

Notes

12-20-05 Sent amended claim to claimant. BT

1-9-06 Received amended claim back from claimant. AB

6/5/06 Recommendation complete. In-stream stock

Notes

24-10049

10-20-04 Assessor's Ops.

Robert L. Hies

PO Box 30427

Santa Barbara, Ca 93130

11-21-04 Letter to claimant residence of property, 1840

11-10-04 Letter from Claimant's attorney, BP

5-23-05 Put a copy of the plat, topo & ortho maps
in the file 18

19 July 05 805 682 8111 Bond Storage ? Enterprises Bac

20 July 05 523-0620 msg w/ Rob Harris answering
machine Bac (Rob is attorney @ Foster firm)

Rob Harris called back - does not have phone # -
Will try to find Hired Man's name - Bac

28 July 05 Rob Harris called fr. Foster's law office.
Bob Hild will be out of the country till mid
August but wants to be present for field
inspection. He can be reached at 208
225-3592 after August 15 or so. Bac

8 Sept 05 225-3592 8PM busy

8:20 PM - 11 AM will be here Conf fr.

Arbun - Smokey Canyon rd - cross state line.

About 1 mile on right, sharp turn - just
after turn - dirt road / cattle guard - Sharp Creek
Rd - right - fork - sign says private, no
trespassing - hold to left - If I reach
Fish hatchery Rd, too far

9 Sept 05 met w/ Mr. Hild Bac

1 Oct 05 please see address in A24-02017 Bac
copy added to file 10-18-05. BXP

24-10049

208-225-3592

Date: _____

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A24-10049

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

____ 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:

Per Mr. Hild this has not been used for
irrigation for many many years. Dec 10ct 05

Reviewer: _____

Date: _____

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (☒)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (☒)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (☒)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (☒)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (☒)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes (☒) No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (☒) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No (☒)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No 24 - 10049

Point of Diversion and Source Data Entry Form

Claim Number: A24-10049

Water Right Point of Diversion: T _____ R _____ Sec. _____ County: _____

Source: _____ Tributary: _____

Begin Claimed Point of Diversion: T 7S R 46E Sec. 33 NW NW NW County: Caribou

Source: _____ Tributary: _____

End Recommended Point of Diversion: T 7S R 46E Sec. 28 SF SW SW County: CaribouSource: Deer Spring Tributary: Sinks

Use Claimed POD and Source as Recommended POD and Source

Twsp	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:

Not used. Dec 1 Oct 05

Transfers Changing POD _____

Reviewer: CBDate: 12/20/05

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes () No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Yes () No ()

Point of Diversion

Claim No. A24 - 10049

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source?

Yes () No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed Source be verified using the water right file?

Yes () No ()

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

6. Is the basis of claim a Posted Notice?

Yes () No (X)

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

7. Is there evidence that there has been a change in the Source?

Yes () No ()

If Yes, go to 8
If No, go to 10

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C02. go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer?

Yes () No ()

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

10. Does the file contain all of the necessary information to verify the Source?

Yes () No ()

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required?

Yes () No ()

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. A24 - 10049

Purpose of Use Data Entry Form

Claim Number: 24-10049☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Stockwater		225		

Document how the Purpose of Use was verified:

Per Mr. Hild there are remnants of the original homestead but the only current use is livestock drink directly from the stream. At the time I erroneously assumed stockwater was a claimed use but I see now it is listed only in item 9. To purpose item 9 indicate the intent to

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

claim stockwater use / domin. stockwater use should be recommended. YAC 10 Oct 05

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (X) No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Claim No.

24 - 10049

Place Of Use Data Entry Form

Claim Number: 24-10049 Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
75	46E	28	SWSW		Carbon			Stockwater
"	"	33	NW	NW	"			"

Total Acres

Document how the POU was verified:

Claimant pointed out on map the general area
where stock draws from stream. Dec 1 Oct 05

Transfers Changing POU Reviewer: Date:

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes () No ()

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes () No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Yes () No ()

Place of Use

Claim No. 124 - 10049

Period of Use and Quantity Data Entry Form

Claim Number: 24-10049☐ 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

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Stockwater	4/1	11/1	0.04	12/20/05
			0.02	12/20/05

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Domestic summertime stockwater directly fr. stream.
Bae 10 Oct 05

Reviewer: CBDate: 12/20/05

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18

Yes () No ()

4. Does the parent right have a Period of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Period of Use be verified using the water right file?

If Yes, go to 14
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Period of Use?

If Yes, go to 7
If No, go to 12

Yes () No (X)

7. Does the change include an enlargement in the Period of Use?

If Yes, go to 9
If No, go to 8

Yes () No ()

8. Can the change be recommended as an accomplished transfer?

If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

11. Was a transfer filed?

If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

12. Does the file contain all of the necessary information to verify the Period of Use?

If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13

Yes (X) No ()

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

If Yes, go to 14
If No, go to 15

Yes () No (X)

14. Is irrigation claimed as a purpose of use?

If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

15. Is irrigation claimed as a purpose of use?

If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18

Yes (X) No ()

16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?

If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18

Yes () No ()

18. Is a Period of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Yes () No (X)

Period of Use

Claim No. A24 - 10049

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (☒)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (☒)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5
If No, go to 7

Yes () No ()

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8
If No, go to 7

Yes () No ()

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes () No (☒)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

Yes () No ()

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10
If No, go to 9

Yes () No ()

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10
If No, go to 11

Yes () No ()

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes () No ()

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

Yes () No ()

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes () No ()

Quantity

Claim No. A24 - 10049

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice? Yes () No (X)
If Yes, go to 2
If No, go to 3
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
3. Is the water being used for all of the purposes claimed and to the extent claimed? Yes (X) No ()
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
4. Is any portion of the claim being recommended? Yes () No ()
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
5. Does this right have any combined used limits with other rights? Yes () No (X)
If Yes, go to 6
If No, go to 6
6. Is an additional remark and/or condition required? Yes (X) No ()
If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7
7. Would you like to view the recommended right? Yes (X) No ()
If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.
8. Is this a "split" or "combined" right? Yes () No (X)
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9
9. Do you have documents you would like to attach or link to the file? Yes () No (X)
If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10
10. Would you like to set the verification date? Yes (X) No ()
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Summary

Claim No. A24 - 10049



Claim No.: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

20 December 2005

Robert L. Hild
P. O. Box 30427
Santa Barbara, CA 93130

Re: Snake River Basin Adjudication (SRBA)
Claim 24-10049

COPY

Subject: AMENDING YOUR CLAIM

RESPONSE DATE: 3 JANUARY 2006

Dear Claimant(s):

After reviewing the field examination done by Bryce Contor last October, I'm recommending you amend your claim to claim stockwater. Your original claim was filed for irrigation and not stockwater. If you wish to claim in-stream stock you must first claim it.

