

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85980**

This is to certify that: KODY HANEY
3388 W 2900 N
MOORE, ID 83255-5001

MAURICE DUANE HANEY
3457 N 3350 W
MOORE, ID 83255-8763

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-12367	WR/DECREED	3/20/1961	1.340 cfs	234.5 af	N/A	67.0	GROUND WATER
34-13580	WR/DECREED	5/1/1983	1.060 cfs	N/A	40.0	239.0	BIG LOST RIVER
34-165A	WR/DECREED	6/1/1890	0.800 cfs	N/A	40.0	239.0	BIG LOST RIVER
34-2382B	WR/DECREED	9/18/1960	2.070 cfs	364.0 af	103.5	123.0	GROUND WATER
34-2423	WR/DECREED	6/12/1961	2.360 cfs	406.0 af	N/A	116.0	GROUND WATER
34-753	WR/DECREED	6/1/1896	2.400 cfs	N/A	120.0	239.0	BIG LOST RIVER
34-800C	WR/DECREED	6/1/1886	1.600 cfs	N/A	N/A	67.0	BIG LOST RIVER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-2406H	WR/DECREED	3/20/1961	0.770 cfs	N/A		37.0	GROUND WATER
34-14015	WR/DECREED	3/20/1961	0.160 cfs	29.1 af		8.3	GROUND WATER
34-14016	WR/DECREED	3/20/1961	0.100 cfs	17.5 af		5.0	GROUND WATER
34-14464	WR/DECREED	3/20/1961	0.240 cfs	42.7 af		12.2	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>
34-12367	YES	YES	YES	NO	NO	NO
34-13580	NO	NO	YES	NO	NO	NO
34-165A	NO	NO	YES	NO	NO	NO
34-2382B	NO	NO	YES	NO	NO	NO
34-2423	NO	NO	YES	NO	NO	NO
34-753	NO	NO	YES	NO	NO	NO
34-800C	YES	YES	YES	NO	NO	NO

Transfer No. 85980

Support Data
In File # 34-165A

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85980**

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>
34-12367	34-14877	0.200 cfs	35.0 af	10.0	249.0	34-12367	1.140 cfs	199.5 af	N/A	57.0
34-13580	34-13580	1.060 cfs	N/A	79.0	249.0	N/A	N/A	N/A	N/A	N/A
34-165A	34-165A	0.800 cfs	N/A	40.0	249.0	N/A	N/A	N/A	N/A	N/A
34-2382B	34-2382B	2.070 cfs	364.0 af	103.5	249.0	N/A	N/A	N/A	N/A	N/A
34-2423	34-2423	2.360 cfs	406.0 af	116.0	249.0	N/A	N/A	N/A	N/A	N/A
34-753	34-753	2.400 cfs	N/A	120.0	249.0	N/A	N/A	N/A	N/A	N/A
34-800C	34-14876	0.240 cfs	N/A	10.0	249.0	34-800C	1.360 cfs	N/A	N/A	57.0
COMBINED TOTALS		5.920 cfs	871.5 af	249.0	249.0		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 9th day of June, 2022.



Regional Manager

Transfer No. 85980

Support Data
In File # 34-165A

WATER RIGHT NO. 34-13580**As Modified by Transfer No. 85980**

In accordance with the approval of Transfer No. 85980, Water Right No. 34-13580 is now described as follows:

Right Holder: MAURICE DUANE HANEY
3457 N 3350 W
MOORE, ID 83255-8763

Priority Date: 5/1/1983

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
1.060 cfs
1.060 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSNW Sec 32 Twp 06N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 79.0

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 79.0 acres within the place of use described for this right.
2. Rights 34-165A, 34-753 and 34-13580 when combined shall not exceed a total diversion rate of 3.20 cfs.
3. Rights 34-165A, 34-753, 34-2382B, 34-2423 and 34-13580 when combined shall not exceed a total diversion rate of 5.74 cfs and the irrigation of 239 acres.
4. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.
5. Use of water under this right may 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. 34.

Transfer No. 85980

WATER RIGHT NO. 34-13580
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. This right is based upon an enlargement of Rights 34-165A and 34-753 pursuant to Idaho Code § 42-1426.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
11. Water is delivered through B&J Ditch.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-2382B

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-2382B is now described as follows:

Right Holder: MAURICE DUANE HANEY
3457 N 3350 W
MOORE, ID 83255-8763

Priority Date: 9/18/1960

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

4/01

To

to 10/31

Diversion Rate

2.070 cfs

2.070 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SENW

Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 103.5

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 103.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2382B and 34-2423 when combined shall not exceed the irrigation of 220 acres.
3. Rights 34-165A, 34-753, 34-2382B, 34-2423 and 34-13580 when combined shall not exceed a total diversion rate of 5.74 cfs and the irrigation of 239 acres.
4. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.

