

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 23 2016

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Lona Murdock Phone (208) 684-5430Mailing address 187 S 800 W Blackfoot, ID 83221 Email _____

- ☐ 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 _____ Phone _____

Mailing address _____ Email _____

- ☐ 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.

Lona Murdock
Signature of Applicant or Authorized Representative

Print Name and Title if applicable

03/23/2016
Date

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 Name Change
2. 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 **Part 1A.2**.
 Rearrange the place of use to reflect the land currently being irrigated and land that will be irrigated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-7818	.27cfs/76af	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.27 cfs and/or 76.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.27 cubic feet per second and/or 76.0 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 #

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	
03S	34E	11											17	0.5					
													L3						19.0
03S	34E	11											1.5						
Total Acres (for irrigation use)																			19.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:

Pump to handlines

- b. Who owns the property at the point(s) of diversion? Lona Murdock

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: _____

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:

- 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:

- 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:

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/23/2016

WATER RIGHT NO. 35-7818

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LONA M SCOTT 187 S 800 W BLACKFOOT, ID 83221 (208)684-5430

Priority Date: 09/12/1978

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.27 CFS	76 AFA
Total Diversion			0.27 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSW Lt 3|Sec. 11|Township 03S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03S	34E	11	3	SWSW	19									

Total Acres: 19

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.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Permit Proof Due Date: 10/1/1983

Permit Proof Made Date: 8/22/1983

Permit Approved Date: 10/20/1978

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 09/12/1978

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 right(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:

[illegible]

FOR DEPARTMENT USE ONLY

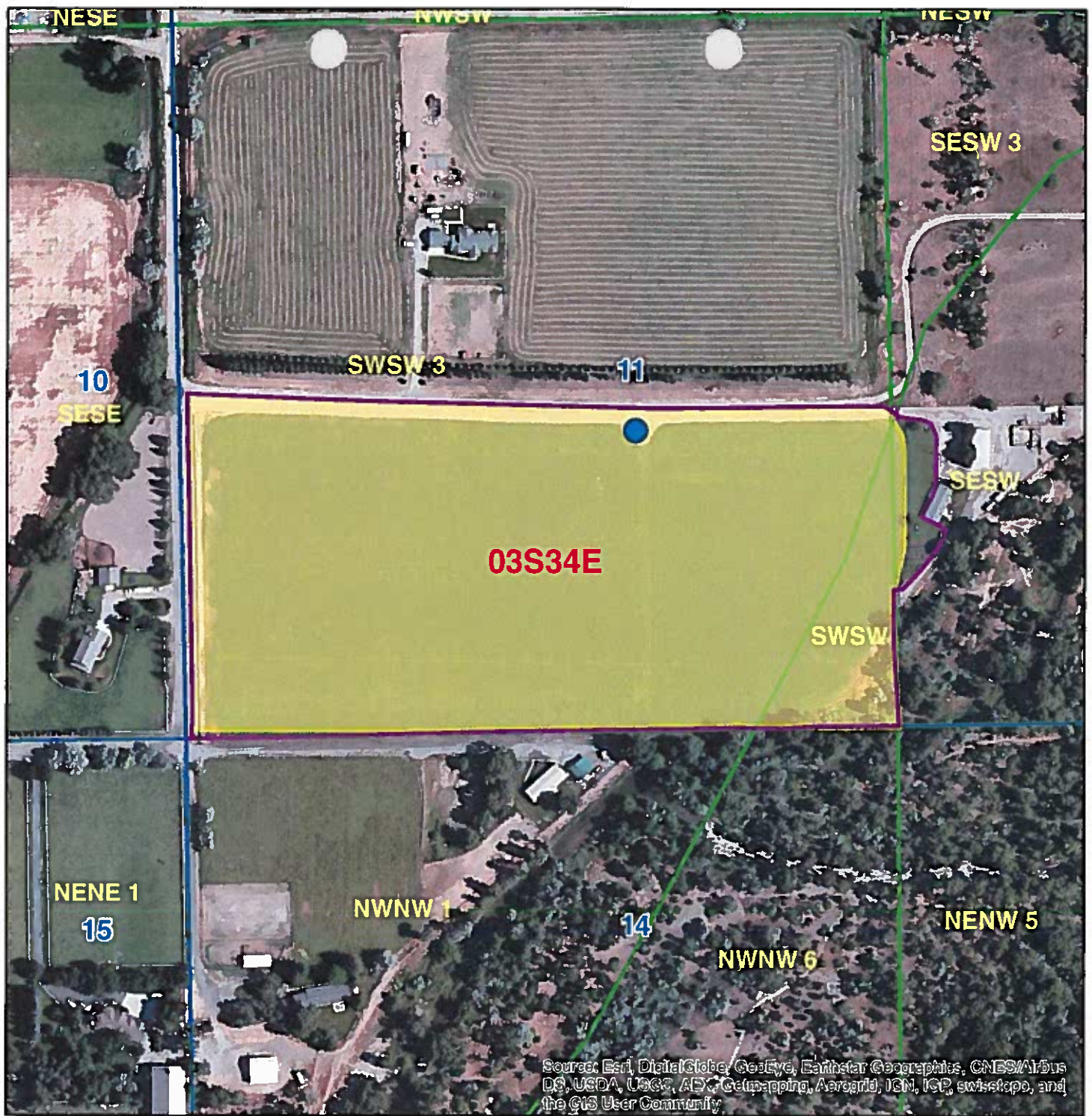
Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 200.⁰⁰ Date 3-23-16 Received by M Receipt # E041949