Please review the enclosed amended claim and if you agree, please sign it before a notary public and return it by the above response date.

If we do not hear from you this claim may be disallowed.

If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp
Enclosure:

Amended Notice of Claim

Law Offices
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November 5, 2004

Ms. Barbara Payne
Idaho Department of Water Resources
15 W. Center St.
Soda Springs, ID 83467

Re: Snake River Basin Adjudication Claims 24-10049, 24-10050, and 24-10051
Re: Evidence of Priority

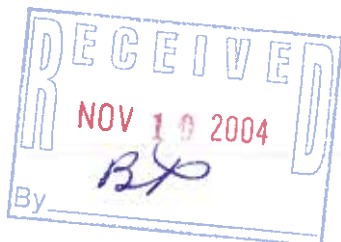
Dear Ms. Payne:

We have been asked by Mr. Robert L. Hild, the owner of Tygee Valley Ranch, to respond to your letter of October 21, 2004, regarding evidence of priority for claims numbers 24-10049, 24-10050 and 24-10051.

We are enclosing an affidavit of Mrs. Ada Hurd Nelson and copies of two patents which we submitted in response to a similar request by Mr. Dave Carlson of the Idaho Falls office of the Department of Water Resources back in 1994.

We are also enclosing a second affidavit of Mr. Robert L. Hild, recently executed, with respect to the history of the use of the water pursuant to these three claims since he acquired the property in 1971. We have also enclosed a map prepared by Mr. Hild with respect to claim number 24-10051.

We will be happy to discuss any of these items with you at your convenience.



Yours very truly,

Kent W. Foster

Enclosures

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

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

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

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

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

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

Ada Hurd Nelson
Ada (Hurd) Nelson
Auburn, Wyoming

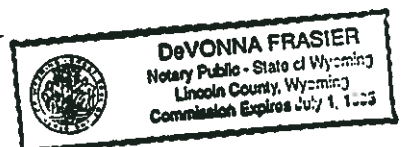
NOTARY

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

Devonna Frasier
NOTARY PUBLIC

My Commission Expires: 7/1/95

NOV 10 2004
Bj



PATENT

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

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

Grantor,

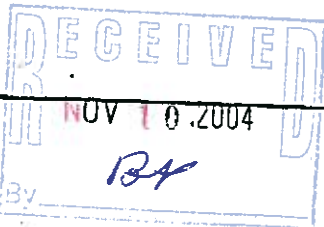
to

Frank Devenberg,

Grantee.

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

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



CARIBOU TITLE COMPANY
Soda Springs, Idaho

SHEET
NO.

-12-

PATENT

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

Dated: August 15, 1922.
Filed: May 23, 1928, at 4:55 P.M.
Recorded: Book 1 of Patents, at page 570,
records of Caribou County, Idaho.

Instrument No. 9245.

Consideration: --

Witnesses: --

Acknowledged: --

Grantor,

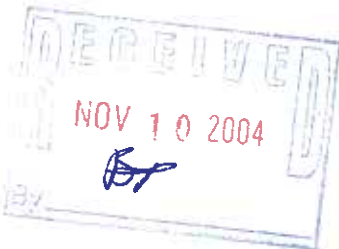
to

Mahonri K. Hurd,

Grantee.

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

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



CARIBOU TITLE COMPANY

Soda Springs, Idaho

SHEET
NO.



November 2, 2004

I Robert L. Hild and my wife Adell Hild purchased the property known as Tygee Valley Ranch on which the SRBA claims, 24-10049, 24-10050 and 24-0051 are located, from I.E. Wernick in 1971. The primary use of this land has been for livestock grazing and feed since Mohonri Hurd homesteaded it in the early 1920's. Today, this is still what we use it for. We submitted in 1994 an affidavit by the daughter of Mohonri Hurd, Ada Hurd Nelson, who is now deceased, who lived on the land in the 1920's. She was born and lived in the valley all her life, dieing less than a mile from said property in 1999.

SRBA 24-10049: Known as Devenberg Spring as referred to in Ada Hurd Nelson's affidavit, fifth paragraph, "They used the spring for their own personal use and to water their livestock and garden ----- this land has been used for cattle grazing, as it is today."

SRBA 24-10050: Stump Cr. Irrigation. Water has been pumped for irrigation since the early 1950's as attested to in Ada Hurd Nelson's affidavit, fifth paragraph. We still use this source for irrigation. We buried the main line in 1976.

SBRA 24-10051: Cow Cr. Ditch. This ditch was constructed in the 1920's as indicated in Ada Hurd Nelson's affidavit in paragraph three, "helped dad dig a ditch around the hill from Cow Cr. into the lake for irrigation --- and to water the livestock". It has been maintained ever since. The lake has served as a source of water for livestock, waterfowl and fish. The flow from the lake sinks in a flat area below the lake where livestock graze. Only during the early Spring run off does any of its water reach Stump Cr.

The above is accurate to the best of my knowledge.

Robert L. Hild

Adell Hild



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Santa Barbara } ss.

On

November 3, 2004

before me,

Tanya Z. Valenzuela

Name and Title of Officer (e.g., Jane Doe, Notary Public)

personally appeared

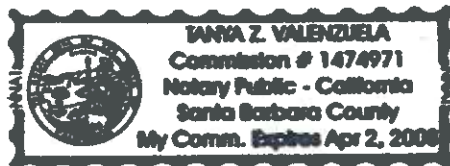
Robert L. Hild and Adell Hild

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~is~~ they executed the same in ~~his~~ their authorized capacity(ies), and that by ~~his~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Tanya Z. Valenzuela
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer — Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



1-26-03

SRBA 24-10051

Water Basin

Cow Cr.

