

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

RECEIVED

OCT 17 2022

APR 07 2022

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern Region

Name of Applicant(s) Jeremiah Hull Phone 208 339-3770
 Mailing address 6898 E Cub River Road Preston, ID 83263 Email hullwm@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☒ No Representative

Name of Representative _____ Phone _____
 Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
 OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
 OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Jeremiah Hull
 Signature of Applicant or Authorized Representative

Jeremiah Hull / Applicant
 Print Name and Title if applicable

03/02/22
 Date

Richard Emerson
 Signature of Applicant or Authorized Representative

Richard Emerson / Relinquisher
 Print Name and Title if applicable

9/26/22
 Date

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 Ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Correction to clerical error in domestic water right (0.04 cfs) location from section 18 T15S R40E to section 18 T15S R41E

Change in ownership from Steven B Hull Family Trust to Jeremiah Hull (see attachment #2a)

Change in place of use from original home in SENW to home in NWNE (See attached #2b)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or ☐ Part	13-4214	0.04	Domestic	1/1 to 12/31	Spring to Sink
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 0.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No		SE	NE	NE	18	15S	41E	Franklin	Spring	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	41E	18		D															N/A
Total Acres (for irrigation use)																			N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:
Collection drain, 1.5" PVC pipe (approx. 1300') to Concrete box, 2" Pvc to home (approx. 400').
-
- b. Who owns the property at the point(s) of diversion? Applicant, Jeremiah Keller Hull
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
-
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A
-
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A
-
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
N/A
-
- g. 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 leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |
- If yes, describe:**
N/A
-

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 13-4214

Current Owner: STEVEN B HULL

Priority Date: 10/1/1953

Origin: Water Right

Status: Active

Basis: Statutory Claim

Source

SPRING

Tributary

SINKS

Beneficial Use

DOMESTIC

From To

1/01 to 12/31

Total Diversion

Diversion Rate

0.04 CFS

0.04 CFS

Annual Volume

Location of Point(s) of Diversion

SPRING

FRANKLIN County

NE1/4NE1/4

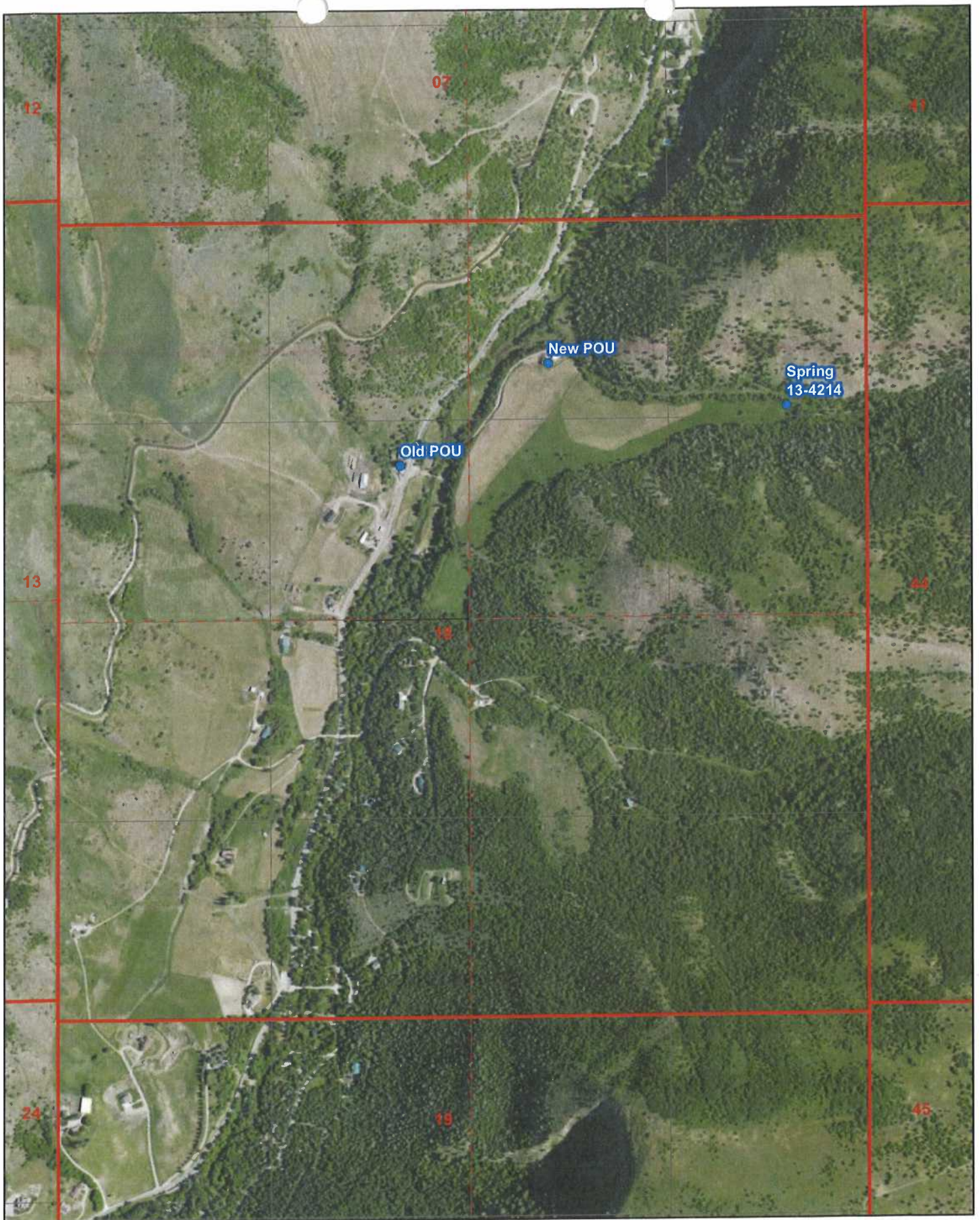
Sec. 18, Twp 15S, Rge 40E B.M.

