

03/02/2006

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

RIGHT NUMBER: 78-11976
NAME AND ADDRESS: DOLINA C GILL
PO BOX 2
RIGGINS ID 83549

SOURCE: HAILEY CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 08/12/1911

POINT OF DIVERSION:

T24N R01E S22 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.090 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S22 SENW 3.00

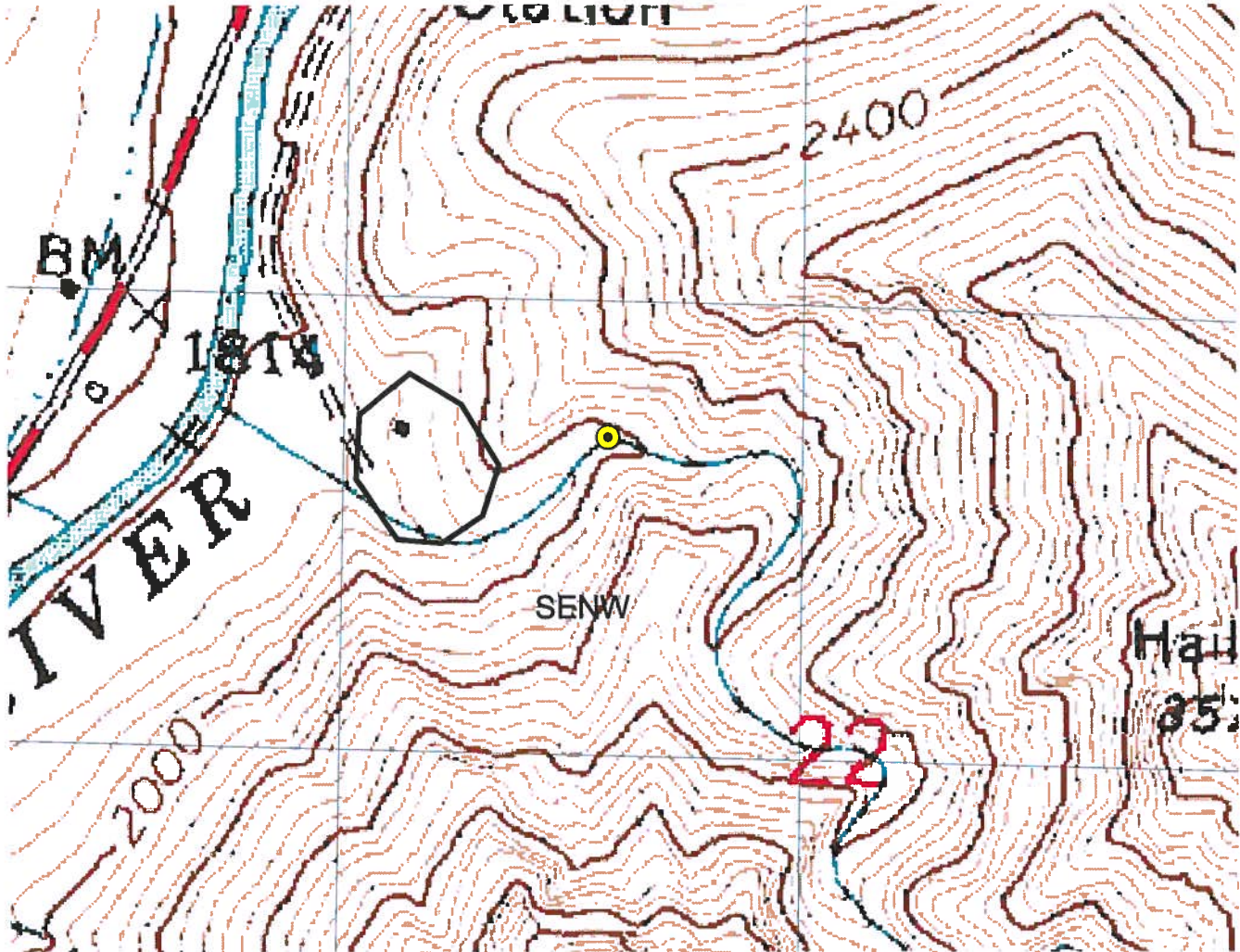
3 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

