Rev. 11/24

RECEIVED
FEB 05 2025
DEPT. OF WATER RESOURCES
EASTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

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An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Brian and Ilene Harrell
Mailing Address 3848 N 1700 W Howe, ID 8324
Email* briandi89@hotmail.com **Phone** 208 313 3511

Name of Representative (if any) Michelle Mortimer
Mailing Address 25 N 2nd E Rexburg, ID 83440
Email* mmortimer@rex-law.com **Phone** 208 356 3633

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ **N/A. This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.**

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	27	31	12	32	32	32	32	32	32									235
06N	29E	20	3.7					5.6				3.7	4.2						17.2
06N	29E	28					2.7	2.8	2.5	2.5									10.5

Total Irrigated Acres to be Changed: 262.7

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- ☑ Change point(s) of diversion
- ☐ Add point(s) of diversion
- ☐ Change nature of use
- ☑ Change place of use
- ☐ Change period of use
- ☐ Update water right ownership records

B. Proposed Changes. Describe the proposed changes in narrative form:

Changing a point of diversion for water rights 33-2044A, 33-2047, 33-2048B, and 33-2077 to a new location while retaining one original point of diversion.

It also proposes to move 9.3 acres of 33-2055, 10.5 acres of 33-2078 and 33-2100, and 7.9 acres of 33-14886 to the same points of diversion. It proposes to combine all of the transferred rights into a 262.7 acre combined place of use.

Because many water rights are being split, we included "Part 2B" (The Portion [of each water right] Being Changed As It Appears Before the Requested Changes) from the previous form.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All	Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☑	☐	33-2044A	1.6	Irrigation	04/01 to 11/01	Ground Water
☑	☐	33-2047	0.86	Irrigation	04/01 to 11/01	Ground Water
☑	☐	33-2048B	0.28	Irrigation	04/01 to 11/01	Ground Water
☑	☐	33-2077	2.20	Irrigation	04/01 to 11/01	Ground Water
☐	☑	33-2055	0.19	Irrigation	04/01 to 10/31	Ground Water
☐	☑	33-2078	0.11	Irrigation	04/01 to 10/31	Ground Water
☐	☑	33-2100	0.11 cfs	Irrigation	04/01 to 11/01	Ground Water
☐	☑	33-14886	0.14	Irrigation	04/01 to 11/01	Ground Water
☐	☐				to	
☐	☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 5.49 **cfs and/or** _____ **af.**

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

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☐ **N/A. This application does not propose to add or change any points of diversion.**

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
No	06N	29E	27		NW	NW	NW	Butte	Ground Water	
Yes	06N	29E	27			NE	NW	Butte	Ground Water	
No	06N	29E	22		NW	SE	SW	Butte	Ground Water	

MM 3/18/25

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ **N/A. This application does not propose to change the place of use.**

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Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	27	34	34	32	33	35	32	30	32.7									262.7

Total Irrigated Acres: 262.7

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

☐ **N/A. This application does not propose to add or change any points of diversion.**

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
No	06N	29E	27		NW	NW	NW	Butte	Ground Water	
Yes	06N	29E	27			NE	NW	Butte	Ground Water	

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4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ **N/A. This application does not propose to change the place of use.**

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	29E	27	34	34	32	33	35	32	30	32.7									262.7

Total Irrigated Acres: 262.7

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PART 4 – ADDITIONAL INFORMATION

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SUPERCEDED

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

33-14951 through 33-14954 are diverted from the POD for 33-14882, et al.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

N/A

3. Is the proposed point of diversion within a state water district? ☑ Yes. Water District #33. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☑ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

Canal company shares

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.
☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (http://et-idwr.idaho.gov)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (http://et-idwr.idaho.gov)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No	
☐	☒	currently leased to the Water Supply Bank? If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.
☐	☒	currently used in a mitigation plan limiting the use of water under the right?
☐	☒	subject to an agreement not to divert (CREP)?
☐	☒	currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of $250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Brian Harrell	Brian Harrell	1-27-25
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
Ilene Harrell	Ilene Harrell	1-27-25
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: $ 500 Receipt #: E050372 Date: _____ Receipted by: _____

Add'l Paid: $ 400 Receipt #: C120143 Date: _____ Receipted by: _____

Transfer No. 89453 **Page** 8

Attachment #3C

0 0.2 0.4 0.6 0.8 1 mi

2021 NAIP

Legend

- POD New
- New WR
- POD 33-2044A et al
- TR
- TRS
- QQ

N

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Brian Harrell

To Location

Post-Transfer POD

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Memo re Accomplished Transfer for Corners
Brian and Ilene Harrell Transfer Application

After Transfer No. 4349 was complete, removing 20 acres from an irrigated pivot, Brian thought he had transferred water from the corners of other pivots he owned to irrigate where the water right had been transferred. He realized that he hadn't completed the formal transfer of water like he thought he had, even though he had been irrigating the 20 acres and not irrigating the corners of the other pivots that he is now proposing to transfer for over 20 years.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 33-2044A

Owner Type	Name
Current Owner	BRIAN S HARRELL
Current Owner	ILENE HARRELL
Original Owner	LU ANN LOCKS
Original Owner	KENTER J LOCKS
Original Owner	IDA MC GEHEE
Security Interest	CGB AGRI FINANCIAL SERVICES INC

Priority Date: 4/3/1948
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	1.600 CFS	
		Total Diversion	1.600 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 27, Twp 06N, Rge 29E, BUTTE County
GROUND WATER	NWSESW	Sec. 22, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S27	NENE	31.0
T06N R29E S27	NWNE	12.0
T06N R29E S27	SWNE	32.0
T06N R29E S27	SENE	32.0
T06N R29E S27	NENW	32.0
T06N R29E S27	NWNW	32.0
T06N R29E S27	SWNW	32.0
T06N R29E S27	SENW	32.0
	Right Acre Limit	80.00
	POU Total Acres	235.00

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 822.5 AF. COMBINED

RIGHT NOS.: 33-02048B, 33-02047, AND 33-02077.

