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NOV 18 2004

WATER RESOURCES
WESTERN REGIONState of Idaho
Department of Water Resources
Application for Transfer of Water Right
Part I

Transfer No.

73341

AMENDED

Name of applicant Sundance Investment LTD, PartnershipPhone 208-322-7300Address 9100 W. Blackeagle Dr., Boise, ID 83709

A. Purpose of Transfer

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Existing ground water point of diversion would be relocated to another existing well, owned and maintained by the same owner. The irrigation well will be used to irrigate landscape areas on the commercial lots within the subdivision as well as common lot areas landscaped within the subdivision.

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
	<u>63-31194</u>	<u>07/22/1988</u>	<u>0.62 cts</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.62 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local Name for Diversion
		<u>NE</u>	<u>NW</u>	<u>21</u>	<u>3N</u>	<u>1E</u>	<u>ADA</u>	<u>Groundwater</u>
		<u>SW</u>	<u>NW</u>					
		<u>CEA</u>	<u>CEA</u>					

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	
<u>3N</u>	<u>1E</u>	<u>21</u>					<u>21</u>		<u>40</u>		<u>28</u>								<u>* 80</u>
							<u>40</u>		<u>CEA</u>		<u>CEA</u>								
							<u>CEA</u>												

* 48.5 Acre within an 80 Acre Parcel

Total Acres * 80

PART 1**6. General Information:**a. Description of diversion system Groundwater Well

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The land will be developed into an commercial subdivision. The groundwater
irrigation well will supply irrigation water to landscape areas on individual
commercial lots as well as irrigation water to common lots within the subdivision
and landscape area within the right - of -way

d. Remarks:

Purpose of transfer is to continue beneficial use of rights on same acres.

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 _____.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-31194B

Priority Date: 07/22/1988

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.62 CFS	218.2 AFA	
Total Diversion		0.62 CFS	218.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENW 03N 01E 21 ADA

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	
03N 01E 21					20.5				28.0								48.5

Total Acres: 48.5

Conditions/Remarks:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
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. This water right is appurtenant to the described place of use.
4. The use of water for irrigation under this right may begin as early as April 1 , provided other elements of the right are not exceeded. The use of water before April 15 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.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-31194B

Documentation of Ownership of the Current Place of Use

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

No
Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

None
To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

No

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 _____ for _____ purposes from _____ to _____
 (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

