

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69747

This is to certify that: LINDA HILLIS And/Or
MERRILL DON HILLIS
3356 S 1800 E
WENDELL ID 83355
(208)536-2757

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>
36-10889	WR/Decreed	11/01/1980	0.11 cfs	N/A	N/A	N/A	GROUND WATER
36-2120	WR/Decreed	06/04/1951	1.54 cfs	N/A	77.0	151.0	GROUND WATER
36-7411	WR/Decreed	11/29/1973	1.48 cfs	N/A	74.0	151.0	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>
36-10889	NO	NO	NO	YES	NO	NO
36-2120	YES	YES	YES	NO	YES	YES
36-7411	YES	YES	YES	NO	YES	YES

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>
36-10889	36-10889	0.11 cfs	5.5 af	N/A	N/A		N/A	N/A	N/A	N/A
36-2120	36-15989	0.08 cfs	13.4 af	N/A	N/A	36-15988	1.46 cfs	N/A	72.8	142.8
36-7411	36-15991	0.08 cfs	12.8 af	N/A	N/A	36-15990	1.40 cfs	N/A	70.0	142.8

COMBINED

TOTALS	0.24 cfs	31.7 af	N/A	N/A		2.35	571.2	142.8	142.8
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Detailed Water Right Description(s) attached

Dated this 25th day of September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15988
As Modified by Transfer No. 69747

In accordance with the approval of Transfer No. 69747, Water Right No. 36-15988 is now described as follows.

Right Holder: MERRILL DON HILLIS And
 LINDA HILLIS
 3356 S 1800 E
 WENDELL ID 83355

Priority Date: June 04, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	
IRRIGATION	03/15	to 11/15	1.46 CFS	
			1.46 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 20 Twp 08S Rge 15E GOODING County

GROUND WATER SWSESW Sec. 20 Twp 08S Rge 15E GOODING County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 15E 20									X	X	X	X					
08S 15E 29						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	
08S 15E 20									33.0	18.8	38.0	39.0					128.8
08S 15E 29						14.0											14.0

Total Acres: 142.8

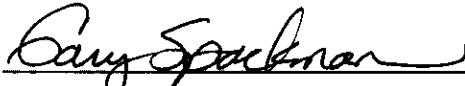
WATER RIGHT NO. 36-15988
As Modified by Transfer No. 69747

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 quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
3. The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
4. Use of this right is combined with water from North Side Canal Co. Ltd.
5. Right 36-15990 is also diverted through the point(s) of diversion described above.
6. This right is limited to the irrigation of 72.8 acres within the place of use described above in a single irrigation season.
7. Rights 36-15988 and 36-15990 when combined shall not exceed a total diversion rate of 2.35 cfs, a total annual maximum diversion volume of 571.2 af at the field headgate, and the irrigation of 142.8 acres.

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 25th day of September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15989
As Modified by Transfer No. 69747

In accordance with the approval of Transfer No. 69747, Water Right No. 36-15989 is now described as follows.

Right Holder: MERRILL DON HILLIS And
 LINDA HILLIS
 3356 S 1800 E
 WENDELL ID 83355

Priority Date: June 04, 1951

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	0.08 CFS	13.4 AF
COMMERCIAL	01/01 to	12/31	0.08 CFS	13.4 AF
			0.08 CFS	13.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 20 Twp 08S Rge 15E GOODING County

GROUND WATER SWNW Sec. 20 Twp 08S Rge 15E GOODING 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
08S 15E 20							X										

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 15E 20							X	X	X	X	X	X					

WATER RIGHT NO. 36-15989
As Modified by Transfer No. 69747

CONDITIONS OF APPROVAL

1. Rights 36-15989 and 36-15991 when combined shall not exceed a total diversion rate of 0.13 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-10889, 36-15989 and 36-15991 shall not exceed 0.24 cfs, nor total combined annual volume of 31.7 af.
3. 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. 130.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. Prior to the diversion and use of water under Transfer approval 69747, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. Rights 36-10889, 36-15989 and 36-15991 are diverted through the point(s) of diversion described above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

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 25th day of September, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15990
As Modified by Transfer No. 69747

In accordance with the approval of Transfer No. 69747, Water Right No. 36-15990 is now described as follows.

Right Holder: MERRILL DON HILLIS And
 LINDA HILLIS
 3356 S 1800 E
 WENDELL ID 83355

Priority Date: November 29, 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	1.40 CFS	
			1.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 20 Twp 08S Rge 15E GOODING County

GROUND WATER SWSESW Sec. 20 Twp 08S Rge 15E 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	
08S	15E	20									33.0	18.8	38.0	39.0					128.8
08S	15E	29							14.0										14.0

Total Acres: 142.8

WATER RIGHT NO. 36-15990
As Modified by Transfer No. 69747

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. Use of this right is combined with water from North Side Canal Co. Ltd.
3. Right 36-15988 is also diverted through the point(s) of diversion described above.
4. This right is limited to the irrigation of 70.0 acres within the place of use described above in a single irrigation season.
5. Rights 36-15988 and 36-15990 when combined shall not exceed a total diversion rate of 2.35 cfs, a total annual maximum diversion volume of 571.2 af at the field headgate, and the irrigation of 142.8 acres.

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 25th day of September, 2003


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15991
As Modified by Transfer No. 69747

In accordance with the approval of Transfer No. 69747, Water Right No. 36-15991 is now described as follows.

Right Holder: MERRILL DON HILLIS And
 LINDA HILLIS
 3356 S 1800 E
 WENDELL ID 83355

Priority Date: November 29, 1973

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	0.08 CFS	12.8 AF
COMMERCIAL	01/01 to	12/31	0.08 CFS	12.8 AF
			0.08 CFS	12.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 20 Twp 08S Rge 15E GOODING County

GROUND WATER SWNW Sec. 20 Twp 08S Rge 15E GOODING 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
08S 15E 20							X										

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 15E 20							X	X	X	X	X	X					

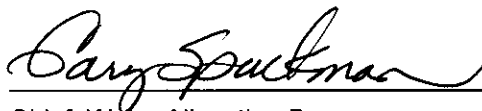
WATER RIGHT NO. 36-15991
As Modified by Transfer No. 69747

CONDITIONS OF APPROVAL

1. Rights 36-15989 and 36-15991 when combined shall not exceed a total diversion rate of 0.13 cfs.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-10889, 36-15989 and 36-15991 shall not exceed 0.24 cfs, nor total combined annual volume of 31.7 af.
3. 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. 130.
4. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. Prior to the diversion and use of water under Transfer approval 69747, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. Rights 36-10889, 36-15989 and 36-15991 are diverted through the point(s) of diversion described above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

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 25th day of September, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-10889
As Modified by Transfer No. 69747

In accordance with the approval of Transfer No. 69747, Water Right No. 36-10889 is now described as follows.

Right Holder: MERRILL DON HILLIS And
LINDA HILLIS
3356 S 1800 E
WENDELL ID 83355

Priority Date: November 01, 1980

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	0.11 CFS	5.5 AF
			0.11 CFS	5.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNW Sec. 20 Twp 08S Rge 15E GOODING County

GROUND WATER SWNW Sec. 20 Twp 08S Rge 15E GOODING County

PLACE OF USE: STOCKWATER

[illegible]

WATER RIGHT NO. 36-10889
As Modified by Transfer No. 69747

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. The total instantaneous diversion of water from all points of diversion under Rights 36-10889, 36-15989 and 36-15991 shall not exceed 0.24 cfs, nor total combined annual volume of 31.7 af.
3. 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. 130.
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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 25th day of September, 20 03


Chief, Water Allocation Bureau