

31-02258C 31-02351B & 31-02381D

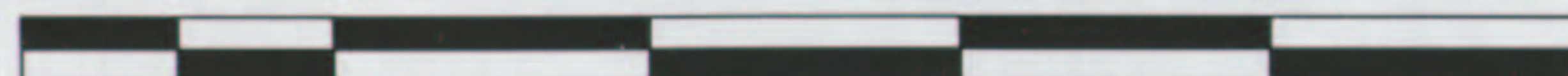


T07N R33E S01
T07N R34E S06

Map prepared by: Carter Fritschle
Date prepared: 05-17-99
1987-1988 NAPP photography



660 0 660 1320 1980 2640 Feet



Handwritten numbers in the highlighted area:

39	40	40	40
38	39	39	39
			34

② NHCL
6.0

9163

542

NHCL
②
31.3

NHCL
①
42.9

NHCL
②
31.0

NHCL
③
27.2

NHCL
④
27.4

NHCL
②
30.0

⑤
5.3 NHCL

NHCL
④
128.6

③
4.0

#2319
⑩
108

NHCL
②
64.3

39

40

40

40

NHCL
①
78.3

POD

NHCL
③
57.2

38

39

39

39

34

NHCL
④
32.4

NHCL
⑥
79.1

NHCL
⑦
32.0

2
11
12

ASCS Aerial Photo
1987 Photo

12

Claim identification no.

A31-02381 D
A31-02351 B
A31-02258 C



Photo # 8

CA 10-7-94

Looking NE from the SW corner of sec. 6, T7N,
R34E, at lands irrigated with water from
the well in NWSWSE sec. 1, T7N, R33E.

Claim identification no.

A31-02381D
A31-02351B
A31-02258C



Photo #7

CA 10-7-94

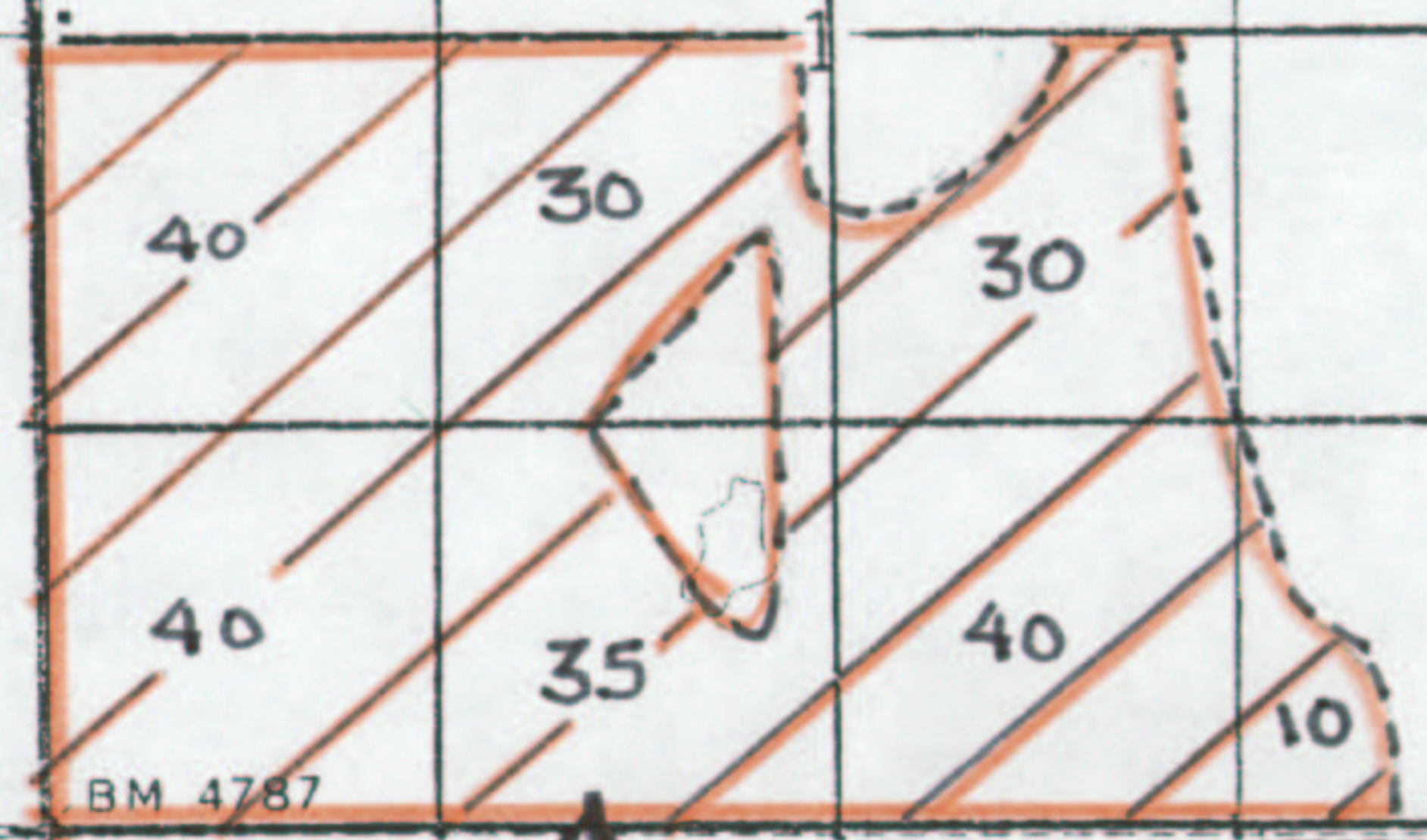
Looking south from approximately 30 ft. north
of the well in the NW corner of the SWSE,
Sec. 1, T 7N, R 33E.