2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02048B, 33-02047, AND 33-02077.

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. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-02048B, 33-02047, AND 33-02077.

Combined Use Limits:

Rate	Volume	Acres	Water Rights
4.700	822.5	235.0	33-2048B ,33-2044A ,33-2044B ,33-2047 ,33-2077

SubCase:
N/A

Water Supply Bank:

N/A

89453

Proof Report

Water Right 33-2047

Owner Type	Name
Current Owner	ILENE HARRELL
Current Owner	BRIAN S HARRELL
Original Owner	KENTER J LOCKS
Original Owner	LU ANN LOCKS
Original Owner	IDA MC GEHEE
Security Interest	CGB AGRI FINANCIAL SERVICES INC

Priority Date: 8/27/1948
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.860 CFS	
		Total Diversion	0.860 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNW	Sec. 27, Twp 06N, Rge 29E, BUTTE County
GROUND WATER	NWSESW	Sec. 22, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S27	NENE	31.0
T06N R29E S27	NWNE	12.0
T06N R29E S27	SWNE	32.0
T06N R29E S27	SENE	32.0
T06N R29E S27	NENW	32.0
T06N R29E S27	NWNW	32.0
T06N R29E S27	SWNW	32.0
T06N R29E S27	SENW	32.0
	Right Acre Limit	200.00
	POU Total Acres	235.00

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 822.5 AF. COMBINED

89453

		RIGHT NOS.: 33-02044A, 33-02048B, AND 33-02077.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02044A, 33-02048B, AND 33-02077. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 200 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.		THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-02044A, 33-02048B, AND 33-02077.

Combined Use Limits:

Rate	Volume	Acres	Water Rights
4.700	822.5	235.0	33-2048B ,33-2044A ,33-2044B ,33-2047 ,33-2077

SubCase:
N/A

Water Supply Bank:

N/A

Proof Report

Water Right 33-2048B

Owner Type	Name
Current Owner	ILENE HARRELL
Current Owner	CAROLYN J HARRELL
Current Owner	BRIAN S HARRELL
Original Owner	PAUL E HARRELL
Security Interest	CGB AGRI FINANCIAL SERVICES INC

Priority Date: 11/8/1948
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.280 CFS	
		Total Diversion	0.280 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWSESW	Sec. 22, Twp 06N, Rge 29E, BUTTE County
GROUND WATER	NWNWNW	Sec. 27, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S27	NENE	31.0
T06N R29E S27	NWNE	12.0
T06N R29E S27	SWNE	32.0
T06N R29E S27	SENE	32.0
T06N R29E S27	NENW	32.0
T06N R29E S27	NWNW	32.0
T06N R29E S27	SWNW	32.0
T06N R29E S27	SENW	32.0
	Right Acre Limit	20.00
	POU Total Acres	235.00

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 822.5 AF. COMBINED RIGHT NOS.: 33-02044A, 33-02047, AND 33-02077.

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2.		THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02044A, 33-02047, AND 33-02077.
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.		THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-02044A, 33-02047, AND 33-02077.

Combined Use Limits:

Rate	Volume	Acres	Water Rights
4.700	822.5	235.0	33-2048B ,33-2044A ,33-2044B ,33-2047 ,33-2077

SubCase:
N/A

Water Supply Bank:

N/A

89453

Proof Report

Water Right 33-2055

Owner Type	Name
Current Owner	BRIAN S HARRELL
Current Owner	ILENE HARRELL
Original Owner	PHILIP SANDERS YORK
Previous Owner	CAROLYN J HARRELL
Security Interest	CGB AGRI FINANCIAL SERVICES INC

Priority Date: 1/22/1949
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	6.000 CFS	1,071.0 AF
	Total Diversion		6.000 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWNENW	Sec. 20, Twp 06N, Rge 29E, BUTTE County
GROUND WATER	SWNWNW	Sec. 20, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S20	NENE	38.0
T06N R29E S20	NWNE	39.0
T06N R29E S20	SWNE	39.0
T06N R29E S20	SENE	39.0
T06N R29E S20	NENW	35.0
T06N R29E S20	NWNW	38.0
T06N R29E S20	SWNW	39.0
T06N R29E S20	SENW	39.0
	POU Total Acres	306.00

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 42-1412(6), IDAHO CODE.