Place of Use

DOMESTIC Within FRANKLIN County

T15S R41E S18

SE1/4



Attachment #2b
Place of Use Transfer Map

0 500 1,000 Feet
1 inch equals 800 feet Scale = 1:9,600

86092

Per the additional requested information for water right 13-4214 , application for water right transfer, enclosed is the documentation we have on Claire Hull's original homesite for water use on October 1, 1953.

In the first packet (3 pages labeled St Joseph Mapelton: 100 Years of History in Cub River Canyon) there is a documented timeline of when Claire moved to Cub River and started to build the original home in 1950. The second page shows the building site that is 6893 E Cub River Rd, the original point of use. The book is a published history of Cub River Canyon.

The 2nd packet shows pictures from neighbors of the home being built in the early 1950's and the completed home with a few of Claire's children on the front steps.

The last page is the documentation of the home being burned on Christmas of 1990 from the local newspaper. In the house fire all pictures, and home documents were perished, leaving the only documentation of the building project from early LDS church records and pictures from a neighbor we have enclosed.

Upon research at the Franklin County CourtHouse and Assessors office, no building permit was needed for the home, since building permits were not required until the late 1980's in our county. Unfortunately, Franklin County does not have any records that go back that far because they did not track building sites during the era Claire built his home and began using water right 13-4214.

RECEIVED

APR 07 2022

Department of Water Resources
Eastern Region

Water Claim #: 13-4214

285166

Recorded at the request of

By Rachel Randall
Time: 3:42 Amount \$ 5.00

JAN 22 2021

Jeremiah Hull
6898 E Cub River Rd.
Preston, ID 83263

CAMILLE LARSEN, RECORDER
By HCSM Deputy
Franklin County, Idaho

This document is to replace and supersede the document recorded as instrument number 284552.
Typographic error was discovered and is corrected.

WARRANTY DEED

Stevie Emerson, successor trustee of the Steven B Hull Family Trust,

Grantor(s) of Preston, County of Franklin, State of Idaho hereby **CONVEY AND WARRANT** to

Jeremiah K. Hull

Grantee(s) of Franklin, County of Franklin, state of Idaho for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

See Attached "Exhibit A"

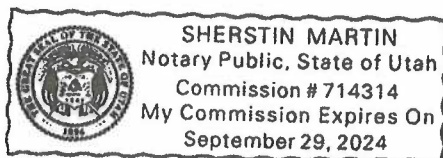
Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this Jan. 16th, 2021

Stevie Emerson

State of Utah)
County of Davis)

On January 16, 2021 before me, a Notary Public in and for said county and state, personally appeared, , known or proved to me to be the person(s) who executed the foregoing instrument, and acknowledged to me that he/she/they executed the same.

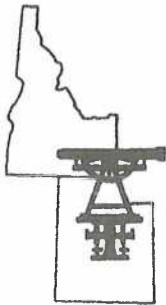


Sherstin Martin

Notary Public

Resides: Davis County, Utah

Commission expires: September 29, 2024



A. A. HUDSON and ASSOCIATES

285166

2.0

Phone (208) 852-1155
Fax (208) 852-3211
132 South State
Preston, Idaho 83263
tim@aahudson.com

LEGAL DESCRIPTION FOR STEVEN B HULL FAMILY TRUST PARCEL 1

Tim Christensen
Idaho PLS-13173
Utah PLS-375041-201

A parcel of land located in Sections 7 and 18 of Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Beginning at the Northeast corner of said Section 18 and running thence South 00° 19' 08" East 2630.56 feet along the East line of Section 18 to the East quarter corner thereof;

Thence North 89° 43' 18" West 2058.92 feet along the latitudinal centerline of said Section 18 to a found 5/8" rebar with cap;

Thence North 51° 08' 15" West 94.29 feet to a found 5/8" rebar with cap;

Thence North 37° 55' 00" West 111.45 feet to a found 5/8" rebar with cap;

Thence North 52° 14' 45" West 87.10 feet to a found 5/8" rebar with cap;

Thence North 45° 11' 45" West 103.70 feet to a found 5/8" rebar with cap;

Thence North 54° 04' 15" West 52.40 feet to a found 5/8" rebar with cap;

Thence North 66° 12' 15" West 153.70 feet to a found 5/8" rebar with cap;

Thence North 80° 36' 55" West 230.65 feet to a found 5/8" rebar with cap;

Thence South 69° 40' 45" West 39.90 feet to a found 5/8" rebar with cap;

Thence South 23° 03' 15" West 129.30 feet to a found 5/8" rebar with cap set at a boundary corner of the parcel of land owned by James C. Hull and Debra C. Hull, which parcel is described in Instrument # 239488 in the official records of Franklin County;

