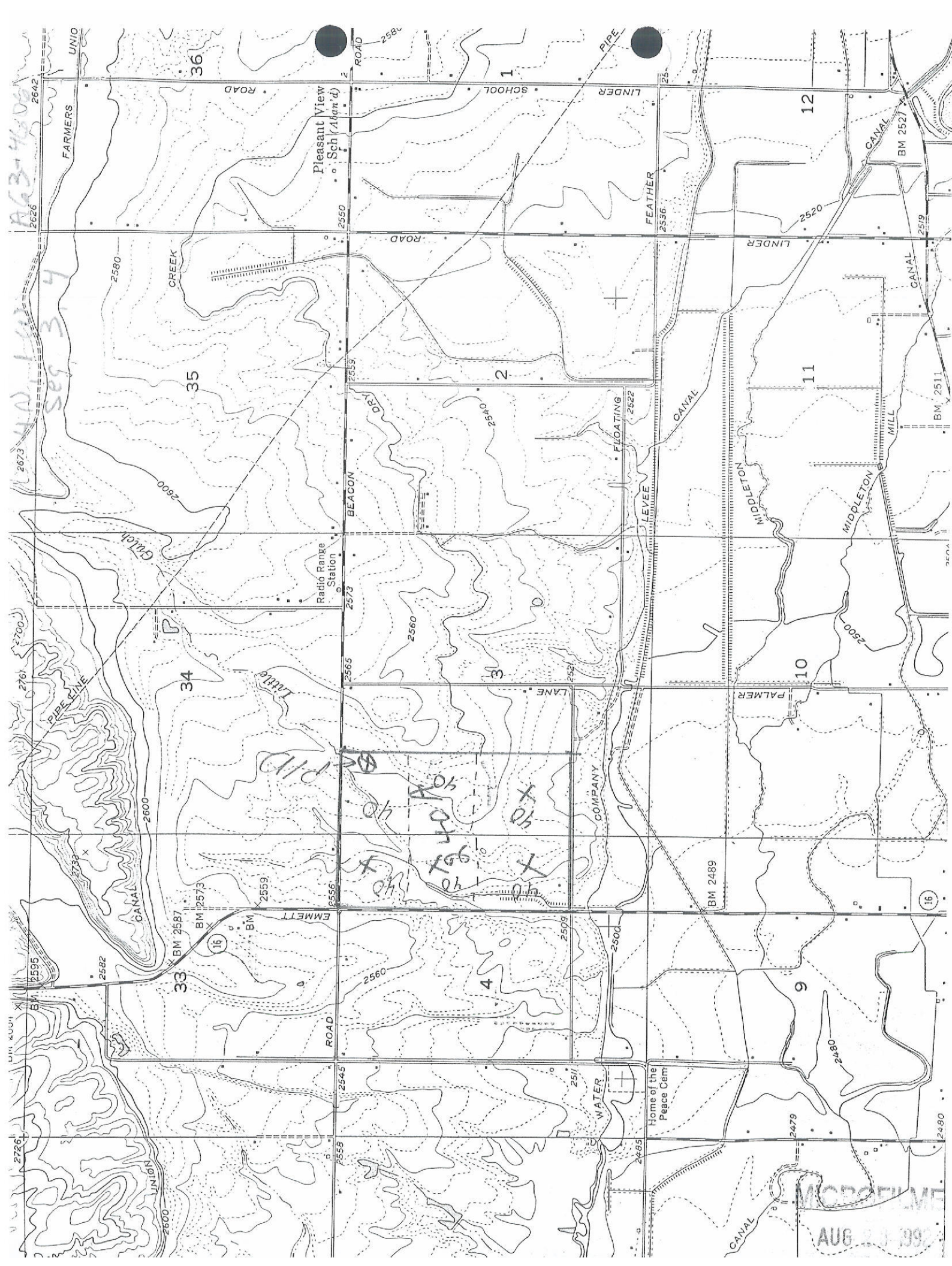




Idaho Department of Water Resources

63-2958

T04N R01W S3, 4



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter



500 0 500 1000 Feet

IDWR

Prepared by: Sandy Egbert

Date: 7-27-05

1987 NAPP Photography

pg 5 of 6

PART 3

T5N, R1W

T4N, R1W

NENE

Lot 1

41.0

NWNW

Lot 4

39.0

SENE

40.0

SWNW

40.0

NESE

40.0

NWSW

40.0

33 34

4 3

Waste
Water

NENE
Lot 1

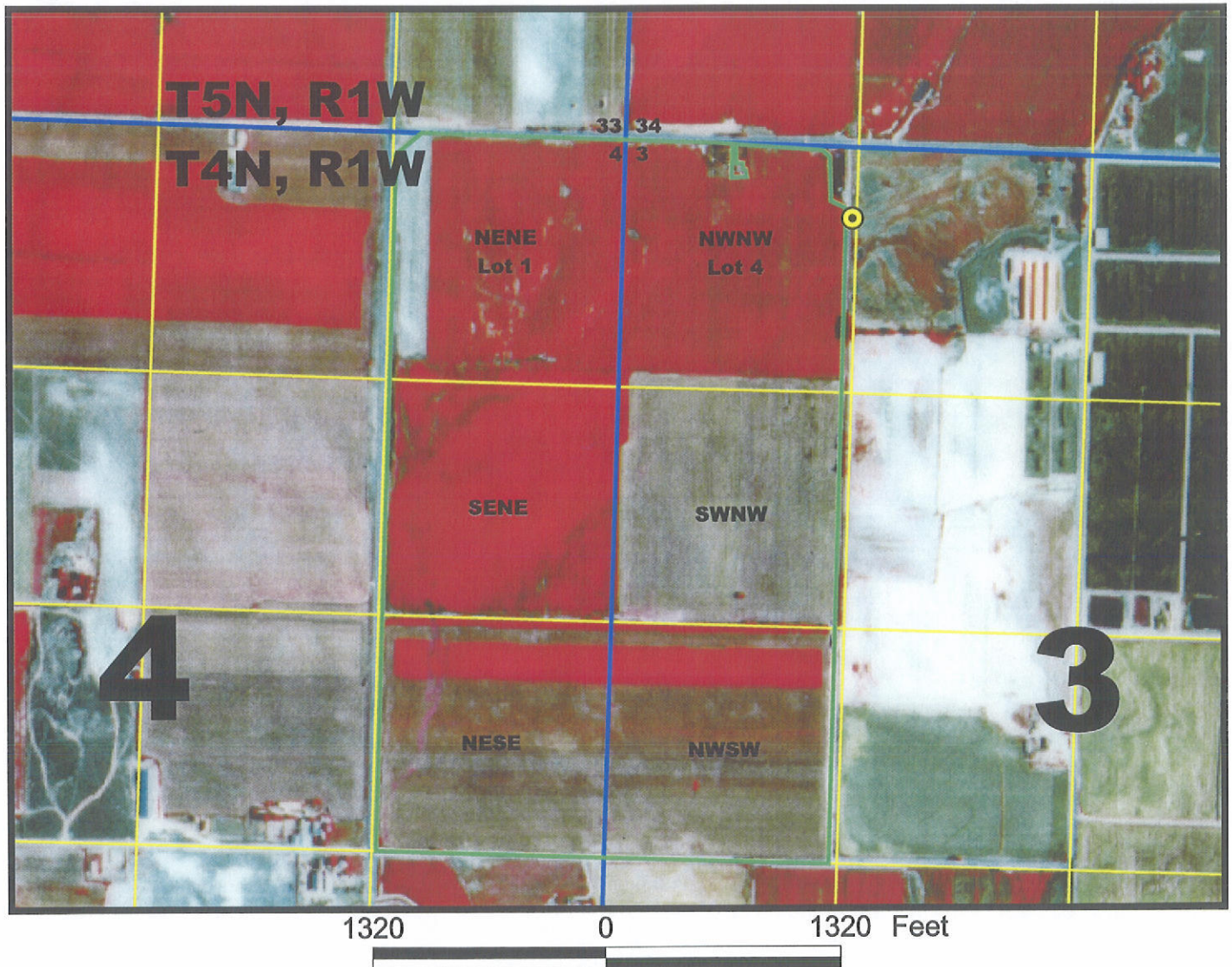
Plat 100
1900
2000



STATE OF IDAHO

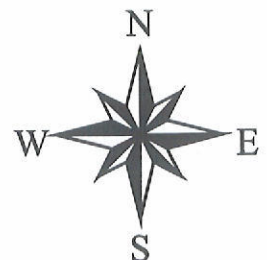
Department of Water Resources
Western Region

Water Right(s): 63-02958



Total Irrigated Acres: 240.0

-  Point of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: September 2004

63-04606



Both wells facing S.

63-04606



New well pump nameplate

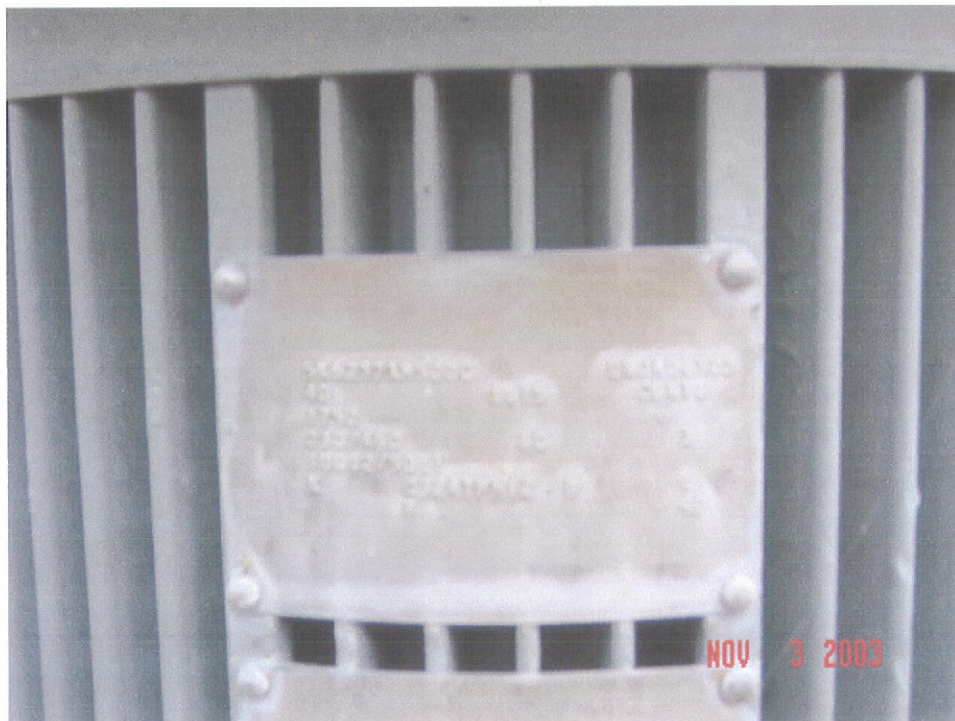


New pumping system facing S.

63-04606



POU facing W. from POD



New well motor nameplate

63-04606



Original well motor nameplate



Original pumping system facing SW.

Idaho Department of Water Resources

Claim Number: 63-04606
Legal: T4N, R1W, S3, 4
Reviewed By:

● Point of Diversion



Place of Use

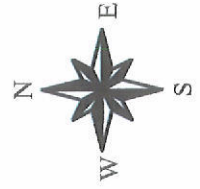
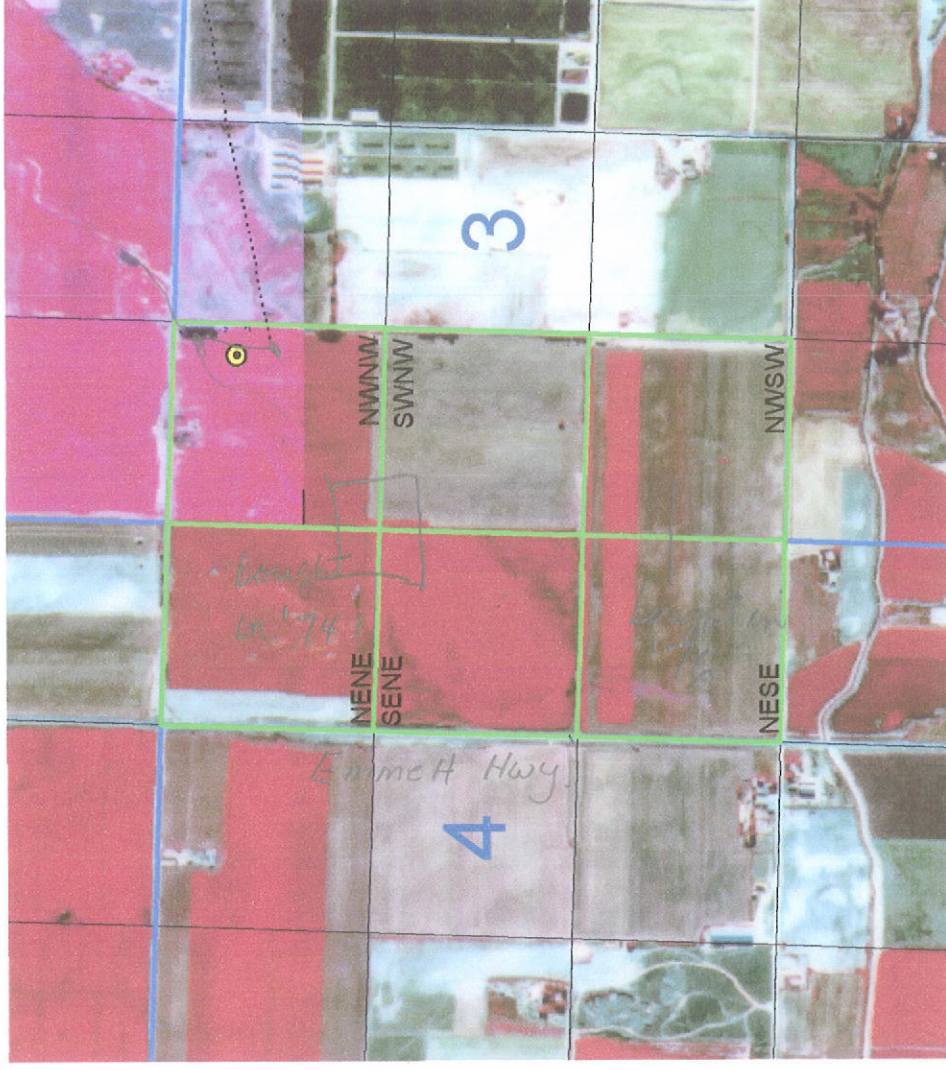


Section Lines



Quarter Quarter Lines

1987 Napp Photo



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-2958
Date Received: 4/11/1989
Receipt No: W002554
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOOT NANNEY FARMS INC Phone: (208)484-5528
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID USA 83616

2. Date of Priority: 08/28/1953

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	3	NW NW 4	ADA	
04N	01W	3	NW NW 4	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2.4	558

7. Total Quantity Appropriated is:
2.4 C.F.S. and/or 558 A.F.A. .

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	01W	3	NW	NW	4	IRRIGATION	39
			SW	NW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			Section Acres				119
04N	01W	4	NE	NE	1	IRRIGATION	41
			SE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			Section Acres				121
Total Acres						240	

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Rights 63-2958 and 63-31988 shall not exceed 2.40 cfs, nor a total combined annual volume of 1080.0 af for the irrigation of a total of 240 acres.

