



MICROFILMED
SEP 19 2002

69743

ATTACH B-2

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69743

MARK S HIDDLESTON
4850 N 18TH E
MOUNTAIN HOME ID 83647, has
filed Application No. 69743 for changes
to the following water rights within
ELMORE County:

Right No. 61-11926
Priority 6/18/1980
Source GROUND WATER
Use IRRIGATION (4.6 acres) 0.09
CFS 20.7 AFA
Total Amount 0.09 CFS 20.7 AFA
Point(s) of Diversion SENE S12
T03S R06E
Place of Use S7 T03S R07E

Remark: The transfer proposes to
change the point of diversion listed on
the original water right to Mr.
Hiddlestons existing irrigation well
associated with water right 61-7404B
in Lot 2 SWNW S7 T3S R7E. The prop-
erty being irrigated will not be changed
with this transfer.

Protests may be submitted based on
the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed
change must be filed with the
Department of Water Resources,
Western Region, 2735 Airport Wy,
Boise ID 83705 together with a protest
fee of \$25.00 for each application on or
before April 08, 2002. The protestant
must also send a copy of the protest to
the applicant.

KARL J DREHER, Director
First Publication: March 20, 2002.
Last Publication: March 27, 2002.

AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
STATE OF IDAHO }

I Coleen W. Swenson, do solemnly swear that I
am the publisher, of the:

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week, in Mountain Home,
Idaho, that the notice attached hereto and
which is a part of publication thereof; was
published in said newspaper for 30
consecutive weeks, the first publication
having been made on the 20 day of
March, 2002, and the last publication
having been made on the 27 day of
March, 2002; every Wednesday issue of
the paper during the period and time of
publication and that the notice was published
in the paper proper and not in a supplement
thereof.

And I further swear that the said MOUNTAIN
HOME NEWS has been continuously and
uninterruptedly published in said Elmore
County during the period of 78 consecutive
weeks prior to the first publication of the
attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 27 day
of March, 2002.

Christine M. Lewis
Notary Public

Residing in Mountain Home, Elmore County,
Idaho.

My commission expires 09-25-2006

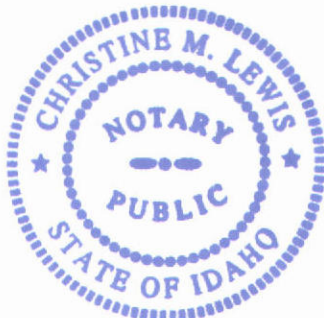
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MAR 29 2002

WATER RESOURCES
WESTERN REGION



Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENE	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
App	61-7511	JOELLE H GREIG, JAMES W GREIG,	GROUND WATER	03S07E7							3										3
Right	61-11926	HIDDLESTON & SON INC,	GROUND WATER	03S07E7							4.6										4.6
Right	61-7404B	MARNIE M HIDDLESTON, MARK S HIDDLESTON,	GROUND WATER	03S07E7							4.7										4.7
Right	61-11927	E LEE SCHLENDER, JUDITH L SCHLENDER,	GROUND WATER	03S07E7							9.7										9.7
			LITTLE CAMAS RESERVOIR, LONG TOM RESERVOIR, RATTLESNAKE RESERVOIR																		
Right	61-210	D B SWAN,		03S07E7			X										X	X			0
Claim	61-7370	GWEN E REDFORD, HENRY J REDFORD,	GROUND WATER	03S07E7									4								4
Rec	61-7370	HENRY J REDFORD, GWEN E REDFORD,	GROUND WATER	03S07E7									4								4
Right	61-7370	GWEN E REDFORD, HENRY J REDFORD,	GROUND WATER	03S07E7									4								4
Claim	61-7382	JULIE H HERMERDING, DENNIS C HERMERDING,	GROUND WATER	03S07E7												5					5
Rec	61-7382	DENNIS C HERMERDING, JULIE H HERMERDING,	GROUND WATER	03S07E7												5					5
Right	61-7382	JULIE H HERMERDING, DENNIS C HERMERDING,	GROUND WATER	03S07E7												5					5
Claim	61-7401	RUEBEN DOMKE,	GROUND WATER	03S07E7															5		5
Rec	61-7401	RUEBEN DOMKE,	GROUND WATER	03S07E7									5								5
Right	61-7401	RUEBEN DOMKE,	GROUND WATER	03S07E7															5		5
Right	61-7405	STANLEY SCOTT,	GROUND WATER	03S07E7									9								9
Claim	61-7405A	STANLEY SCOTT, BETTY A SCOTT,	GROUND WATER	03S07E7									4.5								4.5
Rec	61-7405A	BETTY A SCOTT, STANLEY SCOTT,	GROUND WATER	03S07E7									4.5								4.5
Claim	61-7405B	CAMI GRAHM, WILLIAM GRAHM,	GROUND WATER	03S07E7									4.5								4.5
Rec	61-7405B	WILLIAM GRAHM, CAMI GRAHM,	GROUND WATER	03S07E7									4.5								4.5
App	61-7457	ALLEN COMEAU, VALERIE GAINES,	GROUND WATER	03S07E7					8												8
App	61-7460A	JAMES P CARLTON,	GROUND WATER	03S07E7					5												5
App	61-7460B	JAMES H RUMSEY,	GROUND WATER	03S07E7					5												5
App	61-7463	KIMIKO SINK, ELDIN L SINK,	GROUND WATER	03S07E7								3									3
App	61-7482	RICHARD LORD,	GROUND WATER	03S07E7								7									7
App	61-7485	SANDRA MARKHAM, EDWARD L MARKHAM,	GROUND WATER	03S07E7								4									4
App	61-7491	D REX SNIDEMAN, NANCY SNIDEMAN,	GROUND WATER	03S07E7												5					5
App	61-7513	DENNIS C HERMERDING, JULIE H HERMERDING,	GROUND WATER	03S07E7												5					5
App	61-7514	DENNIS C HERMERDING, JULIE H HERMERDING,	GROUND WATER	03S07E7												5					5
App	61-7530	JOHN H SCHAUB, BETTY A SCHAUB,	GROUND WATER	03S07E7													5				5
App	61-7536	RONALD DOCKSTADER,	GROUND WATER	03S07E7					5												5
App	61-7610	MARY J HORGAN, ROBERT L HORGAN,	GROUND WATER	03S07E7											4.5						4.5
App	61-7629	TIMOTHY E SCOTT,	GROUND WATER	03S07E7						20											20
App	61-7633	STEPHEN W BALDWIN, JANICE A BALDWIN,	GROUND WATER	03S07E7												5					5
App	61-7671	CHARLES M FLATTER,	GROUND WATER	03S07E7								4.5									4.5
App	61-7754	PAMELA A DUGGER, DANIEL R AMBROSE,	GROUND WATER	03S07E7					4												4

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P/D SEARCH FOR T3S R7E S7 SWNW