Transfer No. 85980

WATER RIGHT NO. 34-2382B
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

5. Rights 34-2382B, 34-2423 and 34-14877 are limited to the irrigation of a specific 230 acres within the 249 acre place of use authorized by this right in a single irrigation season. The specific 230 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 230 acres to be irrigated within the 249 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. Use of water under this right may 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. 34.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to the diversion and use of water under Transfer approval 85980, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-2423
As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-2423 is now described as follows:

Right Holder: MAURICE DUANE HANEY
3457 N 3350 W
MOORE, ID 83255-8763

Priority Date: 6/12/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	2.360 cfs 2.360 cfs	406.0 af 406.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSNW Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 116.0
POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 116 acres within the authorized place of use in a single irrigation season.
2. Rights 34-2382B and 34-2423 when combined shall not exceed the irrigation of 220 acres.
3. Rights 34-165A, 34-753, 34-2382B, 34-2423 and 34-13580 when combined shall not exceed a total diversion rate of 5.74 cfs and the irrigation of 239 acres.
4. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.

Transfer No. 85980

WATER RIGHT NO. 34-2423
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

5. Rights 34-2382B, 34-2423 and 34-14877 are limited to the irrigation of a specific 230 acres within the 249 acre place of use authorized by this right in a single irrigation season. The specific 230 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 230 acres to be irrigated within the 249 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. Use of water under this right may 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. 34.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to the diversion and use of water under Transfer approval 85980, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-800C
As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-800C is now described as follows:

Right Holder: DUANE HANEY
 3457 N 3350 W
 MOORE, ID 83255
 AND
 KODY HANEY
 3388 W 2900 N
 MOORE, ID 83255-5001

Priority Date: 6/1/1886

Source: BIG LOST RIVER **Tributary:** SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5/01	to 10/15	1.360 cfs 1.360 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSNW Sec 32 Twp 06N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9			29.0	28.0													57.0

POU Total Acres: 57.0

CONDITIONS OF APPROVAL

1. Rights 34-800C and 34-12367 when combined shall not exceed a total diversion rate of 1.55 cfs and the irrigation of 57 acres.
2. Water is delivered through B&J Ditch.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. 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. Idaho Code § 42-1412(6).

Transfer No. 85980

WATER RIGHT NO. 34-14876

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-14876 is now described as follows:

Right Holder: DUANE HANEY
3457 N 3350 W
MOORE, ID 83255
AND
KODY HANEY
3388 W 2900 N
MOORE, ID 83255-5001

Priority Date: 6/1/1886

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	5/01	to 10/15	0.240 cfs 0.240 cfs	10.0 af

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSENW Sec 32 Twp 06N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 10.0

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. Rights 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 0.27 cfs and the irrigation of 10 acres.
2. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.
3. Use of water under this right may 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. 34.

Transfer No. 85980

WATER RIGHT NO. 34-14876

As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. Water is delivered through B&J Ditch.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-165A
As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-165A is now described as follows:

Right Holder: MAURICE DUANE HANEY
 3457 N 3350 W
 MOORE, ID 83255-8763

Priority Date: 6/1/1890

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From
 5/01

To
 to 10/15

Diversion Rate
 0.800 cfs
 0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSNW Sec 32 Twp 06N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 40.0

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 34-165A, 34-753 and 34-13580 when combined shall not exceed a total diversion rate of 3.20 cfs.
3. Rights 34-165A, 34-753, 34-2382B, 34-2423 and 34-13580 when combined shall not exceed a total diversion rate of 5.74 cfs and the irrigation of 239 acres.
4. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.
5. Use of water under this right may 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. 34.

Transfer No. 85980

WATER RIGHT NO. 34-165A
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. Right No. 34-13580 is an enlargement of this right pursuant to Idaho Code § 42-1426.
10. Water is delivered through B&J Ditch.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-753

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-753 is now described as follows:

Right Holder: MAURICE DUANE HANEY
3457 N 3350 W
MOORE, ID 83255-8763

Priority Date: 6/1/1896

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

2.400 cfs

2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWSENW

Sec 32 Twp 06N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 120.0

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the authorized place of use in a single irrigation season.
2. Rights 34-165A, 34-753 and 34-13580 when combined shall not exceed a total diversion rate of 3.20 cfs.
3. Rights 34-165A, 34-753, 34-2382B, 34-2423 and 34-13580 when combined shall not exceed a total diversion rate of 5.74 cfs and the irrigation of 239 acres.
4. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.
5. Use of water under this right may 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. 34.

