

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

03/23/2001

WATER RIGHT NO. 31-10457

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MUD LAKE FARM SUPPLY C/O TODD SIMMONS PO BOX 97 TERRETON, ID 83450 (208) 663-4330
Original Owner	HILL MILLING CO PO BOX 70 TERRETON, ID 83450 (208)663-4367

Priority Date: 04/01/1958
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.09 CFS	10.5 AFA	
INDUSTRIAL	01/01	12/31	0.13 CFS	16.1 AFA	
DOMESTIC	01/01	12/31	0.07 CFS	2.4 AFA	
Total Diversion			0.13 CFS	29.3 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SESW	Sec. 14	Township 06N	Range 34E	JEFFERSON County
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IRRIGATION Use:
Acre Limit: 3

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	34E	14		SESW	1.4									
				SWSE	1.6									

Place of Use Legal Description: INDUSTRIAL JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	34E	14		SWSE										

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	34E	14		SESW										
				SWSE										

Total Acres: 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.

Remarks:

1. General DOMESTIC USE IS FOR TWO HOMES, ONE BUSINESS.
2. General INDUSTRIAL USE IS FOR FEED PROCESSING MILL.

Comments:

Author	Date	Subject	Comment
bcontor	1/10/01	recommenation	Recommended as deminimus pending receipt of documentation. Q per Tim Luke memo and WMD data in file indicating theoretical capacity of 20 - 30 gallons per minute. Well driller reported capacity of 57 but this was at less lift than will exist at this loc
bcontor	1/10/01	Priority Date	I remember seeing photos on the wall in the office when I was a customer, indicating the business was active in the 1950s. 12/31/1959 selected pending additional documentation from current owners.
bcontor	3/23/01	NOE	Per documentation provided in NOE, irrigation and industrial uses are recommended and priority date is adjusted.
bcontor	3/23/01	Priority Date	Mrs. Hill affidavit confirms domestic and industrial back to April 1948. Phone interview with Bob Hill confirms irrigation to 4/1/1958. Later date recommended to accomodate all uses.
bcontor	3/23/01	Irrigation pou	From GIS analysis, Bob Hill interview, and survey plot in paper file.
bcontor	3/23/01	Rate	From documentation provided by Bob Hill to Water Measurement District, Andrew Well Drilling statement of installed pump capacity.
bcontor	3/23/01	Volume	Irrigation at 3.5 acre feet/acre, domestic per chart values. Industrial assumes 6 hrs/day pump operation, 5 days/week, 50 weeks/year.

Dates:

Licensed Date:
 Claim Received Date: 11/17/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	1/10/01 3:22:22 PM	bcontor			In Process
POU	1/10/01 3:25:17 PM	bcontor			In Process
Priority Date	1/10/01 3:17:58 PM	bcontor			In Process
Quantity	1/10/01 3:32:44 PM	bcontor			In Process
Season	1/10/01 3:28:42 PM	bcontor			In Process
Source	1/10/01 3:22:56 PM	bcontor			In Process
Summary	1/10/01 3:34:34 PM		1/10/01 3:34:34 PM	bcontor	Complete
Use	1/10/01 3:34:40 PM	bcontor			In Process

Other Information:

Receipt Number(s): E004158
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:

Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer
POD	3/23/01 4:46:49 PM	bcontor
POD	1/10/01 3:22:19 PM	bcontor

POD	1/10/01 3:21:27 PM	bcontor
POU	3/23/01 4:47:13 PM	bcontor
POU	3/23/01 4:45:54 PM	bcontor
POU	3/23/01 4:45:30 PM	bcontor
POU	1/10/01 3:25:14 PM	bcontor

Priority Date	1/10/01 3:17:56 PM	bcontor
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Quantity	1/10/01 3:32:42 PM	bcontor
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Season	1/10/01 3:28:40 PM	bcontor
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Source	1/10/01 3:22:54 PM	bcontor
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Log Text

Edited polygons

1. (YES) The basis is beneficial use.
4. (NO) There is not evidence that there has been a change in the Point of Diversion.
6. (NO) The file does not contain all the necessary information to verify the POD.
- Comment for 6: GIS inconclusive as to which QQ; recommended as claimed for now.
7. (NO) A transfer was not filed.
8. (NO) Point of Diversion remark was not required.
9. (NO) Point of Diversion condition was not required.

Edited point location

Edited PLS

Edited PLS

Edited shape boundary

1. (YES) The POU is required.
2. (YES) The basis of claim is beneficial use.
5. (NO) There is no evidence that there has been a change in the POU.
9. (YES) The file contains all the necessary information to verify the POU.
- Comment for 9: GIS. Recommended in two qq as complex seems to sit right on the qq line.
12. (NO) POU remark was not required.
13. (NO) POU condition was not required.
1. (NO) There has not been a later court decree of the water right(s) from the water source.
4. (YES) The basis of claim is beneficial use.
- 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.
10. (NO) The claim file does not contains sufficient evidence of priority date.
11. (NO) Additional evidence of priority date has not been submitted.
12. (YES) The claim is recommended.
13. (YES) The claim is coded correctly.
14. (NO) Priority remark was not required.
15. (NO) Priority condition was not required.
1. (YES) The basis of claim is beneficial use.
5. (NO) A flow measurement was not required.

Comment for 5: NWMD and Tim Luke theoretical calculations in file, owners stnt "designed for 30 gpm" in phone interview with Tim Luke.

6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit.
7. (NO) The parent right does not have an annual diversion volume limit.
9. (NO) Quantity remark was not required.
10. (NO) Quantity condition was not required.

1. (YES) The basis of claim is beneficial use.
4. (NO) There is not evidence that there has been a change to the period of use.
9. (NO) The file does not contain all the necessary information to verify the period of use.

11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.
13. (NO) Irrigation is not the purposed use.

Comment for 13: Per purpose

15. (NO) Period of Use remark was not required.
16. (NO) Period of Use condition was not required.

1. (YES) The basis is beneficial use.
4. (NO) There is not evidence that there has been a change in the Source.
7. (NO) The file does not contain all of the necessary information to verify the source.
- Comment for 7: As claimed pending documentation, given deminimus status.
8. (NO) The source is not surface water.
10. (NO) Source remark was not required.

