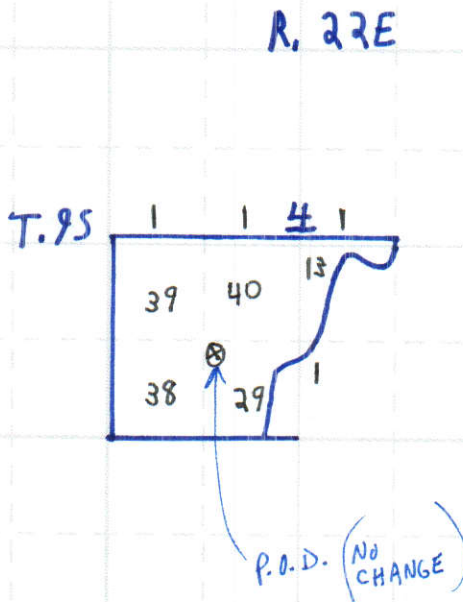


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



MICROFILMED
 SEP 22 1999

find U.S.B.R. iron
pipe w/ brass cap

NW4

TRACT

PARCEL 1

4.21 ACRES +/-

set 5/8" x 24" rebar

LS

ST 1/4 CORNER
SECTION 4
at 5/8" rebar
using previous
survey data
(p. filed)

4053.20'
S 89°20'53"E

N 89°20'53"W
1316.59'

NW CORNER
NE4 SW4
SECTION 4
no corner find or
set this survey

N 89°20'53"W
1316.59'

N 89°20'53"W
1419.88'

CENTER 1/4 CORNER
SECTION 4
find U.S.B.R. iron pipe
w/ brass cap obliterate
reset pipe using existing
survey data. set top of
cap 18" below the surface
of the ground

NW4 SW4

NE4 SW4

1319.88'
S 00°09'58"E

1321.37'
S 00°09'48"E

1317.22'
N 00°10'35"W

N 89°13'56"W
1316.40'

N 89°16'59"W
1316.55'

NE CORNER
SE4 SW4
SECTION 4
find U.S.B.R. iron
pipe w/ brass cap

NE CORNER
SW4 SW4
SECTION 4
find U.S.B.R. iron
pipe w/ brass cap

CORNER
4 SW4
SECTION 4
corner find or
set this survey

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SEP 22 1999

T # 4846

L 4
L 5
L 6
L 7
L 8
L 9

N2 NE4

NW CORNER
SW4 NE4
SECTION 4
fnd U.S.B.R. iron
pipe w/ brass cap

TRACT "A"
CORNER 1
set 5/8" x 24"
rebar

NE CORNER
SE4 NE4
SECTION 4
no corner fnd or
set this survey

TRACT A

MICROFILMED
SEP 22 1999

PARCEL 1
4.21 ACRES +/-

N 89°20'53"W
1419.88

CENTER 1/4 CORNER
SECTION 4
fnd U.S.B.R. iron pipe
w/ brass cap obliterated
reset pipe using existing
survey data. set top of
cap 18" below the surface
of the ground

fnd 1/2" rebar

688.33
S 89°20'07"E

PARCEL 1
4.21 ACRES +/-
689.95
N 89°20'53"W

N 89°20'53"W
690.22
set 5/8" x 24" rebar

IRRIGATION PIPE LINE
EASEMENT

0.10 ACRES +/-
S 89°20'53"E 4

EAST 1/4 CORNER
SECTION 4
no corner fnd or
set this survey
falls in cultivated
field

TRACT B

TRACT B

SCALE



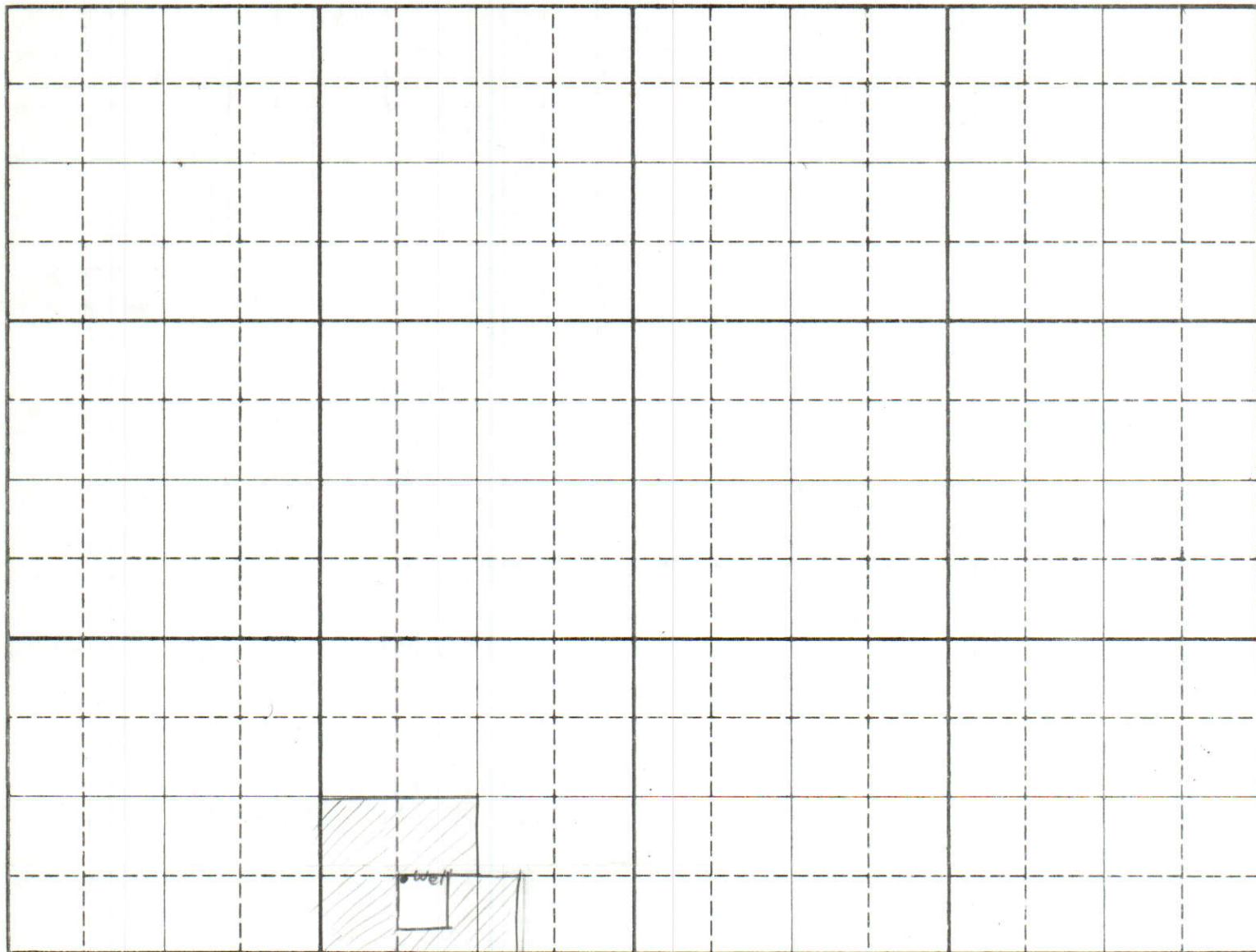
- - SET IRON w/ L.S.
- - NO CORNER
- OTHER SLEWS AS NOTED

CERTIFIED

J. Steven C. Pearson
Land Surveyor. I hereby
certify that this is
from a survey made
and that this map

T#
4846

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

Section 4 Township 9S, R-22E

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Paul, Idaho, this 10 day of Aug., 1971.

Kenneth R. Hutto
(signature)

ACTION OF STATE RECLAMATION ENGINEER

Dept. of Water Admin.

I, R. KEITH HIGGINSON, Director, ~~State Reclamation Engineer~~ of the State of Idaho,

hereby approve the above application for amendment for Permit No. 36-7058.

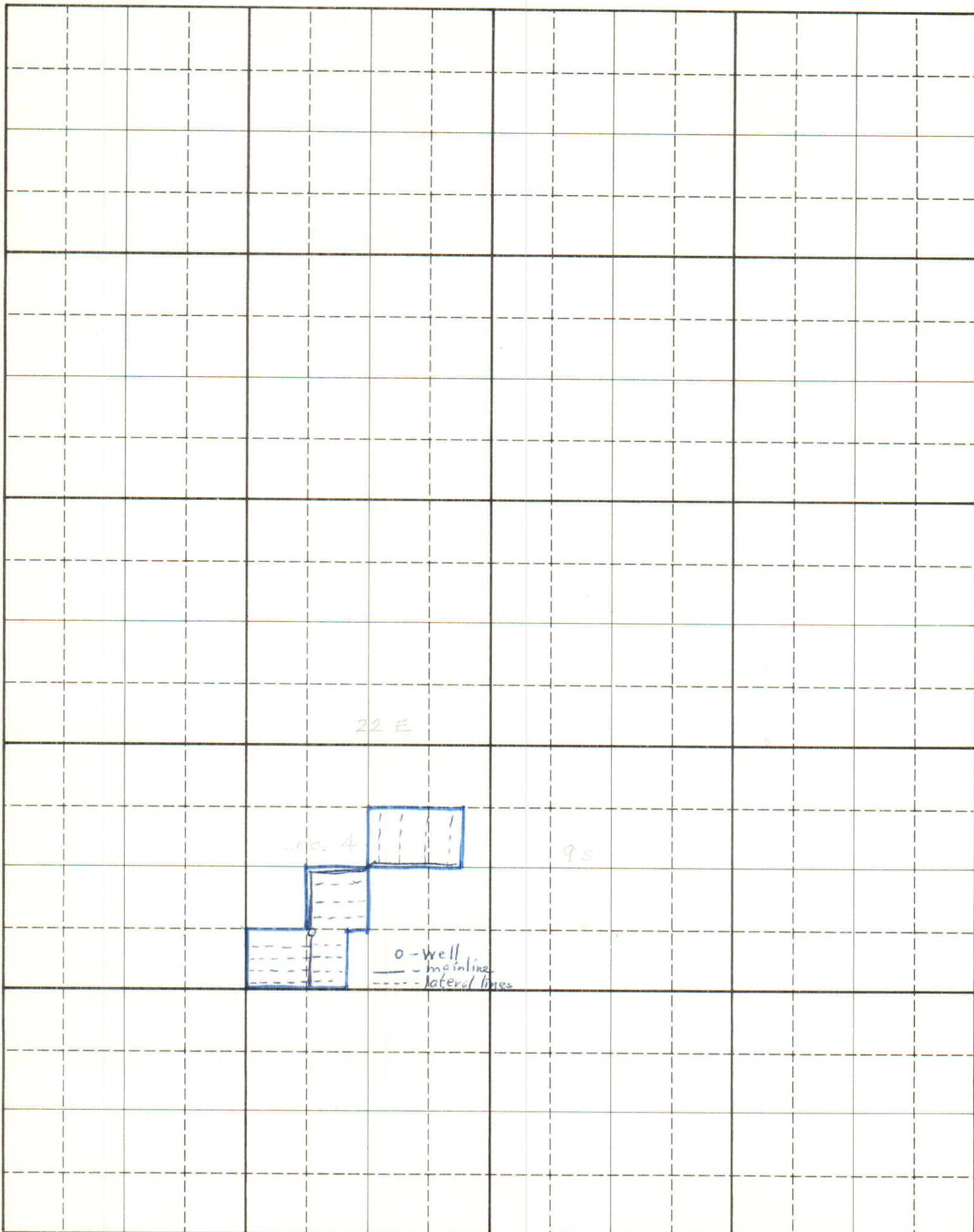
Witness my hand this 25th day of August, 1971

Director

~~State Reclamation Engineer~~

RECEIVED
FICE 28F 220ED 40W

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kenneth R. Hutto
(Applicant)

36 7058

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
STATE OF IDAHO,) ss.