BASIN	Sequence Number	Split Suffix	Basis	Status	Right ID	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
61	7511			Active	50463	5/18/1983	0.06	GROUND WATER	DOMESTIC, IRRIGATION	GREIG, JAMES W (Current); GREIG, JOELLE H (Current)	WATER APPLICATION
61	7404	B	Decreed	Active	355970	6/18/1980	0.09	GROUND WATER	IRRIGATION	HIDDLESTON, MARK S (Current); HIDDLESTON, MARNIE M (Current)	WATER RIGHT

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P/D SEARCH FOR T3S R7E S7 SENE

BASIN	Sequence Number	Split Suffix	Basis	Status	Right ID	Priority Date	RATE	Source List	Water Use List	Owner List	Source Table
61	2151	G	License	Active	356626	3/16/1963	0.06	GROUND WATER	IRRIGATION	BRAGGA, CHARLES E (Current); BRAGGA, SUZANN (Current)	ADJUDICATION CLAIM
61	2151	G	License	Active	414748	3/16/1963	0.06	GROUND WATER	IRRIGATION	BRAGGA, CHARLES E (Current); BRAGGA, SUZANN (Current)	ADJUDICATION RECOMMENDATION
61	2151	N	License	Active	411497	3/16/1963	0.06	GROUND WATER	IRRIGATION	BREWER, BARBARA J (Current); BREWER, CHARLES J (Current)	ADJUDICATION CLAIM
61	2151	N	License	Active	414753	3/16/1963	0.06	GROUND WATER	IRRIGATION	BREWER, BARBARA J (Current); BREWER, CHARLES J (Current)	ADJUDICATION RECOMMENDATION
61	2151	J	License	Active	411493	3/16/1963	0.06	GROUND WATER	IRRIGATION	CORCORAN, PATRICK (Current); CORCORAN, THERESA (Current)	ADJUDICATION CLAIM

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<u>BASIN</u>	<u>Sequence Number</u>	<u>Split Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>RATE</u>	<u>Source List</u>	<u>Water Use List</u>	<u>Owner List</u>	<u>Source Table</u>
61	2151	J	License	Active	414749	3/16/1963	0.06	GROUND WATER	IRRIGATION	CORCORAN, PATRICK (Current); CORCORAN, THERESA (Current)	ADJUDICATION RECOMMENDATION
61	2151		License	Active	49578	3/16/1963	1.01	GROUND WATER	DOMESTIC, IRRIGATION	HAYES, JOSEPH M (Current)	wrWaterRight
61	2151	K	License	Active	411494	3/16/1963	0.06	GROUND WATER	IRRIGATION	HERGERT, BRYCE (Current); HERGERT, PENNY (Current)	ADJUDICATION CLAIM
61	2151	K	License	Active	414750	3/16/1963	0.06	GROUND WATER	IRRIGATION	HERGERT, BRYCE (Current); HERGERT, PENNY (Current)	ADJUDICATION RECOMMENDATION
61	2151	F	License	Active	414747	3/16/1963	0.06	GROUND WATER	IRRIGATION	LANGFORD, PAMELA A (Current); LANGFORD, PAUL M (Current)	ADJUDICATION RECOMMENDATION
61	2151	D	License	Active	355525	3/16/1963	0.06	GROUND WATER	IRRIGATION	MACK, DIANE R (Current); MACK, EDWARD P (Current)	ADJUDICATION CLAIM