Summary 1/10/01 3:34:32 PM bcontor

11. (NO) Source condition was not required.
1. (YES) The basis of the claim is beneficial use.
2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed.
4. (YES) A portion of the claim is being recommended.
5. (NO) General remark was not required.
6. (NO) Explanatory remark was not required.
7. (NO) Additional condition was not required.
8. (YES) Wanted to view the recommended right.
9. (NO) This is not a split right.
10. (NO) This is not a combined right.
11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.
1. (YES) The basis of claim is beneficial use.

Use 1/10/01 3:34:37 PM bcontor

03/23/2001

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

RIGHT NUMBER: 31-10457

NAME AND ADDRESS: MUD LAKE FARM SUPPLY
C/O TODD SIMMONS
PO BOX 97
TERRETON, ID 83450

SOURCE: GROUND WATER

QUANTITY: 0.13 CFS
29.3 AFY

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T06N R34E S14 SESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.09 CFS 10.50 AFY
INDUSTRIAL	01-01 12-31	0.13 CFS 16.10 AFY
DOMESTIC	01-01 12-31	0.07 CFS 2.40 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County
T06N R34E S14 SESW 1.4 T06N R34E S14 SWSE 1.6

INDUSTRIAL Within JEFFERSON
County
T06N R34E S14 SWSE

DOMESTIC Within JEFFERSON County
T06N R34E S14 T06N R34E S14 SWSE

3 ACRES TOTAL

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.

DOMESTIC USE IS FOR TWO HOMES, ONE BUSINESS.
INDUSTRIAL USE IS FOR FEED PROCESSING MILL.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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 31-10457
Date Received: 11/17/88
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MUD LAKE FARM SUPPLY Phone: (208) 663-4330

C/O TODD SIMMONS
PO BOX 97
TERRETON ID USA 83450

2. Date of Priority: 04/01/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06N	34E	14	SE SW	JEFFERSON

5. Description of diverting works:

7.5 H.P.SUB PUMP PRESSURIZED UNDRGROUND WELL HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.08	
INDUSTRIAL	1/01	12/31	0.12	
DOMESTIC	1/01	12/31	0.09	

7. Total Quantity Appropriated is:
0.29 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	34E	14	SE	SW	IRRIGATION	1
			SW	SE	IRRIGATION	2
			SE	SW	DOMESTIC	
					Section Acres	3
					Total Acres	3

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

1981 JEFFERSON CO. TAX NOTICE LAND DESCRIPTION : E. 240 FT. OF SE 1/4, SW 1/4
LESSTAX 1&5; SOUTH 770 FT. OF SW 1/4 SEC. 14 TWP 6 N. RGE 34 EBM HILL MILLING CO.
CLAIM APPLICATION
CHANGED OWNERSHIP PER REQUEST/CV/12/01/00

15. Basis of Claim: Beneficial Use

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: A31-10457
Date Received: 12/21/1988
Receipt No: E004158
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HILL MILLING CO. 208-663-4367
Address: P.O. BOX 70
TERRETON, ID 83450

2. Date of Priority: APR 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	34E	14	SE	SW			JEFFERSON

5. Description of diverting works:
7.5 H.P.SUB PUMP PRESSURIZED UNDRGROUND WELL HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		
INDUSTRIAL	01/01	12/31	0.120		
DOMESTIC	01/01	12/31	0.090		

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

8. Total consumptive use is 0.1 Acre Feet Per Annum.

9. Non-irrigation uses:
INDUSTRIAL-LIVESTOCK FEED PRODUCTION, DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	34E	14				IRR	

A31-10457

Page 1

Date: 12/21/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	34E	14	SE SW		DOMEST	3.0

Section Acres 3.0

Total Acres 3.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

1981 JEFFERSON CO. TAX NOTICE LAND DESCRIPTION : E. 240 FT. OF
SE 1/4, SW 1/4 LESSTAX 1&5; SOUTH 770 FT. OF SW 1/4 SEC. 14 TWP
6 N. RGE 34 EBM
HILL MILLING CO. CLAIM APPLICATION

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 _____

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 A31-10457
Date Received 11/15/88
Receipt Number E004158

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 18 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Hill Milling Co. Phone (208) 663-4367
Mailing Address P. O. Box 70 Terreton, Idaho Zip 83450

2. Date of Priority (Only one (1) per claim) April 1, 1948

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6 N Range 34 E Section 14,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Jefferson

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 _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 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. 7 1/2 hp submersible electric pump piped
into a pressurized system located in a concrete underground well house.

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NOV 17 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 0.08 or _____
For Industrial purposes from Jan. 1 to Dec. 31 amount 0.12 or _____
For Domestic purposes from Jan. 1 to Dec. 31 amount 0.09 or _____
For Fire Protection purposes from Jan. 1 to Dec. 31 amount 0.11 or _____

7. Total quantity claimed (a) XXXX 43 .29 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.14 CFS acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Industrial-Livestock Feed Production, 2-Household, irrigation-3 less 1 acre yards
workers at industrial plant-6/shift-3 shifts, boiler feed, washing trucks

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 instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6	34	14												3					3
														D					
														I					

Total number of acres irrigated 3

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

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: 1981 Jefferson County Tax Notice land description: E 240 ft of SE $\frac{1}{4}$ SW $\frac{1}{4}$
Less tax 1 & 5; south 770 ft of W 130 ft. of SW $\frac{1}{4}$ Sec. 14 TWP 6 N RGE 34 EBM

Hill Milling Co. claim application

Last Name Hill Milling Co. Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Sec. 14,6N ~~AGE~~, 34 EBM

A hand-drawn map on a grid. The map includes a north arrow pointing upwards, labeled 'N'. A scale bar is drawn below the north arrow, labeled 'State Hwy 28-32'. The map is divided into four quadrants by a vertical line. The left quadrant is labeled 'City of Grand Lake' and the right quadrant is labeled 'Hill Mfg Co.'. The bottom left quadrant is labeled 'Territory'. The bottom right quadrant is labeled 'pump House', 'Domestic', and 'Industrial'. A 'W' is marked on the left side and an 'E' is marked on the right side.

NOV 17 1992

Last Name Hill Milling Co.

