

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77067

This is to certify that: HANGING VALLEY RANCH INC
C/O LEON CARSON
1625 ANNETT ST
BOISE ID 83705
(208)344-4070

has requested a change to the water rights listed below. This change in water rights 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>
65-2803X	WR/Decreed	05/27/1965	0.65 cfs	N/A		82.0	BURN CREEK
65-7149	WR/Decreed	07/29/1970	0.5 cfs	N/A		65.0	BURN CREEK
65-23230	WR/Decreed	05/27/1965	0.06 cfs	7.2 af			BURN CREEK

Purpose of Transfer (Changes Proposed)

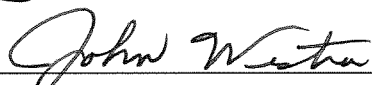
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
65-2803X	NO	YES	NO	NO	NO	NO
65-7149	NO	YES	NO	NO	NO	NO
65-23230	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
65-2803X	65-2803X	0.65 cfs	N/A	N/A	40.5		N/A	N/A	N/A	N/A
65-7149	65-7149	0.16 cfs	N/A	N/A	40.5		N/A	N/A	N/A	N/A
65-23230	65-23230	0.06 cfs	7.2 af	N/A			N/A	N/A	N/A	N/A
COMBINED TOTALS		0.87 cfs		N/A	40.5		N/A	N/A	N/A	N/A

Detailed Water Right Descriptions attached

Dated this 5th day of May, 2011


John Westra, Western Regional Manager

SUPPORT DATA

IN FILE # 65-2803X

[illegible]

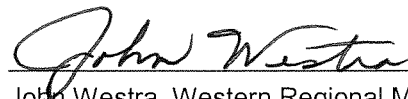
WATER RIGHT NO. 65-2803X
As Modified by Transfer No. 77067

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
5. Upon specific notification by the Department, the right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. The right holder shall cease irrigation of 41.5 acres previously authorized under this right, and consolidate use of water on the remaining 40.5 acres.
8. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/23/2001.
9. Rights 65-2803X and 65-7149 when combined shall not exceed the irrigation of 40.5 acres.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
11. The following rights are diverted through point of diversion described above: 65-2803X, 65-7149 and 65-23230.
12. The recreation components are ponds used for recreational fishing.

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 5th day of May, 20 11


John Westra, Western Regional Manager

WATER RIGHT NO. 65-7149
As Modified by Transfer No. 77067

In accordance with the approval of Transfer No. 77067, Water Right No. 65-7149 is now described as follows.

Right Holder: HANGING VALLEY RANCH INC
 C/O LEON CARSON
 1625 ANNETT ST
 BOISE ID 83705

Priority Date: July 29, 1970

Source: BURN CREEK

Tributary: SOUTH FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.16 CFS	
			0.16 CFS	

LOCATION OF POINT OF DIVERSION:

BURN CREEK SESW Sec. 29, Twp 10N, Rge 10E, BOISE 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	
10N	10E	29												5.4					5.4
10N	10E	31	1.0			3.8													4.8
10N	10E	32					7.8	15.5	7.0										30.3

Total Acres: 40.5

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
5. Upon specific notification by the Department, the right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 65-7149
As Modified by Transfer No. 77067

6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
7. The right holder shall cease irrigation of 24.5 acres previously authorized under this right, and consolidate use of water on the remaining 40.5 acres.
8. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/23/2001.
9. Rights 65-2803X and 65-7149 when combined shall not exceed the irrigation of 40.5 acres.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
11. The following rights are diverted through point of diversion described above: 65-2803X, 65-7149 and 65-23230.

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 5th day of May, 20 11


John Westra, Western Regional Manager

WATER RIGHT NO. 65-23230
As Modified by Transfer No. 77067

In accordance with the approval of Transfer No. 77067, Water Right No. 65-23230 is now described as follows.

Right Holder: HANGING VALLEY RANCH INC
 C/O LEON CARSON
 1625 ANNETT ST
 BOISE ID 83705

Priority Date: May 27, 1965

Source: BURN CREEK

Tributary: SOUTH FORK PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.06 CFS	7.2 AF
			0.06 CFS	7.2 AF

LOCATION OF POINT OF DIVERSION:

BURN CREEK SESW Sec. 29, Twp 10N, Rge 10E, BOISE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	10E	31	X																
10N	10E	32						X											

CONDITIONS OF APPROVAL

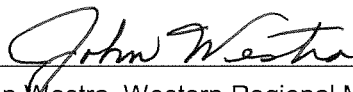
1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho 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.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
5. The quantity of water decreed for this water right is not a determination of historical beneficial use.
6. Domestic use is for 6 cabins.

WATER RIGHT NO. 65-23230
As Modified by Transfer No. 77067

7. The following rights are diverted through point of diversion described above: 65-2803X, 65-7149 and 65-23230.

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 5th day of May, 20 11



John Westra, Western Regional Manager