R33E R34E

POINTS OF
DIVERSION

A31-02258C

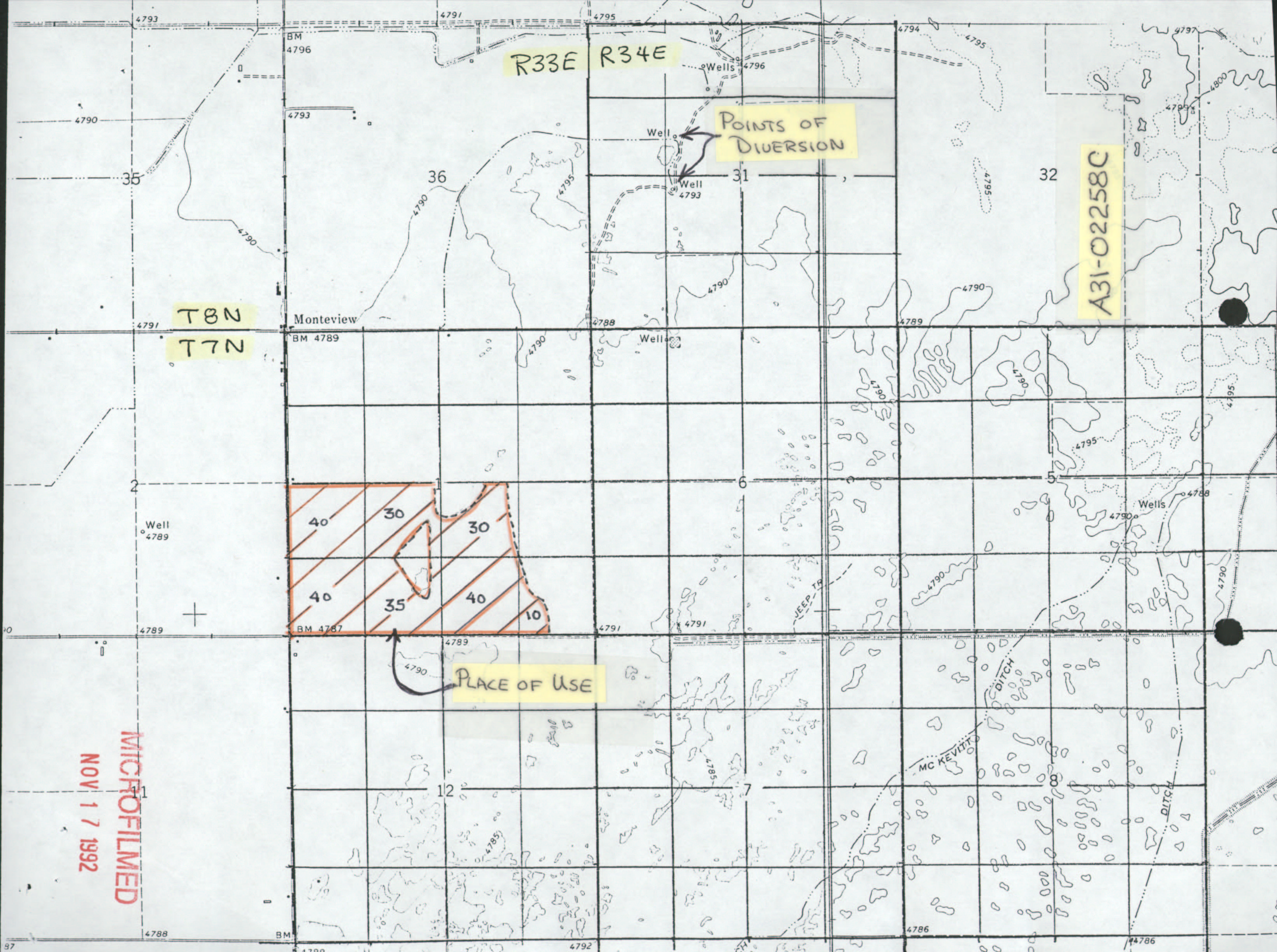
T8N
T7N

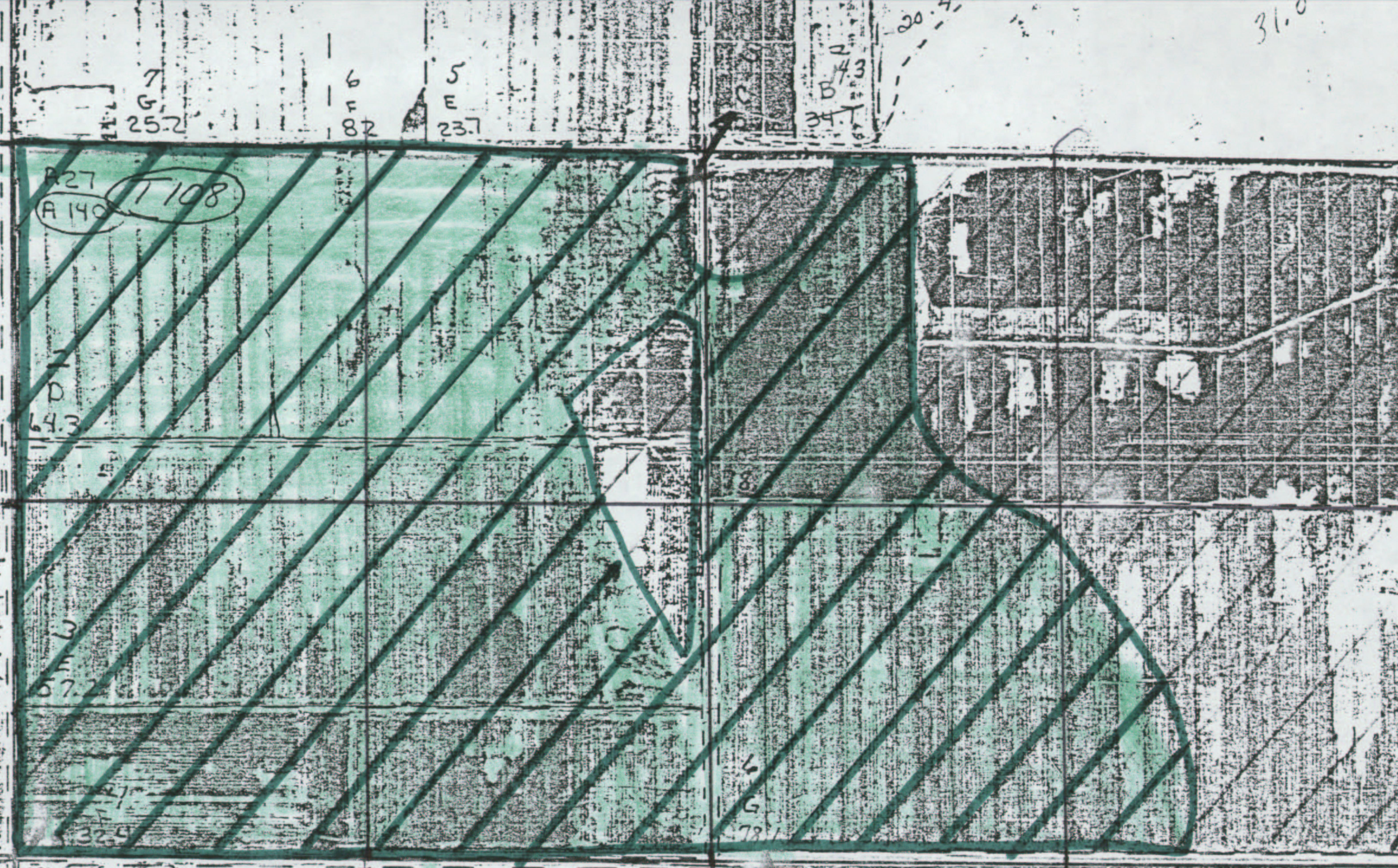


PLACE OF USE

MICROFILMED

NOV 17 1992





10

10.1

1 A

15.7

NOV 1 7 1992

MICROFILMED



A93 T127
A164
2
8
42.7



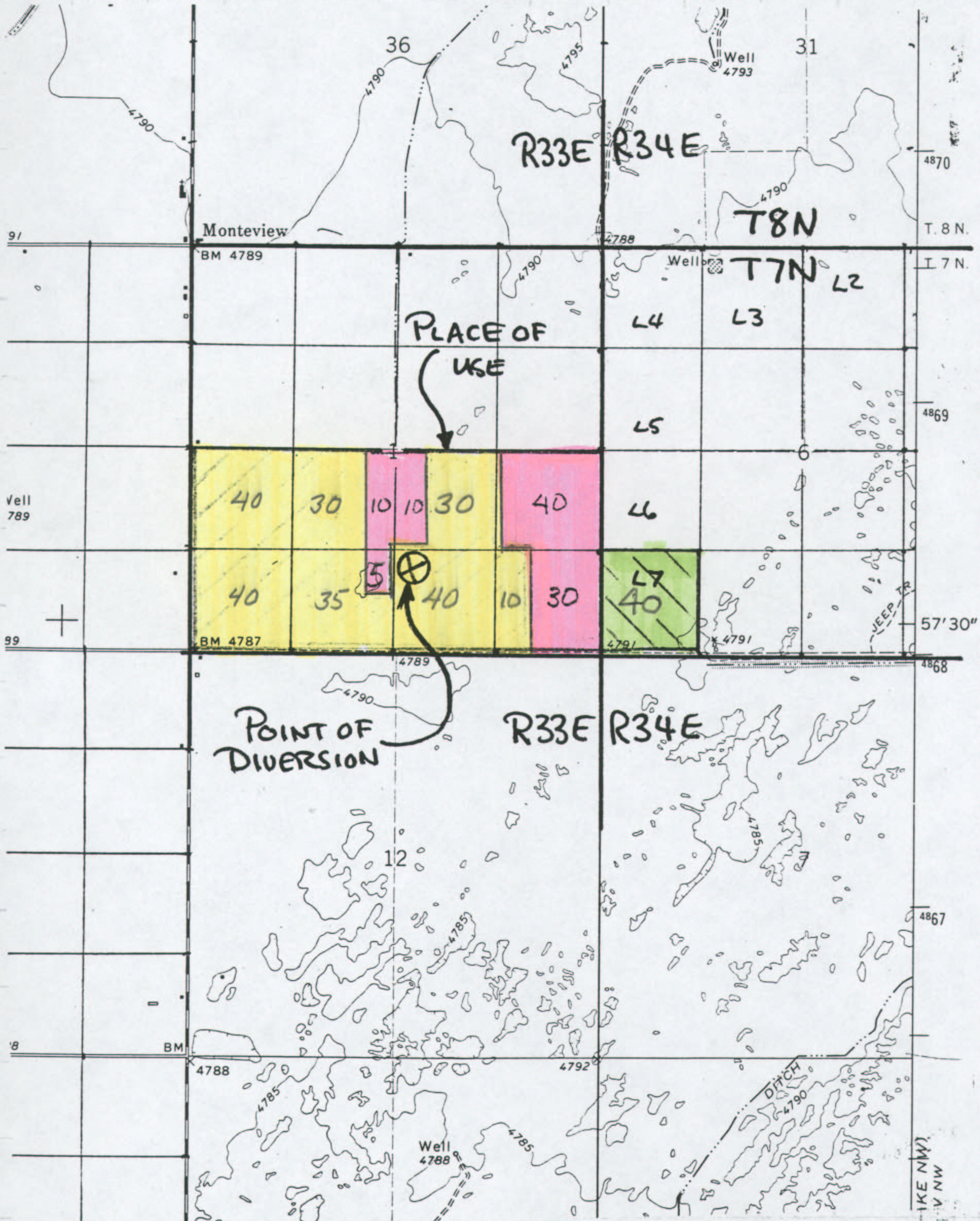
1
P
35.5

PLACE OF USE

R33E R34E
T
7
N

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: ~~2 inches equal 1 mile~~. Draw plan in ink.

12/06/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-2258C

NAME AND ADDRESS: MILLIE E HARTWELL
2298 N 800 E
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 4.5 CFS
787.5 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1218 AF.
COMBINED RIGHT NOS.: 31-02351B AND 31-02381D

PRIORITY DATE: 11/23/1935

POINT OF DIVERSION: T07N R33E S1 NWSWE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	4.50 CFS 787.5 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R33E S1	NESW	40	T07N R33E S1	SESW	39
T07N R33E S1	NWSE	40	T07N R33E S1	SWSE	39
T07N R33E S1	SESE	39	T07N R33E S1	NESE	40
T07N R33E S1	NWSW	39	T07N R33E S1	SWSW	38
T07N R34E S6	LOT 7	SWSW	34		

348 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 225 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 348 ACRES IN A SINGLE
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 31-02351B AND 31-02381D

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 31-02351B AND 31-02381D ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-02258C
Date Received: 5/ 3/1988
Receipt No: E000168
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOE HARTWELL 208-657-2210
Address: MONTEVIEW ID 83435
OR
Name: MILLIE E. HARTWELL 208-657-2210
Address: MONTEVIEW ID 83435
2. Date of Priority: NOV 23, 1935
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	33E	1	SW	SE			JEFFERSON
5. Description of diverting works:
TWO WELLS, PUMPS, OPEN DISCHARGE TO DITCHES FOR FLOOD IRRIGATION
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.500		
7. Total Quantity Appropriated is:
4.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 562.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	33E	1	NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	35.0
			NW		SE		IRR	30.0
			SW		SE		IRR	40.0
			SE		SE		IRR	10.0

Section Acres 225.0

Total Acres 225.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
31-2351B/T1624

14. Remarks:

THIS RIGHT BASED ON PART OF 31-2258A OWNED BY APPLICANT
*** CLAIM AMENDED TO MATCH APPROVED TRANSFER 4038. ESV 2/16/93

15. Basis of Claim: LICENSE

MICROFILMED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-02258C
Date Received: 5/03/1988
Receipt No: E000168

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOE HARTWELL 208-657-2210
Address: MONTEVIEW, ID 83435
OR
Name: MILLIE E. HARTWELL 208-657-2210
Address: MONTEVIEW, ID 83435

2. Date of Priority: NOV 23, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	34E	31	SE	NW			JEFFERSON
			NE	SW			JEFFERSON

5. Description of diverting works:
TWO WELLS, PUMPS, OPEN DISCHARGE TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.320		

7. Total Quantity Appropriated is:
4.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 562.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A31-02258C

Page 1

Date: 05/03/88

MICROFILMED

NOV 17 1992

A3102258C



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	33E	1	NE		SW		IRR	30.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	35.0
			NW		SE		IRR	30.0
			SW		SE		IRR	40.0
			SE		SE		IRR	10.0

Section Acres 225.0

Total Acres 225.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
31-2351B/T1624

14. Remarks:
THIS RIGHT BASED ON PART OF 31-2258A OWNED BY APPLICANT

15. Basis of Claim: LICENSE
Water Right Number:

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Individuals:

Signature of Claimant(s): Millie E. Hartwell Date: 5/2/88
Date:

State of Idaho)
County of Bonnerville) SS.

