

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 72030

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant TROY OR TARA HICKS Phone 208 483-2070
Post Office address PO Box 4, Swan Valley, Id 83449

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. Describe the reason for the proposed changes consolidated from four wells to one well

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|------------------|--------------------|-------------------|----------------------------|
| <u>23-2065A</u> | <u>6/23/1960</u> | <u>0.24</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>10/31</u> |
| <u>23-2065B</u> | <u>6/23/1960</u> | <u>0.22</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>10/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.46 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	7	1N	44E	Bonneville	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	44E	7					31	39	37	34									141.0
								6	62										

72030 Total acres 141.0

PART 1

6. General Information:

- a. Description of diversion system well pump mainline to laterals with sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None - consolidated from 4 wells to one and changed point of diversion for 23-2065A.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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Page 1

06/09/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-2065A V1

WATER RIGHT NUMBER: 23-2065A V1

Owner Type Name and Address
 Current Owner TROY & TARA HICKS
 PO BOX 4
 SWAN VALLEY, ID 83449
 (208)483-2070

Priority Date: 06/23/1960

Basis: License

Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.240 CFS	101.90 AF
	<u>Total Diversion:</u>	0.240 CFS	101.90 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NW1/4	Sec. 7, Twp 01N, Rge 44E, B.M.	BONNEVILLE County
GROUND WATER	SW1/4SW1/4NW1/4	Sec. 7, Twp 01N, Rge 44E, B.M.	BONNEVILLE County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 44E 7							37.0	34.0									71.0
							L 2										

Total Acres: 71

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.
2. E12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM THE PALISADES IRRIGATION CO.
3. SOURCE CHANGED FROM OPEN PITS TO SAND POINT WELLS.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 State or Federal: S
 Owner Name Connector: AND

Combined Use Limits:

SubCase:

SubCase Number: 23-2065A
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 12/7/2004
 Attorney Assigned:
 Adjudication Agent: Allen Ruberry
 Basis of Claim: License

Water Supply Bank:

72030

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Page 1

06/09/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-2065B V1

WATER RIGHT NUMBER: 23-2065B V1

Owner Type Name and Address
Current Owner TROY & TARA HICKS
 PO BOX 4
 SWAN VALLEY, ID 83449
 (208)483-2070

Priority Date: 06/23/1960

Basis: License

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.220 CFS	93.40 AF
<u>Total Diversion:</u>		0.220 CFS	93.40 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4NW1/4	Sec. 7,Twp 01N,Rge 44E, B.M.	BONNEVILLE County
GROUND WATER	NW1/4NW1/4NW1/4	Sec. 7,Twp 01N,Rge 44E, B.M.	BONNEVILLE County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 44E 7					31.0	39.0											70.0
						L 1											

Total Acres: 70

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.
2. SOURCE CHANGED FROM OPEN PITS TO SAND POINT WELLS.
3. E12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM THE PALISADES IRRIGATION CO.

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
State or Federal: S
Owner Name Connector: OR

Combined Use Limits:

SubCase:

SubCase Number: 23-2065B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 12/7/2004
Attorney Assigned:
Adjudication Agent: Allen Ruberry
Basis of Claim: License

Water Supply Bank:

72030

R41E

Point of Diversion

I
1
N



7

Place of Use

PART 3**B. CHANGES IN NATURE OF USE**

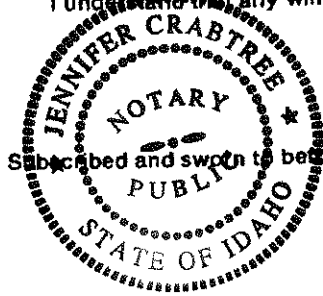
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Subscribed and sworn to before me this 9th day of June, 19 2005

(Signature of Applicant)

(Notary Public)

My commission expires 9/23/09**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 4 attachmentsReceived by KCW Date 6/9/2005

Protest filed by _____

Prelim. check by KCW Fee 250⁰⁰ E030967Received by Kaw Date 6/9/2005Published in Post Register

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

BONNEVILLE COUNTY RECORDER
1025296 73:00 AM 1046

ALLIANCE TITLE & ESCROW CORP.
481 PARK AVE. • P.O. BOX 5002
IDAHO FALLS, ID 83402
1214999 FEB16'06 AM1019 3030001155-TR

WARRANTY DEED

(Re-recorded to correct legal description) ELDON

THIS INDENTURE, made this 23rd day of June, 2000, between REMON BITHELL and GOLDA BITHELL, husband and wife, of 124 Cottonwood Road, Swan Valley, County of Bonneville, State of Idaho, the Grantor, and TROY HICKS and TARA HICKS, husband and wife, of Box 4, Swan Valley, County of Bonneville, Idaho, the Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said Grantee, and to Grantee's heirs and assigns, forever, all the following described real estate situated in the County of Bonneville, State of Idaho, to-wit:

The South Half (1/2) of the Northwest Quarter (1/4) of Section 7, Township 1 North, Range 44 E.B.M.

TOGETHER with the following water rights:

Water Right No. 23-07151, ~~Water Right No. 23-07151~~ Water Right No. A23-02065A, Water Right No. 23-10119, and 50 shares of stock in the Swan Valley Irrigation Company, Inc., now known as the Palisades Irrigation Company, Inc.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever. And the said Grantor, and said Grantor's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Grantee, and Grantee's heirs and assigns, against the said Grantor, and Grantor's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Grantor hereunto has set his hand.