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 31 4073

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 _____

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

Signature of Claimant (s) _____ Date 10-12-88

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

Title

of Hill Milling Co., that I have signed the foregoing

Organization

document in the space below as V. President of Hill Milling Co.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

V. President Hill Milling Co.

Title and Organization

Date 10-12-88

State of Idaho/or _____)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 12th day of October 19 88

Notary Public

Residing at

My Commission Expires

Please Print Name

Kevin Christensen

Terreton, Idaho 83450

11-30-93

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

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NOV 17 1992

Last Name Hill Milling Co. Ident. Number _____

Copies White-State, Yellow-Claimant

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 A 31-10457
Date Received 11/15/88
Receipt Number E 004158

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Hill Milling Co. Phone (208) 663-4367
663-4364

Mailing Address P. O. Box 70 Terreton, Idaho n Zip 83450

2. Date of Priority (Only one (1) per claim) April 1, 1948

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6 N Range 34 E Section 14,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Jefferson

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 _____

_____ 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. 7 1/2 hp submersible electric pump piped
into a pressurized system located in a concrete underground well house.

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APR 15 1994

is claimed for the following purposes:

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

For Irrigation purposes from April 1 to Nov. 1 amount 0.08 or _____

For Industrial purposes from Jan. 1 to Dec. 31 amount 0.12 or _____

For Domestic purposes from Jan. 1 to Dec. 31 amount 0.09 or _____

For Fire Protection purposes from Jan. 1 to Dec. 31 amount 0.11 or _____

7. Total quantity claimed (a) 0.29 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.11 cfs acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Industrial - Livestock Feed Production, 2-Household, irrigation - 2 less 3 acre yards
workers at industrial plant - 6/shift - 3 shifts, boiler feed, washing trucks

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6	34	14												3					3
														D					
														I					

Total number of acres irrigated 3

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

12. Do you own the property listed above as place of use? Yes No

If 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 ()

14. Remarks:

1981 Jefferson County Tax Notice land description: E 240 ft of SE 1/4 SW 1/4
less tax 1 & 3; south 770 ft of W 130 ft. of SW 1/4 Sec. 14 TWP 6 N RGE 34 ERM

Hill Milling Co. claim application

MICROFILMED

APR 15 1994

Last Name Hill Milling Co. Ident No. _____

Copies: White -State, Yellow-Claimant

Bus.: (208) 663-4364 / (208) 663-4367
P.O. Box 70, — Terreton, Idaho 83450
NUTRITIONAL COUNSELOR

Shearock Brand Feeds

Hill Milling Company

Manufacturing a Complete Line of Livestock Products You Can Trust, See For Yourself Can Depend On, With A Guarantee of 100% Customer Satisfaction.

Presented by

ROBERT P. HILL, Vice President
Res. Phone: (208) 663-4573

SERVICE WHEN YOU NEED IT . . . RIGHT NOW!
ESTABLISHED 1946 . . . A THIRD GENERATION BUSINESS

*** MICROFILMED**

APR 15 1994

Scale: 2 inches equals 1 mile

3

MICROFILMED

2 APR 15 1964

Ident No.

Copies: White-State, Yellow-Claimant

of Claim (check one) ☒ Beneficial Use ☐ Decree ☐ Posted Notice ☐ License ☐ Permit

If applicable, provide IDWR Water Right Number 31 4073

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 _____

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

Signature of Claimant (s) _____ Date 10-12-88

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

Hill Milling Co.

Organization

Title

that I have signed the foregoing

document in the space below as V. President of Hill Milling Co.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization V. President Hill Milling Co.

Date 10-12-88

State of Idaho/or _____)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 12th day of October 19 88

Notary Public Kevin Christensen

Residing at Terreton, Idaho 83450

My Commission Expires 11-30-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

MICROFILMED

APR 15 1994

Last Name Hill Milling Co. Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 26, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**MUD LAKE FARM SUPPLY
C/O TODD SIMMONS
TERRETON ID 83450**

RE: NOTICE OF ERROR

Dear Mr. Simmons:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right number 31-10457, and has adjusted the claims accordingly.

Enclosed for your record is a copy of the recommendation.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

MEMORANDUM

TO: 31-10457

From: Bryce Connor

Date: 3/22/2001

Re: Diversion Volume for Industrial, Domestic

Domestic

2 homes w/ lawns @ 1.2 cfa each (chart value) = 2.4 cfa

Industrial

$$0.13 \text{ cfs (pump capacity)} \times \frac{6 \text{ hrs}}{24 \text{ hrs}} \times 1.9835 \\ = 0.0645 \text{ af/day}$$

$$0.0645 \times 5 \text{ days/wk} \times 50 \text{ wks/yr} = 16.1 \text{ cfa}$$

01/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10457

Owner Type
Current Owner

Name and Address
MUD LAKE FARM SUPPLY
C/O TODD SIMMONS
PO BOX 97
TERRETON, ID 83450
(208) 663-4330

Original Owner

HILL MILLING CO
PO BOX 70
TERRETON, ID 83450
(208)663-4367

Priority Date: 12/31/1959
Basis: Beneficial Use
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.07 CFS		

Total Diversion 0.07 CFS

Location of Point(s) of Diversion:

GROUND WATER SESW Sec. 14 Township 06N Range 34E JEFFERSON County

Place(s) of use:

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	34E	14		SESW										
				SWSE										

Conditions of Approval:

- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 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.

Remarks:

- General DOMESTIC USE IS FOR TWO HOMES, ONE BUSINESS.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
---------------	-------------	----------------	----------------

Water Right 31-10457

bcontor	1/10/01	recommendation	Recommended as deminimus pending receipt of documentation. Q per Tim Luke memo and WMD data in file indicating theoretical capacity of 20 - 30 gallons per minute. Well driller reported capacity of 57 but this was at less lift than will exist at this loc I remember seeing photos on the wall in the office when I was a customer, indicating the business was active in the 1950s. 12/31/1959 selected pending additional documentation from current owners.
bcontor	1/10/01	Priority Date	

Dates:

Licensed Date:
Claim Received Date: 11/17/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	1/10/01 3:22:22 PM	bcontor			In Process
POU	1/10/01 3:25:17 PM	bcontor			In Process
Priority Date	1/10/01 3:17:58 PM	bcontor			In Process
Quantity	1/10/01 3:32:44 PM	bcontor			In Process
Season	1/10/01 3:28:42 PM	bcontor			In Process
Source	1/10/01 3:22:56 PM	bcontor			In Process
Summary	1/10/01 3:34:34 PM		1/10/01 3:34:34 PM	bcontor	Complete
Use	1/10/01 3:34:40 PM	bcontor			In Process

