

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 31-11706

2022 AUG 27 AM 9:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS:

HILL FARMING INC.
C/O RICK HILL
660 N 5TH W
ST ANTHONY, ID 83445

SOURCE:

GROUND WATER

QUANTITY:

3.33 CFS
1099.00 AFY

PRIORITY DATE:

10/06/1976

POINT OF DIVERSION:

T05N R35E S04 LOT 3 (NWSE) Within Jefferson County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-01 TO 11-01

QUANTITY
3.33 CFS
1099.00 AFY

PLACE OF USE:

Irrigation

T05N R35E S04 LOT 2

(SWNE) 39.0

NESW 39.0

NWSE 40.0

NWNE 40.0

S09

314.0 Acres Total

LOT 3

Within Jefferson County

(SENE) 38.0

SESW 39.0

SWSE 40.0

NENW 39.0

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

05/24/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-11706
NAME AND ADDRESS: HILL FARMING INC
C/O RICK HILL
660 N 5TH W
ST ANTHONY ID 83445

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.330 CFS
1,099.00 AFY

PRIORITY DATE: 10/06/1976

POINT OF
DIVERSION:

T05N R35E S4 NWSNW Lot 3 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
3.330 CFS
1,099.00 AFY

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R35E S04 Lot 2 SWNE	39.0	T05N R35E S04 Lot 3 SENW	38.0
T05N R35E S04 NESW	39.0	T05N R35E S04 SESW	39.0
T05N R35E S04 NWSE	40.0	T05N R35E S04 SWSE	40.0
T05N R35E S09 NWNE	40.0	T05N R35E S09 NENW	39.0

314 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 31-7210.

A3111706



RECEIVED

AUG 28 2002

Department of Water Resources

2002 AUG 27 AM 9:36

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Rights 31-11706 and 31-11707**
)

On May 29, 2001, the Idaho Department of Water Resources filed an *Amended Director's Report* recommending that water right claim 31-7210 be split and decreed as 31-11706 and 31-11707. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

Therefore, IT IS ORDERED that water rights 31-11706 and 31-11707 are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED August 27, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR WATER RIGHTS 31-11706 & 31-11707 was mailed on August 27, 2002, with sufficient first-class postage to the following:

HILL FARMING INC.
C/O RICK HILL
660 N 5TH W
ST ANTHONY, ID 83445

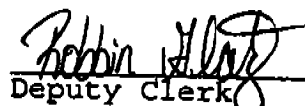
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

SIDDOWAY SHEEP CO INC
1055 N 1700 E
TERRETON, ID 83450

ORDER

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FILE COPY FOR 00070


Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 31-7210, 31-11706,
31-11707

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (split) HILL - SIDDOWAY
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED May 25, 2001

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 25, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
HILL FARMING INC
C/O RICK HILL
660 N 5TH W
ST ANTHONY ID 83445
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
HILL FARMING INC
C/O RICK HILL
660 N 5TH W
ST ANTHONY ID 83445
SIDDOWAY SHEEP CO INC
1055 N 1700 E
TERRETON ID 83450
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SIDDOWAY SHEEP CO INC
1055 N 1700 E
TERRETON ID 83450

RE: Notice of Change of Water Right Ownership (NCO) for
31-7210 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Siddoway:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG
DC 5/23/01
split ok
DC 5/2001

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
31-7210	Needs NAP	X			

RECEIVED

MAY 23 2001

Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former
Owner/Claimant(s)

Hill Farms Inc
St. Anthony ID

4. New Owner/Claimant(s)

Siddoway Sheep Co., Inc.

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1055 N 1700 E

City, State and ZIP Code

Terreton ID 83450

New Telephone Number

208) 663-4585

5. Date you acquired the property
1953

Did not sell. Water was transferred
to Hill Farms March 31, 1992 with
transfer of some property. 40
acres with water rights stayed with

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>31-7210</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		~~40 acres~~
Stock	<u>.41 CFS</u>	<u>39 acres irrigated</u>
Domestic		<u>x 3.5</u>
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) Cindy Siddoway /owner/sec.
(include title if applicable) Siddoway Sheep Co Inc

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____