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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 70341

This is to certify that VICTOR ALBERT HOFER And
ALBERT JOHN HOFER
1155 S 5TH W
MOUNTAIN HOME ID 83647
(208)587-8071

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>
61-10197	WR/Decreed	04/01/1966	3.05 cfs	256 af	155.8	315.0	GROUND WATER
61-10196	WR/Decreed	04/01/1940	3.05 cfs	256 af	150.9	315.0	GROUND WATER
61-11964	WR/Decreed	01/05/1965	1.00 cfs	207 af	69.0	335.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

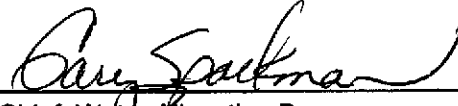
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-10197	NO	NO	NO	YES	NO	NO
61-10196	NO	NO	NO	YES	NO	NO
61-11964	NO	NO	NO	YES	NO	NO

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>
61-10197	61-10197	3.05 cfs	256 af	155.8	315.0		N/A	N/A	N/A	N/A
61-10196	61-10196	3.05 cfs	256 af	150.9	315.0		N/A	N/A	N/A	N/A
61-11964	61-11964	1.00 cfs	207 af	69.0	315.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.05 cfs	256 af	306.7	315.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of October, 2003



Chief, Water Allocation Bureau

MICROFILMED

OCT 29 2003

WATER RIGHT NO. 61-10196
As Modified by Transfer No. 70341

In accordance with the approval of Transfer No 70341, Water Right No. 61-10196 is now described as follows.

Right Holder: ALBERT JOHN HOFER And
 VICTOR ALBERT HOFER
 1155 S 5TH W
 MOUNTAIN HOME ID 83647

Priority Date: April 01, 1940

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.03 CFS	1.4 AF
IRRIGATION	04/01	to 10/31	3.02 CFS	254.6 AF
			3.05 CFS	256.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 12 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NENE	Sec. 12 Twp 04S Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 12 Twp 04S Rge 06E	ELMORE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 06E 12	X	X	X	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	
04S 06E 12	40.0	40.0	38.0	37.0	40.0	40.0	40.0	40.0									315.0

Total Acres 315

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OCT 29 2003

WATER RIGHT NO. 61-10196
As Modified by Transfer No. 70341

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 150.9 acres within the place of use described above in a single irrigation season.
2. Irrigation use under rights 61-10196 and 61-10197 when combined shall not exceed a total diversion rate of 3.02 cfs, a total annual maximum diversion volume of 254.6 af at the field headgate, and the irrigation of 306 7 acres.
3. Stockwater use under rights 61-10196 and 61-10197 when combined shall not exceed a total diversion rate of 0.03 cfs and a total annual maximum diversion volume of 1.4.
4. Irrigation use under rights 61-10196, 61-10197, and 11964 when combined shall not exceed a total diversion rate of 4.02 cfs, a total annual maximum diversion volume of 461 6 af at the field headgate, and the irrigation of 315 acres
5. The total instantaneous diversion of water from all points of diversion under Rights 61-10196 and 61-10197 shall not exceed 3.05 cfs, nor total combined annual volume of 256 0 af for irrigation of 306.7 acres
6. Rights 61-10196, 61-10197, 61-11964, and 61-10198 when combined shall not exceed the irrigation of 335 acres.
7. Prior to diversion of water from a well described by this water right, the right holder shall submit a proposal to IDWR for measuring and reporting water diversions. Types and models of measuring devices must be included with the proposal. Plans for installation of measuring devices shall be submitted. The measuring devices must determine flow rate and total volume diverted. The volume accumulator of the measuring device must be incapable of being reset, and the measuring device must otherwise conform to Department flow meter specifications and installation requirements for closed conduits. Prior to diversion of water, the flow meter shall be field calibrated by a certified hydrographer or individual approved by the Department, and the meters shall be recalibrated at least every three years after the first calibration. If more than one well will be pumped, a plan to insure that coordinated flow rate and volumetric limitations will not be exceeded shall be submitted. The proposal for measurement and reporting must be expressly approved by IDWR prior to diversion of water.
8. At time intervals established by an approved plan for measurement and reporting, the right holder shall report to the director rates of diversion, depth to ground water from ground surface, volume diverted, and any other information required by the Department according to a plan for reporting as required by these conditions of approval
9. The right holder and any successor-in-interest shall maintain ownership and control of all shares of water provided by the Mountain Home Irrigation District.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right