Ruth DeThomas

, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for two consecutive weeks, commencing
with the issue dated May 6, 1969 and
ending with the issue dated May 13, 1969.

Ruth DeThomas

Subscribed and sworn to before me this

16th day of May, 1969

Ernest Hunter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

RECEIVED

MAY 19 1969

Department of Reclamation

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that
Kenneth R. Hutto, Route 2, Box
131, Paul, Idaho has on April
9, 1969 applied for permit under
application No. 36-7058 to di-
vert 3.0 cubic feet per second
of water from a groundwater
source. Water will be diverted
by well, motor, pump and
sprinklers within the SE1/4-
SW1/4, Sec. 4, T. 9 S, R.
22 E, B.M. Minidoka County
and is to be used from April
1 to November 1 for irrigation
in the S1/2NE1/4, E1/2SW1/4,
SW1/4SW1/4, Sec. 4, T. 9 S,
R. 22 E, B. M. Any protest
against this application must
be filed with the Department
of Reclamation within ten days
from the last date of publi-
cation of this notice.

R. KEITH HIGGINSON

State Reclamation Engin-
eer

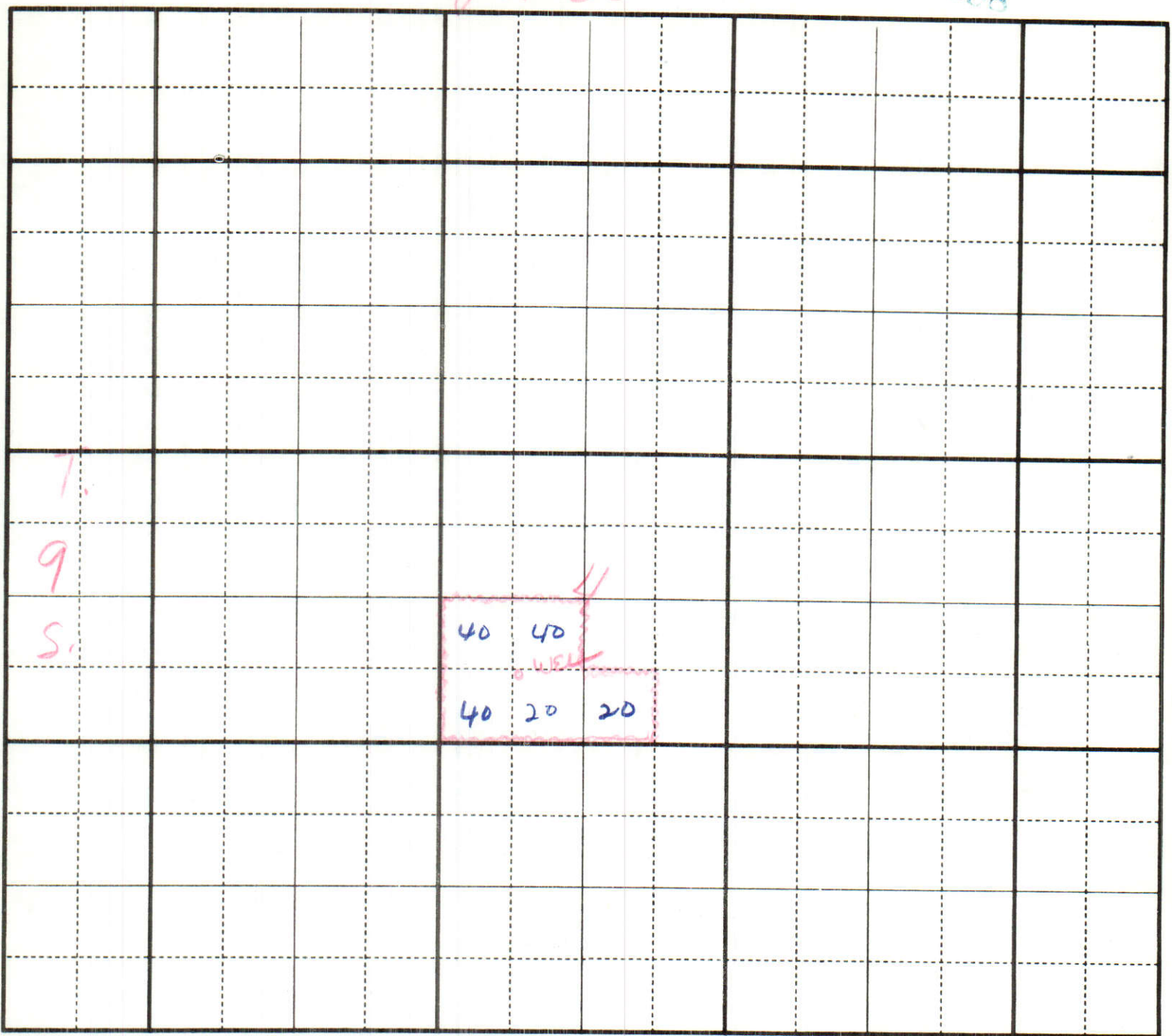
Published in the Minidoka
County News, Rupert, Idaho,
on May 6 and May 13, 1969.
No. 574.

will submitted 5-29-69

36 7058

R. 22 E.

36 7058



DATE

EXAMINATION RECORDS

Diagram of System

by:

by:

by:

by:

36-7058 Kenneth Hutto

32 33
5 4

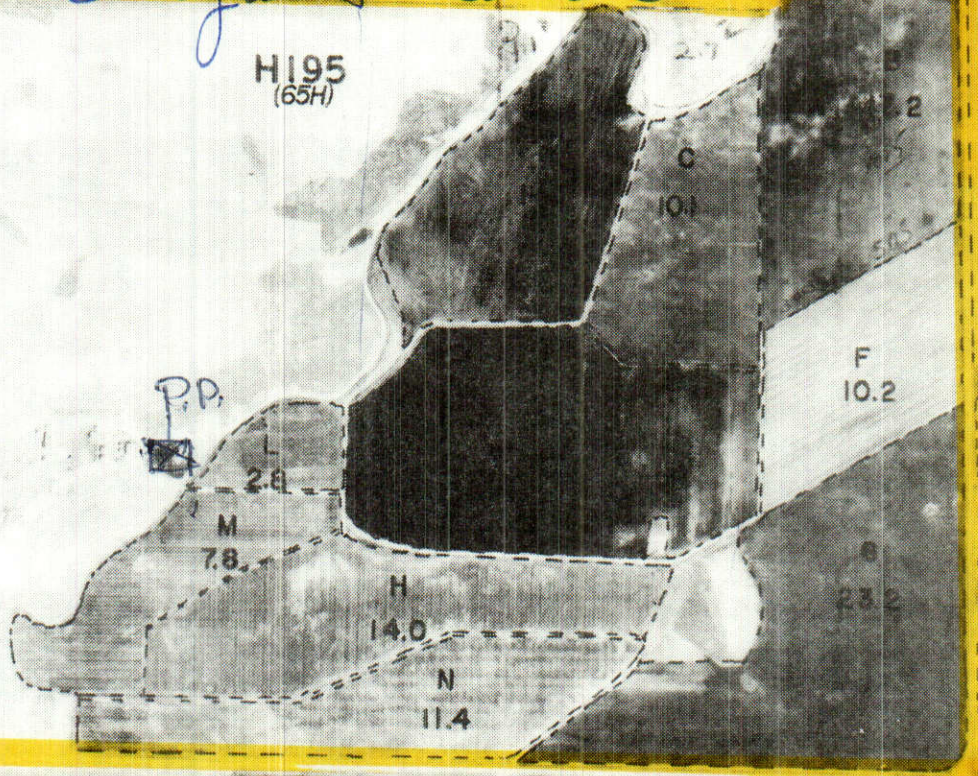
33 34
4 3

H 435
(218H)

KENNETH R. HUTTO

*photo does not reflect
designated land*

H195
(65H)