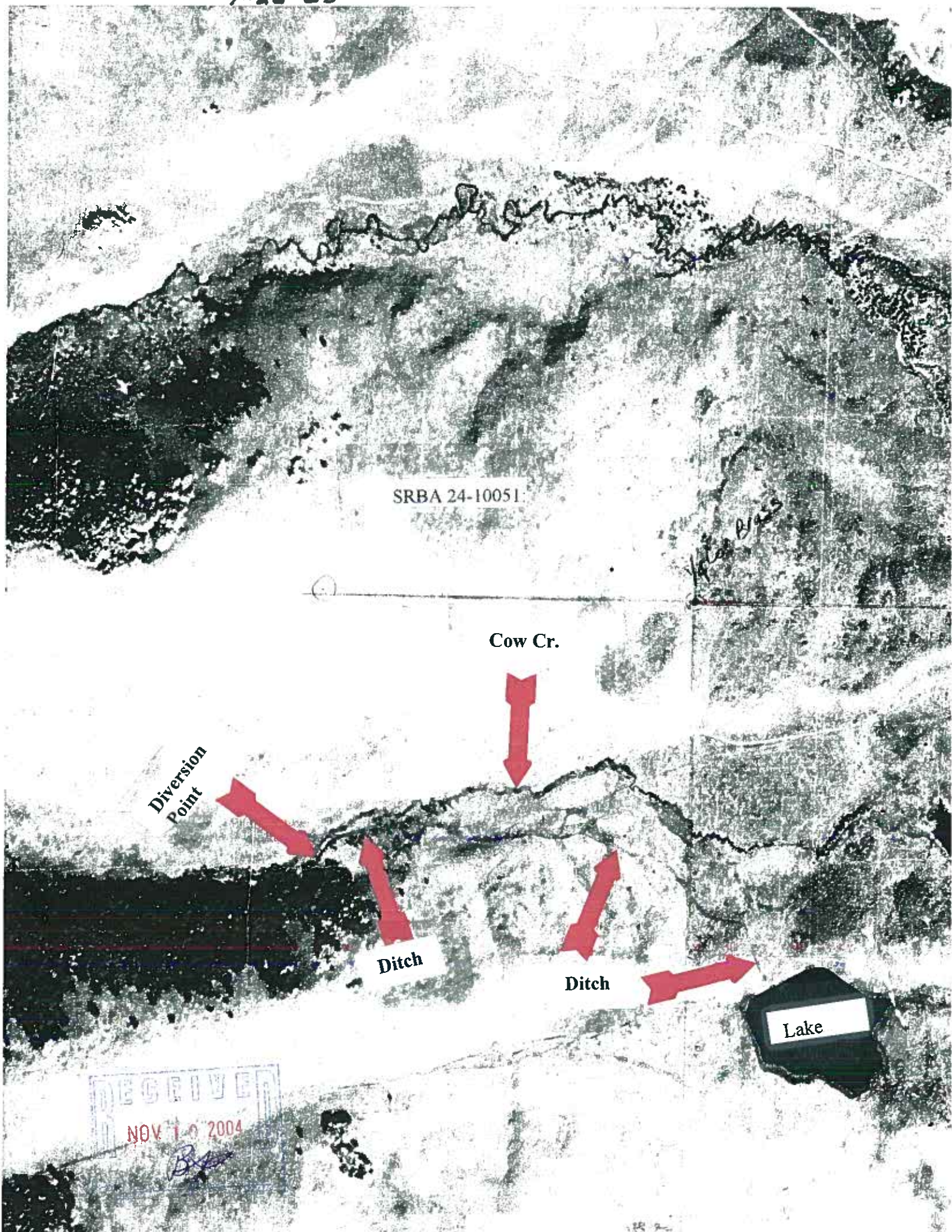
Diversion
Point

Ditch

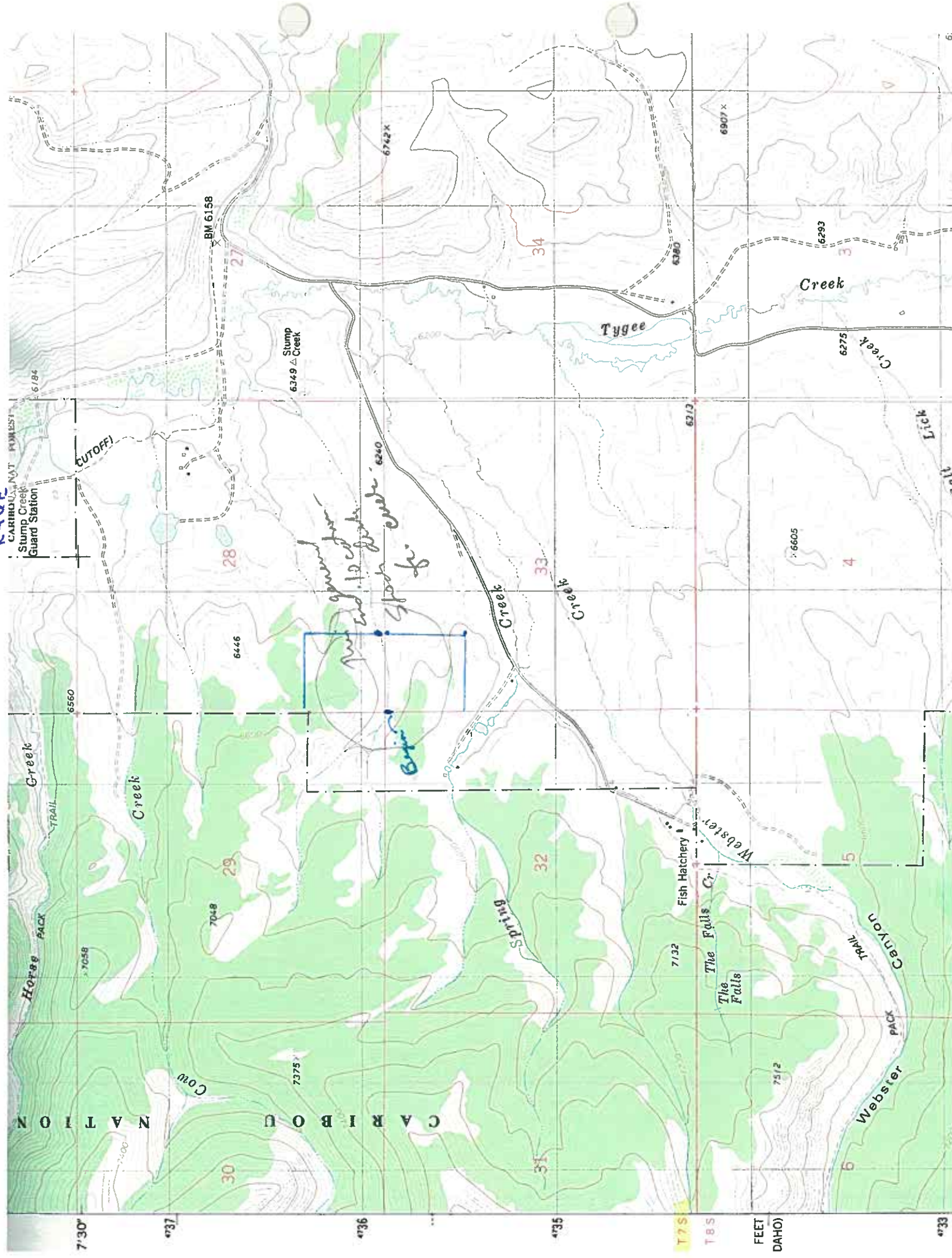
Ditch

Lake

RECEIVED
NOV 10 2004
[Signature]



R406



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): A24-02017, A24-10049,
A24-10050, A24-10051

[] Name(s): Robert L Hild

[] Old Mailing Address: _____

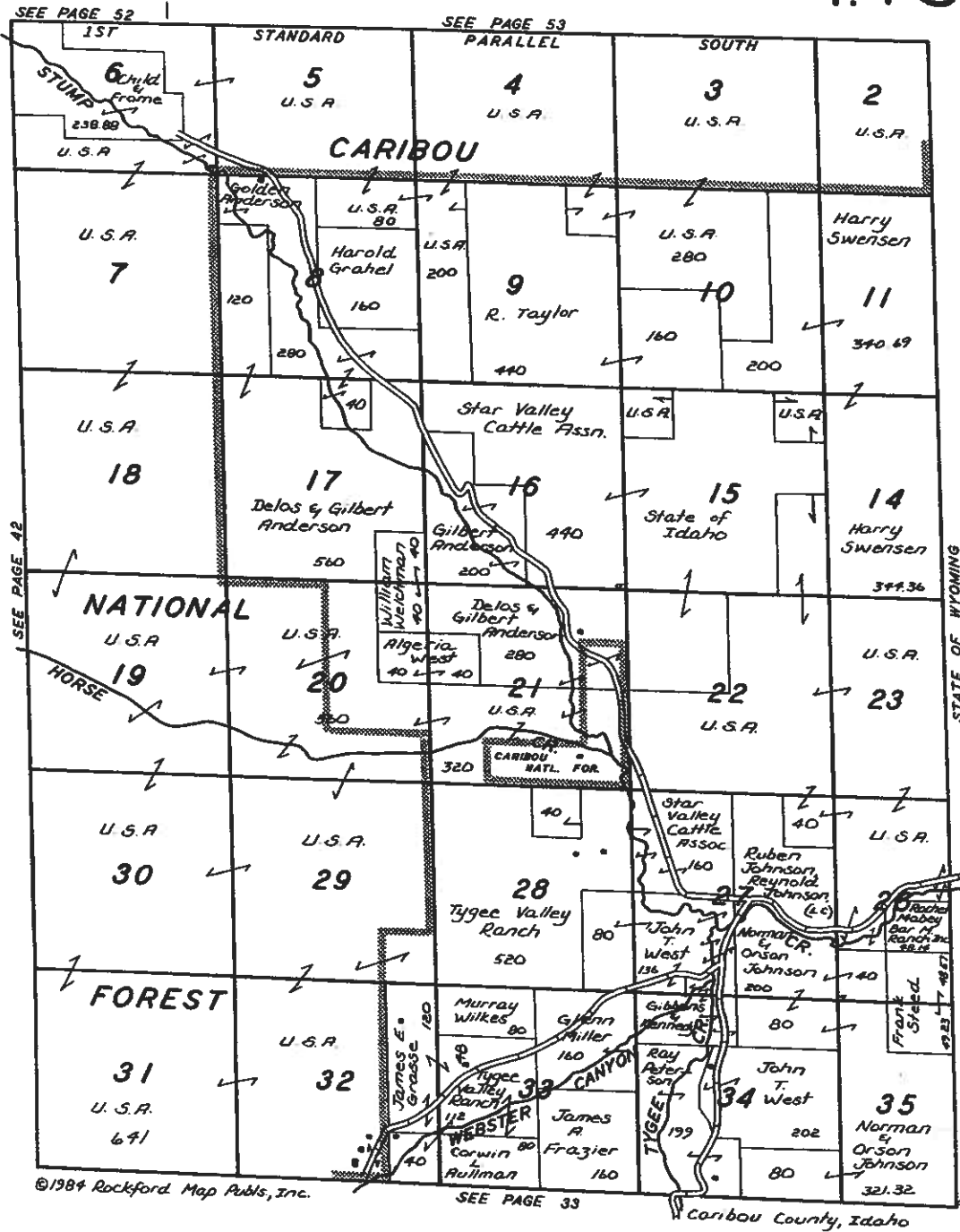
[] New Mailing Address: PO Box 160
Auburn WY 83111
PO Box 30427
Santa Barbara CA 93130

Telephone Number: (208) 225 - 3592

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

Date: _____





Close

From: Crabtree, Jennifer**To:** Payne, Barbara**Cc:****Subject:** RE: missing files**Sent:** 10/26/2004 2:37 PM**Importance:** Normal

Hi. Both these claims are partially decreed and are at the state records center in Boise. You can view them in information search or on the SRBA court website www.srba.state.id.us, and then go to IWTRS reports.

