

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 21 2023

Department of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-14508 <u>OK</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: L.M. Bull
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Spencer Hildreth and Theda Hildreth
New owner(s) as listed on the conveyance document
- 4073 N. Lower Road Pocatello Name connector ☒ and ☐ or
Mailing address City ID 83204
208-233-6256 State Zip
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 5/17/2023
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Spencer Hildreth 7-21-2023
Signature of new owner/claimant Title, if applicable Date
- Print name
- Signature: Theda Hildreth 7-21-2023
Signature of new owner/claimant Title, if applicable Date
- Print name

Received by JB Date 7/21/2023 For IDWR Office Use Only: LM or Burna Dean Bull
 Active in the Water Supply Bank? Yes ☐ No ☐ Receipt No. E049363 Receipt Amt. \$25.-
 Name on W-9 JB If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Approved by JB Processed by JB Date 7/25/2023

JUL 25 2023

JUL¹ 25 2023

EXHIBIT A

Water Right Description

Water Right Report : 29-14508(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BULL, BURNA DEAN	5787 W PORTNEUF RD	POCATELLO	ID	83204
Current Owner	BULL JR, L M	5787 W PORTNEUF RD	POCATELLO	ID	83204

Water Right Status

Priority Date : 6/25/1985
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	07S	35E	17	0				NW NE BANNOCK	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.09 CFS	
TOTAL			0.09 CFS	

Places of Use

[Printable View](#) [Page 1 of 1](#)

Place of Use Legal Description : IRRIGATION (BANNOCK county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
07S	35E	17			NE	NE	0.6
07S	35E	17			NW	NE	6.4

Irrigation Totals

Total Acres Acre Limit
7.00

Conditions

Code Conditions

- R64 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 place of use.
- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- 004 This right does not grant any right-of-way or easement across the land of another.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED
JUL 25 2023

T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates

Licensed Date : 6/5/2002
Decreed Date :
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : EXC
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust : N
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

5/16/2023

State of Idaho
Department of Water Resources

Water Right

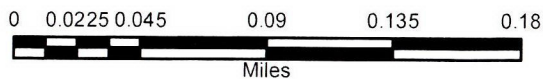
29-14508

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 5/16/2023



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



JUL 25 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87604

This is to certify that: LM BULL
5787 W PORTNEUF RD
POCATELLO, ID 83204

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-7798	WR/LICENSE	6/25/1985	0.160 cfs	N/A	N/A	12.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-2149	WR/DECREED	8/14/1912	0.060 cfs	N/A		3.0	SPRING

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-7798	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-7798	29-14508	0.090 cfs	N/A	N/A	7.0	29-7798	0.070 cfs	24.0 af	N/A	5.0
COMBINED TOTALS		0.090 cfs	N/A	N/A	7.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 11th day of May, 2023.



Regional Manager

Transfer No. 87604

SUPPORT DATA

IN FILE # 29-7798

SCANNED
MAY 15 2023

WATER RIGHT NO. 29-7798**As Modified by Transfer No. 87604**

In accordance with the approval of Transfer No. 87604, Water Right No. 29-7798 is now described as follows:

Right Holder: L M BULL JR
BURNA DEAN BULL
5787 W PORTNEUF RD
POCATELLO, ID 83204

Priority Date: 6/25/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.070 cfs	20.0 af
STOCKWATER	01/01	to 12/31	0.070 cfs	4.0 af
			0.070 cfs	24.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWSW Sec 23 Twp 07S Rge 35E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	23											5						5

POU Total Acres: 5

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	23											X						

CONDITIONS OF APPROVAL

1. Rights 29-2149 and 29-7798 when combined shall not exceed the irrigation of 5 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 20 af at the field headgate for the irrigation of the place of use.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. This right shall provide no more than 4.0 af for stockwater purposes.

Transfer No. 87604

SCANNED

MAY 15 2023

WATER RIGHT NO. 29-7798

As Modified by Transfer No. 87604

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water right(s) to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Transfer No. 87604

SCANNED
MAY 15 2023

WATER RIGHT NO. 29-14508
As Modified by Transfer No. 87604

In accordance with the approval of Transfer No. 87604, Water Right No. 29-14508 is now described as follows:

Right Holder: BURNA DEAN BULL
L M BULL JR
5787 W PORTNEUF RD
POCATELLO, ID 83204

Priority Date: 6/25/1985

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate
IRRIGATION	04/01	to 10/31	0.090 cfs 0.090 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 17 Twp 07S Rge 35E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	17	0.6	6.4															7.0

POU Total Acres: 7.0

CONDITIONS OF APPROVAL

1. 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 place of use.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right does not grant any right-of-way or easement across the land of another.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 87604

SCANNED
MAY 15 2023

WATER RIGHT NO. 29-2149

As Modified by Transfer No. 87604

In accordance with the approval of Transfer No. 87604, Water Right No. 29-2149 is now described as follows:

Right Holder: LM BULL
5787 W PORTNEUF RD
POCATELLO, ID 83204

Priority Date: 8/14/1912

Source: SPRING

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING NWNWNW Sec 26 Twp 07S Rge 35E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	23											3.0						3.0

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. Rights 29-2149 and 29-7798 when combined shall not exceed the irrigation of 5 acres.
2. Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.
3. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 87604

SCANNED
MAY 15 2023

Attachment to Transfer Approval 87604

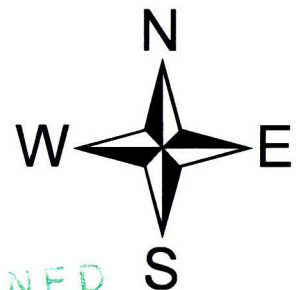
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 125 250 500 Feet



SCANNED

MAY 15 2023

Date: 5/11/2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 25, 2023

SPENCER HILDRETH
THEDA HILDRETH
4073 N LOWER RD
POCATELLO ID 83204-7112

Re: Change in Ownership for Water Right No(s): 29-14508

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

SCANNED

JUL 25 2023