

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/13/2022

Water Right 63-35144

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
Previous Owner	HOOT NANNEY FARMS INC C/O MICHAEL L DIXON 8542 FLOATING FEATHER RD STAR, ID 83669-5255 (208) 484-5528

Priority Date: 12/13/2012

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	0.590 CFS	
	<u>Total Diversion</u>		0.590 CFS	

Source and Point(s) of Diversion:

GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County(R)
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GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County
GROUND WATER	L1(NENE)	Sec. 3, Twp 04N, Rge 01W, ADA County
GROUND WATER	L4(NWNW)	Sec. 3, Twp 04N, Rge 01W, ADA County(I)

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			38.0									23.0				92.0

POU Total Acres: 92.0

Conditions of Approval:

1. X35 Rights 63-35135, 63-35136 and 63-34144 when combined shall not exceed a total diversion rate of 1.58 cfs.

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2. X35 Rights 63-35135, 63-35136, 63-35143, and 63-35144 when combined shall not exceed a total diversion rate of 1.96 cfs, a total annual maximum diversion volume of 433.9 af at the field headgate, and the irrigation of 96.0 acres.
3. 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.
4. The ground water source for this right shall be limited to water bearing formations no deeper than 200 feet below ground surface.
5. Ground water diverted from the two 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.
6. 065 The right holder shall make full beneficial use of Right 63-35143 and shall limit the diversion of ground water under this right to those times when the Right 63-35143 is not available or is not reasonably sufficient to irrigate the place of use authorized under this right.
7. 105 If the surface water right 63-35143 is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. R19 The right holder shall maintain totalizing measuring devices approved by the Department to measure and record the rate and volume of ground water diverted in connection with this right. The right holder shall measure flow from the well, record the maximum flow for a given month, measure and record the total volume of water diverted for each month, and measure and record the total volume of water diverted each year from the wells. The right holder shall maintain these records for a minimum of 10 years and shall make those records available to the Department for inspection at any given time.
9. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
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. 020 The diversion and use of water described in this right 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.
12. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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Dates and Other Information:

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
1.580			63-35135 ,63-35136 ,63-35144

SubCase:

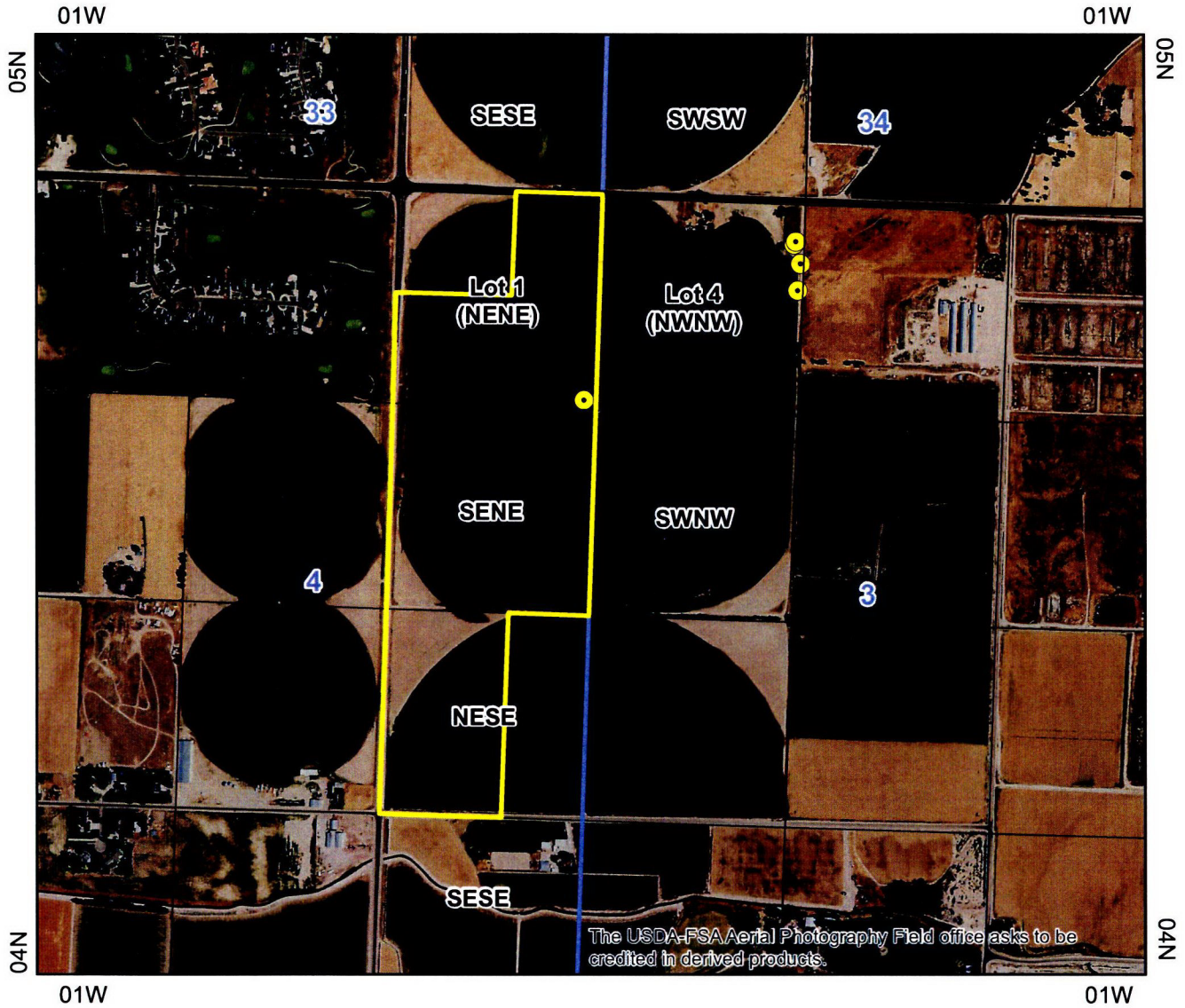
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
63-35144

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


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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.
8. Signature: *Brian McColl* 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

SUPPORT DATA

IN FILE # 63-2958

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