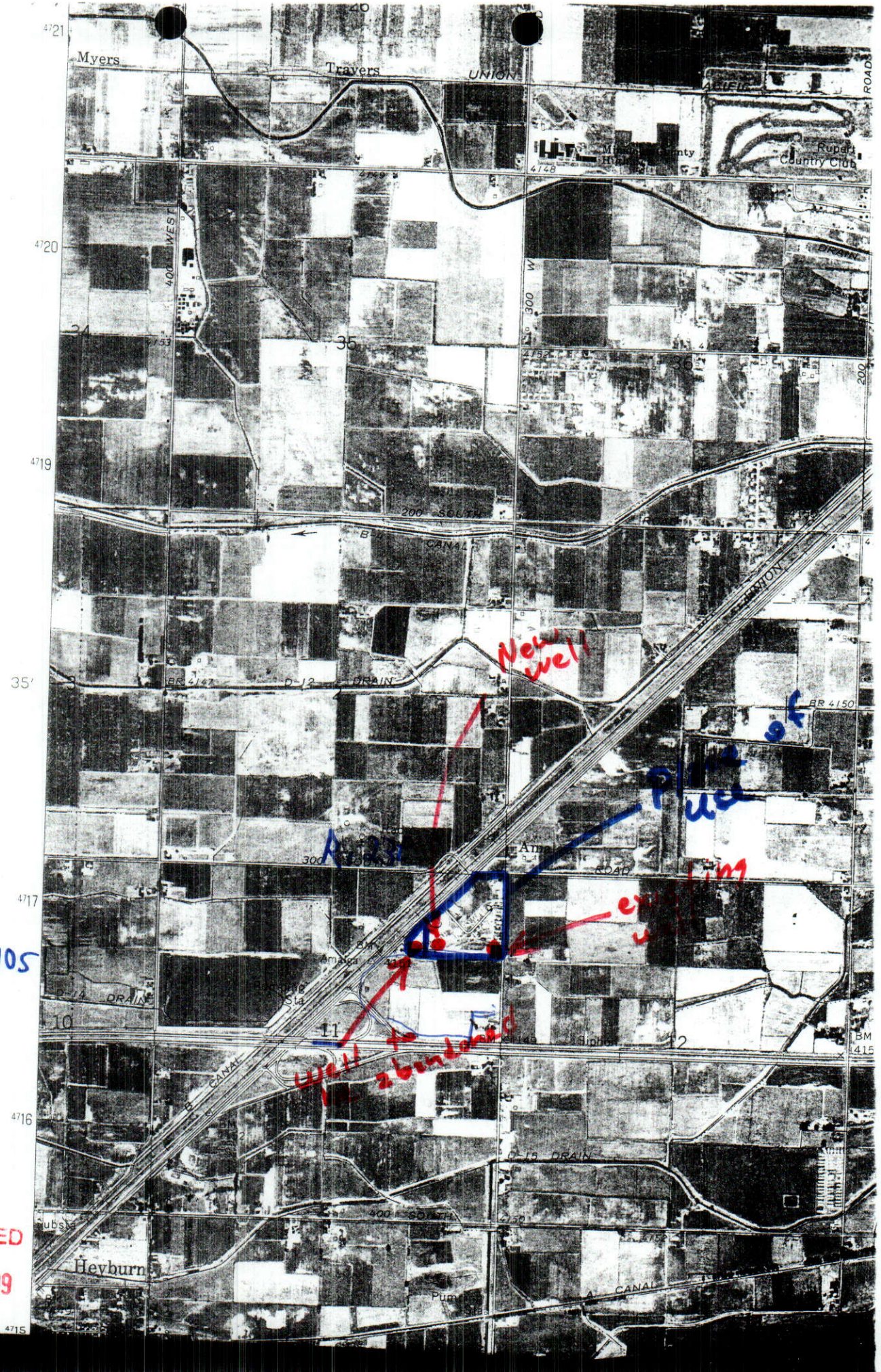


Pg 4 of 5
T#5323

9S
10S

T.105

MICROFILMED
MAY 27 1999



i. ✓ Existing rights from same source, on land water is being transferred to; right number(s): _____

N/A

j. N/A SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. ✓ Comment letters _____ Yes ✓ No
 If yes _____ Water District # _____
 Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY J. P. Stanton
 SRBA SUPERVISOR REVIEW BY DS
 PUBLICATION REVIEW BY _____

DATE 8-18-98
 DATE 11/16/98
 DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ✓ Yes 12:32 (10/1/98)
 2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 9/30/98

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ✓ Yes _____ No
 4. Affidavit of publication received? ✓ Yes _____ No
 5. Protests received? _____ Yes _____ No; Acknowledgement sent? _____ Yes
 6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. X Approve
 2. _____ Deny due to _____
 3. Conditions (special conditions in Water Districts) _____

X Also see attached memo for recommendation dated: 11/10/98

4. By AS Date 11/10/98

98-425

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, T# 5323**

Notice is hereby given that NEIL L. STODDARD, 1536 E 400 N; ST ANTHONY ID 83445 has applied to the Department of Water Resources for changes to a water right due to the sale of property. **PRESENTLY**, Decreed Water Right No. 36-04233 (0.20 cfs) with a priority date of 03/01/1963 is diverted from two (2) existing wells and used for domestic use & irrigation of six (6) acres within N1/2NE1/4, S11, T10S, R23E (also known as the Wayside Mobile Home Park; Minidoka County.