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

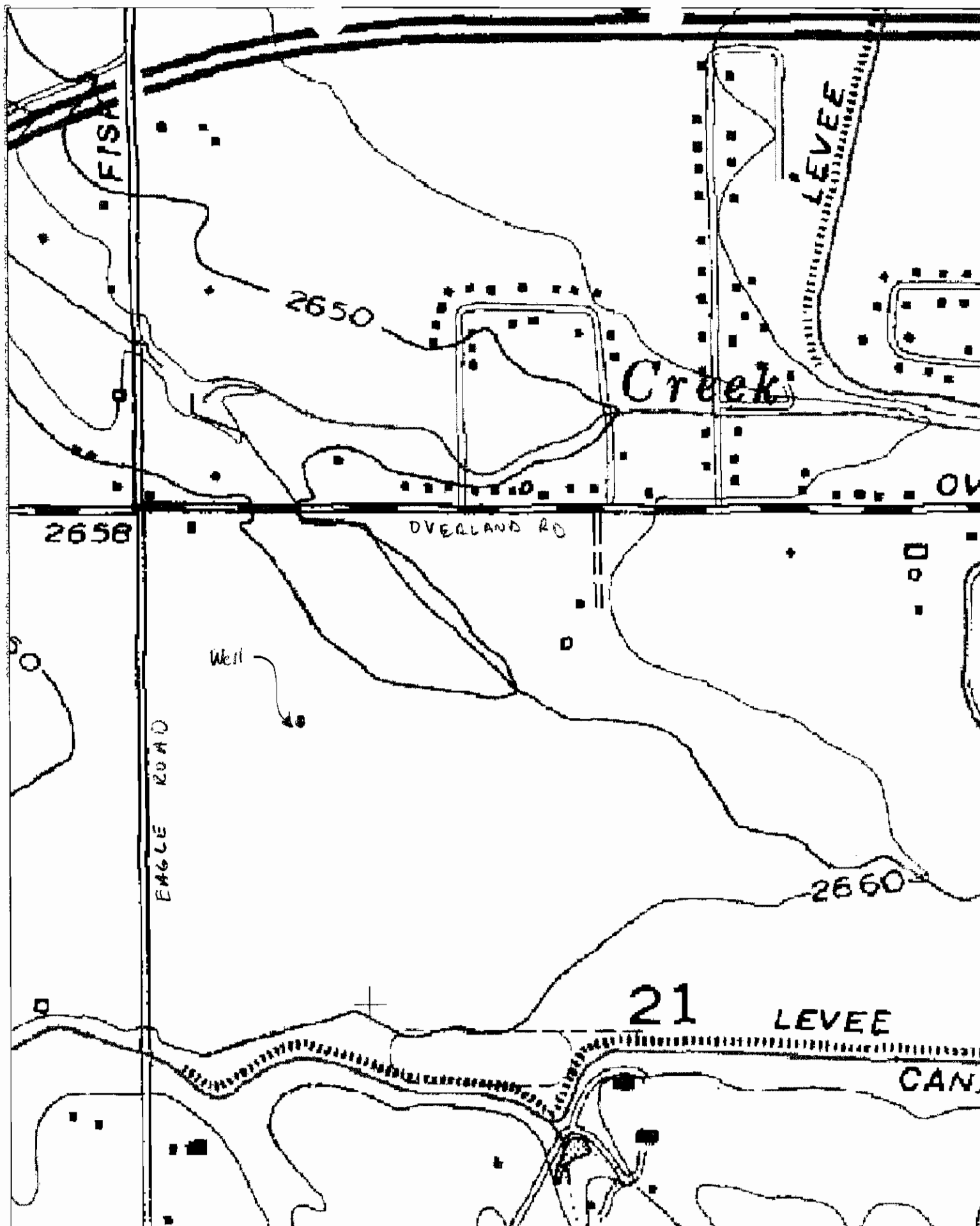
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	

Total acres _____





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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	Irrigation	0.62		3-15 to 11-15
				to

2. Quantity and quality of return flows and location of discharge:

NONE

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

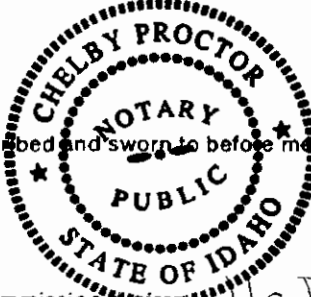
Other surrounding water users should be unaffected by the proposed change

There shall be no additional ground water being utilized. The same amount of groundwater or less will be used for irrigation.

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.

Subscribed and sworn to before me this 24th day of May, 19 2004

 Cel. Anderson
(Signature of Applicant)

Chelby Proctor
(Notary Public)