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OCT 29 2003

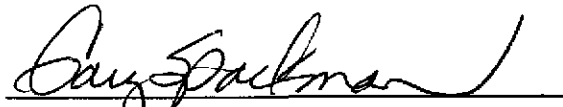
WATER RIGHT NO. 61-10196
As Modified by Transfer No. 70341

CONDITIONS OF APPROVAL

11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
13. The right holder shall accomplish the change authorized by this transfer within one (1) 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 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.
17. Rights 61-10196 will retain its priority date of 4/1/1940 and 61-10197 will retain its priority date of 4/1/1966, relative to actions to distribute water that relate to management of the Mountain Home Groundwater Management Area as a whole, but diversion and use of water is subordinate to all rights to use groundwater existing within the immediate area on the date of approval of this transfer, relative to water management actions related to increased draw downs of the water table or depletion of ground water resulting from this approval.

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 6th day of October, 2003


Chief, Water Allocation Bureau

MICROFILMED

OCT 29 2003

WATER RIGHT NO. 61-10197
As Modified by Transfer No. 70341

In accordance with the approval of Transfer No. 70341, Water Right No. 61-10197 is now described as follows.

Right Holder: ALBERT JOHN HOFER And
 VICTOR ALBERT HOFER
 1155 S 5TH W
 MOUNTAIN HOME ID 83647

Priority Date: April 01, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.02 CFS	254.6 AF
STOCKWATER	01/01	to 12/31	0.03 CFS	1.4 AF
			3.05 CFS	256.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 12 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NENE	Sec. 12 Twp 04S Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 12 Twp 04S Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 06E 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	315.0
	40.0	40.0	38.0	37.0	40.0	40.0	40.0	40.0									

Total Acres: 315

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 06E 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X	X	X	X	X	X	X	X									

MICROFILMED

OCT 29 2003

WATER RIGHT NO. 61-10197
As Modified by Transfer No. 70341

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.8 acres within the place of use described above in a single irrigation season.
2. Irrigation use under rights 61-10196 and 61-10197 when combined shall not exceed a total diversion rate of 3.02 cfs, a total annual maximum diversion volume of 254.6 af at the field headgate, and the irrigation of 306.7 acres.
3. Stockwater use under rights 61-10196 and 61-10197 when combined shall not exceed a total diversion rate of 0.03 cfs and a total annual maximum diversion volume of 1.4.
4. Irrigation use under rights 61-10196, 61-10197, and 11964 when combined shall not exceed a total diversion rate of 4.02 cfs, a total annual maximum diversion volume of 461.6 af at the field headgate, and the irrigation of 315 acres.
5. The total instantaneous diversion of water from all points of diversion under Rights 61-10196 and 61-10197 shall not exceed 3.05 cfs, nor total combined annual volume of 256.0 af for irrigation of 306.7 acres.
6. Rights 61-10196, 61-10197, 61-11964, and 61-10198 when combined shall not exceed the irrigation of 335 acres.
7. Prior to diversion of water from a well described by this water right, the right holder shall submit a proposal to IDWR for measuring and reporting water diversions. Types and models of measuring devices must be included with the proposal. Plans for installation of measuring devices shall be submitted. The measuring devices must determine flow rate and total volume diverted. The volume accumulator of the measuring device must be incapable of being reset, and the measuring device must otherwise conform to Department flow meter specifications and installation requirements for closed conduits. Prior to diversion of water, the flow meter shall be field calibrated by a certified hydrographer or individual approved by the Department, and the meters shall be recalibrated at least every three years after the first calibration. If more than one well will be pumped, a plan to insure that coordinated flow rate and volumetric limitations will not be exceeded shall be submitted. The proposal for measurement and reporting must be expressly approved by IDWR prior to diversion of water.
8. At time intervals established by an approved plan for measurement and reporting, the right holder shall report to the director rates of diversion, depth to ground water from ground surface, volume diverted, and any other information required by the Department according to a plan for reporting as required by these conditions of approval.
9. The right holder and any successor-in-interest shall maintain ownership and control of all shares of water provided by the Mountain Home Irrigation District.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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OCT 29 2003

WATER RIGHT NO. 61-10197
As Modified by Transfer No. 70341

CONDITIONS OF APPROVAL

11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
13. The right holder shall accomplish the change authorized by this transfer within one (1) 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 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.
17. Rights 61-10196 will retain its priority date of 4/1/1940 and 61-10197 will retain its priority date of 4/1/1966, relative to actions to distribute water that relate to management of the Mountain Home Groundwater Management Area as a whole, but diversion and use of water is subordinate to all rights to use groundwater existing within the immediate area on the date of approval of this transfer, relative to water management actions related to increased draw downs of the water table or depletion of ground water resulting from this approval.

