - 9 2003

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Name of Applicant

Clear Springs Foods, Inc.

Phone (208) 543-4316

Post Office address

P.O. Box 712, Buhl, Idaho 83316

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☒ Other Mitigation
2. Describe the reason for the proposed changes To provide mitigation from new ground water use for food processing.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|--------------|----------|--------------------|---------------|---------------|
| 36-7201 | 8/4/1971 | 2.0 cfs | Industrial* | 1/1 to 12/31 |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 2.0 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	SE	2	09S	14E	Gooding	New Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	2														I*			I*

* Mitigation for new permit

Total acres I*

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PART 1

6. General Information:

- a. Description of diversion system New well, pump and piping
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
To mitigate the proposed change in source from spring water to ground water for the processing facility, current diversion rates and points of release will be maintained for the processing portion (2.0 cfs) of this water right. See attached mitigation plan.
- d. Remarks:
Please reference the attached 'Application for Permit to Appropriate the Public Waters of the State of Idaho'

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 36-7201 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice
 ☐ Warranty Deed
 ☐ Other _____
3. Source of water Spring tributary to Clear Lakes4. Date of priority 08/04/1971

5. Water is used for the following purpose:

Amount 2.0 cfs for Industrial purposes from 1/1 to 12/31
(cfs/ac-ft)

Amount 8.0 cfs for Fish Prop. purposes from 1/1 to 12/31
(cfs/ac-ft)

Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 10 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SW	NE	2	9S	14E	Gooding	Clear Spring
	NW	NW	SE	2	9S	14E	Gooding	Clear Spring

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	2														I, FP			I, FP

Total acres I, FP

9. Describe any other water rights used for the same purpose as described above

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 2.0 for Industrial purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	NW	SE	2	9S	14E	Gooding	Clear Spring

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	2														I			I

Total acres I

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 8.0 cfs for Fish Prop. purposes from 1/1 to 12/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SW	NE	2	9S	14E	Gooding	Clear Spring

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	2														FP			FP

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Total acres FP

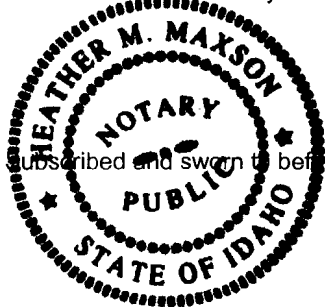
PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Industrial/Mitigation</u>	<u>2.0 cfs</u>	<u>year</u>	<u>1/1</u> to <u>12/31</u>
			to
2. Quantity and quality of return flows and location of discharge:
Historical discharges to Clear Lakes (treated processing water and cooling water)
Maintained—only source water changes. Historical discharge to creek maintained.
3. Describe the effects on other water uses resulting from the proposed change:
Flow in Clear Lakes increased by amount of groundwater diversion. Other water users
Along the creek flowing from the associated spring will experience no disruption due
to continued diversion and discharge to match historical pattern.

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.



Charles Brockway
 (Signature of Applicant)
 Subscribed and sworn to before me this 7th day of April, 2003.
Heather M. Maxson
 (Notary Public)

My commission expires 2-24-09

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 2 attachments

Received by J. F. Date 4-10-03 Protest filed by _____

Prelim. check by J. F. Fee 580 (fee included permit app. too) 50,256.2

Received by J. F. Date 4-10-03

Published in Gooding Co. Leader Copies of protest forwarded by _____

Pub. dates 6/19 & 6/26/03 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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 APR 25 2003