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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5316
WATER RIGHT NO(S) . ~~36-07460Z~~/37-08055
37-08891

This is to certify that: **DARYL HILT**
ELAINE HILT
2163 S 1700 E
GOODING ID 83330

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07460Z :			
STOCKWATER	01/01 to 12/31	0.30 CFS	42.0 AF
COMMERCIAL	01/01 to 12/31	0.30 CFS	25.6 AF
Priority: 03/25/1974			
SUBTOTAL:		0.30 CFS	67.6 AF
Right No. 37-08055 :			
STOCKWATER	01/01 to 12/31	0.08 CFS	7.2 AF
COMMERCIAL	01/01 to 12/31	0.08 CFS	12.1 AF
DOMESTIC	01/01 to 12/31	0.08 CFS	3.6 AF
Priority: 10/28/1982			
SUBTOTAL:		0.08 CFS	22.9 AF
TOTAL:		* 0.38 CFS	* 90.5 AF
<u>SOURCE</u> GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 23, Township 06S, Range 14E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 14E 23 NESE SESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: DOMESTIC

TWN RGE SEC

06S 14E 23 NESE

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TRANSFER NO. 5316
WATER RIGHT NO(S). 36-07460Z/37-08055

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
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. 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.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5316 shall not exceed 0.38 cfs, nor a total combined annual volume of 90.5 af.
9. The water used for commercial purposes under this approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights.
10. Commercial use is for a dairy located within the NESE, S23, T06S, R14E.
11. Domestic use is for 3 homes.
12. Two points of diversion are located within NESE, S23, T06S, R14E.

Dated this 10th day of June, 1999


Chief, Water Allocation Bureau

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WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
37-08891				00/00/0000	/Z			WR
X37-08891	HILT, DARYL	C		03/25/1974	L/	GROUNDWATER	STOCK	WR
	HILT, ELAINE	C					COMMER	

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 11, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DARYL HILT
ELAINE HILT
2163 S 1700 E
GOODING ID 83330

RE: Water Rights 36-07460Z (renumbered as 37-08891)/37-08055
(Transfer 5316)

Dear Mr. & Mrs. Hilt:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5316). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

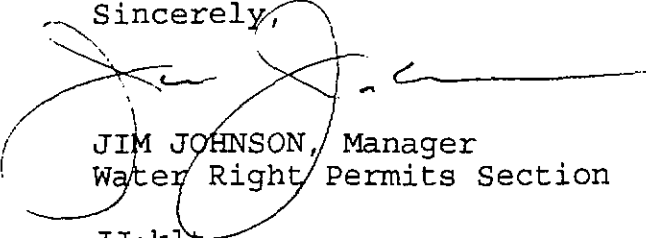
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

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JUN 24 1999

MEMORANDUM

TO: File 36-07460W & 37-08055
FROM: Pam Skaggs/State Office *PS*
SUBJECT: Transfer 5316
DATE: June 9, 1999

Transfer 5316 changes the points of diversion, place, nature and season of use under a portion of Right 36-07460W, splitting the right into Parts Y and Z. Right 37-08055 serves the same dairy and the transfer adds the second well to the system. The applicant purchased 16.9 acres of the 36-07460W right to move to the dairy site about a mile north, just inside Basin 37. The right will be renumbered to Basin 37 when the transfer is approved. ✓ ✓ ✓ ✓

The application was prepared using the full diversion volume associated with the irrigated acres instead of the consumptive use volume. The region manager has recommended that we allow the transfer to be approved as prepared since it occurred prior to our policy of limiting the transfer to the consumptive use volume. ✓

Two existing domestic wells were identified as the points of diversion for this transfer by a pre-transfer field exam. Resource Protection staff has been informed and will pursue upgrade of the drilling permits when the transfer has been approved. ✓

Season of use was adjusted to year round use for the dairy. The map and region staff identify the place of use within both the NESE and SESE of Section 23. Domestic use remains the same as originally licensed under Right 37-08055.

Recommended conditions include drilling permit requirements, multiple points of diversion/measuring devices, annual reporting, water quality, county zoning, land application and standard transfer conditions. *sc*

	<u>Change in Nature of Use Evaluation</u>			
	Rate	Use	Acres	Div. Vol.
Transferred				
Portion Before:	0.30 cfs	IRR	16.9	67.6 afa
After:	0.30 cfs	STOCK/COMMERCIAL		67.6 afa

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MEMORANDUM

TO: FILE 37-08891

FROM: PAM SKAGGS

RE: TRANSFER # 5316

DATE: 6.11.99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-07460Z.

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JUN 24 1999

MEMORANDUM

TO: FILE NO. 37-08891

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: RIGHT RENUMBERED

DATE: June 10, 1999

This right was originally numbered 36-07460Z. As a result of approved Transfer 5316 this right was moved to Basin 37. Right 36-07460Z was **renumbered** to 37-08891.

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