

CORRECTED #3Transfer No. 73742
Receipt No. S029597

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information HAGERMAN WINGS FARM LLC
823 E 2700 S
HAGERMAN ID 83332
(208) 837-9153

Will this transfer result in an ownership change? No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-15467	WR/Decreed	2.95		91.0	202.0	BILLINGSLEY CREEK
36-98	WR/Decreed	7.00		91.0	202.0	BILLINGSLEY CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-15467	NO	NO	NO	YES	NO	NO
36-98	NO	NO	NO	YES	NO	NO

Describe the reason for the proposed changes

Add points of injection and re-diversion (pump in Snake River) for more flexibility in operation of sprinkler system. Right 2-10338 will also be diverted through the same pump to maximize economic benefits of the installation. The pump will not be large enough to re-divert all the flow allowed under these rights; we plan to pump about 1/2 cfs of this right from the Snake River, with the remainder being diverted through the Sands Ditch.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

Applicant is owner of record

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-15467	2.95 cfs	91.0	202.0	
36-98	7.00 cfs	91.0	202.0	
TOTAL	9.95 cfs	91.0	202.0	

per telecon w/ John Shaw
7-16-07, remove
Halmerk as attorney
JS

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STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____

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

Current Water Right No. 36-15467

Priority Date: April 01, 1905
Origin: Water Right
Basis: Decreed
Status: Active

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.95 CFS		
	Total Diversion	2.95 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK NWSWNE Sec. 11 Twp 07S Rge 13E GOODING 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	
07S	13E	15							28.0	37.0	23.0	40.0	40.0	11.0					179.0
									L 5										
07S	13E	16			3.0										20.0				23.0

Total Acres: 202

Conditions/Remarks:

1. Rights 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 9.95 cfs, and the irrigation of 91.0 acres in a single irrigation season.
2. Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 10.55 cfs, a total annual maximum diversion volume of 484.0 af at the field headgate, and the irrigation of 121 acres.
3. Prior to diversion of water under this transfer approval the right holder shall submit to the Department a diagram identifying the specific location of the 121.0 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
4. This right when combined with all other rights and applied to lands via sprinklers shall be limited to 0.02 cfs per acre and 4.0 afa per acre at the field headgate for irrigation of the lands above.

5. 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. 36-A.
6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 2/15 and an ending date of 11/30 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and after 11/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/31/1998.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the elements and conditions of this water right as authorized under this transfer is cause for the Director to rescind approval of the transfer.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

N/A

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 36-98

Priority Date: April 01, 1895

Origin: Water Right

Basis: Decreed

Status: Active

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	02/15 11/30	7.00 CFS		
	Total Diversion	7.00 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK NWSWNE Sec. 11 Twp 07S Rge 13E GOODING 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	
07S	13E	15							28.0	37.0	23.0	40.0	40.0	11.0					179.0
									L 5										
07S	13E	16				3.0									20.0				23.0

Total Acres: 202

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2. Rights 2-10338, 36-98 and 36-15467 when combined shall not exceed a total diversion rate of 10.55 cfs, a total annual maximum diversion volume of 484.0 af at the field headgate, and the irrigation of 121 acres.
3. Prior to diversion of water under this transfer approval the right holder shall submit to the Department a diagram identifying the specific location of the 121.0 acres authorized for irrigation annually, and prior to the irrigation season any year when irrigated acres will be different than previously identified.
4. This right when combined with all other rights and applied to lands via sprinklers shall be limited to 0.02 cfs per acre and 4.0 afa per acre at the field headgate for irrigation of the lands above.

5. 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. 36-A.
6. 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.
7. 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.
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Documentation of Ownership of the Current Place of Use

Applicant is owner of record

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

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To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-15467

Priority Date: April 01, 1905

Origin: Water Right

Basis: Decreed

Status: Active

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	2.95 CFS		
	Total Diversion	2.95 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK NWSWNE Sec. 11 Twp 07S Rge 13E GOODING County

BILLINGSLEY CREEK L3 (NWNESE) Sec. 16 Twp 07S Rge 13E GOODING County
(Rediversion)

BILLINGSLEY CREEK L3 (SWNESE) Sec. 16 Twp 07S Rge 13E GOODING County
(Injection)

Describe the proposed diversion system

Point of Diversion # 1 Existing headgate and measuring device to Sands Ditch; Sands Ditch to 2 ponds,

pumps in ponds to sprinklers

Point of Diversion # 2 Pump to be installed in Snake River (shared with 2-10338)

Point of Diversion # 3 Rock-lined ditch over canyon rim to Snake River upstream from re-diversion point

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		
07S	13E	15								28.0	37.0	23.0	40.0	40.0	11.0					179.0
										L 5										
07S	13E	16				3.0										20.0			23.0	

Total Acres: 202

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**IDAHO DEPARTMENT OF WATER RESOURCES
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PART 3A**

Proposed Water Right No. 36-98

Priority Date: April 01, 1895

Origin: Water Right

Basis: Decreed

Status: Active

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	02/15 11/30	7.00 CFS		
	Total Diversion	7.00 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK NWSWNE Sec. 11 Twp 07S Rge 13E GOODING County

BILLINGSLEY CREEK L3 (NWNESE) Sec. 16 Twp 07S Rge 13E GOODING County
(Rediversion)

BILLINGSLEY CREEK L3 (SWNESE) Sec. 16 Twp 07S Rge 13E GOODING County
(Injection)

Describe the proposed diversion system

Point of Diversion # 1 VIA SANDS DITCH

Point of Diversion # 2 Pump in Snake River, pipeline to sprinklers

Point of Diversion # 3 Open ditch to Snake River

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	
07S	13E	15							28.0	37.0	23.0	40.0	40.0	11.0					179.0
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07S	13E	16			3.0										20.0				23.0

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