

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A24-10050
Date Received: 2/14/1990
Receipt No: E012197
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT L. HILD 805-682-8111
Address: 4475 VIA ABRIGADA
SANTA BARBARA, CA 93110

2. Date of Priority: MAY 01, 1950

3. Source: STUMP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	46E	28	SE	NE			CARIBOU

5. Description of diverting works:
PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

7. Total Quantity Appropriated is:
0.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	28	SW	NE		IRR	10.0
			SE	NE		IRR	25.0
Section Acres							35.0

A24-10050

Page 1

Date: 03/26/90

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NOV 06 1992



10. Place of Use: Continued

Total Acres 35.0

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

NO LATE FEE IF RECEIVED

BY 3/15/90

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A24-10050
Date Received 2-1-90
Receipt Number EC12197

RECEIVED

FEB 14 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

MAR 1 - 1990

**Department of Water Resources
Eastern District Office**

Department of Water Resources
Eastern District Office

1. Name of Claimant(s) Robert L. Hild Phone (805) 682-8111
Mailing Address 4475 Via Abrigada, Santa Barbara, CA Zip 93110
2. Date of Priority (Only (1) per claim) May 1, 1950
3. Source of water supply (a) Stump Creek
which is tributary to (b) Salt River
- 4.a. Location of existing
point of diversion is: Township 7S. Range 46E. Section 28,
1/4 of SE 1/4 of NE, Govt. Lot, _____ B.M., County of Caribou
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of
_____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches,
Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any
changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____
Pump and buried mainline to the sprinklers.

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount .7 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .7 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 122.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4				NW1/4				SW1/4				SE1/4				TLS
:	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	:
7S:46E: 28:			10	25													35
:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
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Total number of acres irrigated 35

11. In which county(ies) are lands listed above as place of use located?
Caribou

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

14. Remarks:

Pump was first installed in 1950 with a 4 inch line for flood irrigation. In July of 1965, sprinklers were added and in August of 1978 a mainline was buried with risers for the sprinkling system.

Last Name Hild Ident. Number _____

MICROFILMED

NOV 6 1992

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) *Robert L. Hild* Date 2/13/90
Robert L. Hild Date _____

For Organizations: I do solemnly swear or affirm that I am _____ of _____, that I have signed the
Title Organization

foregoing document in the space below as _____ Title
of _____ and that the statements contained in the
Organization

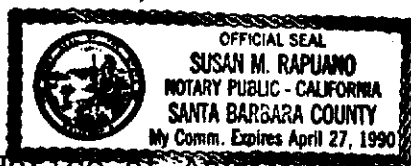
foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or CALIFORNIA)
County of SANTA BARBARA) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of February, 1990.



Notary Public *Susan M. Rapuano*
Residing at 529 Anheuser Dr, GOLETA, CA 93117
My Commission Expires 4/27/90