-----Original Message-----

From: Payne, Barbara

Sent: Thursday, October 21, 2004 8:23 AM

To: Crabtree, Jennifer

Subject: missing files

Good morning Jen,

We are starting to go through Basin 24 claims. In one claim there is a letter that refers to 2 claims that we do not have files on. I can see them on the web search. Can you please check on the following and let me know the status.

Robert L. Hild

Claims 24-10047 and 24-10048

Thanks.

Barbara :-}



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

21 October 2004

Robert L. Hild
P. O. Box 30427
Santa Barbara, CA 93130

COPY

Re: Snake River Basin Adjudication (SRBA)
Claims 24-10049, 24-10050, 24-10051

Subject: EVIDENCE OF PRIORITY

Response Date: 21 November 2004

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the number shown above, 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 enclosed 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 the entire 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”.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by the above noted response date, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Barbara Payne

Enclosure: Brochure on “*Evidence of Priority*”
Notice of Claim to a Water Right

10-20-04

7,46
~~+5510~~ 33,28
~~+5520~~
~~+5530~~
~~+5540~~
~~+5640~~
~~+5660~~
~~+5670~~
~~+5720~~

Robert L. Neal

Parcel T.R.S

15640	7,46,28	Dry Grazing	73	$E \frac{1}{2} SE_3$
~~1566~~		Waste	7	
15660	7,46,28	Dry Grazing	200	
15670	7,46,28	" "	311	
		Waste	9	
5720	7,46,33	Dry Grazing	4.9	

I don't know if I copied the meadow ground
 info. Bx

SCANNED

AUG 6 2001

Log for claim 24-10049

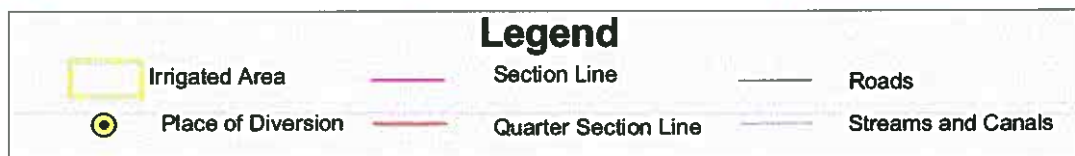
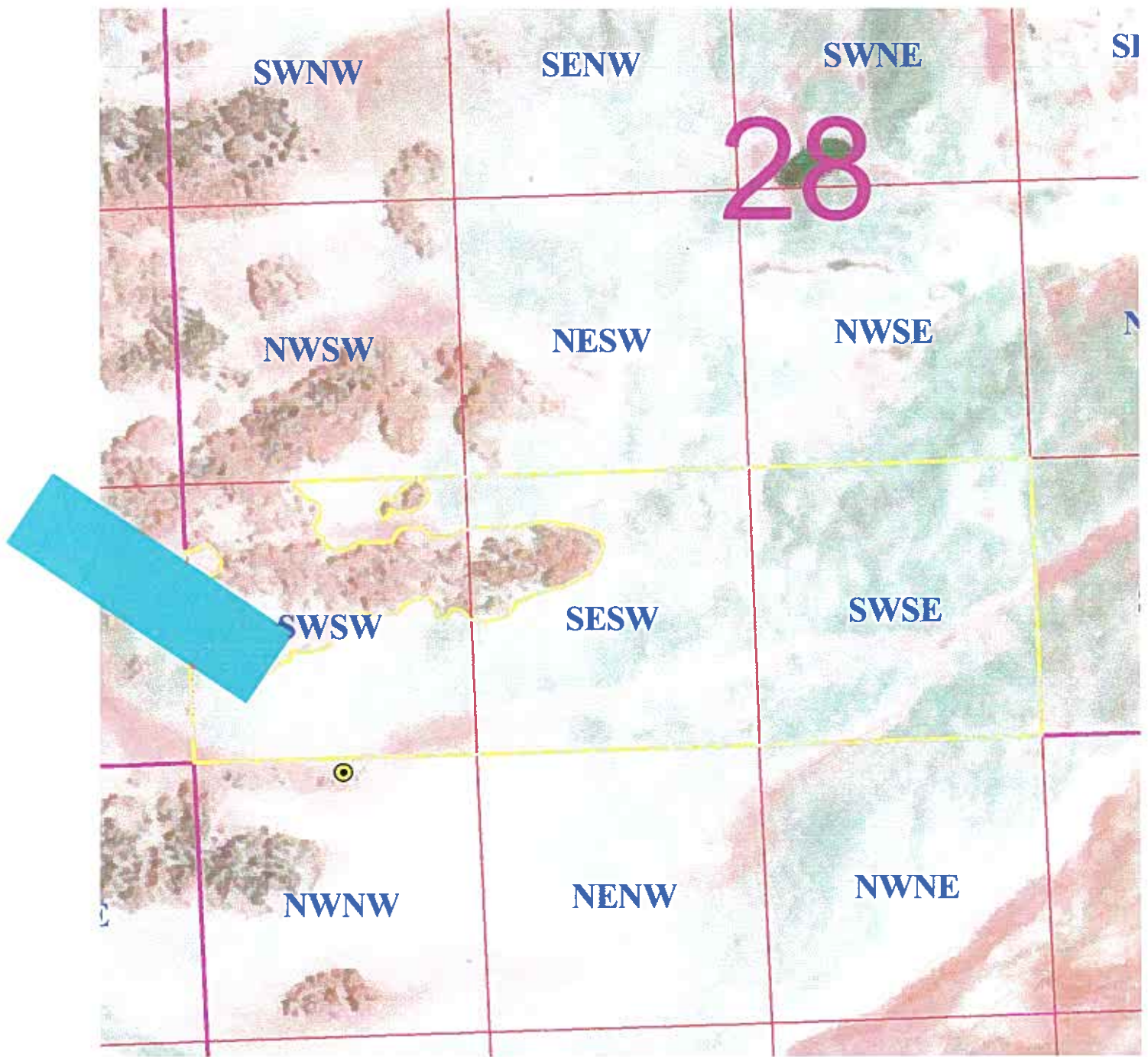
Spatial Dynamics BTD