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	1/10/01 3:22:19 PM	bcontor	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (NO) The file does not contain all the necessary information to verify the POD. Comment for 6: GIS inconclusive as to which QQ; recommended as claimed for now. 7. (NO) A transfer was not filed. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required. Edited point location 1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: GIS. Recommended in two qq as complex seems to sit right on the qq line.
POD	1/10/01 3:21:27 PM	bcontor	
POU	1/10/01 3:25:14 PM	bcontor	

Priority Date	1/10/01 3:17:56 PM	bcontor	12. (NO) POU remark was not required. 13. (NO) POU condition was not required. 1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use. 10. (NO) The claim file does not contains sufficient evidence of priority date. 11. (NO) Additional evidence of priority date has not been submitted. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	1/10/01 3:32:42 PM	bcontor	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: NWMD and Tim Luke theoretical calculations in file, owners stmt "designed for 30 gpm" in phone interview with Tim Luke. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	1/10/01 3:28:40 PM	bcontor	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (NO) The file does not contain all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (NO) Irrigation is not the purposed use. Comment for 13: Per purpose 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	1/10/01 3:22:54 PM	bcontor	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (NO) The file does not contain all of the necessary information to verify the source. Comment for 7: As claimed pending documentation, given deminimus status. 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	1/10/01 3:34:32 PM	bcontor	1. (YES) The basis of the claim is beneficial use. 2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed. 4. (YES) A portion of the claim is being recommended. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	1/10/01 3:34:37 PM	bcontor	1. (YES) The basis of claim is beneficial use.

MEMORANDUM

To: A31-10457
Fr: Bryce Contor
Date: 3/20/2001
Re: Clarification of Bob Hill letter



I attempted to FAX a request for clarification to Bob Hill, but couldn't get through, so I called him on the telephone.

He told me that he was born in 1952 and the irrigation was in place as far back as he could remember. He believes the irrigation commenced in 1945 or 1946 along with the development of the business. Up until 1970 about half of the 13-acre property was irrigated for hay production. In 1970 they began using part of the hay field for hay storage but prior to storing the hay they would irrigate that stackyard to grow grass which they would mow to provide a solid base for stacking. They would also irrigate the margins of the stackyard for fire control. Mr. Hill didn't give me the acres but Todd Simmons indicates that there are still about three acres of irrigation. In Roxanne's materials are some maps that together with the NAPP may indicate the 1987 extent of irrigation.

Based on the above I believe we can recommend irrigation as shown on the 1987 NAPP. I don't know exactly what to do about priority date, perhaps 4/1/1958 (when Mr. Hill would have been 6 years old)?

Note that current capacity per Mr. Hill's documentation to the Water Measurement District is 0.13 cfs (see yellow sticky).

Robert P. Hill12106 Classic Place
Burlington, WA 98233Phone (360) 757-2838
Fax 360-757-4400

February 22, 2001

Todd Simmons
Terreton, Idaho 83450RECEIVED
MAR 19 2001Department of Water Resources
Eastern Region

Dear Todd,

The property was originally purchased by Hill Milling Co., was in water rights date back to registered for use in ma original well was located well was shallow and ab to 247 feet, and has been irrigation and manufacture was for domestic water since 1949 and 1975. If you need reach me at the numbers I

Sincerely,

*Bob Hill*Bob Hill
Pres. Hill Milling Co.360-757-4012 x-#14
360-757-4400 fax

Bryce

Here is the letter from Mr. Hill that I spoke to you about. I also have a map of the property showing a pipeline from the well going the full length of the acreage N & S with hydrants & outlets for irrigation & fire control when the Hills used the N & E end of the property for hay storage. I will send more info as I receive it.

Thank you
Todd

RECEIVED

FEB - 5 2001

01/23/2001

Department of Water Resources

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form complet

Return this reply form to IDWR by the deadline date prin
recommendation or you want to let IDWR know that you agr

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 1

Water right number: 31-10457

MUD LAKE FARM SUPPLY

C/O TODD SIMMONS

PO BOX 97

TERRETON ID 83450

Telephone Number: (208) 663-4330

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

I disagree with the following: Priority date 5/8 4-1-1948. Total Quantity appropriated 5/8 .29 CFS. Not .070 CFS.

Purpose of use is Domestic, Industrial & irrigation

2. Describe the changes you wish to make in the proposed recommendation:

I wish for the right to be identified just as it was originally in 1948. Why should the IDWR reduce this usage or change the priority date?

3. Give a brief explanation as to why you disagree with these portions:

This water is used not only for 2 domestic households, but to supply water for one of the oldest businesses in the Mud Lake area in manufacturing feeds for livestock, as well as irrigation.

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

DATE: 1-31-01

SIGNATURE:

Todd Simmons

Please print your name:

Todd Simmons

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

phone msg w/ man at office 3/16/01 - Todd will get evidence from Egbert re: irrigation.

RECEIVED
FEB 08 2001
Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 22, 1994

Hill Milling Co.
P.O. Box 70
Terreton, ID 83450

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claim No.: A31-10457

Dear Claimant,

The Department of Water Resources will be conducting adjudication claim verification examinations in your area the week of May 9th. After these examinations are complete, your water rights will be recommended for decree by Judge Hurlbutt in the Snake River Basin Adjudication. The recommendations will be based on our findings in the field.

Information on your claim that may need to be verified includes: the source of water used, water uses and amounts of use, legal descriptions of the point of diversion and place of water use, etc..

It is not mandatory that you accompany the field agent during the examination. However, it would be very helpful if you, or a knowledgeable representative, could be available should questions arise.

We will be contacting you to schedule the examination. If you have questions, or are ready to schedule the examination now, please call us in Boise.

Sincerely,

Roxanne McCarthy
(208) 327-7925

Bob Foster
(208) 327-7881

RM:rm:tf

June 20, 1994

*****FINAL REMINDER*****

Hill Milling Co.
P.O. Box 70
Terreton, ID 83450
Claim No.: A31-10457

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date. This letter is the final reminder that the above documentation needs to be provided.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY

Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by July 8, 1994, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Roxanne McCarthy
Water Right Agent, Adjudications

RM:r

File: To Claim

Enclosure: Brochure on "Evidence of Priority"
Proof Report

*Shamrock Brand Feeds***HILL** *Milling Company*

COMPLETE MIXED FEEDS • MEDICATED FEEDS • MOLASSES-IZED STEAM ROLLED GRAINS
RANGE SUPPLEMENT BLOCKS • FEEDLOT SUPPLEMENTS • ALFAFA PELLETS • VETERINARY SUPPLIES

June 22 1994

This is the personal affidavit of Phyllis N. Hill.