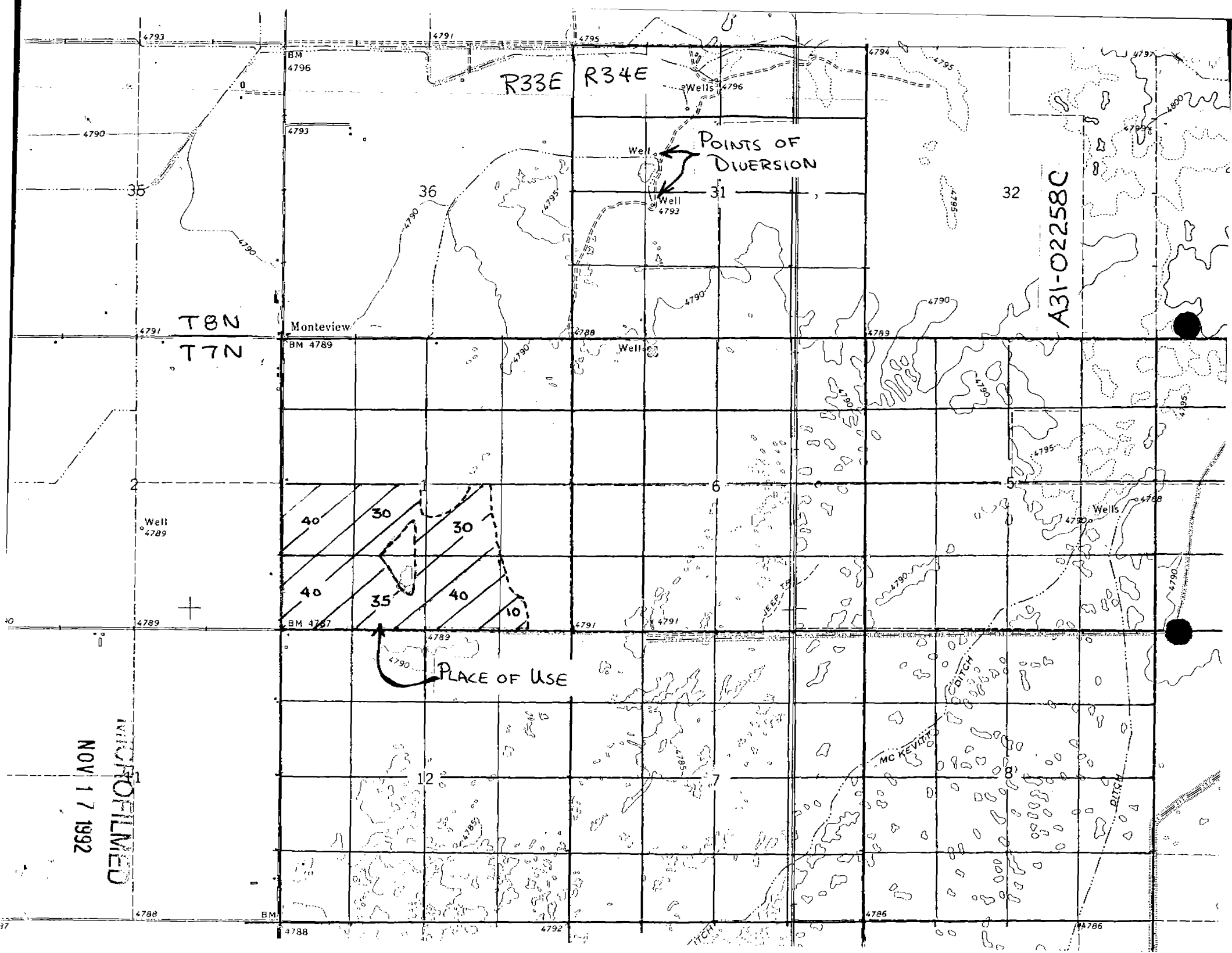
Subscribed and sworn (or affirmed) before me this 3rd day

of ~~April~~ May 19 88

Deena Green
Notary Public

Seal

Residing at Ridgely
My Commission Expires 4-22-1994



R33E R34E

POINTS OF DIVERSION

A31-02258C

T8N
T7N

PLACE OF USE

NOV 17 1992

MICROFILMED

~~27~~
~~A 140~~ ~~1108~~

2

572

324

A93 (T127)
(A164)

②
B
42.7

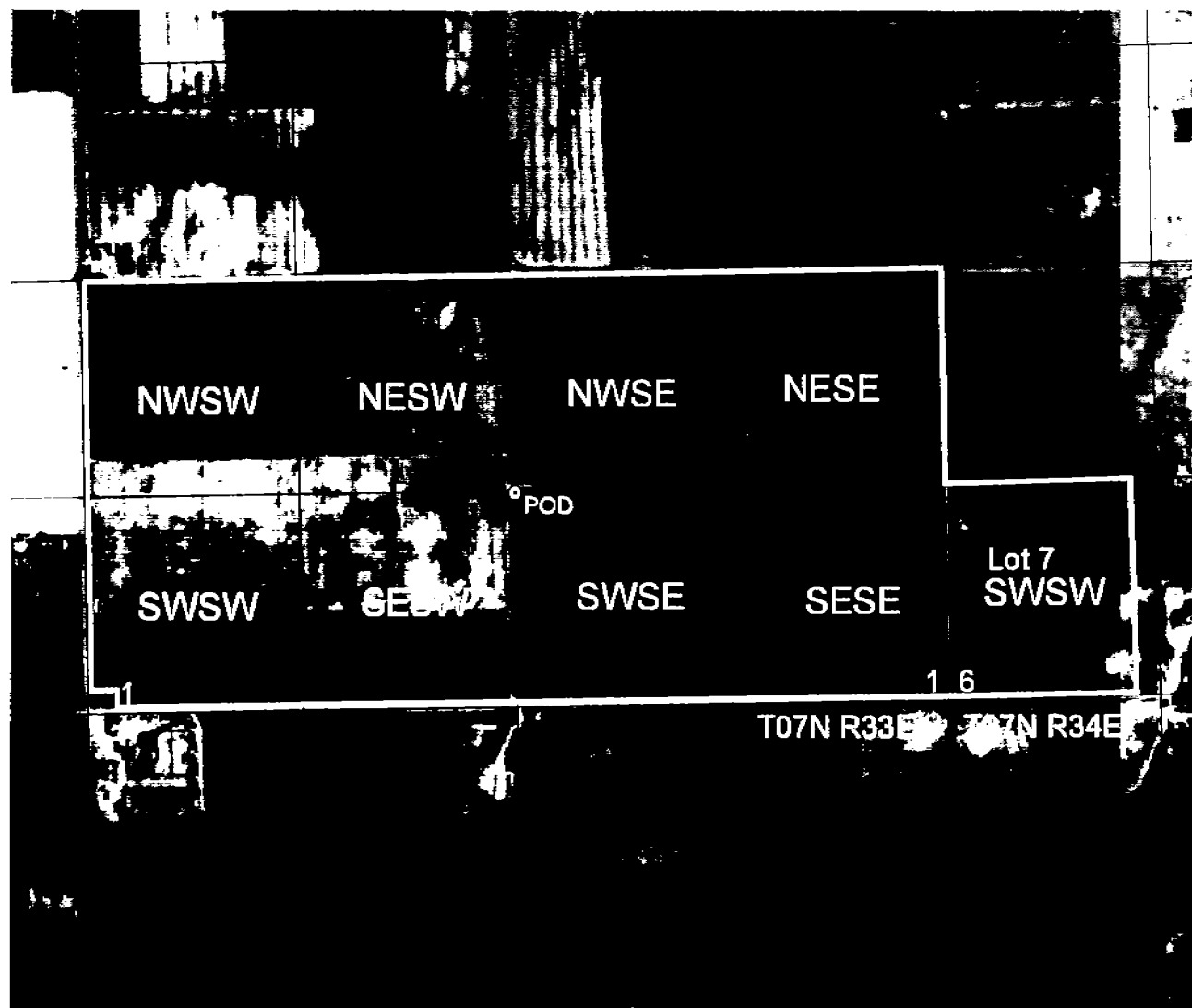
17 APR 1964

PLACE OF USE

R33E | R34E

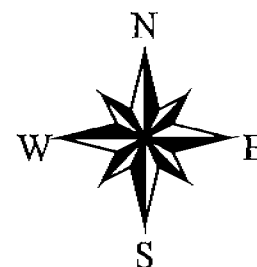
T
7
N

31-02258C 31-02351B & 31-02381D



T07N R33E S01
T07N R34E S06

Map prepared by: Carter Fritschle
Date prepared: 05-17-99
1987-1988 NAPP photography



660 0 660 1320 1980 2640 Feet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-32258C

LAST: HARTWELL
ADDRESS:
CITY: MONTEVIEW
PHONE NUMBER: 208-887-2210

FIRST: JOE

STATE: ID ZIP: 83435

(Deceased)

OWNER CODE: X - 0

LAST: HARTWELL
ADDRESS: 2298N 800E
CITY: MONTEVIEW
PHONE NUMBER: 208-887-2210

FIRST: MILLIE EX

STATE: ID ZIP: 83435

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
N

CLAIM REMARKS: THIS RIGHT BASED ON PART OF 51-22580 OWNED BY APPLICANT
AND CLAIM APPEARED TO MATCH APPROVED TRANSFER 4038. ESU 2/16/93

copy to comments

CONTACT PERSON: Millie Hartwell

PHONE NUMBER: () -

DATE OF FIELD EXAM: 10/7/94

APPOINTMENT MADE: Y() M()

TIME: : A() P()

ACCOMPANIED BY: Bret Hartwell & Millie Hartwell

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AS CLAIM: A A31-02258C PRIORITY DATE: 11-23-1935 STAGE: L ✓

B. WR RECORD: A 31-02258C PRIORITY DATE: 11-23-1935 STAGE: L ✓

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

NOTES: Priority date claimed matches license.