Transfer No. 85980

WATER RIGHT NO. 34-753
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. Right No. 34-13580 is an enlargement of this right pursuant to Idaho Code § 42-1426.
10. Water is delivered through B&J Ditch.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-12367

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-12367 is now described as follows:

Right Holder: DUANE HANEY
3457 N 3350 W
MOORE, ID 83255
AND
KODY HANEY
3388 W 2900 N
MOORE, ID 83255-5001

Priority Date: 3/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.140 cfs	199.5 af
			1.140 cfs	199.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNE Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9			29.0	28.0													57.0

POU Total Acres: 57.0

CONDITIONS OF APPROVAL

1. Rights 34-800C and 34-12367 when combined shall not exceed a total diversion rate of 1.55 cfs and the irrigation of 57 acres.
2. Rights 34-2406H, 34-12367, 34-14015, 34-14016 and 34-14464 when combined shall not exceed a total diversion rate of 2.12 cfs.
3. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 85980

WATER RIGHT NO. 34-14877

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-14877 is now described as follows:

Right Holder: DUANE HANEY
3457 N 3350 W
MOORE, ID 83255
AND
KODY HANEY
3388 W 2900 N
MOORE, ID 83255-5001

Priority Date: 3/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.200 cfs	35.0 af
			0.200 cfs	35.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	26E	9					31.0	31.0	34.0	36.0	33.0	32.0	18.0	34.0					249.0

Right Acre Limit: 10.0
POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. Rights 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 0.27 cfs and the irrigation of 10 acres.
2. Rights 34-165A, 34-753, 34-2382B, 34-2423, 34-13580, 34-14876 and 34-14877 when combined shall not exceed a total diversion rate of 5.92 cfs, a total annual maximum diversion volume of 871.5 af at the field headgate, and the irrigation of 249 acres.

Transfer No. 85980

WATER RIGHT NO. 34-14877

As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

3. Rights 34-2382B, 34-2423 and 34-14877 are limited to the irrigation of a specific 230 acres within the 249 acre place of use authorized by this right in a single irrigation season. The specific 230 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 230 acres to be irrigated within the 249 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. Use of water under this right may 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. 34.
5. Prior to the diversion and use of water under Transfer approval 85980, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-2406H

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-2406H is now described as follows:

Right Holder: ROBERT J KING AND
SAMMI J KING
3436 N 3350 W
MOORE, ID 83255-8763

Priority Date: 3/20/1961

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From 04/01 **to** 10/31

Diversion Rate
0.770 cfs
0.770 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWSE Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9														37.0			37.0

POU Total Acres:	37.0
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CONDITIONS OF APPROVAL

1. Rights 34-386G, 34-387G and 34-2406H when combined shall not exceed a total diversion rate of 0.99 cfs and the irrigation of 37 acres.
2. Rights 34-2406H, 34-12367, 34-14015, 34-14016 and 34-14464 when combined shall not exceed a total diversion rate of 2.12 cfs.
3. 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.

Transfer No. 85980

WATER RIGHT NO. 34-14015

As Modified by Transfer No. 85980

In accordance with the approval of Transfer No. 85980, Water Right No. 34-14015 is now described as follows:

Right Holder: NICOLE BLEYL AND
DAARON BLEYL
3424 N 3350 W
MOORE, ID 83255-8763

Priority Date: 3/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.160 cfs 0.160 cfs	29.1 af 29.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWSE Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9															8.3		8.3

POU Total Acres: 8.3

CONDITIONS OF APPROVAL

1. Rights 34-14013, 34-14015 and 34-14017 when combined shall not exceed a total diversion rate of 0.22 cfs and the irrigation of 8.3 acres.
2. Rights 34-2406H, 34-12367, 34-14015, 34-14016 and 34-14464 when combined shall not exceed a total diversion rate of 2.12 cfs.
3. 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.