Thence along the boundary of the said Hull parcel the following 2 courses:

Thence North 64° 24' 00" West 251.50 feet (North 64° 17' 45" West 251.50 feet by record);

Thence North 35° 44' 35" East 130.00 feet (North 35° 50' 50" East 130.00 feet by record) to a point in the centerline of Cub River;

Thence along the said centerline of Cub River the following 3 courses:

Thence North 18° 12' 48" East 173.35 feet;

Thence North 07° 52' 46" East 130.41 feet;

Thence North 16° 43' 28" East 62.48 feet;

Thence North 56° 56' 32" West 144.98 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173", set on the Southeasterly right of way line of Cub River Road;

Thence North 18° 18' 06" East 39.24 feet along the said Southeasterly right of way line to a 5/8" rebar with cap;

Thence South 80° 20' 02" East 141.15 feet to a point in the said centerline of Cub River;

Thence along the said centerline of Cub River, and its extension, the following 3 courses:

Thence North 25° 59' 01" East 139.38 feet;
 Thence North 12° 36' 20" East 136.86 feet;
 Thence North 04° 45' 19" West 206.49 feet to a point on the said Southeasterly right of way line of Cub River Road, said point being on a 720.00 feet radius non tangent right of way curve concave to the Southeast whose center bears South 47° 24' 39" East;
 Thence along the said Southeasterly right of way line of Cub River Road the following 2 courses:
 Thence Northeasterly along the said right of way curve through a central angle of 04° 25' 18" a distance of 55.57 feet (chord = North 44° 48' 00" East 55.55 feet) to the point of reverse curvature with a 780.00 feet radius right of way curve;
 Thence Northeasterly along the said right of way curve through a central angle of 10° 29' 15" a distance of 142.77 feet (chord = North 41° 46' 02" East 142.57 feet) to a point on the right bank of Cub River;
 Thence along the said right bank the following 13 courses:
 Thence North 58° 13' 51" East 86.37 feet;
 Thence North 63° 31' 22" East 93.50 feet;
 Thence North 22° 25' 35" East 93.81 feet;
 Thence North 45° 14' 48" East 211.26 feet;
 Thence North 55° 13' 41" East 176.36 feet;
 Thence North 13° 42' 49" East 70.89 feet;
 Thence North 58° 22' 25" East 158.83 feet;
 Thence North 26° 27' 40" East 163.49 feet;
 Thence North 25° 47' 00" East 54.14 feet;
 Thence North 11° 09' 17" East 73.94 feet;
 Thence North 33° 51' 58" East 112.98 feet;
 Thence North 28° 11' 15" East 68.15 feet;
 Thence North 09° 57' 51" East 76.68 feet to a point on the North line of said Section 18;
 Thence North 89° 48' 10" East 16.50 feet along the said North line of Section 18 to the centerline of said Cub River;
 Thence along the said centerline of Cub River the following 6 courses:
 Thence North 08° 54' 45" East 70.27 feet;
 Thence North 05° 00' 34" West 84.17 feet;
 Thence North 50° 02' 23" East 47.84 feet;
 Thence North 85° 10' 02" East 42.78 feet;
 Thence South 79° 31' 26" East 137.76 feet;
 Thence South 82° 18' 08" East 36.41 feet;
 Thence South 84° 18' 26" East 1527.92 feet to the True Point of Beginning.

Less the following described parcel totally surrounded by the above described parcel:

A parcel of land located in Section 18 of Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:
 Beginning at the North quarter corner of said Section 18, from which the Northeast corner of Section 18 bears North 89° 48' 10" East 2623.05 feet;
 Thence South 38° 10' 34" East 1195.77 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173", the True Point of Beginning;

Thence South 21° 40' 30" West 148.63 feet to a 5/8" rebar with cap;
Thence South 84° 34' 01" West 220.79 feet to a 5/8" rebar with cap;
Thence North 46° 52' 57" West 220.18 feet to a 5/8" rebar with cap;
Thence North 57° 05' 21" East 104.23 feet to a 5/8" rebar with cap;
Thence North 69° 49' 32" East 172.36 feet to a 5/8" rebar with cap;
Thence South 69° 47' 40" East 79.86 feet to a 5/8" rebar with cap;
Thence South 54° 16' 37" East 136.94 feet to the True Point of Beginning.
Containing 1.7 acres of land.

Subject to the following described easement to the above described 1.7 acre parcel;

A 30.00 feet wide, 15.00 feet on each side of centerline, easement for ingress, egress, and utilities along an existing driveway located in Section 18 of Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho and whose centerline is more particularly described as follows:

Beginning at the North quarter corner of said Section 18, from which the Northeast corner of Section 18 bears North 89° 48' 10" East 2623.05 feet;

Thence South 38° 10' 34" East 1195.77 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173";

Thence South 21° 40' 30" West 148.63 feet to a 5/8" rebar with cap;

Thence South 84° 34' 01" West 220.79 feet to a 5/8" rebar with cap;

Thence North 46° 52' 57" West 205.18 feet to the True Point of Beginning;

Thence South 45° 47' 34" West 73.67 feet;

Thence South 26° 35' 00" West 85.73 feet;

Thence South 15° 43' 34" West 104.68 feet;

Thence South 25° 40' 38" West 102.99 feet;

Thence South 39° 47' 48" West 256.41 feet;

Thence South 33° 29' 59" West 254.47 feet;

Thence South 68° 11' 20" West 36.51 feet;

Thence North 80° 20' 02" West 193.77 feet to a point on the Southeasterly right of way line of Cub River Road.