RECOMMENDED PRIORITY DATE:
11-23-1935

REVIEWED BY

AL

DATE

4-25-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-02258C	07N	03E	1		SW	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME JO PCD
A PREFIX R PREFIX
431-023518 40N
431-023510

WR RECORDS IN SAME 40 ACRE TRACT

31-025513
31-025510

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-02258C	04N	03E	1		SW	SE		JEFFERSON

OTHER WR RECORDS WITH SAME WR PCD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO PCD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

N CF

NOTES:

P.O.D. 10 ac. tract determined by field exam and ASES photo.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	R&E.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
07N	33E	1	NW	SW	SE	---	Jefferson	-----
---	---	---	---	---	---	---	-----	-----
---	---	---	---	---	---	---	-----	-----
---	---	---	---	---	---	---	-----	-----
---	---	---	---	---	---	---	-----	-----
---	---	---	---	---	---	---	-----	-----

SOURCE: GROUNDWATER

TRIO:

REVIEWED BY: 24

DATE: 5-16-96

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS:

A31-022580

A31-022581

A31-022582

B. PCU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AD #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	33E	1	N4	SW		HARTWELL, JOE	A31-022580 / 30.0	31-022580 / 30.0	39.0		
			N4	SW		HARTWELL, JOE	A31-023519 / 10.0	31-023519 / 10.0		40	
			N4	SW		WILSON, JOHN L.		31-02153 / 40.0			
			N4	SW		WILSON, ARNOLD L.		31-02351A / 30.0			
07N	33E	1	N4	SW		HARTWELL, JOE	A31-022580 / 40.0	31-022580 / 40.0	35.0		
			N4	SW		WILSON, JOHN L.		31-02153 / 40.0		39	
			N4	SW		WILSON, ARNOLD L.		31-02351A / 40.0			
07N	33E	1	S4	SW		HARTWELL, JOE	A31-022580 / 40.0	31-022580 / 40.0	39.0		
			S4	SW		WILSON, JOHN L.		31-02153 / 15.0		38	
			S4	SW		WILSON, ARNOLD L.		31-02351A / 40.0			
07N	33E	1	SE	SW		HARTWELL, JOE	A31-022580 / 35.0	31-022580 / 35.0	39.0		
			SE	SW		HARTWELL, JOE	A31-04084 /	31-04084 /		39	
			SE	SW		HARTWELL, JOE	A31-02351B / 5.0	31-02351B / 5.0			
			SE	SW		WILSON, JOHN L.		31-02153 / 15.0			
			SE	SW		WILSON, ARNOLD L.		31-02351A / 35.0			
07N	33E	1	N4	SE		HARTWELL, JOE	A31-022580 / 30.0	31-022580 / 30.0	41.0		
			N4	SE		HARTWELL, JOE	A31-02351B / 10.0	31-02351B / 10.0		40	
			N4	SE		WILSON, ARNOLD L.		31-02351A / 30.0			
07N	33E	1	S4	SE		HARTWELL, JOE	A31-022580 / 40.0	31-022580 / 40.0	28.0		
			S4	SE		WILSON, ARNOLD L.		31-02351A / 40.0		39	
07N	33E	1	SE	SE		HARTWELL, JOE	A31-022580 / 10.0	31-022580 / 10.0	23.0		
			SE	SE		HARTWELL, JOE	A31-02351B / 30.0	31-02351B / 30.0		39	
			SE	SE		WILSON, ARNOLD L.		31-02351A / 10.0			
TOTAL ACRES							A31-022580	280	225.00	225.00	244.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED:

OUR TO PU DISCRIPTION: (Y/N)

DATABASE

Y

FIELD
EXAMINER

POU COUNTY: JEFFERSON

7N 33E 1 NESE

7N 34E 6 SWSW

40

34

348

PRESUMPTION PLANS:

NOTES:

A31-02351B which overlaps with this right was originally claimed with a permissible p.o.u. covering the $5\frac{1}{2}$ of Sec. 1. Transfer No. 4038 tried to segregate the p.o.u. of 3 rights involved to match their licensed p.o.u. Since the 3 rights share a common distribution system and are being used with a permissible p.o.u., that is what is being recommended. Transfer No. 4038 was for a change in the p.o.d. only!

RECOMMENDATIONS:

TOTAL ACRES: 225 ac. within 348 ac. p.p.o.u.

REVIEWED BY:

CA

DATE:

5-16-96

A. AS CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-02258C IRRIGATION	FROM 04-01 TO 11-01	4.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-02258C IRRIGATION	FROM 04-15 TO 10-15	4.500 CFS 787.50 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.500 CFS 787.50 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>Y</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED:

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() EXPLAIN IN NOTES, BELOW.

NOTES:

Approved Transfer No. 4038 shows 4-1 to 11-1

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AD TOTAL CLAIMED DIVERSION RATE: 4.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.500 CFS

*** IF NO OR IF STATUTORY CLAIM OF BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EARM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

DUE TO STATE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y ☒

B. FLOW MEASUREMENT

MEASUREMENT METHOD N.A., SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 51-0351971624

LIST ALL RIGHTS WITH SAME POB AND IRRIGATION USES:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-02258C	GROUNDWATER	HARTWELL, JOE	4.500	0.020		
A51-02551B	GROUNDWATER	HARTWELL, JOE	1.700	0.020		

*Adjacent land
within the p.p.o.u.*

LIST ALL RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-04094	STOCKWATER	HARTWELL, JOE	FROM 10-15 TO 05-31	.040 CFS	

B.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 225 X 0.00 CFS/ACRE = 1.50 CFS
(TAKEN FROM P/O REVIEW)

1B. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILLED AND ATTACHED? Y() N() ***

All 3 nights

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 532.5 AF/A

Cor. Use ~~348~~ X 2.5 = 870 AF

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES 225 X DIVERSION VOL. AF/A FOR AREA 3.5 =

Div. Vol. 348 X 3.5 = 1218 AF

TOTAL DIVERSION VOLUME 787.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

WE RECORD CONDITIONS/REMARKS:

- 109 - FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
- 109 - APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.
- 043 - RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 11-33, BOARD CODE.
- 120 - THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE OR MORE THAN 0.5 AFA PER ACRE FOR THE

N.A. to SRBA recommendation

- LARUS ABOVE.
THE WELLS PREVIOUSLY USED UNDER THIS RIGHT AND RIGHTS 31-02351B
AND 31-02381D MUST BE ABANDONED IN A MANNER WHICH COMPLIES WITH
DEPARTMENT WELL ABANDONMENT REGULATIONS.

NOTES: (INCLUDE LIMITATIONS ON CUMULATIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 4.530 4.50	DATABASE EXAMINER 787.5 787.5	DATABASE EXAMINER 562.5 562.5
TOTAL FOR THIS RIGHT	Recommended as claimed and approved by Transfer No. 4038	4.530 4.50	787.5	562.5
REVIEWED BY: CA	DATE: 5-16-96			

EXP. Remark F06 $\Rightarrow$ 31-02351B + 31-02381D

QNT Remark E08 $\Rightarrow$ 1218 AF 31-02351B + 31-02381D

POU1 Remarks E14 $\Rightarrow$ 348 ac. 31-02351B + 31-02381D
K06 $\Rightarrow$ 225 ac.

CON Remark E24 $\Rightarrow$ 870 AF 31-02351B + 31-02381D

Condition
COS Change in p.o.u.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-02257

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	13.400		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "Q" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-02258C	4.500	-	-	31-02258C	4.500
-	A31-02258D	2.800	-	-	31-02258D	2.800
-	A31-02258A	2.700	-	-	31-02258A	
-	A31-02258J	3.400	-	-	31-02258J	3.400
-			-	-	31-02258	
	TOTAL CFS	13.400				13.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE	FIELD EXAMINER
N	

NOTES:

Matches WR record for 31-02258C

AUTHENTICATION:

SIGNATURE: Carter Fritschle DATE: 5-21-96
NAME OF FIELD EXAMINER: Carter Fritschle TITLE: W.R. Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/93

PAGE: 1
QUICKLOOK INFORMATION

CLAIM NUMBER: A51-22258C

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			CF 10-7-94	N	6	CF 5-21-96	CF 5-21-96	
POINT OF DIV	Y			Y	1+5			
SOURCE				N	5			
PLACE OF USE	Y			Y	1+5			
DIV. AMOUNT CFS/VOLUME				N	6			
CONSUMPTIVE USE	-			Y	6			
PURPOSES				N	5			
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM	Y			N	6			
REMARKS	Y			Standard	6			

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
AERIAL MAP = 2
MASTER RECORDS = 3
AERIAL PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

B.C. updated to RR type 72

CF 5-21-96

A31-02258C
A31-02351B
A31-02381D

Township	Range	Sec	Q	Acres	
07N	33E	1	NESW	0	40.0
07N	33E	1	NWSW	0	39.0
07N	33E	1	SWSW	0	38.0
07N	33E	1	SESW	0	39.0
07N	33E	1	NESE	0	40.0
07N	33E	1	NWSE	0	40.0
07N	33E	1	SWSE	0	39.0
07N	33E	1	SESE	0	39.0
07N	34E	6	SWSW	7	34.0

348 acres

CA 5-17-99

24 5-16-96

A31-02258 C 4.50 cfs on 225 ac = 0.02 cfs/ac

348 ac. - 225 ac = 123 ac

A31-02351B 1.90 cfs on 95 ac = 0.02 cfs/ac

123 ac - 95 ac = 28 ac

A31-02381D 0.56 cfs max. allowable

28 ac. left to cover at 0.02 cfs/ac

28 ac. x 0.02 cfs/ac = 0.56 cfs allowable

0.56 cfs on 28 ac = 0.02 cfs/ac

Recommendations

A31-02258 C 4.50 cfs on 225 ac within 348 ac p.pou.

A31-02351 B 1.90 cfs on 95 ac. within 348 ac p.pou.

A31-02381 D 0.56 cfs on 28 ac. within 348 ac. p.pou.

6.96 cfs 348 ac.

ASCS acreage is 5 1/2 sec. 1 = 311.3

'Found' acreage in 5 1/2 sec. 1 = 314 (for 40's less roads)

ASCS apparently did not include the ditch and ditch banks.

ASCS acreage in lot 7 (EUSW) Sec. 6 = 32

ASCS apparently projected a slide on their photograph,

because none of the land in the SW 1/4 of Sec. 6

appears irrigated on NAPP W38 NE. Stepped off an area of approx. 1300' x 1140' (34 ac.) as being irrigated in the SW 1/4.

