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WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

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DEPARTMENT OF WATER RESOURCES

Transfer No. 72466

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Leonard L. Hutterman or Marsha A. Hutterman Phone (208) 587-6323
 Post Office address 11900 E. Highway 20 Mountain Home, Idaho

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 to match area of application to property owned.

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

1. Right Number 61-11930 Priority 5/01/1872 Amount 0.21 (cfs/ac-ft) Nature of Use Irrigation Period of Use March 15 to November 15
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 0.21 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Rattlesnake Creek tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
-	NE	NE		01	03	07E	Elmore	Rattlesnake Creek
-	NW	NW		04	03	08E	Elmore	Rattlesnake Creek

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	
35	7E	1	18.5																18.5 *

* Place of use is 10.3 acres within Total acres 18.5 *
 The above Described 18.5 acres Permissible Place of use.

PART 1**6. General Information:**

a. Description of diversion system _____

Gravity, Pumping

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

No Change

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 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 61 11930 Decreed to Leonard L Hutterman or Marsha A Hutterman
in case of _____ vs. _____
dated 10-26-2000 in Idaho county of Elmore
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Rattlesnake Creek tributary to Snake River

4. Date or priority 5/01/1872

5. Water is used for the following purpose:

amount 0.21 for Irrigation purposes from March 15 to November 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.21 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
—	NE	NE		01	03S	07E	Elmore	Rattlesnake Creek
—	NW	NW		06	03S	08E	Elmore	Rattlesnake Creek

8. 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	
3S	7E	1	18.5																18.5*

* Place of use is 10.3 acres within the above described 18.5 acre Permissible Place of use.

Total acres 18.5*

9. Describe any other water rights used for the same purpose as described above

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

TRANSFER
PART 3A

T03S R07E R1 NENE

T03S R08E S6 NWNW

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

1 New Nature of Use Amount Hours/days/year Period of Use
No Change (cfs/ac-ft) No Change March 15 to November 15
 _____ to _____

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

No Change

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

None

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.

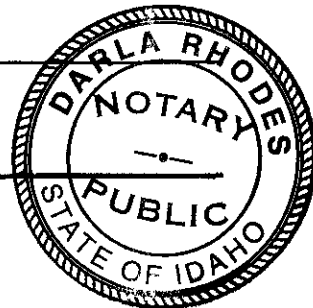
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Leonard L. Hutton
 (Signature of Applicant)

Subscribed and sworn to before me this 14 day of November, 19 2005.

L. Rhodes
 (Notary Public)

My commission expires 09-18-2008

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by DB OAN Date 11-7-05 Protest filed by _____

Prelim. check by _____ Fee \$ 250-

Received by DB W033588 Date 11-9-05

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

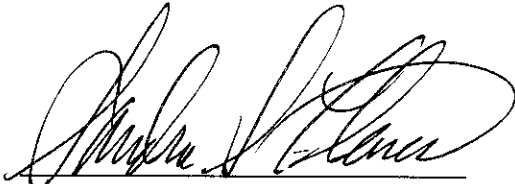
Copy of transfer sent to lien holder _____

Ladies and Gentlemen:

We have never had access or use of the water associated with water right 61-11930 currently owned by Leonard and Marsha Hutterman. The only water we have used or had access to is the water currently in the name of Clinton and Jenifer Ritchens water right number 61-11932, which is the water associated with this transfer. Please see the attached ownership documentation to show the portion of water we currently own.

A handwritten signature in black ink, appearing to read 'Ronald H. Flones', written over a horizontal line.

Ronald H. Flones

A handwritten signature in black ink, appearing to read 'Sandra S. Flones', written over a horizontal line.

Sandra S. Flones

ATTACHMENT A