



10980 S. Jordan Gateway
P.O. Box 95850
South Jordan, Utah 84095
801.571.9200
800.824.9198
801.576.0600 Credit Fax
801.571.1641 Administrative Fax

RECEIVED

JAN 22 2024

DEPARTMENT OF
WATER RESOURCES

December 29, 2023

STATE OF IDAHO
Department of Water Resources
PO Box 83720
Boise, Idaho 83720

RE: NOTICE OF RELEASE for HARTWELL FAMILY, LLC

Dear State Engineer:

Please be advised that The Bank of Commerce **no longer has a security interest in the water rights** described on the attached Notice of Pledge.

Please file this notice with your records as evidence of such. Your assistance in this matter is appreciated.

Sincerely,

The Bank of Commerce
By: Western AgCredit, FLCA Servicing Agent

Ryan Howell
Chief Operating Officer

SUPPORT DATA
IN FILE # 31-2258C



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 21, 2013

The Bank of Commerce
c/o Western AgCredit
109880 South Jordan Gateway
Po Box 95850
South Jordan UT 84095

RE: Notice of Security Interest in a Water Right 31-2258C, 31-2351B, 31-2381D, 31-2381B, 31-2381C, 31-4083A, 31-4083B, 31-4084, 31-4085 & 31-4082

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence adding a security interest to the above referenced water right(s) to you. The department has modified its records to reflect the security interest and has enclosed a computer-generated report for your records.

Updating the security interest record for a water right does not reconfirm the validity of the right. When processing an security interest notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jonie Barg
Technical Records Specialist

Enclosure

cc: Howell Family LLC

SUPPORT DATA

IN FILE # 31-2258C



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Matt Weaver

January 24, 2024

WESTERN AGCREDIT
PO BOX 95850
SOUTH JORDAN UT 84095

RE: Release of Security Interest in Water Right(s): 31-2258C, 31-2351B, 31-2381B, 31-2381C, 31-2381D, 31-4082, 31-4083A, 31-4083B, 31-4084, 31-4085

Dear Security Interest Holder:

The Department of Water Resources acknowledges receipt of your request to release the Security Interest in a Water Right. The water rights listed above have been updated to reflect this request.

If you have any questions, please call this office.

Sincerely,

Debra Mansfield
Technical Records Specialist I

c: Hartwell Family, LLC

1/23/2024

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

- total annual maximum diversion volume of 1218 af at the field headgate, and the irrigation of 348 acres.
3. X35 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. 213 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.
 5. 214 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. R05 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. R02 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. R63 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 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. T19 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.

Dates and Other Information:

Decreed Date: 2/22/2002

State or Federal: S

Water District Number: 110

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
	1,218.0	348.0	31-2258C ,31-2381D ,31-2351B

SubCase:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Supply Bank:

N/A

1/23/2024

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

- total annual maximum diversion volume of 1218 af at the field headgate, and the irrigation of 348 acres.
3. X35 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. 213 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.
 5. 214 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. R05 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. R02 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. R63 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 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. T19 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.

Dates and Other Information:

Decreed Date: 2/22/2002

State or Federal: S

Water District Number: 110

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
	1,218.0	348.0	31-2258C ,31-2381D ,31-2351B

SubCase:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Right 31-2381B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARTWELL FAMILY LLC 505 JUNIPER CT SHELLEY, ID 83274 (208) 374-5313
Original Owner	JOE HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210
Previous Owner	MILLIE E HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210

Priority Date: 7/14/1960

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.920 CFS	479.5 AF
	<u>Total Diversion</u>		1.920 CFS	479.5 AF

Source and Point(s) of Diversion:

GROUND WATER SENWNE Sec. 12, Twp 07N, Rge 33E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

			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. C18 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-

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

1412(6), IDAHO CODE.

Dates and Other Information:

Decreed Date: 2/22/2002

State or Federal: S

Water District Number: 110

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

1/23/2024

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

- 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. | 213 | 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. | 214 | 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. |
| 5. | R05 | 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. | R02 | 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. | R63 | 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. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 9. | T08 | 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. | T19 | 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. |

Dates and Other Information:

Decreed Date: 2/22/2002

State or Federal: S

Water District Number: 110

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

1/23/2024

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

- total annual maximum diversion volume of 1218 af at the field headgate, and the irrigation of 348 acres.
3. X35 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.
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 6. R05 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. R02 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.
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 10. T08 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. T19 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.

Dates and Other Information:

Decreed Date: 2/22/2002

State or Federal: S

Water District Number: 110

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
	1,218.0	348.0	31-2258C ,31-2381D ,31-2351B

SubCase:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Right 31-4082

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARTWELL FAMILY LLC 505 JUNIPER CT SHELLEY, ID 83274 (208) 374-5313
Previous Owner	JOE HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210
Previous Owner	MILLIE E HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210

Priority Date: 6/9/1927

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	10/01	6/15	0.090 CFS	
	<u>Total Diversion</u>		0.090 CFS	

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 6, Twp 07N, Rge 34E, JEFFERSON County

Place Of Use:

STOCKWATER within JEFFERSON County

			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	34E	6												X					

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP07N34E067200A STOCKWATER, 500 RANGE CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Dates and Other Information:

Decreed Date: 6/18/1998
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: EXC
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Right 31-4083A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARTWELL FAMILY LLC 505 JUNIPER CT SHELLEY, ID 83274 (208) 374-5313
Original Owner	JOE HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210
Previous Owner	MILLIE E HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210

Priority Date: 11/13/1959

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.140 CFS	
DOMESTIC	1/01	12/31	0.100 CFS	
	<u>Total Diversion</u>		0.140 CFS	

Source and Point(s) of Diversion:

GROUND WATER NWNWNW Sec. 12, Twp 07N, Rge 33E, JEFFERSON County

Place Of Use:

DOMESTIC within JEFFERSON County

			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						X											

STOCKWATER within JEFFERSON County

			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						X											

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

- | | | |
|----|-----|---|
| 1. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 2. | | RIGHT NO. A31-04083B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. STOCKWATER, 500 CATTLE |
| 3. | C18 | 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. |
| 4. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |

Dates and Other Information:

Decreed Date: 2/22/2002

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Water District Number: EXC

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Right 31-4083B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARTWELL FAMILY LLC 505 JUNIPER CT SHELLEY, ID 83274 (208) 374-5313
Original Owner	JOE HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210
Previous Owner	MILLIE E HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210

Priority Date: 7/1/1967

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion:
GROUND WATER NWNWNW Sec. 12, Twp 07N, Rge 33E, JEFFERSON County

Place Of Use:
DOMESTIC within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	33E	12						X											

Conditions of Approval:

- C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

- | | | |
|----|-----|---|
| 2. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 3. | N06 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY. |
| 4. | | RIGHT NO. 31-04083A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. |

Dates and Other Information:

Decreed Date: 2/22/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: EXC
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Water Right 31-4084

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARTWELL FAMILY LLC 505 JUNIPER CT SHELLEY, ID 83274 (208) 374-5313
Previous Owner	JOE HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210
Previous Owner	MILLIE E HARTWELL 2298 N 800 E MONTEVIEW, ID 83435 (208) 657-2210

Priority Date: 5/17/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	10/15	5/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER SESW Sec. 1, Twp 07N, Rge 33E, JEFFERSON County

Place Of Use:

STOCKWATER within JEFFERSON County

			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												X					

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP07N33E017200A STOCKWATER, 100 RANGE CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Dates and Other Information:

Decreed Date: 6/18/1998
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: EXC
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

1/23/2024

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2024

Dates and Other Information:

Decreed Date: 6/18/1998
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: EXC
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A