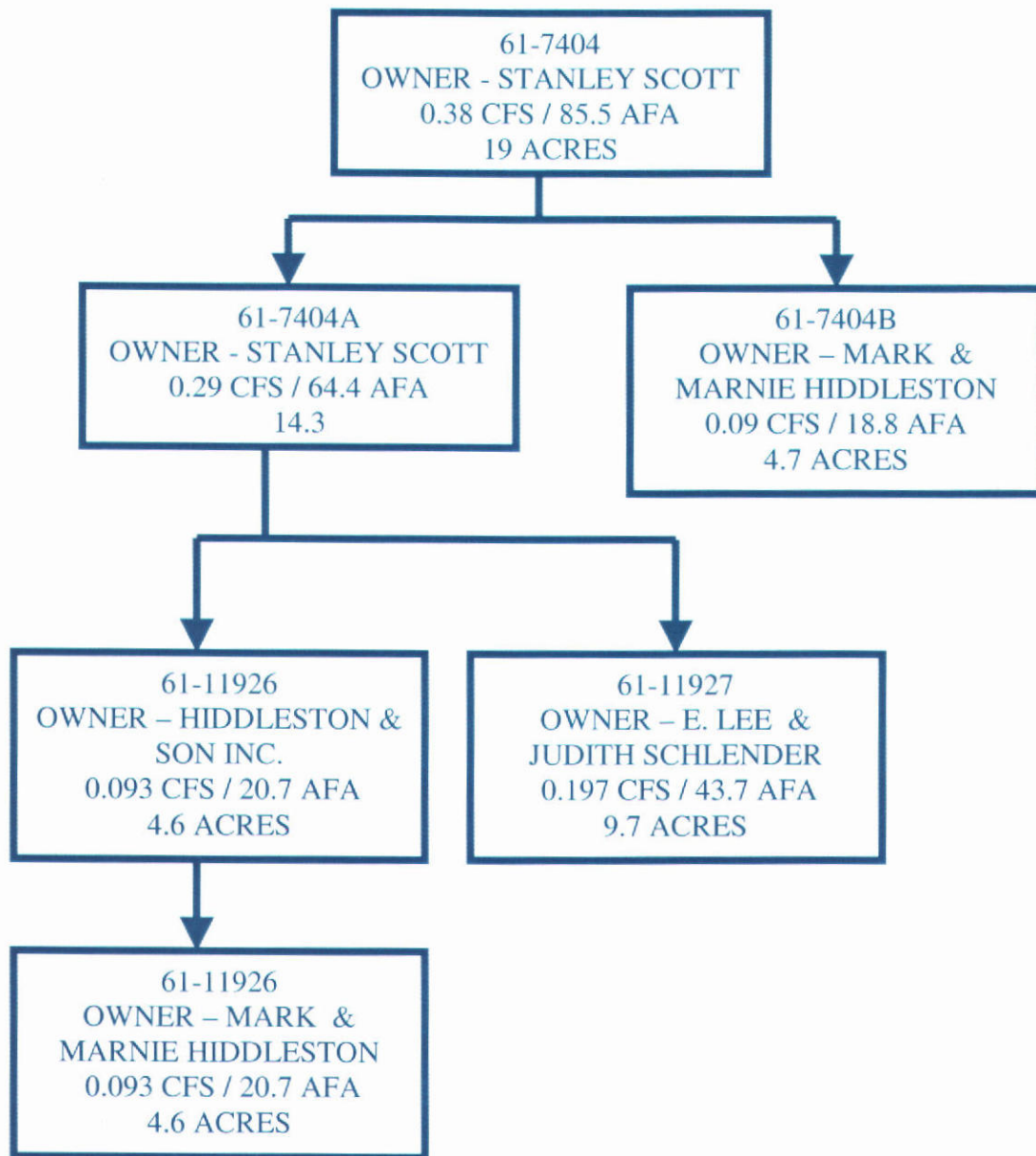
SEP 19 2002 MICROFILMED

<u>BASIN</u>	<u>Sequence Number</u>	<u>Split Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>RATE</u>	<u>Source List</u>	<u>Water Use List</u>	<u>Owner List</u>	<u>Source Table</u>
61	2151	D	License	Active	355563	3/16/1963	0.06	GROUND WATER	IRRIGATION	MACK, DIANE R (Current); MACK, EDWARD P (Current)	ADJUDICATION RECOMMENDATION
61	2151	F	License	Active	356625	3/16/1963	0.06	GROUND WATER	IRRIGATION	NICOLOSI, APRIL J (Current); NICOLOSI, RONALD C (Current)	ADJUDICATION CLAIM
61	2151	Q	License	Active	412190	3/16/1963	0.06	GROUND WATER	IRRIGATION	PEACE, DEBRA S (Current); PEACE, ROBERT C (Current)	ADJUDICATION CLAIM
61	2151	Q	License	Active	414755	3/16/1963	0.06	GROUND WATER	IRRIGATION	PEACE, DEBRA S (Current); PEACE, ROBERT C (Current)	ADJUDICATION RECOMMENDATION
61	2151	L	License	Active	411495	3/16/1963	0.13	GROUND WATER	IRRIGATION	RODGERS, CONNIE J (Current)	ADJUDICATION CLAIM
61	2151	L	License	Active	414751	3/16/1963	0.13	GROUND WATER	IRRIGATION	RODGERS, CONNIE J (Current)	ADJUDICATION RECOMMENDATION
61	2151	M	License	Active	411496	3/16/1963	0.06	GROUND WATER	IRRIGATION	SCHULTZ, DEAN (Current); SCHULTZ, ELIZABETH (Current)	ADJUDICATION CLAIM

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<u>BASIN</u>	<u>Sequence Number</u>	<u>Split Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>RATE</u>	<u>Source List</u>	<u>Water Use List</u>	<u>Owner List</u>	<u>Source Table</u>	
MICROFILMED	61	2151	M	License	Active	414752	3/16/1963	0.06	GROUND WATER	IRRIGATION	SCHULTZ, DEAN (Current); SCHULTZ, ELIZABETH (Current)	ADJUDICATION RECOMMENDATION
	61	2151	P	License	Active	414754	3/16/1963	0.37	GROUND WATER	DOMESTIC, IRRIGATION		ADJUDICATION RECOMMENDATION
	61	7588			Active	50538	8/2/1988	0.1	GROUND WATER	DOMESTIC, IRRIGATION	HERMAN, AUDREY E (Current); HERMAN, JOHN M (Current)	WATER APPLICATION
	61	11926		Decreed	Active	544372	6/18/1980	0.09	GROUND WATER	IRRIGATION	HIDDLESTON & SON INC (Current)	WATER RIGHT
	61	11927		Decreed	Active	544375	6/18/1980	0.2	GROUND WATER	IRRIGATION	SCHLENDER, E LEE (Current); SCHLENDER, JUDITH L (Current)	WATER RIGHT
	61	11945		License	Active	555409	3/16/1963	0.3	GROUND WATER	DOMESTIC, IRRIGATION	SCOTT, BRUCE WYATT (Current)	ADJUDICATION RECOMMENDATION
	61	11946		License	Active	555410	3/16/1963	0.07	GROUND WATER	IRRIGATION	MARSH, RICHARD A (Current); MARSH, TRACIE C (Current)	ADJUDICATION RECOMMENDATION

WATER RIGHT SPLITS FROM WATER RIGHT 61-7404



This transfer proposes to change the ownership of 61-11926 and change the point of diversion to the same point of diversion as 61-7404B.

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OWNERSHIP FROM ORIGINAL
WATER RIGHT 61-7404 WHICH
HAS BEEN SPLIT INTO
61-7404B, 61-11926, AND 61-11927

T3S R6E S12 NWNW

OLD P/D



T3S R7E S7 SWNW

NEW P/D

61-7404B

61-11926

61-11927

-  61-7404B OWNED BY MARK HIDDLESTON
-  61-11926 OWNED BY MARK HIDDLESTON
-  61-11927 OWNED BY E. LEE & JUDITH SCHLENDER

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69743

This is to certify that: MARK S HIDDLESTON
 4850 N 18TH E
 MOUNTAIN HOME ID 83647
 (208)587-9612

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
61-11926	WR/Decreed	06/18/1980	0.093 cfs	20.7 af		4.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
61-11926	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
61-11926	61-11926	0.09 cfs	20.7 af	N/A	4.6		N/A	N/A	N/A	N/A
TOTALS		0.09 cfs	20.7 af	N/A	4.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of September, 2002


 Chief, Water Allocation Bureau

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WATER RIGHT NO. 61-11926
As Modified by Transfer No. 69743

In accordance with the approval of Transfer No. 69743, Water Right No. 61-11926 is now described as follows.

Right Holder: MARK S HIDDLESTON
4850 N 18TH E
MOUNTAIN HOME ID 83647

And

MARNIE M HIDDLESTON
4850 N 18 E
MOUNTAIN HOME ID 83647

Priority Date: 06/18/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.09 CFS	20.7 AF
			0.09 CFS	20.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 2 SWNW **Sec. 7** Twp 03S Rge 07E ELMORE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03S	07E	7							4.8										4.6
								1.2											

Total Acres: 4.6

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. Right 61-7404B is also diverted through the point(s) of diversion described above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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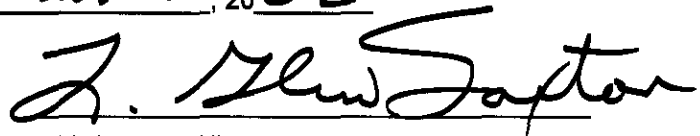
WATER RIGHT NO. 61-11926
As Modified by Transfer No. 69743

CONDITIONS OF APPROVAL

5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 16th day of September, 2002


Chief, Water Allocation Bureau

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SEP 19 2002

(Internet)

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 6
RECEIVED

69743

APPLICATION FOR TRANSFER OF WATER RIGHT 2002

PART 1

Department of Water Resources

Name of applicant Mark S Hiddleston Phone 208 587-9055
Post Office address 4850 N 1st E mtn. Home, Id 83647

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 Moving point of diversion to same
well as described in 61-74048

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>61-11926</u> | <u>6/18/1980</u> | <u>.093 cfs</u>
<u>20.7 AFA</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| 2. Total amount of water being transferred <u>.093</u> cubic feet per second and/or <u>20.7</u> acre-feet per annum. | | | | |
| 3. Source of water <u>ground water</u> tributary to <u> </u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system Well w/ sub pump and buried main line

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:
None

d. Remarks:
Irrigating same land, moving point of diversion to our existing irrigation well

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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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11926

WATER RIGHT NUMBER. 61-11926

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	STANLEY SCOTT 4555 N 24 E MOUNTAIN HOME, ID 83647 (208)587-5034
Current Owner	HIDDLESTON & SON INC RT 3 BOX 610D MOUNTAIN HOME, ID 83647 (208) 587-9055
Directors Report Owner	BETTY A SCOTT 4555 N 24 E MOUNTAIN HOME, ID 83647 (208)587-5034

Priority Date: 06/18/1980

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>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.093 CFS	20.70 AF
	<u>Total Diversion:</u>	0.093 CFS	20.70 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 12, Twp 03S, Rge 06E, B.M.
ELMORE 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	
03S	07E	7							4.6										4.6
									L 2										

Conditions of Approval:

Remarks:

- Explanatory The following rights are also diverted through point of diversion described above: 61-02151D, 61-02151F, 61-02151G, 61-02151J, 61-02151K, 61-02151L, 61-02151M, 61-02151N, 61-02151P, 61-02151Q and 61-11927.