17. Notice of Appearance:

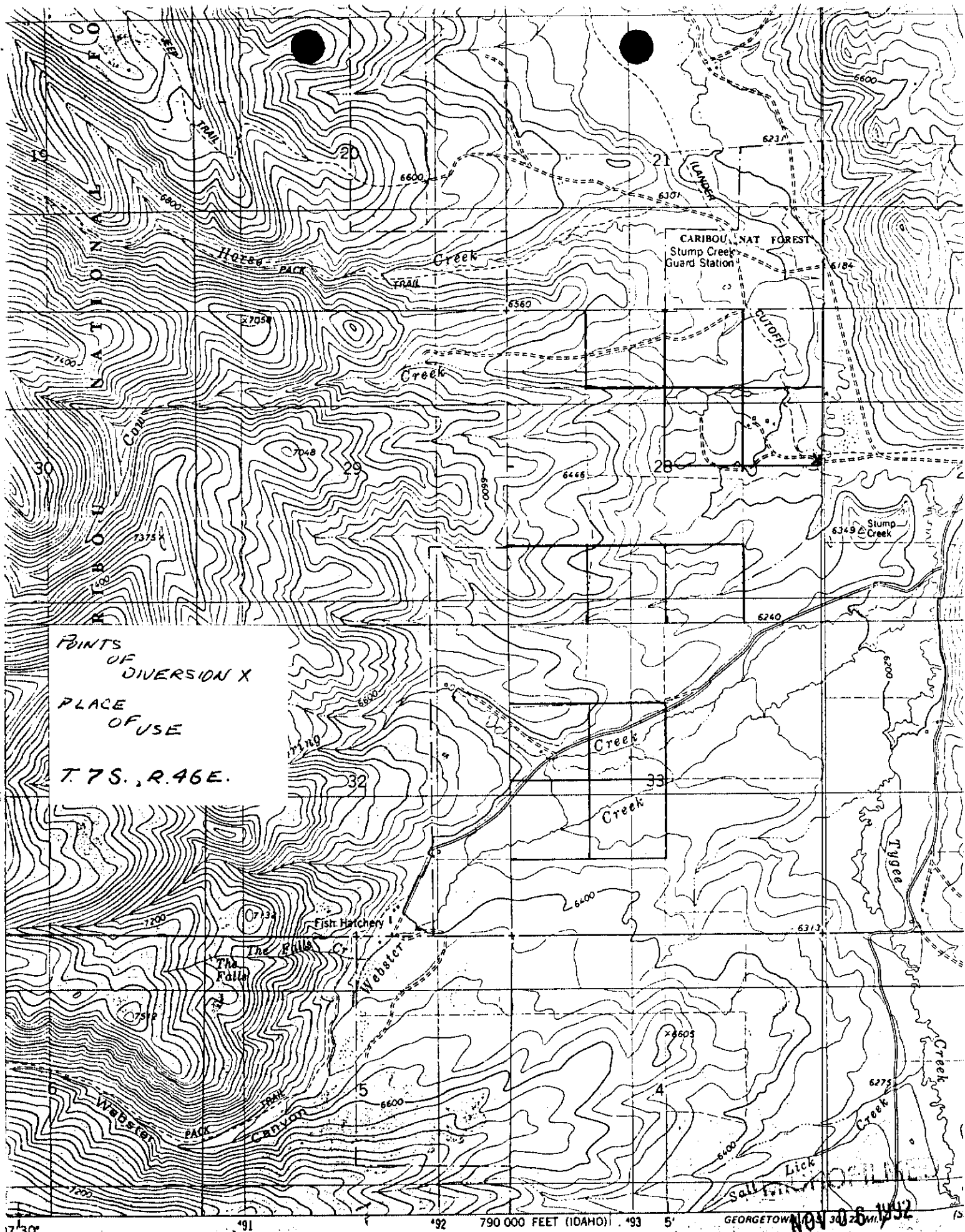
Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature *Kent W. Foster*
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 2/14/90

Last Name Hild Ident. Number _____

MICROFILMED

NOV 06 1992



Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs

GN

1000 0 1000 2000

SC

Log for claim 24-10050

Spatial Dynamics BTD

5/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s46e	28	SWNE	10	33	Indiscernible
07s46e	28	SENE	25	33	Indiscernible
Totals:			35	66	



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

October 7, 1997

RECEIVED

PHILIP E. BATT
GOVERNOR

OCT 20 1997

KARL J. DREHER
DIRECTOR

Department of Water Resources

ROBERT L HILD
PO BOX 30427
SANTA BARBARA CA 93130

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A24-02017, A24-10047, A24-10048, A24-10049, A24-10050,
& A24-10051
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by October 22, 1997. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

RECEIVED OCT 09 1997

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS, P.A.
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
JAMES K. SLAVENS

WEST ONE BANK BLDG.
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

November 8, 1994

Dave Carlson, Water Right Agent
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

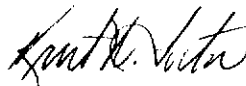
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NOV 9 1994
Department of Water Resources
Eastern District Office

Re: *Adjudication Claims Nos. A24-10050 and A24-10051 in the name of Robert L. Hild*

Dear Mr. Carlson:

Mr. Hild has been able to obtain an affidavit and some additional information that should be of assistance with respect to determining the priority date for the above numbered claims. We are enclosing with this letter copies of the abstract documents of the patents and an affidavit from Mrs. Ada Hurd Nelson. If we can be of any further assistance, please feel free to call at your convenience.

Very truly yours,



Kent W. Foster

Enclosure

G:\WPDATA\SANDRA\KWF\LETTE90HILD01.LTR.sjw

MICROFILMED
NOV 17 1994

PATENT

THE UNITED STATES OF AMERICA,
By the President: Warren G. Harding,
By: Ada Braddock, Assistant Secretary,
By: John O'Connell, Acting Recorder
of the General Land Office,
(Seal affixed),

Grantor,

to

Mahonri K. Hurd,

Grantee.