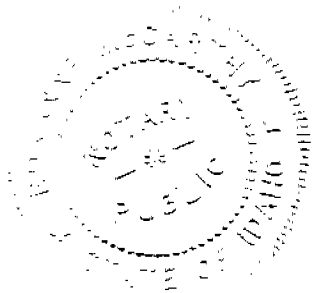
I arrived here in Terretton in April 1948 and at that time the well was in operation and producing water for industry, namely the Mill and for domestic use at the house. The well was most probably installed in early 1947.

Phyllis N. Hill.

Primary Stockholder

*Sworn before me on June 22, 1994**Roxanne McCarthy*

Roxanne McCarthy, Notary Public
Residing at Boise, Idaho
My Commission Expires May 16, 1996.





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Hill Milling Company

(Name of Claimant)

P. O. Box 70

Terreton, Idaho

83450

Telephone No. 208-663-4364

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1948

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground Water

tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.08 CFS</u>		Use <u>Irrigation</u>		Period of Use From <u>April 1st</u>	To <u>November 1st</u>
Quantity <u>0.12 CFS</u>		Use <u>Industrial</u>		Period of Use From <u>Jan. 1st</u>	To <u>Dec. 31st</u>
Quantity <u>0.09 CFS</u>		Use <u>Domestic</u>		Period of Use From <u>Jan. 1st</u>	To <u>Dec. 31st</u>
Quantity <u>0.14 CFS</u>		Use <u>Fire Protection</u>		Period of Use From <u>Jan. 1st</u>	To <u>Dec. 31st</u>
Quantity		Use		Period of Use From	To

- (4) 0.14 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 14 Twp. 6N Rge. 34E B.M., County of JEFFERSON
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 7 1/2 H.P. submersible electric pump piped into a pressurized system located in a concrete underground well house.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	34E	14											X						3

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Industrial livestock feed milling operation with high pressure 100 H.P. boiler used in feed manufacturing and heating of 7,000 square feed warehouse space. Water used in washing company vehicles (diesel trucks and 10 trailers), bathroom facilities for 18 employees, and three domestic homes, and office.

NOTE: Include here the type and number of stock watered: None

If you are claiming water as a member of an organization, list name of organization: None



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 2001

Todd Simmons
Mud Lake Farm Supply
PO Box 97
Terreton, ID 83450

Re: Evidence of Priority, claim 31-10457

Dear Mr. Simmons:

The Adjudication Claim for the water right on the old Hill Milling property in Terreton is a "beneficial use" claim, which means that it is based upon a water right that originally was perfected without a license or decree. This was perfectly legal for many years, and there are many legitimate water rights in this category.

Because these rights have not been verified by a licensing exam, or examination in a court proceeding, we need more documentation to make a recommendation. Specifically, we need documentation that this water right was developed prior to March 25, 1963 (the date a permit and license became mandatory for development of groundwater).

The enclosed pamphlet describes the types of documentation that may be used. Simply documenting the existence of the business on a given date will be adequate for the industrial and domestic portions of the water right. An affidavit from a person who actually observed the claimed irrigation will be adequate to verify the irrigation usage. The more detail an affidavit has, the better. Note that we have to use the last day of a documented period: "1958" means "12/31/1958," "July 1958" means "7/31/1958," etc.

Because the deadline for printing and mailing recommendations is close at hand, I will recommend the "de-minimus" usage that I can, without documentation. When you receive your Preliminary Directors Report, your right will be recommended as "domestic, two homes, one business." This will authorize use in the homes and business, and for watering of lawns, garden, and livestock, not to exceed 13,000 gallons a day and not to exceed 1/2 acre total irrigation. If this appears inadequate for your use of water at the mill, please fill out and return the "Notice of Error" reply card with the documentation you find; that will authorize us to continue to investigate the water right.

Please call me at the office (525-7161) or home (663-4853) if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

enclosures: copy of claim
brochure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

February 27, 1997

PHILIP E. BATT
GOVERNOR

Hill Milling Co.
Bob Hill
PO Box 70
Terreton ID 83450

KARL J. DREHER
DIRECTOR

RE: Water Measurement, Water Right A31-10457

Dear Mr. Hill:

Several months ago you called me about the above water right and an order which you had received regarding creation of water measurement districts.

You may recall that I had reviewed your right and found that the claimed rate of diversion was 0.29 cfs (130 gpm). Under the director's order of October 24, 1996, users with diversions rates higher than 0.24 cfs (108 gpm) are subject to measurement and reporting by measurement districts. You had stated that your well pumps only about 30 gpm. The claim states that the well is equipped with a seven hp pump, but you said that the well currently has a three hp pump. I had advised you that the Department can waive the measurement requirement if you provide some documentation about the installed pump, including pump size, a pump curve and water level information if available. You had given some of this information to me over the phone and asked for a waiver. I had accepted your information at the time and advised that I would do what I could for you. I recognized at the time that you may have been upset about the order.

The purpose of this letter is to inform you that I can not waive the measurement requirement for you unless we receive a written request and some of the above documentation. I also want to inform you that you will be receiving an assessment from the North ESPA Measurement District. Assessments for this district will probably be sent in about two weeks. Assessments for this district are \$25.00 per diversion plus about \$26.00 per water right cfs. Your assessment will be about \$32.50 total. We may be able to cancel the assessment before it is mailed if you immediately submit a written request and some documentation, or you can submit the request and documentation after receiving the assessment, and the district can then void the assessment.

I am sorry if this seems to be an inconvenience. If you have further questions, please call me at 327-7864.

