

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71840

This is to certify that: DANIEL M HUKILL And
MARCINE L HUKILL
14600 DEER FLAT RD
NAMPA ID 83686
(208)467-2390

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>
63-7825A	AJC/License	07/09/1973	0.40 cfs	N/A	N/A	20.0	GROUND WATER
63-3599C	AJC/License	04/13/1967	2.665 cfs	N/A	N/A	140.0	GROUND WATER
63-3599D	AJC/License	04/13/1967	2.17 cfs	508.5 af	N/A	103.0	GROUND WATER
63-7825C	AJC/License	07/09/1973	0.40 cfs	90.0 af	N/A	20.0	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>
63-7825A	NO	NO	YES	YES	NO	NO
63-3599C	YES	NO	YES	YES	NO	NO
63-3599D	NO	NO	YES	YES	NO	NO
63-7825C	NO	NO	YES	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>
63-7825A	63-7825A	0.40 cfs	90.0 af	20.0	163.0		N/A	N/A	N/A	N/A
63-3599C	63-32076	0.38 cfs	90.0 af	20.0	163.0	63-32075	2.28 cfs	N/A	N/A	120.0
63-3599D	63-3599D	2.17 cfs	508.5 af	103.0	163.0		N/A	N/A	N/A	N/A
63-7825C	63-7825C	0.40 cfs	90.0 af	20.0	163.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.35 cfs	778.5 af	163.0	163.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23rd day of August, 20 05

SUPPORT DATA

IN FILE # 63-3599


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-7825A
As Modified by Transfer No. 71840

In accordance with the approval of Transfer No. 71840, Water Right No. 63-7825A is now described as follows.

Right Holder: DANIEL M HUKILL And
 MARCINE L HUKILL
 14600 DEER FLAT RD
 NAMPA ID 83686

Priority Date: July 09, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.40 CFS	90.0 AF
		0.40 CFS	90.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 03W CANYON 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	
02N 03W 15									38.0				40.0	15.0	40.0	30.0	163.0

Total Acres: 163

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. 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.
4. 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.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-3599D, 63-7825A, 63-7825C and 63-32076 shall not exceed 3.35 cfs, nor a total combined annual volume of 778.5 af for the irrigation of 163 acres and industrial use.

WATER RIGHT NO. 63-7825A
As Modified by Transfer No. 71840

CONDITIONS OF APPROVAL

6. 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.
7. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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.

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 23rd day of August, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-7825C
As Modified by Transfer No. 71840

In accordance with the approval of Transfer No. 71840, Water Right No. 63-7825C is now described as follows.

Right Holder: DANIEL M HUKILL And
 MARCINE L HUKILL
 14600 DEER FLAT RD
 NAMPA ID 83686

Priority Date: July 09, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.40 CFS	90.0 AF
			0.40 CFS	90.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 03W CANYON 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	
02N 03W 15									38.0				40.0	15.0	40.0	30.0	163.0

Total Acres: 163

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. 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.
4. 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.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-3599D, 63-7825A, 63-7825C and 63-32076 shall not exceed 3.35 cfs, nor a total combined annual volume of 778.5 af for the irrigation of 163 acres and industrial use.

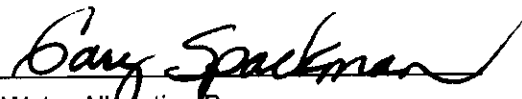
WATER RIGHT NO. 63-7825C
As Modified by Transfer No. 71840

CONDITIONS OF APPROVAL

6. 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.
7. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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.

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 23rd day of August, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-3599D
As Modified by Transfer No. 71840

In accordance with the approval of Transfer No. 71840, Water Right No. 63-3599D is now described as follows.

Right Holder: DANIEL M HUKILL And
 MARCINE L HUKILL
 14600 DEER FLAT RD
 NAMPA ID 83686

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01 to	12/31	0.20 CFS	45.0 AF
IRRIGATION	03/15 to	11/15	1.97 CFS	463.5 AF
			2.17 CFS	508.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 03W CANYON County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 15									X					X	X	X	X

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	
02N 03W 15									38.0				40.0	15.0	40.0	30.0	163.0

Total Acres: 163

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. 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.

WATER RIGHT NO. 63-3599D
As Modified by Transfer No. 71840

CONDITIONS OF APPROVAL

4. 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.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-3599D, 63-7825A, 63-7825C and 63-32076 shall not exceed 3.35 cfs, nor a total combined annual volume of 778.5 af for the irrigation of 163 acres and industrial use.
6. 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.
7. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
8. This right is limited to the irrigation of 103 acres within the place of use described above in a single irrigation season.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
10. 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.
11. Industrial use is for a gravel extraction facility.

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 23rd day of August, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 63-32075
As Modified by Transfer No. 71840

In accordance with the approval of Transfer No. 71840, Water Right No. 63-32075 is now described as follows.

Right Holder: THE ESTATE OF GOLDA D MONTIERTH And/Or
 HERBERT R MONTIERTH JR And/Or
 SUSAN L MONTIERTH
 825 HEARTLAND DRIVE
 NAMPA ID 83686

And/Or

ROBERT J MEYERS And/Or
 W NOLAN VICTOR And/Or
 RUBY C VICTOR And/Or
 KATHI L MEYERS And/Or
 RODNEY KENT MONTIERTH
 1528 ADDISON AVE E
 TWIN FALLS ID 83301

And/Or

EDWARD RAY MONTIERTH
 1601 POEN RD
 KUNA ID 83634

Priority Date: April 13, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.28 CFS	
			2.28 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 03W CANYON 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	
02N	03W	14									40.0	40.0							80.0
02N	03W	15													20.0		20.0		40.0

Total Acres: 120

WATER RIGHT NO. 63-32075
As Modified by Transfer No. 71840

CONDITIONS OF APPROVAL

1. 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.
2. Right 63-32078 overlaps 79 acres of the place of use described above in the W1/2SW, S14, T2N, R3W.

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 23rd day of August, 20 05



Chief, Water Allocation Bureau

Right Holder: DANIEL M HUKILL And
MARCINE L HUKILL
14600 DEER FLAT RD
NAMPA ID 83686

Source: GROUND WATER

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 15 Twp 02N	Rge 03W CANYON County
GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 03W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
02N 03W 15									38.0				40.0	15.0	40.0	30.0	163.0

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. 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.
4. 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.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-3599D, 63-7825A, 63-7825C and 63-32076 shall not exceed 3.35 cfs, nor a total combined annual volume of 778.5 af for the irrigation of 163 acres and industrial use.
6. 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. 63-32076
As Modified by Transfer No. 71840

CONDITIONS OF APPROVAL

7. This right is limited to the irrigation of 20 acres within the place of use described above in a single irrigation season.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 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 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
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.

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 23rd day of August, 2005


Chief, Water Allocation Bureau