

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78377**

This is to certify that: CYNTHIA HARVAT AND
LARRY HARVAT
321 LAKEVIEW TERRACE BLVD
WACONIA, MN 55387
AND
JAMES M HARVAT
6822 GRIFFIN BLVD
FORT MYERS, FL 33908

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>
75-10693	WR/DECREE	10/23/1933	1.630 cfs	N/A	N/A	50.0	SPRING CREEK

Purpose of Transfer (Changes Proposed)

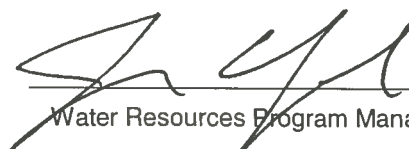
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-10693	NO	YES	NO	NO	NO	NO

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>
75-10693	75-10693	1.630 cfs	N/A	N/A	50.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.630 cfs	N/A	N/A	50.0		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 5th day of March, 2013.



 Water Resources Program Manager

WATER RIGHT NO. 75-10693**As Modified by Transfer No. 78377**

In accordance with the approval of Transfer No. 78377, Water Right No. 75-10693 is now described as follows:

Right Holder: JAMES M HARVAT
6822 GRIFFIN BLVD
FORT MYERS, FL 33908
AND
LARRY HARVAT AND
CYNTHIA HARVAT
321 LAKEVIEW TERRACE BLVD
WACONIA, MN 55387

Priority Date: 10/23/1933

Source: SPRING CREEK

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/01
01/01

To

to 11/01
to 12/31

Diversion Rate

1.590 cfs
0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK SWSW Sec 29 Twp 23N Rge 22E LEMHI 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	
23N	22E	19															20.0		20.0
23N	22E	30		30.0													L 11		30.0
				L 1															

POU Total Acres: 50.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	19															X		
23N	22E	30		X													L 11		
				L 1															

Transfer No. 78377

WATER RIGHT NO. 75-10693
As Modified by Transfer No. 78377

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.