36 7058

32 33
54

333
43

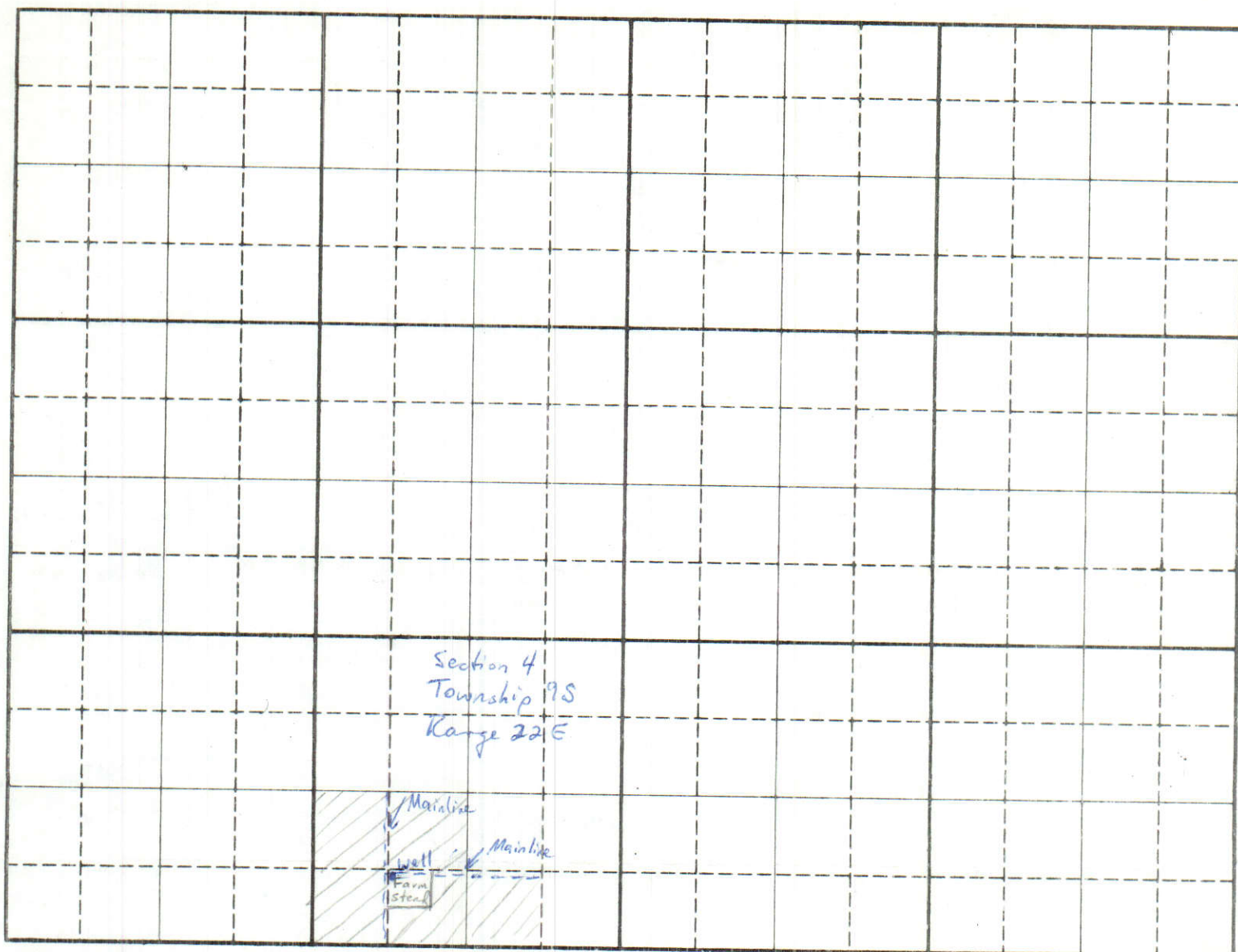
H195

Well
Crosshatched
area irrigated by this
development

54
8/9

43
9/10

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Paul, Idaho, this 11th day of June, 1971.

Kenneth R. Hutto
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho,
hereby _____

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

State Reclamation Engineer

TRANSFER OF WATER RIGHT

MICROFILMED
SEP 22 1999

TRANSFER NO. 4846
WATER RIGHT NO(S). 36-07058/36-11079

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 8. Right 36-07058 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 9. Rights 36-07058 and 36-11079 when combined shall not exceed a total diversion rate of 2.70 cfs, a total annual maximum diversion volume of 652.0 af at the field headgate, and the irrigation of 163.0 acres.
10. Use of water under Rights 36-07058 and 36-11079 is combined with water from A & B Irrigation District.
11. Right 36-11079 is an enlargement of Right 36-07058 pursuant to Section 42-1426, Idaho Code.
12. Right 36-11079 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
13. The use of water for irrigation under Right 36-07058 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 an amended partial decree is entered for this right.

Dated this 16th day of August, 1999.

J. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED

SEP 22 1999

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4846

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

SEP 25 1996

Name of applicant Dugne W. &/or Margaret Hunt Phone 438-5036 or 8204
 Post Office address 1100 W 320 N, Paul, ID 83347

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 Land is being traded with a neighbor in order to square up field boundaries. This will facilitate operation of sprinklers.

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>36-07058</u>	<u>4-9-1967</u>	<u>2.70 cfs</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
<u>36-11079</u>	<u>3-15-1973</u>	<u>0.05 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2.70 cubic feet per second and/or 652 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: No Change

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

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	
<u>9S</u>	<u>32E</u>	<u>4</u>			<u>1</u>				<u>1</u>	<u>1</u>	<u>40</u>	<u>39</u>	<u>38</u>	<u>29</u>		<u>13</u>	<u>1</u>		<u>163</u>

MICROFILMED

SEP 22 1996

Total acres 163

PART 1

6. General Information:

a. Description of diversion system Well & pump, mainline, 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:
Will be irrigated under 36-02633 & 13450 if companion transfer is approved.

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____

SEP 22 1999
 RECEIVED

MICROFILMED
 SEP 22 1999

PART 2

TRANS NO. 4846

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-07058

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.70 CFS

SOURCE

GROUNDWATER

Priority: 04/09/1969

LOCATION OF POINT(S) OF DIVERSION:NWSESW , Sec. 4, Township 09S, Range 22E
MINIDOKA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	22E	4	SENE 3	NESW 40	NWSW 39	
			SWSW 38	SESW 29	NWSE 13	
			SWSE 1			163
						Total number of acres irrigated: 163

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT IS COMBINED WITH WATER FROM A & B IRRIGATION DIST.
3. A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
4. WATER RIGHT 36-11079 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. USE OF THIS RIGHT WITH RIGHT NO. 36-11079 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.70 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 652 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 489 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE IRRIGATION SEASON.
7. RIGHT NO. 36-11079 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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SEP 22 1999

PART 2

TRANS NO. 4846

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-11079

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.05 CFS

SOURCE

GROUNDWATER

Priority: 03/15/1973

LOCATION OF POINT(S) OF DIVERSION:NWSESW , Sec. 4, Township 09S, Range 22E
MINIDOKA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	22E	4	SENE 3	NESW 40	NWSW 39	
			SWSW 38	SESW 29	NWSE 13	
			SWSE 1			163
						163

Total number of acres irrigated: 163

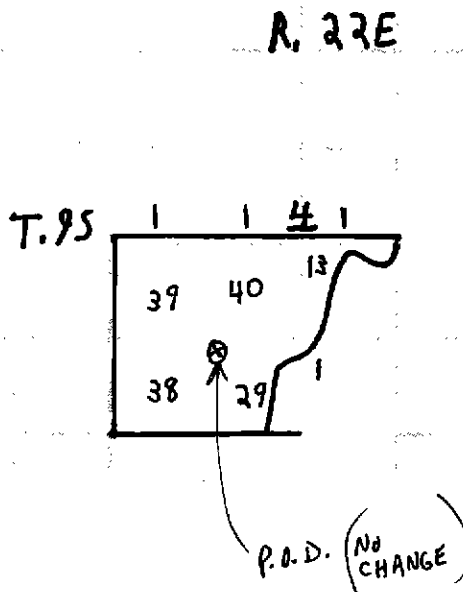
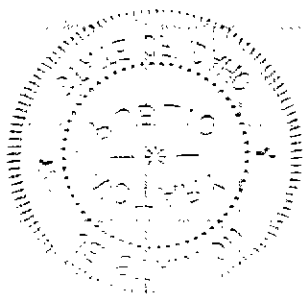
CONDITIONS/REMARKS:

1. USE OF THIS RIGHT IS COMBINED WITH WATER FROM A & B IRRIGATION DIST.
2. THIS WATER RIGHT IS AN EXPANSION OF RIGHT 36-07058 PURSUANT TO IDAHO CODE 42-1416(2).
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. USE OF THIS RIGHT WITH RIGHT NO. 36-07058 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.70 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 652 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 489 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 36-07058 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

MICROFILMED
SEP 22 1999

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.



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SEP 22 1999

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 1st day of March, 19 96



(Signature of Applicant)

(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 3 attachments

Received by J.F. Stanton Date 3-1-96 Protest filed by None

Prelim. check by JS Fee \$160.50/8894

Receipted by JS Date 3-1-96

Published in So. ID Press Copies of protest forwarded by _____

Pub. dates 6/10 & 6/17/96 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by AD

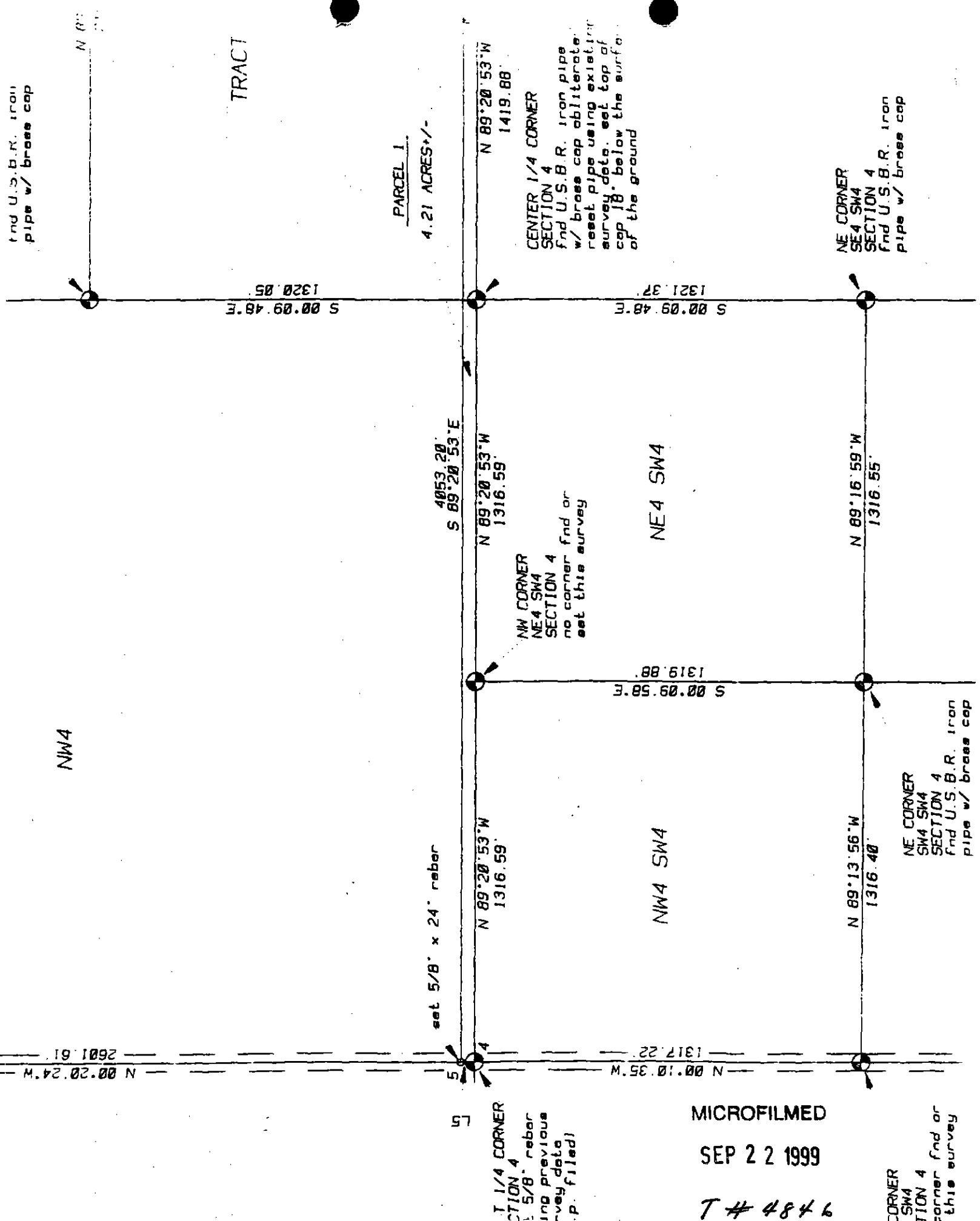
Copy of transfer sent to lien holder _____

MICROFILMED
SEP 22 1999

RECEIVED

APR 19 1996

Department of Water Resources
Southern Region



MICROFILMED

SEP 22 1999

T # 4846

1/4 CORNER
SECTION 4
5/8" rebar
using previous
survey data
(p. filed)

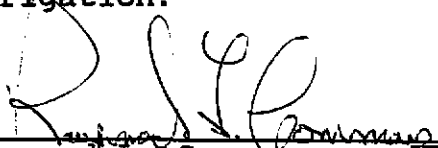
CORNER
SW4
SECTION 4
corner found or
this survey

WATER AGREEMENT

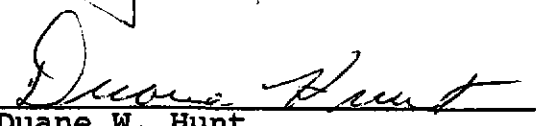
I, Raymond L. Commons, am the owner of Snake River Basin Adjudication recommended water rights 36-02633 and 36-13450.

