

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

02/20/2004

RIGHT NUMBER: 23-47A
NAME AND ADDRESS: CAROL W BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

SOURCE: RAINEY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 1.550 CFS

PRIORITY DATE: 05/15/1896

POINT OF DIVERSION:
T02N R44E S33 SESESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.550 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S05	NESE	30.0	T01N R44E S05	NWSE	31.0
T01N R44E S05	SWSE	40.0	T01N R44E S05	SESE	39.0

140 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 140.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-19B, 29-47A, 29-92.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-19B, 29-47A, 29-92.

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: A23-00047A
Date Received: 8/25/1989
Receipt No: E009979
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GLEN H BILLS
Address: 154 ELECTRIC AVE
SEAL BEACH CA

310-430-6655

AND/OR

Name: CAROL W BILLS
Address: 154 ELECTRIC AVE
SEAL BEACH CA

90740

310-430-6655

90740

2. Date of Priority: MAY 15, 1896

3. Source: RAINEY CREEK, UPPER

Trib. to: SNAKE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	44E	33	SE	SE	SW		BONNEVILLE

5. Description of diverting works:

HEADGATE IN STREAM TO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.550		

7. Total Quantity Appropriated is:

1.550 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

MICROFILMED

APR 11 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	44E	5	NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	35.0
			SE		SE		IRR	35.0
Section Acres								140.0
Total Acres								140.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-00019B, 00092

14. Remarks:
TRANS. 382.
WEEKS BROTHERS HAVE AN LEASE AGREEMENT WITH MRS. HOWARD TO FARM
THIS PLACE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL.
vs Decree Defendant

MICROFILMED
APR 11 1994

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: A23-00047A
Date Received: 8/18/1989
Receipt No: 009979
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARETE HOWARD
Address: P.O. BOX 25
SWAN VALLEY, ID

208-483-3361

OR

83449

Name: WEEKS BROTHERS
Address: C/O STEVE WEEKS
P.O. BOX 25
SWAN VALLEY, ID

208-483-3361

83449

2. Date of Priority: MAY 15, 1896

3. Source: RAINEY CREEK, UPPER

Trib. to: SNAKE RIVER, SOUTH

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
02N	44E	33	SE	SE	SW		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.550		

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

A.F.A.

8. Total consumptive use is

350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A23-00047A

Page

1

Date: 08/18/89

MICROFILMED
NOV 07 1992

A2300047A



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	44E	5	NE	SE	IRR	35.0
			NW	SE	IRR	35.0
			SW	SE	IRR	35.0
			SE	SE	IRR	35.0

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-00019B, 00092

14. Remarks:
TRANS. 382.
WEEKS BROTHERS HAVE AN LEASE AGREEMENT WITH MRS. HOWARD TO FARM
THIS PLACE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL.
Decree 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 Y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of Weeks Bros Inc Organization, that I have signed the foregoing document in the space below as President of Weeks Bros Inc Organization and that the statements contained in the foregoing document are true and correct.

Stew Weeks
Signature of Authorized Agent

Bres Weeks Bros Inc
Title and Organization

8/25/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of August 19 89

[Signature]
Notary Public

Seal

Residing at Lolo Falls Id.
My Commission Expires 22 Aug 1994

02/20/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-47A

CAROL W BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

Telephone Number: (310)430-6655

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

Telephone Number: (310)430-6655

CAROL W. BILLS
15131 VERMONT ST.
WESTMINSTER, CA 92683
TEL: (714) 892-4994

GLEN H. BILLS
15131 VERMONT ST.
WESTMINSTER, CA 92683
TEL: (714) 892-4994

4/7/04
Done

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/24/04

SIGNATURE: [Signature]