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 6th day of October, 2003



Chief, Water Allocation Bureau

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OCT 22 2003

WATER RIGHT NO. 61-11964
As Modified by Transfer No. 70341

In accordance with the approval of Transfer No. 70341, Water Right No. 61-11964 is now described as follows.

Right Holder: ALBERT JOHN HOFER And
 VICTOR ALBERT HOFER
 1155 S 5TH W
 MOUNTAIN HOME ID 83647

Priority Date: January 05, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.00 CFS	207.0 AF
			1.00 CFS	207.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NENE	Sec. 12 Twp 04S Rge 06E	ELMORE County
GROUND WATER	NENE	Sec 12 Twp 04S Rge 06E	ELMORE County
GROUND WATER	SWNE	Sec. 12 Twp 04S Rge 06E	ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 06E 12	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	315.0
	40.0	40.0	38.0	37.0	40.0	40.0	40.0	40.0									

Total Acres: 315

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69.0 acres within the place of use described above in a single irrigation season.
2. Rights 61-10196, 61-10197, and 11964 when combined shall not exceed a total diversion rate of 4.02 cfs, a total annual maximum diversion volume of 461.6 af at the field headgate, and the irrigation of 315 acres
3. Use of water under Right 61-11964 shall not exceed 1.00 cfs nor 207.0 acre feet per year, and when combined with all other rights, shall not exceed 0.02 cfs per acre nor more than 4.0 acre feet per acre per year.

MICROFILMED

NOV 22 2003

WATER RIGHT NO. 61-11964
As Modified by Transfer No. 70341

CONDITIONS OF APPROVAL

4. Rights 61-10196, 61-10197, 61-11964, and 61-10198 when combined shall not exceed the irrigation of 335 acres.
5. Prior to diversion of water from a well described by this water right, the right holder shall submit a proposal to IDWR for measuring and reporting water diversions. Types and models of measuring devices must be included with the proposal. Plans for installation of measuring devices shall be submitted. The measuring devices must determine flow rate and total volume diverted. The volume accumulator of the measuring device must be incapable of being reset, and the measuring device must otherwise conform to Department flow meter specifications and installation requirements for closed conduits. Prior to diversion of water, the flow meter shall be field calibrated by a certified hydrographer or individual approved by the Department, and the meters shall be recalibrated at least every three years after the first calibration. If more than one well will be pumped, a plan to insure that coordinated flow rate and volumetric limitations will not be exceeded shall be submitted. The proposal for measurement and reporting must be expressly approved by IDWR prior to diversion of water.
6. At time intervals established by an approved plan for measurement and reporting, the right holder shall report to the director rates of diversion, depth to ground water from ground surface, volume diverted, and any other information required by the Department according to a plan for reporting as required by these conditions of approval.
7. The right holder and any successor-in-interest shall maintain ownership and control of all shares of water provided by the Mountain Home Irrigation District.
8. Use of Right 61-11964 shall be supplemental to the use of water supplied by the Mountain Home Irrigation District, for use within the place of use approved under Transfer 69688.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICHAEL J. [illegible]

197-24-2001

WATER RIGHT NO. 61-11964
As Modified by Transfer No. 70341

CONDITIONS OF APPROVAL

14. 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.
15. Right 61-11964 retains its priority date of January 5, 1965, relative to actions to distribute water that relate to management of the MHGWMA overall, but diversion and use of water is subordinate to all rights to use ground water existing within the immediate area (as described in Conclusion of Law no. 6) on January 26, 2002, relative to water management actions related to increased draw downs of the water table or depletion of ground water resulting from this approval.

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 6th day of October, 2003



Chief, Water Allocation Bureau

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OCT 23 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69688

This is to certify that: VICTOR ALBERT HOFER
1155 SOUTH 5TH WEST
MOUNTAIN HOME ID 83647
(208)587-8071

AND/OR

ALBERT JOHN HOFER
1155 SOUTH 5TH WEST
MOUNTAIN HOME ID 83647
(208)599-1620

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>
61-2206	WR/Decreed	01/05/1965	4 cfs	1100 af		275.0	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>
61-2206	YES	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>
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61-2206	61-11964	1.00 cfs	207 af	69.0	335.0	61-11963	3.00 cfs	824 af	N/A	206.0
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COMBINED

TOTALS		1.00 cfs	207 af	69.0	335.0		N/A	N/A	N/A	N/A
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Rights 61-11963 and 61-11964 are subject to the conditions of the Final Order dated 03-19-2003 in the matter of Application for Transfer 69688.