Transfer No. 85980

WATER RIGHT NO. 34-14016**As Modified by Transfer No. 85980**

In accordance with the approval of Transfer No. 85980, Water Right No. 34-14016 is now described as follows:

Right Holder: AUSTIN PLATT AND
MARIE PLATT
3330 W 3400 N
MOORE, ID 83255-8730

Priority Date: 3/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.100 cfs	17.5 af
			0.100 cfs	17.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWSE Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9															5.0		5.0

POU Total Acres: 5.0

CONDITIONS OF APPROVAL

1. Rights 34-14014, 34-14016 and 34-14018 when combined shall not exceed a total diversion rate of 0.14 cfs and the irrigation of 5.0 acres.
2. Rights 34-2406H, 34-12367, 34-14015, 34-14016 and 34-14464 when combined shall not exceed a total diversion rate of 2.12 cfs.
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. 34.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Transfer No. 85980

WATER RIGHT NO. 34-14016
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

6. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Prior to the diversion and use of water under Transfer approval 75038, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

WATER RIGHT NO. 34-14464**As Modified by Transfer No. 85980**

In accordance with the approval of Transfer No. 85980, Water Right No. 34-14464 is now described as follows:

Right Holder: WENDY R OSBORNE AND
TIMOTHY E OSBORNE
PO BOX 32
IDAHO CITY, ID 83631-0032

Priority Date: 3/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.240 cfs	42.7 af
			0.240 cfs	42.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWSE Sec 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	26E	9															12.2		12.2

POU Total Acres: 12.2

CONDITIONS OF APPROVAL

1. Rights 34-14463, 34-14464 and 34-14466 when combined shall not exceed a total diversion rate of 0.33 cfs and the irrigation of 12.2 acres.
2. Rights 34-2406H, 34-12367, 34-14015, 34-14016 and 34-14464 when combined shall not exceed a total diversion rate of 2.12 cfs.
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. 34.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 85980

WATER RIGHT NO. 34-14464
As Modified by Transfer No. 85980

CONDITIONS OF APPROVAL

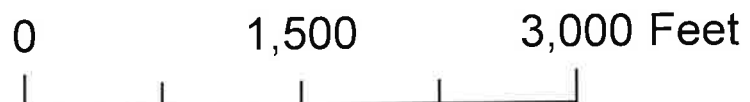
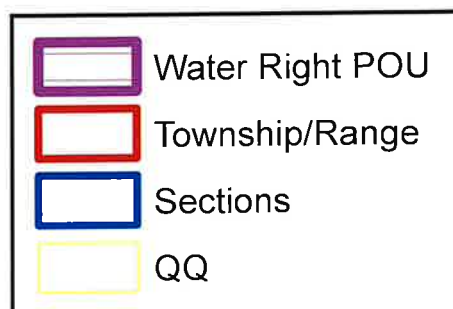
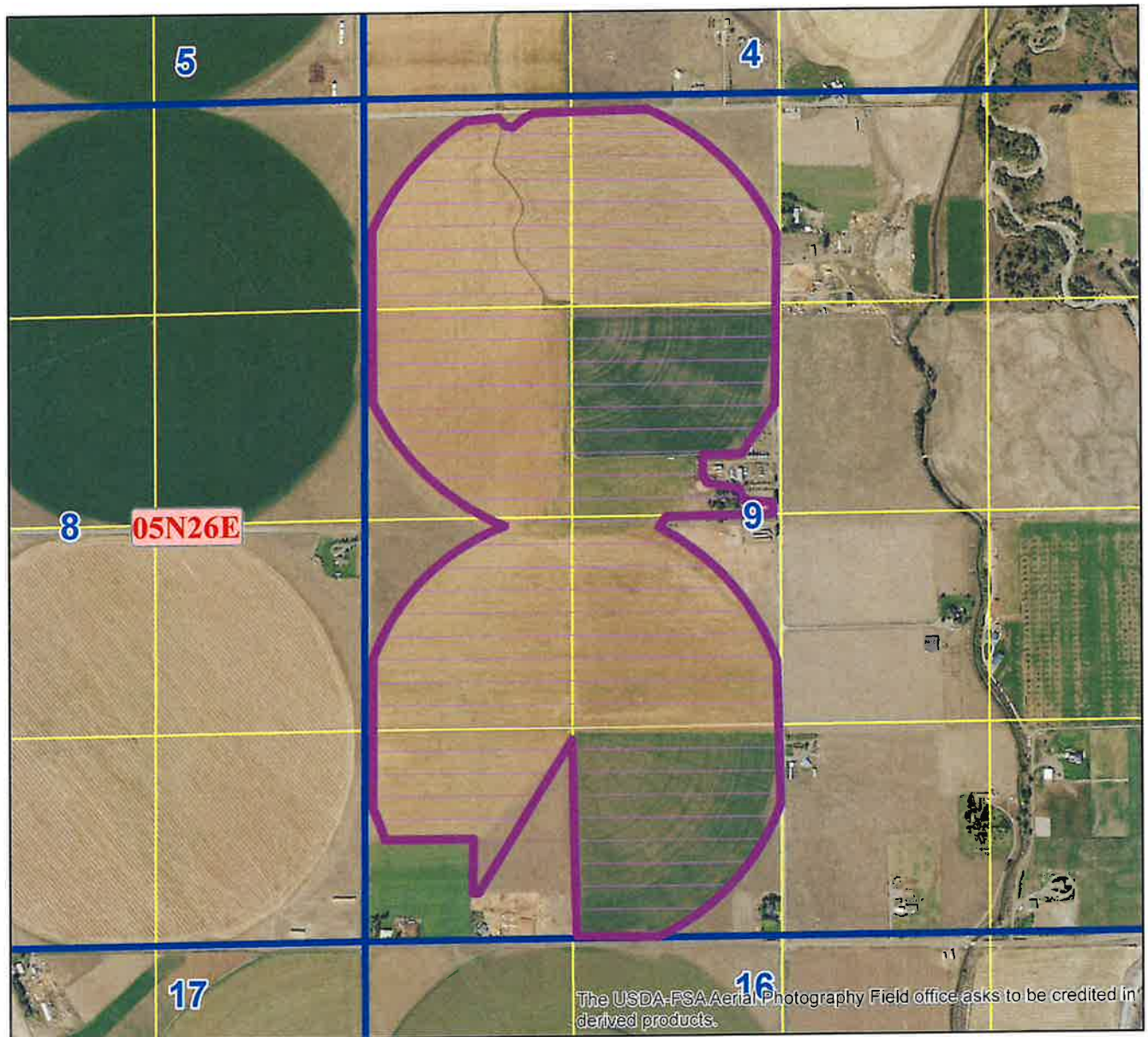
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