78-11976



0 400 800 Feet

Section 22
T24N R1E



● Point of Diversion

□ Place of Use

Map prepared on March 2, 2006
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 8, 2005

WILLIAM S SPICKELMIRE
325 CHESTER DR
BOISE ID 83706-4343

RECEIVED
NOV 14 2005
IDWR/North

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #78-11976

Dear Mr. Spickelmire:

We have been advised you may now be the new owner of the property and water right referenced above. Before we can modify our records to reflect this change, we require the enclosed Notice of Change in Water Right Ownership form to be completed.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Notice of Change in Water Right Ownership Form

SCANNED

NOV - 8 2005

Knoblock, Ken

From: Sherman, Sally
Sent: Tuesday, November 08, 2005 9:05 AM
To: Knoblock, Ken
Cc: Fritschle, Carter
Subject: 78-11976

Hi Ken. I hope you're doing fantastic. Dolina Gill (928/305-1939) called me this morning re the letter you sent her. She told me she sold that property 6 years ago to a man named William Spickelmire in Boise. I DEXd his address and sent him a new owner letter with the ownership change form enclosed. You can find it in DOCs under the w/r number. I'll send you a copy for the file.

...Sal



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 31, 2005

Dolinda Gill
Box 2
Riggins, ID 83549

RE: 78-11976

Dear Ms. Gill:

On February 20, 1998, you submitted a Notice of Claim in the Snake River Adjudication. It lists irrigation use in Section 22 Township 24N Range 1E. We searched the Idaho County tax lot information and we cannot find that you own property in that section. Would you please provide us with the parcel number?

Sincerely,

Kenneth Knoblock
Water Resources Agent

PROOF

**NOTICE OF PROOF OF COMPLETION OF
WORKS AND APPLICATION OF WATER
TO BENEFICIAL USE.**

Notice is hereby given that at 1 p. m. on the 15th day of September, 1911. at Pollock, County of Idaho, State of Idaho, before W. J. Adsley, N. P. proof will be submitted of the completion of works for the diversion of .03 of 1 cubic foot per second of the waters of Hailey creek and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 6735 heretofore issued by the state engineer of the state of Idaho.

1. The name and postoffice address of the person holding said permit, are Mary E. Jones, Riggins, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use in accordance with the plans accompanying the application for such permit is .03 of 1 cubic foot per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is .03 of 1 cubic foot per second.

4. The place where said water is used is one and a half acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 22, Tp. 24 N., R. 1 E. B. M.

5. The date of priority which said user is prepared to establish is Oct. 12, 1910.

12-4

A. E. Robinson, State Engineer.

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: A78-11976
Date Received: 5/20/1998
Receipt No: W023904
Received By: Reh

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

1. Name: DOLINA C GILL 208-628-3441
Address: PO BOX 2
RIGGINS ID 83549
2. Date of Priority: AUG 12, 1911
3. Source: HAILEY CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	22	SE	NW			IDAHO

5. Description of diverting works:
WOOD DAM IN CREEK, PIPED TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	22	SE	NW		IRR	3.0
Section Acres							3.0

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

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 X 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): Adeline C. Gill Date: 5-20-98