This right is limited to the irrigation of 124 acres within the place of use described above in a single irrigation season.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right 63-31988 is an enlargement of Right 63-2958.

Right 63-31988 is also diverted through the points of diversion described above.

15. Basis of Claim: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-2958
Date Received: 4/11/1989
Receipt No: W002554
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HOOT NANNEY FARMS INC Phone: (208)484-5528
C/O MICHAEL L DIXON
8542 FLOATING FEATHER RD
EAGLE ID USA 83616

2. Date of Priority: 08/28/1953

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	3	NW NW 4	ADA	

5. Description of diverting works:

Well, approx. 60 feet deep.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4.56	

7. Total Quantity Appropriated is:
4.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres				
04N	01W	3	NW	NW	4	IRRIGATION	40			
			SW	NW		IRRIGATION	40			
			NW	SW		IRRIGATION	40			
								Section Acres	120	
			04N	01W	4	NE	NE	1	IRRIGATION	40
						SE	NE		IRRIGATION	40
NE	SE	IRRIGATION				40				
						Section Acres	120			
						Total Acres	240			

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This right originally claimed as a Statutory Claim under 63-4606.

15. Basis of Claim: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4606

WATER RIGHT NUMBER: 63-4606

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOOT NANNEY FARMS INC C/O MICHAEL L DIXON 8542 FLOATING FEATHER RD EAGLE, ID 83616 (208)484-5528

Priority Date: 06/01/1954

Basis: Statutory Claim

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	to 10/15	4.560 CFS	
	<u>Total Diversion:</u>		4.560 CFS	

Location of Point(s) of Diversion

GROUND WATER	L4 (NW1/4NW1/4)	Sec. 3,	Twp 04N,	Rge 01W, B.M.
ADA 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	01W	3						40.0	40.0			40.0							120.0
								L 4											
04N	01W	4	40.0			40.0								40.0					120.0
			L 1																

Total Acres: 240

Conditions of Approval:Remarks:

- General AC. IRR.=240.
DIV. RATE=2000 GPM.
A NEW WELL IS BEING DRILLED TO REPLACE THE OLD ONE. WILL BE IN SAME 1/4,1/4 SECTION.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4606

2. General Claim renumbered to original license for this right see 63-2958.

Comments:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04606
Date Received: 4-11-89
Receipt No: W2554
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOOT NANNEY FARMS, INC. 208-286-7715
Address: RT. 1
EAGLE, ID 83616

2. Date of Priority: JUN 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	3	NW	NW	NW	4	ADA

5. Description of diverting works:
APPROX. 60' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.560		

7. Total Quantity Appropriated is:
4.560 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	3	NW	NW	4	IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0

Section Acres 120.0

A63-04606

Page 1

Date: 03/07/89

MICROFILMED

AUG 23 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	4	NE	NE	1	IRR	40.0 42
			SE	NE		IRR	40.0 40
			NE	SE		IRR	40.0
						Section Acres	120.0
						Total Acres	240.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

AC. IRR.=240.

DIV. RATE=2000 GPM.

A NEW WELL IS BEING DRILLED TO REPLACE THE OLD ONE. WILL BE IN
SAME 1/4,1/4 SECTION.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do I do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am President of
 Host Nanny Farm Inc. , that I have signed the foregoing
 Organization
document in the space below as President of
 Host Nanny Farm Inc. and that the statements contained in the
 Organization
foregoing document are true and correct.

 Henry Dixon Jr.
Signature of Authorized Agent
 Pres. Host Nanny Farm Inc.
Title and Organization
 4-11-1989
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of April 19 89

 Linda Werner
Notary Public

Seal

Residing at _____
My Commission Expires _____
Date: 03/07/89
Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

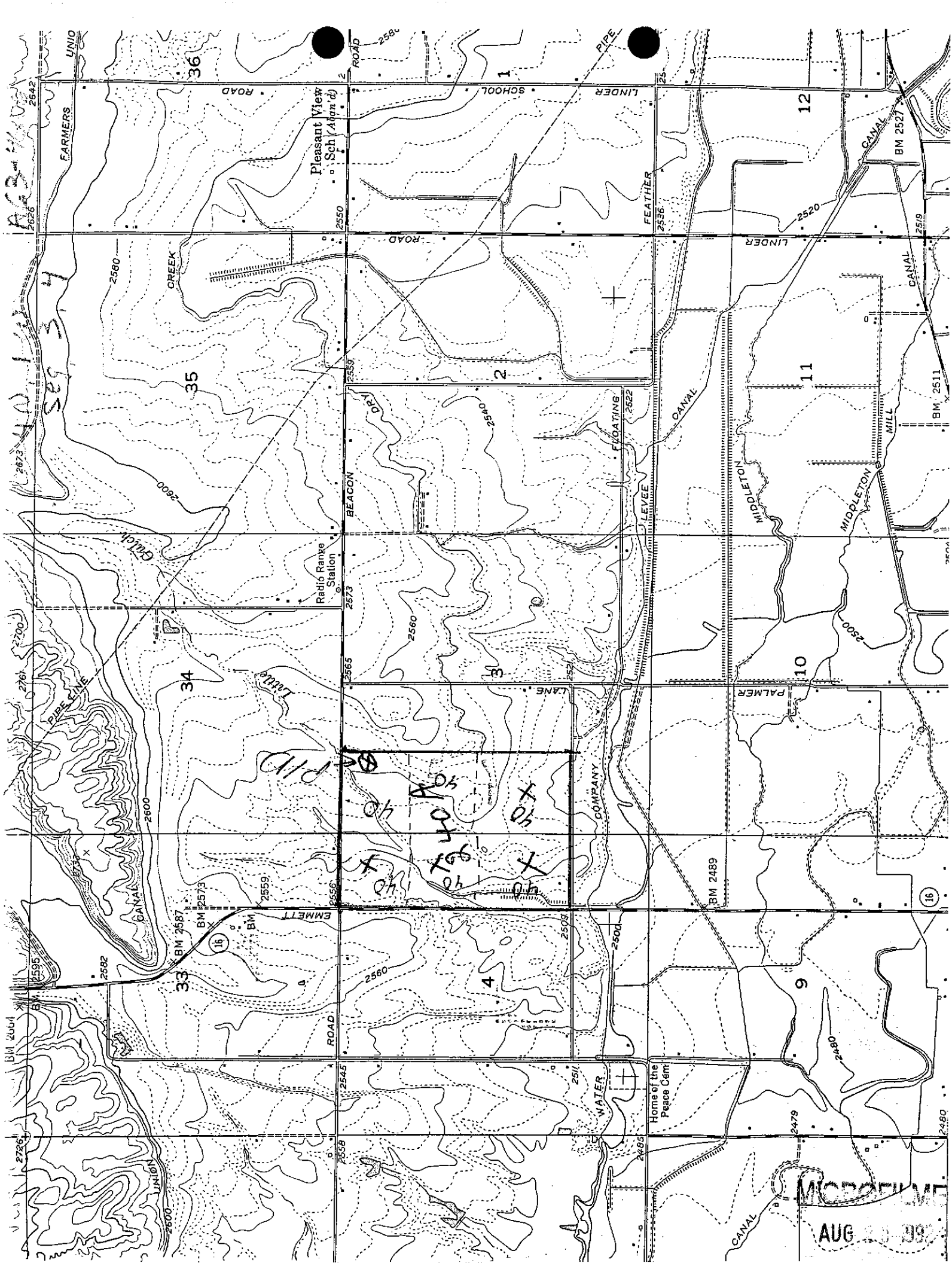
A63-04606

Page

3

MICROFILMED

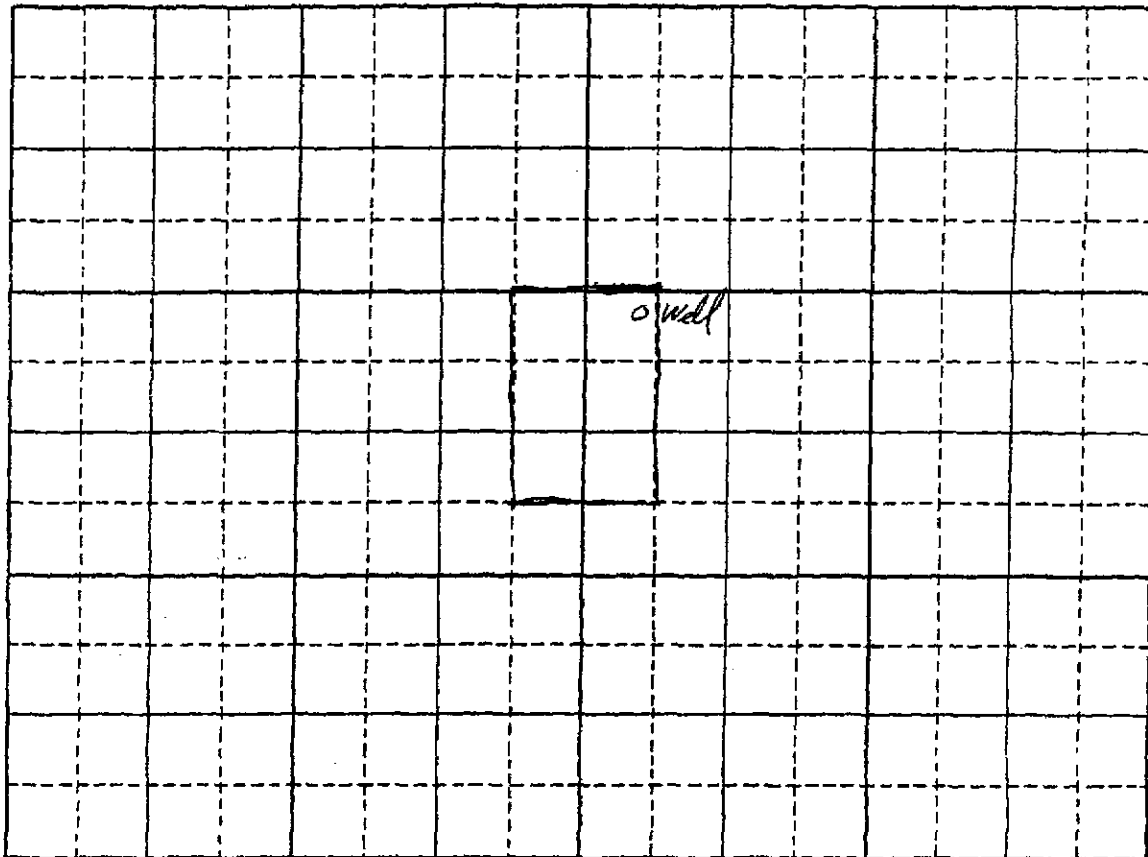
AUG 23 1992



(8) Remarks

all 240 acres are irrigated with sprinklers

SEE ATTACHED LEGAL



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of ADA)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

HOOT NANNEY FARMS, INC.

Henry D. Hoot Pres.

(Claimant)

Sworn to before me this 10 day of APRIL

19 78

Elizabeth R. McSpadden
Notary Public

Residing at EMMETT, IDAHO

My commission expires SEPT. 12, 1981

For Department Use Only

Received by [Signature] Date 4-12-78 Exception filed by: _____ Date _____
Prelim check by [Signature] Date 4-13-78 claimant by: _____
\$10.00 fee received by [Signature] Date 4-13-78 # 11040
Approved for publication by _____
Published in Idaho Statesman
Dates Apr. 20, 1978 & Apr. 27, 1978

Marked
410

EXHIBIT "A"

Parcel 3:

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and Lot 4 of Section 3; and SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and Lot 1 of Section 4, All in Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPT that portion already dedicated by public use as a county road, or lying within Emmett Highway;

ALSO EXCEPT a strip of land being all that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and of Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, that lies Westerly of a line parallel with and distant 40.0 feet Easterly from the following described center line of highway as surveyed and shown on the official plat of State Highway No. 16 - Project No. S-3832(2) Highway Survey on file in the office of the Department of Highways of the State of Idaho. Beginning at Station 91+90.1 of the said Highway Survey, which station is a point on tangent approximately 3951.0 feet East from the West Quarter corner of Section 4, Township 4 North, Range 1 West, Boise Meridian; thence running North 0°23' East, 2717.9 feet to Station 119+08.0 of said Survey, which station is a point on tangent approximately 1326.8 feet East from the North Quarter corner of Section 4, Township 4 North, Range 1 West, Boise Meridian.

ALSO EXCEPT an additional irregular strip of land adjacent and contiguous to the above described right of way, on the Easterly side thereof, being 0.0 feet wide at Station 98+30, widening to 30.0 feet at Station 99+00, continuing 30.0 feet wide to Station 113+00, and tapering to 0.0 feet wide at Station 114+00.

AND ALSO EXCEPT an irregular parcel of land on the Easterly side of the center line of said Highway Survey, and lying in Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, described as follows, to wit:

Beginning at a point on the North line of Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, approximately 1366.8 feet from the North quarter corner of said Section 4; thence Easterly along said North line of Lot 1 for a distance of 103.0 feet to a point; thence South 0°23' West parallel to and 145.0 feet distant Easterly from the center line of said Highway Survey for a distance of 35.0 feet, more or less, to a point on the Southerly right of way line of an existing County Road; thence South 49°59' West, a distance of 137.42 feet, more or less, to a point on a line parallel to and distant 40.0 feet Easterly from the center line of said Highway Survey; thence North 0°23' East along said parallel line for a distance of 126.0 feet, more or less, to the point of beginning.

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3, Township 4 North, Range 1 West of the Boise Meridian in Ada County, Idaho; ALSO the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 4 North, Range 1 West of the Boise Meridian in Ada County, Idaho, EXCEPTING the West 33' of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ which is deeded to STATE OF IDAHO as a Highway.

MICROFILM

11/02/2005

NOTICE OF ERROR
REPLY

RECEIVED

NOV 22 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 18, 2005

Water right number: 63-2958

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616
Telephone Number: (208)484-5528

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11-16-05

SIGNATURE:

Michael L Dixon

Please print your name:

MICHAEL L. DIXON

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

08/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2958

NAME AND ADDRESS: HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.400 CFS
558.000 AFY

The total instantaneous diversion of water from all points of diversion under Rights 63-2958 and 63-31988 shall not exceed 2.40 cfs, nor a total combined annual volume of 1080.0 af for the irrigation of a total of 240 acres.