I, Duane W. Hunt, am the owner of Snake River Basin Adjudication recommended water rights 36-07058 and 36-11079.

We agree that the three irrigated acres in the SE/NE Sec. 4 T. 9S R. 22E, now belonging to Duane Hunt will become the property of Ray Commons. We further agree that three acres along the south boundary of the N 1/2 Sec. 4, now belonging to Ray Commons, will become the property of Duane Hunt. We will each retain all of our water rights, and will file water transfers with the Department of Water Resources to change the places of use to reflect this agreement. This will straighten up our adjoining property boundaries to facilitate the operation of sprinklers for irrigation.


Raymond L. Commons

3-1-96
Date


Duane W. Hunt

3-1-96
Date

MICROFILMED

SEP 22 1999

T # 4846

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 36-07058

1997 DEC 29 PM 3:30

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MARGARET HUNT
DUANE W HUNT
1100 WEST 320 NORTH
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 2.7 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-11079 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.70 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 652 AF.

PRIORITY DATE: 04/09/1969

POINT OF DIVERSION: T09S R22E S04 NWSEW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.7 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T09S R22E S04	SENE 3	NESW 40	NWSW 39	SWSW 38
		SESW 29	NWSE 13	SWSE 1	
	163 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

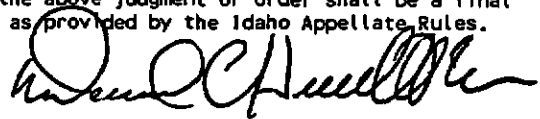
USE OF THIS RIGHT WITH RIGHT NO. 36-11079 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

SEP 22 1999

**This right has been
superceded by
a Decree.**

**All actions above this point
are based on the decreed
version of this right.**

MICROFILMED

SEP 22 1999

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 36-7058 Priority April 9, 1969 Amount 2.70 cfs

THIS IS TO CERTIFY, that KENNETH R. HUTTO
of Paul, Idaho, has complied with the terms and conditions of Permit
No. 36-7058 issued pursuant to Application for Permit dated April 9, 1969,
and has submitted proof to the Department of Water Administration on July 1, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.70 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.70 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.70 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, Twp. 9 S, Rge. 22 E, B. M.

in the county of Minidoka and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 640 acre feet per year or _____
4.0 acre feet per acre.

Description and location of place of use:

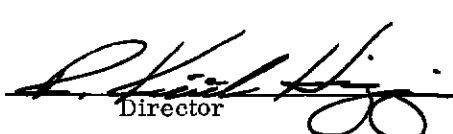
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	22 E	4									40	40	40	20			20		160

Total number of acres irrigated 160

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of
August, 19 73.


Director

36 7058

APPLICATION FOR AMENDMENT

Permit No. 36-7058

Comes now Kenneth R. Hutto of (address) _____

No. 36-7058, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Sec. 4, T. 9S

R. 22 E, B.M. Other points of diversion _____

mo. - day mo. - day

For Irrigation purposes from April 1 to Nov. 1 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

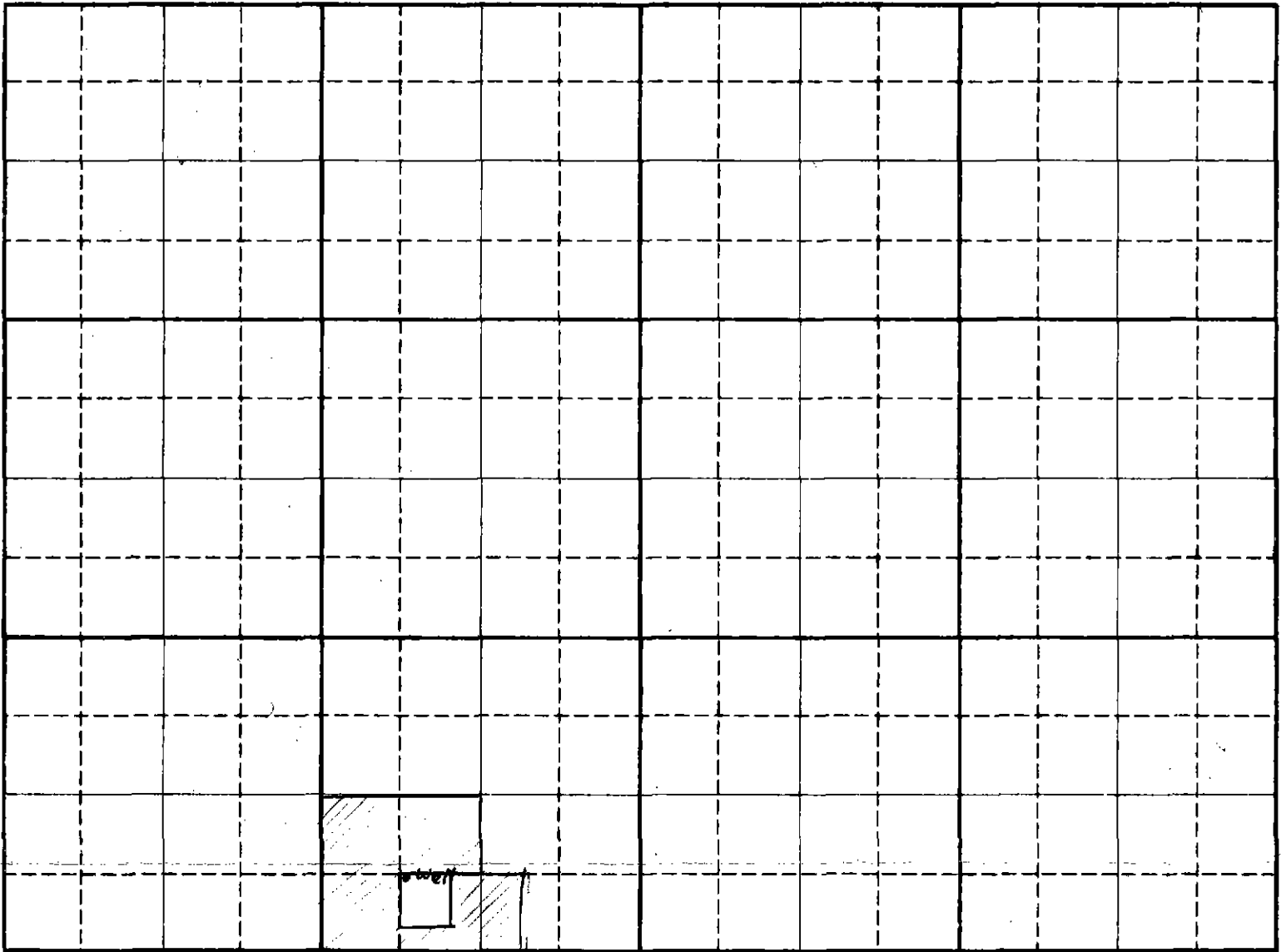
For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

[illegible]**Total number of acres to be irrigated**

36 Corp.

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

Section 4 Township 9S, R-22E

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Paul, Idaho, this 10 day of Aug., 1971.

Kenneth R. Hutto
(signature)

ACTION OF STATE RECLAMATION ENGINEER

Dept. of Water Admin.

I, R. KEITH HIGGINSON, Director

State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 36-7058.

Witness my hand this 25th day of August, 1971

R. Keith Higgins
Director

State Reclamation Engineer

Identification No. 36-7058
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant KENNETH R. HUTTO
post office address Route #2, Box 131, Paul, Idaho 83347
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 9 S
Range 22 E B.M. Minidoka County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.0 for Irrigation purpose from April 1 to November 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, 150 HP motor, pump, and
sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S	22 E	4			40	20					40		40	20					160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes None

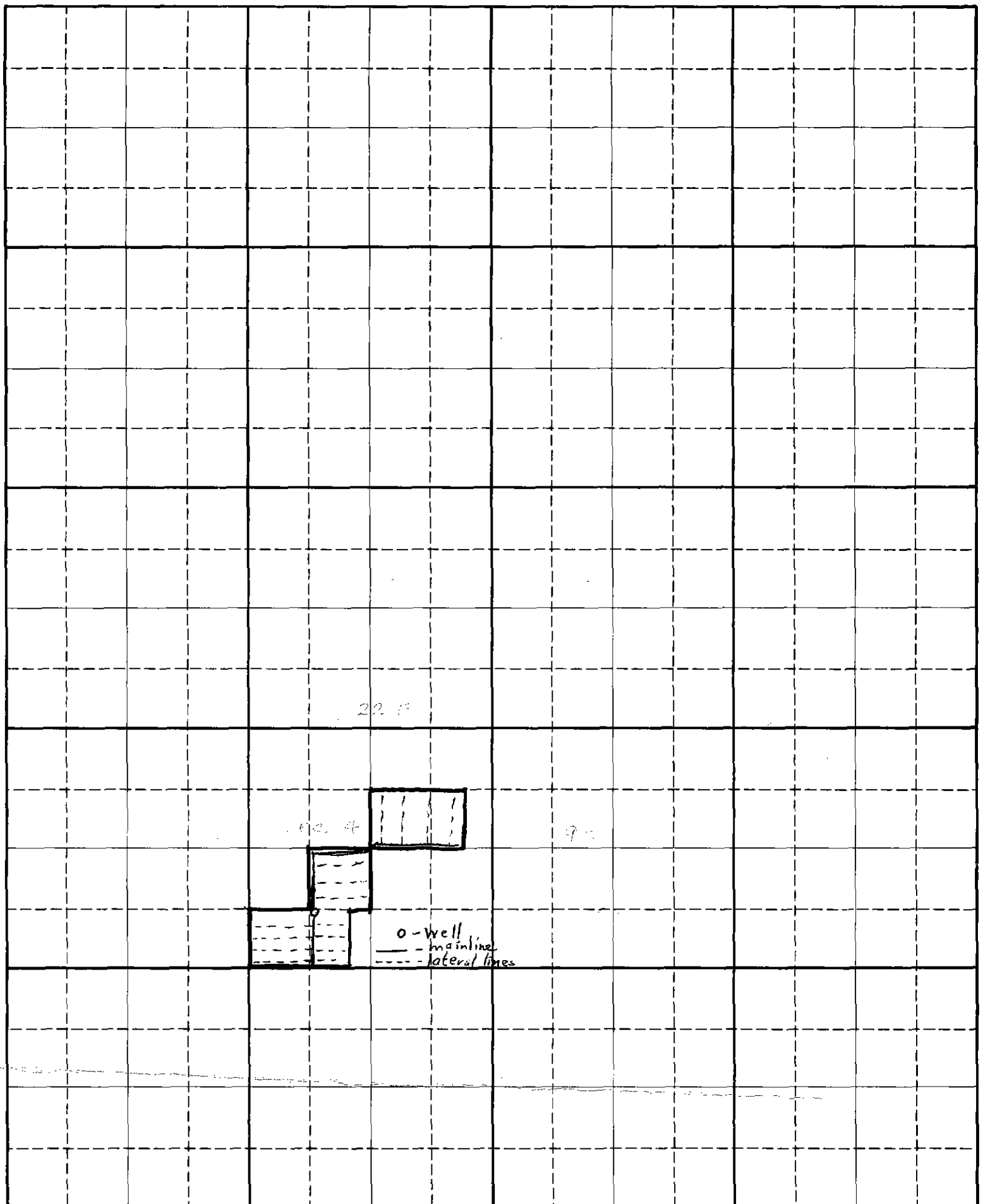
9. a. Who owns the property at the point of diversion self (see below)

