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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71422

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MAY 09 2005

Amended APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Name ChandlerNotch Butte Farms, LLCPhone (208) 644-1730Post Office address P.O. Box 486 Jerome, ID 83338

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 Create PPU
2. Describe the reason for the proposed changes Amend and combine transfer #71422 and #71437 to
allow more flexible water management for subject property. Waste water application
from offsite will be utilized for additional irrigation to the extent available.

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>37-2532A</u> | <u>10/13/1952</u> | <u>0.77 cfs</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| <u>37-2804A</u> | <u>8/7/1952</u> | <u>0.64 cfs</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| <u>37-20840</u> | <u>11/29/1960</u> | <u>4.02 cfs</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| | | | | to |
2. Total amount of water being transferred 5.43 cubic feet per second and/or 1189.3 acre-feet per annum.
3. Source of water Groundwater tributary to n/a
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
2	NE	SW	NW	31	06S	17E	Lincoln	Existing 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	
06S	17E	30											Lot 4 56	40			40		136
		31	40	40	40	40	40	Lot 1 56	Lot 2 16	40									312

PART 1

6. General Information:

a. Description of diversion system Deep well with pump to distribution system including pivots
hand lines, and wheel lines. Waste water from offsite also diverted into and
from distribution system for additional irrigation as available.

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:

None

d. Remarks:

*Total ground water irrigation from these water rights limited to 339.9 acres
within 448 acre PPU.

BLM Water right 37-20841 also diverted from POD. See also attached narrative.

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____.

Page _____ of _____

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. 37-2532A Decreed to Notch Butte Farms LLC
in case of SRBA vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 Groundwater tributary to n/a4. Date of priority 10/13/1952

5. Water is used for the following purpose:

Amount 0.77 cfs for Irrigation purposes from 4/15 to 10/31
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.77 cubic feet per second and/or 462 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
2	NE	SW	NW	31	06S	17E	Lincoln	Well

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	
06S	17E	31			40	40			12	40									132
									L-2										

Total acres 1329. Describe any other water rights used for the same purpose as described above 37-2804AWater rights using same POD = 37-20840 & 37-20841

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	

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

Total acres _____

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	

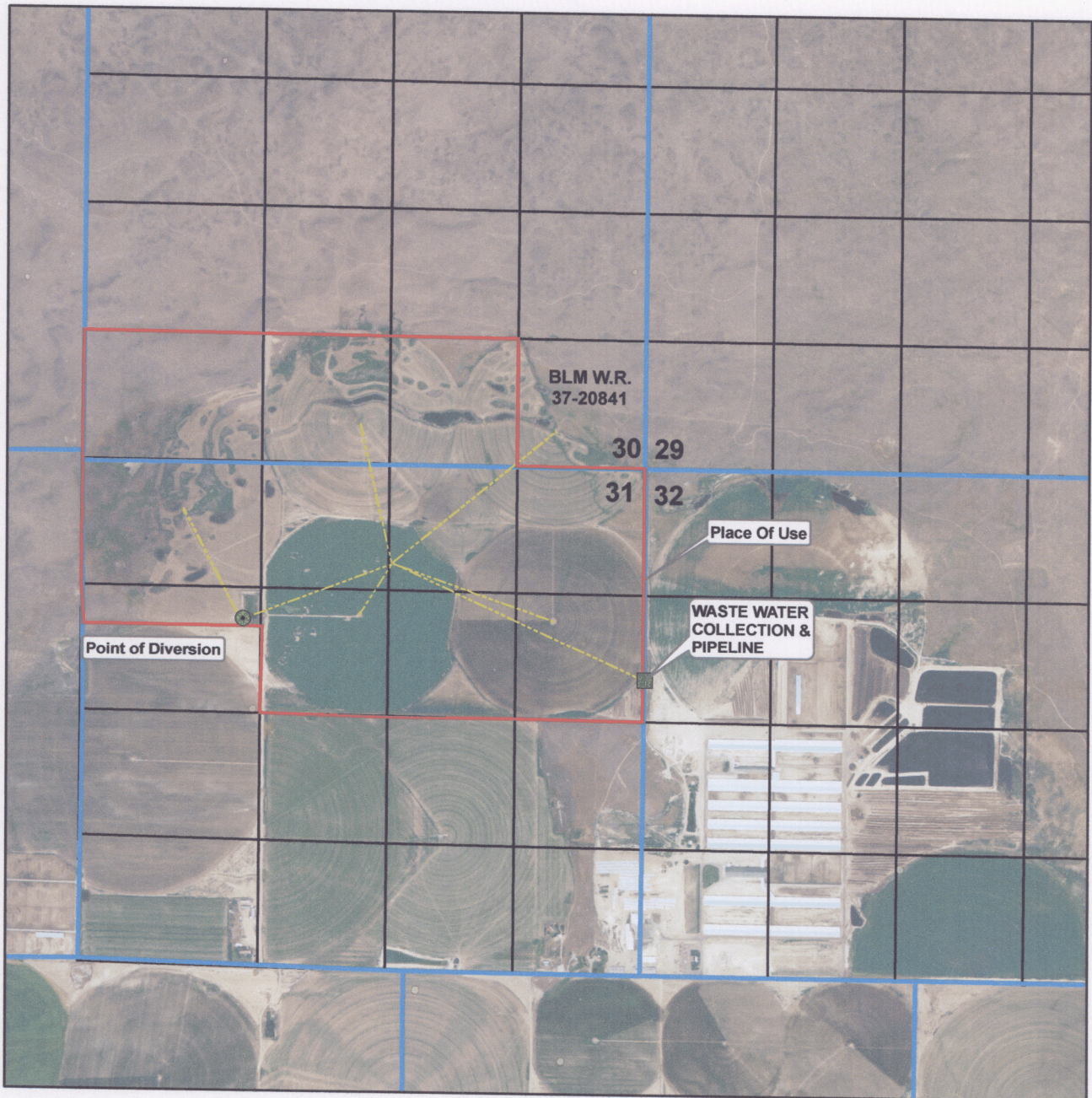
Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