PRIORITY DATE: 08/28/1953

POINT OF DIVERSION:

T04N R01W S3 NWNW Lot 4 Within ADA County

T04N R01W S3 NWNW Lot 4 Within ADA County

Right 63-31988 is also diverted through the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.400 CFS 558.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S03 Lot 4 NWNW	39.0	T04N R01W S03	SWNW	40.0
T04N R01W S03	NWSW	40.0	T04N R01W S04 Lot 1 NENE	41.0
T04N R01W S04	SENE	40.0	T04N R01W S04	NESE 40.0

240 ACRES TOTAL

This right is limited to the irrigation of 124 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right 63-2958

1

08/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

The right holder shall accomplish the change authorized by Transfer 71630 within one year of the date of the approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

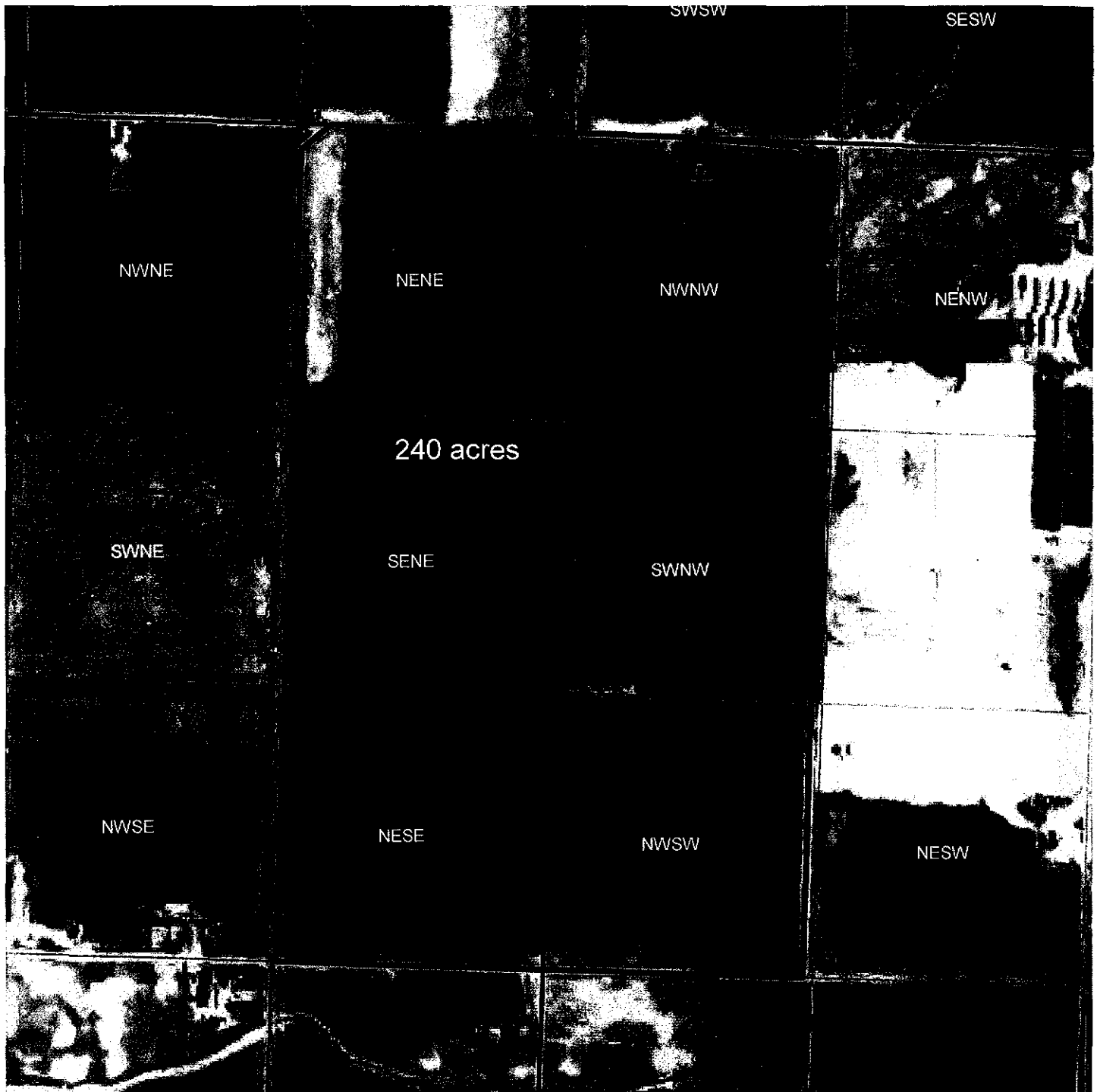
Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Idaho Department of Water Resources

63-2958

T04N R01W S3, 4



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 7-27-05
1987 NAPP Photography

500 0 500 1000 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

WATER RIGHT NUMBER: 63-2958 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LON BOLEN
	EAGLE, ID
Original Owner	ZUMA BOLEN
	EAGLE, ID
Current Owner	HOOT NANNEY FARMS INC C/O MICHAEL L DIXON RT 1 BOX 8542 FLOATING FEATHER RD EAGLE, ID 83616 (208)484-5528

Priority Date: 08/28/1953

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.400 CFS	558.00 AF
	<u>Total Diversion:</u>	2.400 CFS	558.00 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (NW1/4NW1/4)	Sec. 3,	Twp 04N,	Rge 01W, B.M.
ADA County				
GROUND WATER	L4 (NW1/4NW1/4)	Sec. 3,	Twp 04N,	Rge 01W, B.M.
ADA 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	01W	3						39.0	40.0			40.0							119.0
								L 4											
04N	01W	4	41.0			40.0								40.0					121.0
			L 1																

Total Acres: 240

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

1. WB4 The total instantaneous diversion of water from all points of diversion under Rights 63-2958 and 63-31988 shall not exceed 2.40 cfs, nor a total combined annual volume of 1080.0 af for the irrigation of a total of 240 acres.
2. X36 Right 63-31988 is also diverted through the points of diversion described above.
3. 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.
4. The right holder shall accomplish the change authorized by Transfer 71630 within one year of the date of the approval.
5. C18 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.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. Right 63-31988 is an enlargement of Right 63-2958.
10. X27 This right is limited to the irrigation of 124 acres within the place of use described above in a single irrigation season.

Remarks:Comments:

1. csaxton 9/22/2004 Enlargement

Comment: Claim 63-31988 is an enlargement claim associated with this right.

2. csaxton 9/22/2004 POD

Comment: Claimant actually uses two wells. I can only recommend the original since the second well was drilled in 2003. A transfer has been filed to add the second well as a point of diversion.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2958 V1

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	9/22/2004 9:41:59 AM	csaxton			Active
Priority Date	9/22/2004 9:42:36 AM	csaxton			Active
POD	9/22/2004 9:43:20 AM	csaxton			Active
POU	9/24/2004 3:52:43 PM	csaxton			Active
Source	9/24/2004 3:52:49 PM	csaxton			Active
Use	9/24/2004 3:52:50 PM	csaxton			Active
Quantity	9/24/2004 3:52:51 PM	csaxton			Active
Season	9/24/2004 3:52:51 PM	csaxton			Active
Source	9/27/2004 1:47:41 PM	csaxton			Active
POU	9/27/2004 1:48:14 PM	csaxton			Active
Use	9/27/2004 1:52:27 PM	csaxton			Active
Season	9/27/2004 1:53:13 PM	csaxton			Active
Quantity	9/27/2004 1:55:55 PM	csaxton			Active
Summary			09/27/2004	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/24/2004 3:52:43 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Source	9/24/2004 3:52:50 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source?
Use	9/24/2004 3:52:51 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Season	9/24/2004 3:52:51 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License?
Quantity	9/24/2004 3:52:52 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
POU	9/27/2004 1:48:14 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	9/27/2004 1:48:45 PM	csaxton	Edited shape boundary
POU	9/27/2004 1:49:35 PM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

Source	9/27/2004 1:47:42 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (No) 5. Can the claimed source be verified using the water right file? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE 11/3/03
Contacts	9/22/2004 9:42:00 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 9/15/04
POD	9/22/2004 9:43:21 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Priority Date	9/22/2004 9:42:36 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/22/2004 9:43:47 AM	csaxton	Edited point location
POD	8/2/2005 9:37:48 AM	segbert	Updated shape
Use	9/27/2004 1:52:28 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - As licensed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

Season	9/27/2004 1:53:13 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/27/2004 1:55:56 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - As Licensed
Summary	9/27/2004 2:03:11 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

WATER RIGHT NO. 63-2958
As Modified by Transfer No. 71630

In accordance with the approval of Transfer No. 71630, Water Right No. 63-2958 is now described as follows.

Right Holder: HOOT NANNEY FARMS INC
 C/O MICHAEL L DIXON
 RT 1 BOX 8542 FLOATING FEATHER RD
 EAGLE ID 83616

Priority Date: August 28, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	2.40 CFS	558.0 AF
			2.40 CFS	558.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (NWNW)	Sec. 3	Twp 04N	Rge 01W	ADA County
GROUND WATER	L4 (NWNW)	Sec. 3	Twp 04N	Rge 01W	ADA 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	01W	3						39.0	40.0			40.0							119.0
								L 4											
04N	01W	4	41.0			40.0									40.0				121.0
			L 1																

Total Acres: 240

CONDITIONS OF APPROVAL

- EXP 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- EXP 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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- EXP 4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- EXP 5. 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.

WATER RIGHT NO. 63-2958
As Modified by Transfer No. 71630

CONDITIONS OF APPROVAL

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Rights 63-2958 and 63-31988 shall not exceed 2.40 cfs, nor a total combined annual volume of 1080.0 af for the irrigation of a total of 240 acres.
8. This right is limited to the irrigation of 124 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. Right 63-31988 is an enlargement of Right 63-2958.
11. Right 63-31988 is also diverted through the points of diversion described above.

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 13th day of April, 20 05


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71630

This is to certify that: HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616
(208)484-5528

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>
63-2958	AJC/License	08/28/1953	2.40 cfs	558 af	N/A	240.0	GROUND WATER
63-31988	AJC/Beneficial Use	03/01/1976	1.16 cfs	522 af	N/A	240.0	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>
63-2958	NO	NO	NO	YES	NO	NO
63-31988	NO	NO	NO	YES	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>
63-2958	63-2958	2.40 cfs	558 af	124.0	240.0		N/A	N/A	N/A	N/A
63-31988	63-31988	1.16 cfs	522 af	116.0	240.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.40 cfs	1080.0 af	240.0	240.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of April, 20 05


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-2958

JUN 12 2003

Page 1 of 6

STATE OF IDAHO **WATER RESOURCES**
DEPARTMENT OF WATER RESOURCES **WESTERN REGION**

Transfer No. 71630

Revised 6/12/03
M.L.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

in Case of Michael A. Aliphan Hwy 1 NAINY FARMSON
Name of applicant Phone 286-7803-4845528
Post Office address Box 8542 Floating Beach Rd. 83616

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 decreased capacity in

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 | |
|--|-----------|---------------------------|------------------------------|---------------|----------------------|
| 63-4606 | 6/1/954 | 4.560 cfs | irrigation | 4/15 | to 10/5 |
| 63-2958 | 8/28/1953 | 2.4/558 | irrigation | 3/1 | to 11/15 |
| 63-31988 | 3/1/1976 | 1.16/522 | irrigation | 3/1 | to 11/15 |
| | | | | | to |
| 2. Total amount of water being transferred | | 4.5624 | cubic feet per second and/or | 1080 | acre-feet per annum. |
| 3. Source of water | | ground water tributary to | | | |
| 4. Point(s) of Diversion: | | | | | |

[illegible]

5. Lands irrigated or place of use: *N-C*

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system

Wells - pumps & sprinklers

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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N-C

d. Remarks:

"Replacement well" drilled recently per TAG D29401. But now discovered need both wells to fully irrigate P/L. Seeking water bank lease to cover second well while transfer is processed.

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. 63-2958

Priority Date: 08/28/1953
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01	11/15	2.40 CFS	558.0 AFA	
	Total Diversion		2.40 CFS	558.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER L4 (NWNW) 04N 01W 3 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	
04N 01W 3						39.0	40.0			40.0							119.0
						L 4											
04N 01W 4	41.0			40.0									40.0				121.0
	L 1																

Total Acres: 240

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. Use of this right with Right No. 63-31988 is limited to a total combined diversion rate of 2.4 cfs.
4. USE OF THIS RIGHT WITH RIGHT NO. 63-31988 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 124.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? No

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

Current Water Right No. 63-31988

Priority Date: 03/01/1976

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/01	11/15	1.16 CFS	522.0 AFA	
Total Diversion			1.16 CFS	522.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNW 04N 01E 3 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	
04N	01E	3						39.0	40.0			40.0							119.0
								L 4											
04N	01E	4	41.0			40.0									40.0				121.0
			L 1																