Attachment to Transfer Approval 85980

POU for Rights 34-165A, 34-753, 34-800C and 34-13580

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.

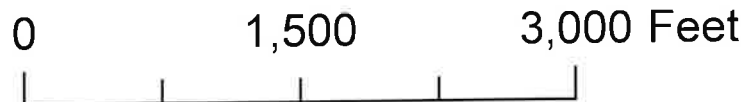
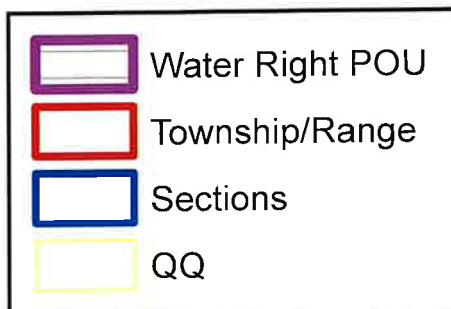
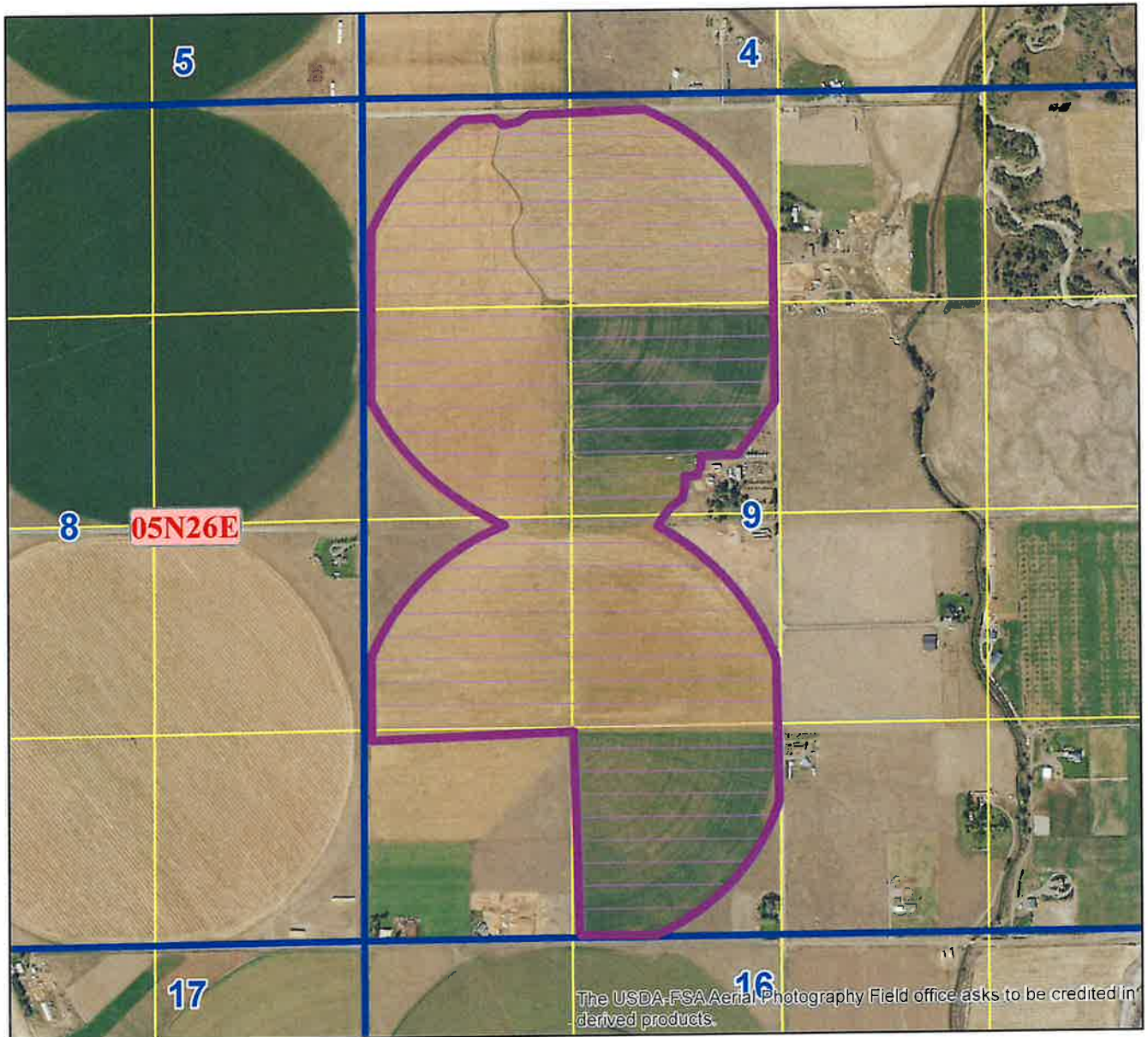


Date: 6/9/2022

Attachment to Transfer Approval 85980

Initial 230-acre Shape for Ground Water Rights

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Date: 6/9/2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 09, 2022

MAURICE DUANE HANEY
3457 N 3350 W
MOORE ID 83255-8763

KODY HANEY
3388 W 2900 N
MOORE ID 83255-5001

Re: Transfer No: 85980
Water Right No(s): 34-165A , 34-753, 34-800C , 34-2382B , 34-2406H , 34-2423,
34-12367, 34-13580, 34-14015, 34-14016, 34-14464

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

ROBERT J KING
SAMMI J KING
3436 N 3350 W
MOORE ID 83255-8763

NICOLE BLEYL
DAARON BLEYL
3424 N 3350 W
MOORE ID 83255-8763

AUSTIN PLATT
MARIE PLATT
3330 W 3400 N
MOORE ID 83255-8730

WENDY R OSBORNE
TIMOTHY E OSBORNE
PO BOX 32
IDAHO CITY ID 83631-0032

CERTIFICATE OF SERVICE

I hereby certify that on June 09, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85980

Water Right No(s): 34-165A , 34-753, 34-800C , 34-2382B , 34-2406H , 34-2423, 34-12367, 34-13580, 34-14015, 34-14016, 34-14464

**MAURICE DUANE HANEY
3457 N 3350 W
MOORE ID 83255-8763**

**KODY HANEY
3388 W 2900 N
MOORE ID 83255-5001**

**ROBERT J KING
SAMMI J KING
3436 N 3350 W
MOORE ID 83255-8763**

**NICOLE BLEYL
DAARON BLEYL
3424 N 3350 W
MOORE ID 83255-8763**

**AUSTIN PLATT
MARIE PLATT
3330 W 3400 N
MOORE ID 83255-8730**

**WENDY R OSBORNE
TIMOTHY E OSBORNE
PO BOX 32
IDAHO CITY ID 83631-0032**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.