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

RECEIVED
MAY 13 2025
DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

AMENDED

Right Number: 33-2055

1. amount 0.18 (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20	3.8					5.5											9.3

Total Acres (for irrigation use) 9.3

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

SUPERCEDED

Right Number: 33-2055

1. amount 0.19 (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20	3.9					5.6											9.5

Total Acres (for irrigation use) 9.5

Proof Report

Water Right 33-2077

Owner Type	Name
Current Owner	BRIAN S HARRELL
Current Owner	ILENE HARRELL
Original Owner	LU ANN LOCKS
Original Owner	KENTER J LOCKS
Original Owner	IDA MC GEHEE
Security Interest	CGB AGRI FINANCIAL SERVICES INC

Priority Date: 10/13/1955
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	2.200 CFS	
		Total Diversion	2.200 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWSESW	Sec. 22, Twp 06N, Rge 29E, BUTTE County
GROUND WATER	NWNWNW	Sec. 27, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S27	NENE	31.0
T06N R29E S27	NWNE	12.0
T06N R29E S27	SWNE	32.0
T06N R29E S27	SENE	32.0
T06N R29E S27	NENW	32.0
T06N R29E S27	NWNW	32.0
T06N R29E S27	SWNW	32.0
T06N R29E S27	SENW	32.0
	Right Acre Limit	110.00
	POU Total Acres	235.00

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 822.5 AF. COMBINED

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		RIGHT NOS.: 33-02044A, 33-02047, AND 33-02048B.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02044A, 33-02047, AND 33-02048B. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 110 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.		THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-02044A, 33-02047, AND 33-02048B.

Combined Use Limits:

Rate	Volume	Acres	Water Rights
4.700	822.5	235.0	33-2048B ,33-2044A ,33-2044B ,33-2047 ,33-2077

SubCase:
N/A

Water Supply Bank:

N/A

89453

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 33-2078

Owner Type	Name
Current Owner	BRIAN S HARRELL
Current Owner	ILENE HARRELL
Original Owner	AGNES HARRELL
Original Owner	PAUL E HARRELL
Previous Owner	CAROLYN J HARRELL

Priority Date: 11/14/1955
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	1.660 CFS	
		Total Diversion	1.660 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 28, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S28	NENW	39.0
T06N R29E S28	NWNW	38.0
T06N R29E S28	SWNW	38.0
T06N R29E S28	SENW	39.0
	Right Acre Limit	140.00
	POU Total Acres	154.00

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 33-02100 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 539 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 33-02100 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

89453

		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.		RIGHT NO. 33-02100 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Combined Use Limits:

Rate	Volume	Acres	Water Rights
3.080	539.0	154.0	33-2078 ,33-2100

SubCase:
N/A

Water Supply Bank:

N/A

09453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-2078

1. amount 0.11 cfs (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	28					2.7	2.8	2.5	2.5									10.5

Total Acres (for irrigation use) 10.5

9.5 acre lim

89453

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 33-2100

Owner Type	Name
Current Owner	BRIAN S HARRELL
Current Owner	ILENE HARRELL
Original Owner	PAUL E HARRELL
Previous Owner	CAROLYN J HARRELL

Priority Date: 4/3/1961
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	1.550 CFS	
		Total Diversion	1.550 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNENW	Sec. 28, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S28	NENW	39.0
T06N R29E S28	NWNW	38.0
T06N R29E S28	SWNW	38.0
T06N R29E S28	SENW	39.0
	POU Total Acres	154.00

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHT NO. 33-02078 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 539 AF.
2.		USE OF THIS RIGHT WITH RIGHT NO. 33-02078 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE IRRIGATION SEASON.
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.

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4. RIGHT NO. 33-02078 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Combined Use Limits:

Rate	Volume	Acres	Water Rights
3.080	539.0	154.0	33-2078 ,33-2100

SubCase:
N/A

Water Supply Bank:

N/A

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-2100

1. amount 0.11 cfs (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	28					2.7	2.8	2.5	2.5									10.5

Total Acres (for irrigation use) 10.5

09453

Proof Report

Water Right 33-14886

Owner Type	Name
Current Owner	BRIAN S HARRELL
Current Owner	ILENE HARRELL
Original Owner	CAROLYN J HARRELL
Security Interest	CGB AGRI FINANCIAL SERVICES INC

Priority Date: 11/8/1948
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.560 CFS	
		Total Diversion	1.560 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NENESW	Sec. 20, Twp 06N, Rge 29E, BUTTE County

Place Of Use:
IRRIGATION within BUTTE County

T06N R29E S20	NESW	40.0
T06N R29E S20	NWSW	38.0
T06N R29E S20	SWSW	35.0
T06N R29E S20	SESW	34.0
	POU Total Acres	147.00

Conditions of Approval:

1.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.545 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 514.5 AF. COMBINED RIGHT NOS.:33-14882, 33-14884, 33-14888.
2.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-14882, 33-14884, 33-14888.
3.		THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-14882, 33-14883, 33-14884, 33-14885, 33-14887, 33-14888 AND 33-14889.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE

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5.	C18	PURSUANT TO SECTION 42-1425, IDAHO CODE. 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.

