

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-33721

Priority: December 13, 2012

Maximum Diversion Rate: 2.40 CFS

This is to certify, that HOOT NANNEY FARMS INC
C/O MICHAEL L DIXON
RT 1 BOX 8542 FLOATING FEATHER RD
EAGLE ID 83616

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	2.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	L4 (NW1/4NW1/4) Sec. 3, Twp 04N, Rge 01W, B.M. ADA County	
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GROUND WATER	L4 (NW1/4NW1/4) Sec. 3, Twp 04N, Rge 01W, B.M. ADA County	(Injection)
GROUND WATER	L4 (NW1/4NW1/4) Sec. 3, Twp 04N, Rge 01W, B.M. ADA County	(Rediversion)
GROUND WATER	NW1/4SW1/4 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. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2014**.
2. Subject to all prior water rights.
3. The diversion and use of water described in this right 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.
4. The ground water source for this right shall be limited to water bearing formations no deeper than 200 feet below ground surface.

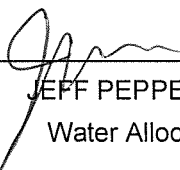
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CONDITIONS OF APPROVAL CONTINUED

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 points of diversion in Govt. Lot 4 (NWNW), Section 3, Township 4 North, Range 1 West, is injected into Little Gulch Creek and rediverted from Little Gulch Creek.
7. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and at the authorized point of rediversion, in accordance with Department specifications.
8. The right holder shall record the quantity of water diverted from each point of diversion and from the point of rediversion and annually report the totals, in accordance with department instructions.
9. The right holder shall make full beneficial use of Right 63-32010 and shall limit the diversion of ground water under this right to those times when the Right 63-32010 is not available or is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If Right 63-32010 is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. Rights 63-2958, 63-31988, 63-32010, and 63-33721 when combined shall not exceed a total diversion rate of 4.80 cfs, a total annual maximum diversion volume of 1080.0 af at the field headgate, and the irrigation of 240 acres.
12. 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.
13. This right does not grant any right-of-way or easement across the land of another.
14. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30 day of October, 2013.



JEFF PEPPERSACK, Chief
Water Allocation Bureau

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