

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72001**

This is to certify that: JOSEPH HULTS And
KAY A HULTS
1425 E 3200 S
WENDELL ID 83355
(208)536-2143

And

DAVID HULTS And
NICOLE HULTS
3095 S 1900 E
WENDELL ID 83355
(208)536-2143

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-7372	WR/Decreed	08/24/1973	0.01 cfs	N/A	N/A	38.0	GROUND WATER
36-2277	WR/Decreed	02/25/1955	1.52 cfs	304 af	N/A	76.0	GROUND WATER
36-2334B	WR/Decreed	07/08/1957	0.75 cfs	N/A	N/A	38.0	GROUND WATER
36-16316	WR/Decreed	03/21/1956	0.08 cfs	16 af	N/A	4.0	GROUND WATER
36-16322	WR/Decreed	05/26/1961	0.66 cfs	132 af	N/A	33.0	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>
36-7372	YES	NO	YES	NO	NO	NO
36-2277	NO	NO	YES	NO	NO	NO
36-2334B	YES	NO	YES	NO	NO	NO
36-16316	NO	NO	YES	NO	NO	NO
36-16322	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # **36-2277**

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72001**

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-7372	36-16400	0.01 cfs	N/A	29.0	142.0	36-16399	0.01 cfs	N/A	N/A	9.0
36-2277	36-2277	1.52 cfs	304 af	76.0	142.0		N/A	N/A	N/A	N/A
36-2334B	36-16398	0.57 cfs	116 af	29.0	142.0	36-16397	0.18 cfs	36 af	N/A	9.0
36-16316	36-16316	0.08 cfs	16 af	4.0	142.0		N/A	N/A	N/A	N/A
36-16322	36-16322	0.66 cfs	132 af	33.0	142.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.84 cfs	568 af	142.0	142.0		0.18 cfs	36 af	N/A	9.0

Detailed Water Right Description(s) attached

Dated this 8th day of May, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16322
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-16322 is now described as follows.

Right Holder: JOSEPH HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: May 26, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.66 CFS	132.0 AF
		0.66 CFS	132.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 14E 15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	142.0
			5.0		33.0	27.0	39.0	38.0									

Total Acres: 142

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 33 acres within the place of use described above in a single irrigation season.
2. Rights 36-2277, 36-16316, 36-16322, 36-16398 and 36-16400, when combined shall not exceed a total diversion rate of 2.84 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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. 130.
5. Prior to the diversion and use of water under Transfer approval 72001, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.

WATER RIGHT NO. 36-16322
As Modified by Transfer No. 72001

CONDITIONS OF APPROVAL

6. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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.
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.

This water right 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.

Dated this 8th day of May, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2277
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-2277 is now described as follows.

Right Holder: JOSEPH HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: February 25, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.52 CFS	304.0 AF
		1.52 CFS	304.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
08S 14E 15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	142.0
			5.0		33.0	27.0	39.0	38.0									

Total Acres: 142

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 76 acres within the place of use described above in a single irrigation season.
2. Rights 36-2277, 36-16316, 36-16322, 36-16398 and 36-16400, when combined shall not exceed a total diversion rate of 2.84 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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. 130.
5. Prior to the diversion and use of water under Transfer approval 72001, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.

WATER RIGHT NO. 36-2277
As Modified by Transfer No. 72001

CONDITIONS OF APPROVAL

6. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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.
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.

This water right 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.

Dated this 8th day of May, 20 06



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16316
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-16316 is now described as follows.

Right Holder: DAVID HULTS And
 NICOLE HULTS
 3095 S 1900 E
 WENDELL ID 83355

And

JOSEPH HULTS And
 KAY A HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: March 21, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.08 CFS	16.0 AF
			0.08 CFS	16.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	15			5.0		33.0	27.0	39.0	38.0									142.0

Total Acres: 142

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
2. Rights 36-2277, 36-16316, 36-16322, 36-16398 and 36-16400, when combined shall not exceed a total diversion rate of 2.84 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 36-16316
As Modified by Transfer No. 72001

CONDITIONS OF APPROVAL

4. 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. 130.
5. Prior to the diversion and use of water under Transfer approval 72001, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.
6. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. Use of this right is combined with water from North Side Canal Co. Ltd.
8. 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.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater 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.
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.
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.

This water right 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.

Dated this 8th day of May, 2006



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16397
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-16397 is now described as follows.

Right Holder: JOSEPH HULTS And
 KAY A HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: July 08, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.18 CFS	36.0 AF
		0.18 CFS	36.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 14E 15							9.0										9.0

Total Acres: 9

CONDITIONS OF APPROVAL

1. Rights 36-16397 and 36-16399 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 36.0 af at the field headgate, and the irrigation of 9 acres.
2. 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.

This water right 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.

Dated this 8th day of May, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16398
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-16398 is now described as follows.

Right Holder: JOSEPH HULTS And
 KAY A HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: July 08, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.57 CFS	116.0 AF
		0.57 CFS	116.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 14E 15			5.0		33.0	27.0	39.0	38.0									142.0

Total Acres: 142

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.
2. Rights 36-16398 and 36-16400 when combined shall not exceed a total diversion rate of 0.58 cfs, a total annual volume of 116.0 af at the field headgate, and the irrigation of 29 acres.
3. Rights 36-2277, 36-16316, 36-16322, 36-16398 and 36-16400, when combined shall not exceed a total diversion rate of 2.84 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 130.

WATER RIGHT NO. 36-16398
As Modified by Transfer No. 72001

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 72001, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. 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.
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.

This water right 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.

Dated this 8th day of May, 20 06


Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16399
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-16399 is now described as follows.

Right Holder: JOSEPH HULTS And
 KAY A HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: August 24, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to 09/15	0.01 CFS	
		0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	15																	9.0

Total Acres: 9

CONDITIONS OF APPROVAL

1. Rights 36-16397 and 36-16399 when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 36.0 af at the field headgate, and the irrigation of 9 acres.
2. 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.

This water right 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.

Dated this 8th day of May, 2006


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16400
As Modified by Transfer No. 72001

In accordance with the approval of Transfer No. 72001, Water Right No. 36-16400 is now described as follows.

Right Holder: JOSEPH HULTS And
 KAY A HULTS
 1425 E 3200 S
 WENDELL ID 83355

Priority Date: August 24, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01 to 09/15	0.01 CFS	
		0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENW Sec. 15 Twp 08S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 14E 15			5.0		33.0	27.0	39.0	38.0									142.0

Total Acres: 142

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.
2. Rights 36-16398 and 36-16400 when combined shall not exceed a total diversion rate of 0.58 cfs, a total annual volume of 116.0 af at the field headgate, and the irrigation of 29 acres.
3. Rights 36-2277, 36-16316, 36-16322, 36-16398 and 36-16400, when combined shall not exceed a total diversion rate of 2.84 cfs, a total annual maximum diversion volume of 568.0 af at the field headgate, and the irrigation of 142 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 130.

WATER RIGHT NO. 36-16400
As Modified by Transfer No. 72001

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 72001, the right holder shall install and maintain an acceptable measuring device, including data logger, at the authorized point 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.
7. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
8. 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.
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.

This water right 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.

Dated this 8th day of May, 20 06


Chief, Water Allocation Bureau