

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80090**

This is to certify that: **HARTWELL FAMILY LLC**
PO BOX 167
DUBIOS, ID 83423

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>
31-2258C	WR/DECREED	11/23/1935	4.500 cfs	787.5 af	225.0	348.0	GROUND WATER
31-2351B	WR/DECREED	12/1/1955	1.900 cfs	332.5 af	95.0	348.0	GROUND WATER
31-2381B	WR/DECREED	7/14/1960	2.030 cfs	507.5 af	N/A	145.0	GROUND WATER
31-2381C	WR/DECREED	7/14/1960	0.590 cfs	102.6 af	N/A	29.3	GROUND WATER
31-2381D	WR/DECREED	7/14/1960	0.560 cfs	N/A	N/A	348.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-2258C	NO	YES	YES	NO	NO	NO
31-2351B	NO	YES	YES	NO	NO	NO
31-2381B	YES	YES	YES	NO	NO	NO
31-2381C	NO	YES	YES	NO	NO	NO
31-2381D	NO	YES	YES	NO	NO	NO

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>
31-2258C	31-2258C	4.500 cfs	787.5 af	225.0	382.0	N/A	N/A	N/A	N/A	N/A
31-2351B	31-2351B	1.900 cfs	332.5 af	95.0	382.0	N/A	N/A	N/A	N/A	N/A
31-2381B	31-12372	0.110 cfs	28.0 af	8.0	382.0	31-2381B	1.920 cfs	479.5 af	N/A	137.0
31-2381C	31-2381C	0.520 cfs	91.0 af	26.0	382.0	N/A	N/A	N/A	N/A	N/A
31-2381D	31-2381D	0.560 cfs	238.8 af	348.0	382.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		7.590 cfs	1337.0 af	382.0	382.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 80090

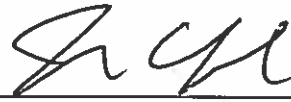
IN FILE # 31-2258C

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80090

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 1st day of July, 2015.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 31-2381B
As Modified by Transfer No. 80090

In accordance with the approval of Transfer No. 80090, Water Right No. 31-2381B is now described as follows:

Right Holder: HARTWELL FAMILY LLC
 PO BOX 167
 DUBIOS, ID 83423

Priority Date: 7/14/1960

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	1.920 cfs	479.5 af
			1.920 cfs	479.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWNE Sec 12 Twp 07N Rge 33E JEFFERSON 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	
07N	33E	12	35.0	34.0	34.0	34.0													137.0

POU Total Acres: 137.0

CONDITIONS OF APPROVAL

1. 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.

WATER RIGHT NO. 31-12372
As Modified by Transfer No. 80090

In accordance with the approval of Transfer No. 80090, Water Right No. 31-12372 is now described as follows:

Right Holder: HARTWELL FAMILY LLC
 PO BOX 167
 DUBIOS, ID 83423

Priority Date: 7/14/1960

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 4/01 **To** 11/01

Diversion Rate
 0.110 cfs
 0.110 cfs

Diversion Volume
 28.0 af
 28.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 07N Rge 33E JEFFERSON 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	
07N	33E	1									33.1	31.6	31.2	31.7	33.0	32.2	31.2	31.7	255.7
07N	34E	7					31.5	31.6	31.7	31.5									126.3

Right Acre Limit: 8.0
 POU Total Acres: 382.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2258C, 31-2351B, 31-12372, 31-2381C, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1337.0 af at the field headgate, and the irrigation of 382.0 acres.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 80090, 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.

Transfer No. 80090

WATER RIGHT NO. 31-12372
As Modified by Transfer No. 80090

CONDITIONS OF APPROVAL

5. 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. 110.
6. 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.
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 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. 31-2258C
As Modified by Transfer No. 80090

In accordance with the approval of Transfer No. 80090, Water Right No. 31-2258C is now described as follows:

Right Holder: HARTWELL FAMILY LLC
 PO BOX 167
 DUBIOS, ID 83423

Priority Date: 11/23/1935

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	4,500 cfs	787.5 af
			4,500 cfs	787.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 07N Rge 33E JEFFERSON 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	
07N	33E	1									33.1	31.6	31.2	31.7	33.0	32.2	31.2	31.7	255.7
07N	34E	7					31.5	31.6	31.7	31.5									126.3

Right Acre Limit: 225.0

POU Total Acres: 382.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 225 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2258C, 31-2351B, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1218 af at the field headgate, and the irrigation of 348 acres.
3. Rights 31-2258C, 31-2351B, 31-12372, 31-2381C, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1337 af at the field headgate, and the irrigation of 382 acres.
4. 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.