Dated: August 15, 1922.

Filed: May 23, 1928, at 4:55 P.M.

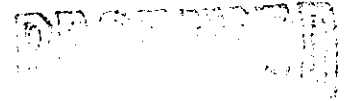
Recorded: Book 1 of Patents, at page 570,
records of Caribou County, Idaho.

Instrument No. 9245.

Consideration: --

Witnesses: --

Acknowledged: --



NOV 00 1924

Department of the Interior
General Land Office
Eastern District Office

WHEREAS, A Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Mahonri K. Hurd has been established and duly consummated, in conformity to law, for the northwest quarter, the east half of the northeast quarter and the Southwest quarter of the northeast quarter of Section twenty-eight in Township seven south of Range forty-six east of the Boise Meridian, Idaho, containing two hundred eighty acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE, by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

RECORDED

NOV 0 / 1924

COPY

PATENT

THE UNITED STATES OF AMERICA,
By the President: Warren G. Harding,
By: M. P. LeRoy, Secretary,
By: L. Q. C. LaMar, Recorder of the
General Land Office,
(Seal affixed),

Dated: June 10, 1921.
Filed: March 26, 1923, at 11:34 A.M.
Recorded: Book 1 of Patents, at page 446,
records of Caribou County, Idaho.
Instrument No. 4765.

Grantor,

to

Frank Devenberg,

Grantee.

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Frank Devenberg has been established and duly consummated, in conformity to law, for the southwest quarter and the west half of the southeast quarter of Section twenty-eight, in Township seven south of Range forty-six east of the Boise Meridian, Idaho, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General.

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

MICROFILMED

NOV 0 1 1960

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
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WEST ONE BANK BUILDING
P.O. BOX 50130
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TELEPHONE (208) 523-0620
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ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

February 28, 1990

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

Tony Olenichak, Water Right Agent
IDAHO DEPARTMENT OF WATER RESOURCES
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

RE: Robert L. Hild's Notices of Water Right

Dear Tony:

After you and I visited by telephone, my secretary advises me that she already put the correct pages back in and laid them back on my desk without telling me so I apologize for sounding confused, but theoretically all of them should be together properly now.

Also with respect to Cow Creek and Stump Creek it is our understanding that the entire 10 acres listed in the SW1/4 of the NE1/4 of Section 28 of the Stump Creek notice are the identical same 10 acres listed on the Cow Creek notice and that the entire 25 acres listed in the SE1/4 of the NE1/4 of Section 28 on the Stump Creek notice are included within the 30 acres listed in the same 40 acre tract on the Cow Creek notice.

Yours very truly,



Kent W. Foster

#7704.00/srr

Enclosure

MICROFILMED
NOV 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: February 15, 1990

Kent W. Foster
P.O. Box 50130
Idaho Falls, ID 83405

RE: Robert L. Hild's Notices of Water Right ..

Dear Mr. Foster:

The Idaho Department of Water Resources (IDWR) is returning check #0001820 (\$540.00) and Robert L. Hild's Notices of Claim to a Water Right because of insufficient information and/or fees. All items on the notices must be correctly completed and fees submitted before the IDWR can process the claims.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected notices within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each notice.

- The page listing the purposes, amounts, and place of use (Items #6 through #14) was omitted for the Devenberg Spring Notice of Claim.
- Please indicate the number of irrigated acres (listed on the Cow Creek and Stump Creek Notices of Claim) which overlap each other. For example, are the ten acres listed in the SW 1/4 of NE 1/4, Section 28, of the Stump Creek notice the same ten acres listed on the Cow Creek notice? Are the entire 25 acres listed in the SE 1/4 of NE 1/4, Section 28, of the Stump Creek notice included within the 30 acres listed in the same 40-acre tract on the Cow Creek notice?

If you have any questions, please call Tony Olenichak, Water Right Agent, at 525-7161.