b. Who owns the land to be irrigated or place of use self (see below)

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Purchase will be completed within three weeks.

10. Remarks

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kenneth R. Hutto
 (Applicant)

Received by de Date 4-9-69 Time 12:00AM
Preliminary check by Deer Fee \$ 30.00 4-11-69
Received by ef Date 4-11-69
Publication prepared by To Date 4-25-69
Published in Minidoka City News
Publication dates 5-6 + 5-13-69
Publication approved to Date 5-5-69
Priority reduced to 2 Reason _____

Protests filed by: Name 5-29-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CBH R.H. Jas

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7058, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 71.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16th day of June, 19 69.

R. Keith Hiji
State Reclamation Engineer

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka,)
STATE OF IDAHO,) ss.

Ruth DeThomas, being first
duly sworn, deposes and says that he is the
Editor of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for two consecutive weeks, commencing
with the issue dated May 6, 1969 and
ending with the issue dated May 13, 1969.

Ruth DeThomas

Subscribed and sworn to before me this

16th day of May, 1969

John Linter Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

RECEIVED

MAY 19 1969

Department of Reclamation



bill submitted 5-29-69

36 7058



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 17, 1999

MARGARET HUNT
DUANE W HUNT
1100 W 320 N
PAUL ID 83347

RE: TRANSFER OF WATER RIGHTS 36-07058/36-11079
Transfer (4846)

Dear Mr. & Mrs. Hunt:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 4846). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for 

Jeff Peppersack, Manager
Water Right Permits Sections

JP:klt

Enclosures

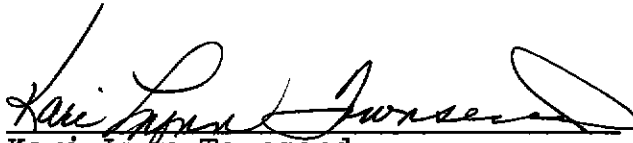
MICROFILMED
SEP 22 1999

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of August, 1999 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

**RE: TRANSFER OF WATER RIGHTS 36-07058/36-11079
(Transfer 4846)**

**MARGARET HUNT
DUANE W HUNT
1100 W 320 N
PAUL ID 83347**


Kari Lynn Townsend
Secretary

**MICROFILMED
SEP 22 1999**

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

SEP 22 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MEMORANDUM

TO: Files 36-07058 & 36-11079

FROM: Pam Skaggs/*PS* State Office

SUBJECT: Transfer 4846

DATE: August 13, 1999

Transfer 4846 changes the place of use under Rights 36-07058 and 36-11079, shifting 3.0 acres in a land swap with Commons under Transfer 4845. The applicants own adjacent land and are shifting acres to square field boundaries and facilitate the sprinkler operation.

These rights were evaluated through the SRBA process and partial decrees issued. They have been resubmitted to the court to address the irrigation season. The transfer approval incorporates the seasons and conditions recommended in the amended report.

Recommended conditions include measuring device, measuring & annual reporting, supplemental groundwater conditions, permissible place of use limits, combined right limits, enlargement right limits, expanded season of use limits, irrigation overlap and standard transfer conditions.

MICROFILMED

SEP 22 1999

TRANSFER REVIEW SHEET

(07-98)

Transfer # 4846

Date Reviewed 08-12-99

Right(s) 36-07058 } SRBA Decreed Rights
36-11079 }

☒ WRQ/Split Summary ☒ Decreed (R records/season)
☒ SRBA Status NA Run POU Comparison Report
 Swap WRS on 3 Acres Supplemental GW
 B:Change P/D C:Add P/D ☒ Change P/U E:Change Nature of Use
 F:Change Period of Use G:Other H:Change P/D & Add P/D
 I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership SRBA - Region staff verified w/ Minidoka County Assessor's office.
Letter Farm Credit Services letter agreeing to transfers. 4-22-96
Water Agreement - Hunt + Commons Swapping 3 acres land.

Transfer ☒ All of Right ☐ Portion of Right
 Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. 0/4.0

(1) ☒ Priority (2) ☒ Use (3) ☐ Season (4) ☒ Rate (5) ☐ Volume
 (6) ☒ Source (7) ☒ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
 Magic Valley GWD District
 (11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion

(3) Decrees issued with "irrigation season". "R" records prepared with (4-1 to 10-31)
 season for 36-07058 (License 4-1 to 11-01) + expanded season remark 3-15 to 11-15. Same as App.
 Enlargement Rt. 36-11079 has 3-15 to 11-15 standard season.
 (5) 36-07058 $4 \times 160 = 640 \text{ afa} < \text{VDR}$ 36-11079 $3 \times 4 = 12 \text{ afa} < \text{VDR}$
 (8) Remove 3 acres from SENE - Add 1 Acre ea SWNE, SWNW + SENW

Carry - A+B IRR, enlargement, combined rts + season conditions. MD, P/P/U
 Transfer Remarks (W35)
 Conditions 067, R01, 065, 079, R64, T07, T09

Database/Processing Notes Standard ☐ Non-Standard ☒
 Use WRDEL4 WR36 to update & retain SRBA Hags.
 Edit Remarks T36-07058 when approved.
 "T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
 Database Updated Following Approval ☐ Memo/Form Files Deleted ☒

28 08-16-99

AJ0749NP
No. R36-07058

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET HUNT	04/09/1969	IRRIGATION	04-01 10-31	2.700 CFS	
C	DUANE W HUNT			per license 11-01		
	1100 WEST 320 NORTH			TOTAL DIVERSION:	2.700 CFS	
	PAUL ID 83347					
	(208) 438-5036					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09S R22E S04

NWSESW

MINIDOKA County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	22E	4	:									:									:							:	
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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/13/99
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-11079 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 04/17/1991 User-ID: MERRITT Subject: PERIOD OF USE AND LANDS RECOMMENDED.
THE PERIOD OF USE IS RECOMMENDED AS LICENSED INSTEAD OF THE
STANDARD SEASON FOR AREA WHICH WAS CLAIMED. THIS MAY BE CHANGED
DEPENDING ON ADMIN. DETERMINATION.
THE ACRES RECOMMENDED ARE THOSE ACRES NOT COVERED BY THE A&B
CLAIM. SOME ACRES WERE SHUFFLED AROUND TO MORE ACCURATELY
DESCRIBE WHAT IS IRRIGATED IN COMBINATION WITH THE A&B CLAIM
AS WELL AS THE EXPANSION CLAIM.

Date: 10/15/1996 User-ID: TFAWCETT Subject: ADDRESS CHANGE
ADDRESS CHANGED PER TRANSFER 4846.

Date: 12/12/1997 User-ID: KCHRISTE Subject: REFORMAT
FOR PARTIAL DECREE

Audit: 00/00/0

AJ0749NP
No. R36-11079

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET HUNT	03/15/1973	IRRIGATION	03-15 11-15	0.050 CFS	
C	DUANE W HUNT					
	1100 WEST 320 NORTH					
	PAUL ID 83347					
	(208) 438-5036					
				TOTAL DIVERSION:	0.050 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T09S R22E S04

NWSESW

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
09S	22E	4	:					03	:					40	39	38	29	:	13	01	:	163.0
																			TOTAL ACRES		:	163.0

POU County: MINIDOKA

Other Rights: 36-07058

Conditions of Approval:

- S01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- A & B IRRIGATION DIST.
- C11 - THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
- PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
- AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
- BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
- 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
- RIGHT.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-07058 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.70 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 652 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-07058 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 163 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 36-07058 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP RIGHT NO. 36-07058 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: **Exam Made Date:** **Verified Date:** **Objection Filed Date:**

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: E

Comments: Date: 07/30/1992 User-ID: SMITH Subject: CORRECTION
CHANGED CFS FROM .03 TO .05 PER LKH, DOES NOT EFFECT VERIFIED
STATUS

Date: 10/15/1996 User-ID: TFAWCETT Subject: ADDRESS CHANGE
ADDRESS CHANGED PER TRANSFER 4846.

Date: 09/03/1997 User-ID: ENORQUES Subject: REFORMAT
REFORMATTED TO CURRENT STANDARDS.