PROPOSED CHANGE

The applicant wishes to divert a combined total of 0.20 cfs from an inter-connected system using an existing well and a new replacement well within NE1/4NE1/4 for domestic use (0.20 cfs) and irrigation (0.12 cfs) of five (5) acres within NE1/4NE1/4. The existing well within NW1/4NE1/4 will be abandoned and one (1) acre within NW1/4NE1/4 will no longer be irrigated; all S11, T10S, R23E; Minidoka County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 30, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
October 12 & 19, 1998.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF
TRANSFER NO. 5323 IN THE
NAME OF NEIL STODDARD**

**ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER**

FINDINGS OF FACT

1. On May 24, 1999, the Department of Water Resources (Department) approved Application for Transfer No. 5323 (transfer) in the name of Neil Stoddard (right holder) with the following condition of approval:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

2. On October 23, 2000, the Department received a request for a one-year extension of time to complete the transfer from the right holder.
3. On October 25, 2000, the Department granted the request and extended the time to complete the transfer to May 24, 2001.
4. On June 4, 2001, the Department received a second request for a one-year extension of time to complete the transfer from the right holder. The request included an explanation of the reasons for the delay.

CONCLUSIONS OF LAW

1. The right holder has shown reasonable cause for the delay.
2. The Department should grant an extension of time to complete the changes authorized by the transfer.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that the right holder is granted an extension of time to complete the changes authorized under Transfer No. 5323. The changes shall be accomplished by May 24, 2002.

Dated this 5th day of June, 2001.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

JUN 9 4 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 5323)
OF WATER RIGHTS 36-04233 IN THE NAME)
OF NEIL STODDARD)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On May 24, 1999 the Department approved the above referenced Application for Transfer with a condition that:

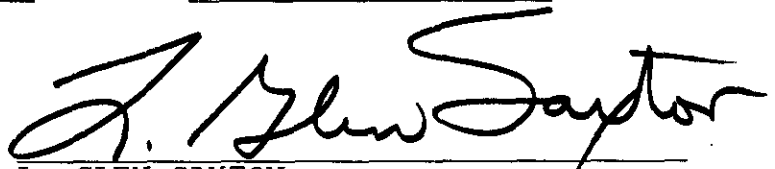
The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 5323 is granted an extension to May 24, 2001 in which to accomplish the transfer.

Dated this 25th day of October, 2000.



L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
NOV 08 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5323
WATER RIGHT NO. 36-04233

This is to certify that: **NEIL STODDARD**
1536 E 400 N
ST ANTHONY ID 83445

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.12 CFS	20.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	7.0 AF
	Totals	* 0.20 CFS	* 27.0 AF

SOURCE

GROUNDWATER

Priority: 03/01/1963

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 11, Township 10S, Range 23E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	23E	11	NENE	5		5
Total number of acres irrigated:						5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
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.

MICROFILMED

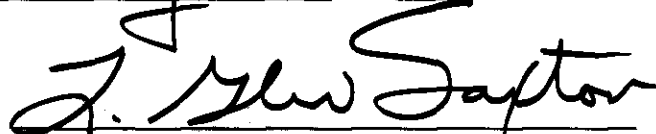
MAY 27 1999

TRANSFER NO. 5323
WATER RIGHT NO. 36-04233

CONDITIONS OF APPROVAL AND REMARKS

5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5323 shall not exceed 0.20 cfs, nor a total combined annual volume of 27.0 af.
7. The right holder shall cease irrigation of 1.0 acre previously authorized under this right, and consolidate use of water on the remaining 5.0 acres.
8. Domestic use is for 57 homes.
9. The place of use is also known as Wayside Mobile Home Park.
10. Two (2) points of diversion are located within NENE, S11, T10S, R23E.

Dated this 24th day of May, 1999


Chief, Water Allocation Bureau

MICROFILMED

MAY 27 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5323

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NOV 17 1998

PART 1

Department of Water Resources

Name of applicant

Neil L. Stoddard* PER 09/10/98 TELECOM
WITH NEIL STODDARD
P.S.* 624-7923 (father's phone)
624-7953 (Neil Stoddard)Phone 888-2623

Post Office address

2765 W Lake Hazel PO Box 1397, Meridian, ID 83480

* 1536 E 400 N ST. ANTHONY, ID 83445

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 Well site has been sold, so a replacement well is needed. The old well will be covered by a parking lot. One acre in the NW/NE Sec. 11 that was irrigated will be dried up.

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>36-04233</u>	<u>2-1-1963</u>	<u>0.12 cfs</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
		<u>20.0 AFA</u>		
		<u>0.20 cfs</u>	<u>Domestic</u>	<u>1-1</u> to <u>12-31</u>
		<u>7.0 AFA</u>		

2. Total amount of water being transferred 0.20 cubic feet per second and/or 27 ~~340~~ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	11	10S	23E	Minidoka	Existing Well
	SW	NE	NE	11	"	"	"	Replacement Well

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>10S</u>	<u>23E</u>	<u>11</u>	<u>5</u>																<u>5</u>
			<u>D</u>																

MICROFILMED
MAY 27 1999Total acres 5

PART 1

6. General Information:

a. Description of diversion system Two connected wells + pumps, pipelines to mobile home park and lawns

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:

Land will no longer be irrigated

d. Remarks:

Property is The Wwayside Mobile Home Park.

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 _____.

~~MICROFILMED~~

MAY 27 1999

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-04233

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.12 CFS	24.0 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	7.0 AF
	Totals	0.20 CFS	31.0 AF

SOURCE

GROUNDWATER

Priority: 03/01/1963

LOCATION OF POINT(S) OF DIVERSION:SENESE , Sec. 11, Township 10S, Range 23E
SENESE , Sec. 11, Township 10S, Range 23E
MINIDOKA County**PLACE OF USE: IRRIGATION**

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S 23E 11	NENE 5	NWNE 1		6
		Total number of acres irrigated:		6

PLACE OF USE: DOMESTIC

<u>TWN RGE SEC</u>		
10S 23E 11	NENE	NWNE

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT IS COMBINED WITH WATER FROM MINIDOKA IRRIGATION DIST.
2. RIGHT NO. 36-13191 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

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MAY 27 1999

Pg 4 of 5
T#5323

9S
10S

T.105

MICROFILMED
MAY 27 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.