A31-02258C
A31-02351B
A31-02381D

CA 5-21-96

250 HP Pump

83' static water level

301' Deep well

Open discharge

If total head is 220' or less, the well can theoretically produce the sum of the diversion rates of the three rights when pumping at 70% efficiency.

$$\frac{250 \text{ HP} \times 8.8 \times .7}{220'} = 7.00 \text{ cfs}$$

$$A31-02258C = 4.50 \text{ cfs}$$

$$A31-02351B = 1.90 \text{ cfs}$$

$$A31-02381D = 0.56 \text{ cfs}$$

$$\text{Total} = 6.96 \text{ cfs}$$

CLAIM IDENTIFICATION NO. *131 022582*

PLACE OF USE OVERLAP REVIEW

[illegible]

* Irrigated from well in NW SW SE Sec. 1

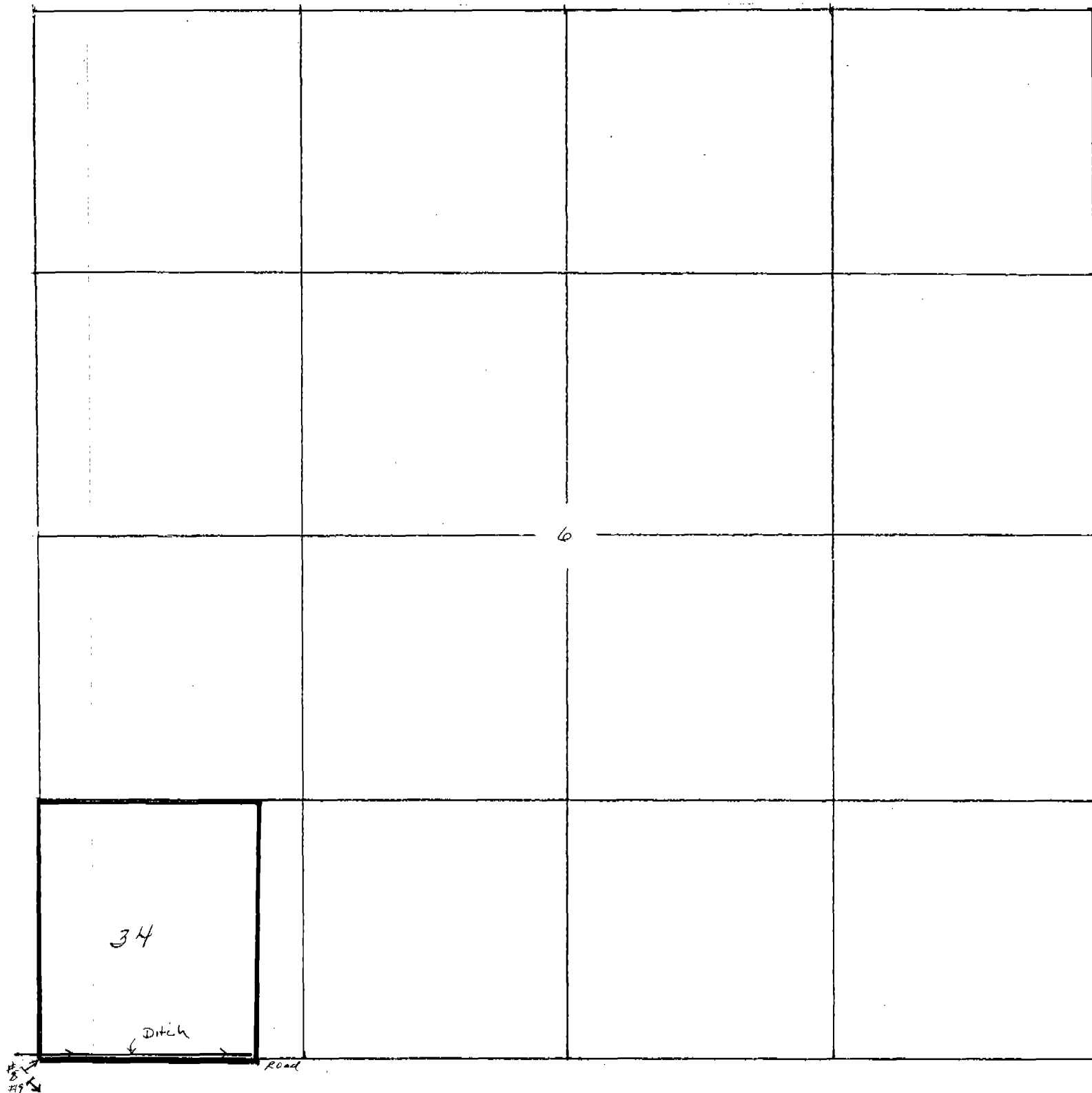
* * Includes approx. 4 acre backyard (bar hay).

~~Montevideo Highway (800 E)~~



AGENT Fritzsche

Hartwell



Scale 8.0" = 1.0 Mile

Township 7N Range 34E Section 6DATE 10-7-94OPQ MAP # W38 NAPP # W38 NEAGENT Fritschle

Hartwell

10-7-94 CA

250 HP US Electrical Motors Motor

10# 7258A-50-W04W04-R12114

Turbo pump - make over

10" discharge pipe

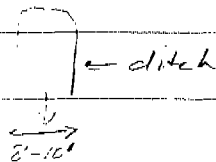
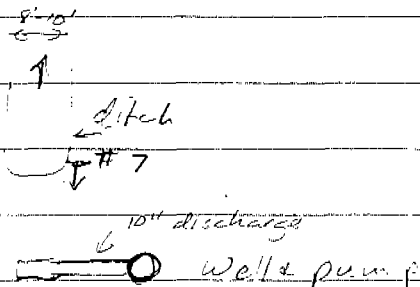
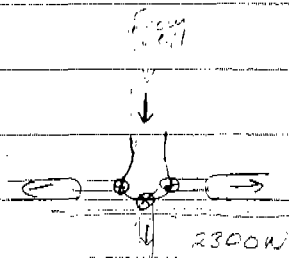


Photo #7 looking south from approx. 30' north
of well.

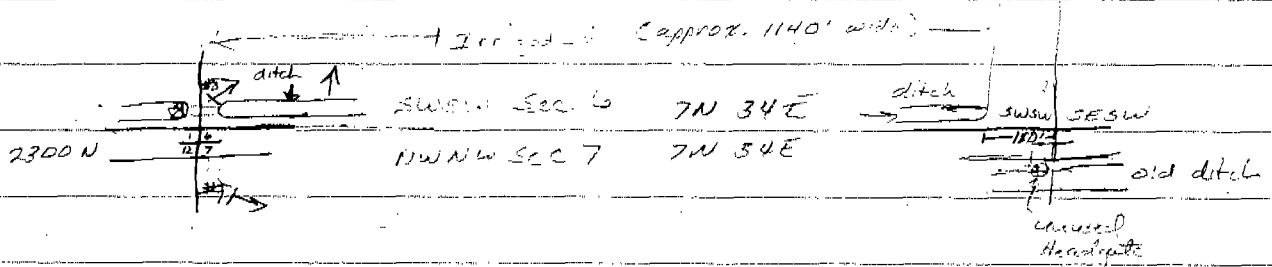


Stantwell

12-7-94

Photo #8 Looking NE from SW corner sec. 6
T 7N R 34E

Photo #9 Looking SE from NW corner of sec. 7
T 7N R 34E



Claim identification no.

A31-02381D
A31-02351B
A31-022532



Photo #7

Oct 10-7-94

Looking south from approximately 30 ft. north
of the well in the NW corner of the SWSE
Sec. 1, T 7N, R 33E.

Claim identification no.

AS-02531 D
AS-02531 B
AS-02531 C

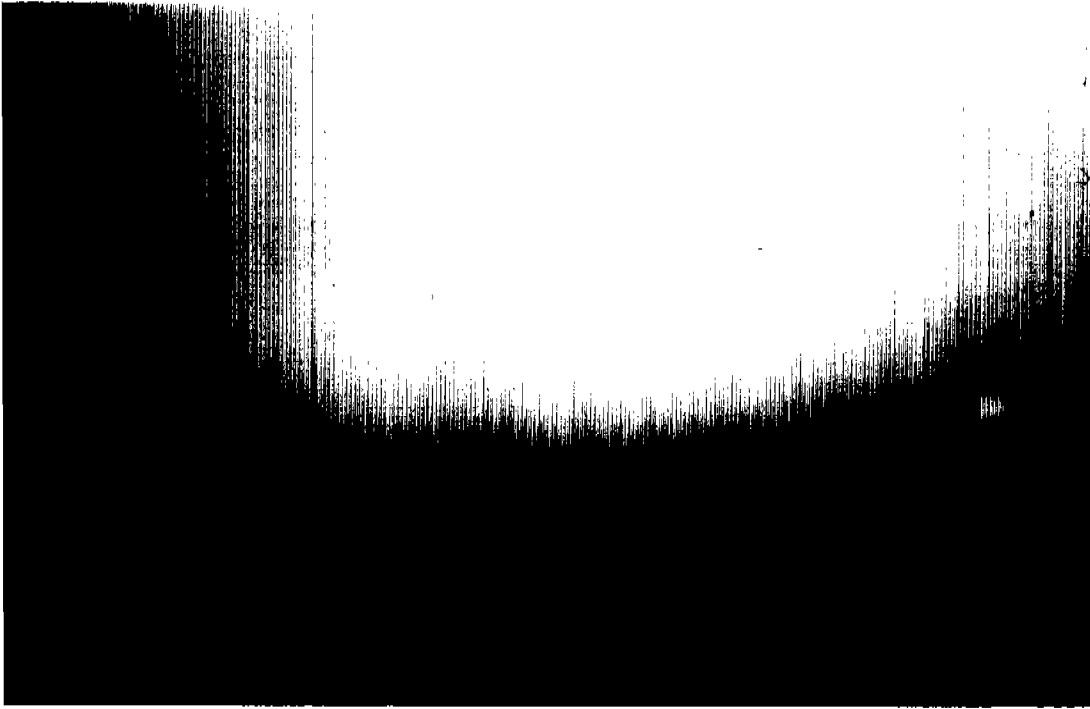


Photo #5

CA 10-7-94

Looking NE from the SW corner of sec. 6, T7N,
R34E, at lands irrigated with water from
the well in NWSWSE Sec. 1, T7N, R33E.

RECEIVED

RECEIVED

Form 238-1
492

STATE OF IDAHO 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR
190 BALLPOINT PEN

JUL - 2 199

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

Transfer #1623 changed p.o.d. for the lands irrigated in the SE $\frac{1}{4}$ of Sec. 2 and NE $\frac{1}{4}$ of Sec. 11. Land in Sec. 1 left unchanged.

$$13.4 \text{ cfs} - \begin{matrix} 6.1 \\ 6.1 \end{matrix} = \begin{matrix} 7.30 \\ 7.00 \end{matrix} \text{ cfs}$$

6.4 cfs on 320 ac. according to the "new" p.o.u. Old p.o.u. was 305 ac.

31-02258B
4.10 cfs
325 ac.