Sidelines of the above described easement are to lengthen or shorten as necessary to begin on the boundary of the above described parcel and end on the said Southeasterly right of way line of Cub River Road.

Timothy Lynn Christensen
1/15/21
PROFESSIONAL LAND SURVEYOR
REGISTERED
13173
STATE OF IDAHO
TIMOTHY LYNN CHRISTENSEN



A. A. HUDSON
and
ASSOCIATES

285166

G.U

Phone (208) 852-1155
Fax (208) 852-3211
132 South State
Preston, Idaho 83263
tim@aahudson.com

LEGAL DESCRIPTION
FOR
STEVEN B HULL FAMILY TRUST
PARCEL 5

Tim Christensen
Idaho PLS-13173
Utah PLS-375041-201

A parcel of land located in Section 18 of Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:
Beginning at the North quarter corner of said Section 18, from which the Northeast corner of Section 18 bears North 89° 48' 10" East 2623.05 feet;
Thence South 38° 10' 34" East 1195.77 feet to a 5/8" rebar with cap labeled, "A.A. Hudson. PLS 13173", the True Point of Beginning;
Thence South 21° 40' 30" West 148.63 feet to a 5/8" rebar with cap;
Thence South 84° 34' 01" West 220.79 feet to a 5/8" rebar with cap;
Thence North 46° 52' 57" West 220.18 feet to a 5/8" rebar with cap;
Thence North 57° 05' 21" East 104.23 feet to a 5/8" rebar with cap;
Thence North 69° 49' 32" East 172.36 feet to a 5/8" rebar with cap;
Thence South 69° 47' 40" East 79.86 feet to a 5/8" rebar with cap;
Thence South 54° 16' 37" East 136.94 feet to the True Point of Beginning.
Containing 1.7 acres of land.

Together with a 30.00 feet wide, 15.00 feet on each side of centerline, easement for ingress, egress, and utilities along an existing driveway located in Section 18 of Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho and whose centerline is more particularly described as follows:
Beginning at the North quarter corner of said Section 18, from which the Northeast corner of Section 18 bears North 89° 48' 10" East 2623.05 feet;
Thence South 38° 10' 34" East 1195.77 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173";
Thence South 21° 40' 30" West 148.63 feet to a 5/8" rebar with cap;
Thence South 84° 34' 01" West 220.79 feet to a 5/8" rebar with cap;
Thence North 46° 52' 57" West 205.18 feet to the True Point of Beginning;
Thence South 45° 47' 34" West 73.67 feet;
Thence South 26° 35' 00" West 85.73 feet;
Thence South 15° 43' 34" West 104.68 feet;
Thence South 25° 40' 38" West 102.99 feet;
Thence South 39° 47' 48" West 256.41 feet;
Thence South 33° 29' 59" West 254.47 feet;
Thence South 68° 11' 20" West 36.51 feet;

285166

W. L.

Thence North 80° 20' 02" West 193.77 feet to a point on the Southeasterly right of way line of Cub River Road.

Sidelines of the above described easement are to lengthen or shorten as necessary to begin on the boundary of the above described parcel and end on the said Southeasterly right of way line of Cub River Road.



Timothy Lynn Christensen
11/15/21

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
28 West Oneida/PO Box 148
Preston, ID 83263

284492

1-3

Recorded at the request of
First American Title
Time: 11:22 Amount: \$ 15.00

DEC 04 2020

CAMILLE LARSEN, RECORDER
By C. Caste Deputy
Franklin County, Idaho

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **944727-PR (hb)**

Date: **December 03, 2020**

For Value Received, **Cynthia Keller Smith, n/k/a Cynthia Keller Smith Murray, a married woman as her sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Richard Emerson and Stevie Emerson, husband and wife**, hereinafter called the Grantee, whose current address is **2670 N 275 W, Sunset UT 84015**, the following described premises, situated in **Franklin County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECEIVED

OCT 17 2022

Department of Water Resources
Eastern Region

284492
2-3

Date: 12/03/2020

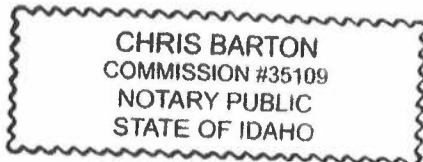
Warranty Deed
- continued

File No.: 944727-PR (hb)

Cynthia Keller Smith-Murray
Cynthia Keller Smith Murray

STATE OF Idaho)
COUNTY OF Franklin)
SS.