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

89453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-14886

1. amount 0.14 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20										3.7	4.2						7.9

Total Acres (for irrigation use) 7.9

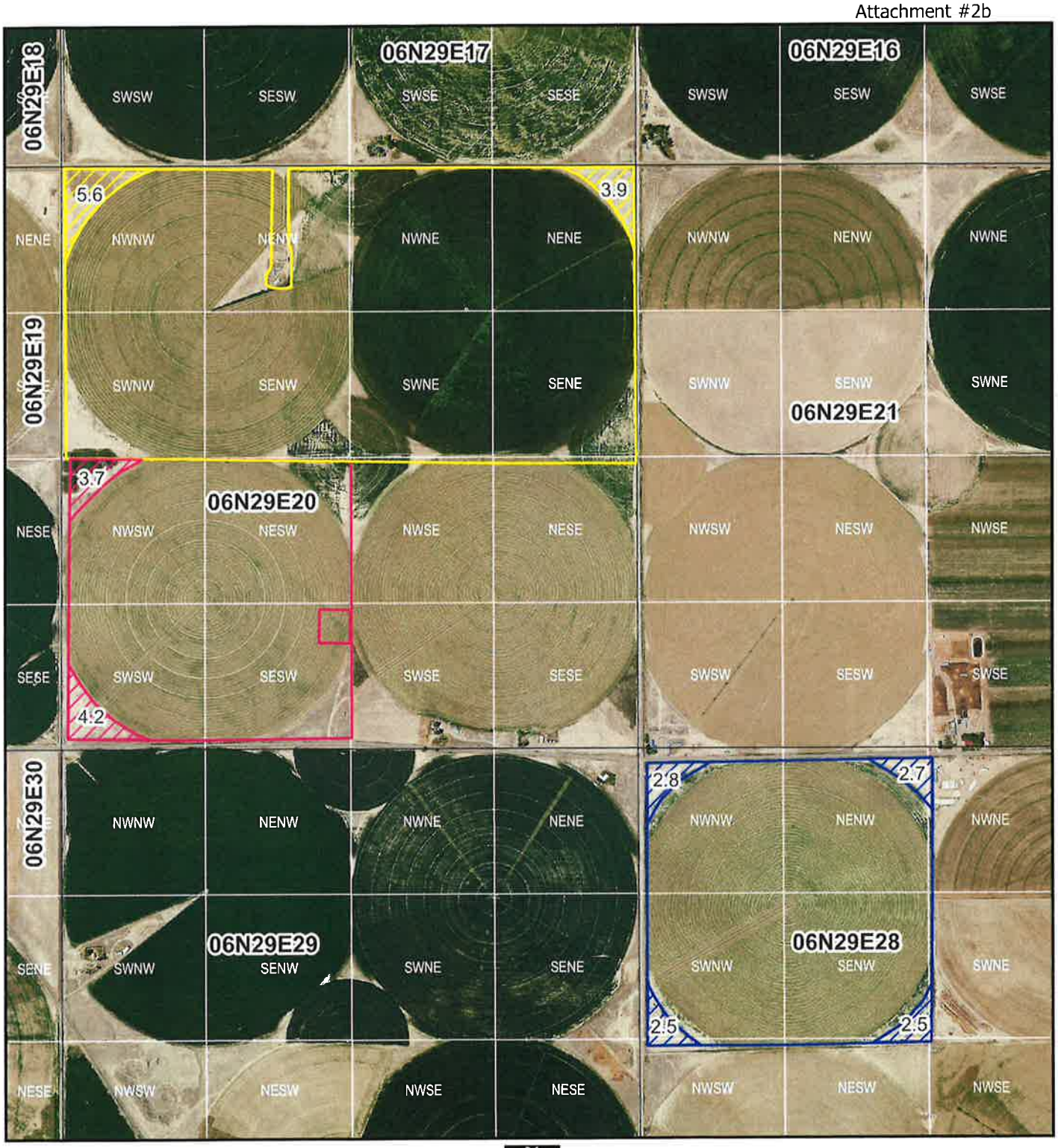
89453

Memo re Accomplished Transfer for Corners
Brian and Ilene Harrell Transfer Application

After Transfer No. 4349 was complete, removing 20 acres from an irrigated pivot, Brian thought he had transferred water from the corners of other pivots he owned to irrigate where the water right had been transferred. He realized that he hadn't completed the formal transfer of water like he thought he had, even though he had been irrigating the 20 acres and not irrigating the corners of the other pivots that he is now proposing to transfer for over 20 years.

89453

Attachment #2b



0 0.2 0.4 0.6 0.8 1 mi

N

2021 NAIP

Legend

- 33-14882 corners
- 33-2055 corners
- 33-2055
- 33-2078 corners
- 33-2078, 33-2100
- 33-14882 et al
- TR
- TRS
- QQ

Brian Harrell

From Location

89453

Harrell Transfer 89453

Legend

- Transfer POD
- Transfer POU
- Township/Range
- Sections
- QQ

0 900 1,800 3,600 Feet

N

89453

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURC.

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Brian and Ilene Harrell

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part1.
- ☑ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☑ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☑ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☑ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☑ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☑ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☑ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☑ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at https://idwr.idaho.gov/water-rights/transfers/resources/.
- ☐ ☑ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☑ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☑ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☑ #10 Other. Please describe: _____

89453

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURC.

RECEIVED
SEP 17 2024
DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Brian and Ilene Harrell Phone 208-313-3511
Mailing address 3848 N. 1700 W. Howe, ID 83244 Email briandi89@hotmail.com

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☑ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Michelle Mortimer Phone 208-356-3633
Mailing address 25 N 2nd E St. Rexburg, ID 83440 Email mmortimer@rex-law.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☑ Send original correspondence to the applicant and copies to the representative.

☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Brian Harrell	Brian Harrell	8/21/2024
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Ilene Harrell	Ilene Harrell	8/21/2024
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☑ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**.

   This transfer proposes to dry up irrigated pivot corners to cover an area that was previously irrigated by a neighbors water right that has since been moved off of Brian and Ilene's land. See Part 1A.3.

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Narrative in Support of Transfer
Brian and Ilene Harrell Transfer Application

Applicant proposes to transfer acres from various corners of four center pivots to cover an area of another center pivot that no longer has a water right on it. This is essentially a reconfiguration of irrigated acres. Brian and Ilene had an agreement with Thomas Hejtmanek, a neighbor, who allowed them to use one of his water rights until he needed it back. Mr. Hejtmanek removed the water right from Brian and Ilene's land under Transfer No. 4349. Brian and Ilene have continued to irrigate the land under the water right.

On June 30, 2017, Brian and Ilene submitted a transfer application to transfer water from pivot corners to cover the same area that the water right had been removed from. In May of 2019 they withdrew their transfer application as they had been informed that because they had not irrigated the corners in five years, the water could not be transferred. Since then, Brian has been using a portable irrigation sprinkler to irrigate the corners and resume use of any portion of his water right that may have been forfeited. This transfer does not enlarge any of the water rights. The pivot corners that will be dried up equal the amount of land that will continue to be irrigated.

There are combined use limitations for the water rights under the pivots. Each water right that may be required to be changed from this application has been included in the transfer application as it is difficult to pinpoint one water right that will be reduced more than the others. Another part of the transfer application is a proposed point of diversion for water rights 33-2044 and the other associated rights. This will be a supplemental well to aid in diverting the allowed rate as the existing PODs do not provide the allowed rate later in the irrigation season. This additional POD will not impact the ESPA as it will not divert a greater amount than what is currently being diverted. Nothing in this transfer will impact the ESPA. The new POD will also be located on land Brian and Ilene own. One of the current PODs is not located on their land. They do have an easement to access it, but would prefer a POD to be located on their property.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURC.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.

All	or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use		Source & Tributary
☐	☑	33-2100, 33-2078	0.11	Irrigation	4/01	to 11/01	Ground Water
☐	☑	33-2055	0.19	Irrigation	4/01	to 11/01	Ground Water
☐	☑	33-14882, 14884, 14886, 14888	0.06	Irrigation	4/01	to 11/01	Ground Water
☐	☑					to	
☐	☑					to	
☐	☑					to	
☐	☑					to	
☐	☐					to	
☐	☐					to	

Total authorized under rights_____cfs and/or_____acre-feet.

2. Total amount of water proposed to be transferred or changed 0.37 cubic feet per second and/or_____acre-feet per year.

3. Point(s) of Diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	NW	27	6N	29E	Butte	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	27		18.9															
																			Total Acres (for irrigation use) 18.9

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURC.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
The diversion system is a center pivot with mainline connected to a 130 foot deep well and 75 hp pump. A flow meter and lockable controlling device can be installed should they be required now or in the future.

b. Who owns the property at the point(s) of diversion? Brian and Ilene Harrell
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: CGB Agri Financial Services; Mortgage. A statement from the lien holder is not needed as The proposed transfer will not adversely impact the land the lien holder has an interest in.
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The corners now irrigated will be retired.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Portions of irrigation WRs 33-2055, 33-2078, 33-2100, 33-14882, 33-14884, 33-14886, and 33-14888 are at the existing POU. WRs 33-2044A, 33-2047, 33-2048B, and 33-2077 are irrigation rights existing at the proposed POU and will be diverted from the proposed POD. The proposed POU can receive water from Blaine County Canal.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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Water Right Report : 33-2055(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	3848 N 1700 W	HOWE	ID	83244-8715
Current Owner	HARRELL, ILENE	3848 N 1700 W	HOWE	ID	83244-8715
Original Owner	YORK, PHILIP SANDERS	69 ROSEWOOD	POCATELLO	ID	83201
Previous Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710
Security Interest	CGB AGRI FINANCIAL SERVICES INC	2209 RIVER RD	LOUISVILLE	KY	40206-1009

Water Right Status

Priority Date : 1/22/1949
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	20	0	SW	NE	NW	BUTTE	
GROUND WATER	06N	29E	20	0	SW	NW	NW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	6.00 CFS	1071.00 AFA
TOTAL			6.00 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	20			NE	NE	38
06N	29E	20			NW	NE	39
06N	29E	20			SW	NE	39
06N	29E	20			SE	NE	39
06N	29E	20			NE	NW	35
06N	29E	20			NW	NW	38
06N	29E	20			SW	NW	39
06N	29E	20			SE	NW	39

Irrigation Totals

Total Acres	Acre Limit
306.00	

Conditions

Code	Condtions

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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.