Total Acres: 240

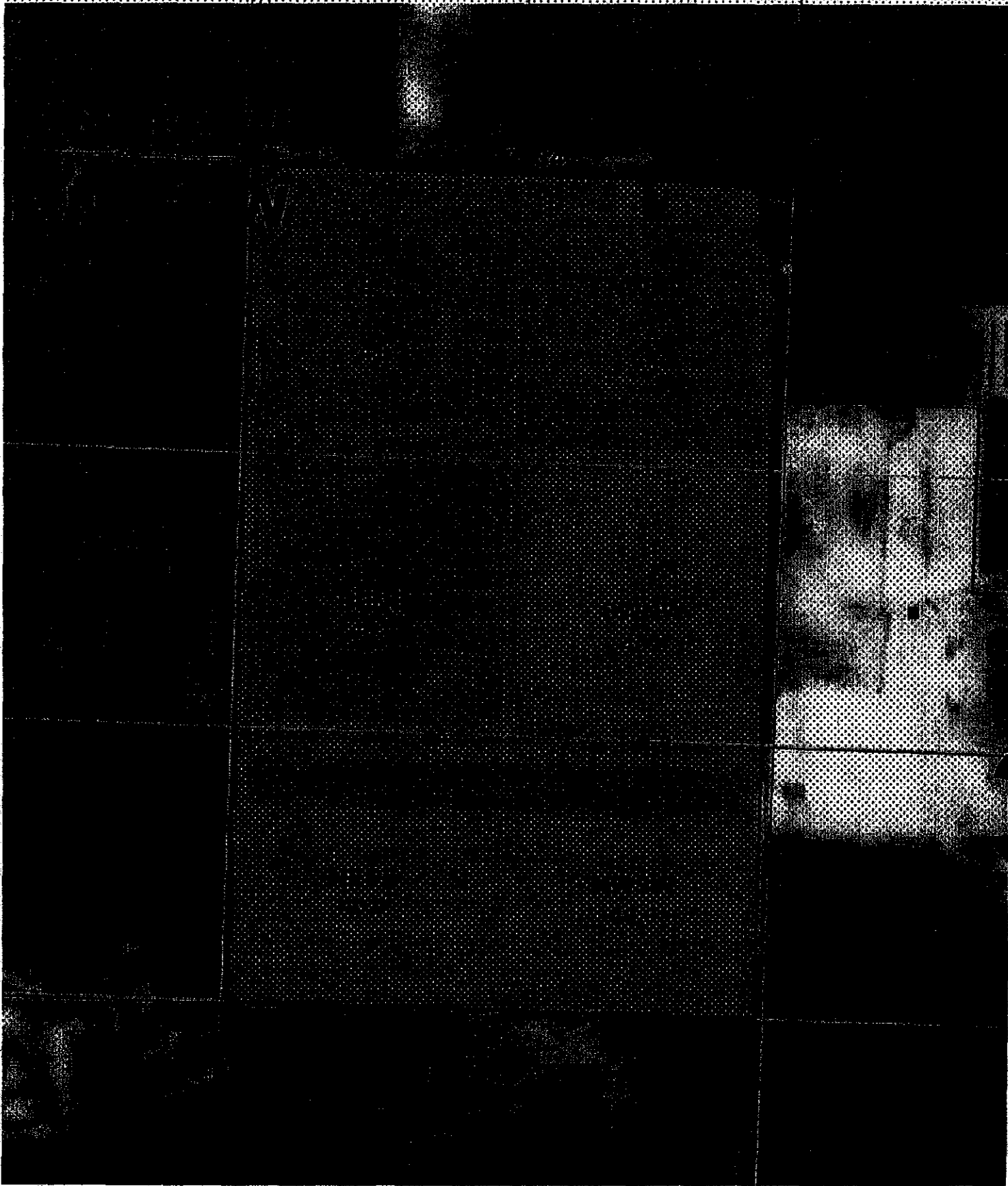
Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
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 with Right No. 63-02958 is limited to a total combined diversion rate of 2.4 cfs.
5. USE OF THIS RIGHT WITH RIGHT NO. 63-02958 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? No

pg 5 of 6

PART 3



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

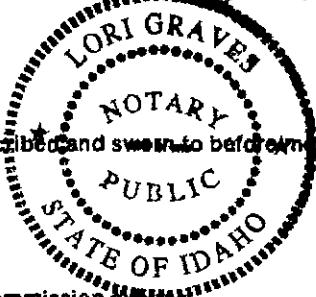
2. Quantity and quality of return flows and location of discharge:

3. Describe 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 _____, 2003



Michael J. Smith, President
(Signature of Applicant)

Lori Graves
(Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by 82 Date 6/12/03 Protest filed by _____Prelim. check by 82 Fee \$410Received by 82 Date 6/12/03 W030576

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 _____

Well Proof Report

Permit No. 800346
Metal Tag No. D0029401,
Well ID # 371262
Water Right No. 63-4606

Relationship: Applicant
Name: HOOT NANNY FARMS Phone: (208) 286-7715
Address: RT 1
EAGLE ID 83616

Permit Status: Received

Well Location: Township 04N, Range 01W, Section 3, NW, NW
COUNTY ADA

Address of Well Site: EMMETT RD
EAGLE ID

Use of Well: Irrigation

Activity: Replacement

Region: Western

Construction Method:

Const Start Date: May 08 2003 Const End Date:

Well Drilling Company: RIVERSIDE INC (No. 333)

Card Hold Name:

Certifying Official:

Date Received:

Date Approved: May 05 2003

Date Inspected:

Completed Depth: Drilled Depth: 200 FT Surface Diameter: 16 inches

Primary Flow Depth: Overall Temp: Static Water Level:

Head Pipe Length: Tail Pipe Length Production Rate:

Closed in Pressure: Bottom Hole Temp: Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

Casing

From	To	Diam	Type	Gauge	Join Type	Material
------	----	------	------	-------	-----------	----------

Seal

From	To	Material	Amount	Method
------	----	----------	--------	--------

*Change to New Well
per order filed
6-12-03*

Attachment A, (2 pgs)

att. Kathy
IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat _____ Long _____

1. WELL TAG NO. D 0029401
DRILLING PERMIT NO. 81-65-54802346
Other IDWR No. 63-4606

2. OWNER:
Name Hoot Nanny Farms
Address Rt. 1
City Eagle State ID Zip 83616

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
X
Twp. 4 North ☒ or South ☐
Rge. 1 East ☐ or West ☒
Sec. _____ 1/4 NW 1/4 NW 1/4
Gov't Lot _____ County Ada
Lat _____ Long _____
Address of Well Site Emmett Rd
City Eagle
(Give or Road name of road - Distance (portion in Locality))

Li. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply

☐ New Well ☐ Modify ☐ Abandonment ☐ Other (Replacement etc.)

6. DRILL METHOD

☐ Air Rotary ☐ Cable ☐ Mud Rotary ☒ Other Reverse

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Benatone 5"	0	37'	6280#	Pour
3" Gravel	37'	109'	8 yds	From top
Benatone 5"	109'	138'	6000#	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
16"	23'	27'	325	Steel	☒	☐	☒	☐
16"	28'	88'	325	Steel	☒	☐	☒	☐
16"	108'	188'	325	Steel	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens ☒ Screen Type Tohatsu Wire Wrap

From	To	Slat Size	Number	Diameter	Material	Casing	Liner
38'	78'	10x10		16"	Mild Steel	☒	☐
88'	108'	10x10		16"	Mild Steel	☒	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

25' ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: 1 1/2" access port.

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
690	60'	83'	2 hrs

Water Temp. 60° Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Start Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
26"	0	4'	Top soil		
	4	15'	Sand & Pss Gravel		
	15	37'	Tan Clay silt's sand.		
	37	60'	Cobbles		
	60	63'	Tan Clay		
	63	75'	Coarse Sand		
	75	91'	Brown Clay		
	91	108'	Cobbles & Sand		
	108	109'	Coarse Blue Sand		
	109	130'	Blue Clay silt's sand.		
	130	140'	Gray Clay silt's sand.		
	140	200'	Gray & Blue Clay with 2 little silt's sand.		

Change to "New Well"

Completed Depth 188' (Measurable)
Date: Started 5-8-03 Completed 6-11-03

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Riverside Inc. Firm No. 333

Firm Official _____ Date _____
and _____
Driller or Operator _____ Date 6-12-03
(Sign once both Official & Operator)



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-02958

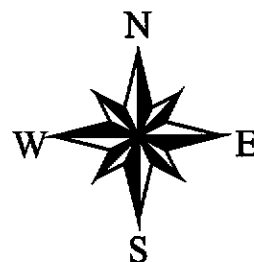


1320 0 1320 Feet



Total Irrigated Acres: 240.0

- Point of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: September 2004

09/27/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2958

NAME AND ADDRESS: HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
8542 FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.400 CFS
558.000 AFY

Use of this right with Right No. 63-31988 is limited to a total combined diversion rate of 2.4 cfs.

PRIORITY DATE: 08/28/1953

POINT OF DIVERSION:

T04N R01W S3 NWNW Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.400 CFS 558.00 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S03 Lot 4 NWNW	39.0	T04N R01W S03	SWNW	40.0	
T04N R01W S03	NWSW	40.0	T04N R01W S04 Lot 1 NENE	41.0	
T04N R01W S04	SENE	40.0	T04N R01W S04	NESE	40.0

240 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31988 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 124.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

WATER RIGHT NUMBER: 63-2958 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LON BOLEN
	EAGLE, ID
Original Owner	ZUMA BOLEN
	EAGLE, ID
Current Owner	HOOT NANNEY FARMS INC C/O MICHAEL L DIXON 8542 FLOATING FEATHER RD EAGLE, ID 83616 (208)484-5528

Priority Date: 08/28/1953

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.400 CFS	558.00 AF
	<u>Total Diversion:</u>	2.400 CFS	558.00 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (NW1/4NW1/4)	Sec. 3,	Twp 04N,	Rge 01W, B.M.
ADA 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	01W	3					39.0	40.0			40.0								119.0
							L 4												
04N	01W	4	41.0			40.0								40.0					121.0
			L 1																

Total Acres: 240

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

Remarks:

1. Quantity Use of this right with Right No. 63-31988 is limited to a total combined diversion rate of 2.4 cfs.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 63-31988 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 124.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 9/22/2004 Enlargement

Comment: Claim 63-31988 is an enlargement claim associated with this right.

2. csaxton 9/22/2004 POD

Comment: Claimant actually uses two wells. I can only recommend the original since the second well was drilled in 2003. A transfer has been filed to add the second well as a point of diversion.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	9/22/2004 9:41:59 AM	csaxton			Active
Priority Date	9/22/2004 9:42:36 AM	csaxton			Active
POD	9/22/2004 9:43:20 AM	csaxton			Active
POU	9/24/2004 3:52:43 PM	csaxton			Active
Source	9/24/2004 3:52:49 PM	csaxton			Active
Use	9/24/2004 3:52:50 PM	csaxton			Active
Quantity	9/24/2004 3:52:51 PM	csaxton			Active
Season	9/24/2004 3:52:51 PM	csaxton			Active
Source	9/27/2004 1:47:41 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

POU	9/27/2004 1:48:14 PM	csaxton	Active
Use	9/27/2004 1:52:27 PM	csaxton	Active
Season	9/27/2004 1:53:13 PM	csaxton	Active
Quantity	9/27/2004 1:55:55 PM	csaxton	Active
Summary	09/27/2004	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/24/2004 3:52:43 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Source	9/24/2004 3:52:50 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source?
Use	9/24/2004 3:52:51 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Season	9/24/2004 3:52:51 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License?
Quantity	9/24/2004 3:52:52 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
POU	9/27/2004 1:48:14 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	9/27/2004 1:48:45 PM	csaxton	Edited shape boundary
POU	9/27/2004 1:49:35 PM	csaxton	Edited PLS
Source	9/27/2004 1:47:42 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (No) 5. Can the claimed source be verified using the water right file? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE 11/3/03
Contacts	9/22/2004 9:42:00 AM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: FE 9/15/04

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

POD	9/22/2004 9:43:21 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Priority Date	9/22/2004 9:42:36 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/22/2004 9:43:47 AM	csaxton	Edited point location
Use	9/27/2004 1:52:28 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - As licensed
Season	9/27/2004 1:53:13 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/27/2004 1:55:56 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - As Licensed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2958 V1

Summary	9/27/2004 2:03:11 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2958

WATER RIGHT NUMBER: 63-2958

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LON BOLEN
	EAGLE, ID
Original Owner	ZUMA BOLEN
	EAGLE, ID
Current Owner	HOOT NANNEY FARMS INC ✓ C/O MICHAEL L DIXON 8542 FLOATING FEATHER RD EAGLE, ID 83616 (208)484-5528

Priority Date: 08/28/1953 ✓

Basis: License ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
GROUND WATER ✓	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	04/15 to 10/15		4.560 CFS	
	3-1	11-15	2.7	
	Total Diversion:		4.560 CFS	
			2.7	

Location of Point(s) of Diversion

GROUND WATER	✓ ✓ ✓ L4 (NW1/4NW1/4)	Sec. 3,	Twp 04N,	Rge 01W, B.M.
ADA 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	01W	3						40.0	40.0			40.0							120.0
								L 4											
04N	01W	4	40.0			40.0								40.0					120.0
			L 1																

Total Acres: 240

Conditions of Approval:Remarks:

1. General This right originally claimed as a Statutory Claim under 63-4606.

Comments:

C05, C18

Dates and Other Information:

Claim Received Date: 4/11/1989
Mitigation Plan: False

K66: Limited to 124 ac

: This + 63-31988 limited to 2.4 cfs

K01
E11



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 21, 2004

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
8542 FLOATING FEATHER RD
EAGLE ID 83616

RE: Notice of Claim in the Snake River Basin Adjudication (SRBA) and application for permit for waste water use.

Dear Mr. Dixon,

Per our meeting on 9/15/04, I am enclosing some information:

- 1) I have enclosed a copy of your amended claim for groundwater. It was originally numbered as a statutory claim 63-04606. Since we amended the claim to reflect a license that was previously established, we renumbered the claim from 63-04606 to 63-02958.
- 2) I am enclosing a copy of the new enlargement claim you filed, 63-31988, along with a receipt for your payment of the filing fees.
- 3) I checked into your use of both wells to irrigate your ground. It appears that you already filed a transfer application to add the second point of diversion (well). This has not been processed and will not be until a recommendation is made on your SRBA claims. But for now you do not need to file anything else regarding this. When we left, I mentioned that I would have Rob Whitney contact you regarding this issue. It does not seem to be necessary at this point.
- 4) I have enclosed an application for permit that is to be used to secure your use of waste water. When completed please return it to this office.
- 5) We had spoke about having an IDWR employed contractor come out and conduct a measurement on your well. After further thought, this will not be necessary. Your license dictates the amount of water used in 1953, which is the year your license and the original well was developed. The new well was developed after the mandatory permit statute for new appropriation was set, March 25, 1963. Drilling the new well in conjunction with the transfer you filed in 2003, if approved, will allow you to divert the licensed diversion rate between both wells. Any new appropriation of ground water will require a new permit.

I hope this answers your questions. Please feel free to contact this office if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Memorandum

Date: September 20, 2004

To: File

From: Craig L. Saxton

Subject: Field Exam 63-04606

I met with Michael Dixon of Hoot Nanny Farms on 9-15-04. Hoot Nanny Farms originally filed on a statutory claim in the SRBA (63-04606) for 240 acres. During a field exam conducted by Karan Waters on 11-3-03, Karan was informed by the claimant that of the 240 acres irrigated, 111 (I found 116) were developed in 1976 through land leveling and other methods. My intention was to explain to Mr. Dixon that I felt it would be to his benefit to amend claim 63-04604 to a license that was not claimed in the SRBA – 63-02958 for 124 acres. And then file an enlargement claim to add the additional acres since that enlargement was after the mandatory permit statute.

Mr. Dixon was informed by myself that based on this, he would be licensed to pump 2.4 cfs which is greater than Karan Waters found through her theoretical measurements. Mr. Dixon was not pleased with this at all and said that he needed 4.56 cfs or 2000 gpm to run the farm. So during this conversation several things came up:

- 1) Mr. Dixon had a replacement well drilled in 2003 with the agreement to abandon the original well. He never did abandon the original well and is using both.
- 2) It is listed right on the well log of the new well that it only produces 650 gpm.
- 3) He did file a transfer to add the additional POD, but it has not been processed yet.
- 4) He also uses waste water from the NE side of his property. This use commenced in 1997 according to Mr. Dixon. He will need to file an application for permit.

