

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70998

This is to certify that: ANN S ANDERSEN And
LARMAN D ANDERSEN
3375 W 2780 N
MOORE ID 83255
(208)527-3329

has 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>
34-2412C	WR/Decreed	04/13/1961	3.52 cfs	552.6 af	N/A	142.1	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>
34-2412C	NO	YES	NO	NO	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>
34-2412C	34-2412C	3.52 cfs	552.6 af	142.1	142.1		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.52 cfs	552.6 af	N/A	142.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of August, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2412C
As Modified by Transfer No. 70998

In accordance with the approval of Transfer No. 70998, Water Right No. 34-2412C is now described as follows.

Right Holder: LARMAN D ANDERSEN And
 ANN S ANDERSEN
 3375 W 2780 N
 MOORE ID 83255

Priority Date: April 13, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.52 CFS	522.6 AF
			3.52 CFS	552.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSWSW	Sec. 4	Twp 04N	Rge 26E	BUTTE County
GROUND WATER	NWNESW	Sec. 9	Twp 04N	Rge 26E	BUTTE 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	
04N	26E	4										38.0	4.0						42.0
04N	26E	16					33.0	34.6		32.5									100.1

Total Acres: 142.1

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 34-2412C
As Modified by Transfer No. 70998

CONDITIONS OF APPROVAL

6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 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. 34.
8. The total instantaneous diversion of water from all points of diversion under Right 34-2412C shall not exceed 3.52 cfs, nor a total combined annual volume of 522.6 af.
9. Rights 34-2412C, 34-259F, 34-738E, 34-60, and 34-13562 when combined shall not exceed the irrigation of 142.1 acres in a single irrigation season.
10. Right 34-2412C shall not exceed a diversion rate of 1.04 cfs from the point of diversion located in the NWSWSW, Sec 4, T04N, R26E.
11. Right 34-2412A is also diverted through the point of diversion in the NWNESW Sec 9, T04N, R26E.
12. Right 34-7184 is also diverted through the point of diversion in the NWSWSW Sec 4, T04N, R26E.
13. 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.

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 9th day of August, 2004


Chief, Water Allocation Bureau