Audit: 00/00/0

SRBA

SUBCASE SUMMARY REPORT 36-07058

Return to SRBA Home Page

SRBA
08-13-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-07058 FILE#: 00932
CLAIMANT: HUNT, MARGARET & DUANE W
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

MARGARET & DUANE W HUNT PRO SE

**** ROA ENTRIES ****

12-24-1994	42-1416/1416A CLAIM PER IDWR		
09-27-1996	NOTICE OF ADMINISTRATIVE PROCEEDING	AZ	09-30-1997
11-04-1996	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING		11-04-1996
11-04-1996	AMENDED DIRECTORS REPORT FILED (CHNG ADDRESS)		
12-29-1997	PARTIAL DECREE FILED		12-29-1997
12-29-1997	CERTIFICATE OF MAILING - PARTIAL DECREE		

Return to SRBA Home Page

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-07058	HUNT, MARGARET	C	04/09/1969	D/	GROUNDWATER	P DECR	WR
	HUNT, DUANE W	C					

*36-07058	HUNT, MARGARET	C	04/09/1969	D/	GROUNDWATER	P DECR	AJ
	HUNT, DUANE W	C					
A36-07058	HUNT, DUANE W	C	04/09/1969	L/	GROUNDWATER	IRR	AJ
	HUNT, MARGARET	C					
R36-07058	HUNT, MARGARET	C	04/09/1969	D/	GROUNDWATER	P DECR	AJ
	HUNT, DUANE W	C					

SRBA

SUBCASE SUMMARY REPORT 36-11079

[Return to SRBA Home Page](#)

SRBA
08-13-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-11079 FILE#: 00933
CLAIMANT: HUNT, MARGARET & DUANE W
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

MARGARET & DUANE W HUNT PRO SE

**** ROA ENTRIES ****

12-24-1994	42-1416/1416A CLAIM PER IDWR		
09-27-1996	NOTICE OF ADMINISTRATIVE PROCEEDING	AZ	09-30-1997
11-04-1996	AMENDED DIRECTORS REPORT FILED (CHNG ADDRESS)		
11-04-1996	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING		11-04-1996
07-11-1997	ORDER RE AMENDMENT OF CLAIMS (1416/1426)		
09-19-1997	AMENDED DIRECTOR'S REPORT FILED (ENGLARGEMENT CLAIMS - RPT AREAS 1 AND 3 (BASINS 34 & 36)		
12-04-1997	ORDER OF PARTIAL DECREE		
12-04-1997	PARTIAL DECREE FILED		12-04-1997
12-04-1997	CERTIFICATE OF MAILING - PARTIAL DECREE		

[Return to SRBA Home Page](#)

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-11079	HUNT, MARGARET	C	03/15/1973	D/	GROUNDWATER	P DECR	WR
	HUNT, DUANE W	C					
*36-11079	HUNT, MARGARET	C	03/15/1973	D/	GROUNDWATER	P DECR	AJ
	HUNT, DUANE W	C					
A36-11079	HUNT, DUANE W	C	03/15/1973	J/	GROUNDWATER	IRR	AJ
	HUNT, MARGARET	C					
R36-11079	HUNT, MARGARET	C	03/15/1973	D/	GROUNDWATER	P DECR	AJ
	HUNT, DUANE W	C					

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: C SKINNER

1. Right number 36-07058 Applicant Deane M. Hunt
36-11079

2. Type of right: ☐ Decree ☐ License ☒ Claim RECOMMENDED IN SRBA

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments APPEARS TO BE NONE - SAME #
OF ACRES BEING SWAPPED AS IN RAYMOND COMMONS COMPANION TRANSFER

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 36-07058 AND 36-11079 IS COMBINED WITH A & B IRRIGATION WATER (RIGHTS INVOLVED WITH COMMONS' COMPANION TRANSFER)

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: AD

1. Watermaster recommendation requested on N/A Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* See memo 9/24/96

4. By AD Date 9/24/96

VERIFIED 05/23/96 WITH
MINIDOKA ASSESSOR'S OFFICE BY
C.S. ALSO SEE WATER
AGREEMENT IN FILE

RECEIVED

SEP 25 1996

Department of Water Resources

FROM: Allen Merritt *Adm*

DATE: September 24, 1996

TO: Transfer File No. 4845
In the Name of: Raymond Commons

RECEIVED

Transfer File No. 4846
In the Name of: Duane Hunt

SEP 25 1996

Department of Water Resources

SUBJECT: Review and Recommendation

These two transfers are related in that they deal with a land swap to square up fields. Individually the transfers deal with separate irrigation systems and water rights.

RECOMMENDATION:

I recommend that both transfers be approved subject to the following conditions:

-Subject to SRBA.

-Measuring device or acceptable means of monitoring and reporting of use be maintained at point of diversion.

MICROFILMED

SEP 22 1999

SOUTH IDAHO PRESS BURLEY, IDAHO AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that RAYMOND L. COMMONS, 425 N 85 W; RUPERT ID 83350 AND DUANE W. &/OR MARGARET HUNT, 1100 W 320 N; PAUL ID 83347 have filed companion transfer applications pursuant to Section 42-222 of IDAHO CODE. The purpose of these transfers is to change the places of use due to a land swap between the parties.

Transfer No. 4845 (Raymond Commons):

Water Right No. 36-02633 (4.57 cfs) with a priority date of 1/11/1966 and Snake River Basin Adjudication Claim No. 36-13450 (0.20 cfs) with a priority date of 7/13/1971 will be diverted from groundwater within NE1/4NW1/4, S4, T9S, R22E; Minidoka County for irrigation of 298 acres within N1/2, S4, T9S, R22E. A total of 4.57 cfs of water is being transferred.

Transfer No. 4846 (Duane W. &/or Margaret Hunt):

Water Right No. 36-07058 (2.70 cfs) with a priority date of 4/9/1969 and Snake River Basin Adjudication Claim No. 36-11079 (0.05 cfs) with a priority date of 3/15/1973 will be diverted from groundwater within SE1/4SW1/4, S4, T9S, R22E; Minidoka County for irrigation of 163 acres within portions of all quarter tracts of S4, T9S, R22E. A protest against approval of any particular transfer must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before September 6, 1996. (Each transfer requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 8/19 & 8/26/96.

Cassia)
) ss
IDAHO)

ler, being first duly sworn, deposes and says that General Manager of the South Idaho Press, a daily published at Burley, Idaho, in the county aforesaid the paper is of general circulation therein. Deponent testifies that the printed notice attached hereto was duly according to law in the regular editions of the South for 2 consecutive week(s), commencing with the August 19 1996, and ending with the issue dated 19 1996.

Kary D Miller

IDAHO)
)
)

day of 19 August in the year of 1996 before Public, personally appeared Kary D. Miller, known or me to be the person whose name is subscribed to the ment, and being by me first duly sworn, declared that ts therein are true, and acknowledged to me that she same.

Sandra Burns

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication \$ 54.00
Notary Fee .50
Total Cost \$ 54.50

OK
MB
9/3/96

RECEIVED

AUG 30 1996

MICROFILMED Department of Water Resources
Southern Region

SEP 22 1999

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OF WATER RIGHT**

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Karl J. Dreher, Director

Published in the South Idaho Press on 8/19 & 8/26/96.

MICROFILMED

SEP 22 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 9, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

SEP 22 1999

MEMORANDUM

TO: FILE

FROM: Mary Baldwin

DATE: August 9, 1996

SUBJECT: Lost legal ads

On this date I telephoned the South Idaho Press to request the publishing affidavit for legals scheduled for publication in June.

I spoke with Kary Miller, Affidavit Clerk, who informed me that they did not receive the legals mailed from this office May 24 & June 3 respectively.

Therefore, these legals are being re-submitted for publication on 8/19 & 8/26/96.

MICROFILMED

SEP 22 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

August 9, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

DUANE W HUNT &/OR
MARGARET HUNT
1100 W 320 N
PAUL ID 83347

Re: Application for Transfer No. 4846

Dear Applicants:

We regret to inform you that we are re-scheduling publication of the legal for your transfer in the South Idaho Press on 8/19 & 8/26/96 with the last date for submitting timely protests on September 6, 1996.

Apparently the legal mailed from our office on June 3, 1996 was not received by the newspaper and appears lost in the postal system.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

MICROFILMED

SEP 22 1999

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OF WATER RIGHT**

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Karl J. Dreher, Director

Published in the South Idaho Press on
6/10 & 6/17/96.

MICROFILMED
SEP 22 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 3, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

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Sr. Secretary

Enclosure

MICROFILMED

SEP 22 1999

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Karl J. Dreher, Director

Published in the South Idaho Press on 6/10 & 6/17/96.

MICROFILMED

SEP 22 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

May 30, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

DUANE W &/OR MARGARET HUNT
110 W 320 N
PAUL ID 83347

Re: Application for Transfer No. 4846 (36-07058, 36-11079)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 6/10 and 6/17/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

MICROFILMED

SEP 22 1999

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

MEMORANDUM

TO: Duane/Margaret Hunt Transfer File (rights 36-07058 & 36-11079)

FROM: Corey Skinner *CS*

DATE: May 24, 1996

SUBJECT: Staff Review

The enclosed transfer application, filed by Duane &/or Margaret Hunt, seeks to modify the place of use of recommended claims 36-07058 and 36-11079. The Hunts are trading three acres of ground to Raymond Commons for three acres of ground owned by Mr. Commons. The Hunts will give Mr. Commons 3 acres in the SENE $\frac{1}{4}$ of Section 4 (T09S, R22E) that is recommended as part of the place of use on the Hunt's claims 36-07058 and 36-11079. In return, Mr. Commons will give the Hunts one acre in each of the following tracts SWNW $\frac{1}{4}$, SENW $\frac{1}{4}$, and SWNE $\frac{1}{4}$. These three acres are currently part of the recommended place of use for Mr. Commons' claims 36-02633 and 36-13450. The enclosed transfer, filed by the Hunts, seeks to add these three acres to the place of use for 36-07058 and 36-11079, by deleting the three acres in the SENE $\frac{1}{4}$ that they are trading to Mr. Commons. In addition, Mr. Commons has filed a companion transfer that seeks to add the three acres in the SENE $\frac{1}{4}$ to the place of use for his claims, 36-02633 and 36-13450, by deleting the three acres that he is trading to the Hunts.

Basically, this proposed transfer (and the companion transfer) are pretty straight forward. The Hunts are trading three irrigated acres to Mr. Commons for three irrigated acres so no expansion should occur. All the claims were recommended in the Director's Report (with no objections) and Georgia Satterlee, IDWR agent, drove by the property involved with the transfer this morning and said the property appeared irrigated, so forfeiture should not be an issue.

MICROFILMED

SEP 22 1999

T # 4846

**Farm Credit Services**

1905 Alden Avenue
P.O. Box 1168
Burley, Idaho 83316
208/678-3516 FAX 208/676-1302

April 22, 1996

State of Idaho
Department of Water Resources
Southern Region; 222 Shoshone St. East
Twin Falls, ID 83301-6105
Attn: Mr. James E. Stanton
Sr. Water Resource Agent

RECEIVED**APR 22 1996**

Department of Water Resources
Southern Region

Re: Applications for Water Transfer, Ray Commons and Duane Hunt;
Your letter of April 18, 1996

Dear Jim:

This letter will confirm that Farm Credit Services hereby does consent to the transfer of water rights pursuant to the Water Agreement attached, and which was included in the enclosures with your letter of April 18, 1996.

Sincerely,

Thomas E. Steele
Credit Officer

Encl.
TS/ts

MICROFILMED**SEP 22 1999**

August 10, 1973

Re: Permit No. 36-7058

Mr. Kenneth R. Hutto
Route 2, Box 131
Paul, Idaho 83347

Dear Mr. Hutto:

Enclosed please find a copy of the Water License issued on the
above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

bjg
Enclosure

36 7058

July 25, 1973

Mr. Kenneth R. Hutto
Route 2, Box 131
Paul, Idaho 83347

Dear Mr. Hutto:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7058 and has found the following:

Quantity of water diverted: 2.70 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.70 cfs

The maximum quantity diverted shall not exceed 640 acre feet per year.