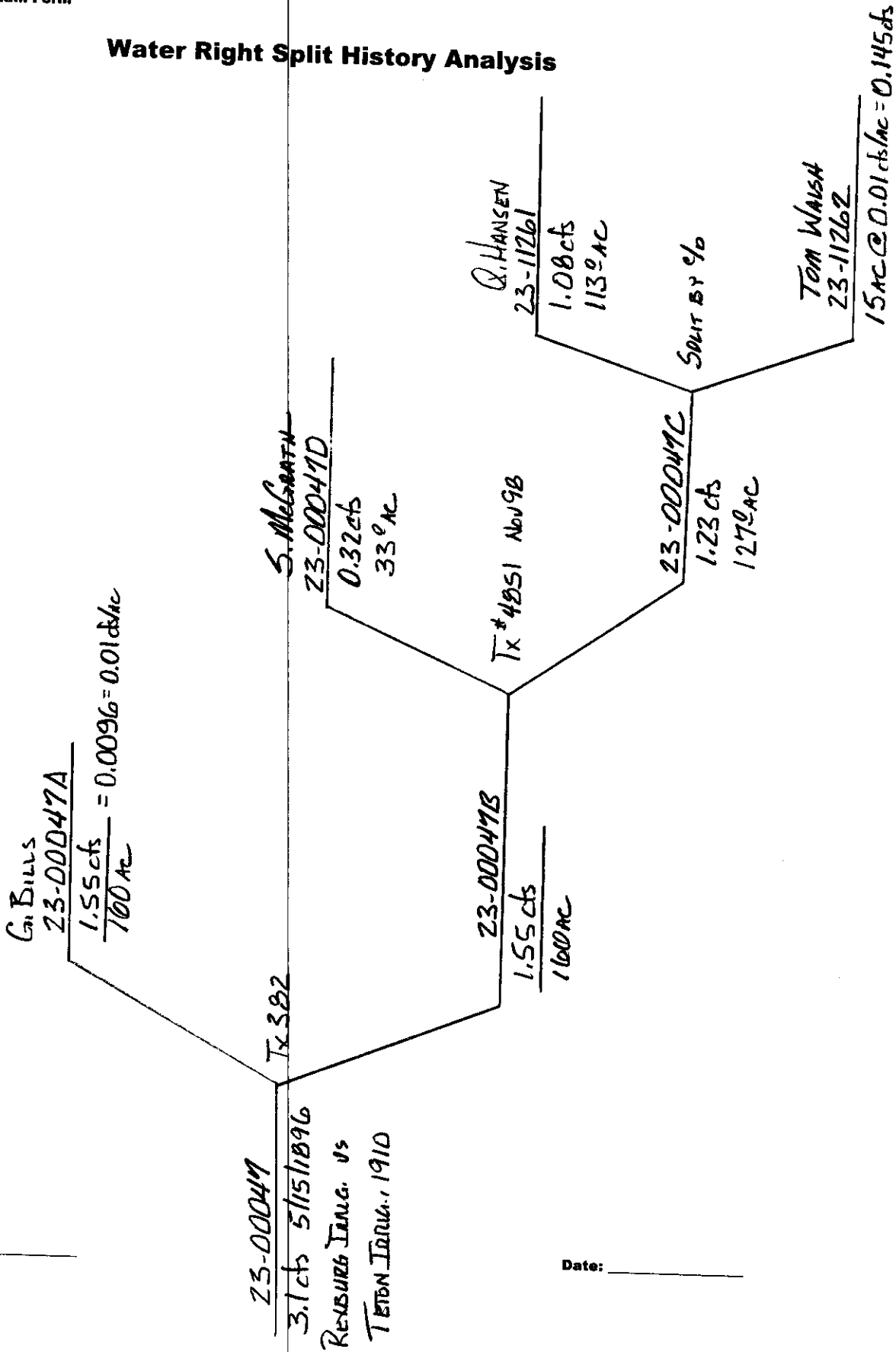
Please print your name: GLEN H. BILLS

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Water Right Split History Analysis

Reviewer: _____

Date: _____



Contacts Data Entry Form

Water Right No. 23-47A

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner

GLEN BILLS

Name connector: and _____, or _____, and/or _____

c/o 2/93

Current Owner

Current Owner

Representing Attorney:

Phone Number:

Accompanied By:

Phone Number:

Relationship to Claimant:

Date of Field Exam:

Time:

Directions to Property (if different from above) and/or update owner information:

DECREED UNDER ROXBURG PATENT VS TOLON PATENT, 1910.
AS: 155" (3.1 cts), 5/15/1896 TO W.A. MURDOX #142.

