

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70618

This is to certify that: MICHAEL HUNTER And
KIM HUNTER
PO BOX 187
OAKLEY ID 83346
(208)862-3431

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>
45-176	AJC/Decreed	04/01/1876	2.40 cfs	N/A	120.0	128.0	LITTLE COTTONWOOD CREEK, SPRING
45-693	AJC/Decreed	05/01/1906	0.46 cfs	N/A	23.0	128.0	SPRING
45-13539	AJC/Beneficial Use	05/12/1920	0.05 cfs	N/A	N/A	N/A	LITTLE COTTONWOOD CREEK, SPRING

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>
45-176	NO	YES	YES	YES	NO	NO
45-693	NO	YES	YES	NO	NO	NO
45-13539	NO	YES	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>
45-176	45-176	2.40 cfs	N/A	120.0	138.0		N/A	N/A	N/A	N/A
45-693	45-693	0.46 cfs	N/A	23.0	138.0		N/A	N/A	N/A	N/A
45-13539	45-13539	0.05 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.61 cfs	N/A	128.0	138.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of February, 2005


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 45-176

WATER RIGHT NO. 45-176
As Modified by Transfer No. 70618

In accordance with the approval of Transfer No. 70618, Water Right No. 45-176 is now described as follows.

Right Holder: KIM HUNTER And
 MICHAEL HUNTER
 PO BOX 187
 OAKLEY ID 83346

Priority Date: April 01, 1876

Source: LITTLE COTTONWOOD CREEK
 UNNAMED STREAM

Tributary: SINKS
 LITTLE COTTONWOOD CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.40 CFS	
			2.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SWSWNW Sec. 36 Twp 13S Rge 21E CASSIA County

UNNAMED STREAM SWSWNW Sec. 36 Twp 13S Rge 21E CASSIA County

LITTLE COTTONWOOD CREEK SWSESW Sec. 9 Twp 14S Rge 21E CASSIA County

LITTLE COTTONWOOD CREEK SESW Sec. 11 Twp 14S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S 21E 36					37.0	35.0	29.0	37.0									138.0

Total Acres: 138

CONDITIONS OF APPROVAL

1. The unnamed stream described under this right is fed by water from an unnamed spring, known locally as Oakley Meadow Spring. This right includes up to 0.40 cfs of the water naturally flowing from Oakley Meadow Spring, per the original 1920 decree.
2. This right is limited to the irrigation of 120.0 acres within the place of use described above in a single irrigation season.
3. Rights 45-176 and 45-693 when combined shall not exceed a total diversion rate of 2.56 cfs, and the irrigation of 128.0 acres.

WATER RIGHT NO. 45-176
As Modified by Transfer No. 70618

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion under Rights 45-176, 45-693, and 45-13539 shall not exceed 2.61 cfs.
5. 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.
6. 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.
7. After specific notification by the Department, the right holder shall measure the diversion 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 2nd day of February, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-693
As Modified by Transfer No. 70618

In accordance with the approval of Transfer No. 70618, Water Right No. 45-693 is now described as follows.

Right Holder: KIM HUNTER And
MICHAEL HUNTER
PO BOX 187
OAKLEY ID 83346

Priority Date: May 01, 1906

Source: UNNAMED STREAM

Tributary: LITTLE COTTONWOOD CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.46 CFS	
			0.46 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SWSWNW Sec. 36 Twp 13S Rge 21E CASSIA County

UNNAMED STREAM SWSWNW Sec. 36 Twp 13S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
13S 21E 36	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Totals
	37.0	35.0	29.0	37.0	138.0

Total Acres: 138

CONDITIONS OF APPROVAL

1. The unnamed stream described under this right is fed by water from an unnamed spring, known locally as Oakley Meadow Spring. This right is for water from Oakley Meadow Spring in excess of the 0.40 cfs of water naturally flowing from Oakley Meadow Spring under Right 45-176, per original 1920 decree.
2. This right is limited to the irrigation of 23.0 acres within the place of use described above in a single irrigation season.
3. Rights 45-176 and 45-693 when combined shall not exceed a total diversion rate of 2.56 cfs, and the irrigation of 128.0 acres.
4. The total instantaneous diversion of water from all points of diversion under Rights 45-176, 45-693, and 45-13539 shall not exceed 2.61 cfs.
5. 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.

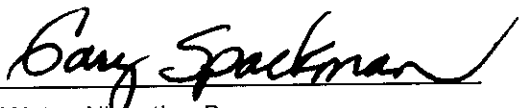
WATER RIGHT NO. 45-693
As Modified by Transfer No. 70618

CONDITIONS OF APPROVAL

6. 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.
7. After specific notification by the Department, the right holder shall measure the diversion 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 2nd day of February, 2005


Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13539
As Modified by Transfer No. 70618

In accordance with the approval of Transfer No. 70618, Water Right No. 45-13539 is now described as follows.

Right Holder: KIM HUNTER Or
 MICHAEL HUNTER
 PO BOX 187
 OAKLEY ID 83346

Priority Date: May 12, 1920

Source: LITTLE COTTONWOOD CREEK
 UNNAMED STREAM

Tributary: SINKS
 LITTLE COTTONWOOD CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.05 CFS	
			0.05 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM	SWSWNW	Sec. 36	Twp 13S	Rge 21E	CASSIA County
UNNAMED STREAM	SWSWNW	Sec. 36	Twp 13S	Rge 21E	CASSIA County
LITTLE COTTONWOOD CREEK	SWSESW	Sec. 9	Twp 14S	Rge 21E	CASSIA County
LITTLE COTTONWOOD CREEK	SESW	Sec. 11	Twp 14S	Rge 21E	CASSIA County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S 21E 36					X	X	X	X									

CONDITIONS OF APPROVAL

1. The unnamed stream described under this right is fed by water from an unnamed spring, known locally as Oakley Meadow Spring.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. The total instantaneous diversion of water from all points of diversion under Rights 45-176, 45-693, and 45-13539 shall not exceed 2.61 cfs.
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.

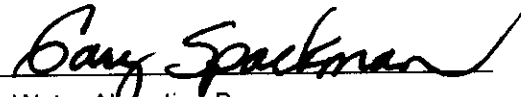
WATER RIGHT NO. 45-13539
As Modified by Transfer No. 70618

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

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 2nd day of February, 20 05



Chief, Water Allocation Bureau