Beneficial use: Irrigation of 160 acres within the SW1/4, SW1/4SE1/4 Sec. 4, Twp. 9S, Rge. 22 E, B.M.

Point of diversion: SE1/4SW1/4 Sec. 4, Twp. 9S, Rge. 22 E, B.M.

Priority date established: April 9, 1969

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

36 7058

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

- Max Rate of Diversion 3.0 cubic feet per second and annual volume _____ AF/Annum.

- Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

Description of diverting works: Well, 150 hp. motor, pump, 16" casing - depth 330 feet.

Measuring device required: yes ☒ no ☐

- [illegible]

TOTAL ACREAGE

160

Permit No. 36-7058

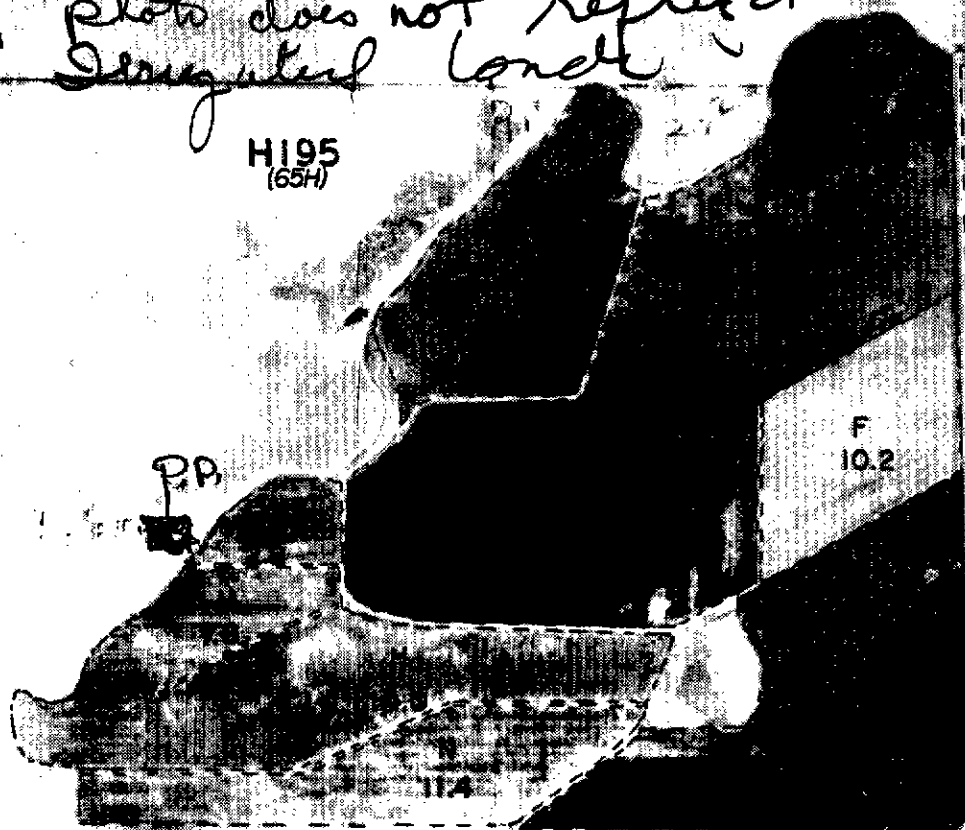
Examination for B/U

H435
(218H)

KENNETH R. HUTTO

*photo does not reflect
irregular land*

H195
(65H)



DATE OF EXAM Aug 15-72

ACREAGE
Found 160 ACRES
Recommended _____

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 2.7 c.f.s. V = 640 AF/Ann. from APRIL 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.7 C.F.S. Method of measurement Metraflex

Total Q recommended 2.7 C.F.S. Meter No. _____ Type _____ Condition _____

Total V recommended 640 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None None

MEASUREMENT CALCULATION: Metraflex meter #6904A51-10A351
1250 G.P.M.

SYSTEM DESCRIPTION: enclosed system - 8" pipe
150 H.P. G.E. motor
Vertical pump, Serial # 44654 RAHNEY Bower Corp.
460 volts Serial # motor AES12934 Pumps into system
90 PSI

REMARKS: State Dept. authorized this measurement
device 15 days ago - static water level 356 FT
According to Hutto, U.S.G.S. Recently checked.
Photo does not reflect irrigated lands.

Examiner's Signature Michael Steele Date Aug 15-72

Checked by Bob Haynes Date 12/7-72

Approved by _____ Date _____

$$\begin{array}{r}
 32 - 2 - 21234 \\
 \underline{64} \quad \quad \quad \underline{42} \\
 32 \quad \quad \quad 938 \\
 \underline{7} \quad \quad \quad \underline{117} \\
 234 \quad \quad \quad 10.53 \\
 \underline{64} \quad \quad \quad \underline{298} \\
 298
 \end{array}$$

$$\begin{array}{r}
 30 \\
 2/10 \quad \underline{300} \\
 1 \quad \quad \quad 1192 \\
 \quad \quad \quad \underline{1192} \\
 \quad \quad \quad 60 \\
 \quad \quad \quad \underline{1252}
 \end{array}$$

1230 a.m.

$$\begin{array}{r}
 448.8 \\
 \underline{4} \\
 177.76
 \end{array}$$

$$\begin{array}{r}
 448.8 \\
 \underline{3} \\
 -13464- \\
 -1346- \\
 -1252-
 \end{array}$$

36 705F

421
9/
381

33
54

33
41

H195

Cross hatched
area irrigated by H195
development

54
89

4
9

Identification No. 36-7058

Permit No. _____

RECEIVED
May 1969

**STATE OF IDAHO
 DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department _____

1. a) Name of Permit Holder Kenneth R. Hutto
 b) Post Office Address Rt. 2 Box 131 Paul, Idaho

2. Permit Number 36-7058

3. Date of Priority that you are prepared to establish 4/11/69

4. a) Source from which water was appropriated Well

b) Location of the point of diversion: SE 1/4 SW 1/4, Section 4

Township 9S, Range 22E, Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 3.0 for irrigation purposes from April 1 to Nov. 1 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Commons Drilling Co. - Metratlex Flow Meter
(to be made)

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Does not apply

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well, 150 hp. motor, pump, 16" casing
depth 330 ft.

b) Describe the type and size of measuring device which you have installed at your point of diversion: 8" Metratlex flow meter

c) Give well drillers name and address and date the well was completed Commons Drilling Co. June 13, 1969

36 7058

Exam typed 9-21-71
apl

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	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	
9S	22E	4									40	40	40	20			20		160

Total number of acres irrigated 160

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

10 Aug. 1971 Kenneth R. Hutto
 (Date) (Signature)

State of Idaho)
 County of Minidoka ss.

On this 11th day of August, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

 My commission expires June 1, 1975.

Edward Hartman
 Notary Public residing at Idaho

August 27, 1971

Re: Permit No. 36-7058

Mr. Kenneth R. Hutto
Route 2, Box 131
Paul, Idaho 83347

Dear Mr. Hutto:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find a copy of the approved application for amendment in connection with this permit.

Before a license can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

36 7058

August 16, 1971

Re: Permit No. 36-7058

Kenneth R. Hutto
Route #2, Box 131
Paul, Idaho 83347

Dear Mr. Hutto:

We have received your affidavit of beneficial use and application for amendment. We will require a \$10.00 filing fee for the application for amendment which we request that you submit immediately so that your proof of beneficial use can be made in good standing.

Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

36 7058

August 3, 1971

Re: Permit No. 36-7058

Mr. Kenneth R. Hutto
Route 2
Paul, Idaho 83347

Dear Mr. Hutto:

On July 9, 1971, the Department forwarded an amendment application and beneficial use affidavit to you for corrections. To this date, we have not received the corrected forms. In order to keep your permit in good standing, please advise of your intentions in this matter within 10 days of the date of this letter.

If we may be of any assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

JUN 14 1971

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Water Administration

APPLICATION FOR AMENDMENT

Permit No. 36-7058

Permit No. 2007-000
Comes now Kenneth R. Hutto of (address) _____

Rt. 2 Paul, Idaho, and represents to the State Reclamation
Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-7058, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 9S,
R. 22E, B.M. Other points of diversion None

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For Irrigation purposes from April 1 to Nov. 1 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

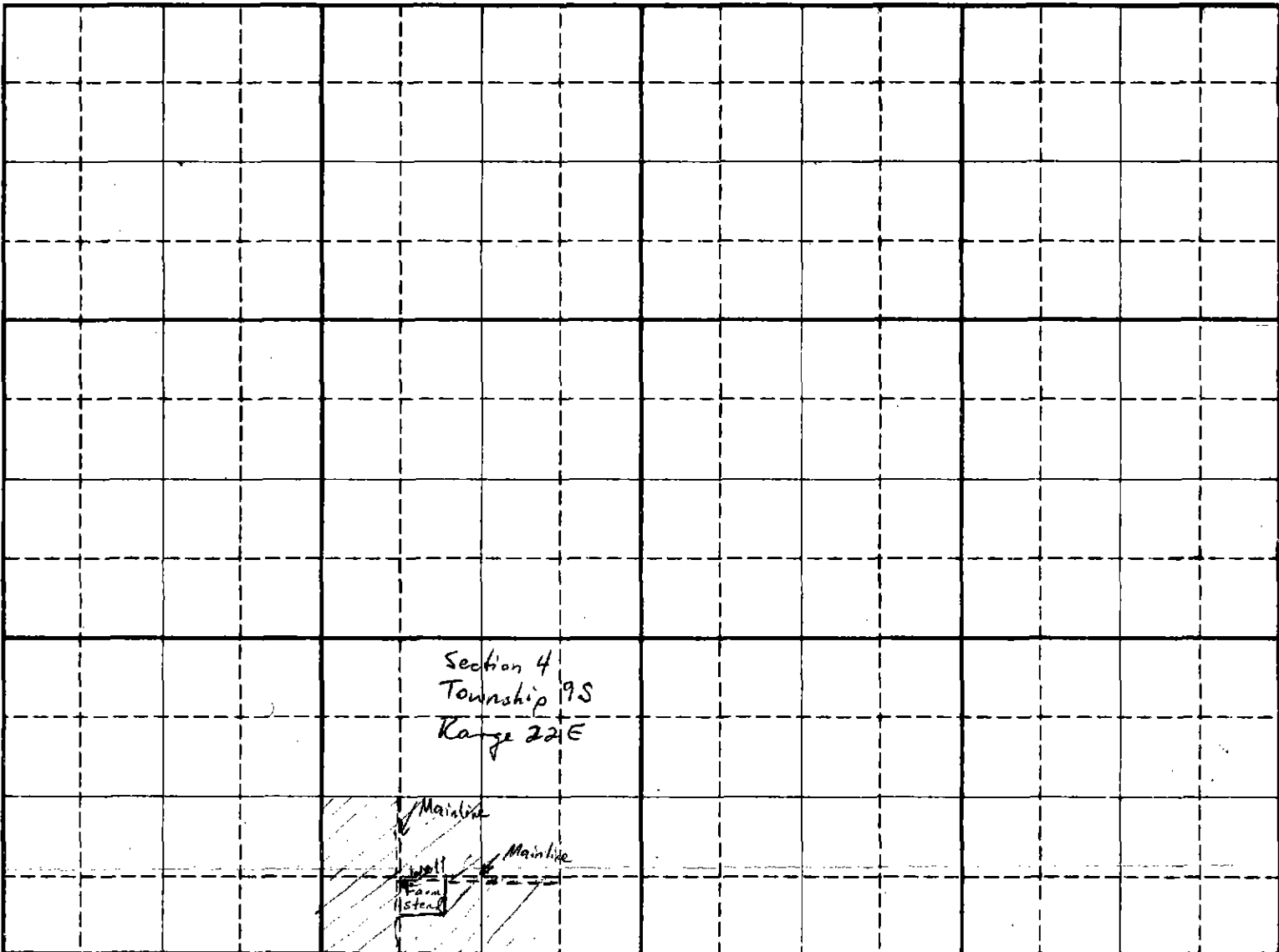
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

