



State of Idaho

DEPARTMENT OF WATER RESOURCES

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GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

August 12, 2014

MARVIN HUTCHINGS
IRENE HUTCHINGS
5617 COUNTRY ESTATE DR
MARSING ID 83639

Re: Application for Permit No. 75-7374A

Dear Mr. and Mrs. Hutchings:

In 1983 the Idaho Department of Water Resources issued a permit to First Federal Savings and Loan Association of Logan. The permit was for domestic use for 6 homes, and the irrigation of 29 acres. First Federal submitted proof of beneficial use in July 1988 for 3 homes and 29 acres. In May 1990, First Federal submitted to the Department an assignment of permit to Ken or Eva Martens for water to irrigate 6 acres, 75-7374B. The remainder of the permit, 75-7374A remained with First Federal.

I am contacting you about water right permit 75-7374A. According to the Lemhi County parcel data a portion of the place of use under the permit belongs to you. The property is located off US Highway 93 south of Salmon, between Pepper Lane and Twelve Mile County Road. The original permit identified three points of diversion from Twelve Mile Creek. One of these may be on your property. The permit identifies 5 acres in Lot 3 as being within place of use for irrigation (please see enclosed black and white map). Our records show that water right 75-14598, under Irene Hutchings name, authorizes the irrigation of approximately 1.3 acres of this parcel. Water right 75-10037, for domestic and stockwater, also appears to overlap the property next to the highway.

I am working toward licensing water right permit 75-7374A. Can you please let me know if you have an interest in this water right permit? I have enclosed two maps. The first is a black and white copy of the map submitted with the application for permit. The second map shows your property and the location of your current water right places of use. I've also included the permit report for water right 75-7374A. If you have any interest in this water right please let me know by September 1, 2014.

You can contact me at (208)287-4879.

Sincerely,

Sandra Thiel
Senior Water Rights Agent

Explanation to accompany maps of water rights by lots

75-7374 priority date: 6/20/1983 for irrigation and domestic

The analysis below is intended to show existing water rights in relation to permit 75-7374A. The application submitted by First Federal Savings and Loan Association of Logan indentified 5 acres in lot 3, 10 acres in Lot 2 and 14 acres in Lot 1. I have identified each of the owners within the three lots and the water rights that are appurtenant to their properties. Based upon this analysis I found that many of the land owners have rights from Twelve Mile Creek with priority dates before 1983. Stephen Evans property fits within the original permit map in Lots 1 and 2. He currently has no water rights and does divert from Twelve Mile Creek.

Lot 3

Hutchings

75-10037 (7/1/1983) Hutchings form ground water for domestic and stock nominal for lot 3

75-14598 (3/14/1889) – Hutchings for irrigation from Twelve Mile Creek – 0.05 cfs per acre. 1.3 acres owned by Hutching in the NENW is part of the POU for this water right. The second place of use is on the west side of the highway

Luce

75-4399A (11/23/1922) and 75-14167 (5/1/11955) - Tommy and Sandra Luce Twelve Mile Creek both for irrigation on their property for 6.7 acres at over an inch per acre. According to the Luces they cannot access their water from Twelve Mile Creek

Roberson

75-11622 (5/11/1971) – Lee and Carolyn Roberson from a spring for domestic

75-7015 (5/11/1971) - Lee and Carolyn Roberson irrigation from 12 Mile Creek; 5 acres at an inch per acre

The Roberson's property does not appear to be included on the permit map in the 5 acres for Lot 3

They also have a well for in-house domestic

Lot 2

Rhodes

The Rhodes have 4.3 acres under two parcels. They have the following water rights:

75-10242 (5/1/1969) Kathe Rhodes domestic ground water with ½ acre irrigation

75-14428 (10/24/1918) Kathe Rhodes irrigation for 4.3 acres at an inch per acre from Twelve Mile Creek

75-7374B Kent Rhodes irrigation of 4.3 acres (GIS acres 30.3) from Twelve Mile Creek . 75-7374B also is a draft license.

75-7374B should be relinquished or voided this draft license has a later priority date of 1983 and the property is covered by right the above rights.

Lemar

75-7496 (9/18/1989) for 3 acres of irrigation from an unnamed stream. They have a domestic well for the house on the property. These 3 acres are identified on the original permit.

Phone conversation with Gary Lemarr on June 3, 2016: They do not get water from Twelve Mile Creek. There is a creek that runs on the south side of their property along the base of the hill that supplies irrigation water.

Nash

75-4112 (11/23/1922) Martin Nash Twelvemile Creek irrigation 5 acres at an inch per acre and stockwater on his property.

Deutchman

75-4506B (11/23/1922) Richard Ellis (Ella Deutchman's father) 5 acres of irrigation at an inch per acre, from Twelvemile Creek

75-14148 (10/24/1918) Adam Deutchman Irrigation 7.2 acres from Twelve Mile Creek at an inch per acre.

Lot 1

Stephen G Evans: there is no water right for his property. A portion of his land is identified on the permit for irrigation place of use. His 2.1 acres straddles lots 1 and 2. He diverts from Twelvemile Creek. **His water use is the only right that can be licensed by this permit**

Deutchman

75-14148 (10/24/1918) Adam Deutchman Irrigation 7.2 acres from Twelve Mile Creek at an inch per acre.

FIORI, ANTHONY D

FIORI, ANTHONY D

WILSON, GEORGE R

EVANS, STEPHEN G

NENE 1

DEUTCHMAN, ADAM

Water Right Permit 75-7374A
T19N R21E Section 1 NENE Lot 1

75_14148

Taxlots

QQ

BLM

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

STEHR, TIMOTHY

STEHR, TIMOTHY

NASH, MARTIN L

75-4112 Nash Irrigation/Stock; 12 mile Cr

75-4506B – Richard Ellis (Ella Deutchman's father) 5 acres of irrigation 12 mile Creek

DEUTCHMAN, ADAM

EVANS, STEPHEN G

HUTCHINGS, MARVIN C

HUTCHINGS, MARVIN C

NWNE 2

HUTCHINGS, MARVIN C

75-7496 Lemarr 3 acres
irrigation unnamed stream
Domestic well

RHODES, KENT T

RHODES, KENT T

75-14148 Deutchman for irrigation; 12 mile Cr

DEUTCHMAN, ADAM

LEMARR, GARY R

LEMARR, GARY M

75-10242 Rhodes domestic ground water ½ acre irrigation
75-14428 Rhodes irrigation 4.3 acres 12 Mile Creek

Water Right Permit 75-7374A
T19N R21E Section 1 NWNE Lot 2

Taxlots

QQ



75-10037 Hutchings domestic
& stock from ground water

DOWTON, SYDNEY M

75-14598 Hutchings
12 mile Irrigation

DOWTON, SYDNEY M

DOWTON, SYDNEY M

Water Right Permit 75-7374A
T19N R21E Section 1 NENE Lot 3

-  Water_Rights_Lot3
-  Taxlots
-  QQ

TWITO, DON

LUCE, TOMMY F

75-14167 Luce Irrigation
75-4399A both 12 mile

NENW 3

LUCE, TOMMY F

ROBERSON, LEE A

75-11622 Roberson domestic; 12 mile
75-7015 Roberson Irrigation 12 mile

BLM

System Diagram for Water Right 75-7374A



A point of diversion (shown above as a brown area) in T19N R21E Section 1 NENE (Lot 1), supplies irrigation water for 1.2 acres of land. Twelvemile Creek also supplies in-house domestic use for the trailer located on the property (black line). The parcel falls in both the NWNE, Lot 2 and the NENE, Lot 1.