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 61-11926

Comments:

1. dbuffing 10/10/2000 Ownership change

Comment: This claim is a result of a change in ownership for a portion of claim no. 61-07404A. Fee paid under receipt no. C013179.

2. dbuffing 10/11/2000 Ownership change

Comment: The data in the name field was changed to show this right has an ownership change.

Dates and Other Information:

Licensed Date:

Decreed Date: 10/26/2000

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	10/10/2000 2:10:37 PM	dbuffing			Closed
Summary	10/11/2000 11:44:48 AM	dbuffing			Closed
Summary	10/11/2000 11:45:40 AM	dbuffing			Closed
Summary	10/17/2000 9:14:58 AM	dbuffing			Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	10/17/2000 9:14:56 AM	dbuffing	6. (YES) Explanatory remark was required.
Summary	10/10/2000 2:10:35 PM	dbuffing	6. (YES) Explanatory remark was required.
Summary	10/11/2000 11:44:46 AM	dbuffing	6. (YES) Explanatory remark was required.
Summary	10/11/2000 11:45:39 AM	dbuffing	6. (YES) Explanatory remark was required.
POD	1/19/2001 9:31:54 AM	rhowerto	Edited point location

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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	

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Total acres _____

IDWR

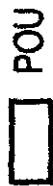
Claim(s) 61-07404A &
61-07404B

Owner(s) : A= SCOTT
B= HIDDLESON

Prepared by:

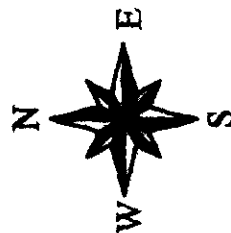
Ron Howerton

Date: 28 Aug 98



SECTION LINES

1/4 1/4



1987 NAPP

0 0.25 Miles

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Handwritten signature/initials

Page 002

24269

PART 3

B. CHANGES IN NATURE OF USE N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>None</u>			_____ to _____
				_____ to _____

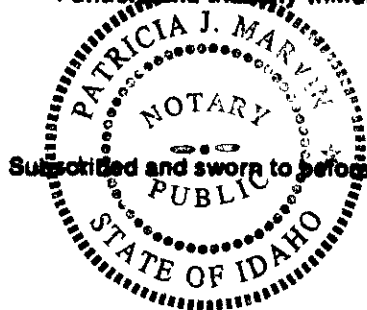
2. Quantity and quality of return flows and location of discharge:

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

None. Simply moving point of diversion from old Old POD
across N 15 E to new POD

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

twelfth

day of

FEBRUARY10 2002

(Signature of Applicant)

Patricia Marvin

(Notary Public)

My commission expires 09-08-06

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 2 attachmentsReceived by Scurtis Date 2/12/02

Protest filed by _____

Prelim. check by McGowen Fee 100.00 C059936Receipted by McGowen Date 2-12-02Published in Mtn Home News

Copies of protest forwarded by _____

Pub. dates 3-20 + 27-02

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

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SEP 19 2002

69743

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,
Hiddleston and Son, Inc

organized and existing under the laws of the State of Idaho, with its principal office at
Mountain Home, Idaho 83647 of County of Elmore

, a corporation
Rt. 3 Box 6100
, State of Idaho

GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto
Mark S. Hiddleston and Marnie M. Hiddleston, husband and wife

Grantee(S), whose current address is: 4850 North 18th East Mountain Home, Idaho 83647
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

Township 3 South, Range 7 East, Boise Meridian, Elmore County, Idaho

Section 7: S1/2SW1/4 of U. S. Government Lot 2

Subject to Deed of Trust dated August 21, 2000, executed by Hiddleston and Son, Inc.,
as Grantor, Guaranty Title, Inc, as Trustee; and Betty A. Scott, a divorced woman,
as Beneficiary; secures the payment of \$35,000.00 together with interest and any
other obligations secured thereby; recorded August 29, 2000, as Instrument NO. 323921,
records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and
assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s)
in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is
expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications,
easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility
assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same
from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a
resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this
8th day of March, in the year of 2001.

Hiddleston and Son, Inc
Corporate Name

By _____ PRESIDENT

Attest: Mark S. Hiddleton
Mark S. Hiddleton SECRETARY

ACKNOWLEDGEMENT-Corporate

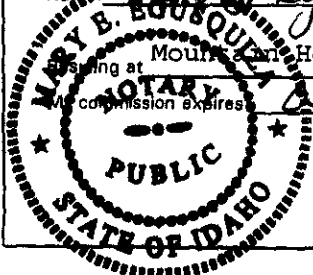
STATE OF Idaho, County of Elmore, ss.

On this 24th day of March April
2001, before me, the undersigned, a Notary Public in

and for said State, personally appeared _____
, Mark S. Hiddleton

known or identified to me to be the Secretary of the
corporation that executed the instrument or the person (s) who executed
the instrument on behalf of said corporation, and acknowledged to me that
such corporation executed the same.

Signature: Mary E. Eggen
Name: Mary E. Eggen
(type or print)
Residing at: Mountain Home



MICROFILMED
SEP 19 2002

328145

ELMORE COUNTY, IDAHO ss
Request of

Mark Hiddleton

Time 4:20 P M

Date April 24, 2001

GAIL L. BEST, Recorder

By _____ Deputy

Fee \$3.00



United States
Department of
Agriculture

Elmore County
Farm Service
Agency

Mountain Home Service Center
795 S Haskett
Mountain Home, ID 83647
208-587-3303
FAX 208-587-6630

March 5, 2002

Mark S. Hiddleston
Rt. 3 Box 610-D
Mountain Home, ID 83647

Dear Mr. Hiddleston,

Enclosed with this letter you will find the 35mm compliance slide showing portions of Section 7, T3S, R7E that I use in connection with Farm Service Agency programs. This slide was taken between June 21, 2001 and June 30, 2001. You are welcome to make a copy of the slide for your records.

I would appreciate the slide returned by March 15, 2002.