ELDON

REMON BITHELL

GOLDA BITHELL

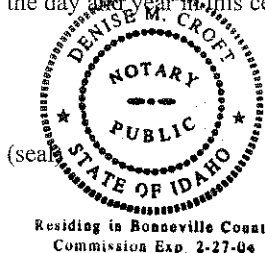
STATE OF IDAHO)

Bonneville) ss
County of Jefferson)

INSTRUMENT NO.	1214999
DATE	2-16-06
INST. CODE	205
IMAGED PGS	1
FEE	3.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	K. Blue
Deputy	
Request of	Blair Grover

On this 23rd day of June, 2000 before me, the undersigned, a Notary Public in and for said State, personally appeared REMON BITHELL and GOLDA BITHELL, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



INSTRUMENT NO.	1025296
DATE	6-23-00
INST. CODE	205
IMAGED PGS	1
FEE	3.00
STATE OF IDAHO) ss	
COUNTY OF BONNEVILLE)	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	S. Sant
Deputy	
Request of	A. Lee

Notary Public for Idaho
Residing at:
Commission Expires:

72030

On this 30th day of January, 2002, before me, a Notary Public in and for said state, personally appeared Howard Bithell known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Bithell Charitable Remainder Unitrust, dated November 14, 1996, and acknowledged to me that he executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Cristy Peck
Notary Public for the State of
Residing at: 111 N 100 E, Washington, Utah
Commission Expires: 4-3-2004

RECEIVED

JUN 16 2005

Department of Water Resources
Eastern Region

INSTRUMENT NO.	<u>1070461</u>
DATE	<u>2-12-02</u>
INST. CODE	<u>205</u>
IMAGED PGS	<u>2</u>
FEE	<u>6-</u>
STATE OF IDAHO } ss COUNTY OF BONNEVILLE }	
I hereby certify that the within instrument was recorded.	
Ronald Longmire County Recorder	
By	<u>[Signature]</u> Deputy
Request of	<u>Atc</u>

72030

Sole trustee due to
incapacitation. a trustee

1069698 FEB 4 '02 PM 4:23

1069688

WARRANTY DEED

Order No.: 3030103413 . DD

BONNEVILLE COUNTY RECORDER

FOR VALUE RECEIVED

1070461 FEB 12 '02 PM 11:41

DeLoyd H. Bithell and Beryle L. Bithell, husband and wife and Howard Bithell ~~and Beryle L. Bithell~~, Trustees
of the Bithell Charitable Remainder Unitrust, Dated November 14, 1996

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Troy Hicks and Tara Hicks, Husband and Wife

whose current address is

P.O. Box 4 Sugar Valley, ID

the grantee(s), the following described premises, in Bonneville County, Idaho, TO WIT:

Exhibit "A"

Tract I:

The North Half of the Northwest Quarter of Section 7, Township 1 North, Range 44 East, Boise
Meridian, Bonneville County, Idaho.

Less and Excepting the Highway right of way.

Less and Excepting that portion of the Northeast Quarter of the Northwest Quarter lying east of
U.S. Highway 26.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in
fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions,
covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 1/30/2002

Howard Bithell
Howard Bithell Trustee of the Bithell Charitable
Remainder Unitrust, dated November 14, 1996DeLoyd H. Bithell
DeLoyd H. Bithell
Beryle L. Bithell
Beryle L. Bithell

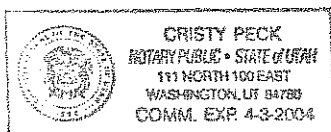
State of Utah

}

} ss.

County of Washington

}

On this 1/30/2002, before me, a Notary Public in and for said state, personally
appeared DeLoyd H. Bithell and Beryle L. Bithellknown or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged
to me that he/she/they executed the same.IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above
written.Cristy Peck
Notary Public for the State of ~~Idaho~~ Utah
Residing at: 111 N 100 E, Washington, Utah
Commission Expires: 4-3-2004

State of Utah

}

} ss.

County of Washington

}

RECEIVED

JUN 16 2005

Department of Water Resources
Eastern Region

72030

1069687 FEB 4 '02 PM 4 23

WARRANTY DEED

Order No.: 3030103413 -DC

FOR VALUE RECEIVED

Leah W. Degnan, an unmarried person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Troy Hicks and Tara Hicks, Husband and Wife

whose current address is

P.O. Box 4 Swan Valley, ID 83449

the grantee(s), the following described premises, in Bonneville County, Idaho, TO WIT:

Exhibit "A"

Tract I:

The North Half of the Northwest Quarter of Section 7, Township 1 North, Range 44 East, Boise Meridian, Bonneville County, Idaho.

Less and Excepting the Highway right of way.

Less and Excepting that portion of the Northeast Quarter of the Northwest Quarter lying east of U.S. Highway 26.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

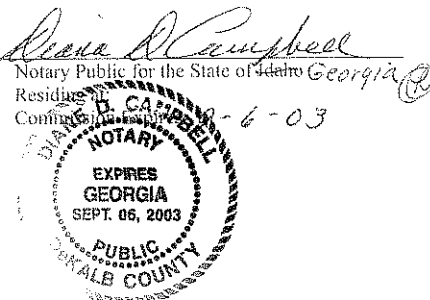
Dated: 1/30/2002

Leah W. Degnan
Leah W. Degnan

State of Idaho)
County of Bonneville) ss.

On this 31st January, 2002, before me, a Notary Public in and for said state, personally appeared Leah W. Degnan

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



1069687

INSTRUMENT NO.	1069687
DATE	2-04-02
INST. CODE	205
IMAGED PGS	1
FEE	3.00

STATE OF IDAHO
COUNTY OF BONNEVILLE } ss
I hereby certify that the within
instrument was recorded.
Ronald Longmore,
County Recorder
by *W. B. Long* Deputy
Request of *ATEC*

RECEIVED
JUN 16 2005

Department of Water Resources
Eastern Region

72036