Add'l fee paid _____ Date _____ Received by SS Receipt # _____

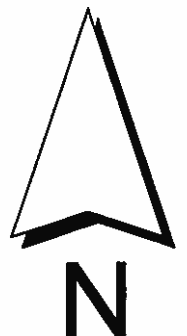
Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



- POD
- Proposed POU 35-7818
- Current_POU_35-7818
- Township/Range
- Sections
- QQ

0 130 260 520 Feet

1 inch = 266 feet



FILED

5-1 1986
9:47 AM
Robert J. Reeves
Deputy

DENMAN & REEVES

ATTORNEYS AND COUNSELLORS

CAMBRIDGE LAW CENTER

P. O. BOX 1841

IDAHO FALLS, IDAHO 83401

TELEPHONE 522-2513

Attorneys for Plaintiff
By: REGINALD R. REEVES, ESQ.
Our File: 9216

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR JEFFERSON COUNTY

///

LONA M. SCOTT,

Plaintiff,

v.

STEPHEN H. SCOTT,

Defendant.

Civil No. 1-3579

PETITION FOR DECREE OF
DISSOLUTION OF MARRIAGE

FEE CATEGORY F
FEE \$ 66

1. Plaintiff and defendant intermarried at Blackfoot, Idaho, on
June 25, 1965, and ever since such time have been wife and husband.

2. Irreconcilable differences exist between plaintiff and defendant.

WHEREFORE Plaintiff requests judgment that such marriage be dissolved.

April 24, 1986

DENMAN & REEVES
Plaintiff's Attorneys
Cambridge Law Center
Idaho Falls ID 83401

By REGINALD R. REEVES, ESQ.

PETITION FOR DECREE OF DISSOLUTION OF MARRIAGE

No 48391

JEFFERSON COUNTY, IDAHO

Received From

Rigby, Idaho, 198

Address

City

State

Desc.

Case No.