I hope this is helpful. If you have further needs please contact us.

Sincerely,

Jeff Groat
County Executive Director.

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SEP 19 2002

USDA is an Equal Opportunity Employer

ATTACH B1
69743

MICROF
SEP 19

69743

ATTACH B-2

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 61-07404A

NAME AND ADDRESS: BETTY A SCOTT
STANLEY SCOTT
4555 N 24 E
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.29 CFS
64.40 AFY

PRIORITY DATE: 06/18/1980

POINT OF DIVERSION: T03S R06E S12 SENE Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.29 CFS 64.40 AFY

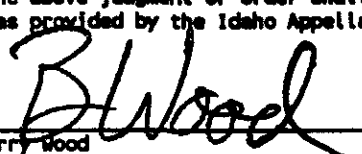
PLACE OF USE: Irrigation Within Elmore County
T03S R07E S07 LOT 02 (SWNW)14.3
14.3 Acres Total

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. 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.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

JUN 11 2002

SPLIT TO 61-11926 + 61-11927



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2002

MARK S HIDDLESTON
MARNIE M HIDDLESTON
4850 N 18TH E
MOUNTAIN HOME ID 83647

RE: Transfer No.: 69743 - Water Right 61-11926 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

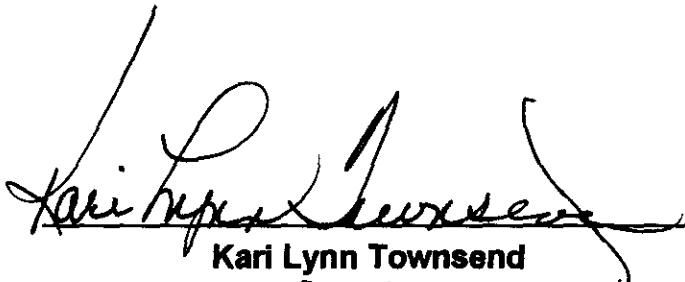
MICROFILMED
SEP 19 2002

CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69743 - WATER RIGHT 61-11926

**MARK S HIDDLESTON
MARNIE M HIDDLESTON
4850 N 18TH E
MOUNTAIN HOME ID 83647**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 19 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER REVIEW SHEET

Trans # 69743

Date Reviewed 9-16-02

D Nelson

Right No(s) * 61-11926

FORMERLY 61-11926

Split? Y X N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes yes

MT. Home Ground

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U _____ Lien Holder Release _____

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y X N (contact GW personnel)

Existing well

WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD - R05 (WD# _____) WM comments rec'd _____
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 3/15 to 11/15 (use X61 if extended season)

STANDARD VOLUME 4.0 af/ac

CONSUMPTIVE USE VOLUME N/A af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T09 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
X57 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)
T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ Comment to WR No(s) N/A

9/16/02

RECEIVED

APR 12 2002

COMMENT
LETTERS

Form 222a

Department of Water Resources

January 2002

IDWR WESTERN REGION TRANSFER ANALYSIS

Applicant MARK & MARNIE HIDDLESTON Transfer No. 69743Reviewed by DAN Date 2-28-02Data entered by DAN1. Right number(s) ~~AGI-7404~~ 61-11926Caution
before processing:Done 3-1-2002
☒ Partial Decree to WR ☐ Ownership Change filed & split completed2. Type of right ☒ Decree ☐ License ☐ Stat. Claim ☐ BU Claim3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☐ Change P/U☐ Change N/U ☐ Change Period ☐ Split Right☐ Other: _____4. Check Existing
Right

☒ Source	☒ Priority	☒ Amount
☒ Purpose	☒ Period	☒ SRBA Claim
☒ Description of original point(s) of diversion		
☒ Description of original place of use		
☒ Overlapping rights for original P/D &/or P/U		

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo – always include unless justify why not needed
- b. ☒ All of right
- c. ☐ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume
Discuss in memo.
- j. N/A Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

69743

k. ☐ Overlapping rights for current & proposed scenarios

Current _____

Proposed _____

l. ☐ SRBA Claim(s) no Rights Decreed 10-26-2000

m. ☐ Comment letters ☐ No ☒ Yes as follows:

_____ Water District # _____ IDFG _____ Other per attached

PUBLICATION REVIEW

*RON LYDETT, CHARLES OLSEN, DAVID OLSEN
MOUNTAIN HOME GROUNDWATER COMMITTEE.*

1. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☒ Yes

3. Published correctly: ☒ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☐ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions of Approval standard after conditions

4. Recommended by Gays Date 4/11/02

FORWARDING FILE TO S.O.

1. Copies made for Region file (see attached supplemental page): Yes _____

2. File forwarded to S.O. by _____ Date _____

AFFIDAVIT OF PUBLICATION

County of Elmore }
STATE OF IDAHO } ss.

I Coleen W. Swenson, do solemnly swear that I
am the publisher, of the:

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week, in Mountain Home,
Idaho, that the notice attached hereto and
which is a part of publication thereof; was
published in said newspaper for 10
consecutive weeks, the first publication
having been made on the 20 day of
March, 2002, and the last publication
having been made on the 27 day of
March, 2002; every Wednesday issue of
the paper during the period and time of
publication and that the notice was published
in the paper proper and not in a supplement
thereof.

And I further swear that the said MOUNTAIN
HOME NEWS has been continuously and
uninterruptedly published in said Elmore
County during the period of 78 consecutive
weeks prior to the first publication of the
attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 27 day
of March, 2002.

Christine M. Lewis
Notary Public

Residing in Mountain Home, Elmore County,
Idaho.

My commission expires 09-25-2006

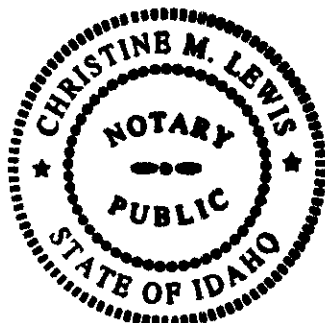
MICROFILMED

SEP 19 2002

RECEIVED

MAR 29 2002

WATER RESOURCES
WESTERN REGION



MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON *DAN*
DATE: 3/12/02

RE: MARK S. HIDDLESTON TRANSFER, RIGHT 61-11926

The transfer proposes to change the point of diversion listed on the original water right to Mr. Hiddleston's existing irrigation well associated with water right 61-7404B in Lot 2 SWNW S7 T3S R7E. The property being irrigated will not be changed with this transfer.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 7 pages and 2 attachments. Note the location of the following application items:

Attach. A – Warranty Deed Showing ownership of Property

Attach. B – FSA letter and 2001 aerial photo showing irrigation.

Applicant prepared the application.

Other information used in this review includes Water Right Split Tree, Ownership Map based on warranty deeds, Place of Use Comparison Sheets, Point of Diversion comparison Sheet, and Proof Report of 61-7404B attached to this memo.