Mr. Dixon did file the enlargement claim and amended the statutory claim to the license.

I told Mr. Dixon that I would have a contractor go out and measure the wells but in retrospect, it doesn't really matter. Any new appropriation would require an application for permit. There is no need to send a contractor out there. I will send out an application for permit to the claimant for his waste water use.

System Description Per Claimant 7-15-04.

SWSW

SESW

NWNW

NENW

9-15-04: FE

10-12' Waste Water $\approx$ 400~~00~~ GPM

Send Copies

- waste 1997 $\leftarrow$
- water use started
Needs Permit

484-5528

N: 2302775
E: 1393911

old well

N: 2302724
E: 1373863

New Well



C. [Signature]
11-23-04



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2003

RECEIVED

AUG 21 2003

HOOT NANNEY FARMS INC

C/O MICHAEL L DIXON

RT 1 BOX 8542 FLOATING FEATHER RD

EAGLE ID 83616

WATER RESOURCES
WESTERN REGION

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO. 63-4606 TO THE
WATER SUPPLY BANK**

Dear Mr. Dixon:

The department has completed its review of the Applications to Sell or Lease Water Right(s) to the Water Supply Bank ("bank") that you submitted to this office. Please consider that the offered water right(s) are accepted into the bank.

bank a *Lumi -*
Please note this info in your
letter memo for 63-4606. Since we
are no longer keeping a western shelf
paper file for letters (except for supplemental
staff review page when completed), can
file this in AJ claim file when
you are done with it.

er right to the

the right or a

se the right

ard releases it

tayed.

m the validity

of the right or any elements of the water right.

6. The lessor may be required to provide evidence of availability of the surface water source prior to rental of the right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2003

RECEIVED

AUG 21 2003

HOOT NANNEY FARMS INC

C/O MICHAEL L DIXON

RT 1 BOX 8542 FLOATING FEATHER RD

EAGLE ID 83616

WATER RESOURCES
WESTERN REGION

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO. 63-4606 TO THE
WATER SUPPLY BANK**

Dear Mr. Dixon:

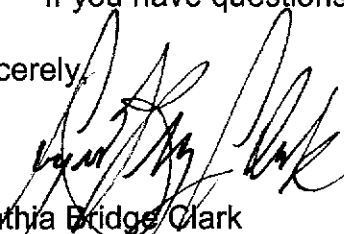
The department has completed its review of the Applications to Sell or Lease Water Right(s) to the Water Supply Bank ("bank") that you submitted to this office. Please consider that the offered water right(s) are accepted into the bank.

Several items to keep in mind in connection with the lease of a water right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.
6. The lessor may be required to provide evidence of availability of the surface water source prior to rental of the right.

If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

c: ✓ Steve Lester – IDWR Western Regional Office
63-4606



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2003

HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO. 63-4606**

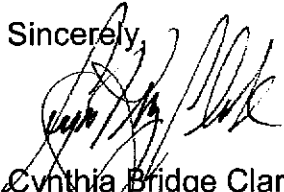
Dear Mr. Dixon:

The Department of Water Resources acknowledges receipt of your Application to Rent Water from the Water Supply Bank. Please find enclosed a Water Supply Bank Rental Agreement for your review and signature. Upon signature and return of the agreement, together with the rental fee described below, the department also will sign the agreement and will return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

The rental fee is **\$3300.00** and was calculated based on amount specified by lessor at \$11.00 per acre-foot times 300 acre-feet. Please send a check made payable to the Idaho Department of Water Resources together with the signed rental agreement. Also return the signed agreement and fee to my attention so I can complete the processing.

If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

Encl: 1

c:  Steve Lester—IDWR Western Regional Office
63-4606

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board ("Board") being authorized to operate a Water Supply Bank ("bank") and to contract by and through the Director of the Idaho Department of Water Resources ("Director") for rental of water from the bank agrees to rent water as follows:

1. Renter: Hoot Nanney Farms, Inc.
2. Address: Rt. 1 Box 8542, Floating Feather Rd, Eagle ID, 83616
3. Source of water: Ground Water
4. Volume of water rented: 300 AF Max rate: 2.9 cfs
5. Diversion period: June 15 through September 15, 2003
6. Use of water: Irrigation
7. a) Renter's point of diversion:
Legal description: L4, NW ¼ NW ¼ Section 3, T04N, R01W, B.M., Ada County
b) Renter's place of use:
Legal description: 40 acres within NWNW Section 3, T4N, R1W,
40 acres within SWNW Section 3, T4N, R1W,
40 acres within NWSW Section 3, T4N, R1W,
40 acres within NENE Section 4, T4N, R1W,
40 acres within SENE Section 4, T4N, R1W,
40 acres within NESE Section 4, T4N, R1W,
A total of 240 acres within Ada County.
8. The right(s) from which water will be rented: 63-4606 (part)

The undersigned renter agrees to pay \$ 3300.00 for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Upon Department request, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director and shall report the amount of water diverted at the end of the irrigation season.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to the licensed points of diversion and place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
6. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
8. This rental does not authorize the construction of a well.

Dated this _____ day of _____, 2003.

by _____
for _____

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and, IDAPA 37.02.03030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this _____ day of _____, 2003.

KARL J. DREHER, Director
Department of Water Resources

Graves, Lori

From: Lester, Steve
Sent: Monday, June 16, 2003 10:49 AM
To: Spackman, Gary
Cc: Graves, Lori; Gale, Kathy
Subject: RE: Rental Water

Gary:

Mike Dixon of Hoot Nanney Farms (Dale might be the father but am not sure) has a primary ground water right from a single well for which he drilled a replacement well last month. Turns out the replacement well is not as productive as he hoped and now needs both wells. He more or less stormed in here last week and demanded some approval in a matter of days. "You folks don't care about the farmer" he told me.

After giving Lori and Kathy a hard time, he was convinced to file a transfer application to correct the situation. I followed up with him via some calls and an office visit. I explained the drought emergency route and the water bank lease option for him to pursue. I helped him prepare an application to lease water from the bank (not the rental pool). That application has been forwarded to Jeff for urgent attention since Dixon said he needs to pump from both wells asap to save his hay crop.

Meanwhile, his companion transfer application has been assigned to Lori for semi-expedited processing. Since he said he quits irrigating about mid-September, even the most expedited transfer process won't help him much this season. He probably will be able to rent ground water from the bank to the tune of about 250-300 af (he & I estimated the remaining volume to make him whole this year). He wanted to know what the lease would cost him. Since I wasn't sure & could not get firm data from the internet & could not reach Lee on the spot, I advised Dixon to call Lee to see what the going rate for rental pool water is ... bank rates should somewhat follow rental pool rates according to internet information.

Dixon called Lee and was told rental pool water is going for about \$6.50 af. He probably misunderstood what I told him about rental pool vs. water bank leases, which is why Lee probably wonders what's up.

Chalk it up to a water user getting twisted up in the confusion of what we do. We did our best to handle this difficult person even if a natural inclination was otherwise. The icing on the cake was Dixon taking 3 cell phone calls while I was helping him. He even complained about us in one of the calls while I was filling out his paperwork for him. That was pleasant. Just another day at water seahorses.

Steve

-----Original Message-----

From: Spackman, Gary
Sent: Monday, June 16, 2003 10:27 AM
To: Western Region
Subject: Rental Water

Folks,

Lee Sisco informed me this morning that a wateruser named Dale Dixon is attempting to rent approximately 250 acre feet of storage water from the Boise River Rental Pool. Someone at Western has apparently told Dixon that he needs to rent the water to mitigate for ground water withdrawals in the Star-Emmett Highway area.

I think someone previously mentioned this person's name to me, but I don't know in what context. If you have communicated with Dixon or know something of this set of facts, please talk to me.

Gary

RECEIVED

APR 24 2003

WATER RESOURCES
WESTERN REGION

State of Idaho Department of Water Resources
APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

Drilling Permit No. 876554-800346
Drilling Permit Tag No. 10029401
Water Right Permit No. 63-4606
Injection Permit NO. _____

1. Owner (please print): HOOT NANNY FARMS
2. Mailing Address: RE 1
City: EAGLE State: ID Zip Code: 83616 Telephone 208-286-7715
3. Proposed Well Location: Twp: 4N Rge: 1W Sec: 3 1/4 NW 1/4 NW 1/4
Gov't Lot No. _____ County ADA Lat. _____ Long. _____
Street Address of Well Site Emmett Rd City: EAGLE
Give at least the name of Road and Distance to Road or Landmark
Lot, block and subdivision _____

4. Proposed Use of Well:

☐ Domestic: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☒ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 Head) (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit.
Number of proposed wells: _____

5. Well Construction Information:

- A. ☐ New well ☐ Modify ☒ Replace
- B. Proposed Casing Diameter 16" Proposed Maximum Depth 200'
- C. Anticipated bottom hole temperature:
☒ 85°F or less ☐ 85°F to 212° ☐ 212° F or more
(Cold water well) (Low temp. geo. well) (Geothermal well)

6. Construction Start Date: ASAP
7. Anticipated Well Driller: RIVERSIDE INC Driller's Lic. No. 333
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's Signature: Driller Jay Dams Date: 4-22-03
Address (if different than owner): P.O. Box 720
City: Parma State: Id Zip Code: 83660 Telephone: (208) 722-6723
Title: U.P.

(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCE
APPROVED

This Permit is _____

Date 5/5/03

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working day prior to the start of any excavation for this project. The "Digline" number for your area is 1-800-342-1585.

SPECIFIC CONDITIONS:

The well being replaced shall be properly abandoned within 30 days of completion of the new well



Signature of Authorized Department Representative

FOR

MANAGER
WESTERN REGIONAL OFFICE

Title

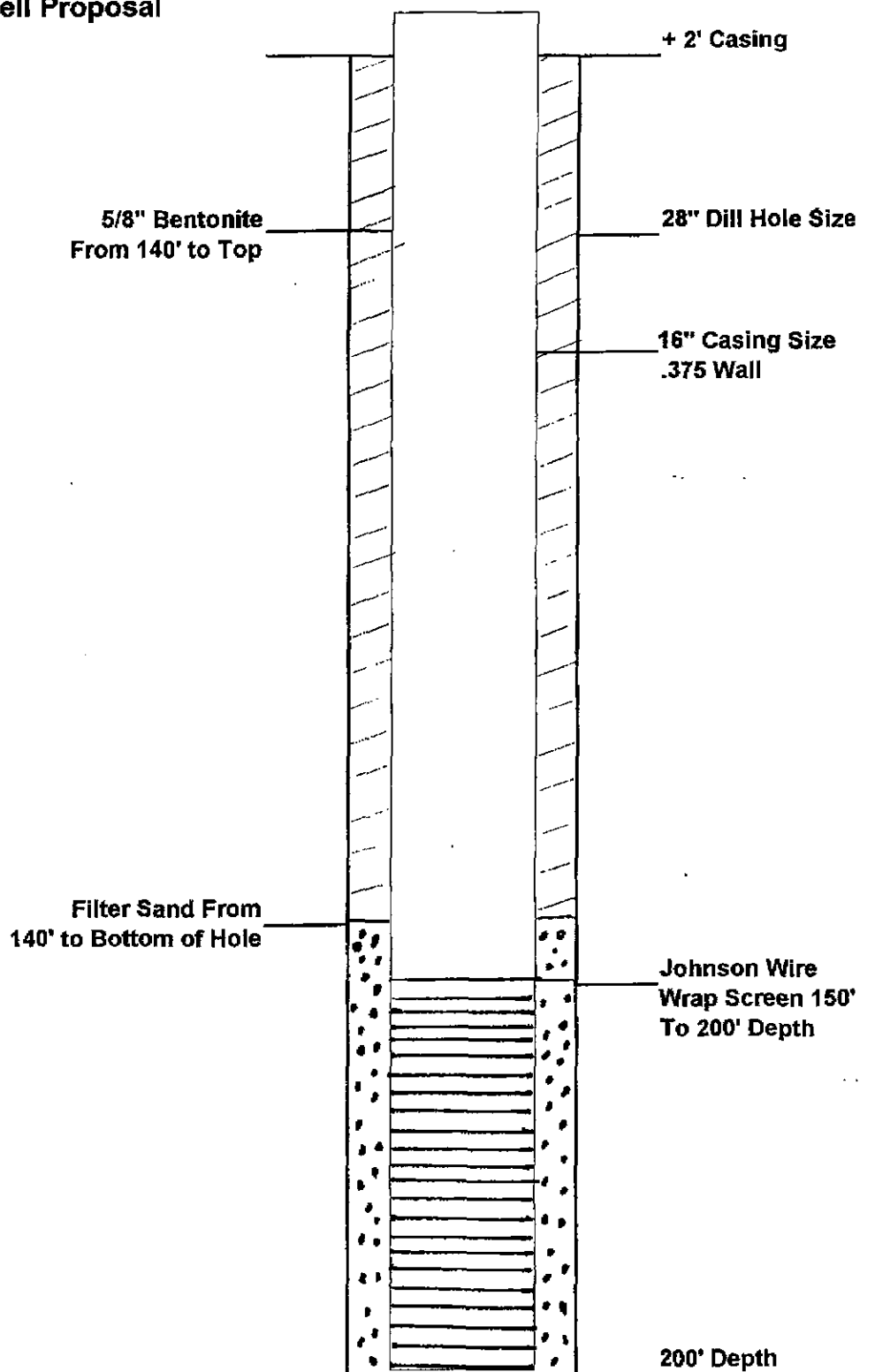
Receipt No. W030379 Received by KG Fee 200.00 Date 4/24/03

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

Hoot Nanny Farms Well Proposal



Mar 18 03 03:22p

MAR-18-03 TUE 04:16 PM

p. 1

P. 01

attn: Terry A.

Page 1

03/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4606

WATER RIGHT NUMBER: 63-4606

Owner Type Name and Address
Current Owner HOOT NANNY FARMS
RT 1
EAGLE, ID 83616
(208)286-7715

Priority Date: 06/01/1954

Basis: Statutory Claim

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	4.560 CFS	
	<u>Total Diversion:</u>	<u>4.560 CFS</u>	

Location of Point(s) of Diversion

GROUND WATER L4 (NW1/4NW1/4) Sec. 3, Twp 04N, Rge 01W, B.M.
ADA 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 01W 3							40.0	40.0			40.0						120.0
							L4										
04N 01W 4			40.0										40.0				120.0
			L1														

Total Acres: 240

Conditions of Approval:

Remarks:

- General AC. IRR.=240.
DIV. RATE=2000 GPM.
A NEW WELL IS BEING DRILLED TO REPLACE THE OLD ONE. WILL BE IN SAME 1/4, 1/4 SECTION.