ROBERT J. BARNES, Clerk of the District Court

File

By

Deputy

Arresting Officer

Cit. No.

al Statistics
Statehouse
Boise, Idaho 83720

STATE OF IDAHO

County File No. 414936

County of Bingham

Marriage License

KNOW ALL PERSONS BY THIS CERTIFICATE: That any regularly ordained minister of the Gospel, authorized by the rites and usages of the church or denomination of Christians, Hebrews, or religious body of which said minister is a member, or any judge or magistrate, or competent officer to whom this may come, not knowing of any lawful impediments thereto, is hereby authorized and empowered to solemnize the rites of Matrimony between:

GROOM

1. Full Name Gabriel Nochebuena
2. Address Blackfoot Bingham ID
3. Age 43 4. Race Mex. 5. Single 6. Widowed 7. Divorced X
8. Birthplace: City Zacualtipan State Hgo, Mexico

AND

BRIDE

9. Full Name Lona Scott
10. Address Blackfoot Bingham ID
11. Age 46 12. Race White 13. Single 14. Widowed 15. Divorced X
16. Maiden Name if previously married Murdock
17. Birthplace: City Blackfoot State ID

And to certify the same to said parties, or either of them under the signature and seal, of said minister or official capacity, and thereupon is required to deliver the original to the parties so married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal,
at Blackfoot Bingham County, Idaho,
this 14 day of April, A.D. 19 93

Jean Espalin
Recorder
June Pascher
Deputy

Marriage Certificate

1. Paul Robertson

residing in the city of Blackfoot, in the County of Bingham, a Bishop in Latter Day Saints

that, in accordance with the authority on me conferred by the above license, I did on this 14th day of May, in the year A.D. 19 93 in the city of Blackfoot in the County of Bingham in the State of Idaho, solemnize the rites of matrimony between Gabriel Nochebuena of Blackfoot

in the presence of 12 witnesses

DANIEL R. ACEVEDO

ATTORNEY AT LAW

Snake River Plaza Building

745 West Bridge

Suite H

Blackfoot, Idaho 83221

Telephone (208) 785-7171

Attorney for Plaintiff

STATE OF IDAHO }
COUNTY OF BINGHAM } SS

I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the Magistrate's Division, District Court of the Seventh Judicial District of Idaho, for Bingham County.

Date 2-21-97 1997

JUDIE HAMPTON
Clerk, Dist. Court Magistrate Div

By [Signature]
Deputy Clerk

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM
MAGISTRATE DIVISION**

LONA NOCHEBUENA,

Plaintiff,

v.

GABRIEL NOCHEBUENA,

Defendant.

Case No. CV-97-101

DECREE

This cause was submitted to the Court for the issuance of a judgment based on the Stipulation and Property Settlement Agreement between the parties. The Plaintiff appeared in person. Plaintiff has filed a Summons and Complaint, an Acceptance of Service, a Consent to Default and Decree of Divorce, and a Stipulation and Property Settlement Agreement. Defendant has consented to default and to entry of decree pursuant to the Stipulation and Property Settlement Agreement. The record reflects proper service of process according to law of the above-mentioned Defendant in this matter, giving the Court jurisdiction over him. Based upon the Stipulation and Property Settlement Agreement of the parties as set forth on the record, the Court now finds and orders as follows:

IT HEREBY IS ORDERED, ADJUDGED AND DECREED that the marriage heretofore and now existing between the Plaintiff, and the Defendant, be, and the same hereby is, dissolved, based upon grounds of irreconcilable differences and that the Plaintiff and the Defendant, and each of them be, and they hereby are, restored to the status of a single person.

IT FURTHER IS ORDERED that the Defendant's maiden name of Murdock shall be restored.

IT FURTHER IS ORDERED that each and every term of the Stipulation entered into by the parties shall be binding on each of the parties and all of its terms and conditions are incorporated herein by reference,

IT IS SO ORDERED.

DATED this 21 day of February, 1997.

JAMES L. MARTSCH

Judge

NOTICE OF ENTRY

I HEREBY CERTIFY that a copy of the foregoing was this day mailed to every party affected thereby as follows:

Daniel R. Acevedo
Attorney for Plaintiff
745 West Bridge, Suite H
Blackfoot, Idaho 83221

Gabriel Nochebuena
Defendant
1060 West Bridge
Blackfoot, Idaho 83221

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CLERK

SHERI COSTA

DATED: 2-21-97

DEPUTY CLERK