Sincerely,

Tim Luke

cc: Bryce Contor, North ESPA Measurement District

From NWMD files 1/10/01 BAC

J5808NP
(00-26)

IDAHO DEPARTMENT OF LAND & RESOURCES
ADJUDICATION CLAIMS READING REPORT

02/27

Water right number - A31-10457

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - -

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - De
00/00/

+ - - Audit Fields - 12/21/88 MULLINS 03/30/95 POST-STD

+ - - - - Comments - - - - -
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 395
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/17/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E004158	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 1, 2000

MUD LAKE FARM SUPPLY
C/O TODD SIMMONS
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-10457

Dear Claimant:

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

Enclosed is a copy of the Notice(s) of Claim, 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 this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

RECEIVED

OCT 18 2000

RECEIVED

JUL 06 2000

STATE OF IDAHO
Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A31-10457
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Robert Hill
P.O. Box 629 Burlington WA 98233
4. New Owner/Claimant(s) Todd Simmons or Mud Lake Farm Supply
New Mailing Address P.O. Box 97
City, State and ZIP Code Terreton Id. 83450
New Telephone Number 208 663-4330
5. Date you acquired the property July 1, 1997
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Todd Simmons
or Claimant(s) _____

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

CORPORATION DEED

For Value Received

HILL MILLING COMPANY, an Idaho Corporation

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby
Grant, Bargain, Sell and Convey unto

MUD LAKE FARM SUPPLY, INC., an Idaho Corporation

whose current address is

P.O. Box 97

Tremonton, Id. 83450

the following described real estate, to-wit:

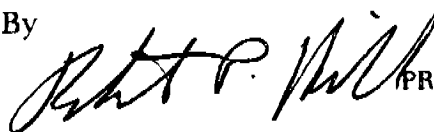
SEE EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
ITS heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has
caused its corporate name to be hereunto subscribed by its President and its corporate seal to be
affixed by its Secretary this

Microfilm No. 286,950
21 Day August 19 97
 At 2:39 P.M.
CONNIE M. KELLER
 Jefferson Co., Recorder
 Fee \$ 6.00 56 Deputy
 Recorded at Request of alt

By



PRESIDENT.

ATTEST:

RECEIVED BY

SECRETARY.

At

For

Date

Time

STATE OF IDAHO, COUNTY OF Jefferson
 ON THIS 5th day of August, 19 97
 before me, a notary public in and for said State, personally appeared
Robert P. Hill and

RECEIVED BY

At

For

EXHIBIT "A"

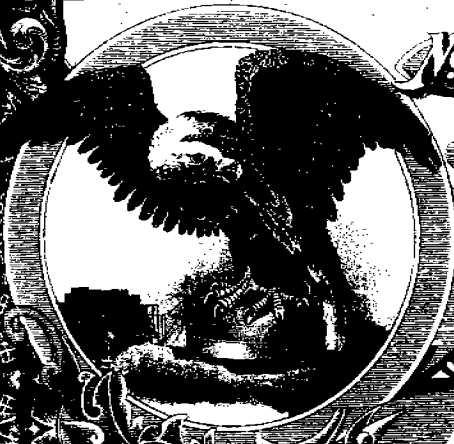
Township 6 North, Range 34 East of the Boise Meridian, Jefferson County, Idaho.

Section 14: Beginning at a point that is N00°33'45"W 53.47 feet along the North-South centerline of said Section 14 to a point in the North right-of-way of State Highway No. 33 from the South 1/4 Corner of said Section 14 and running thence S89°53'21"W 240.00 feet along said right-of-way; thence N00°33'45"W 332.65 feet; thence N89°27'26"E 71.19 feet; thence N35°13'39"E 30.87 feet; thence N00°43'05"E 75.16 feet; thence N15°48'26"W 124.70 feet; thence S89°27'26"W 58.14 feet; thence N00°33'45"W 193.55 feet; thence N89°27'26"E 240.00 feet to a point on said North-South centerline; thence N00°33'45"W 172.04 feet along said North-South centerline; thence N89°50'00"E 298.93 feet; thence S00°31'00"E 920.82 feet to the North right-of-way of said Highway 33; thence S89°53'21"W 298.19 feet to the point of beginning.

RESERVING UNTO THE GRANTOR AND EASEMENT FOR EGRESS AND INGRESS DESCRIBED AS FOLLOWS:

Part of the SW 1/4 of Section 14; Township 6 North, Range 34 East, B.M., Jefferson County Idaho described as:

A 16 foot access easement being 8 feet both sides of the following described centerline; beginning at a point that is N 00°33'45" W 53.47 feet along the north-south centerline of said Section 14 to the north right-of-way of State Highway 33 and S 89°53'21" W 201.52 feet along said right-of-way from the South 1/4 corner of said Section 14 and running thence N 00°08'11" W 276.73 feet; thence N 35°13'19" E 96.86 feet; thence N 00°43'05" E 78.80 feet; thence N 15°48'26" W 125.48 feet; thence N 00°20'04" W 150.50 feet; thence N 51°07'27" E 66.60 feet.



INCORPORATED UNDER THE LAWS OF

IDAHO

Shares

MUD LAKE FARM SUPPLY, INC.

THIS CERTIFIES THAT

Twenty (20)

--TODD W. SIMMONS--

is the

Shares of

the

~~xxxxxx of the~~ Capital

MUD LAKE FARM SUPPLY, INC.

*transferable only on the books of the Corporation by
hereof in person or by Attorney upon surrender of this
properly endorsed.*

In Witness Whereof, *the said Corporation has caused this Cer*
signed by its duly authorized officers and to be sealed with the Seal of

this day of

Todd Simmons
President

Paulyn Simon
Secretary

SHARES

EACH



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

July 7, 2000

RECEIVED

JUL 18 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Department of Water Resources

TODD SIMMONS
PO BOX 70
TERRETON ID 83450

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR 31-10457 HAS BEEN RETURNED FOR THE FOLLOWING

 X COPY OF DEED, TITLE POL
DOCUMENT indicating your ownersh

 LEGAL DESCRIPTION OF PRC

 PLAT OF PROPERTY OR SURV

 USDA FARM SERVICE AGEN
irrigated acres outlined and point(s) of

PLEASE ENCLOSE THE REQUEST
TO THIS OFFICE AND WE WILL P
AS POSSIBLE.

* Before we can change the ownership
The deed conveys this property from
ownership form indicates the new ov
provide a deed from Mud Lake Farm
a deed, then a contract of sale, or sor
of the property. If you have questions

Jennifer
This property is deeded to
Mud Lake Farm Supply Inc.
which is owned by Todd Simmons
Stockman's Supply Inc. is
the business name of the
Corporation doing business at this
location. Stockman's is also owned
by Todd Simmons. We have
corrected the change of ownership
application & included documents
showing ownership of Mud Lake Farm
Supply Inc. by Todd Simmons.