Detailed Water Right Description(s) attached

Dated this 8 day of April, 2003

For 
Chief, Water Allocation Bureau

MICROFILMED
MAY 21 2003

WATER RIGHT NO. 61-11963
As Modified by Transfer No. 69688

In accordance with the approval of Transfer No. 69688, Water Right No. 61-11963 is now described as follows.

Right Holder: JACK POST
 KARLA POST
 PO BOX 298
 MOUNTAIN HOME ID 83647

Priority Date: January 05, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.00 CFS	824.0 AF
			3.00 CFS	824.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 36 Twp 04S Rge 05E ELMORE County

GROUND WATER NWSWSE Sec. 36 Twp 04S Rge 05E ELMORE 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			
04S	05E	36									34.0	31.0	30.0	34.0					38.0	39.0	206.0
Total Acres:			206																		

CONDITIONS OF APPROVAL

1. 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.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
3. Both points of diversion are located on the centerline of the South half of S36, T04S, R05E.

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 8 day of April, 20 03


 For Chief, Water Allocation Bureau

MICROFILMED

MAY 21 2003

WATER RIGHT NO. 61-11964
As Modified by Transfer No. 69688

In accordance with the approval of Transfer No. 69688, Water Right No. 61-11964 is now described as follows.

Right Holder: ALBERT JOHN HOFER
 VICTOR ALBERT HOFER
 1155 SOUTH 5TH WEST
 MOUNTAIN HOME ID 83647

Priority Date: January 05, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.00 CFS	207.0 AF
			1.00 CFS	207.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 12 Twp 04S Rge 06E ELMORE 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	
04S	06E	12	40.0	40.0	38.0	37.0	40.0	40.0	40.0	40.0	20.0								335.0

Total Acres: 335

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69.0 acres within the place of use described above in a single irrigation season.
2. Drilling additional wells or modifying the existing well is not authorized by this order.
3. Prior to diversion and use of water under this approval: (a) The right holder shall install and maintain a measuring device on the well to measure both the instantaneous rate of diversion and total annual volume of water diverted from the well; (b) The right holder shall obtain approval from the department relative to the type of device; and (c) The measuring device shall be calibrated initially and recalibrated as determined necessary by the department, by a licensed engineer or other person approved by the department.
4. The right holder shall annually report to the department the maximum rate of diversion, the depth to water prior to commencement of pumping each season, the depth to water during the pumping period and the annual volume of water diverted.
5. Use of Right 61-11964 shall be supplemental to the use of water supplied by the Mountain Home Irrigation District, for use within the place of use approved under Transfer 69688.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

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MAY 21 2003

WATER RIGHT NO. 61-11964
As Modified by Transfer No. 69688

CONDITIONS OF APPROVAL

7. If the surface water right(s) appurtenant to the place of use is 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.
8. Use of water under Right 61-11964 shall not exceed 1.00 cfs nor 207.0 acre feet per year, and when combined with all other rights, shall not exceed 0.02 cfs per acre nor more than 4.0 acre feet per acre per year. The combined maximum diversion rate under Rights 61-11964, 61-10196, and 61-10197 for irrigation purposes shall not exceed 4.02 cfs nor a combined annual diversion volume of 461.6 acre feet per year.
9. Right 61-11964 retains its priority date of January 5, 1965, relative to actions to distribute water that relate to management of the MHGWMA overall, but diversion and use of water is subordinate to all rights to use ground water existing within the immediate area (as described in Conclusion of Law no. 6) on January 26, 2002, relative to water management actions related to increased draw downs of the water table or depletion of ground water resulting from this approval.
10. The right holder shall accomplish the change authorized by this approval within 1 year.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.

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 8 day of April, 20 03

For  Chief, Water Allocation Bureau

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MAY 21 2003

MEMORANDUM

TO: FILE 61-11964

FROM: VAULT

RE: TRANSFER # 70341

DATE: 10.16.03

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 61-10196

MICROFILM

OCT 21 2003

MEMORANDUM

TO: FILE 61-11964

FROM: VAULT

RE: TRANSFER # 49688

DATE: 4.11.03

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 61-2206

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MAY 21 2003