0 500 1,000 2,000 3,000 4,000 Feet

Legend

- WASTER WATER SUMP
- Point Of Diversion (Well)
- Place Of Use
- t06s17e
- sections
- PIPES



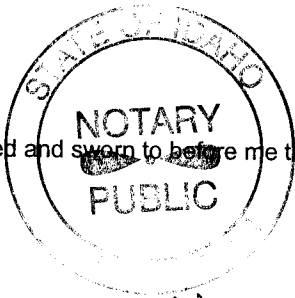
PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)
- _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge:

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

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 _____ day of _____, 2005.

18TH

day of

(Signature of Applicant)

May

5-9-05

2005.

(Notary Public)

My commission expires November 18, 2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by J. P. Stanton Date 5-9-05

Protest filed by _____

Prelim. check by JP Fee \$50, 5027676

Received by JP Date 5-18-05

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 _____

RECEIVED

MAY 09 2005

Department of Water Resources
Southern Region

Narrative in Support of Amended Transfer
Water Rights 37-2532A, 37-2804A & 37-20840
Prepared by Jeffrey S. Rau, P.E.
Revised by Jason C. Helms, EIT (5/9/05)
Brockway Engineering, PLLC

Amended Transfer Intent (Proposed Combination of Transfer No's 71422, 71437)

The original intent of these transfers was to change the place of use under these rights to reflect the exact irrigated acres under the irrigation distribution system Davis North property of the Notch Butte Farms site with specific portions of the property related to the specific transfers. **Since the time of the original submittal, it has been determined that additional flexibility is required to maximize the efficiency and productivity of the subject property primarily with respect to the addition of offsite wastewater.** It is hoped that these proposed changes in the transfer will be of such nature that re-advertisement will be unnecessary and additional processing time will be minimal.

The ground water rights will allow a total of 339.2 acres of irrigation within the place of use noted on the attached maps which will now consist of the entirety of the irrigable area under ownership. A GIS map is included in Part 3 showing the area proposed for authorized diversion of the ground water rights.

Water right 37-20841 currently owned by the U.S. Bureau of Land Management is also diverted from the existing well for irrigation of that portion of the northeastern pivot which lies on BLM lands.

This amended transfer does not propose any change in the point of diversion and does not create an expansion of use of the water. Recently, a portion of wastewater from the dairy east of the place of use proposed in this amended transfer has been diverted into the irrigation system and will be used for additional irrigation within the place of use of these water rights to the extent that it is available, appropriate and manageable.

Since no change is proposed in the original point of diversion for these water rights, no mitigation analysis based on increased Snake River reach impacts is required to accomplish this transfer.