JULIA G. COFFMAN
NOTARY PUBLIC
STATE OF IDAHO
 RESIDING AT RUPERT, ID
 MY COMMISSION EXPIRES 6-20-02

[Signature] X
 (Signature of Applicant)
 Subscribed and sworn to before me this 11th day of August, 19 98.
[Signature]
 (Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachments
 Received by J.F. Stanton Date 8-14-98 Protest filed by None
 Prelim. check by [Signature] Fee \$100.00
 Receipted by [Signature] Date 8-14-98 5021427
 Published in So. Id. Press Copies of protest forwarded by _____
 Pub. dates 10/12 & 10/14/98 Hearing held by _____ Date _____
 Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial
 _____ rec'd. _____ by AG
 Copy of transfer sent to lien holder _____

MICROFILMED
 MAY 27 1999

RECEIVED
 AUG 17 1998
 Department of Water Resources
 Southern Region

TOWNSHIP 10 SOUTH, RANGE 23 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 11:

Beginning at the Southeast corner of the NE 1/4 of said Section 11;
thence South 89°42'07" West along the 1/16th line for 190.30 feet to a
point marked by a steel pin, said point being the TRUE POINT OF
BEGINNING;

Thence South 89°42'07" West along said 1/16th line for 1,549.58 feet to
a point marked by a steel pin, said point lying on the
Southeasterly right of way of Idaho State Highway 30;

Thence North 42°26' East along said State Highway right of way for
129.70 feet to a point marked by a State Highway right of way
brass cap and stationed 226+46.25;

Thence North 45°15'49" East along said right of way for 102.15 feet to
a point marked by a spike in the asphalt;

Thence South 33°25'11" East for 127.70 feet to a point marked by a steel
pin;

Thence North 45°15'49" East for 125.00 feet to a point marked by a
spike in the asphalt;

Thence North 33°25'11" West for 127.7 feet to a point marked by a
spike in the asphalt, said point lying on the Southeasterly right
of way of Idaho State Highway 30;

Thence North 45°15'49" East for 65.53 feet along said right of way to
a point marked by a steel pin;

Thence South 44°44'11" East for 221.0 feet to a point marked by a spike
in the asphalt;

Thence North 89°05'40" East for 34.66 feet to a point marked by a steel
pin;

Thence North 45°15'49" East for 175.00 feet to a point marked by a
steel pin;

Thence South 44°44'11" East for 45.0 feet to a point marked by a steel
pin, said line also recorded as bearing South 45°20' East;

Thence North 45°15'49" East for 250.00 feet to a point marked by a
steel pin, said line also recorded as bearing North 45°20' East;

Thence South 44°44'11" East for 110.00 feet to a point marked by a steel
pin, said line also recorded as bearing South 44°20' East;

Thence North 45°15'49" East for 138.50 feet to a point marked by a
steel pin, said line also recorded as bearing North 45°20' East;

Thence South 44°44'11" East for 203.43 feet to a point, said line also
recorded as bearing South 44°20' East;

~~Thence South 44°44'11" East for 13.43 feet to a point~~

Thence North 45°15'49" East for 27.70 feet to a point, said line also
recorded as bearing North 45°20' East;

Thence South 44°44'11" East for 40.0 feet to a point marked by a steel
pin, said line also recorded as bearing South 44°40' East;

MICROFILMED (CONTINUED)

MAY 27 1999

EXHIBIT A

Thence North 70°15'16" East for 101.0 feet to a point marked by a steel pin, said line also recorded as bearing North 70°19' East;
Thence North 83°00'16" East for 81.4 feet to a point marked by a steel pin, said line also recorded as bearing North 83°04' East;
Thence South 79°02'44" East for 168.5 feet to a point marked by a steel pin, said line also recorded as bearing South 78°59' East;
Thence North 87°44'16" East for 23.40 feet to a point marked by a steel pin, said line also recorded as bearing North 87°48' East;
Thence South 0°22'44" East for 286.57 feet to the TRUE POINT OF BEGINNING, said line also recorded as bearing South 0°19' East.

425609

RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO. _____

RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO. _____

'96 AUG 23 13 : 32

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 9.00 DEPUTY Br

'97 JUL 21 16 : 16

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 12.00 DEPUTY 24

EXHIBIT A

MICROFILMED

MAY 27 1999

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 36-04233

1997 DEC -4 AM 10:23
DISTRICT COURT
TWIN FALLS CO, IDAHO
FILED

NAME & ADDRESS: WAYSIDE MOBILE HOME PARK
C/O LEOTA R DUMARS
4720 SAVANNAH LANE
BOISE ID 83703

SOURCE: GROUNDWATER

QUANTITY: 0.2 CFS
31.0 AFY

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION: T10S R23E S11 SENENE Within MINIDOKA County
SENWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.12 CFS
			24.0 AFY
	DOMESTIC DOMESTIC: 57 TRAILER LOTS	01-01 12-31	0.2 CFS
			7.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County
T10S R23E S11 NENE 5 NWNE 1
6 ACRES TOTAL

DOMESTIC Within MINIDOKA County
T10S R23E S11 NENE NWNE

CONSUMPTIVE USE: 18.0 AFY


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

SRBA DECREE

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-04233

MICROFILMED
MAY 27 1993

PAGE 1
NOV-20-1997

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

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

MICROFILMED

MAY 27 1976

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Wayzata Mobile Home Park
(Name of Claimant)
Route 1, Westlawn Idaho 8336 Telephone No. 436-3069
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) March 1, 1963

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: ALL YEAR ROUND

		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>90 GAL PER MIN</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
 NORTH EAST ¼ N.E. ¼, Sec. 11 Twp. 20 South R. 23 East B.M., County of Minn. Dakota

Additional points of diversion: of Boise Medicine
N.W. of the N.E. also. S.N. M.R. 3 wells -

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change.