My commission expires 16 Dec 05

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

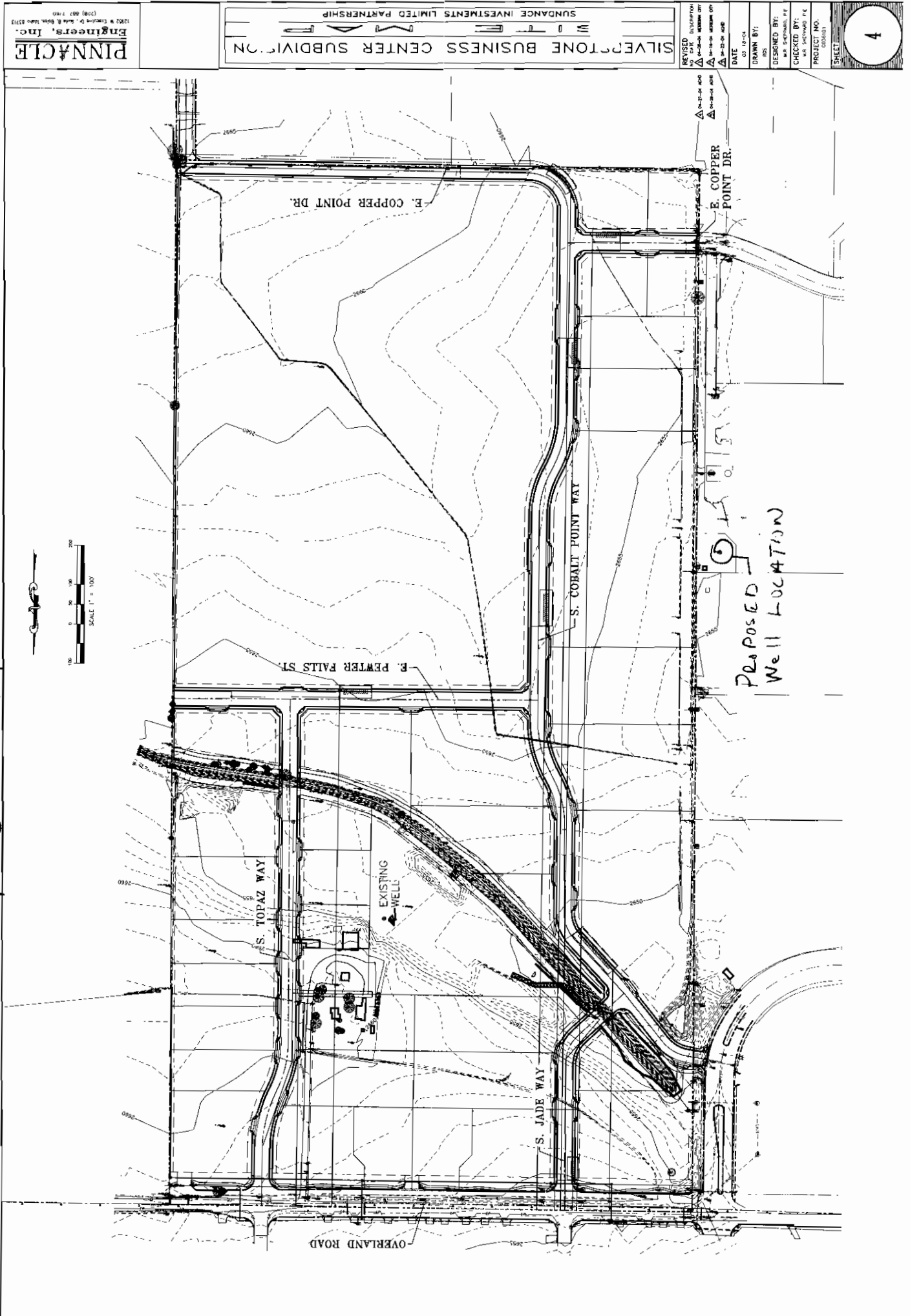
Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

EXISTING WELL LOCATION



Date: May 18, 2004

Application for Transfer Narrative Description
In the Name of Sundance Investment LTD Partnership

RECEIVED

MAY 27 2004

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 26 2004

Department of Water Resources

The application proposes to change the diversion location of an existing groundwater well to another existing groundwater well. The rate requested to be transferred is 0.62 cts. during the irrigation season. The current authorized use of right 63-31194 is for irrigation. The water right if transferred to the new diversion location will also be used for irrigation.

The existing ground that water right 63-31194 irrigates has historically been alfalfa. The Sundance Investment LTD, Partnership, the owner of the water right, is developing same ground into a commercial subdivision if transferred the water right 63-31194 would be used to irrigate landscape areas located within the lots and to irrigate landscaped common lot areas within the subdivision. The water right will also be used to irrigate landscape areas within the street right-of-way.

The lands to which the water right is appurtenant, and have been continuously irrigated. Based on the above discussion this transfer will not result in an enlargement of the water right or cause injury to other water rights because the number of acres to which the water right will be applied and the consumption use of water will not increase.

The transfer proposes to apply all water right under water right 63-31194 to recognize beneficial uses, and will continue beneficial use of the water right. The transfer also will facilitate the use of groundwater without depleting the resource. For these reasons, the transfer is in the public interest.