NARRATIVE

The applicant proposes to change the point of diversion listed on the original water right to the same well described in water right 61-7404B. This water right represents a portion of the original 61-7404 water right. Water right 61-7404 has been split into 3 portions described, as water right 61-7404B owned by Mr. Hiddleston, 61-11926 now also owned by Mr. Hiddleston, and 61-11927 owned by Mr. and Ms. Schlender. Mr. Hiddleston purchased the 61-7404B property first and filed transfer 4774 to change the point of diversion.

The applicant has now filed this transfer to change the point of diversion for 61-11926 to the same well used under 61-7404B. The well currently described on this water right is the same well described on 61-7404. However, the applicant's property has not been irrigated from that well for some time. The property was irrigated in 2001 from well described in 61-7404B and this transfer is an effort to catch up his paper work and properly describe his irrigation system.

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Page 2

Hiddleston memo

A warranty deed has been supplied to proof ownership of the property and the water right has been decreed in the Snake River Basin Adjudication (SRBA). There was a question of forfeiture of this water right, but the owner has supplied a 2001 FSA aerial photo that shows the property being irrigated. The owner stated that the property was irrigated from the proposed point of diversion and he is now filing the transfer to catch up the paperwork to his system. Therefore, forfeiture should not be an issue.

The only overlapping rights for the place of use are the splits from 61-7404 and an application for permit on moratorium hold. The application for permit is very vague on the location of the property and could be completed incorrectly. However, it is an application for permit and should not hinder the approval of this transfer.

The overlap for the point of diversion from where the water will be moved from is quite extensive. Two water rights 61-7404 and 61-2159 were delivered from the original well. Both of these water rights have since been split many times. I am not sure if the well is still used or not, but it is very clear that it has not delivered water to this property in quite some time. The water for these rights was in the water bank for a period of time and released approximately 5 years ago. So I am not sure if the original well still exists, so this transfer should not affect the original point of diversion. The only overlapping water rights on the proposed point of diversion are 61-7404B, which is owned by the applicant. So overlap should not be a problem.

RECOMENDATIONS

This transfer should be approved as listed on the application with the same conditions previously listed on the water rights.

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Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SENE	SESE	SESE	Total
App	61-7511	JOELLE H GREIG, JAMES W GREIG,	GROUND WATER	03S07E7										3
App	61-7457	ALLEN COMEAU, VALERIE GAINES,	GROUND WATER	03S07E7										8
App	61-7460A	JAMES P CARLTON,	GROUND WATER	03S07E7										5
App	61-7460B	JAMES H RUMSEY,	GROUND WATER	03S07E7										5
App	61-7463	KIMIKO SINK, ELDIN L SINK,	GROUND WATER	03S07E7										3
App	61-7482	RICHARD LORD,	GROUND WATER	03S07E7										7
App	61-7485	SANDRA MARKHAM, EDWARD L MARKHAM,	GROUND WATER	03S07E7										4
App	61-7491	D REX SNIDEMAN, NANCY SNIDEMAN,	GROUND WATER	03S07E7										5
App	61-7513	DENNIS C HERMERDING, JULIE H HERMERDING,	GROUND WATER	03S07E7										5
App	61-7514	DENNIS C HERMERDING, JULIE H HERMERDING,	GROUND WATER	03S07E7										5
App	61-7530	JOHN H SCHAUB, BETTY A SCHAUB,	GROUND WATER	03S07E7										5
App	61-7536	RONALD DOCKSTADER,	GROUND WATER	03S07E7										5
App	61-7610	MARY J HORGAN, ROBERT L HORGAN,	GROUND WATER	03S07E7										5
App	61-7629	TIMOTHY E SCOTT,	GROUND WATER	03S07E7										4 5
App	61-7633	STEPHEN W BALDWIN, JANICE A BALDWIN,	GROUND WATER	03S07E7										20
App	61-7671	CHARLES M FLATTER,	GROUND WATER	03S07E7										5
App	61-7754	PAMELA A DUGGER, DANIEL R AMBROSE,	GROUND WATER	03S07E7										4 5
App														4

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P/D SEARCH FOR T3S R7E S7 SWNW												
61	7511				Active	50463	5/18/1983	0.06	GROUND WATER	DOMESTIC, IRRIGATION	GREIG, JAMES W (Current); GREIG, JOELLE H (Current)	WATER APPLICATION
61	7404 B			Decreed	Active	355970	6/18/1980	0.09	GROUND WATER	IRRIGATION	HIDDLESTON, MARK S (Current); HIDDLESTON, MARNIE M (Current)	WATER RIGHT