Sincerely,

Tony Olenichak
Ernest Carlsen
Ernest Carlsen
Adjudication Supervisor

Enclosure

ENCLOSURE

NOV 06 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
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TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

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ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)
R. VERN KIDWELL, OF COUNSEL

February 14, 1990

RECEIVED

FEB 14 1990

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

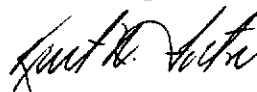
RE: Robert L. Hild SRBA Claims

Gentlemen:

Enclosed for filing are six Notices of Claim in Caribou County, Idaho. We have also enclosed Mr. Torgesen's check in the amount of \$540.00 for the filing fees.

Please direct any questions you may have regarding these claims to our office. Thank you for your assistance with this matter.

Yours very truly,



Kent W. Foster

#7704.00/srr

Enclosure

RECORDED

NOV 06 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME HildCLAIM NO. A24-10050DATE RECEIVED 2/14/90

CK # _____

AMOUNT \$ _____

YES

NO

Required Info?

1. Is the name and address complete with zip code?
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered?
(b) Is a tributary to entered? (if required) N/A
4. Is the legal description of the p.d. sufficient?
5. Is there a description of the diverting works?
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.
Is the period of use included?
Is a quantity claimed for each use?
7. Is a total quantity claimed entered?
8. If required is a consumptive use entered? N/A
Is the consumptive use correct? N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A
10. Is (are) the place(s) of use and purpose(s) indicated?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" indicated?
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A
15. Is the basis of the claim indicated?
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.
18. Has the claim been signed, sealed, and dated by a notary?
19. Was this claim filed on time, or was an extension granted?
20. Is the fee enclosed correct? Exempt
21. If this claim is based on an existing water right, has the identification number been entered? N/A
22. Should this claim be data entered?

Claim checked by: DCDate: 3/26/90

Claim must be returned to claimant: _____

(Yes) X (No)

Claimant must be notified of modifications: _____

(Yes) X (No)Receipt Prepared by: DCClaim data entered by: DC

Sent to claimant by: _____

Date: _____

Date: 3/26/90

Date: _____

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

NOV 06 1992

In the early 1920's my father Mahorni Hurd homesteaded the property now owned by Robert Hild, it was on Cow Creek and over the hill where the lakes are. I was ten years old and remember riding from Grover, where we lived, in the back of a lumber wagon with our legs hanging over the end of the wagon. It seemed to take us for ever to reach the Cow Creek house.

I remember when I was 10 or 11 it took my father all summer to build a large one room house over the hill north of the lakes, where we lived in the summer. Here he cultivated the ground and planted grain. We also had a garden with a three wire fence around it to keep out the livestock. My Sisters and I had lots of fun trying to keep the squirrels from getting into the garden and eating the vegetables.

There was an old salt house down close to Stump Creek where we crossed to get up around the lakes and over the hill to our house on Cow Creek. My father used to take off his shoes socks and wade in the black mud to scrap up the salt, with a pitchfork, to feed the cattle. I, being the oldest of three girls, had to help dad dig a ditch around the hill from Cow Creek into the lake for irrigation of grain, alfalfa, potatoes, horse pasture and to water the live stock.

Those were wonderful years we spent up Stump Creek. Because of the distance from Grover to Cow Creek my father sold the homestead. After we moved to Auburn, father wished he still owned the Cow Creek property. The property has been sold several time since. In the early 1950's they started irrigating some of the lower land along Stump Creek with water pumped from Stump Creek. Then around 1965 they started using sprinklers. I have always had a fondness for this Cow Creek property since my father homesteaded it.

In the early 1920's, south of my fathers homestead, was the Devenberg homestead. (Frank and Lola) They built a cabin just below what we referred to in later years as the Devenberg Spring. Their cabin was located close to the spring. They had a small ditch that ran from the spring, by their cabin and on down into the meadow. They used the spring for their own personal use and to water their livestock and garden. The Devenberg's had quite a few cattle and horses that ranged on their land. Other than the garden and small crops the Devenbergs grew, this land has been used for cattle grazing, as it is today.

I have lived in Star Valley since 1911. Taught school in a one room school house, that is still standing, up Tygee Valley not far from my father's and the Devenberg homesteads. My husband, Max Nelson was a trapper for the state of Idaho for a number of years from 1940.

Ada Hurd Nelson
Ada (Hurd) Nelson
Auburn, Wyoming

NOTARY

SUBSCRIBED AND SWORN to before me this 26th day of October, 1994.

Devonna Frasier
NOTARY PUBLIC

My Commission Expires: 7/1/95

