

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 43-10511
Date Received: 6/15/89
Receipt No: S008271
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARRY KINCADE Phone: (208)645-2346
DARLENE KINCADE
1781 E HWY 77
MALTA ID USA 83342

*Amended
6-13-01*

2. Date of Priority: 01/01/1885

3. Source: UNNAMED STREAM Trib. to: CLYDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	24E	26	SE NE SW	CASSIA	Ending Point
13S	24E	26	NE SW NW	CASSIA	Beginning Point

5. Description of diverting works:

instream stockwater use along the unnamed stream channel.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	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
13S	24E	26	NE SW 1	STOCKWATER	
			SE NW	STOCKWATER	
			SW NW	STOCKWATER	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

IRRIGATES PASTURE AND ORCHARD. OLD WR MAY EXIST, BUT CANNOT BE DETERMINED
***** 10/1/98; OWNERSHIP
CHANGED HELLWINKEL TO KINCADE PER 1409(6) AND QUITCLAIM DEED REC'D 9/10/97

The claim was amended on 6-13-2001 to identify instream stockwater only. A domestic use did exist but it is no longer habitable. Irrigation apparently also occurred but no longer exists now.

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): *Dorene Kincaid* Date: 6-13-01
_____ Date: _____

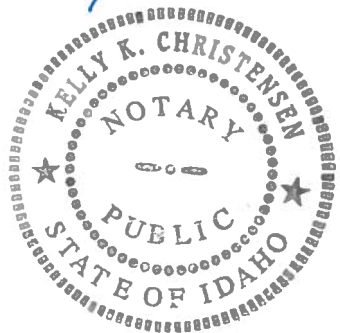
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th Day
of June 2001 *Kelly K. Christensen*

Notary Public

Residing at Twin Falls

My commission Expires 3-11-04



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: **A43-10511**
Date Received: 6/15/1989
Receipt No: S008271
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LARRY KINCADE 208-645-2346
Address: HC 61 BOX 1240
MALTA ID 83342
AND/OR
Name: DARLENE KINCADE 208-645-2346
Address: HC 61 BOX 1240
MALTA ID 83342

2. Date of Priority: JAN 1, 1885

3. Source: TWO SPRINGS Trib. to: CLYDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	24E	26	SE	NE	SE		CASSIA

5. Description of diverting works:
UNSPECIFIED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	10/15	0.300		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	24E	26			DOMEST	
			SE	SE	STOCK	
					IRR	15.0
					Section Acres	15.0
					Total Acres	15.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00190

14. Remarks:

IRRIGATES PASTURE AND ORCHARD. OLD WR MAY EXIST, BUT CANNOT
BE DETERMINED.

10/1/98; OWNERSHIP CHANGED HELLWINKEL TO KINCADE PER 1409(6) AND
QUITCLAIM DEED REC'D 9/10/97.

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO
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): See attached
Adjudication Claim No(s): See attached
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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant David Hellwinkel
HC 61 Box 1240, Malita, Id. 83342
4. New Owner/Claimant(s) Larry and Darlene Kincaid
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address HC 61 Box 1240
City, State and ZIP Code Malita, Id. 83342
New Telephone Number (208) 645-2346
5. Date you acquired the property 2-28-94
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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.
7. Signature of New Owner or Claimant(s) Larry Kincaid
(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..

229555

QUITCLAIM DEED

FOR VALUE RECEIVED, DAVID J. HELLWINKEL aka DAVID HELLWINKEL, a divorced man, of PO Box 104 Wellington, Nevada, 89444, hereinafter called the "Grantor" hereby remises, releases and forever quitclaims unto Larry Kincade and Darlene Kincade, husband and wife, of HC 61, Box 1240, Malta, Idaho 83342, hereinafter called the "Grantee", all interest now held or hereafter acquired by Grantor in the premises, in Cassia County, Idaho, described as follows, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference as thought set forth at length.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever, including all rents and profits. It is Grantor's intention that Grantee have such property as her sole and separate property and that it no longer be held as or deemed to be the community property of the parties.

DATED this 28th day of ^{February} ~~January~~, 1994.

David J. Hellwinkel
David J. Hellwinkel

Nevada
STATE OF ~~IDAHO~~)
Lyon) ss.
County of ~~Cassia~~)

On this 28th day of ^{February} ~~January~~, 1994, before me the undersigned a Notary Public in and for said State, personally appeared David J. Hellwinkel, known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



Ronee L. Bybee
Notary Public for ~~Idaho~~ Nevada
Residing at ~~Burley, Idaho~~ Smith, Nevada
Commission Expires:

June 13, 1994

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and Lots 1 and 2

Section 27: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and Lots 3 and 4

ALSO, a tract of land in Sections 26 and 27, Township 13 South, Range 24 East, Boise Meridian, designated as H. E. Survey #207, and described as follows:

Beginning at corner No. 1 from which the South quarter corner of Section 34, Township 13 South, Range 24 East, Boise Meridian, bears South 5°10' West 92.61 chains;
Running thence North 75°20' West 9.78 chains to corner No. 2;
Thence North 0°24' West 31.0 chains to corner No. 3;
Thence South 68°06' East 44.46 chains to corner No. 4;
Thence North 87°22' East 38.54 chains to corner No. 5;
Thence South 1°45' East 8.01 chains to corner No. 6;
Thence South 78°48' West 50.20 chains to corner No. 7;
Thence South 88°15' West 20.85 chains to corner No. 1, the Point of Beginning.