On this 4 day of December, 2020, before me, a Notary Public in and for said State, personally appeared **Cynthia Keller Smith Murray**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public for the State of Idaho
Residing at: PRESTON
My Commission Expires: 11-13-2024

Date: 12/03/2020

Warranty Deed
- continued

File No.: 944727-PR (hb)

EXHIBIT A

A parcel of land located in the Northwest quarter of Section 18, Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows: Commencing at the West quarter corner of Section 18, from which the Southeast corner of the Northwest quarter of Section 18 bears North 89° 09' 25" East; Thence North 69° 05' 44" East 2408.20 feet to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163" at the intersection of the Westerly right of way line of Cub River Road and the Southeasterly extension of a fence line, the Place of Beginning; Thence North 62° 19' 50" West 109.10 feet along a fence line to a 5/8" rebar and cap; Thence North 03° 09' 47" West 107.11 feet along a fence line to a 5/8" rebar and cap; Thence North 13° 06' 35" West 40.21 feet to a 5/8" rebar and cap; Thence North 36° 26' 38" West 37.52 feet to a 5/8" rebar and cap; Thence North 44° 19' 42" West 35.32 feet to a 5/8" rebar and cap; Thence North 50° 31' 13" West 192.70 feet to a 5/8" rebar and cap at a fence corner; Thence North 22° 14' 06" East 243.89 feet along a fence line to a 5/8" rebar and cap; Thence South 89° 24' 30" East 108.80 feet along a fence line to a 5/8" rebar and cap; Thence South 68° 47' 20" East 301.80 feet to a 5/8" rebar and cap at the Westerly right of way fence line of Cub River Road; Thence South 22° 34' 40" West 62.98 feet along said right of way line to a 5/8" rebar and cap on a 630.00 foot radius non-tangent curve concave to the Southeast, whose center bears South 63° 11' 12" East; Thence Southwesterly along said curve (right of way line) through a central angle of 08° 24' 28" a distance of 92.45 feet to the point of tangency (chord = South 22° 36' 34" West 92.37 feet); Thence South 18° 24' 20" West 365.46 feet along said right of way line to the Point of Beginning.

SUBJECT TO: an access easement described as follows:

Commencing at the West quarter corner of Section 18, Township 15 South, Range 41 East, Boise Meridian, Franklin County, Idaho, from which the Southeast corner of the Northwest quarter of Section 18 bears North 89° 09' 25" East; Thence North 69° 05' 44" East 2408.20 feet to a 5/8" rebar and cap labeled "Allen Land Surveying, PLS 9163" at the intersection of the Westerly right of way line of Cub River Road and the Southeasterly extension of a fence line, the Point of Beginning; Thence North 62° 19' 50" West 25.00 feet; Thence North 35° 24' 00" East 84.42 feet to the Westerly right of way line of Cub River Road; Thence South 18° 24' 20" West 84.76 feet along said right of way line to the Point of Beginning.

RECEIVED

OCT 17 2022

Department of Water Resources
Eastern Region

221145 1-2

QUITCLAIM DEED

Steve B. Hull

Recorded at the request of

Steve B. Hull

9:25

— a.m. APR 04 2003 — p.m.

V. ELLIOTT LARSEN, RECORDER
By *Ruth K. Rowling* Deputy
FRANKLIN COUNTY, IDAHO

FOR VALUE RECEIVED, Cynthia K. Hull Grantor, does hereby convey,

release, remise and forever quitclaim unto Cynthia Keller Hull, whose address is 6893
East Cub River Road, the following described premises, to-wit:

A parcel of land located in Section 18, Township 15 South, Range 41 East, Boise Meridian, Franklin county, Idaho and more particularly described as follows:
Commencing at the Southwest corner of said Section 18, located South 89°58'53" West 2734.98 feet from the South Quarter corner of said Section 18; Thence North 00°13'56" East 2807.51 feet along the West boundry of Section 18 to the East Quarter corner of Section 13, a 5/8" rebar and cap stamped PLS 4735 and recorded in instrument Number 208766; Thence North 61°29'47" East 2210.01 feet to a point, marked with a found 1" iron pipe, this being the True Point of Beginning. Then North 22°10'31" East 242.57 feet Thence North 72°15' East 500 feet to a point on the West Side of County Road. Thence Southwesterly along the West Side of said road 763 feet more or less to a found 1" iron pipe. Thence North 62°48'37" West 109.80 feet to a found 1" iron pipe, Thence North 6°17'4" West 156.33 feet to a point, Thence North 48°34'6" West 255.44 feet to the True Point of Beginning.

Together with the appurtenances. This property is located in _____

_____, also known as _____

This deed is intended to convey to the Grantee all right, title, and interest of the Grantor in and to said property, now owned or hereafter acquired.

Dated this 4 day of April, 2003.

Cynthia K. Hull
[name] Grantor

Steve B. Hull

STATE OF IDAHO)
) ss.
County of Franklin

On this 4th day of April, 2003, before me,

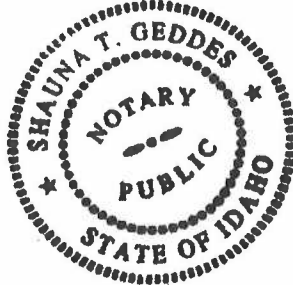
QUITCLAIM DEED
CA06-10

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221145 2-2

the undersigned, a Notary Public in and for said state, personally appeared STEVEN B. Hull & Cynthia K. Hull, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they he-executed the same.



Shauna T. Geddes
NOTARY PUBLIC for Idaho
Residing at: Preston
My Commission Expires: 11-08-06

St. Joseph

Shabetsky

100 Years of History
in Cuba River Canyon

1891-1991

had four children: Bradley Joseph, November 15, 1974; Matthew Mark, January 13, 1976; Amanda, October 12, 1978; and Blake Johnson, August 15, 1984.

They built an A-Frame home near Deer Cliff Inn. Brad was always active in Scouting. He was

a builder by trade. He always said his greatest accomplishments were being the foreman on the renovation of the Logan Temple and in getting his pilot's license. He passed away on September 4, 1986.