WATER RIGHT NO. 31-2258C
As Modified by Transfer No. 80090

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80090, 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. 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. 110.
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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 31-2381D
As Modified by Transfer No. 80090

In accordance with the approval of Transfer No. 80090, Water Right No. 31-2381D is now described as follows:

Right Holder: HARTWELL FAMILY LLC
 PO BOX 167
 DUBIOS, ID 83423

Priority Date: 7/14/1960

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 4/01 **To** 11/01

Diversion Rate
 0.560 cfs
 0.560 cfs

Diversion Volume
 238.8 af
 238.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 07N Rge 33E JEFFERSON 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	
07N	33E	1									33.1	31.6	31.2	31.7	33.0	32.2	31.2	31.7	255.7
07N	34E	7					31.5	31.6	31.7	31.5									126.3

Right Acre Limit: 348.0

POU Total Acres: 382.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 348 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2258C, 31-2351B, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1218 af at the field headgate, and the irrigation of 348 acres.
3. Rights 31-2258C, 31-2351B, 31-12372, 31-2381C, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1337.0 af at the field headgate, and the irrigation of 382.0 acres.
4. 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.

WATER RIGHT NO. 31-2381D
As Modified by Transfer No. 80090

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80090, 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. 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. 110.
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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 31-2351B
As Modified by Transfer No. 80090

In accordance with the approval of Transfer No. 80090, Water Right No. 31-2351B is now described as follows:

Right Holder: HARTWELL FAMILY LLC
 PO BOX 167
 DUBIOS, ID 83423

Priority Date: 12/1/1955

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	1.900 cfs 1.900 cfs	332.5 af 332.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 07N Rge 33E JEFFERSON 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	
07N	33E	1									33.1	31.6	31.2	31.7	33.0	32.2	31.2	31.7	255.7
07N	34E	7					31.5	31.6	31.7	31.5									126.3

Right Acre Limit: 95.0
 POU Total Acres: 382.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 95 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2258C, 31-2351B, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1218 af at the field headgate, and the irrigation of 348 acres.
3. Rights 31-2258C, 31-2351B, 31-12372, 31-2381C, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1337.0 af at the field headgate, and the irrigation of 382.0 acres.
4. 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.

Transfer No. 80090

WATER RIGHT NO. 31-2351B
As Modified by Transfer No. 80090

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80090, 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. 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. 110.
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. 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.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 31-2381C**As Modified by Transfer No. 80090**

In accordance with the approval of Transfer No. 80090, Water Right No. 31-2381C is now described as follows:

Right Holder: HARTWELL FAMILY LLC
PO BOX 167
DUBIOS, ID 83423

Priority Date: 7/14/1960

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	0.520 cfs	91.0 af
			0.520 cfs	91.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 07N Rge 33E JEFFERSON 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	
07N	33E	1									33.1	31.6	31.2	31.7	33.0	32.2	31.2	31.7	255.7
07N	34E	7					31.5	31.6	31.7	31.5									126.3

Right Acre Limit: 26.0

POU Total Acres: 382.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2258C, 31-2351B, 31-12372, 31-2381C, and 31-2381D when combined shall not exceed a total annual maximum diversion volume of 1337.0 af at the field headgate, and the irrigation of 382.0 acres.
3. 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.
4. Prior to the diversion and use of water under Transfer approval 80090, 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.

Transfer No. 80090

WATER RIGHT NO. 31-2381C
As Modified by Transfer No. 80090

CONDITIONS OF APPROVAL

5. 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. 110.
6. 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.
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 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.