36 7050

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

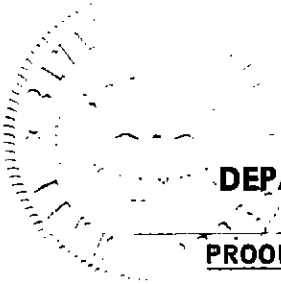
Signed at Paul, Idaho, this 11th day of June, 1971.
Kenneth R. Hutto
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho,
hereby _____

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

State Reclamation Engineer



Identification No. _____

Permit No. 36-7058STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

JUL 1 1971

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration

1. a) Name of Permit Holder Kenneth R. Hutto
b) Post Office Address Rt. 2 Box 131 Paul, Idaho
2. Permit Number 36-7058
3. Date of Priority that you are prepared to establish April 9, 1969
4. a) Source from which water was appropriated Subterranean groundwater
b) Location of the point of diversion: SE 1/4 SW 1/4, Section 4
9S Township, 22E Range, Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
amount see below for irrigation purposes from April 1 to Nov. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Commons Drilling Co. - Measurement to be made with Metrolflex rate flow meter which is on order but has not yet arrived.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder: Not applicable
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well depth - 330 ft. casing - 16" to depth of 19 ft.
pump size - 12" bowls
motor size - 150 hp. - for sprinkler irrigation
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Commons Drilling Co.
Box 126
Rupert, Idaho Completion date - June 13, 1969

36 7058

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	22E	4									40	40	40	30			40		190

Total number of acres irrigated 190

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

30 June 71
(Date)

Kenneth R. Huth
(Signature)

State of Idaho)
County of Blaine) ss.

On this 30 day of June, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Paul Hodges
Notary Public residing at Rupert, Idaho

My commission expires 11-20-72

Intermountain WATER SERVICE, INC.

TELEPHONE (208) 375-9330
6700 EMERALD
BOISE, IDAHO 83704

RECEIVED

JUN 30 1971

Department of Water Administration

June 29, 1971

Mr. Kenneth Hutto
Paul, Idaho

Dear Mr. Hutto:

The Model 23 Metraflex irrigation flow meter you ordered to install on your well located in Minadoka County, Sec. 4, 9 South, 22 East cannot be delivered at this time. Due to exceptionally heavy sales this model is temporarily out of stock and must be back ordered from the Metraflex factory.

Your order has been forwarded to the factory and you can expect delivery in approximately 3 weeks. If we can be of further assistance to you please contact us.

Sincerely,

INTERMOUNTAIN WATER SERVICE, INC.

Eugene J. Kozak
General Manager

✓ cc: Mr. Donald McEldowney
Idaho State Department of Water Administration
Statehouse
Boise, Idaho

36 7050

July 9, 1971

Re: Permit No. 36-7058

Mr. Kenneth R. Hutto
Route #2
Paul, Idaho 83347

Dear Mr. Hutto:

We are in receipt of your application for amendment submitted on June 14, 1971 and proof of application of water to beneficial use, submitted on July 1, 1971.

In reviewing these two applications, we find that they are proposing 30 acres more than the original application for permit. We wish to advise you that neither of the forms could include more acres to be irrigated than the original permit. We are enclosing a copy of your original permit and another beneficial use and amendment form for your consideration in this matter.

Please make these necessary corrections and re-submit the forms so that we may continue with their processing.

If you should have any questions in reference to this matter, please do not hesitate to contact this Department.

Very truly yours,

Dorian Clay
Appropriation Examiner.

DC:cm

Enclosures

36 7058

June 28, 1971

Re: Permit No. 36-7058

Mr. Kenneth R. Hutto
Route #2
Paul, Idaho 83347

Dear Mr. Hutto:

We are in receipt of your application for amendment and in reviewing it, it would appear to be in order. You have, however, neglected to submit the required \$10.00 filing fee. As soon as we are in receipt of this fee, we can begin the processing of the application.

If you have any questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosure

36 7058

June 8, 1971

Re: Permit No. 36-7058

C Mr. Kenneth R. Hutto
Route #2
Post Office Box #131
Paul, Idaho 83347

Dear Mr. Hutto:

O Pursuant to your request, please find enclosed one copy of this Department's
application for amendment form.

O If we may be of any assistance in helping you to complete this form, please
do not hesitate to contact us.

P Very truly yours,

Y Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enclosure

36 7058

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

22735

1

Kenneth Hutto

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

36 7058

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

5-1-71

3

36 7058

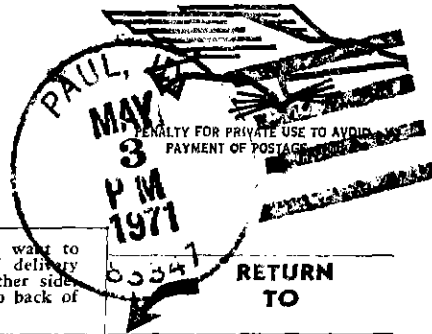
36-7058

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

POD Form 3011 Apr. 1969 e55-16-71548-11

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.



April 30, 1971

CERTIFIED MAIL #22735

Re: Permit No. 36-7058

Kenneth R. Hutto
Route 2, Box 131
Paul, Idaho 83347

Dear Mr. Hutto:

One of the conditions of approval of your water Permit No. 36-7058
(see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

36 7058

Enc: Proof affidavit

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Kenneth Hutto

Address 325 N 1125 W

Paul, Idaho

Owner's Permit No. 3-7058

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other ☐

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

16 "Diam. from +1 ft. to 20 ft.

"Diam. from ft. to ft.

"Diam. from ft. to ft.

"Diam. from ft. to ft.

Thickness of casing: 250 wall Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☒ Type of

perforator used:

Size of perforations: " by "

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel Gravel

placed from ft. to ft. Surface seal

provided? Yes ☒ No ☐ To what depth?

20 ft. Material used in seal: Cement

Did any strata contain unusable water? Yes ☐

No. ☒ Type of water:

Depth of strata ft. Method of sealing

strata off:

Surface casing used? Yes ☒ No. ☐

Cemented in place? Yes ☒ No ☐

Locate well in section

LOCATION OF WELL: County Minidoka

SE 1/4 SW 1/4 Sec. 4 T. 9 N/S R. 22 E/W

Size of drilled hole: 20" to 19" Total
depth of well: 330' Standing water
level below ground: 250' Temp.

Fahr. ° Test delivery: gpm

or cfs Pump? ☐ Bail ☐

Size of pump and motor used to make test:

Length of time of test: Hrs. Min.

Drawdown: ft. Artesian pressure: ft.

above land surface Give flow cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☒

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		

FEET FEET		MATERIAL	WATER YES OR NO
0	4	Topsoil & hardpan	
4	7	Gray lava - broken	
7	46	Gray lava - solid	
46	60	Brown lava - solid	
60	63	Red lava - solid	
63	68	Red Mud - soft	
68	73	Bright orange mud * soft	
73	86	Brown lava - loose	
86	106	Dark gray lava - loose	
106	119	Yellow clay - soft	
119	124	Light gray - lava - solid	
124	137	Dark gray lava - loose	
137	194	Light gray lava - solid	
194	230	Dark gray lava - broken	
230	246	Red & brown lava - loose & soft	
246	257	Red & brown lava - orange clay	
257	265	Gray lava - solid	
265	275	Gray lava - broken & loose	
275	292	Gray cinders - lost all cuttings	
292	305	Gray & red Lava - soft	
305	312	Gray lava - loose - some cinders	
		- lost all cuttings	
312	324	Gray lava - loose - some talc	
		& cinders	
324	330	Tan clay	

Work started: April 17, 1969

Work finished: June 13, 1969

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name: Commons Drilling Co.

Address: Box 126 - Rupert, Idaho

Signed by: Ray L. Commons

License No. 46 Date: June 24, 1969

Use other side for additional remarks

36 7058

USGS

June 19, 1969

Re: Permit No. 36-7058

Mr. Kenneth R. Hutto
Route 2, Box 131
Paul, Idaho 83347

Dear Mr. Hutto:

We enclose a copy of your approved application for permit 36-7058 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 2912 for \$30.00
2 informational letters

36 7058

April 28, 1969

Re: Application for Permit No. 36-7058
Kenneth R. Hutto

Minidoka County News
Rupert, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: legal notice (1)

36 7058

**NOTICE OF APPLICATION
FOR WATER**

— Notice is hereby given that Kenneth R. Hutto, Route 2, Box 134, Paul, Idaho has on April 9, 1969 applied for permit under application No. 36-7058 to divert 3.0 cubic feet per second of water from a groundwater source. Water will be diverted by well, motor, pump and sprinklers within the SE1/4-SW1/4, Sec. 4, T. 9 S, R. 22 E, B.M. Minidoka County and is to be used from April 1 to November 1 for irrigation in the S1/2NE1/4, E1/2SW1/4, SW1/4SW1/4, Sec. 4, T. 9 S, R. 22 E, B. M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Minidoka County News, Rupert, Idaho, on May 6 and May 13, 1969. No. 574.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Kenneth R. Hutto, Route 2, Box 131, Paul, Idaho

has on April 9, 1969

applied for permit under application No. 36-7058 to divert ~~stone~~

3.0 cubic feet per second ~~from feet~~ of water from ~~a groundwater~~
source. Water will be diverted by

well, motor, pump and sprinklers within the

SE 1/4 SW 1/4, Sec. 4, T. 9 S, R. 22 E, B. M. Minidoka County.

_____ and is to be used from April 1 to November 1 for irrigation

in the S1-NB1, E-SW1, SW-SW1, Sec. 4, T. 9 S., R. 22 E., B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Minidoka County News, Rupert, Idaho.

on May 8 and May 15, 1969.