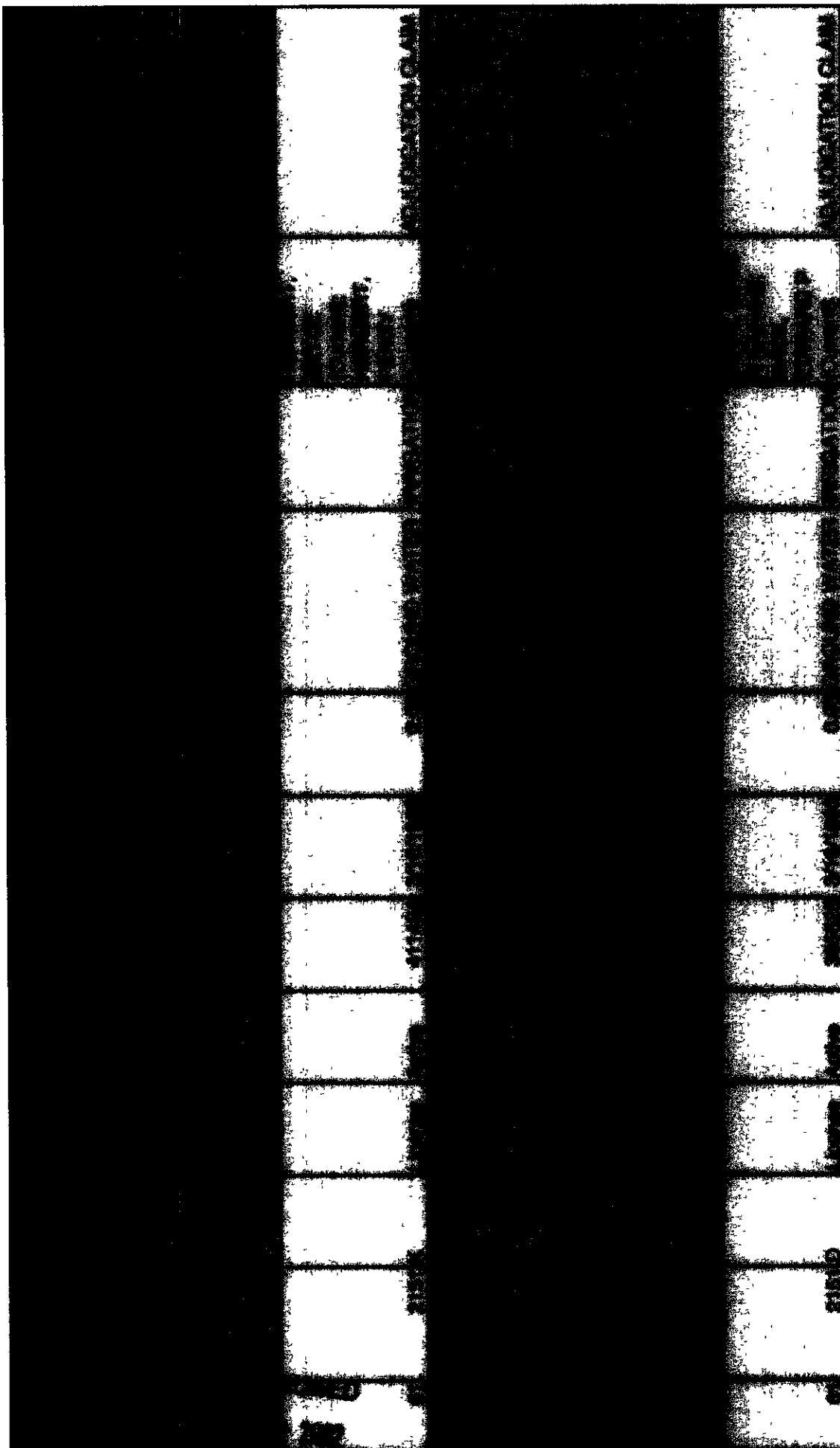
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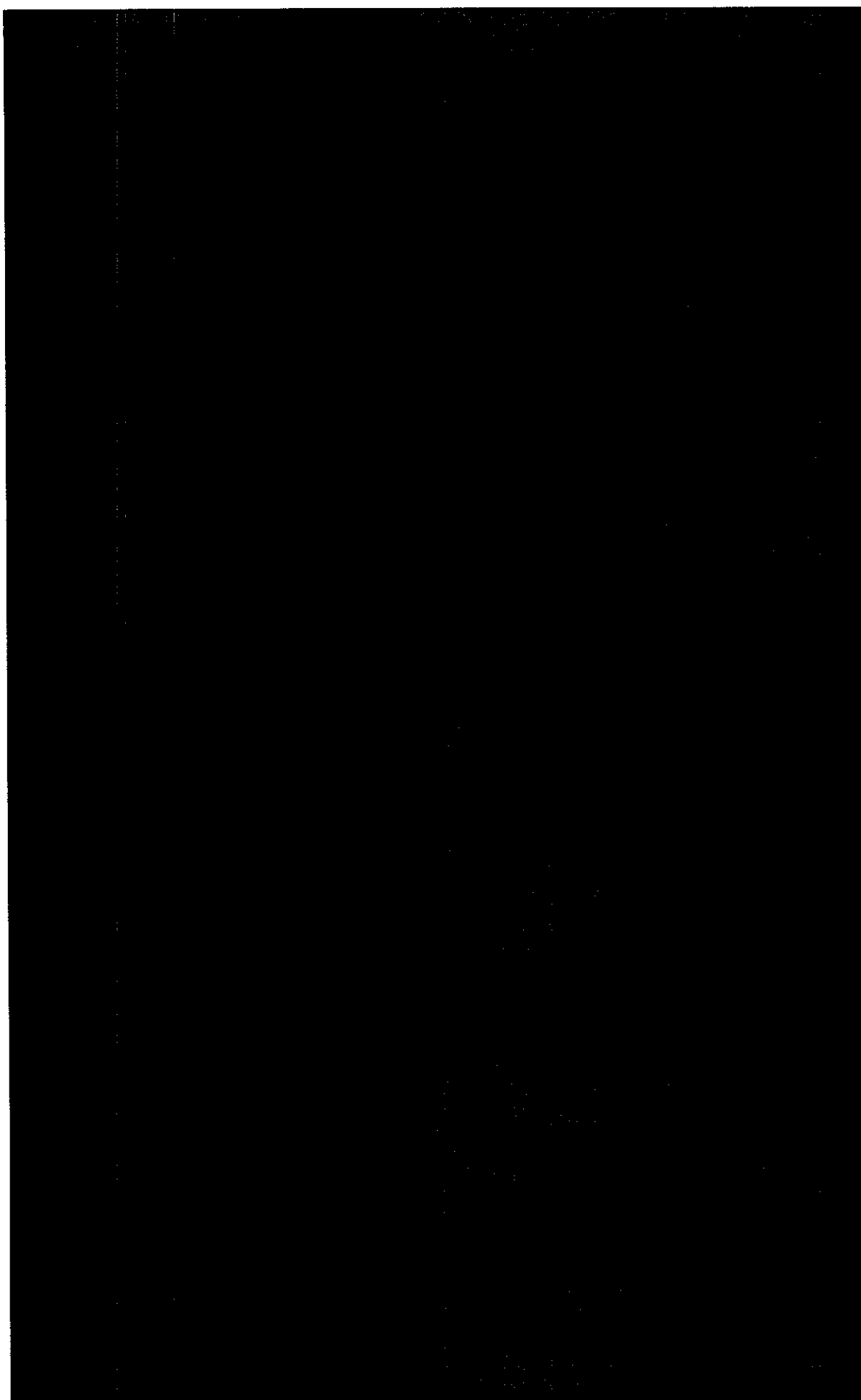
P/D SEARCH FOR T3S R7E S7 SENE