HULL



Left to Right: Jody, Christine, Karen, Beverly, Steven, James, Tyra Lynn, Lee Ann, Clair and Blanche.

Parents: Clair Weaver and Blanche Hiatt Hull

Children: Tyra Lyn, Lee Ann, Jo Anne, James Clair, Kent, Steven Bart, Kristene, Karen and Beverly

Also see Bishop Section.

The Clair W. Hull family history in Cub River Canyon began in 1950, and continued to 1991. After five years living in Whitney, Idaho, and one year in Los Angeles, California, the Clair W. Hull family, then consisting of Clair, Blanche, Tyra Lyn, Lee Ann, and "almost" Jody parked a small trailer on the Hull Ranch property and began building a home. Many years of hard work followed. The home shaped up well, the family increased to nine children, even the hillsides produced alfalfa, grains and cattle. Always through these years there was a necessity for more income, so Clair worked at the Sugar Factory, State Highway Department and started a custom spraying business.

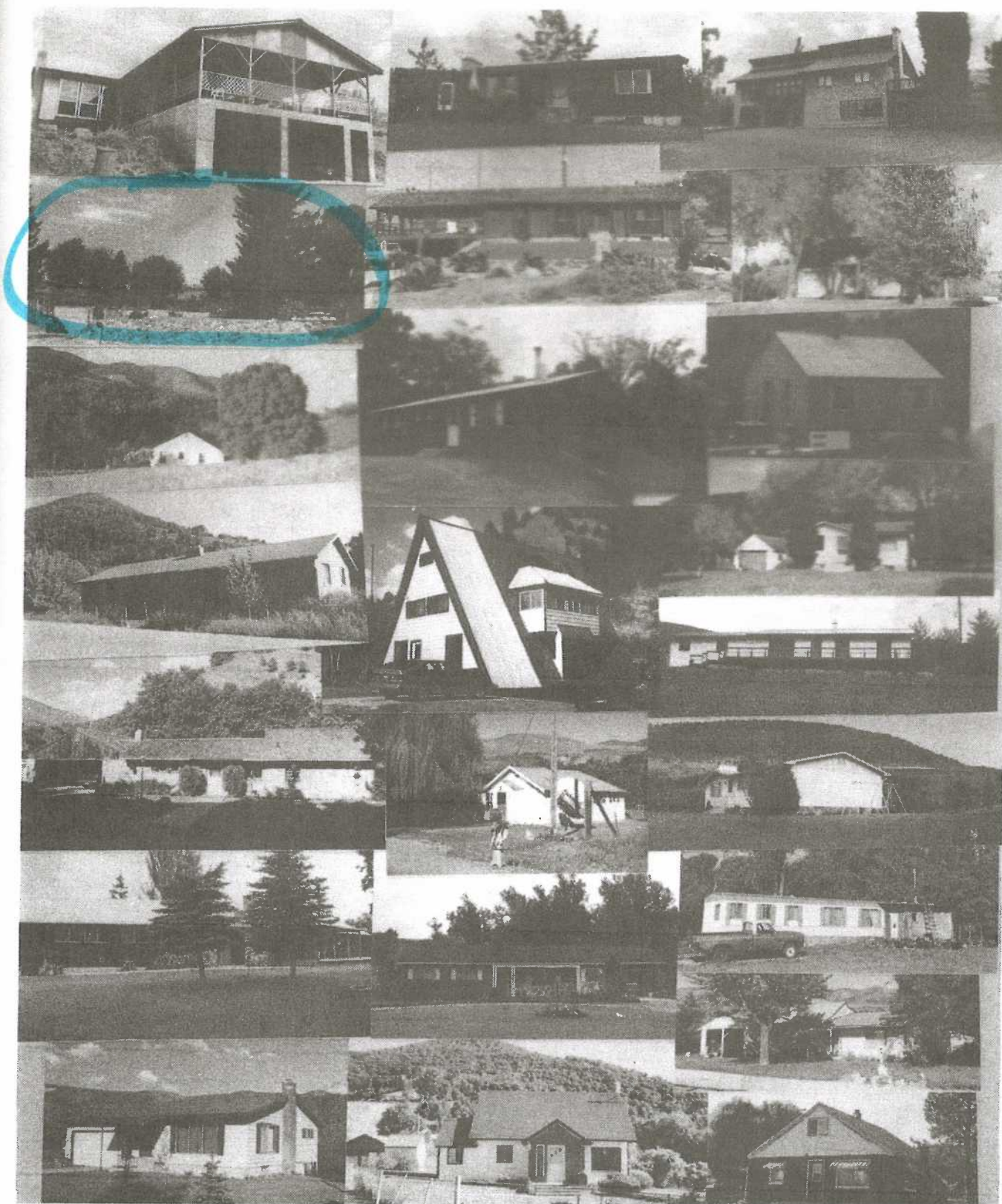
Although neighbors were a distance away and most were relatives, all were helpful and friendly, making life good. Many pleasant times were spent working and playing together as a family. What

we may have lacked in close proximity to the city, was more than compensated for with beautiful scenery, fresh air, the comforting lullaby of our precious river flowing by, and plenty of "elbow room."