TRANSFER #382 SPLITS 23-47 INTO A AND B.

23-47A AS 1.55 cts NOT MOVED - THAT'S PART B.

PART B FURTHER SPLIT TO C AND D, AS 1.23 AND 0.32

RESPECTIVELY. 23-47 IS CLAIMED IN-FULL.

TX #382 IS ATTACHOO.

DO w/ 23-19B AND 23-92

FE INDICATED: POD, POL, SYSTEM

OVERLAP w/ Ac Limits

Reviewer:

Date:

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 5/15/1896 Claimed Basis: DECEASED

Recommended Priority Date: 5/15/1896 Recommended Basis: DECEASED

____ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

<u>MATCHES DECEASED</u>	

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T 1N, R 44E, Sec. 4, NW, NW, County: BonnSource: RAINY CK Tributary: SNAKE RIVERClaimed Point of Diversion: T 2N, R 44E, Sec. 33, SE, SE, SW, County: BonnSource: RAINY CK Tributary: SNAKE RIVER

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, County: _____

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

TX #382 moves Part B POD to Sec. 5 - Part A - UNMOVED,
BUT CLAIMED POD DOES NOT FIT W/ POD (PART A) OF TX
#382

Cφ3

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
IN	44E	5	SE		BONN		140	Prng

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU ADDRESSSED BY TX #382 AS SE⁴ SEC. 5 T. 1N. R. 44E.
SO CLAIMED, SO RECOMMENDED.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Travis</i>	<i>4/1</i>	<i>11/1</i>	<i>1.55</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Travis</i>	<i>4/15</i>	<i>10/31</i>		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

DEBERT NOR TK #382 DURING SOL. DAPT STD 4/15 TO 10/31 IS RECOMMENDED.

Q BY TK #382 IS DETERMINED AS 1.55 cfs (77.5 INCHES)

Reviewer: _____

Date: _____

SD-0613-2 Source System: WR Prefix: Basin: 23
S Starting Water Right: 00047 Ending Water Right: 00047
E Water Name
L Right No. Last, First CFS

23-00047

SPLIT INTO 23-0047A & 23-0047B BY TRANS. 382.

23-00047A NEEDS, W. A. 1.550

23-00047B

RIGHT SPLIT INTO PARTS C & D THRU APPROVED TRANSFER 4851.

23-00047C MILLER, ROBERT E 1.230

23-00047D MCGRATH, STEPHEN J 0.320

(Enter=Continue) (GOLD 6=Produce Report) (GOLD 7=This Query) (Menu ____)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 382

23-47-A-B

Part A →
(Remains)

1.55 cfs →

This is to certify that Robert M. Miller, of Swan Valley, County of Bonneville, State of Idaho, has a right to the use of the waters of Rainey Creek, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bonneville, in the case of Hexton Irrigation Canal Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants, J. M. Stevens, District Judge, wherein said second feet of the waters of Rainey Creek, in water district No. 40, were decreed to W. A. Moads for the irrigation of the Southeast quarter (SE¹/₄), of Section 5, Township 1 North, Range 44 East of Boise Meridian, said decree bearing date of May 15, 1896; that said decree has been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 3 of Decrees, at page 450; that, upon the application of Robert M. Miller for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 77.5 inches of the waters of Rainey Creek is hereby abandoned upon the lands above described and the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount to-wit:

Part B →
(MOVED)