NO FILMED

SEP 19 2002

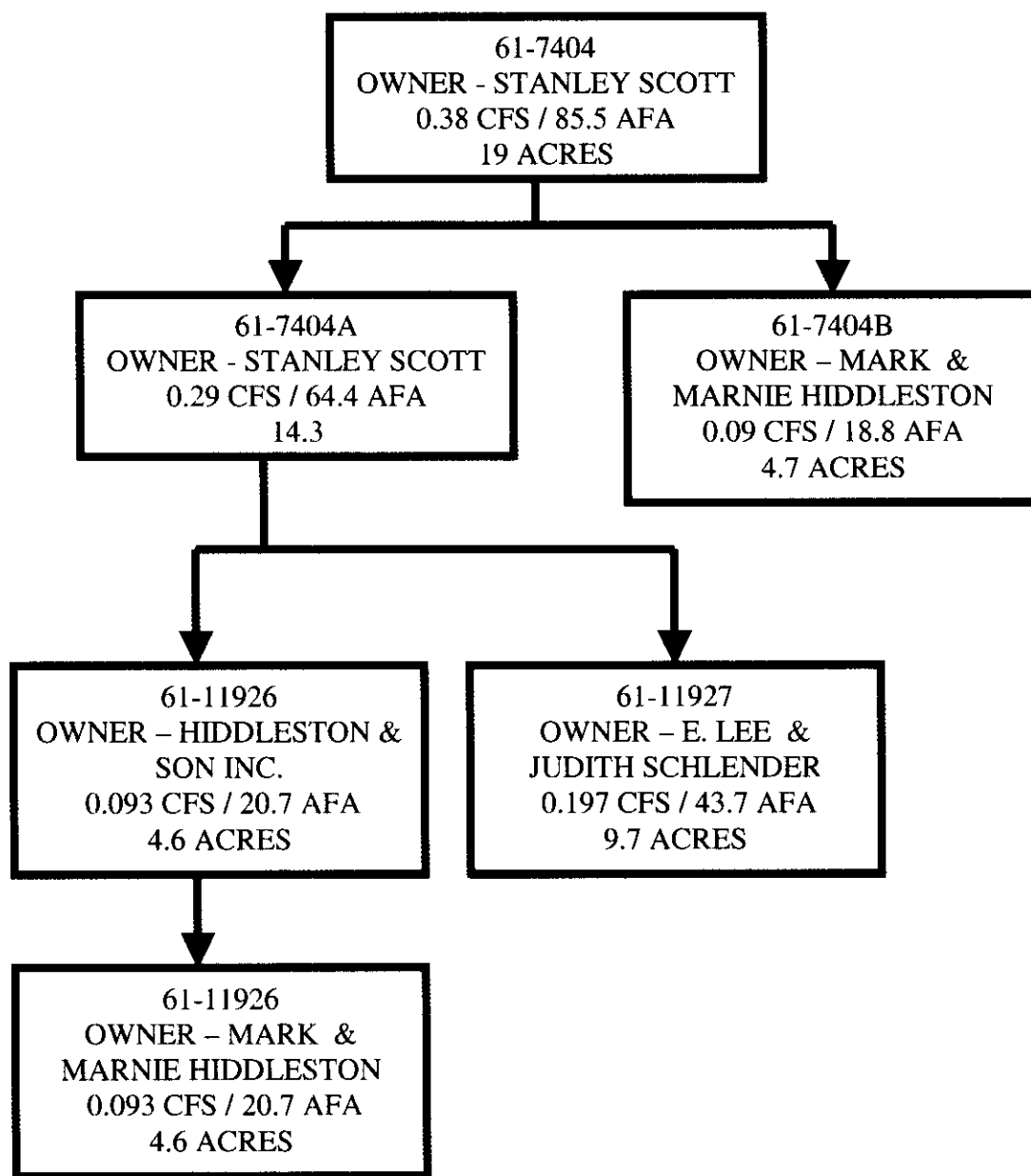


NOT FILMED
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WATER RIGHT SPLITS FROM WATER RIGHT 61-7404



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T3S R6E S12 NWNW



T3S R7E S7 SWNW



61-7404B

61-11926

61-11927

-  61-7404B OWNED BY MARK HIDDLESTON
-  61-11926 OWNED BY MARK HIDDLESTON
-  61-11927 OWNED BY E. LEE & JUDITH SCHLENDER

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-7404B V1

WATER RIGHT NUMBER. 61-7404B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARNIE M HIDDLESTON 1685 CASTLE WAY MOUNTAIN HOME, ID 83647 (208)587-9612
Current Owner	MARK S HIDDLESTON 1685 CASTLE WAY MOUNTAIN HOME, ID 83647 (208)587-9612
Original Owner	STANLEY SCOTT , ID

Priority Date. 06/18/1980

Basis. License

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>Annual Volume</u>
	<u>Total Diversion:</u>	0.090 CFS	18.80 AF

Location of Point(s) of Diversion

GROUND WATER	L2 SW1/4NW1/4	Sec. 7,	Twp 03S,	Rge 07E, B.M.
ELMORE 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	
03S	07E	7																	
									4.7										4.7
									L 2										

Total Acres: 4.7

Conditions of Approval:

1. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 61-7404B V1

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. RHOWERTO 4/5/1996 WARNING, THIS LICENSE IS BASED ON WATER BANK FEES
Comment: WATER SHOULD BE AVAILABLE IN 1997 IF FEES ARE PAID, THIS IS NOT A NORMAL LICENSED RIGHT, SIMILIAR TO CRP RIGHTS. COPIED FROM REMARKS THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. 61-07404 FEE PAID UNDER RECEIPT NO. C013179. RDH 1-22-96. CLAIM AMENDED PER TRANSFER NO. 4774 APPROVED 05/07/1996
2. AJU10-JS 11/22/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 13, 2002

Legal Notice Department
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Transfer No. 69725
Water Right No(s).61-10381
: Transfer No. 69743
Water Right No(s).61-11926
Application for Permit No. 63-31311
Application for Permit No. 61-11973

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 04/08/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 69743

MARK S HIDDLESTON
4850 N 18TH E

MOUNTAIN HOME ID 83647, has filed Application No. 69743 for changes to the following water rights within ELMORE County:

Right No. 61-11926

Priority 6/18/1980

Source GROUND WATER

Use IRRIGATION (4.6 acres) 0.09 CFS 20 7 AFA

Total Amount 0.09 CFS 20 7 AFA

Point(s) of Diversion SENE S12 T03S R06E

Place of Use S7 T03S R07E

Remark: The transfer proposes to change the point of diversion listed on the original water right to Mr. Hiddlestons existing irrigation well associated with water right 61-7404B in Lot 2 SWNW S7 T3S R7E. The property being irrigated will not be changed with this transfer

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before April 08, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Mountain Home News on March 20 and 28, 2002

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11927

WATER RIGHT NUMBER 61-11927

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	STANLEY SCOTT 4555 N 24 E MOUNTAIN HOME, ID 83647 (208)587-5034
Directors Report Owner	BETTY A SCOTT 4555 N 24 E MOUNTAIN HOME, ID 83647 (208)587-5034
Current Owner	E LEE SCHLENDER 300 2ND AVE S HAILEY, ID 83333
Current Owner	JUDITH L SCHLENDER 300 2ND AVE S HAILEY, ID 83333

Priority Date 06/18/1980

Basis Decreed

Status Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0 197 CFS	43 70 AF
	<u>Total Diversion</u>	0 197 CFS	43 70 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 12, Twp 03S, Rge 06E, B M
ELMORE 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	
03S	07E	7							97										97
									L2										

Total Acres 97

Conditions of ApprovalRemarks

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11927

- 1 Explanatory The following rights are also diverted through point of diversion described above.
61-02151D, 61-02151F, 61-02151G, 61-02151J, 61-02151K, 61-02151L, 61-02151M,
61-02151N, 61-02151P, 61-02151Q & 61-11926

Comments

1 dbuffing 10/10/2000 Ownership change

Comment This claim is a result of an ownership change. for a portion of claim no 61-07404A Fee paid under receipt
no C013179

Dates and Other Information

Licensed Date
Decreed Date 10/26/2000
Water Supply Bank Enrollment Accepted
Water Supply Bank Enrollment Removed
Enlargement Use Priority Date
Enlargement Statute Priority Date
Formal Action Date
State or Federal S
Owner Name Connector OR
Water District Number
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Decree Defendant
Decree Plaintiff
Civil Case Number 39576
Judicial District FIFTH
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan False

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JUN 11 2002