

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71632

This is to certify that: VANCE HAWLEY
578 E 4900 S
IDAHO FALLS ID 83404

And

SUNNY ANN HAWLEY
3885 N LITTLE LOST HWY
HOWE ID 83244
(208)767-3444

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>
33-2101A	WR/Decreed	07/12/1961	3.58 cfs	770.0 af	220.0	862.3	GROUND WATER
33-2101B	WR/Decreed	07/12/1961	4.68 cfs	1004.5 af	287.0	862.3	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>
33-2101A	NO	NO	NO	YES	NO	NO
33-2101B	NO	NO	NO	YES	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>
33-2101A	33-2101A	3.58 cfs	770.0 af	220.0	862.3		N/A	N/A	N/A	N/A
33-2101B	33-2101B	4.68 cfs	1004.5 af	287.0	862.3		N/A	N/A	N/A	N/A
COMBINED TOTALS		8.26 cfs	1774.5 af	507.0	862.3		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21st day of June, 20 05

SUPPORT DATA

IN FILE # 33-2101A



Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2101A
As Modified by Transfer No. 71632

In accordance with the approval of Transfer No. 71632, Water Right No. 33-2101A is now described as follows.

Right Holder: SUNNY ANN HAWLEY
 3885 N LITTLE LOST HWY
 HOWE ID 83244

And

VANCE HAWLEY And
 ESTATE OF L R & VANCE HAWLEY
 578 E 4900 S
 IDAHO FALLS ID 83404

Priority Date: July 12, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.58 CFS	770.0 AF
			3.58 CFS	770.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 13 Twp 06N	Rge 28E	BUTTE County
GROUND WATER	NWSENE	Sec. 14 Twp 06N	Rge 28E	BUTTE County
GROUND WATER	SWSENE	Sec. 14 Twp 06N	Rge 28E	BUTTE County
GROUND WATER	SWNESE	Sec. 14 Twp 06N	Rge 28E	BUTTE 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								
06N	28E	13							30.0	40.0			39.0	27.0	39.0	32.0			40.0	30.0	36.0	313.0
06N	28E	14				38.0											38.0					76.0
06N	28E	24	34.0	23.0	39.0	26.0	39.0	34.3		28.0					35.0		29.0	40.0	40.0	34.0		401.3
06N	28E	25	32.0	40.0																		72.0

Total Acres: 862.3

CONDITIONS OF APPROVAL

1. Rights 33-51, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-10995, 33-10996, 33-2101A and 33-2101B when combined shall not exceed the irrigation of 862.3 acres.
2. Rights 33-51, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-2101A and 33-2101B when combined shall not exceed the irrigation of 650.9 acres.
3. Rights 33-51, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-10995, 33-10996, 33-2101A and 33-2101B when combined shall not exceed a total diversion rate of 21.86 cfs.
4. The new point of diversion located in the SESE, S13, T6N, R28E is limited to a maximum diversion rate of 6.00 cfs.

WATER RIGHT NO. 33-2101A
As Modified by Transfer No. 71632

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2101A and 33-2101B shall not exceed 8.26 cfs, a total combined annual volume of 1774.5 af and the irrigation of 507 acres.
6. This right is limited to the irrigation of 220 acres within the place of use described above in a single irrigation season.
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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 lands above.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. 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.
13. 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.
14. Prior to the diversion and use of water under Transfer approval 71632, 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.

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 21st day of June, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 33-2101B
As Modified by Transfer No. 71632

In accordance with the approval of Transfer No. 71632, Water Right No. 33-2101B is now described as follows.

Right Holder: VANCE HAWLEY And
 ESTATE OF L R & VANCE HAWLEY
 578 E 4900 S
 IDAHO FALLS ID 83404

And

SUNNY ANN HAWLEY
 3885 N LITTLE LOST HWY
 HOWE ID 83244

Priority Date: July 12, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	4.68 CFS	1,004.5 AF
			4.68 CFS	1,004.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESE	Sec. 13 Twp 06N	Rge 28E	BUTTE County
GROUND WATER	NWSENE	Sec. 14 Twp 06N	Rge 28E	BUTTE County
GROUND WATER	SWSENE	Sec. 14 Twp 06N	Rge 28E	BUTTE County
GROUND WATER	SWNESE	Sec. 14 Twp 06N	Rge 28E	BUTTE 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						
06N	28E	13							30.0	40.0			39.0	27.0			39.0	32.0			40.0	30.0	36.0	313.0
06N	28E	14				38.0													38.0					76.0
06N	28E	24	34.0	23.0	39.0	26.0	39.0	34.3		28.0							35.0	29.0	40.0	40.0	34.0			401.3
06N	28E	25	32.0	40.0																				72.0

Total Acres: 862.3

CONDITIONS OF APPROVAL

1. Rights 33-51, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-10995, 33-10996, 33-2101A and 33-2101B when combined shall not exceed the irrigation of 862.3 acres.
2. Rights 33-51, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-2101A and 33-2101B when combined shall not exceed the irrigation of 650.9 acres.
3. Rights 33-51, 33-52, 33-53, 33-54, 33-55, 33-56, 33-57, 33-58, 33-59, 33-60, 33-10995, 33-10996, 33-2101A and 33-2101B when combined shall not exceed a total diversion rate of 21.86 cfs.
4. The new point of diversion located in the SESE, S13, T6N, R28E is limited to a maximum diversion rate of 6.00 cfs.

WATER RIGHT NO. 33-2101B
As Modified by Transfer No. 71632

CONDITIONS OF APPROVAL

5. The total instantaneous diversion of water from all points of diversion under Rights 33-2101A and 33-2101B shall not exceed 8.26 cfs, a total combined annual volume of 1774.5 af and the irrigation of 507 acres.
6. This right is limited to the irrigation of 287 acres within the place of use described above in a single irrigation season.
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. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 lands above.
11. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. 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.
13. 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.
14. Prior to the diversion and use of water under Transfer approval 71632, 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.

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 21st day of June, 2005


Chief, Water Allocation Bureau