5/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s46e	28	SWSW	5	23	Indiscernible
07s46e	28	SESW	20	35	Indiscernible
07s46e	28	SWSE	25	40	Indiscernible
Totals:			50	98	

Water Right Claim Number 24-10049
Township , 7S46E

05/02/2001

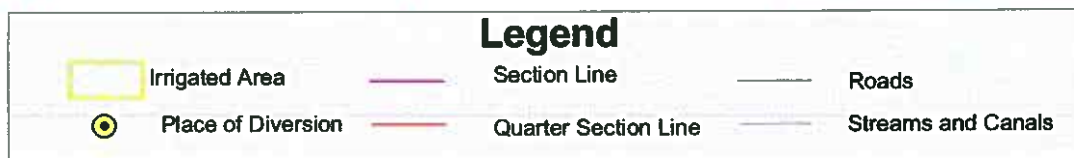
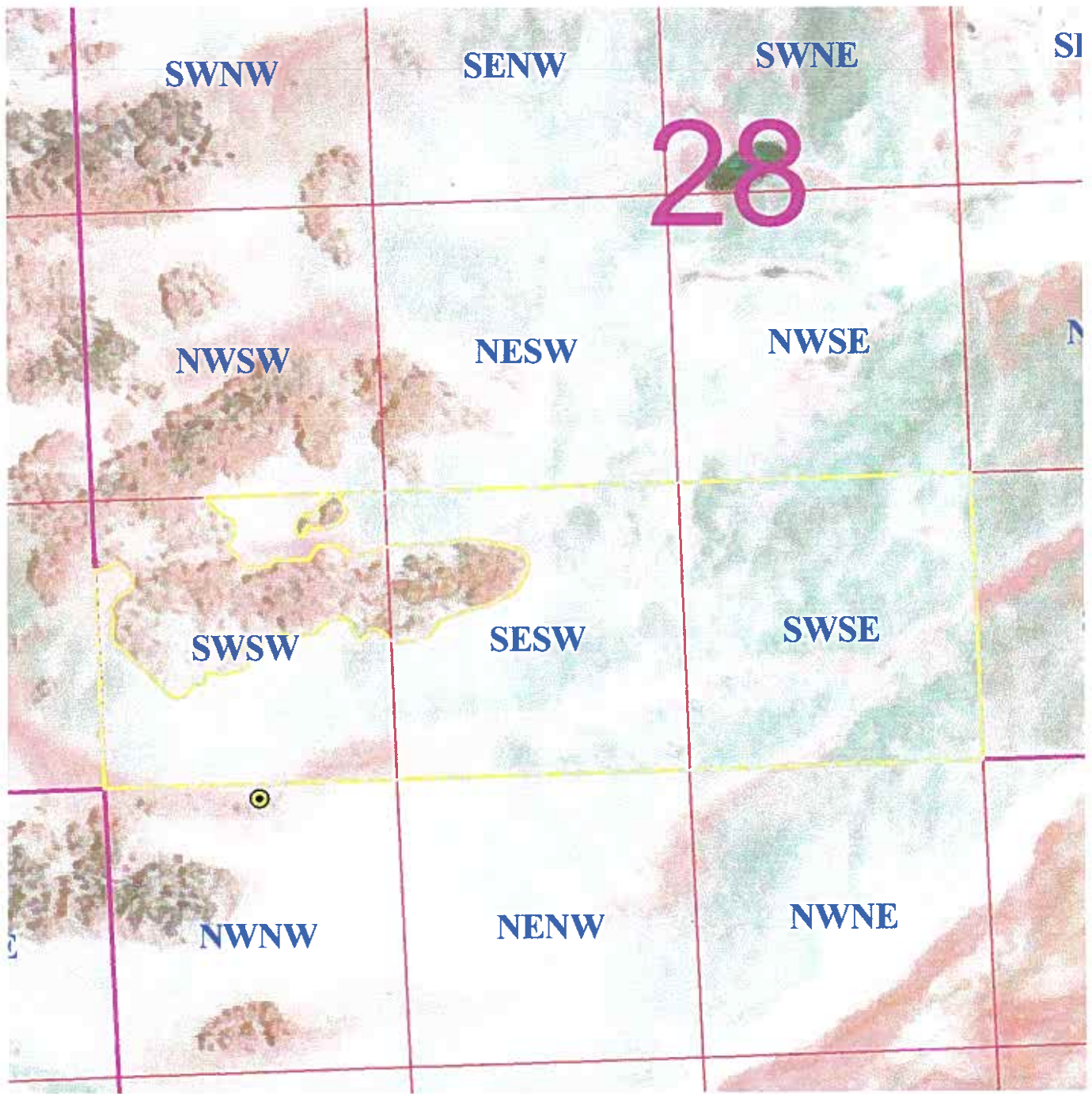