Thank you
Todd Simmons



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 29, 2000

MICKEY WHITE
STOCKMAN'S
PO BOX 70
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-10457

Dear Mr. White:

It has come to our attention that you may have recently purchased a tract of land in Jefferson County. The property to which I am referring was most recently owned by Hill Milling Company. The legal description is as follows:

T06N R34E S14 SE1/4 SW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

After July 1, 2000 there will be a \$25.00 filing fee PER CLAIM NUMBER

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

Needs Address correction!!!!

UCO Send

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested



- ☐ BOX CLOSED, NO ORDER
- ☐ NO MAIL RECEPTACLE
- ☐ NO SUCH NUMBER
- ☐ ATTEMPTED-NOT KNOWN
- ☐ VACANT
- ☐ NO SUCH STREET
- ☐ MOVED, NO ORDER
- ☐ INSUFFICIENT ADDRESS
- ☐ DECEASED
- ☐ NOT DELIVERABLE AS ADDRESSED-UNABLE TO FORWARD
- ☐ REFUSED
- ☐ UNCLAIMED

RESORT
FIRST CL

A31-10457
HILL MILLING CO
PO BOX 70
TERRETON

ID 834

RECEIVED

MAY 23 2000

Department of Water Resources

Attn: Micken
Stackm
P.O. B
Terre

Send a
chang

MEMORANDUM

TO: Ernie Carlsen, Eastern Region
Adjudication File A31-10457

FROM: Tim Luke

DATE: 3/4/1997

RE: Waiver Request for Water Measurement, Possible Adjustment of
Adjudication Claim

In response to recent orders regarding creation of water measurement districts, the owner of the above referenced right contacted our office and requested a waiver of measurement requirements because he believed his diversion is under 0.24 cfs. Uses or rights with diversion rates greater than 0.24 cfs are subject to measurement and reporting in the measurement districts. The owner was advised that he would receive an assessment because his claimed diversion rate is greater than 0.29 cfs. I advised the owner that he may submit information to support his rate of diversion and request for waiver.

The owner submitted supporting documentation on March 3. I have reviewed this information and believe that the system capacity is well under the 0.24 cfs threshold rate. I have subsequently marked the record in the North Water Measurement District database for waiver. The records for this diversion have further been marked so that the owner will not receive an assessment.

Attached to this memo is a copy of the supporting information submitted by the owner. You may want to file this information in the appropriate adjudication files as it may relate to future recommendations of the claim.

cc: North Water Measurement Dist.
c/o Bryce Contor or Ron Carlson

FROM

Tim Luke

DATE

3-4-97

TO

Waiver File / Rt # A31-10457

SUBJECT

HILL Milling Co - Waiver Request.

MR. Hill submitted the attached documentation to support waiver request. Information appears sufficient, Discharge looks to be well under 0.24 cfs. Waiver should be granted.



SIGNATURE

PHONE 208-463-4364

POST OFFICE BOX 70

TERRETON, IDAHO 83455-0070



FAX COVER SHEET

TO:

Tim Lube

FROM:

Rob Hill

NO. OF PAGES, INCLUDING COVER SHEET

2

MESSAGE:

Tim

Here is the information that
you requested. Hope this
type of documentation is satisfactory
Your prompt attention &
winning of agreement would be
appreciated.

OUR FAX NUMBER (208) 463-4917

Thank you
Rob Hill

Hill Mill Company

Hill Mill Company

Attn: Bob Hill

1351 East 1500 North

Terreton, Idaho 83450

Date: June 12, 1996

Invoice: 7099

Reference: Service Call/4467

Completed: June 11/96

1	ea	3HP Pump, Motor, & ProSurance	\$1,380.17
1	a	3" Flowmatic Check Valve	200.50
1	ea	Overload Kit	79.20
1	ea	Pressure Gauge	5.75
1	ea	2" Flowmatic Check Valve	84.90
		Misc. Pipe Fittings	35.92
		Misc. Electrical Supplies	9.48

Total - Parts:

\$1,804.92

Labor

550.00

Mileage

78.00

Derrick

22.50

Total - Other:

\$650.50

Grand Total:

\$2,455.42

Established 1946
A Third Generation Business



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

February 27, 1997

Hill Milling Co.
Bob Hill
PO Box 70
Terreton ID 83450

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Measurement, Water Right A31-10457

Dear Mr. Hill:

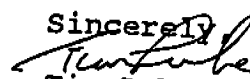
Several months ago you called me about the above water right and an order which you had received regarding creation of water measurement districts.

You may recall that I had reviewed your right and found that the claimed rate of diversion was 0.29 cfs (130 gpm). Under the director's order of October 24, 1996, users with diversions rates higher than 0.24 cfs (108 gpm) are subject to measurement and reporting by measurement districts. You had stated that your well pumps only about 30 gpm. The claim states that the well is equipped with a seven hp pump, but you said that the well currently has a three hp pump. I had advised you that the Department can waive the measurement requirement if you provide some documentation about the installed pump, including pump size, a pump curve and water level information if available. You had given some of this information to me over the phone and asked for a waiver. I had accepted your information at the time and advised that I would do what I could for you. I recognized at the time that you may have been upset about the order.

The purpose of this letter is to inform you that I can not waive the measurement requirement for you unless we receive a written request and some of the above documentation. I also want to inform you that you will be receiving an assessment from the North ESPA Measurement District. Assessments for this district will probably be sent in about two weeks. Assessments for this district are \$25.00 per diversion plus about \$26.00 per water right cfs. Your assessment will be about \$32.50 total. We may be able to cancel the assessment before it is mailed if you immediately submit a written request and some documentation, or you can submit the request and documentation after receiving the assessment, and the district can then void the assessment.

I am sorry if this seems to be an inconvenience. If you have further questions, please call me at 327-7864.

Sincerely,


Tim Luke

cc: Bryce Contor, North ESPA Measurement District

TERMS:

~~Payment Due: Net 30 Days.~~ A service charge of 1.5% per month (\$5.00 Minimum Charge) is made on past due accounts.

"The Water Professionals"

Physical Dimensions of well - - - - -

at Hill Milling Co.