Dates	Other Information
Licensed Date :	State or Federal : S
Decreed Date : 8/11/2000	Water District Number : 33
Permit Proof Due Date :	Generic Max Rate Per Acre : 0
Permit Proof Made Date :	Generic Max Volume Per Acre : 0
Permit Approved Date :	Civil Case Number :
Permit Moratorium Expiration Date :	Decree Plantiff :
Enlargment Use Priority Date :	Decree Defendant :
Enlargement Statute Priority Date :	Swan Falls Trust or Nontrust :
Application Recevied Date:	Swan Falls Dismissed :
Protest Deadline Date:	DLE Act Number :
	Cary Act Number :
	Mitigation Plan: False

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Water Right Report : 33-2078(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	3848 N 1700 W	HOWE	ID	83244-8715
Current Owner	HARRELL, ILENE	3848 N 1700 W	HOWE	ID	83244-8715
Original Owner	HARRELL, AGNES		HOWE	ID	83244
Original Owner	HARRELL, PAUL E		HOWE	ID	83244
Previous Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710

Water Right Status

Priority Date : 11/14/1955
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	28	0	NW	NE	NW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	1.66 CFS	
TOTAL			1.66 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	28			NE	NW	39
06N	29E	28			NW	NW	38
06N	29E	28			SW	NW	38
06N	29E	28			SE	NW	39

Irrigation Totals

Total Acres	Acre Limit
154.00	140.00

Conditions

Code	Condtions
	USE OF THIS RIGHT WITH RIGHT NO. 33-02100 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 539 AF.
	USE OF THIS RIGHT WITH RIGHT NO. 33-02100 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.
	RIGHT NO. 33-02100 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates

Licensed Date :
Decreed Date : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 154.00
Combined Volume Limit: 539.00
Combined Rate Limit: 3.08
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

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Water Right Report : 33-2100(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	3848 N 1700 W	HOWE	ID	83244-8715
Current Owner	HARRELL, ILENE	3848 N 1700 W	HOWE	ID	83244-8715
Original Owner	HARRELL, PAUL E		HOWE	ID	83244
Previous Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710

Water Right Status

Priority Date : 4/3/1961
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	28	0	NW	NE	NW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	1.55 CFS	
TOTAL			1.55 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	28			NE	NW	39
06N	29E	28			NW	NW	38
06N	29E	28			SW	NW	38
06N	29E	28			SE	NW	39

Irrigation Totals

Total Acres	Acre Limit
154.00	

Conditions

Code	Condtions
	USE OF THIS RIGHT WITH RIGHT NO. 33-02078 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.08 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 539 AF.
	USE OF THIS RIGHT WITH RIGHT NO. 33-02078 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE IRRIGATION SEASON.
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.
	RIGHT NO. 33-02078 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates

Licensed Date :
Decreed Date : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Combined Acre Limit : 154.00
Combined Volume Limit: 539.00
Combined Rate Limit: 3.08
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

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Water Right Report : 33-14882(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	3848 N 1700 W	HOWE	ID	83244-8715
Current Owner	HARRELL, ILENE	3848 N 1700 W	HOWE	ID	83244-8715
Original Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710
Security Interest	CGB AGRI FINANCIAL SERVICES INC	2209 RIVER RD	LOUISVILLE	KY	40206-1009

Water Right Status

Priority Date : 5/1/1880
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	20	0	NE	NE	SW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.35 CFS	
TOTAL			0.35 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	20			NE	SW	40
06N	29E	20			NW	SW	38
06N	29E	20			SW	SW	35
06N	29E	20			SE	SW	34

Irrigation Totals

Total Acres	Acre Limit
147.00	38.00

Conditions

Code	Condtions
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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.545 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 514.5 AF. COMBINED RIGHT NOS.: 33-14884, 33-14886, 33-14888. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-14884, 33-14886, 33-14888. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 38 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-14883, 33-14884, 33-14885, 33-14886, 33-14887, 33-14888 and 33-14889.

Dates

Licensed Date :
Decreed Date : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

4/26/2024

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Water Right Report : 33-14884(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	3848 N 1700 W	HOWE	ID	83244-8715
Current Owner	HARRELL, ILENE	3848 N 1700 W	HOWE	ID	83244-8715
Original Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710
Security Interest	CGB AGRI FINANCIAL SERVICES INC	2209 RIVER RD	LOUISVILLE	KY	40206-1009

Water Right Status

Priority Date : 9/23/1965
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	20	0	NE	NE	SW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.04 CFS	
TOTAL			0.04 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	20			NE	SW	40
06N	29E	20			NW	SW	38
06N	29E	20			SW	SW	35
06N	29E	20			SE	SW	34

Irrigation Totals

Total Acres	Acre Limit
147.00	38.00

Conditions

Code	Condtions
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.
C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.545 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 514.5 AF. COMBINED RIGHT NOS.: 33-14882, 33-14886, 33-14888. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-14882, 33-14883, 33-14885, 33-14886, 33-14887, 33-14888 AND 33-14889. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-14882, 33-14886, 33-14888. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 38 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

This right is limited to a total diversion rate 0.035 cfs.