500 0 500 1000 Feet



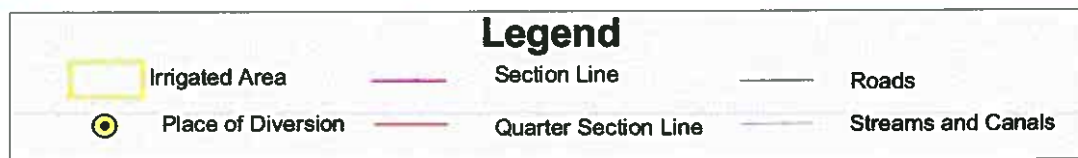
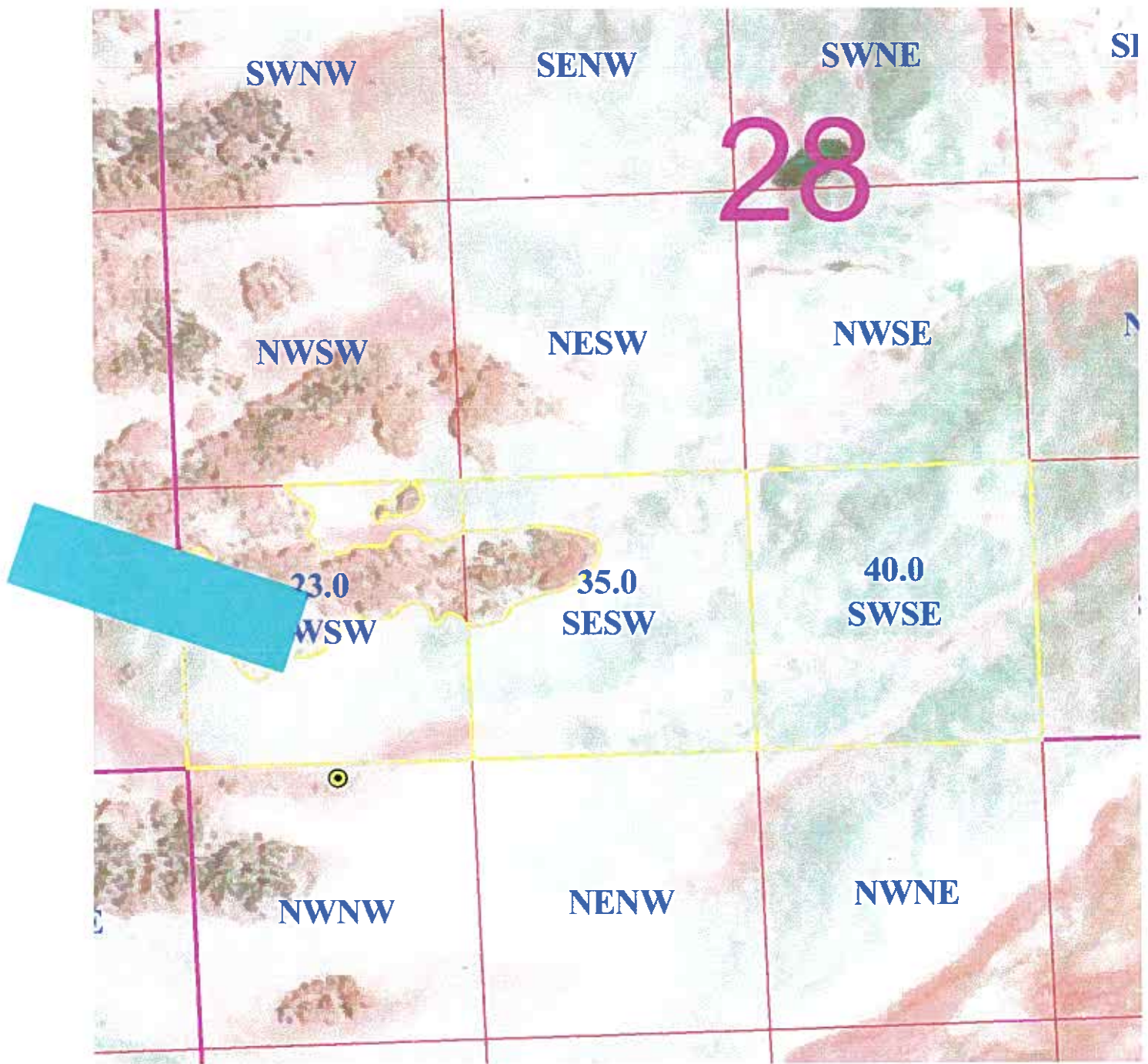
Water Right Claim Number 24-10049
Township , 7S46E

05/02/2001



Water Right Claim Number 24-10049
Township , 7S46E

05/02/2001



500 0 500 1000 Feet





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

October 7, 1997

RECEIVED

PHILIP E. BATT
GOVERNOR

OCT 20 1997

KARL J. DREHER
DIRECTOR

ROBERT L HILD
PO BOX 30427
SANTA BARBARA CA 93130

Department of Water Resources

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

Change of Address

Dear Water Right Holder:

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

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

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

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

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

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

Signature of water right claimant

RECEIVED OCT 09 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: February 15, 1990

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

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

Dear Mr. Foster:

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

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

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

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

Sincerely,

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED
NOV 06 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

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

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

February 14, 1990

RECEIVED

FEB 14 1990

Department of Water Resources
Eastern District Office

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

RE: Robert L. Hild SRBA Claims

Gentlemen:

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

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

Yours very truly,



Kent W. Foster

#7704.00/srr

Enclosure

MICROFILMED
NOV 06 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME H72CLAIM ENT. NO. A24-10049DATE RECEIVED 2/14/90

CK # _____

AMOUNT \$ _____

YES

NO

Required Info?

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

Claim checked by: DCDate: 3/20/90

Claim must be returned to claimant: _____

(Yes) X (No)

Claimant must be notified of modifications: _____

(Yes) X (No)

Receipt Prepared by: _____

Claim data entered by: DC

Sent to claimant by: _____

Date: _____

Date: 3/20/90

Date: _____

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

NOV 06 1992

24-10049

Robert L Hild

No Layout Needed

Stockwater

09/08/2006

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

RIGHT NUMBER: 24-10049

NAME AND ADDRESS: ROBERT L HILD
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405-0130

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/10/1921

POINT OF DIVERSION: T07S R46E S28 SESWSW End of Stream Flow Within CARIBOU County

T07S R46E S33 NWNWNW Begin of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County

T07S R46E S28	SWSW	T07S R46E S33	NWNW
---------------	------	---------------	------

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use
Stockwater use is for 225 range cattle.