Comments:

*Permit Round Legal Description.
the SW 1/4 of the NW 1/4 & Lot 4 of Section 3, & the SE 1/4
of the NE 1/4 & Lot 1 of Section 4, T. 4N., R. 1W., B.M.
Ada County, Idaho together with all water & water
Rights, ditch & ditch Rights thereto Belonging.*

Mar 18 03 03:22p

P. 2

MAR-18-03 TUE 04:17 PM

P. 02

Page 2

03/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right # → Adjudication Claim Report 53-4505

Dates and Other Information:

Claim Received Date: 4/11/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

State of Idaho

License and Certificate of Water Right

Water License No. G-24424Amount 2.4 Second feet

Water District No. _____

Priority August 28, 1953

THIS IS TO CERTIFY that **LON and ZUMA BOLEN** of **Eagle, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **August 28**, 19 **53**; that Permit No. **G-24424** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.4** second feet, was issued thereunder on **November 2**, 1954, showing that said works were completed on the **9th** day of **July**, 1954; and that on the **9th** day of **July**, 19 **54**, **LON and ZUMA BOLEN**

of **Eagle**, State of **Idaho**, made proof to the satisfaction of the **State Reclamation Engineer** of Idaho, of the right to use the waters of **a well** ~~contribution~~ **(subterranean flow)**, for the purpose of **irrigation and stock water use**, under Use Permit No. **G-24424** of the **Department of Reclamation** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **9** of Licenses at page **5388**, on the **2nd** day of **November**, 19 **54**; The right hereby confirmed dates from **August 28**, 19 **53**;

The Point of Diversion is located in the **NW 1/4 NW 1/4**, Sec. **3**, Tp. **4 N.**, R. **1 W.**, B. M. **Ada** County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **2.4** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	3	NW 1/4 NW 1/4	40	37
			SW 1/4 NW 1/4	40	5
		4	NE 1/4 NE 1/4	40	42
			SE 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

2nd day of **November**, 19 **54**.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24424

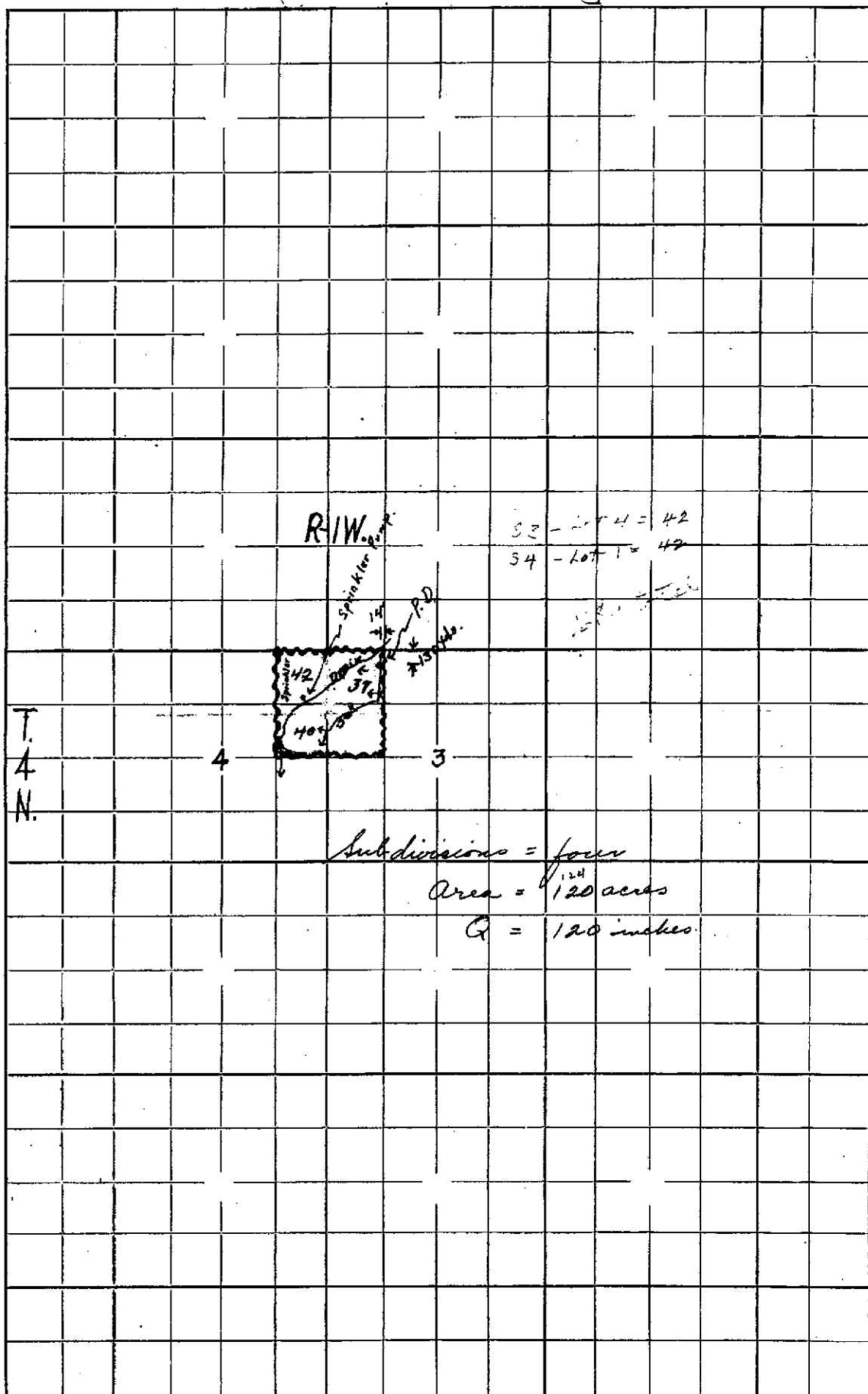
REPORT ON PROOF OF Completion of Works and Beneficial Use

LON & ZUMA BOLEN, Route 1, Eagle, Idaho

app. 3.2 c/s

2.4 c/s
men

124 acres
4-40's



See protest by Harry Salmeier, in file.

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G24424

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Lon and Zuma Bolen, Route 1, Eagle, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW¹ NW¹ of Section 3
T. 4 N. R. 1 W. County of Ada
4. Describe works as they exist, giving dimensions and capacities of same: Well is 16" diameter by 63' deep, cased to bottom. Pump sets down 50', single stage 1 1/2". 8" column 8" by 7 inch pipe delivery to east into a ditch. U. S. Motor, 15 HP. Byron Jackson Turbine Pump No. 90877, concrete curb under the pump 46" by 46" square. No house no protection. Part of the water is picked up by another pump and delivered to the fields through a sprinkler system. Employs a Westinghouse 30HP Motor, Centrifugal pump. 6" in take and 4" outlet. Enclosed in a wood shed type of house 8' by 8' by 6' high. Concrete sump 3' by 8' by 4' deep. Total lift is 24'. 6" x 5" al. main 3" al. laterals 54 nozzles.
5. Water is used for: Irrigation and stock water.
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW¹ NW¹ Section 3;

NW¹ NW¹ Section 4;

Twp. 4 North, Range 1 West, B. M.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Part of Mr. Bolen's fields are so wet that a portion of his corn could not be harvested by machinery. Some of his ground actually needs to be drained.

Delivery by pump was more than 120 inches

This examination was made on the 21st day of October, 19 54

(Signed) E. M. Humphrey Examiner.

B24424

Claims 135' to 140"

Where 30 hp. horizontal

220V. 73.2V.

#6-22V422

Center pump. (Johnson?)
6' x 4' out.

3-6 belt drive

wood house shed type
8' x 8' x 6' h.

conc. pump

36" x 8' x 4' deep

Left 6' to pump

Total lift 24'

57' sprinkler heads

1/4 in. { 6" all
5-4 portable

3 laterals 3"

57' nozzles 5/32" x 13/16"

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soil, topography, and crops raised.

RECEIVED
OCT 22 1954

Department of Reclamation

Lee & Sons Belen

Rt. 1, Belen, Idaho

Permit No. 0-24424

Examination for Completion of Works
and Beneficial Use

County Ada

3 - N. - 1 W.

Q 2 3.2 c.f.s.

S - Well

P.D. = 174.111, Sec. 3, T. 4 N. - R. 4 W.

Use - Irrigation & Stock

allow 120"

85 a. of 160 had water

has 7 1/2 acres of 12 to 15' pipe

Priority - Aug. 28, 1953

Date - Sept. 2, 1955

63' x 16 1/2. and to bottom

Pump set down 50'

1 stage 14"

8" Col.

7" x 8' d. pipe to each into

sheds -

U.S. Notes 220V. 154V.

1800 rpm 40 amps

90877 Repron backwater

turb. pump.

E. M. Switch Panel # 8372

on board to north

300 33 012 - 240V. notes

46" x 46" curb

no protect.

11-3-03

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☒ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-04606Owner: _____ Phone No. Same

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☒ NEW ADDRESS 8542 Floating Feather Rd. W, Eagle, Id 83616
- ☐ How long owned property? Can

Accompanied by: Mr. Dixon son of Hazel (husband Henry has passed away)**PRIORITY DATE**

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1954 for original 124 acres licensed under 63-02958.

(If priority date, based on your exam, seems questionable, explain below.)

additional 111 acres put to use by 1976. (Started leveling the land in 1974) see commentsSource: GW Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change for original POD but a new POD has been added in same Q@ (additional)
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? New POD added 2003 - See well log.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

*new POD Lat. 43.7196700
Long. 116.4474600*

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
									<i>Waypoint id - 001 - original POD</i>
									<i>Waypoint id - 003 - new POD</i>

Description of diverting works

*original POD Lat. 43.7201000
Long. 116.4474100*

*original - 70' deep, motor + pump with pipe to ditches
new - 200' deep, motor + pump with pipe to same ditches*

OVERLAP REVIEW

Other water rights with the same point of diversion: *No*

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

** Change season of use*

☒ No change

☐ Different Uses

Use *irrig* From *3/1* To *11/15* Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount _____ CFS _____ AFA *see calc sheet*

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	3						39	39			38							116
4N	1W	4	41			39								39					119
																			235

Overlap with other water rights: 63-02958 License-No SRBA Claim

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: Static water level 25' for new well, assuming same for original well.

	Well or Diversion Identification No GPS ID Tag #	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A000	2041 original	US motor	20	1849829	No plate	
A600	2042 new	unreadable	40		Johnson	

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Photos 566 Motor name plate
567 System facing S
568 POU facing W from POU } original well

New well 569 motor name plate
570 pump name plate
571 System facing S
572 Both wells

Originally the licensed QQ's were partially hills & draws
so not all acres were irrigatable, but current
(over)

owners began leveling the land in 1974 and additional acres claimed were put into use by 1976.

The original well was not producing like it had originally so new well was drilled about 200' away (same QQ) with the intent of abandoning old well but the new well didn't produce what was needed either so now claimant is using both wells.

Claimant states he has been told by somebody at EDNR that he can use both wells without a flow application because he can rent the water needed.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 11-3-03

FIELD EXAMINER: Karan Waters

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 63-04606
 Examiner: Karan Waters
 Date of Field Exam: 11/3/2003

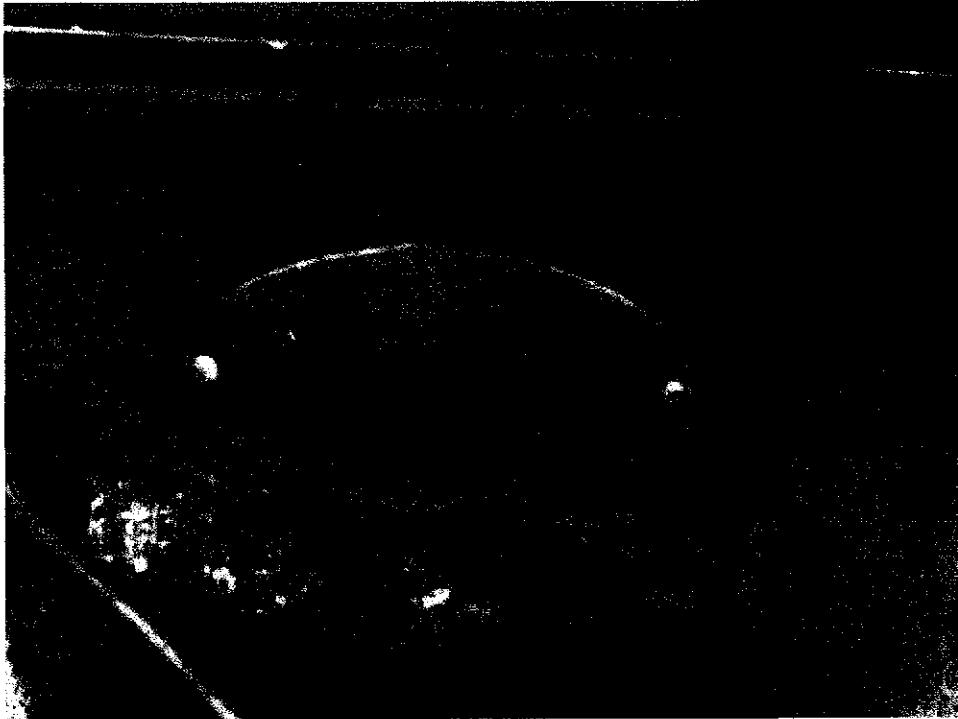
P/D No.:	OPTION 1 <i>original well</i>	OPTION 2 <i>new well</i>	OPTION 3
PUMP HORSEPOWER	20	40	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	35	35	
DISCHARGE PRESSURE	60	60	
RATE OF FLOW (cfs)	0.71	1.42	#DIV/0!

63-04606

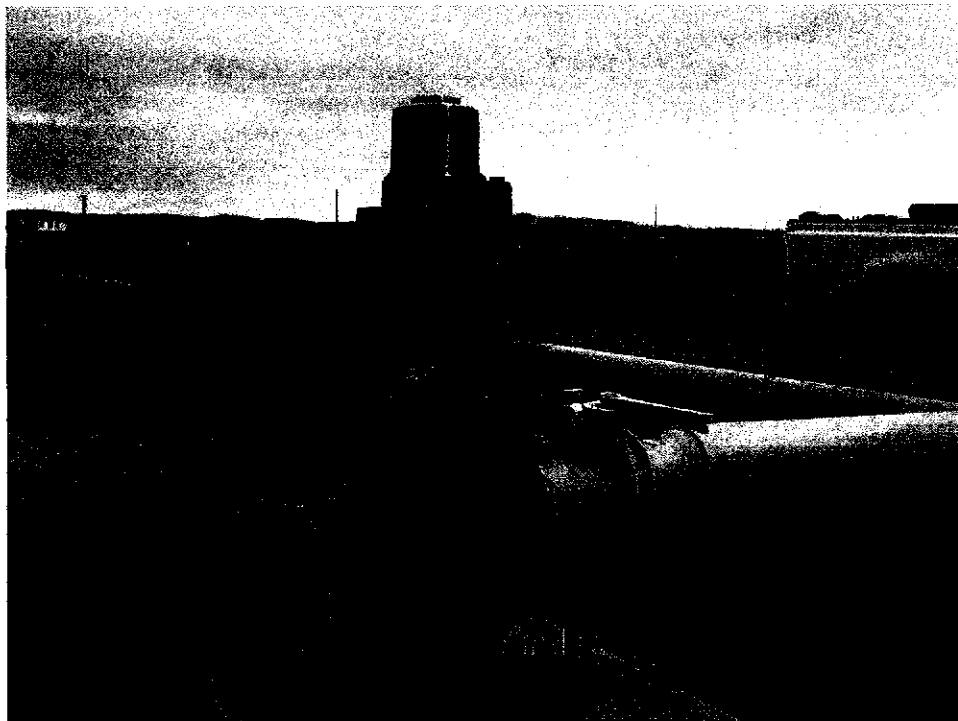


Both wells facing S.