Transfer #3797 changed p.o.d. for the lands irrigated in the NW $\frac{1}{4}$ of Sec. 1

2.80 cfs on 140 acres

$$\begin{matrix} 7.30 \\ 7.00 \end{matrix} \text{ cfs} - 2.80 \text{ cfs} = \begin{matrix} 4.50 \\ 4.20 \end{matrix} \text{ cfs}$$

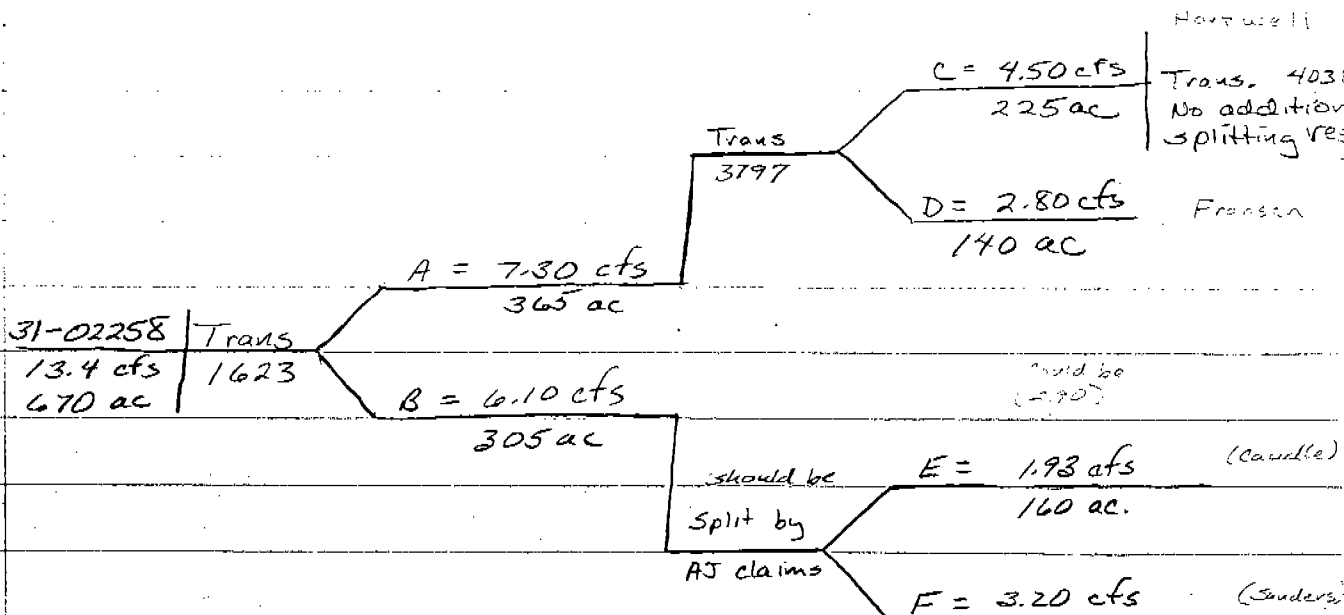
Frausen

31-02258D
2.80 cfs
140 ac.

Transfer #4038 changed p.o.d. for the lands irrigated in the S $\frac{1}{2}$ of Sec. 1

4.50 cfs on 225 acres. Hartwell

31-02258C
4.50 cfs
225 ac



	AJ	Claimed cfs	Claimed acres / P.O.U.
31-02258D	A31-02258A D	2.78*	139 / NW ¹ / ₄ Sec. 1
	A31-02258B F	3.20	160 / NE ¹ / ₄ Sec. 11
	A31-02258C	4.50	225 / S ¹ / ₂ Sec. 1
Part of B	A31-02258D E	1.93	160 / SE ¹ / ₄ Sec. 2

* Amended by transfer # 3797

	WR.	Recorded cfs	Recorded acres / P.O.U.
31-02258A	Split into C & D		
31-02258B	6.10	305 /	Sec. 2 SE ¹ / ₄ Sec. 11 NE ¹ / ₄
31-02258C	4.50	225 /	Sec. 1 S ¹ / ₂
31-02258D	2.80	140 /	Sec. 1 NW ¹ / ₄

A31-02258A renumber to A31-02258D

A31-02258D renumber to A31-02258E

A31-02258B renumber to A31-02258F

Candle

"E" May wish to amend for additional water.
SE¹/₄ Sec. 2 had 145 acres licensed, and
therefore is entitled to 2.90 cfs

Sanders

"F" It's o.k. for 3.20 cfs on 160 ac.

Frausen

"D" Transfer No. 3797 "amended" claim to 2.80 cfs
on 140 acres.

Enlargement claim A31-10392 paid variable fee.

② NHCL
6.0

① NHCL

⑥ NHCL

③ NHCL
9.0

④ NHCL
128.6

⑤ NHCL
5.3

② NHCL
30.0

② NHCL
51.3

③ NHCL
27.2

④ NHCL
42.9

39

40

40

40

① NHCL
78.3

② NHCL

38

39

39

39

34

④ NHCL
32.4

ASRS Aerial Photo
1987 - Photo

NHCL

T8N
T7N

W 38
Aerial Photo
8-27-82

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4038APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Millie E. Hartwell Phone 657-2210
Post Office address 2298 N 800 E Montevideo Idaho 83435

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Change point of diversion to a point in the field to be irrigated to eliminate ditch loss and declining capacity of the old points of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------|--------------------|---------------|---------------|
| 31-2258C | 11/23/1935 | 4.50 cfs | Irrigation | 4/1 to 11/1 |
| 31-2351B | 12/1/1955 | 1.90 cfs | Irrigation | 4/1 to 11/1 |
| 31-2381XD | 7/14/1960 | 0.56 cfs | Irrigation | 4/1 to 11/1 |
2. Total amount of water being transferred 6.96 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	1	7N	33E	Jefferson	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
31-2258C																			
7N	33E	1									30	40	40	35		30	40	10	225
31-2351B																			
7N	33E	1									10			5	40	10		30	95
31-2381XD																			
7N	34E	6										47							40

Total acres 360

PART 1**6. General Information:**

- a. Description of diversion system Well pump mainline to open discharge for flood irrigation
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None, better utilization of water
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-02258C/02351B/02381D
And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

FEB 02 1993

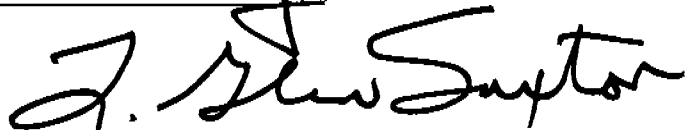
Witness my hand this

28th day ofJanuary, 19 93L. Blue Sator
CHIEF, WATER ALLOC. BUREAU

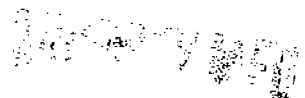
CONDITIONS OF APPROVAL
Transfer of Water Rights
Nos. 31-02258C/02351B/02381D

1. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The wells previously used under these rights shall be abandoned in a manner which complies with Department well abandonment rules.

Dated this 28th day of January, 1993.



Chief, Water Alloc. Bureau



FEB 02 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED**SEP 18 1992****A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ Department of Water Resources
 Eastern District Office
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 31-2258C issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3797 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 11/23/1935

5. Water is used for the following purpose:

amount 4.50 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount 6.02 cfs for Domestic purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.5 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	31	8N	34E	Jefferson	
		NW	SW	31	8N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	33E	1									30	40	40	35		30	40	10	225

Total acres 225

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

FEB 02 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-2351B issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1624 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 12/1/1955

5. Water is used for the following purpose:

amount 1.9 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	31	8N	34E	Jefferson	
		NW	SW	31	8N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	33E	1									10			5	40	10		30	95

Total acres 95

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

FEB 8 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-02381A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3783 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7/14/1960

5. Water is used for the following purpose:

amount 5.32 for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount 0.02 for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.32 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	4	7N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	33E	12					20	12											32
	34E	5											40	20		40	28		128
		6											40						40
								41					47						
		7						20											20
		8		40	40		40			40			40	20	40				160

Total acres 380

9. Describe any other water rights used for the same purpose as described above _____

(over)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.56 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	4	7N	34E	Jefferson	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	34E	6											47 40						40

Total acres 40

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 4.76 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	4	7N	34E	Jefferson	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	33E	12					20	12											32
	34E	5											40	20		40	28		128
		7					20												20
		8		40	40		40			40									160

Total acres 340

FROM: KEITH C. WILSON

15 SEPT 1992

TO: TRANSFER FILE 31-02258C/02351B/02351A/02381A

RE: MILLIE HARTWELL TRANSFER

A REVIEW OF THE FOLLOWING ORIGINAL WATER RIGHTS AND THE TRANSFERS THAT CREATED THEM IS AT BEST CONFUSING.

31-02258C

31-02351B

31-02351A

31-02381A

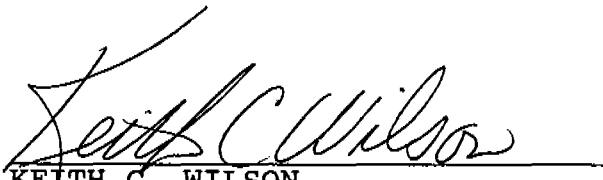
IT APPEARS THAT MAINTAINING THE MAXIMUM OF 0.02 CFS/AC (EXCEPT FOR 31-02381A) HAS BEEN ACCOMPLISHED, BUT THE INTERPRETATION OF HOW THE RIGHTS WERE TRANSFERRED TO CREATE THEM IS STILL CONFUSING.

THE COMBINATION OF THESE WATER RIGHTS AS THIS TRANSFER PROPOSES RESULTS IN NO OVERLAP OF WATER RIGHTS ON THE PLACE OF USE ONLY A POINT OF DIVERSION OVERLAP, AT 0.02 CFS/AC. THE 40 ACRES UNDER WATER RIGHT #31-02381A WILL REMAIN AT 0.014 CFS/AC OR 0.7 MINERS INCHES/ACRE AS DESCRIBED IN THE ORIGINAL WATER RIGHT.

THE TRANSFER PROPOSES TO COMBINE ALL OF THESE WATER RIGHTS INTO A SINGLE WELL AT THE PLACE OF USE. THIS IN EFFECT WILL CAUSE THE ABANDONMENT OF THAT PORTION OF 31-02351A THAT IS APPURTENANT TO THE S1/2 OF SEC 1, (A SUPPLEMENTAL WATER RIGHT). AS CURRENTLY RECORDED RIGHT 31-02351A, WHEN USED IN COMBINATION WITH 31-02258C APPEARS TO RESULT IN A DIVERSION RATE GREATER THAN 0.02 CFS/AC.

THIS WILL ALSO RESULT IN FILINGS ON THE WATER RIGHTS SIDE THAT MORE CLOSELY RESEMBLE WHAT WAS FILED ON IN THE ADJUDICATION.

ONLY RIGHT #31-02381A WILL BE SPLIT, THE REMAINING RIGHTS DO NOT INVOLVE A SPLIT.