3 hp - 3 phase 2450 volt

257 ft deep.

251 Pump Depth.

26' of 2" pipe at well head
the 4" pipe to pump

andrew well miller's service calculated
that expected pumping capability would

be 57 gallons/min.

$$\frac{57}{448.8} = 0.13 \text{ g/s}$$

Thank You

Rob Hill

Assume

- Lift = 200'

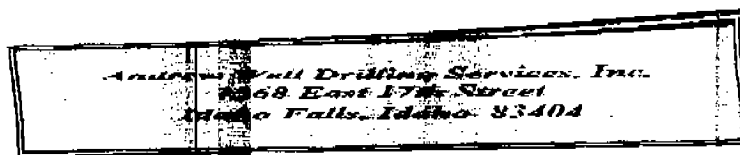
psi = 40

TDH = 200 + (2.31 * 40) = 290'

GPM = $\frac{HP(\text{eff}) \times 3960}{TDH}$

= $\frac{3(.75) \times 3960}{290} = 28.7 \text{ GPM}$

If TDH = 200', Q = 42 GPM
" " = 150', Q = 55.4 GPM



Hill Mill Company
Attn: Bob Hill
1351 East 1500 North
Terreton, Idaho 83450

Date: June 12, 1996
Invoice: 7099

Reference: Service Call 4467

Completed: June 11/96

1	ea	3HP Pump, Motor, & ProSurance	\$1,389.17
1	a	3" Flowmatic Check Valve	200.50
1	ea	Overload Kit	79.20
1	ea	Pressure Gauge	5.75
1	ea	2" Flowmatic Check Valve	84.00
		Misc. Pipe Fittings	35.02
		Misc. Electrical Supplies	9.48

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water Right Number - A31-10457

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - - Address

*** C - CURRENT OWNER ***
HILL MILLING CO

1 - PO BOX 70
2 -
3 -
City- TERRETON
Phone - 208-663-4367

State- ID

+ - - Priority Date - - +
04/01/1948

+ - - - Region - - - +
ERROR IN REGION

+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - S

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - - Tributary

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
06N	34E	14	SE SW			(51) JEFFERSON		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 -	IRRIGATION	04/01	11/01		0.080	
07 -	INDUSTRIAL	01/01	12/31		0.120	
43 -	DOMESTIC	01/01	12/31		0.090	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + +
0.290 0.1

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
	06N	34E	14				01	IRRIGATION	(51) JEFFERSON
	06N	34E	14	SE SW		3.0	43	DOMESTIC	(51) JEFFERSON

Total Acres: 3.0

+ - - Diversion Means - 7.5 H.P.SUB PUMP PRESSURIZED UNDRGROUND WELL HOUSE

+ - - Non-Irrigation Use - INDUSTRIAL-LIVESTOCK FEED PRODUCTION, DOMESTIC

+ - - Other Rights for Same Use - NONE

+ Remarks

GEN 1981 JEFFERSON CO. TAX NOTICE LAND DESCRIPTION : E. 240 FT. OF
SE 1/4, SW 1/4 LESSTAX 185; SOUTH 770 FT. OF SW 1/4 SEC. 14 TWP
6 N. RGE 34 EBM
HILL MILLING CO. CLAIM APPLICATION

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

10/2

Water right number - A31-10457

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - -

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - -
00/0

+ - - Audit Fields - 12/21/88 MULLINS 03/30/95 POST-STD

+ - - - - Comments - - - - -
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 3
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/17/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E004158	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

NORTH WMD

In database SA 2/97

INTER-DEPARTMENT MEMO--1

FROM

Tim Luke

DATE

10-23-96

TO

WATER MEAS. WAIVER FILE AB1-10457

SUBJECT

Exempt: Hill Milling Co. BOB HY (owner)
208-663-4367

3 HP pump

pumping @ 246 ft

Submersible

static WL = 216 Ft. nears JUNE '96

was 5 HP @

2 Domestic Houses, & mill

home of claim,

irrig less than 3 acres

claim incorrectly

4 1/2 ml from pump, 2" pipe from well to
(wellhead) houses & lawn

showing 7 HP,

Replaced 5 HP w/

RUNS @

3 HP pump

37 to 50 psi.

several yrs ago.

Pump installed said designed for 30 gpm.

SIGNATURE

RECEIVED

APR 15 1993

Eric Varner
Department of Water Resources
Eastern District Office

Sorry about being
late - Hope this is
what you need. Our
water use is in manufact-
uring + domestic use.
Any questions please call.
- see business card -

MICROFILMED
APR 15 1994



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
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

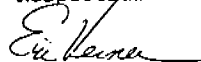
EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

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APR 15 1994

CLAIMANT'S NAME HILL MILLING CO. CLAIM IDENT. NO. A31-10457
DATE RECEIVED 11/15/88 # AMOUNT \$

	YES	NO
Is the name and address complete with zip code?	☒	☐
Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
(a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	N/A ☒	☐
Is the legal description of the p.d. sufficient?	☒	☐
Is there a description of the diverting works?	☒	☐
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?	☒	☐
Is a total quantity claimed entered?	☒	☐
If required is a consumptive use entered?	N/A ☒	☐
Is the consumptive use correct?	N/A ☒	☐
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, each household must file a separate claim. See Adjudication Memo # 4.	☒	☐
Is (are) the place(s) of use entered?	☒	☐
Is (are) the county(ies) entered?	☒	☐
Is the ownership of p.u. checked?	☒	☐
Are other water rights listed or "none" indicated?	☒	☐
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 ☒	☐
Is the basis of the claim checked?	☒	☐
Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	N/A ☒	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: TO

Comments: CHANGE REMOVED FIRE PROTECTION AND FLOW **MICROFILMED**
PER TELE-CON WITH BOB HILL ON 11/14/88 NOV 17 1992

E4158

PHONE 208-663-4364

POST OFFICE BOX 70

TERRETON, IDAHO 83450-0070

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RECEIVED

OCT 18 1988

Department of Water Resources
Eastern District Office

Colleen;

Hope I have the information here that you require and the forms all in order. If there is any problems with please let me know. We can always do it again. I took most of the information from our 1982 filing. Thank you for your help.

Sincerely

Robert P. Hill

Robert P. Hill

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NOV 17 1992

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A Third Generation Business