77.5 inches, dated May 15, 1896.				
Twp. Rce. Sec.	NE 1/4 SW 1/4	SE 1/4 SW 1/4	SW 1/4 SW 1/4	Total
1 N. 44 E.	5			
	6	40		40
	7			40
	8			40
		40	40	80

That said waters are now diverted in the NW¹/₄ of NW¹/₄, Section 4, Township 1 North, Range 44 East of Boise Meridian, but will hereafter be diverted through a private ditch leading to a point on Rainey Creek about 40 rods south and west of the Northwest corner of the Southeast quarter of the Southwest quarter of Section 5, Township 1 North, Range 44 East of Boise, Meridian.

That the right to the use of the water hereinaud, hereby confirmed, is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

WITNESSES, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho this 7th day of July, 1926.

(SEAL)

W. A. SANDGREN
Commissioner of Reclamation

By Geo. H. Carter
Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

APRIL 7, 1993

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

RE: CHANGE IN OWNERSHIP FOR A23-00047A, -00019B, -00092,
AND -10191

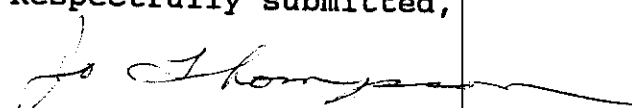
Dear Mr. Bills:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,


for Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

cc: Margarete Howard/Change Ownership Form

MICROFILMED

APR 11 1994



NOTICE (

NEW PROPERTY OWNER CHANGE OF WATER RIGHT O\

ERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

APR 06 1993

DATE OF CLOSING: JULY, 1992
 Department of Water Resources
 Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 1 North Range 44 East
 Section 5, 1/4 of 1/4 of s/e 1/4, Govt. Lot , BM. See attached
 Lot , Block , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet. for exception

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A23-00047A; A23-00019B; A23-00092; A23-0191
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): MARGARETE HOWARD
PO Box 25
- ☐ New Owner/Claimant (Purchaser): SUNNY VALLEY, ID. 83449
GLEN H. & CAROL W. BILLS
- ☐ New Mailing Address: 154 ELECTRIC AVE. SEAL BEACH
SEAL BEACH, CA 90740
- ☐ New Telephone Number: (310) 430-6655
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Certified copy of Warranty Deed #832303
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s)

Glen H. Bills
Carol W. Bills

Date 2/8/93
 Date 2/8/93

☐ Signature of Former Owner/Claimant(s):

Date
 Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

APR 11 1994

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

Log for claim 23-00047A

Spatial Dynamics CAT

2/20/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	5	NESE	35	40	Indiscernible
01n44e	5	NWSE	35	39	Indiscernible
01n44e	5	SWSE	35	40	Indiscernible
01n44e	5	SESE	35	40	Indiscernible
Totals:			140	159	