Well 5 H.P 50 gal per min cap

Well	1 1/2 H.P.	20 GAL PER MIN CAP.
Well	1 1/2 H.P.	20 GAL PER MIN CAP.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 9.14

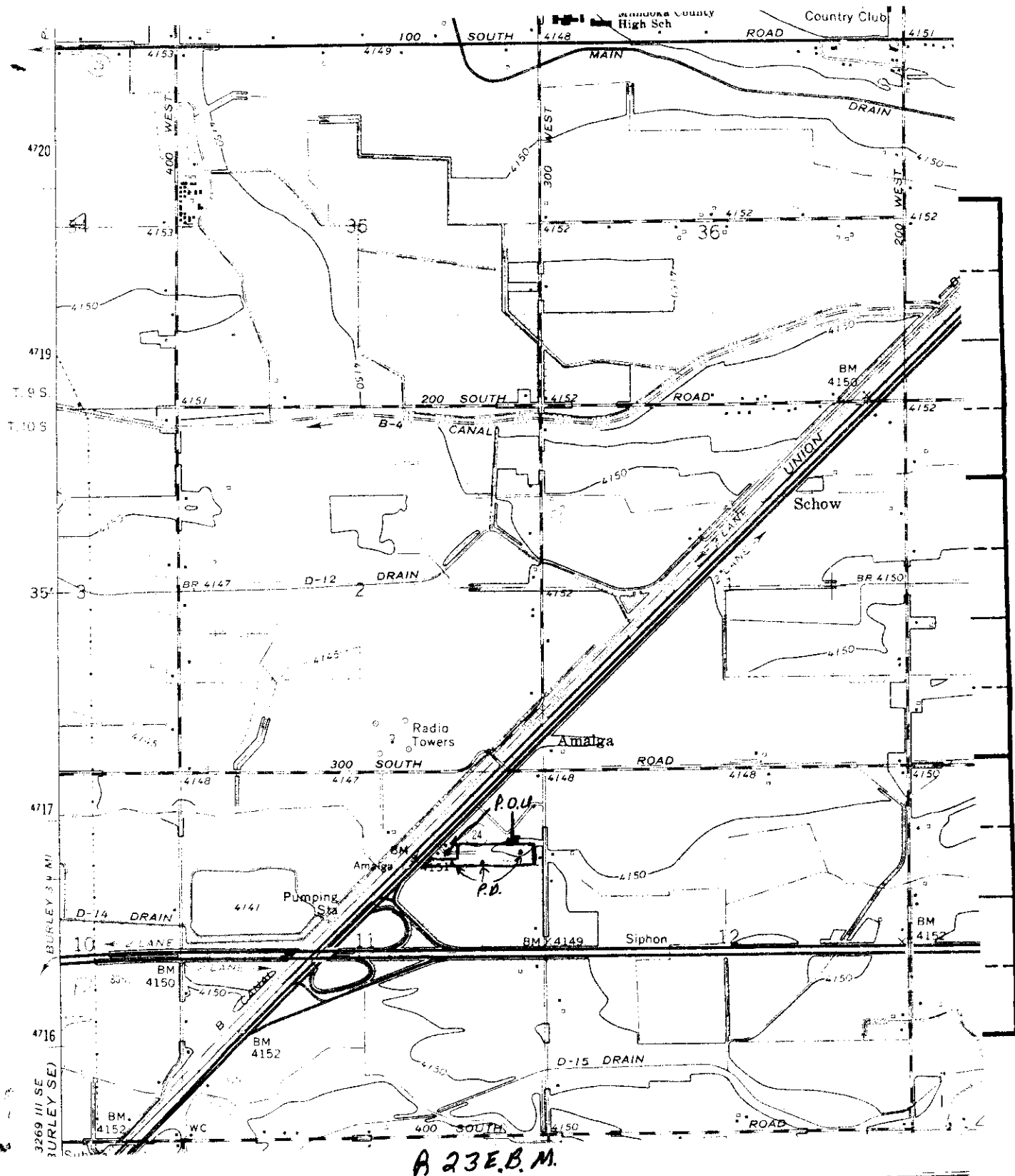
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

This water is used in trailer horses as a main water supply, also as lawn irrigation.
Water is also supplied to cafe & station. S. Manager

NOTE: Include here the type and number of stock watered:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: NONE



State of Idaho

County of Blaine ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

H. Roder Woster
(Claimant)

Sworn to before me this 28th day of June, 19 83

H. Roder Woster
Notary Public
Residing at Barley, Idaho

My commission expires June 26, 1984

FOR DEPARTMENT USE ONLY

Received by <u>me</u>	Date <u>6/28/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>me</u>	Date <u>6/29/83</u>		claimant by:	
\$30.00 fee received by <u>me</u>	Date <u>6/28/83</u>	<u>29052</u>		
Published in <u>Blaine Co News</u>				
Dates <u>8/31 + 9/7/83</u>				

NOTICE OF CLAIM TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

36-4218
HAWKES, PHIL
RT. 1, PAUL, ID 83347
Source: GROUNDWATER
Priority Date: 05/01/1962
Diversion Pt: NENE Sec 07 T 09S R 23E
Use: IRRIGATION (1.00 CFS)
STOCKWATER (0.03 CFS)
In: NENE Sec 07 T 09S R 23E FOR 20 ACRES

36-4220
CARNAHAN, CARLOS B.
RT. 2 BOX 2338, HEYBURN, ID 83336
Source: GROUNDWATER
Priority Date: 02/23/1963
Diversion Pt: NENE Sec 27 T 10S R 23E
Use: IRRIGATION (0.04 CFS)
In: NENE Sec 27 T 10S 23E FOR 2 ACRES

36-4226
IDAHO YOUTH RANCH, INC.
BOX 534, RUPERT, ID 83350
Source: GROUNDWATER
Priority Date: 01/01/1953
Diversion Pt: NENE Sec 24 T 07S R 24E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.14 CFS)
In: NENE Sec 24 T 07S R 24E

