

APR 01 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Jana Lynn and Doug Hilde and Deborah Hill Phone 208-201-32132. **MAILING ADDRESS** 11801 N Ferguson Road City Idaho FallsState ID Zip 83401 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ 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.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 25-14523, 25-14535

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.85 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SE	11	03N	39E	Bonneville	Willow Creek	

89015

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Pump station was constructed in 2022. System can be equipped with a flow meter if one is required.

- b. Who owns the property at the point(s) of diversion? Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

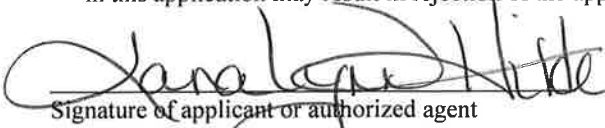
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

 Signature of applicant or authorized agent	<u>Jana Lynn Hilde</u> Print name and title if applicable	<u>4-1-24</u> Date
 Signature of applicant or authorized agent	<u>Deborah Hill</u> Print name and title if applicable	<u>4-1-24</u> Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____
Fee paid \$580.00 Date 4/1/24 Receipted by CT DL Receipt # E049927
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

4/1/2024

Water Right 25-14535

Owner Type **Name and Address**
Current Owner DOUG HILDE
11801 N FERGUSON RD
IDAHO FALLS, ID 83401-5323

Current Owner JANA LYNN HILDE
11801 N FERGUSON RD
IDAHO FALLS, ID 83401-5323

Priority Date: 4/1/1874

Basis: Decreed

Status: Active

Source
WILLOW CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.030 CFS	
	<u>Total Diversion</u>		0.030 CFS	

Source and Point(s) of Diversion:

WILLOW CREEK SWSWNE Sec. 19, Twp 03N, Rge 39E, BONNEVILLE County

Place Of Use:

IRRIGATION within BONNEVILLE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	39E	11									1.7								1.7

POU Total Acres: 1.7

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Water diverted under this right is exchanged with water diverted from the Snake River via the Anderson Canal in the T03N R41E S05 NWSWSW. Water diverted under this right is used within the service area of the Progressive Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES

4/1/2024

Proof Report

Water Right 25-14523

Owner Type **Name and Address**
 Current Owner JANA LYNN HILDE
 11801 N FERGUSON RD
 IDAHO FALLS, ID 83401-5323

Current Owner DEBORAH MAE HILL
 11801 N FERGUSON RD
 IDAHO FALLS, ID 83401-5323

Priority Date: 4/1/1874**Basis:** Decreed**Status:** Active

Source
 WILLOW CREEK

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.820 CFS	
	<u>Total Diversion</u>		1.820 CFS	

Source and Point(s) of Diversion:

WILLOW CREEK SWSWNE Sec. 19, Twp 03N, Rge 39E, BONNEVILLE County

Place Of Use:

IRRIGATION within BONNEVILLE County

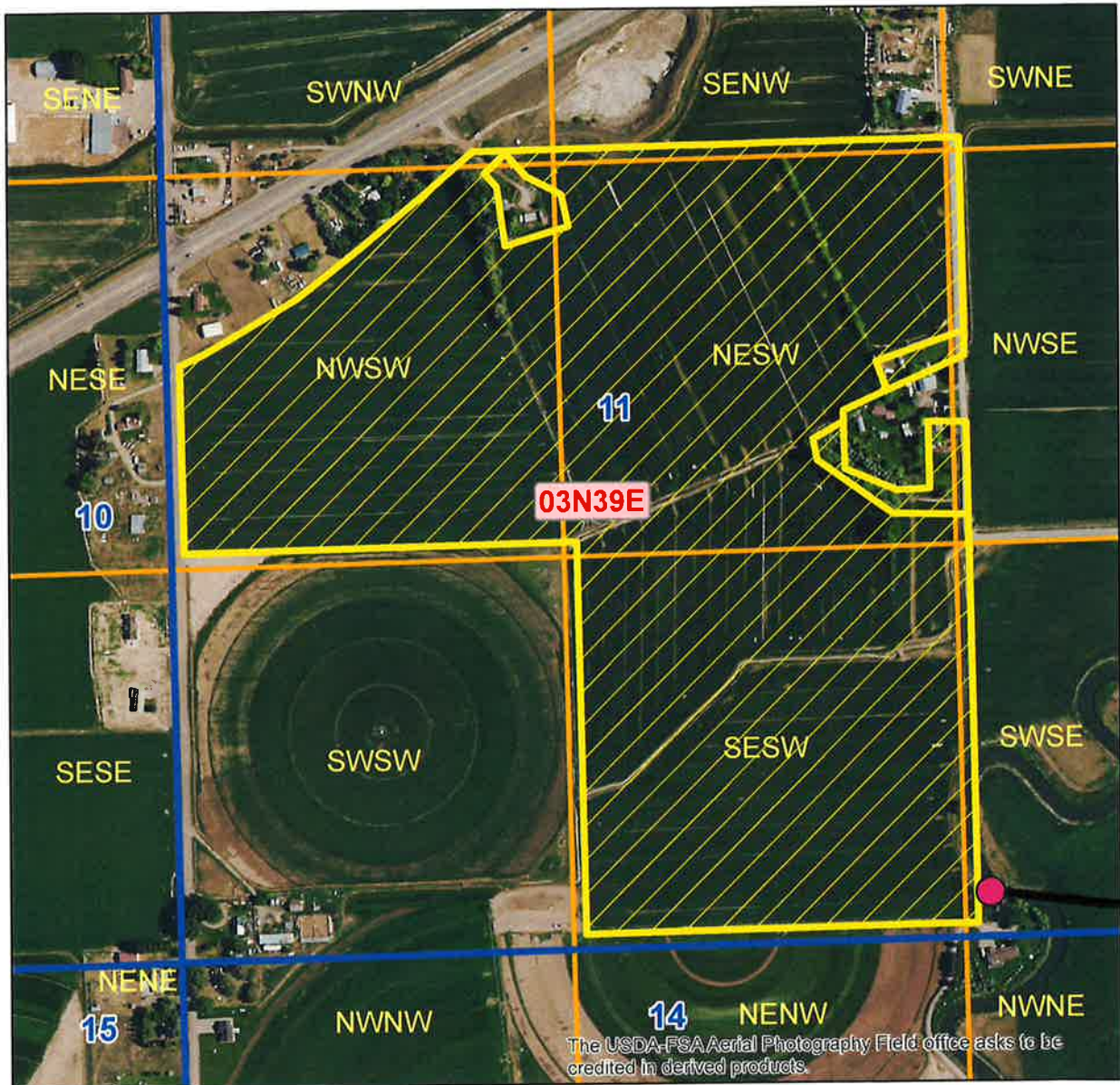
			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	39E	11									35.3	30.0		40.0					105.3