Dates

Licensed Date :
Decreed Date : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

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Water Right Report : 33-14886(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	3848 N 1700 W	HOWE	ID	83244-8715
Current Owner	HARRELL, ILENE	3848 N 1700 W	HOWE	ID	83244-8715
Original Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710
Security Interest	CGB AGRI FINANCIAL SERVICES INC	2209 RIVER RD	LOUISVILLE	KY	40206-1009

Water Right Status

Priority Date : 11/8/1948
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	20	0	NE	NE	SW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.56 CFS	
TOTAL			1.56 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	20			NE	SW	40
06N	29E	20			NW	SW	38
06N	29E	20			SW	SW	35
06N	29E	20			SE	SW	34

Irrigation Totals

Total Acres	Acre Limit
147.00	

Conditions

Code	Condtions
	USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.545 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 514.5 AF. COMBINED RIGHT NOS.:33-14882, 33-14884, 33-14888.
	USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-14882, 33-14884, 33-14888.
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-14882, 33-14883, 33-14884, 33-14885, 33-14887, 33-14888 AND 33-14889.
C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

Dates

Licensed Date :
Decreed Date : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

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Close

Water Right Report : 33-14888(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HARRELL, BRIAN S	1622 W 3800 N	HOWE	ID	83244-8710
Current Owner	HARRELL, CAROLYN J	1622 W 3800 N	HOWE	ID	83244-8710
Security Interest	CGB AGRI FINANCIAL SERVICES INC	2209 RIVER RD	LOUISVILLE	KY	40206-1009

Water Right Status

Priority Date : 3/2/1961
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	06N	29E	20	0	NE	NE	SW	BUTTE	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.60 CFS	
TOTAL			0.60 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BUTTE county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
06N	29E	20			NE	SW	40
06N	29E	20			NW	SW	38
06N	29E	20			SW	SW	35
06N	29E	20			SE	SW	34

Irrigation Totals

Total Acres	Acre Limit
147.00	38.00

Conditions

Code	Condtions
C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.545 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 514.5 AF. COMBINED RIGHT NOS.: 33-14882, 33-14884, 33-14886. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 38 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-14882, 33-14884, 33-14886. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-14882, 33-14883, 33-14884, 33-14885, 33-14886, 33-14887 AND 33-14889.
C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

89453

Dates

Licensed Date :
Decreed Date : 8/11/2000
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 33
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 33-2055

1. amount 0.19 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/31
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20	3.9					5.6											9.5

Total Acres (for irrigation use) 9.5

89453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-2078

1. amount 0.11 cfs (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	28					1.8	1.8	1.1	1									5.7

Total Acres (for irrigation use) 5.7

89453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-2100

1. amount 0.11 cfs (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	28					1.8	1.8	1.1	1									5.7

Total Acres (for irrigation use) 5.7

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-14882

1. amount 0.06 (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20											3.7						3.7

Total Acres (for irrigation use) 3.7

89453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-14884

1. amount 0.06 (cfs/ac-ft) for Irrigation purposes from 4/01 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20											3.7						3.7

Total Acres (for irrigation use) 3.7

89453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-14886

1. amount 0.06 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20											3.7						3.7

Total Acres (for irrigation use) 3.7

89453

STATE OF IDAHO

DEPARTMENTOF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 33-14888

1. amount 0.06 (cfs/ac-ft) for Irrigation purposes from 4/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	29E	20											3.7						3.7

Total Acres (for irrigation use) 3.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURC.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

FOR DEPARTMENT USE ONLY

Transfer contains_____pages and_____attachments.

Received by_____Date_____Preliminary check by_____Date_____

Fee paid 500.00 Date 9-17-24 Receipted by M. Pettis Receipt # E050372

Add'l fee paid_____Date_____Receipted by_____Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