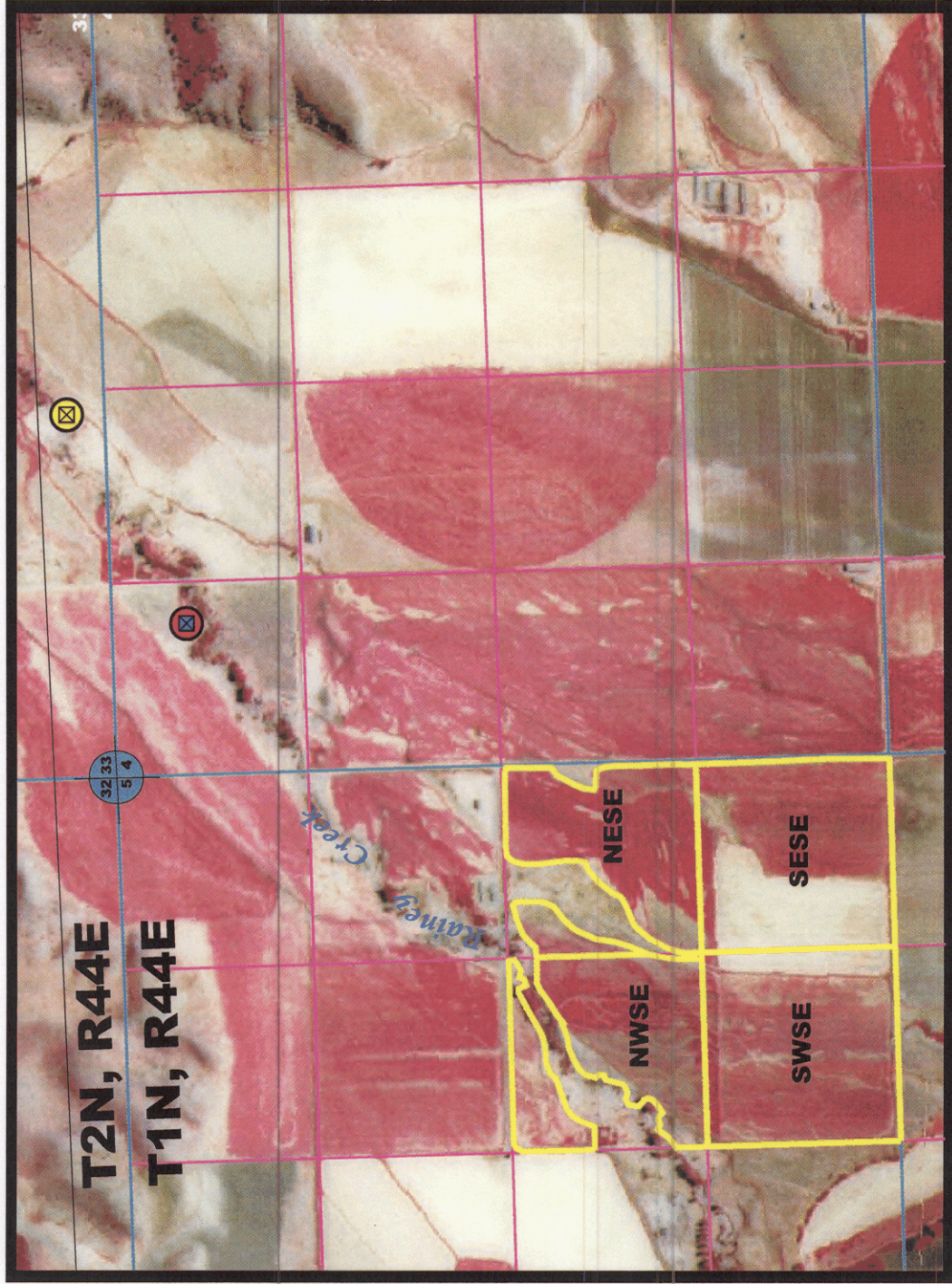
 SPATIAL
DYNAMICS



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-00019B,
23-00047A,
23-00092

