

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/13/2022

Water Right 63-35135

** Created by Split **

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TV 44 LLC 3858 N GARDEN CENTER WAY STE 200 BOISE, ID 83703-5008 (208) 345-9102
Original Owner	ZUMA BOLEN EAGLE, ID
Original Owner	LON BOLEN EAGLE, ID
Previous Owner	HOOT NANNEY FARMS INC C/O MICHAEL L DIXON 8542 FLOATING FEATHER RD STAR, ID 83669-5255 (208) 484-5528

Priority Date: 8/28/1953

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.990 CFS	224.2 AF
	Total Diversion		0.990 CFS	224.2 AF

Source and Point(s) of Diversion:

GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County
GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County(R)
GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County
GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County(I)
GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County

Place Of Use:

IRRIGATION within ADA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	4	31.0 L1			40.0									25.0				96.0

Right Acre Limit: 49.80
POU Total Acres: 96.0

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Conditions of Approval:

1. X27 This right is limited to the irrigation of 49.8 acres within the place of use described above in a single irrigation season.
2. Rights 63-35135 and 63-35136 when combined shall not exceed a total diversion rate of 0.97 cfs, a total annual maximum diversion volume of 433.9 af at the field headgate, and the irrigation of 96.0 acres.
3. X35 Rights 63-35135, 63-35136, and 63-35143 when combined shall not exceed a total annual maximum diversion volume of 433.9 af at the field headgate, and the irrigation of 96.0 acres.
4. R65 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 place of use.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Ground water diverted from the new well authorized under Transfer 78338 located in Govt. Lot 4 (NWNW), Section 3, Township 4N, Range 1W shall be limited to water bearing formations no deeper than 200 feet below ground surface.
7. Ground water diverted from points of diversion in Govt. Lot 4 (NWNW), Section 3, Township 4N, Range 1W is injected into Little Gulch Creek and rediverted from Little Gulch Creek.
8. 115 Prior to the diversion and use of water under Transfer 78388, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), to measure the diversion of ground water in accordance with Department specifications.
9. 067 The right holder shall record the quantity of ground water diverted and annually report the totals, in accordance with Department instructions.
10. 197 Upon specific notification by the Department, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point of rediversion, in accordance with Department specifications.
11. K01 Right 63-35136 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
12. F06 The following rights are diverted through points of diversion described above: 63-2958, 63-31988, 63-33721, 63-34477, 63-34478, 63-34480, 63-34661, 63-34668, 63-34663, 63-35135, 63-35136, and 63-35144.
13. 004 This right does not grant any right-of-way or easement across the land of another.
14. 020 The diversion and use of water described in Transfer 78338 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
15. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
16. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
17. T19 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

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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.

Dates and Other Information:

Decreed Date: 2/16/2007
Water District Number: EXC
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
1.960	433.9	96.0	63-35135 ,63-35136 ,63-35143 ,63-35144
	433.9	96.0	63-35135 ,63-35136 ,63-35143
1.580			63-35135 ,63-35136 ,63-35144
0.970	433.9	96.0	63-35135 ,63-35136

SubCase:

N/A

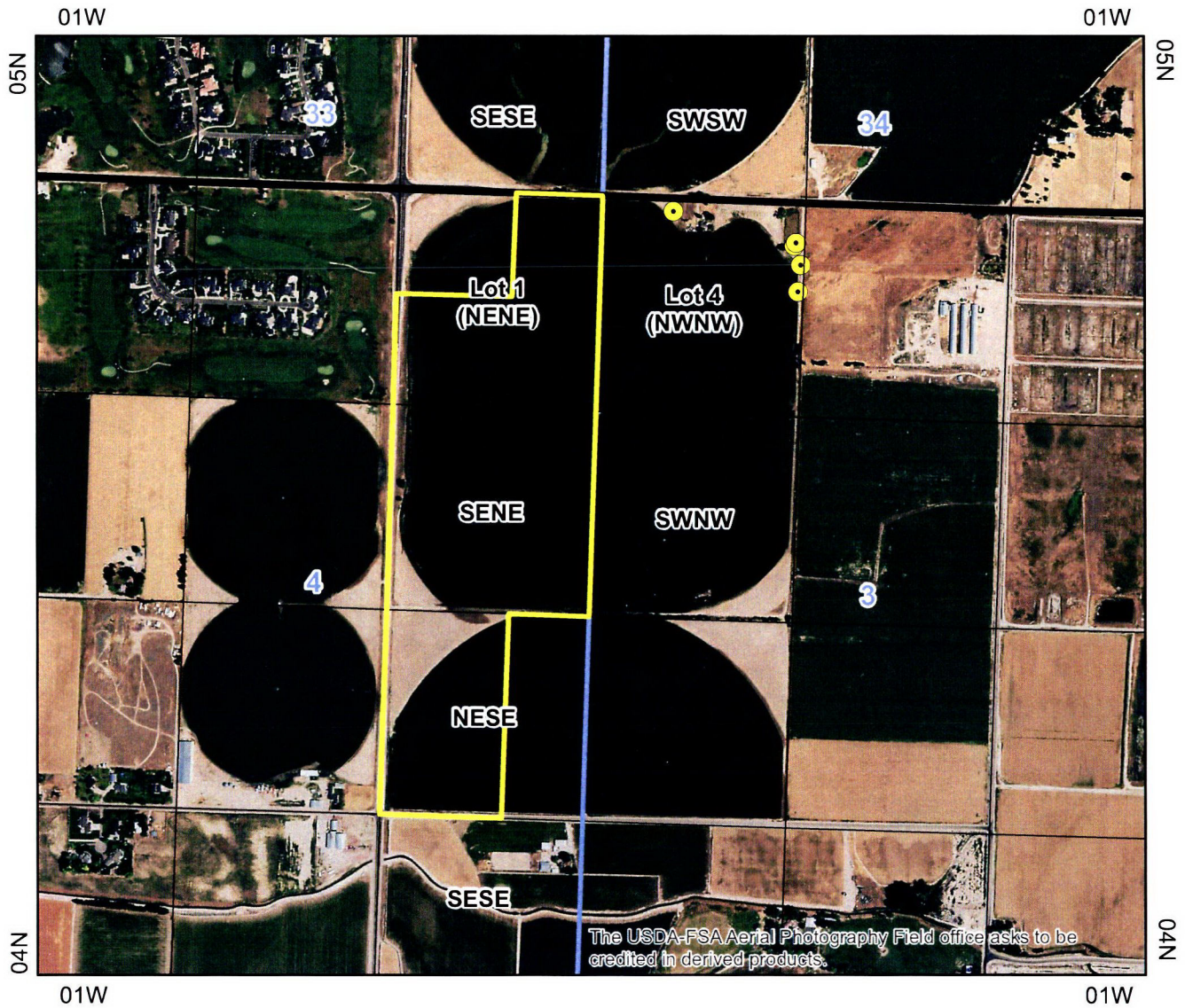
Water Supply Bank:

N/A

SCANNED

State of Idaho
Department of Water Resources
Water Right License
63-35135

** (created by Split) **



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- State Outline

0 0.125 0.25 0.5 Miles

SCANNED
OCT 19 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 08 2021

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-02958	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-31988	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-32010	Yes ☒	Yes ☐		Yes ☐	Yes ☐
63-33721	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hoot Nanney Farms, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): TV44, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3858 N. Garden Center Way, Ste. 200 Boise ID 83703
Mailing address City State ZIP
- 208-345-9102 brian@wilsonmccoll.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 12/07/20
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 63-2958

8. Signature: [Signature] Authorized Agent of TV44, LLC 02/03/21
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

SCANNED

OCT 19 2022

For IDWR Office Use Only:

Received by DL Date 02.08.2021 Receipt No. W049076 Receipt Amt. 400.00

Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

Name on W-9 _____ Approved by AO Processed by AO Date 7/13/2022