The little local one or two room school house was traded for a bus ride to Franklin or Whitney schools just prior to our becoming Cub River citizens. Every Sunday began with the three mile drive to the church house. What special friends we always met there.

Life has been very good, some "sads" and some "glads" and lots of learning from both. Much satisfaction and joy from nine children, eight spouses, 29 grandchildren and three great-grandchildren, all sealed to us forever if righteousness prevails to the end.

The immediate family of Clair and Blanche Hull consists of: Tyra Lyn Hull Larsen, McCammon, Idaho; Lee Ann Hull Jacobson, Nibley, Utah; Jody Hull Sharp, Cub River; James C. Hull, Cub River; Kent Hull, deceased 1957; Steven B. Hull, Cub River; Kristene Hull Hyatt, Phoenix, Arizona; Karen Hull Morley, Fresno.

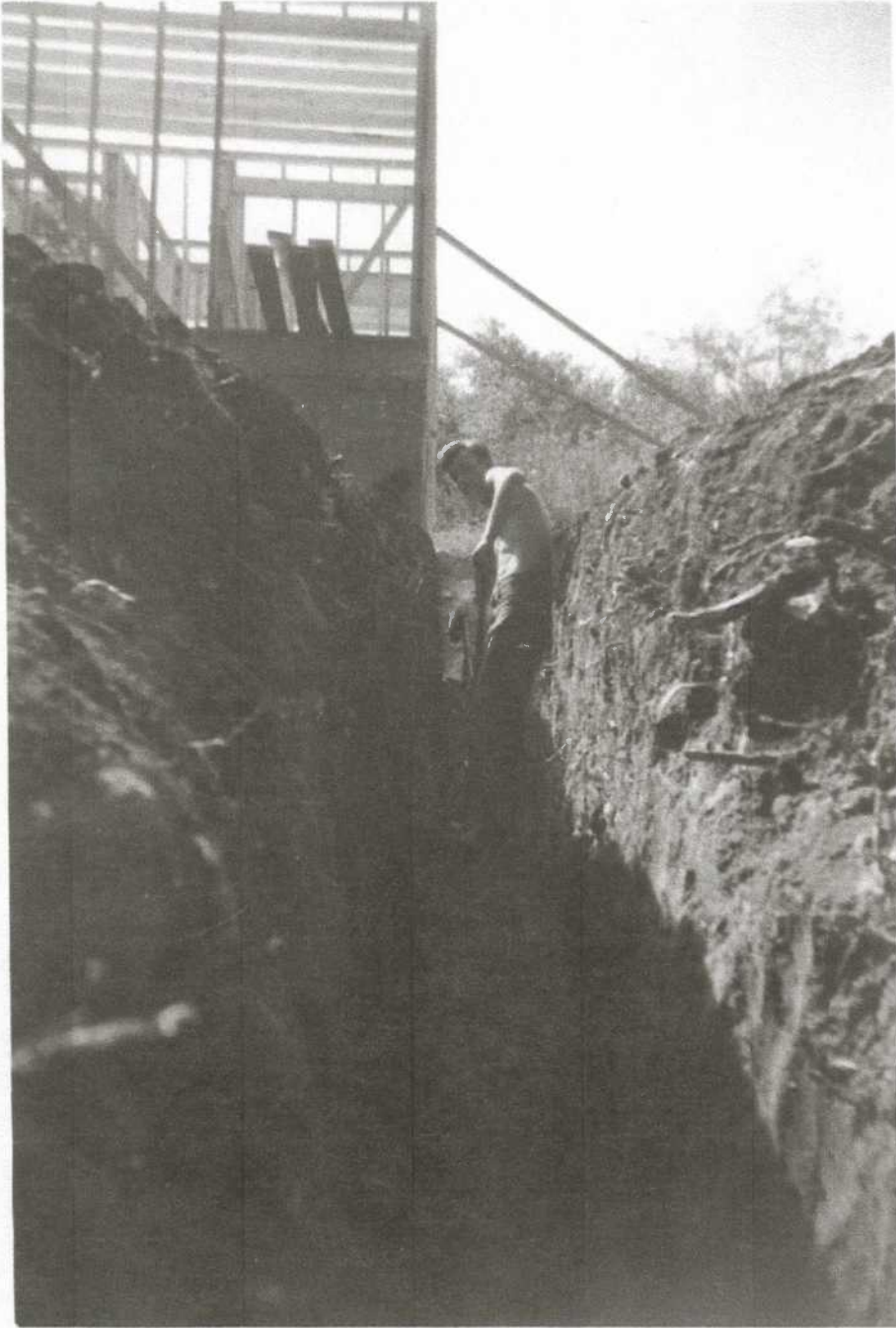


Row 1: Brent Sharp, Jerry Murdock (Chutich), Mark Butterfield. 2. Site of Clair Hull home, Jim Hull, Erma Taylor. 3. Vaudis Sharp, Larry Beckstead, Stewart Burbank. 4. H. Walter Knapp, Jim Dougherty, Glenn Bowman, below Max Sharp. 5. Roy Eichert, Alma Burbank, Web Bowman (Lavon). 6. Captain Thomas Robinson, Gerald Cole, Tex Bowcut. 7. Gary Bowman, Morris Gregory, Lillian Porter (DeVere Burbank), below Dan Burbank.