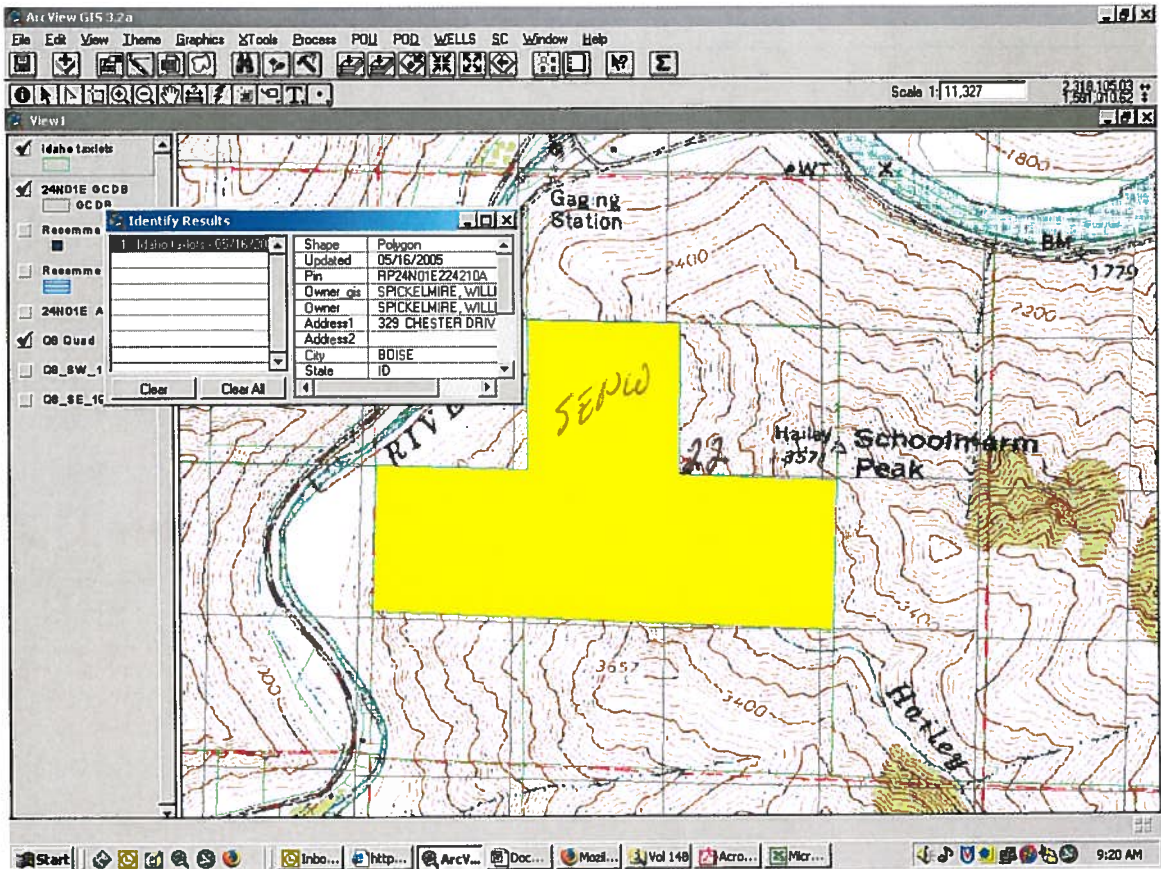
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of May 19 98 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 2000





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DOLINA C GILL
PO BOX 2
RIGGINS ID 83549

RE: APPLICATION FOR PERMIT NO. 78-07390

Dear Applicant:

Your letter of September 17, 1998 regarding the above referenced application was received. In your letter you asked why the protestant did not protest your irrigation water right from Hailey Creek. Of course, I cannot speak for the protestant, but perhaps I can address your question in another way.

Unlike your application for permit to establish a new use, the Hailey Creek right to which you referred is a beneficial use right claimed in the Snake River Basin Adjudication (SRBA) as no. **A78-11976**. That claim states that an irrigation use dating to 1911 has been used on your property. A beneficial use claim is an unverified right previously not recorded. Such claims can now be recorded in the SRBA process. These claims are not advertised in the local legal notices, but new water right applications such as 78-07390 are advertised, making new applications subject to the protest process.

The final disposition of the SRBA claim rests with the SRBA court. The Idaho Department of Water Resources (IDWR) will investigate the SRBA claim within a few years and make a recommendation to the SRBA court regarding the validity of the claim. You and any interested parties will be able to participate in that process in which IDWR investigates the claim. It is conceivable that someone may file an *objection* to your claim in the SRBA process. If so, the objection will be dealt with by the SRBA court.

In conclusion, new water right applications are advertised in the legal notices and are covered by the *protest process via IDWR*. Older rights claimed in the SRBA are generally not advertised in the legal notices and are covered by the *objection process via the SRBA court*.

I hope this answers your questions. Please contact this office if you need more information.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Steve Lester', is written over a horizontal line.

Steve Lester
Water Rights Supervisor