Place of Use: T1N, R44E
(parts of) Sec.5 SE

Point(s) of Diversion: T2N, R44E
Sec. 33 SESESW

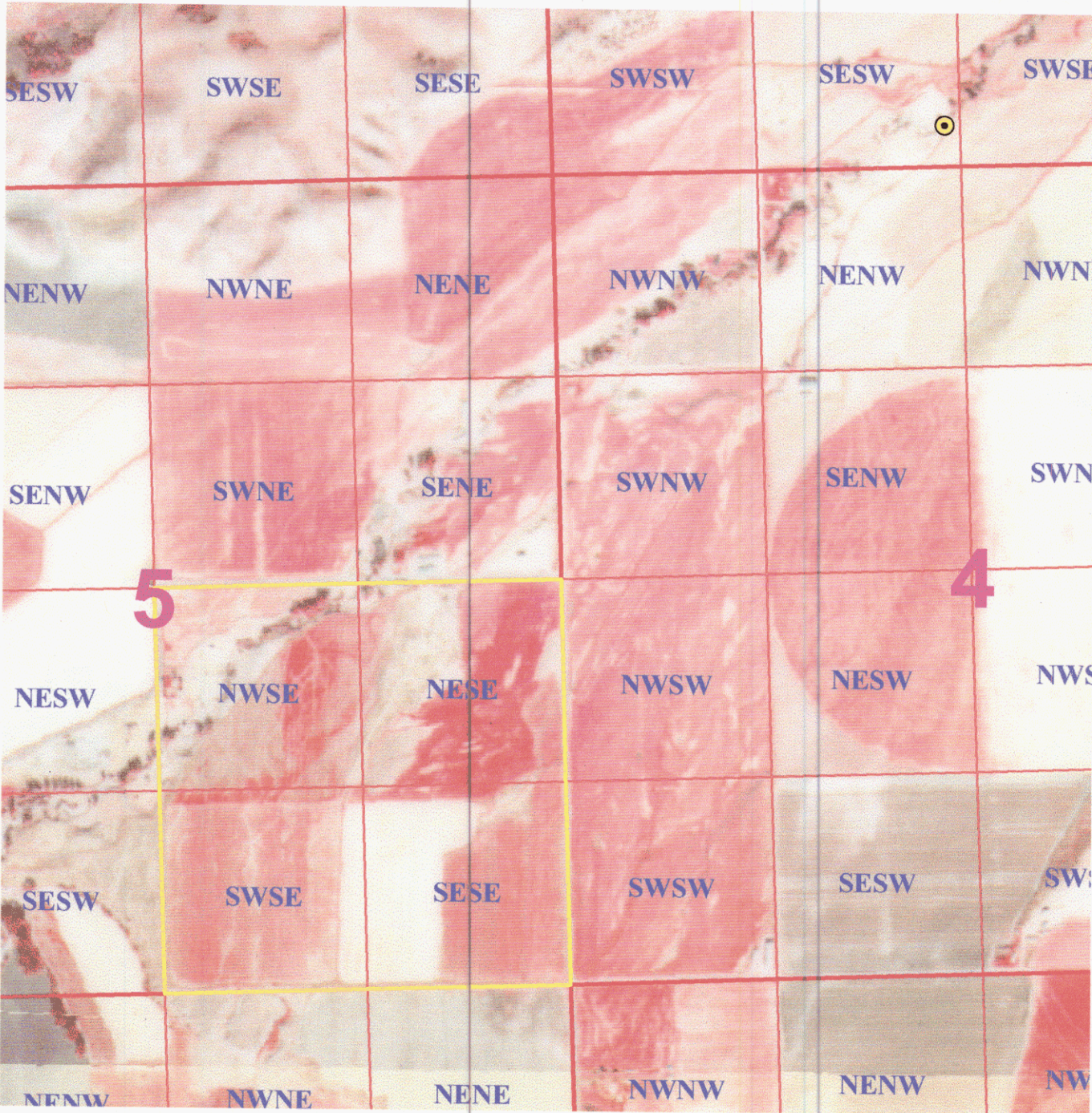


LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter

Water Right Claim Number 23-00047A
Township , 1N44E

02/20/2001



 Irrigated Area

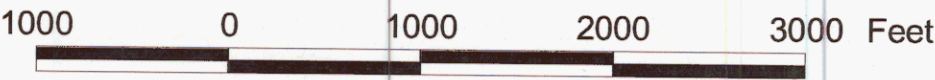
 Section Line

 Roads

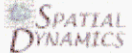