63-04606



New well pump nameplate

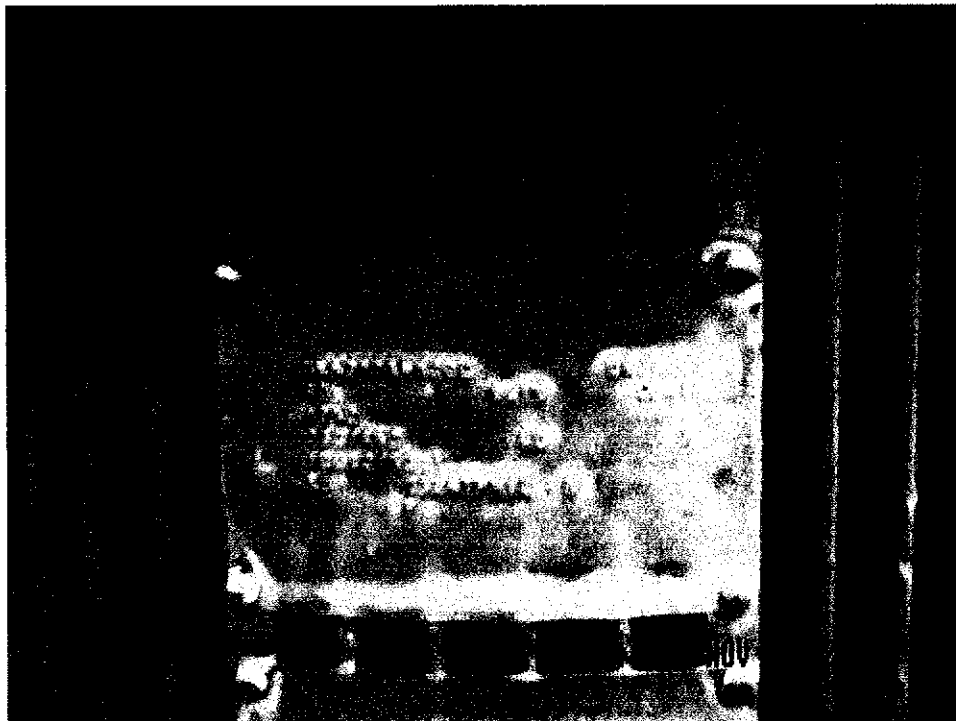


New pumping system facing S.

63-04606



POU facing W. from POD



New well motor nameplate

63-04606



Original well motor nameplate



Original pumping system facing SW.

FROM Cindy Hodges

DATE 7/9/92

TO File A63-4606

SUBJECT License 63-2958

During related research, I discovered the overlap between this license & S-claim 63-4606. No SRBA has been filed on 2958. A visit with applicant's Son indicates that due to priorities involved, only the Statutory claim was filed in SRBA in order to cover all areas w/o duplicate filing.

Cyt

MICROFILMED

AUG 20 1992

7-24-03: POU Problem:

- : 124 acres of the claimed POU were licensed under Right 63-02958. But this right was not claimed because Statutory Claim Earlier Priority date.
- : SRBA Claim Claims 240 acres. With June 1, 1954 Priority date.
- : The Question is, "When did the additional 80 ac start being irrigated?" 1976 116
- : Field Exam for 63-02958 did not recognize additional 80 ac in Oct 1954. Original Statutory Claim Filed in 1981 Claimed 240 ac.

Thus - Assumed additional 80 ac added sometime B/W 1954 and 1981.

New appropriation of water for additional 80 ac requires a new water right.

* Need to find out when additional acreage was added. 2003 Well log indicates Replacement Well @ original POU. Claimant has Two Points of Diversion.

: POU Second POU added after 1987. Unless original Well was abandoned - a transfer needs to be filed.

→ In Addition - Affidavit supporting use only supports four 40 acre tracts.

: Affidavit signed April 3, 1978 states: 300 inches of water is well capacity

called 10-15-03 no Answer or machine evening

called 10-24-03 afternoon " "

called 11-1-03 Sat. morn. No Answer

(over)

originally on licensed land were a lot of draws + hills
so not all was irrigatable.

1974 Dixon purchased and began leveling all land in
4 Q's. In 1976 all 240 acres was being irrigated

old well was not producing like it had originally so new
well was drilled about 1901 away. It didn't produce
enough so old well was brought back into service
new well drilled May 2003.

Drilling permit dated 1989 was for work on old well

Original well GPS file 001

HP 20 70' deep

Photo

566 Motor name plate US Motor SN 1849829

567 pump + motor parts

568 POU

Tag 2041

new well May 2003

569 motor name plate

570 pump name plate

571 pump + motor

572 Both wells

GPS file 003

40 HP

200' deep

Tag 2042

Johnson Pump Co.

static water level 25'

AFFIDAVIT

State of Idaho (

County of Ada (

ss.

Carl Van Hoover

Carl Van Hoover, being first duly sworn on his oath does depose and say: That the affiant for the past 24 years has been well and personally acquainted with the real property described in Exhibit "A" attached hereto and made a part hereof.

That since the year 1954, the Affiant has of his own knowledge known that there has been in existence and usage a water well for irrigation located in the Northeast corner of the real property described in said Exhibit "A" and every year without interruption since said date the said well has been used to the full capacity of the well to irrigate for agricultural purposes the real property described in the said Exhibit "A".

Well tested in excess of 300" of water and used continuously to date.

Carl Van Hoover
Subscribed and sworn to before me this 3rd day of April, 1978.

Elizabeth H. McJannet
Notary Public for Idaho
Residing at *Elmer*, Idaho

(SEAL)

INDEXED

EXHIBIT "A"

Parcel 3:

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and Lot 4 of Section 3; and SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and Lot 1 of Section 4, All in Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPT that portion already dedicated by public use as a county road, or lying within Emmett Highway;

ALSO EXCEPT a strip of land being all that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and of Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, that lies Westerly of a line parallel with and distant 40.0 feet Easterly from the following described center line of highway as surveyed and shown on the official plat of State Highway No. 16 - Project No. S-3832(2) Highway Survey on file in the office of the Department of Highways of the State of Idaho. Beginning at Station 91+90.1 of the said Highway Survey, which station is a point on tangent approximately 3951.0 feet East from the West Quarter corner of Section 4, Township 4 North, Range 1 West, Boise Meridian; thence running North 0°23' East, 2717.9 feet to Station 119+08.0 of said Survey, which station is a point on tangent approximately 1326.8 feet East from the North Quarter corner of Section 4, Township 4 North, Range 1 West, Boise Meridian.

ALSO EXCEPT an additional irregular strip of land adjacent and contiguous to the above described right of way, on the Easterly side thereof, being 0.0 feet wide at Station 98+30, widening to 30.0 feet at Station 99+00, continuing 30.0 feet wide to Station 113+00, and tapering to 0.0 feet wide at Station 114+00.

AND ALSO EXCEPT an irregular parcel of land on the Easterly side of the center line of said Highway Survey, and lying in Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, described as follows, to wit:

Beginning at a point on the North line of Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, approximately 1366.8 feet from the North quarter corner of said Section 4; thence Easterly along said North line of Lot 1 for a distance of 103.0 feet to a point; thence South 0°23' West parallel to and 143.0 feet distant Easterly from the center line of said Highway Survey for a distance of 35.0 feet, more or less, to a point on the Southerly right of way line of an existing County Road; thence South 49°59' West, a distance of 137.42 feet, more or less, to a point on a line parallel to and distant 40.0 feet Easterly from the center line of said Highway Survey; thence North 0°23' East along said parallel line for a distance of 126.0 feet, more or less, to the point of beginning.

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3, Township 4 North, Range 1 West of the Boise Meridian in Ada County, Idaho; ALSO the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 4 North, Range 1 West of the Boise Meridian in Ada County, Idaho, EXCEPTING the West 33' of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ which is deeded to STATE OF IDAHO as a Highway.

AFFIDAVIT

State of Idaho (: ss.
County of Ada (

Zella Van Hooser, being first duly sworn on his oath does depose and say: That the affiant for the past 24 years has been well and personally acquainted with the real property described in Exhibit "A" attached hereto and made a part hereof.

That since the year 1954, the Affiant has of his own knowledge known that there has been in existence and usage a water well for irrigation located in the Northeast corner of the real property described in said Exhibit "A" and every year without interruption since said date the said well has been used to the full capacity of the well to irrigate for agricultural purposes the real property described in the said Exhibit "A".

Well tested in excess of 300" of water and used continuously to date.

Zella Van Hooser
Subscribed and sworn to before me this 3rd day of April, 1978.

(SEAL)

Elizabeth R. McSpadden
Notary Public for Idaho
Residing at P.O. Box 45 Emmet Idaho

My Bond expires Sept 11, 1981

RECORDED

EXHIBIT "A"

Parcel 3:

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and Lot 4 of Section 3; and SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and Lot 1 of Section 4, All in Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

EXCEPT that portion already dedicated by public use as a county road, or lying within Emmett Highway;

ALSO EXCEPT a strip of land being all that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and of Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, that lies Westerly of a line parallel with and distant 40.0 feet Easterly from the following described center line of highway as surveyed and shown on the official plat of State Highway No. 16 - Project No. S-3832(2) Highway Survey on file in the office of the Department of Highways of the State of Idaho.

Beginning at Station 98+00.1 of the said Highway Survey, which station is a point on tangent approximately 3951.0 feet East from the West Quarter corner of Section 4, Township 4 North, Range 1 West, Boise Meridian; thence running North 0°23' East, 2717.9 feet to Station 119+08.0 of said Survey, which station is a point on tangent approximately 1326.8 feet East from the North Quarter corner of Section 4, Township 4 North, Range 1 West, Boise Meridian.

ALSO EXCEPT an additional irregular strip of land adjacent and contiguous to the above described right of way, on the Easterly side thereof, being 0.0 feet wide at Station 98+30, widening to 30.0 feet at Station 99+00, continuing 30.0 feet wide to Station 113+00, and tapering to 0.0 feet wide at Station 114+00.

AND ALSO EXCEPT an irregular parcel of land on the Easterly side of the center line of said Highway Survey, and lying in Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, described as follows, to wit:

Beginning at a point on the North line of Lot 1 of Section 4, Township 4 North, Range 1 West, Boise Meridian, approximately 1326.8 feet from the North quarter corner of said Section 4; thence Easterly along said North line of Lot 1 for a distance of 103.0 feet to a point; thence South 0°23' West parallel to and 40.0 feet distant Easterly from the center line of said Highway Survey for a distance of 35.0 feet, more or less, to a point on the Southerly right of way line of an existing County Road; thence South 49°59' West, a distance of 137.42 feet, more or less, to a point on a line parallel to and distant 40.0 feet Easterly

from the center line of said Highway Survey; thence North 0°23' East along said parallel line for a distance of 126.0 feet, more or less, to the point of beginning.

THE SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3, Township 4 North, Range 1 West of the Boise Meridian in Ada County, Idaho; ALSO the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 4 North, Range 1 West of the Boise Meridian in Ada County, Idaho, EXCEPTING the portion of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ which is deeded to STATE OF IDAHO as a Highway

63-2958

State of Idaho

License and Certificate of Water Right

Water License No. G-24424

Amount 2.4 Second feet

Water District No.

Priority August 28, 1953

THIS IS TO CERTIFY that LON and ZUMA BOLEN of Eagle, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 28, 1953; that Permit No. G-24424 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.4 second feet, was issued thereunder on November 2, 1954, showing that said works were completed on the 9th day of July, 1954; and that on the 9th day of July, 1954,

LON and ZUMA BOLEN

of Eagle, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~contribution of~~ (subterranean flow), for the purpose of irrigation and stock water use, under Use Permit No. G-24424 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5388, on the 2nd day of November, 1954;

The right hereby confirmed dates from August 28, 1953;

The Point of Diversion is located

in the NW 1/4 NW 1/4 Sec. 3, Tp. 4 N., R. 1 W., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	3	NW 1/4 NW 1/4	40	37
			SW 1/4 NW 1/4	40	5
		4	NE 1/4 NE 1/4	40	42
			SE 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated	-	124