36-4232
SHAFFER, MYRTLE E.
RT. 1 BOX 1622B, PAUL, ID 83347
Source: GROUNDWATER
Priority Date: 05/01/1963
Diversion Pt: NWNW Sec 28 T 09S R 23E
Use: IRRIGATION (0.04 CFS)
DOMESTIC (0.02 CFS)
In: NWNW Sec 28 T 09S R 23E FOR 1 ACRES

36-4233
WAYSIDE MOBILE HOME PARK
RT. 1 HEYBURN, ID 83336
Source: GROUNDWATER
Priority Date: 03/01/1963
Diversion Pt: NENE NWNE Sec 11 T 10S R 23E
Use: DOMESTIC (0.20 CFS)
In: NENE NWNE Sec 11 T 10S R 23E

36-4235
RIVERSIDE DAIRY, INC.
RT. 1 BOX 71, RUPERT, ID 83350
Source: GROUNDWATER
Priority Date: 01/01/1954
Diversion Pt: SWNW Sec 03 T 10S R 24E
Use: STOCKWATER (0.65 CFS)
COMMERCIAL (0.07 CFS)
DOMESTIC (0.11 CFS)
In: SWNW Sec 03 T 10S R 24E

36-4236
THAIN, JOHN
RT. 3 BOX 177, RUPERT, ID 83350
Source: GROUNDWATER
Priority Date: 06/17/1950
Diversion Pt: NESE Sec 29 T 08S R 25E
Use: IRRIGATION (0.30 CFS)
In: SESE Sec 28 T 08S R 25E SESE Sec 29 T 08S R 25E FOR 15 ACRES

36-4245
HURLESS, ROBER &/or BESSIE
BOX 125, HEYBURN, ID 83336
Source: GROUNDWATER
Priority Date: 04/01/1950
Diversion Pt: NWSW Sec 15 T 10S R 23E
Use: IRRIGATION (0.03 CFS)
In: NESW NWSW Sec 15 T 10S R 23E FOR 2 ACRES

36-4248
PATTERSON FARMS OF IDAHO, INC.
RT. 1 BOX 1272, PAUL, ID 83347
Source: GROUNDWATER
Priority Date: 01/28/1963
Diversion Pt: SWSE Sec 07 T 09S R 23E
Use: IRRIGATION (0.44 CFS)
In: LOT 04 (SWSE) SESE Sec 07 T 09S R 23E FOR 28 ACRES

36-4249
PATTERSON FARMS OF IDAHO, INC.
RT. BOX 1272, PAUL, ID 83347
Source: GROUNDWATER
Priority Date: 03/15/1951
Diversion Pt: NWSW NESW Sec 25 T 07S R 25E
Use: IRRIGATION (1.28 CFS)
In: NENW NWNW SENW Sec 25 T 07S R 25E FOR 64 ACRES

36-4251
SPECHT, HOWARD LE ROY
RT. 3 BOX 230, RUPERT, ID 83350
Source: MAIN C DRAIN OF A & B IRRIG. trib. to SNAKE RIVER
Priority Date: 06/01/1961
Diversion Pt: SESE Sec 31 T 07S R 25E
Use: IRRIGATION (141.0 AF)
In: SENE NESE SESE Sec 31 T 07S R 25E FOR 46 ACRES

Claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. Kenneth Dunn
Director
No. 83-191 - August 31 and September 7, 1983.

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka.)
) ss.
STATE OF IDAHO,)
 Edward L. Mitchell, 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 August 31, 1983, and
ending with the issue dated Sept. 7, 1983.

Subscribed and sworn to before me this
7th day of September, 1983.
Brenda J. Donna Notary Public

Cost of Publication \$82.55
Notary Fee
Total Cost

SEP 9 1983

Water Resources
District Office

RECEIVED

JUN 8 2001

DEPARTMENT OF WATER RESOURCES

Neil L. Stoddard
1536 E. 400 N.
St. Anthony, Idaho 83445
06/03/2001

Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Jeff,

I have been in the process of selling Wayside Mobile Home Park to Harry Clark, he owns the Chevron Station where the original well is. The original contract says Harry is to put this new well down (to replace of the one lost in the sale- or the transferred well) as soon as possible (that was 3 years ago). I have been waiting since before Thanksgiving 2000 to sell Wayside Mobile Home Park to him (he keeps saying he wants the Park), because he would most likely want the well in a different spot than where I would put it? I have always been under the assumption that the extension date was to October 25th 2001 (because of the large black ink date at the bottom of the page). I finally decided that I better put the well down and quit waiting for Harry Clark. I sent a letter from my Attorney to Harry Clark's Attorney - see attached letter, My Attorney has August and October mixed up in the letter. I feel like I could have the well in by the October 25th 2001, one more year would even be better (since litigation is involved).

I have been trying to comply with the "Order Granting Extension of Time to Complete Transfer". I have a well driller lined up and he is researching the drilling logs of the area (Ken Vollmer Well Drilling in Aberdeen, Id). I have also lined up a Hydro-Engineer to finish the design of the water system (Jay Cornelison from Pingree, Id).

Today (June 3, 2001) I read the Order Granting Extension of Time to Complete Transfer closer and noticed that the date in fact was May 24, 2001. I am very sorry for the mis-understanding and would very much appreciate one last extension. We should be ready to drill very soon and be able to give the people who live there a better quality of water (which they deserve).

Sincerely Yours,



Neil L. Stoddard

MICROFILMED

JUN 9 2001

RECEIVED

JUN 8 2001

DEPARTMENT OF WATER RESOURCES

Law Offices of
SMITH & HANCOCK

30 South 2nd West
Post Office Box 427
Rexburg, Idaho 83440
(Office) 208-356-5493 (Fax) (208) 356-5496

Mary Smith

J. D. Hancock

May 31, 2001

Brian F. McColl
420 Washington
P. O. Box 1544
Boise, Idaho 83701

Re: Harry Clark/ Neil Stoddard

Dear Mr. McColl:

In the purchase and sale agreement dated June 24, 1998, addendum 1., paragraph 2., Mr. Clark specifically agreed to "begin immediately to procure well permits, select a well site, to be approved by the seller, and engage a driller to drill a well for the mobile home park. Said well to be drilled to a depth, customary in the immediate and surrounding area, necessary to provide abundant quality and quantity of water for use of the mobile home park, and to the satisfaction of the seller after having an opportunity to talk with driller. Seller may have all existing well equipment, including but not limited to pump, pressure system and pipe. Seller may also keep any utility poles, electrical equipment, or other personal property that is on the subject property except that property specifically included in this purchase and sale agreement."