- Construction of Clair Hull's home
at 6893 E. Cob River Road
Preston, ID 83263
- Camper the family lived in during construction 1950-1953.
- Original P.O. for water right 13-4214 in Oct, 1953

86092



- Clair trenching water line into house from his developed spring
source in Claim No. 13-4214

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Clair's children in front of constructed home using water from claim No. 13-4214

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CHRISTMAS MORN FIRE destroy this Cub River Road home belonging to Clair "Peck" Hull and his wife, Blanche who barely escaped the

flames to engulf the five-room house and basement. Couple is temporarily living at their summer cabin. —Jean Carter Photo

Christmas fire destroys home

By ROBERT MERRILL

A fire early Christmas morning completely destroyed a house in Cub River owned by Clair Hull.

"The fire call was logged at 5:10 a.m. and the house was completely involved when the fire department arrived on the scene, 6893 East Cub River Road, at 5:31 a.m.," said Scott Martin, of the Franklin County Volunteer Fire Department.

Martin estimated damage to the house at \$80,000 and added it burned completely to the ground.

"Family members were only able to get a few personal items out of the house before smoke and heat became too intense," said Martin. "The fire was contained to the house. No outbuildings were involved. We just don't know the cause of the fire yet. It is still under investigation."

Martin said there were no injuries. "The recent cold snap is pushing home-heating systems to maximum levels. Since Monday the fire depart-

ment has responded to five fire calls," Martin said. "There are a few precautions people should take because another arctic cold blast is expected this weekend."

"People with wood burning stoves and fireplaces should make sure they clean their chimneys at least once a month. A lot of wood is being burned and fireplace stoves and wood burning chimneys need to be cleaned at least that often to avoid chimney fires. The fire department is also advising people to check their wood burning stoves for proper installation. One fire call we responded to this week was at a house with an improperly installed wood burning chimney. It overheated and caused a wall to begin to burn," he said.

City officials are also urging residents to keep a small stream of water running in one faucet in their homes to avoid water lines from freezing. Local plumbers told The Citizen they have been very busy the past week thawing frozen water lines.

Electric wiring in attic

Hospital gets ready for birthing center

By JOHN SANT

Franklin County Medical Center is moving ahead with the bright, new idea of a comfortable birthing suite in the acute-care section of the hospital, thanks to \$12,000 raised by the Pink Ladies Auxiliary.

Tentative plans call for work to begin about the middle of January, the center's board of directors learned last week.

"The problem has been all people involved in the construction are not all lined up," said hospital administrator Mike Andrus. "We want to minimize the length of time this project will take to complete."

Pink Ladies are searching for \$1,000 more to pay for the project, reported Margaret Swann, treasurer for the volunteer organization. Candy sales are not expected to be the answer because of the extreme cold weather.

At the meeting, considerable time was given the conversion of the physical plant from all-electric heating and ventilating to natural gas as well as all water heating.

PRELIMINARY numbers were given by Honeywell Company representatives, Wayne Wall, Dan Grimes and Brad Sandburg with a proposal. In a

D.A. Nash won the two in Vegas. Jennifer Ladies porcelain people won gift a day give-away in The give-away Preston Area O The trip was Franklin County sion and the doll Ladies.

The drawing for Franklin County drawing for those lights, she drew Douglas Webb. later that another Jeff Hollingsworth.

The Nashes won coupon from the Lights coupon be

"I'm it! That's nifer 14, while Creek Opera Hou

She is the daug Smith now living grand daughter Preston.

year were offered company, board Keller and member The Citizen. "The cant," said Andri

Board member engineering, calc finance and main detail and took the

County Attorney asked to do legal can be done at center is well in year. "The box which side of the legally," reported

Somewhere first was projected at the conversion well.

IN OTHER centered around in premium cos employees and Blue Cross insur

A new x-ray s working, the "Photo timing a now," explains vides us with b ings that lead t

Local legislator sees big budget requests

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 07 2022

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Department of Water Resources
Eastern Region

Name of Applicant(s) Jeremiah Hull Phone 208 339-3770
Mailing address 6898 E Cub River Road Preston, ID 83263 Email hullwm@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Jeremiah Hull Jeremiah Hull / Applicant 03/02/22
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

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 Ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Correction to clerical error in domestic water right (0.04 cfs) location from section 18 T15S R40E to section 18 T15S R41E

Change in ownership from Steven B Hull Family Trust to Jeremiah Hull (see attachment #2a)

Change in place of use from original home in SENW to home in NWNE (See attached #2b)



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

December 7, 2022

JEREMIAH K HULL
6898 E CUB RIVER RD
PRESTON, ID 83263-5709

RE: Transfer No. 86092
Water Right No(s). 13-4214

Dear Applicant:

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 PRESTON CITIZEN on 12/14/2022 and 12/21/2022. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, December 7, 2022 11:00 AM
To: legals@prestoncitizen.com
Subject: Legal Notice for Preston Citizen
Attachments: 86092 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Transfer No. 86092
Water Right No(s). 13-4214

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 1/3/2023. 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. 86092**

JEREMIAH K HULL, 6898 E CUB RIVER RD, PRESTON, ID 83263-5709 has filed Application No. 86092 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-4214; 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. The proposed point of diversion is in SENENE Sec 18 T15S R41E for 0.04 cfs from a Spring. The proposed place of use is in NWNE Sec 18 T15S R41E for domestic purposes. 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 1/3/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/14/2022 and 12/21/2022