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 24-10049
Date Received: 3/1/1990
Receipt No: E012197
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT L HILD Phone: (208)225-3592
PO BOX 30427
SANTA BARBARA CA USA 93130

2. Date of Priority: 06/10/1921

3. Source: SPRING, SPRING Trib. to: SINKS, SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07S	46E	28	SE	SW	SW	CARIBOU	Ending Point
07S	46E	33	NW	NW	NW	CARIBOU	Beginning Point

5. Description of diverting works:

DITCHES TO FLOOD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/01	11/01	0.02	

7. Total Quantity Appropriated is:
0.02 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
07S	46E	28	SW	SW	STOCKWATER	
07S	46E	33	NW	NW	STOCKWATER	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

CONFORMED ATTORNEY MAILING ADDRESS DMS CHANGE OF ADDRESS DONE 11/17/97 DMS

Data entered amendment on 01/11/06 pnb

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.

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 24-10049
Date Received: 3/1/1990
Receipt No: E012197
Received By:

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

1. Name of Claimant(s)

ROBERT L HILD Phone: (208)225-3592
PO BOX 30427
SANTA BARBARA CA USA 93130

2. Date of Priority: 06/10/1921

3. Source: ~~DEVENBERG~~ SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07S	46E	33	<u>NW</u>	NW	NW	CARIBOU	<u>BEGINNING POINT</u>
07S	46E	28	<u>SE</u>	SW	SW	CARIBOU	<u>ENDING POINT</u>

5. Description of diverting works:

~~DITCHES TO FLOOD~~ NONE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
~~IRRIGATION~~	~~4/01~~	~~11/01~~	~~1~~	
<u>STOCK</u>	<u>4/01</u>	<u>11/01</u>	<u>0.02</u>	

7. Total Quantity Appropriated is:

~~1 C.F.S.~~
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

225 HEAD OF STOCK

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	46E	28	SW	SE	IRRIGATION	25
			SW	SW	IRRIGATION	5
			SE	SW	IRRIGATION	20
Section Acres						50
Total Acres						50
07S	46E	28	SW	SW	STOCK	
		33	NW	NW	STOCK	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

24-2017, 24-10050, 24-10051, 24-10665

14. Remarks:

INSTREAM STOCK.

CONFORMED ATTORNEY MAILING ADDRESS DMS CHANGE OF ADDRESS DONE 11/17/97 DMS

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: None

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): [Signature] Date: 1-3-06

Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 2005.

Notary Public

Residing at _____

My commission Expires _____

see attached certificate



CALIFORNIA JURAT WITH AFFIANT STATEMENT

State of California

County of

Santa Barbara

ss.

☒ See Attached Document (Notary to cross out lines 1-6 below)

☐ See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

1

2

3

4

5

6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me on this

3rd day of January, 2006, by
Date Month Year

(1) Robert Louis Hild
Name of Signer

☐ Personally known to me

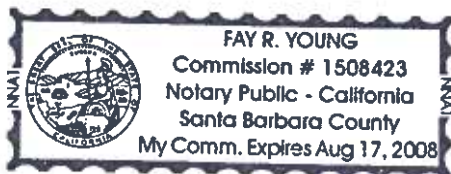
☒ Proved to me on the basis of satisfactory evidence
to be the person who appeared before me (.) (.)

(and

(2) _____
Name of Signer

☐ Personally known to me

☐ Proved to me on the basis of satisfactory evidence
to be the person who appeared before me.)



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove
valuable to persons relying on the document and could prevent
fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Amended Notice of Claim to a
Title or Type of Document: Water Right Acquired
Under State Law

Document Date: 1-3-06 Number of Pages: 3

Signer(s) Other Than Named Above: None

RIGHT THUMBPRINT
OF SIGNER #1
Top of thumb here

RIGHT THUMBPRINT
OF SIGNER #2
Top of thumb here

AUG 0 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A24-10049
Date Received: 2/14/1990
Receipt No: E012197
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 10, 1921

3. Source: DEVENBERG SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	46E	33		NW	NW		CARIBOU

5. Description of diverting works:
DITCHES TO FLOOD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 225 HEAD CATTLE AND HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	28	SW	SW		IRR	5.0
			SE	SW		IRR	20.0
			SW	SE		IRR	25.0

Section Acres 50.0

A24-10049

Page 1

Date: 03/26/90

MICROFILMED
NOV 06 1992

A2410049



10. Place of Use: Continued

Total Acres 50.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

E.C

Date Received 3-1-90 6012197
Receipt Number

RECEIVED

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Robert L. Hild Phone (805) 682-8111
Mailing Address 4475 Via Abrigada, Santa Barbara, CA Zip 93110
2. Date of Priority (Only (1) per claim) June 10, 1921
3. Source of water supply (a) Devenberg Spring
which is tributary to (b) Sinks
- 4.a. Location of existing
point of diversion is: Township 7S. Range 46E. Section 33,
1/4 of NW 1/4 of NW, Govt. Lot, _____ B.M., County of Caribou
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- ending point is: Township _____ Range _____ Section _____, _____ 1/4 of
_____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches,
Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any
changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____
- Ditch carries water from point of diversion to place of use.

~~Microfilm~~

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6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/01 to 11/01 amount 1.0 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 175 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
Incidental stockwater of 225 head of cattle and horses.

10. Description of place of use:

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

TWP:RNG:SEC:	NE1/4				:	NW1/4				:	SW1/4				:	SE1/4				:	TLS	
:	:	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:	NE	NW	SW	SE	:
7S:46E: 28:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5	20:	:	:	:	25	:	50
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Total number of acres irrigated 50

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

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

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

_____ or None (X)

14. Remarks:

Last Name Hild Ident. Number _____

MICROFILMED

NOV 06 1992

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

16. Signature(s)

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

Number of attachments 1

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

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

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

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

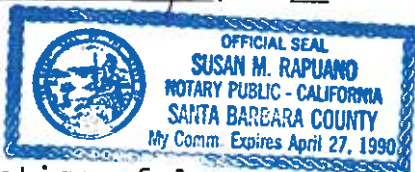
foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or CALIFORNIA } SS.
 County of Santa Barbara }

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



Notary Public Susan M. Rapuano
 Residing at 529 Anaheim St, Goleta, CA 931
 My Commission Expires 4/27/90

17. Notice of Appearance:

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

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

Last Name Hild Ident. Number _____
 MICROFILMED
 NOV 6 1992