It is Mr. Stoddard's understanding that the well permit will expire in August of this year if the well is not drilled prior to then. Therefore he requests that Mr. Clark perform this part of their written agreement. Both Mr. Clark and Mr. Stoddard need a culinary well. It was agreed that the well would be drilled on Mr. Stoddard's property pursuant to DEQ standards. We would request that Mr. Clark commence with a qualified driller with prior DEQ written approval to drill the well on the site designated by Mr. Stoddard within the next ten days.

If Mr. Clark desires culinary water from the well, a line could be installed and metered and Mr. Stoddard would be willing to allow Mr. Clark to use culinary water from the well as long as it was metered and there was an agreement that Mr. Clark would pay a monthly fee to help defray the costs of electricity and Mr. Clark would agree to a proportionate share of further costs and maintenance of the well in exchange for use of the culinary water therefrom.

MICROFILMED

JUN 14 2001

RECEIVED

JUN 8 2001

DEPARTMENT OF WATER RESOURCES

Brian F. McColl
May 31, 2001
Page Two

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Since Mr. Clark refuses to return Mr. Stoddard's calls and since time is of the essence, Mr. Stoddard will go forward with timely getting the well drilled at Mr. Clark's expense if he does not hear from Mr. Clark immediately. We would request that Mr. Clark communicate in writing as to when he intends to have the driller commence with the drilling of the new well pursuant to the written agreement. Thank you.

Sincerely,

J. D. Hancock

JDH/mb

cc: Neil Stoddard

MICROFILMED

JUN 9 4 2001



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

June 5, 2001

NEIL STODDARD
1536 E 400 N
ST ANTHONY ID 83445

RE: Transfer 5323

Dear Permit Holder(s):

Enclosed please find an Order Granting Extension of Time to Complete Transfer issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

JUN 14 2001

Cover Sheet

**For: Jeff Peppersack
Dept. of Water Resources
4 Pages includes Cover Sheet**

**From: Neil L. Stoddard
Original will Follow in mail**

Thanks for your help!!

**MICROFILMED
JUN 8 2001**

T5323/66744

Neil L. Stoddard
1536 E. 400 N.
St. Anthony, Idaho 83445
06/03/2001

Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

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Neil L. Stoddard

MICROFILMED

JUN 16 2001

Law Offices of
SMITH & HANCOCK

30 South 2nd West
Post Office Box 427
Rexburg, Idaho 83440
(Office) 208-356-5493 (Fax) (208) 356-5496

Mary Smith

J. D. Hancock

May 31, 2001

Brian F. McColl
420 Washington
P. O. Box 1544
Boise, Idaho 83701

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JUN 14 2001

Brian F. McColl
May 31, 2001
Page Two

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Sincerely,

J. D. Hancock

JDH/mb

cc: Neil Stoddard

MICROFILMED

JUN 14 2001



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

October 26, 2000

NEIL STODDARD
1536 E 400 N
ST ANTHONY ID 83445

RE: Water Right 36-04233 (Transfer 5323)

Dear Water Right Holder(s):

Enclosed please find an Order Granting Extension of Time to Complete Transfer issued by the department in reference to the above listed information.

Please be advised that the Department cannot grant additional extensions of time to complete this transfer.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

Camille S. Skaggs

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
NOV 08 2000

RECEIVED

OCT 25 2000

Department of Water Resources

MEMO

FROM: Allen Merritt *AM*

DATE: October 24, 2000

TO: Glen Saxton

SUBJECT: Request to extend time to complete transfer T5323

The West ESPA Measurement district has been working with Wayside Mobile Park to determine what needs to be done regarding measuring and reporting. Corbin has fielded questions and complaints about the system which currently includes two wells which serve the Wayside Mobile Park and a convenience store/ gas station. They are currently treating one of the wells which was supposed to be replaced on the system pursuant to T5323.

I have spoken to Mr. Stoddard regarding the situation and he explained that he had intended to drill a new well (thus T5323); then he explored hooking on to city water, but now is back at looking at drilling a well. I recommended to him to request that the time for completion of the transfer be extended since the year for completion has recently expired. He has sent me the attached letter.

I recommend that the time be extended. Hopefully he will get this completed since currently the system needs to be repaired to satisfy many interests.

MICROFILMED

NOV 08 2000

36-04233

Neil L Stoddard
1536 E. 400 N.
St. Anthony, Idaho
83445 10/19/00

Department of Water Resources
Attention: Alan
1341 Fillmore St.
Suite 200
Twin Falls, Idaho 83301-3380

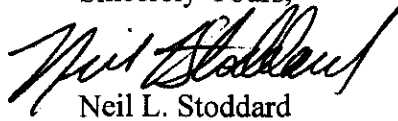
RECEIVED
OCT 23 2000
Department of Water Resources
Southern Region

Dear Alan,

I own the Wayside Mobile Park located in Heyburn Idaho. We have been trying to drill a new well in the park. We have encountered many problems, and been trying different alternatives. One of which was hooking on to city water from the City of Heyburn. Needless to say we have gone over our deadline for drilling the well. Please extend the deadline for transfer of water rights for one more year.

The new well is greatly needed for the residents of Wayside Mobile Park. The new well will give them a better quality water, with possibly the chance of less chlorination.