POU Total Acres: 105.3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Water diverted under this right is exchanged with water diverted from the Snake River via the Anderson Canal in the T03N R41E S05 NWSWSW. Water diverted under this right is used within the service area of the Progressive Irrigation District.

Application for Transfer Water Rights 25-14535 and 25-14523



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

2021 Aerial Imagery

- Water Right POU
- Township/Range
- Sections
- QQ

0 400 800 1,600 Feet





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 Mathew Weaver

May 22, 2024

DOUG & JANA LYNN HILDE
DEBORAH MAE HILL
11801 N FERGUSON RD
IDAHO FALLS, ID 83401-5323

RE: Transfer No. 89015
Water Right No(s). 25-14523, 25-14535

Dear Applicants:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the POST REGISTER on 5/29/2024 and 6/5/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant



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 Mathew Weaver

May 22, 2024

PROGRESSIVE IRRIGATION DISTRICT
2585 N AMMON RD
IDAHO FALLS, ID 8301

RE: Application for Transfer 89015

Hello,

The Idaho Department of Water Resources (IDWR) has identified you as an interested party regarding the above referenced water right application filed by Jana Lynn and Doug Hilde and Deborah Hill. You can find a complete copy of the application at:

<https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>.

Public notice of this application will be published in the Post Register on 5/29/2024 and 6/5/2024. IDWR can finish reviewing an unprotested application as soon as the protest period has passed. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. You must also send a copy of the protest to the applicant.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:33 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Post Register
Attachments: 88979, 89006, 89015, 89019 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 88979, 89006, 89015, 89019

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 6/17/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88979

CITY OF AMERICAN FALLS, 550 N OREGON TL, AMERICAN FALLS, ID 83211 has filed Application No. 88979 for changes to the following water rights within POWER County(s): Right No(s). 29-2460, 29-2510, 29-4421, 29-7821, 29-7822, 29-8171; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion. Nine existing points of diversion will not change. Proposed point of diversion is in Lot 4 (SESE) Sec 30 T07S R31E for 14.92 cfs from ground water.

TRANSFER NO. 89006

UNITED STATES OF AMERICA ACTING THROUGH, USDA ARS US SHEEP EXPERIMENT STATION, 19 OFFICE LOOP, DUBOIS, ID 83423-5032 has filed Application No. 89006 for changes to the following water rights within CLARK County(s): Right No(s). 31-11201, 31-11202; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion. Proposed points of diversion are in SESE Sec 27 (new) and NENE Sec 34 T11N R36E for 0.60 cfs from ground water.

TRANSFER NO. 89015

DOUG HILDE and JANA LYNN HILDE and DEBORAH MAE HILL, 11801 N FERGUSON RD, IDAHO FALLS, ID 83401-5323 has filed Application No. 89015 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 25-14523, 25-14535; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. Proposed point of diversion is in SWSE Sec 11 T03N R39E for 1.85 cfs from Willow Creek.

TRANSFER NO. 89019

SHAW CAPITAL INC, 2184 CHANNING WAY # 439, IDAHO FALLS, ID 83404-8034 has filed Application No. 89019 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 25-14546, 25-14547; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use for an 86-acre portion of water rights 25-61B and 25-138A. Split portions were assigned water right numbers 25-14547 and 25-14546. Proposed point of diversion is in SWSW Sec 12 T03N R39E for 2.53 cfs from Willow Creek. Proposed place of use is in SWNE SENE SWNW and SENW Sec 14 T03N R39E for 86 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/17/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 5/29/2024 and 6/5/2024