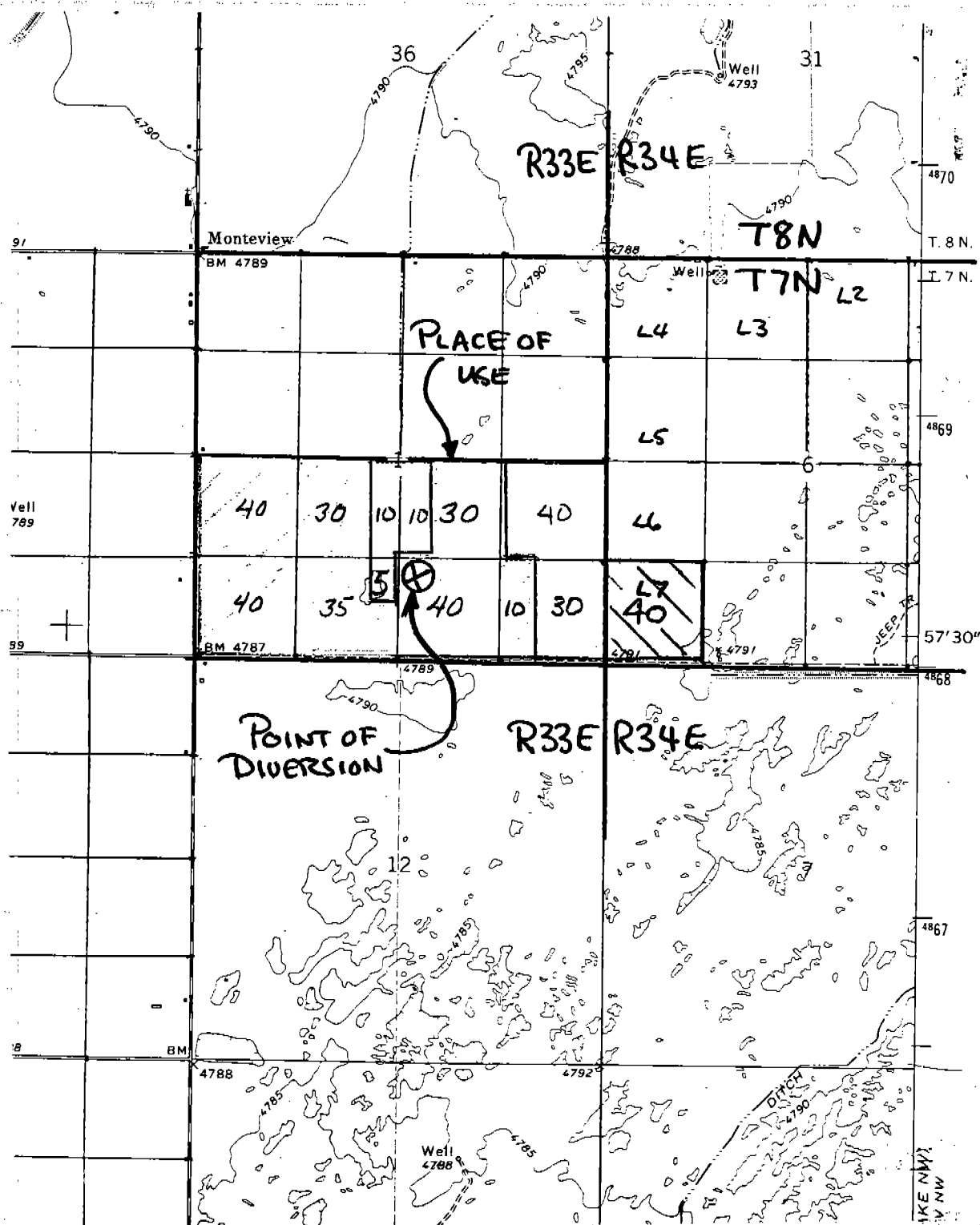


KEITH C. WILSON
SENIOR RESOURCE AGENT

FEB 02 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: ~~2 inches equal 1 mile~~. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Millie E. Hartwell
(Signature of Applicant)

Subscribed and sworn to before me this 17th day of September, 19 92.

Shauna Bare
(Notary Public)

My commission expires 5/24/96

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in Jefferson Star Copies of protest forwarded by _____

Pub. dates 9-30 & 10-7-92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

FEB 02 1993

INTERDEPARTMENT MEMO

DATE: November 18, 1992

FROM: Ernest Carlsen *emc*

RE: APPLICATION FOR TRANSFER
31-02258C, 31-02351B, 31-02381D
Millie E. Hartwell

PURPOSE: Ditch loss coupled with decline in production has reduced the efficiency of the existing delivery system. Applicant proposes to abandon the two existing well and drill a well on the POU. This change is intended increase the efficiency of the irrigation system.

FINDINGS:

- > On November 16, 1992, Dave Carlson inspected the POU listed in part 1 of the application and determined all the tracts are being irrigated. Particularly the SWSW Section 6 which was licensed for irrigation from a well in SENW Section 4 T7N R34E.
- > Though licenses 31-02258C and 31-02351B are appurtenant to different acreages, the practice has been to commingle the water diverted under each and use it for irrigation of the S1/2 Section 1.

CONCLUSIONS:

- > There is no expansion in the place of use proposed by this application.
- > The S1/2 Section 1 could be recognized as a permissible place of use for 31-02258C and 31-02351B.

RECOMMENDATION/CONDITIONS:

The transfer should be granted with the following conditions:

- The change authorized by this transfer shall be accomplished within one (1) year of the of this approval.
- Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

ADJUDICATION FOLLOWUP:

- Claimant should be contacted about showing a permissible place of use for rights A31-02258C and A31-02351B.
- A31-02351B lists 3.30 cfs as the rate of diversion. This quantity appears to have been derived from the license which provided for both a primary right on 110 acres for 2.20 cfs and a supplemental right on 307 acres for 2.3 cfs. The primary right covered 95 acres of the claimant's property and 225 acres as a supplemental right. Under

FEB 02 1993

transfer no. 1624 a point of diversion change was granted for 1.90 cfs appurtenant to the 95 acres owned by the claimant under the primary right. There was no mention of any change to the supplemental portion of the license even though it was appurtenant to 225 acres in the S1/2 of Section 1. Failure to include the supplemental water was likely intentional because when the 1.90 cfs is used in combination with the portion of 31-02258 appurtenant to the S1/2 of Section 1 (4.50 cfs) the total rate of diversion is 6.40 cfs or 0.02 cfs per acre. Therefore the supplemental right is not needed. Consequently, to be consistent with transfer no. 1624, the rate diversion for A31-02351B should be reduced to 1.90 cfs.

- Notice A31-02381A will have to be split to reflect the change in POD for 0.56 CFS on 40 acres.

RECEIVED

FEB 02 1993

INTER-DEPARTMENT MEMO

TO: Hartwell Transfer file

SUBJECT: _____

FROM: DAVE CARLSON

DATE: 11/16/92

On 11/16/92 I field exam the pou for this transfer and found that all tracts of land are being irrigated and the transfer information is correct.

If the new well provides a sufficient quantity of water the original wells will be abandon. (Two wells in section 31).

RECEIVED
FEB 02 1993

() For your information

() Response required

signature

State of Idaho

License and Certificate of Water Right

Water License No. 18,200

Amount 13.4 second feet

Water District No.

Priority November 23, 1935

THIS IS TO CERTIFY that E. G. WRIGHT and O. W. WRIGHT of Idaho Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 1, 1935; that Permit No. 18,200 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 25 second feet, was issued thereunder on February 5, 1941, showing that said works were completed on the 12th day of November, 1940; and that on the 7th day of March, 1947,

The Assignees of E. G. Wright and O. W. Wright

of Idaho Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of three wells, ~~artesian~~ (subterranean flow), for the purpose of irrigation and domestic use, under Use Permit No. 18,200 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, to Arnold Wilding, Eldon Reamessen and Farley Rigby, Assignees, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4934, on the 25th day of June, 1932;

The right hereby confirmed dates from November 23, 1935;

The Point of Diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 31, Tp. 8 N., R. 34 E., B.M. Jefferson County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 13.4 cubic feet per second.

Description and location of use:

TWP.	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED
7 N.	33 E.	1	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	10
		2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
		31	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
26th	day of	June	Number of Acres Actually Irrigated		670
			1938		31 2258

(SEAL)

MARK R. KULP
State Reclamation Engineer

DATE: 04/22/94
PAGE: 2

Audit: 03/13/91 LUKE 10/05/92 CURTIS 01/04/93 CURTIS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFEB - 1988 Transfer No. 4038

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Millie E. Hartwell Phone 657-2210
 Post Office address 2298 N 800 E Montevideo Idaho 83435

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Change point of diversion to a point in the field to be irrigated to eliminate ditch loss and declining capacity of the old points of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|-------------------|--------------------|-------------------|---------------------------|
| <u>31-2258C</u> | <u>11/23/1935</u> | <u>4.50cfs</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| <u>31-2351B</u> | <u>12/1/1955</u> | <u>1.90cfs</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| <u>31-2381XD</u> | <u>7/14/1960</u> | <u>0.56cfs</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
2. Total amount of water being transferred 6.96 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	1	7N	33E	Jefferson	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
31-2258C																			
7N	33E	1									30	40	40	35		30	40	10	225
31-2351B																			
7N	33E	1									10			5	40	10		30	95
31-2381XD																			
7N	34E	6										47	40						40

PART 1

6. General Information:

a. Description of diversion system Well pump mainline to open discharge for flood irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

None, better utilization of water

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-02258C/02351B/02381D

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

28th day of

January

19 93

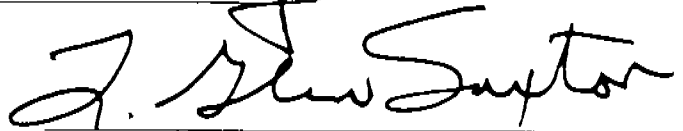
L. Blus Sator

CHIEF, WATER ALLOC. BUREAU

CONDITIONS OF APPROVAL
Transfer of Water Rights
Nos. 31-02258C/02351B/02381D

1. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The wells previously used under these rights shall be abandoned in a manner which complies with Department well abandonment rules.

Dated this 28th day of January, 1993.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

SEP 18 1992

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 31-2258C issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3797 which produced this right.