Sincerely Yours,


Neil L. Stoddard

MICROFILMED

NOV 08 2000

36-04233

36-04233
75325



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

May 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NEIL STODDARD
1536 E 400 N
ST ANTHONY ID 83445

RE: Water Right 36-04233 (Transfer 5323)

Dear Mr. Stoddard:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5323). 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.

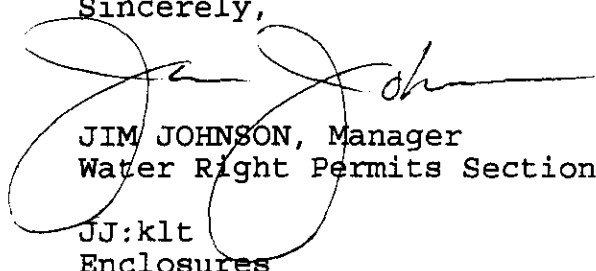
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section
JJ:klt
Enclosures

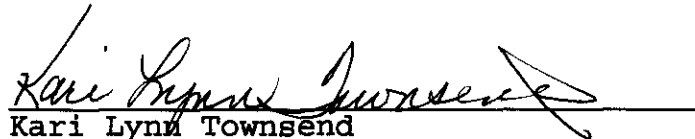
MICROFILMED
MAY 27 1999

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 36-04233 (Transfer 5323)

**NEIL STODDARD
1536 E 400 N
ST ANTHONY ID 83445**


Kari Lynn Townsend
Secretary

MICROFILMED
MAY 27 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
MAY 27 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.

RECEIVED

MAY 19 1999

Department of Water Resources

May 17, 1999

I, Harry Clark, am not interested in the Water Right for Neil Stoddard
36-04233.

Sincerely,



Heyburn Chevron/ A & W
326 S. Hwy.24 Heyburn
MICROFILMED. Box 746
Burley, ID 83318
MAY 27 1999

MEMORANDUM

TO: File 36-04233

FROM: Pam Skaggs⁸/State Office

SUBJECT: Transfer 5323

DATE: May 17, 1999

Transfer 5323 changes the point of diversion and place of use under Right 36-04233.

The applicant has sold the portion of land in the NWNE where one of the original wells is located. Mr. Stoddard proposes to drill a new well on his remaining property and consolidate use of water on the five (5) remaining irrigated acres. The new owner has been contacted and agreed to provide a statement relinquishing all interest in the water right.

Recommended conditions include drilling permit requirements, irrigation overlap, multiple points of diversion/measuring devices, domestic limits and standard transfer conditions.

MICROFILMED

MAY 27 1999

(07-98)

Date Reviewed 5-17-99

28

Decreed

(I) Change P/D & P/U

Sold 1 Acre to Harry Clark (654-9861 Home) 436-2441 BS Called - No interest in WR - Will send statement.

Resulting Split(s) NONE

Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☐ Volume

.024 cts/acre on 5 acres

(6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map

Magic Valley GW District / West EPA WMD Dist Hold for release from H. Clark.

(11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion
Per Deeree DOM/57 trailer Lots reduce C.U. + Div. Vol.

(5) Reduce P/U by 1 acre $5 \times 4.0 = 20$ after IRR

⑦ Drop well SE N WNE & add 2nd P/O to NENE

⑧ Reduce P/U to 5 Acres = Rate $\propto$ - Reduce vol.

5-19-99 → Minidoka Co. Assessor confirms ownership of approximately 1 Acre in NWNE, S11, sold to Harry Clark by Neil Stoddard. - Mr. Clark sent letter stating no interest in W.R.

P/O Wauside Mobile Home Park

Transfer Remarks DOM/57 2 PDS W55 WB4

Conditions 046, R68, T07, T08 T17

✓Database/Processing Notes

Standard	Non-Standard	
1.0	1.0	✓
2.0	2.0	
3.0	3.0	
4.0	4.0	
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8.0	8.0	
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89.0	89.0	
90.0	90.0	
91.0	91.0	
92.0	92.0	
93.0	93.0	
94.0	94.0	
95.0	95.0	
96.0	96.0	
97.0	97.0	
98.0	98.0	
99.0	99.0	
100.0	100.0	

Cozy approval to retain Deere flag.

Delete blank / Count / Delete T

"T" Files Update Complete ✓ Approval Form ✓ Transfer Memo ✓

Database Updated Following Approval ✓ Memo/Form Files Deleted ✓

5-25-64 38

WR3

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-04233	WAYSIDE MOBILE HOME PARK	C	03/01/1963	D/	GROUNDWATER	P DECR	WR
*36-04233	WAYSIDE MOBILE HOME PARK	C	03/01/1963	D/	GROUNDWATER	P DECR	AJ
A36-04233	WAYSIDE MOBILE HOME PARK	C	03/01/1963	S/	GROUNDWATER	DOMEST COMMER	AJ

SRBA

SUBCASE SUMMARY REPORT 36-04233

[Return to SRBA Home Page](#)

SRBA
05-17-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-04233 FILE#: 00751
CLAIMANT: WAYSIDE MOBILE HOME PARK
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

WAYSIDE MOBILE HOME PARK PRO SE

**** ROA ENTRIES ****

12-13-1995	ADDRESS CHANGE	12-13-1995
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
36-04233	WAYSIDE MOBILE HOME PARK	C	03/01/1963	S/	GROUNDWATER	DOMEST	WR
36-04233	WAYSIDE MOBILE HOME PARK	C	03/01/1963	D/	GROUNDWATER	P DECR	AJ
A36-04233	WAYSIDE MOBILE HOME PARK	C	03/01/1963	S/	GROUNDWATER	DOMEST COMMER	AJ

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Neil L. Stoddard

TRANSFER NO.

5323

1. Right number(s)

36-04233

2. Type of right

☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☒ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ 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 on original place of use

Comments:

Simple transfer of recently-decreed right. No site visit
planned.