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

2nd day of November, 1954.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

63 2958
MICROFILMED
AUG 20 1992

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-24424

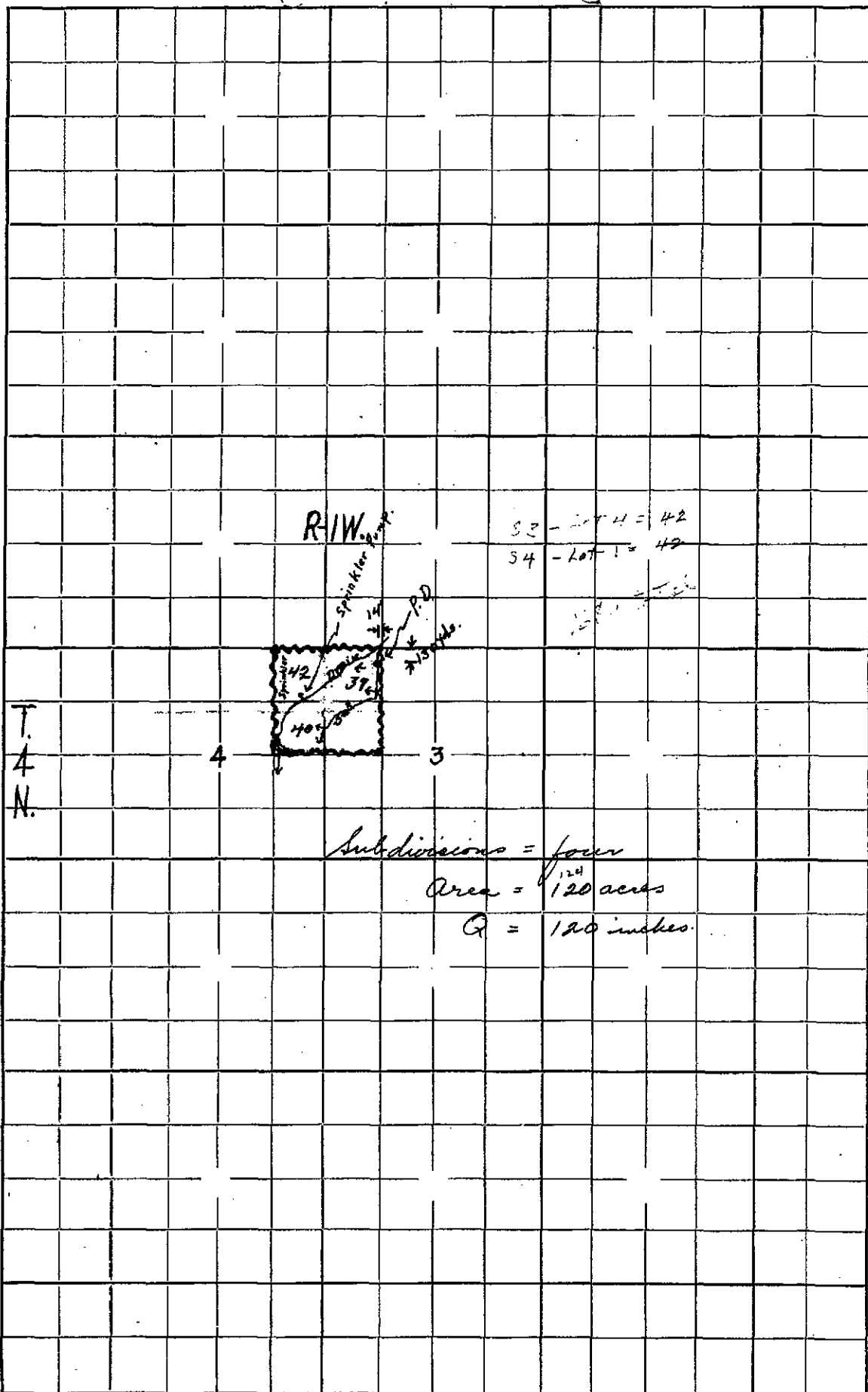
REPORT ON PROOF OF Completion of Works and Beneficial Use

ION & ZUMA BOLEA, Route 1, Eagle, Idaho

app. 3.2 cfs

2.4 cfs
max

124 acres
4-40's



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

8 24424

See protest by Mary Salmeier, in file.

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G24424

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Lon and Zuma Bolen, Route 1, Eagle, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3
T. 4 N. R. 1 W. County of Ada
4. Describe works as they exist, giving dimensions and capacities of same: Well is 16" diameter by 63' deep, cased to bottom. Pump sets down 50', single stage 1 $\frac{1}{2}$ ". 8" column 8" by 7 inch pipe delivery to east into a ditch. U. S. Motor, 15 HP. Byron Jackson Turbine Pump No. 90877, concrete curb under the pump 46" by 46" square. No house no protection. Part of the water is picked up by another pump and delivered to the fields through a sprinkler system. Employs a Westinghouse 30HP Motor, Centrifugal pump. 6" in take and 4" outlet. Enclosed in a wood shed type of house 8' by 8' by 6' high. Concrete sump 3' by 8' by 4' deep. Total lift is 24'. 6" x 5" al. main 3" al. laterals 54 nipples.
5. Water is used for: Irrigation and stock water.
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 3;

N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 4;

Twp. 4 North, Range 1 West, B. M.

See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?
- Remarks: Part of Mr. Bolen's fields are so wet that a portion of his corn could not be harvested by machinery. Some of his ground actually needs to be drained.

Delivery by pump was more than 120 inches

This examination was made on the 21st day of October, 19 54

(Signed) E. N. Humphrey Examiner.

G24424

Claims 135' x 140'

Wheel 30 hp. horse power

220V. 73.2V.

#6-22V422

Center pump (Johnson?)
6' x 4' out.

3 - 6 belt drive

wood house ahead of pump
8' x 8' x 6' h.

conc. pump

36" x 8' x 4' deep

lift 6' to pump

total lift 24'

54' sprinkler heads

1/4" m. { 6" all
5" 4" portable

3 laterals 3"

54' no-flow 5/32" x 13/16"

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soil, topography, and crops raised.

RECEIVED
OCT 22 1954
Department of Reclamation

Len & Emma Helen

Rt. 1, Eagle, Idaho

Permit No. G-24424

Examination for Completion of Works and Beneficial Use

County Ada

3 - 4 N. - 1 W.

Q. 3.2 c.f.s.

S. Well

P.D. = NW 1/4, Sec. 3, T. 6 N. - R. 1 W.

the Irrigation & Stock

allows 120"

85' a. of 160 head water

has 7 1/2 stems of 12 1/2" pipe

Priority - Aug. 28, 1953
Done - Sept. 2, 1953

63' x 164'. used to be town

Pump set down 50'

1 step 14"

8" Col.

7" x 8" d. pipe to East into ditch

U.S. Notes 220V. 154V.

1800 rpm 40 amps

90877 Repr. for electric
turb pump

E. M. Switch Panel 8372

on board to north

300 33012 - 240V. notes

46" x 46" curb,
no protection

Idaho Department of Water Resources

Claim Number: 63-04606
Legal: T4N, R1W, S3, 4
Reviewed By:

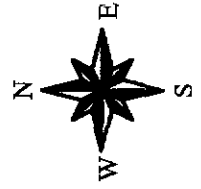
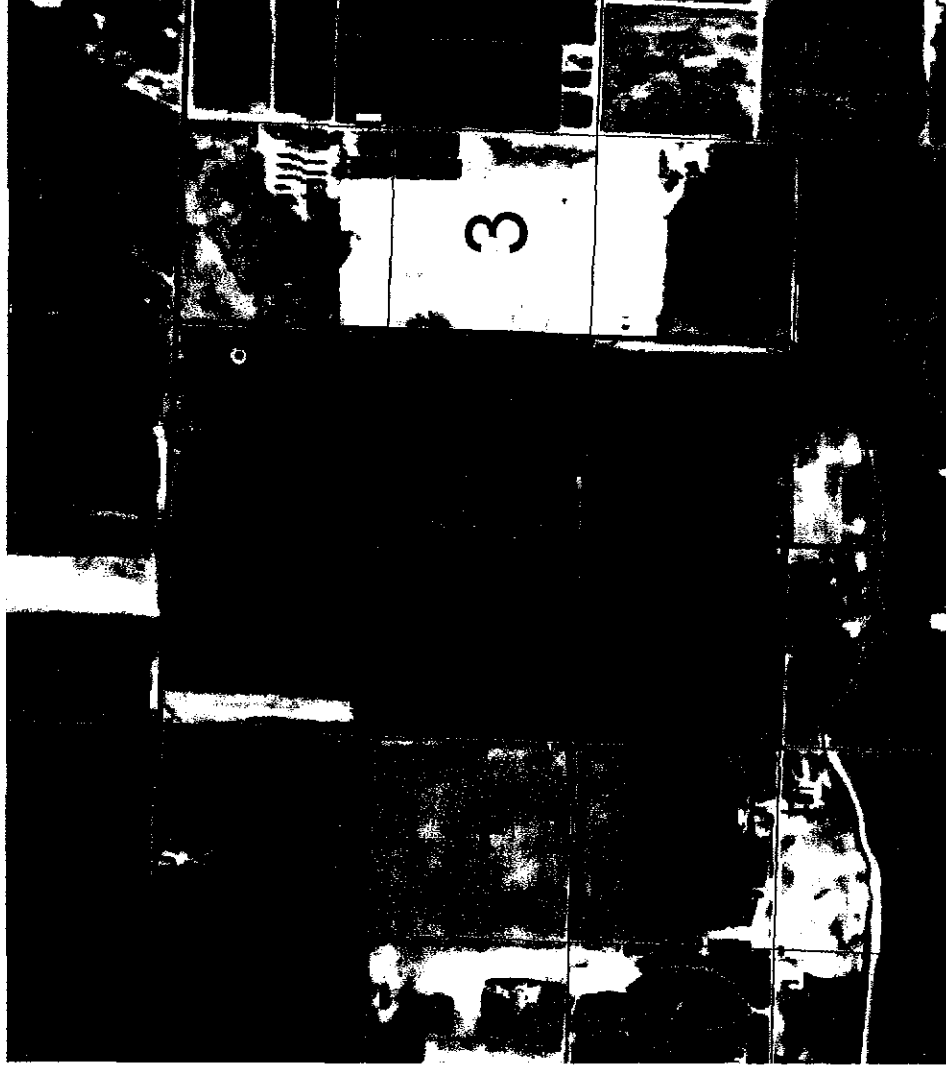
⊙ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

1987 Napp Photo



Form 235-1
4/88

Drilling Permit No. 6382012
Water Permit No. 103-04606
Injection Permit No.

RECEIVED

JAN 23 1989

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources (Authorizing Construction of a Well)*

1. Applicant Hoot NANNY FARMS
2. Address Rte 1
Eagle, Idaho 83616 Telephone 286-7714
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NW 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 3, Twp. 4N, Rge. 1W, County _____,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☐ New well ☐ Deepen ☒ Replace
Proposed surface diameter 16 in Maximum depth 150 ft
Anticipated bottom hole temperature: _____
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date March 1, 1989
7. Well Driller (if known) Pete Cope Well Drilling Co.
Address 6505 West Chinden Blvd. Meridian, ID 83842
8. Applicant's signature Henry Draper
Title President
Date 1-23-1989

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

Irrigation.

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:

Dated this 23rd day of Jan, 19 89.

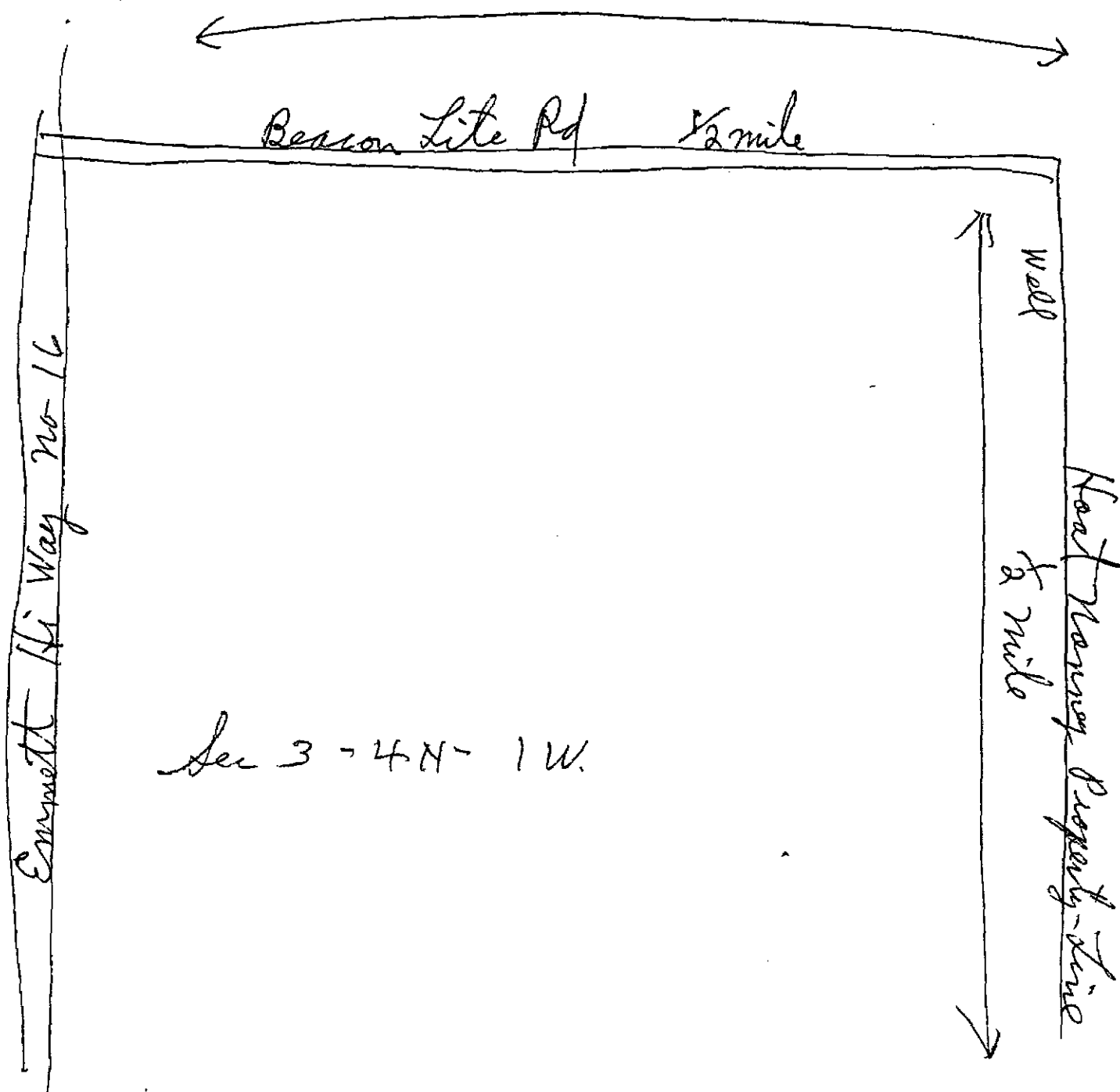
Signed David R. Tuttle

Title Mgr Western Reg Off IDWR

Received by L. Werner Fee \$100.00 Date 1-23-89

Receipt No. W2057 Construction start extension to _____

Extension approved by _____



DECI

JAN 23 1989

Department of Water Resources

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4606
 Old No. New No.

Record

1. Original Owner: Hoot Nanney Farms Inc.

Present Owner: _____

2. Address: Rt. 1

3. City: Eagle State: Id Zip: 83616

4. A. Source of Water: gr

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1954

D. County: Ol

E. Total Diversion Rate: 4.44

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion		<u>3</u>	<u>4N</u>	<u>1W</u>	<u>4</u>	

7. Period of Use, Use, Diversion Rate/Volume:

from 4-15 to 10-15 for A purposes. Amount 4.44
 (cfs or AG-Ft/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.

B.

C.

D.

E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-4606

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ N/A Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) W/tn 4/13/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) W/tn 4/13/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) sf OK

Affidavit of Publication received (date) 5-2-78

(12) _____

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

_____ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By d/tn

Date 5/8/78

RECEIVED

6-11-03

NOTES:

Steve L. talked to owner
of Farns Inc. ^{Groffway}, says for
Stat claim he drilled a
replacement well and was
supposed to abandon the old
but now he wants to have both
wells because of low flows.
But because he drilled the
replacement well after 1987
he will need to file a
transfer. \$15 in process
for ADDITION APOD.

"OK w Steve"