 Place of Diversion

 Quarter Section Line

 Streams and Canals

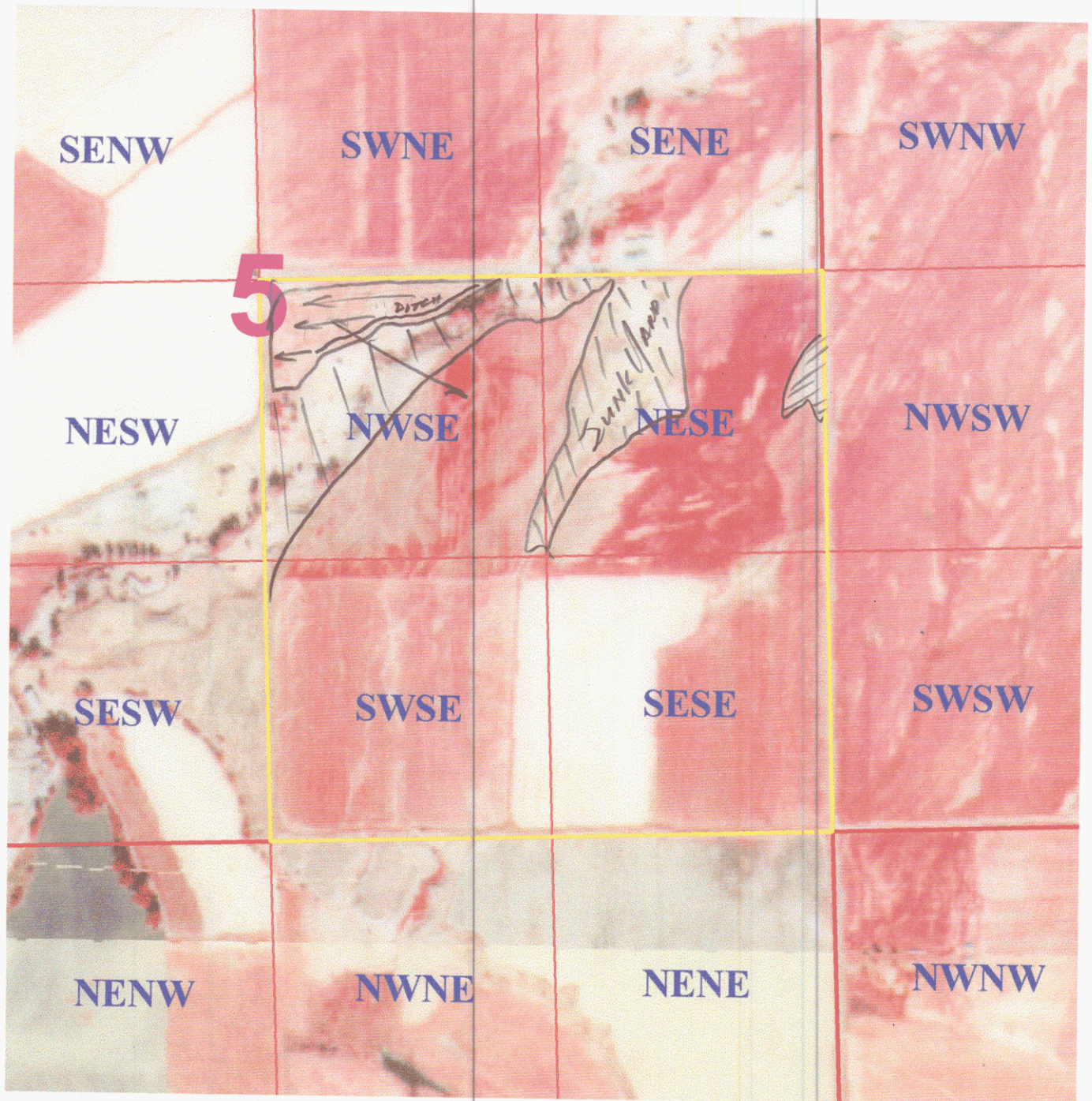



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Water Right Claim Number 23-00047A
Township , 1N44E

02/20/2001



Legend					
	Irrigated Area		Section Line		Roads
	Place of Diversion		Quarter Section Line		Streams and Canals



4/17/03
ABR