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

____ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: N/A. Acreage reduction.

RECEIVED

NOV 17 1998

Department of Water Resources

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

N/A

j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. ☒ Comment letters _____ Yes ☒ No
If yes _____ Water District # _____
Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY _____
SRBA SUPERVISOR REVIEW BY _____
PUBLICATION REVIEW BY _____

DATE 8-18-98
DATE 11/16/98
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ☒ Yes 12/30/98 (10/1/98)

2. COMMENT LETTERS _____ Copy of Pg 1 to AJ ☒ Yes 9/22/98

Watermaster's recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes ☒ No

6. Copies made for Region file (see attached supplemental page)? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: 11/10/98

4. By _____

Date 11/10/98

FROM: Allen Merritt *AM*

DATE: November 16, 1998

TO: Transfer File No. 5323
Water Right(s): 36-04233

In the Name of: Neil Stoddard

SUBJECT: Review and Recommendation

This transfer proposes to change the point of diversion (abandon one well and drill a replacement) of a right recently decreed in the SRBA due to the sale of a portion of the old land. Also the sale will also reduce the number of acres irrigated since the land being sold will be paved as a parking lot.

The transfer was advertised without protest.

RECOMMENDATION

I recommend that the transfer be approved subject to the following conditions:

- Old well be properly abandoned.
- New well subject to drilling permit requirement.

D523E 11 NWNE P/D 36-13191

** I called Mr. Stoddard regarding, the connection recorded under 36-13191. He indicated that the old pipeline was disconnected before he bought the property and he understood that they have their own well. I recommend reference to 36-13191 be deleted.*

AD

MICROFILMED

MAY 27 1999

T# 5323

WATER RIGHT NO.

36-04233

MAY 27 1999

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, 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 editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated October 12 1998, and ending with the issue dated October 19 1998.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 19th day of October in the year of 1998 before me, a Notary Public, personally appeared Ruth Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Janet K. Bunn

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 51.48
Affidavit Fee 5.00
Total Cost 56.48

OK
mb
10/22/98
RECEIVED
OCT 21 1998
Department of Water Resources
Southern Region
MICROFILMED
MAY 27 1999

LEGAL
STATEMENT

MEMBER OF ASSOCIATED PRESS
South Idaho Press

ESTABLISHED 1904
230 EAST MAIN BOX 190
BURLEY, IDAHO 83318

October 19, 1998.

PHONE 678-2201

PUBLISHED
DAILY
MONDAY
THRU
FRIDAY
AND SUNDAY
MORNINGS

DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 200
TWIN FALLS, IDAHO 83301-3380

RECEIVED

OCT 21 1998

Department of Water Resources
Southern Region

TERMS:
ALL ACCOUNTS
DUE AND
PAYABLE ON
20TH OF MONTH
FOLLOWING CHARGE

98-425

\$ 56.48

Please detach this stub and mail with your remittance. Your cancelled check serves as your receipt.

DATE	DESCRIPTION	TIMES RAN	LINES	COST PER LINE	CHARGES	BALANCE
BALANCE FORWARD						
10/19	Notice of Proposed Change of Water Right NO <u>1#5323</u> "Neil L. Stoddard" Affidavit Fee <u>36-04233</u>	2	39	1.32	51.48	51.48
					5.00	56.48

\$ 56.48

*OK
NB
10/22/98*
**Thank
You**

▲
PAY LAST
AMOUNT IN
THIS COLUMN

MICROFILMED

MAY 27 1999

SOUTH IDAHO PRESS
BURLEY, IDAHO

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, T# 5323**

Notice is hereby given that NEIL L. STODDARD, 1536 E 400 N; ST ANTHONY ID 83445 has applied to the Department of Water Resources for changes to a water right due to the sale of property. **PRESENTLY**, Decreed Water Right No. 36-04233 (0.20 cfs) with a priority date of 03/01/1963 is diverted from two (2) existing wells and used for domestic use & irrigation of six (6) acres within N1/2NE1/4, S11, T10S, R23E (also known as the Wayside Mobile Home Park; Minidoka County.

PROPOSED CHANGE

The applicant wishes to divert a combined total of 0.20 cfs from an inter-connected system using an existing well and a new replacement well within NE1/4NE1/4 for domestic use (0.20 cfs) and irrigation (0.12 cfs) of five (5) acres within NE1/4NE1/4. The existing well within NW1/4NE1/4 will be abandoned and one (1) acre within NW1/4NE1/4 will no longer be irrigated; all S11, T10S, R23E; Minidoka County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 30, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
10/12 & 10/19/98.

MICROFILMED

MAY 27 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 1, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

ATTENTION-LEGALS
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.

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.

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

MAY 27 1999

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
T# 5323

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Karl J. Dreher, Director

Published in the South Idaho Press on 10/12 & 10/19/98.

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MAY 27 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NEIL L STODDARD
1536 E 400 N
ST ANTHONY ID 83445

Re: Application for Transfer No. 5323 (36-04233)

Dear Mr. Stoddard:

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 10/12 and 10/19/98. The advertisement 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.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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MAY 27 1999

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1641 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3572

SEPTEMBER 23, 1983

WAYSIDE MOBILE HOME PARK
RT. 1
HEYBURN

ID 8333E

RE: Claim No. 36-4233

Dear Claimant:

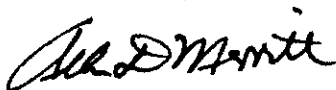
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

36-4233-

WAYSIDE MOBILE HOME PARK

RT. 1, HEYBURN, ID 83336

Source: GROUNDWATER

Priority Date: 03/01/1963

Diversion Pt: NENE NWNE Sec 11 T 10S R 23E

Use: DOMESTIC (0.20 CFS)

In: NENE NWNE Sec 11 T 10S R 23E

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Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 8/31 & 9/7/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 18, 1983

Minidoka County News
625 Fremont Avenue
Rupert, Idaho 83350

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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 along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 15, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LA

Right Number 36-4233 Applicant WAYSIDE MOBILE HOME PARK

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By ADm Date 9/22/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 11/1/83



Department of Water Resources