89453

Attachment #7a

0 0.2 0.4 0.6 0.8 1 mi

2021 NAIP

Legend

- POD New
- POU new
- 33-2044A et al
- TR
- TRS
- QQ

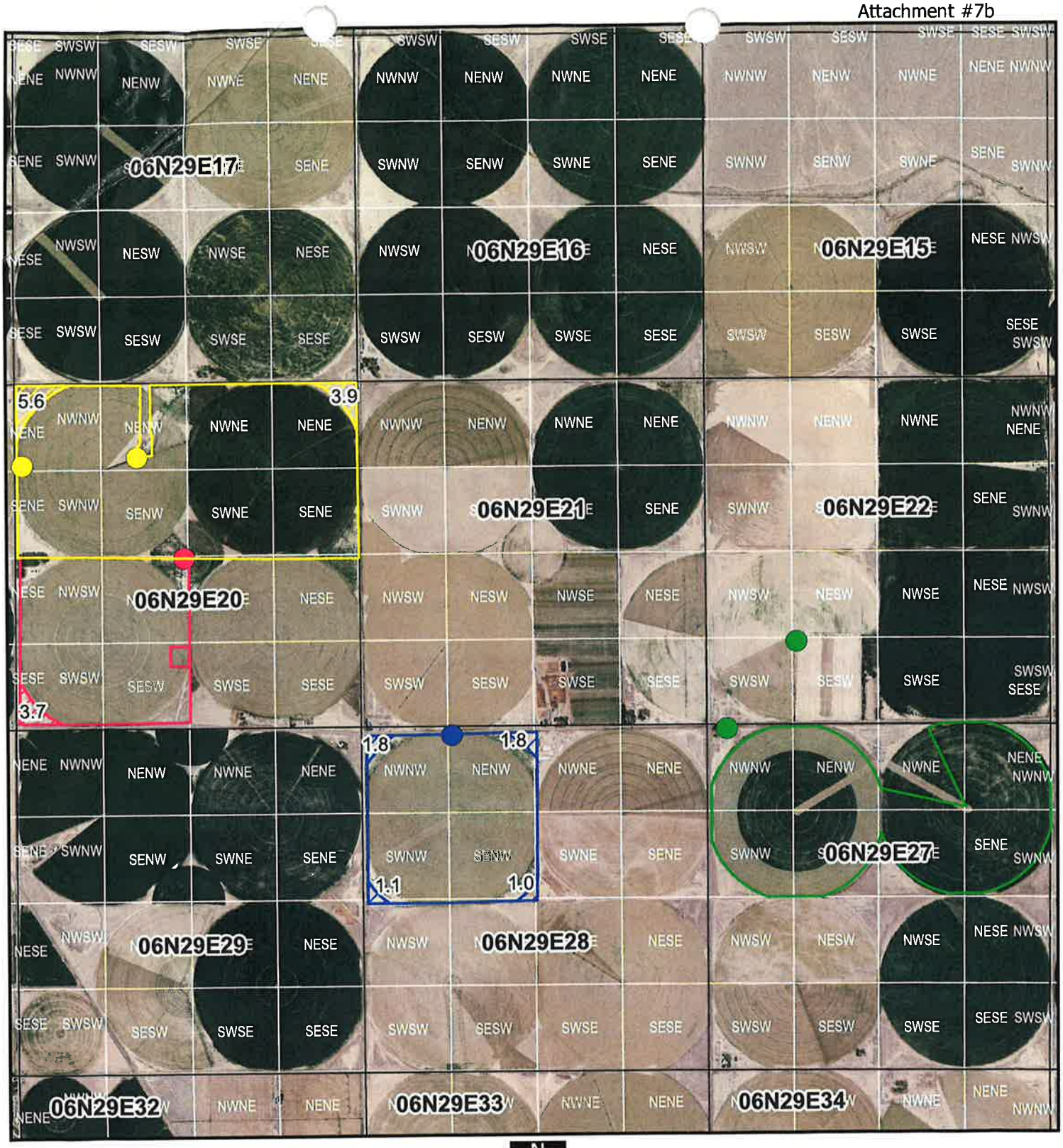
N

Brian Harrell

To Location

89453

Attachment #7b



0 0.20.40.60.8 1 mi

N

2021 NAIP

Legend

- 33-14882 corners
- 33-2055 corners
- 33-2044A et al
- 33-2055
- 33-2078 corners
- 33-2078, 33-2100
- 33-14882 et al
- POD 33-14882 et al
- POD 33-2044A et al
- POD 33-2055
- POD 33-2078, 2100
- TR
- TRS
- QQ

Brian Harrell

From Location

9453

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little
Director Mathew Weaver

March 19, 2025

ILENE HARRELL
BRIAN S HARRELL
3848 N 1700 W
HOWE, ID 83244-8715

RE: Transfer No. 89453
Water Right No(s). 33-14886, 33-2044A, 33-2047, 33-2048B, 33-2055, 33-2077, 33-2078, 33-2100

Dear Applicant:

The Department of Water Resources has received your amended water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the amended application has been prepared and is scheduled for publication in the ARCO ADVERTISER on 3/27/2025 and 4/3/2025. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
MICHELLE MORTIMER
25 N 2ND E ST.
REXBURG, ID 83440

Henman, Christina

From: Henman, Christina
Sent: Wednesday, March 19, 2025 3:40 PM
To: arcoadv@aol.com
Subject: Legal Notice for Arco Advertiser
Attachments: 89453, 89654 Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER
PO BOX C
ARCO, ID 83213

RE: Transfer No. 89453, 89654
Water Right No(s). 33-14886, 33-2044A, 33-2047, 33-2048B, 33-2055, 33-2077, 33-2078, 33-2100, 33-10837, 33-14868, 33-2037A, 33-2038, 33-2039A, 33-2039B, 33-2049

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/14/2025. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF
WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
AMENDED TRANSFER NO. 89453

ILENE HARRELL and BRIAN S HARRELL, 3848 N 1700 W, HOWE, ID 83244-8715 has filed an amended Application No. 89453 for changes to the following water rights within BUTTE County(s): Right No(s). 33-14886, 33-2044A, 33-2047, 33-2048B, 33-2055, 33-2077, 33-2078, 33-2100; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use, and add point of diversion. Proposed points of diversion are in NWSESW Sec 22, and NWNWNW and NENW (new) Sec 27, T06N R29E for 5.49 cfs from Ground Water. Proposed place of use is in N1/2 Sec 27 T06N R29E for 262.7 acres.

TRANSFER NO. 89654

KIRK NICKERSON FARMS LLC, 3880 N 1300 W, HOWE, ID 83244 has filed Application No. 89654 for changes to the following water rights within BUTTE County(s): Right No(s). 33-10837, 33-14868, 33-2037A, 33-2038, 33-2039A, 33-2039B, 33-2049; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: add points of diversion and change place of use. Proposed points of diversion are in NWNW, NWNE, NWNE, NWSE and NESE Sec 22, and NWSWNW and SWNWNW Sec 24, T06N R29E for 9.56 cfs from Ground Water. (Points of diversion in Sec 24 are for right 33-2049 only). Proposed place of use is in Sec 22 and 24 T06N R29E for 551 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 4/14/2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 3/27/2025 and 4/3/2025