Department of Water Resources
Eastern District Office

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 11/23/1935

5. Water is used for the following purpose:

amount 4.50 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount 6.02 cfs for Domestic purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.5 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	31	8N	34E	Jefferson	
		NW	SW	31	8N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	33E	1									30	40	40	35		30	40	10	225

Total acres 225

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-23513 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1624 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 12/1/1955

5. Water is used for the following purpose:

amount 1.9 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	31	8N	34E	Jefferson	
		NW	SW	31	8N	34E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	33E	1									10		5	40	10		30		95

Total acres 95

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-02381A issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3783 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7/14/1960

5. Water is used for the following purpose:

amount 5.32 for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount 0.02 for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.32 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	4	7N	34E	Jefferson	

8. Lands irrigated or place of use:

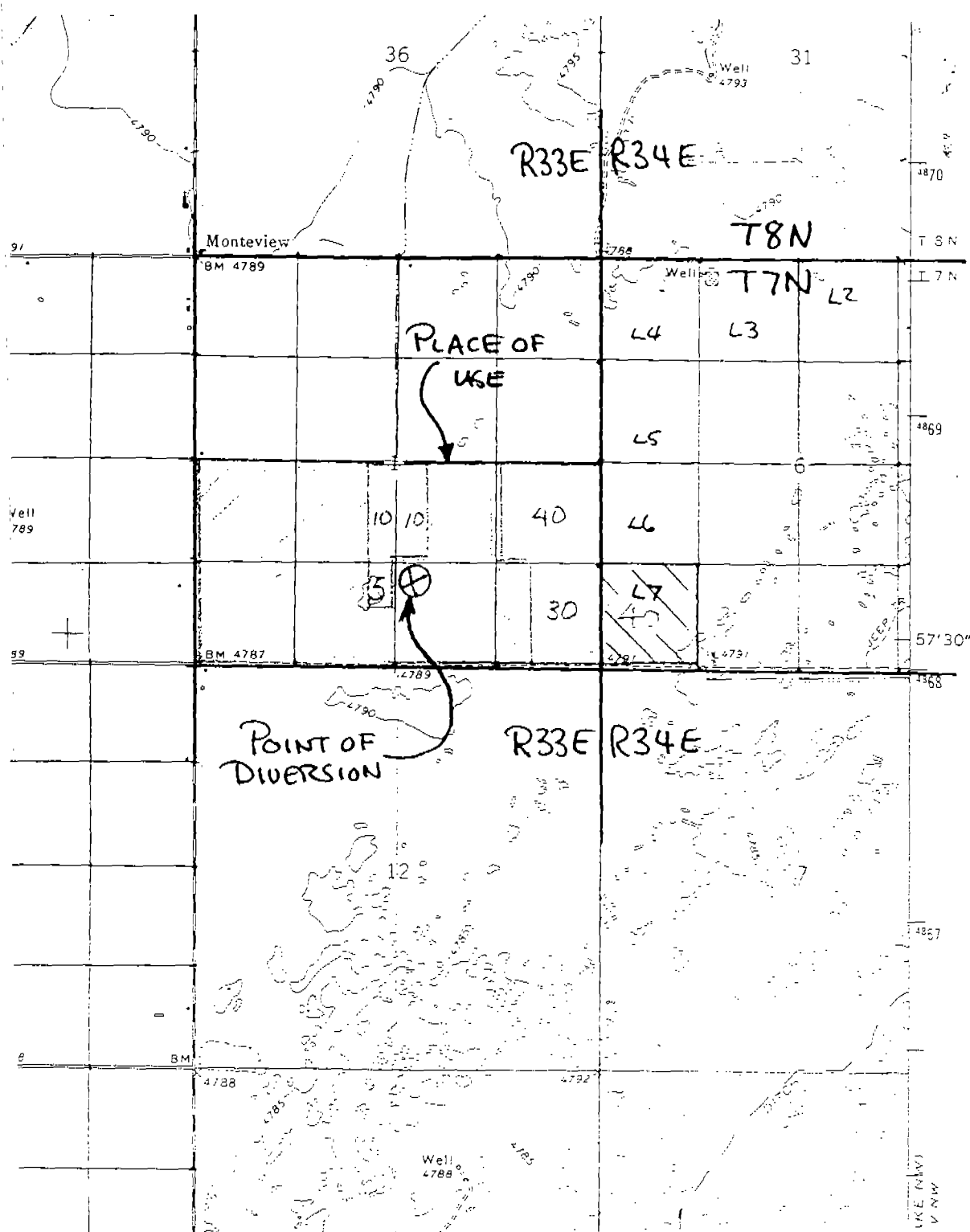
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	33E	12					20	12											32
	34E	5											40	20		40	20		120
		6										40							40
								20				20							20
		7																	
		8		40	40		40			40									160

Total acres 380

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Millie E. Hartwell

(Signature of Applicant)

Subscribed and sworn to before me this 17th day of September, 19 92.

Shauna Bare

(Notary Public)

My commission expires 5/24/96

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____	Date _____	Protest filed by _____
Prelim. check by _____	Fee _____	_____
Receipted by _____	Date _____	_____
Published in <u>Jefferson Star</u>	Copies of protest forwarded by _____	
Pub. dates <u>9:30 9-10-7-92</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for ☒ approval ☐ denial	
_____ rec'd. _____	by <u>Bar</u>	

Copy of transfer sent to lien holder _____

INTERDEPARTMENT MEMO

DATE: November 18, 1992

FROM: Ernest Carlsen *EC*

RE: APPLICATION FOR TRANSFER
31-02258C, 31-02351B, 31-02381D
Millie E. Hartwell

PURPOSE: Ditch loss coupled with decline in production has reduced the efficiency of the existing delivery system. Applicant proposes to abandon the two existing well and drill a well on the POU. This change is intended increase the efficiency of the irrigation system.

FINDINGS:

- > On November 16, 1992, Dave Carlson inspected the POU listed in part 1 of the application and determined all the tracts are being irrigated. Particularly the SWSW Section 6 which was licensed for irrigation from a well in SENW Section 4 T7N R34E.
- > Though licenses 31-02258C and 31-02351B are appurtenant to different acreages, the practice has been to commingle the water diverted under each and use it for irrigation of the S1/2 Section 1.

CONCLUSIONS:

- > There is no expansion in the place of use proposed by this application.
- > The S1/2 Section 1 could be recognized as a permissible place of use for 31-02258C and 31-02351B.

RECOMMENDATION/CONDITIONS:

The transfer should be granted with the following conditions:

- The change authorized by this transfer shall be accomplished within one (1) year of the of this approval.
- Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

ADJUDICATION FOLLOWUP:

- Claimant should be contacted about showing a permissible place of use for rights A31-02258C and A31-02351B.
- A31-02351B lists 3.30 cfs as the rate of diversion. This quantity appears to have been derived from the license which provided for both a primary right on 110 acres for 2.20 cfs and a supplemental right on 307 acres for 2.3 cfs. The primary right covered 95 acres of the claimant's property and 225 acres as a supplemental right. Under

transfer no. 1624 a point of diversion change was granted for 1.90 cfs appurtenant to the 95 acres owned by the claimant under the primary right. There was no mention of any change to the supplemental portion of the license even though it was appurtenant to 225 acres in the S1/2 of Section 1. Failure to include the supplemental water was likely intentional because when the 1.90 cfs is used in combination with the portion of 31-02258 appurtenant to the S1/2 of Section 1 (4.50 cfs) the total rate of diversion is 6.40 cfs or 0.02 cfs per acre. Therefore the supplemental right is not needed. Consequently, to be consistent with transfer no. 1624, the rate diversion for A31-02351B should be reduced to 1.90 cfs.

- Notice A31-02381A will have to be split to reflect the change in POD for 0.56 CFS on 40 acres.

INTERDEPARTMENT MEMO

DATE: November 18, 1992

FROM: Ernest Carlsen *Emc*

RE: APPLICATION FOR TRANSFER
31-02258C, 31-02351B, 31-02381D
Millie E. Hartwell

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- Notice A31-02381A will have to be split to reflect the change in POD for 0.56 CFS on 40 acres.

FROM: KEITH C. WILSON

17 DECEMBER 1990

TO: ADJUDICATION FILES A31-2258 A,B,C, & D.

SUBJECT: REVIEW OF MEMORANDUM OF DECISION TRANSFER 1623

IT WOULD APPEAR THAT FROM THE MEMORANDUM DECISION THAT NO WATER WAS TAKEN FROM SECTION 1, T7N, R33E.(SEE LAST PARAGRAPH ON THE LAST PAGE.) THEREFORE, IT WOULD APPEAR THAT THIS RIGHT HAS BEEN OVERCLAIMED.



KEITH C. WILSON

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BEFORE THE STATE RECLAMATION ENGINEER

of the

STATE OF IDAHO

In the Matter of Application for Change)
of Point of Diversion and Place of Use)
of Water Right No. 31-2258 in the name)
of RAY SANDERS and BILL SIMMONS)

MEMORANDUM DECISION

Application for change in the point of diversion and place of use of a portion of Water Right No. 31-2258 was submitted by the applicants Sanders and Simmons on December 16, 1969. The application proposed to change the point of diversion of 6.4 cubic feet per second of water from wells located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T. 8 N., R. 34 E., to a well located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T. 7 N., R. 33 E., and requested that the description of lands irrigated be changed from the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 1, the SE $\frac{1}{4}$ of Section 2, and the NE $\frac{1}{4}$ of Section 11, T. 7 N., R. 33 E., totaling 530 acres, to 120 acres in the SE $\frac{1}{4}$ of Section 2 and the NE $\frac{1}{4}$ of Section 11 in T. 7 N., R. 33 E., B.M. The applicants submitted proof of ownership in the form of a warranty deed showing that they own the SE $\frac{1}{4}$ of Section 2 and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, a small part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, and the NE $\frac{1}{4}$ of Section 11, T. 7 N., R. 33 E., B.M.

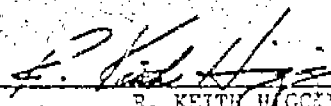
After reviewing the application and evidence submitted in support of that application, the State Reclamation Engineer finds that the application for change in point of diversion of Water Right No. 31-2258 be APPROVED for 6.4 c.f.s. and that no more water shall be diverted from the wells at the new points of diversion than that originally required for irrigation of 340 acres of land. Subject to adjudication by the court, this is hereby tentatively set at 3 acre-feet per acre per season, or a total of 1,020 acre-feet in any one season.

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The State Reclamation Engineer further finds that the applicants, Ray Sanders and Bill Simmons, hold the title to lands as evidenced by a warranty deed, the SE $\frac{1}{4}$ of Section 2, the NE $\frac{1}{4}$ of Section 11, and approximately 35 acres of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1. Inasmuch as the applicants do not hold title to the lands in Section 1 from which the water is sought to be transferred, the change in the place of use of the water from said Section 1 is hereby DENIED.

Dated this 14TH day of April, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

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