STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78338

This is to certify that: HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
8542 FLOATING FEATHER RD
EAGLE, ID 83616

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 Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
63-2958	WR/DECREED	8/28/1953	2.400 cfs	558.0 af	124.0	240.0	GROUND WATER
63-31988	WR/DECREED	3/1/1976	1.160 cfs	522.0 af	124.0	240.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2958	NO	NO	NO	YES	NO	NO
63-31988	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2958	63-2958	2.400 cfs	558.0 af	124.0	240.0	N/A	N/A	N/A	N/A	N/A
63-31988	63-31988	1.160 cfs	522.0 af	124.0	240.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**2.400 cfs**	**1080.0 af**	**240.0**	**240.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 29 day of May, 2014.

Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 63-2958

Transfer No. 78338

WATER RIGHT NO. 63-2958

As Modified by Transfer No. 78338

In accordance with the approval of Transfer No. 78338, Water Right No. 63-2958 is now described as follows:

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

Priority Date: 8/28/1953

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/01	to	11/15	2.400 cfs	558.0 af
				2.400 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	(R)
GROUND WATER	L4 (NWNW)	Sec 3	Twp 04N Rge 01W ADA County	
GROUND WATER	L4 (NWNW)	Sec 3	Twp 04N Rge 01W ADA County	(I)
GROUND WATER	L4 (NWNW)	Sec 3	Twp 04N Rge 01W ADA County	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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																

Right Acre Limit: 124.0
POU Total Acres: 240.0

CONDITIONS OF APPROVAL

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

2. Rights 63-2958 and 63-31988 when combined shall not exceed a total diversion rate of 2.40 cfs, a total annual maximum diversion volume of 1080.0 af at the field headgate, and the irrigation of 240 acres.

3. Rights 63-2958, 63-31988 and 63-32010 when combined shall not exceed a total annual maximum diversion volume of 1080.0 af at the field headgate, and the irrigation of 240 acres.

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WATER RIGHT NO. 63-2958

As Modified by Transfer No. 78338

CONDITIONS OF APPROVAL

4. 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 place of use.

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

6. Ground water diverted from the new well authorized under Transfer 78338 located in Govt. Lot 4 (NWNW), Section 3, Township 4N, Range 1W shall be limited to water bearing formations no deeper than 200 feet below ground surface.

7. Ground water diverted from points of diversion in Govt. Lot 4 (NWNW), Section 3, Township 4N, Range 1W is injected into Little Gulch Creek and rediverted from Little Gulch Creek.

8. Prior to the diversion and use of water under Transfer 78388, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), to measure the diversion of ground water in accordance with Department specifications.

9. The right holder shall record the quantity of ground water diverted and annually report the totals, in accordance with Department instructions.

10. Upon specific notification by the Department, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of rediversion, in accordance with Department specifications.

11. This right does not grant any right-of-way or easement across the land of another.

12. The diversion and use of water described in Transfer 78338 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

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

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

15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

16. Right 63-31988 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

17. The following rights are diverted through points of diversion described above: 63-2958, 63-31988 and 63-33721.

WATER RIGHT NO. 63-31988

As Modified by Transfer No. 78338

In accordance with the approval of Transfer No. 78338, Water Right No. 63-31988 is now described as follows:

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

Priority Date: 3/2/1976

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/01	to	11/15	1.160 cfs	522.0 af
				1.160 cfs	522.0 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	(R)
GROUND WATER	L4 (NWNW)	Sec 3	Twp 04N Rge 01W ADA County	
GROUND WATER	L4 (NWNW)	Sec 3	Twp 04N Rge 01W ADA County	(I)
GROUND WATER	L4 (NWNW)	Sec 3	Twp 04N Rge 01W ADA County	

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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																

Right Acre Limit: 124.0
POU Total Acres: 240.0

CONDITIONS OF APPROVAL

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

2. Rights 63-2958 and 63-31988 when combined shall not exceed a total diversion rate of 2.40 cfs, a total annual maximum diversion volume of 1080.0 af at the field headgate, and the irrigation of 240 acres.

3. Rights 63-2958, 63-31988 and 63-32010 when combined shall not exceed a total annual maximum diversion volume of 1080.0 af at the field headgate, and the irrigation of 240 acres.

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WATER RIGHT NO. 63-31988

As Modified by Transfer No. 78338

CONDITIONS OF APPROVAL

4. 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 place of use.

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

6. Ground water diverted from the new well authorized under Transfer 78338 located in Govt. Lot 4 (NWNW), Section 3, Township 4N, Range 1W shall be limited to water bearing formations no deeper than 200 feet below ground surface.

7. Ground water diverted from points of diversion in Govt. Lot 4 (NWNW), Section 3, Township 4N, Range 1W is injected into Little Gulch Creek and rediverted from Little Gulch Creek.

8. Prior to the diversion and use of water under Transfer 78388, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), to measure the diversion of ground water in accordance with Department specifications.

9. The right holder shall record the quantity of ground water diverted and annually report the totals, in accordance with Department instructions.

10. Upon specific notification by the Department, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of rediversion, in accordance with Department specifications.

11. This right does not grant any right-of-way or easement across the land of another.

12. The diversion and use of water described in Transfer 78338 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

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

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

15. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

16. This right is based upon an enlargement of Right No. 63-2958 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 63-31988

As Modified by Transfer No. 78338

CONDITIONS OF APPROVAL

17. The following rights are diverted through points of diversion described above: 63-2958, 63-31988 and 63-33721.

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