EXCEPTING THEREFROM the following described property:

Beginning at corner No. 4 of H. E. Entry Survey #207 in Sections 26 and 27, Township 13 South, Range 24 East, Boise Meridian;
Thence North 68°06' West toward corner No. 3 a distance of 23.80 feet;
Thence North 52°02' West a distance of 328.80 feet;
Thence North 58°00' West 139.90 feet to point A, the point of Beginning;
Thence North 55°55' East 164.58 feet to Point B;
Thence North 5°57' East 251.51 feet to Point C;
Thence North 83°26' West 254.26 feet to Point D;
Thence North 83°26' West 219.05 feet to Point E;
Thence South 9°54' East 300.50 feet to Point F;
Thence South 68°35' East 275.15 feet to Point A, the Point of Beginning, together with a roadway 10 feet on each side of a line beginning at Point A, thence Eastward 60 rods, thence Southeasterly to Forest Service road.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25: W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: S $\frac{1}{2}$

Section 20: W $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes, being a portion of the N $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 19, and a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20, Township 13 South, Range 26 East, Boise Meridian.

Exhibit A

207202

QUITCLAIM DEED

FOR VALUE RECEIVED, JULIE HELLWINKEL, does hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto DAVID HELLWINKEL, whose present address is HC61 Box 1240, Malta, Idaho, 83342, the following described premises, located in Cassia County, State of Idaho, to-wit:

SEE EXHIBIT "D-1"

together with appurtenances.

DATED this 17th day of April, 1990.

Julie Hellwinkel
Julie Hellwinkel

STATE OF IDAHO)
) ss.
County of Minidoka)

On the 17th day of April, 1990, before me the undersigned Notary Public in and for said State, personally appeared Julie Hellwinkel, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Anna Bradley
Notary Public,
Residing at Malta, Idaho
My Commission Expires: 10/12/92

QUITCLAIM DEED

EXHIBIT "B-1"

Page 1 of 2

LEGAL DESCRIPTION

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 26: N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and Lots 1 and 2

Section 27: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and Lots 3 and 4

ALSO, a tract of land in Sections 26 and 27,
Township 13 South, Range 24 East of the Boise
Meridian, designated at H. E. Survey No. 207, and
described as follows:

Beginning at corner No. 1 from which the South
quarter corner of said Section 34, bears South
5°10' West 92.61 chains;
Running thence North 75°20' West 9.78 chains to
corner No. 2;
Thence North 0°24' West 31.0 chains to corner
No. 3;
Thence South 68°06' East 44.46 chains to corner
No. 4;
Thence North 87°22' East 38.54 chains to corner
No. 5;
Thence South 1°45' East 8.01 chains to corner
No. 6;
Thence South 78°48' West 50.20 chains to corner
No. 7;
Thence South 88°15' West 20.85 chains to corner
No. 1, the Point of Beginning.

EXCEPTING THEREFROM the following described
property:

Beginning at corner No. 4 of H.E. Entry Survey
No. 207 in Sections 26 and 27, Township 13 South,
Range 24 East of the Boise Meridian; thence North
68°06' West toward corner No. 3 a distance of
23.80 feet; thence North 52°02' West a distance
of 328.80 feet; thence North 58°00' West 139.90
feet to a Point A, the Point of Beginning;
Thence North 55°55' East 154.58 feet to Point B;
Thence North 5°57' East 251.51 feet to Point C;
Thence North 83°26' West 254.25 feet to Point D;
Thence North 83°26' West 219.05 feet to Point E;
Thence South 9°54' East 300.50 feet to Point F;
Thence South 58°35' East 275.15 feet to Point A,
the Point of Beginning, together with a roadway
10 feet on each side of a line beginning at
Point A, thence Eastward 60 rods, thence
Southeasterly to Forest Service road.

-Continued-

Range 24 East of the Boise Meridian, thence North
68°06' West toward corner No. 3 a distance of
23.80 feet; thence North 52°02' West a distance
of 328.80 feet; thence North 58°00' West 139.90
feet to a Point A, the Point of Beginning;
Thence North 55°55' East 164.58 feet to Point B;
Thence North 5°57' East 251.51 feet to Point C;
Thence North 83°26' West 254.26 feet to Point D;
Thence North 83°26' West 219.05 feet to Point E;
Thence South 9°54' East 300.50 feet to Point F;
Thence South 68°38' East 275.15 feet to Point A,
the Point of Beginning, together with a roadway
10 feet on each side of a line beginning at
Point A, thence Eastward 60 rods, thence
Southeasterly to Forest Service road.

-Continued-

EXHIBIT "B-1"

Page 2 of 2

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25: NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: S $\frac{1}{4}$

Section 20: W $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM that portion deeded to the State of Idaho for
highway purposes, being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said
Section 19, and a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 20,
Township 13 South, Range 26 East of the Boise Meridian.

207202
John A. Shadley
APR 27 11 20 AM '97
CASSIA COUNTY, IDAHO
FRANK J. SHADLEY
RECEIVED
15:00
May 4 1997
Shadley, J.A.

USDA-FHA
Form FHA 460-1
(Rev. 2-2-72)

207202

Portion 1 (Chattel)
Portion 2 (Real Estate)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, That the United States of America, as grantor and holder of the following described land,

LK 7-30-97

SD-0601-2 Last Name: HELLWINKEL

STATE

First Name	W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Des
HELLWINKEL							
DAVID J	ARR C	A43-10505	04/01/1944	GROUNDWATER	0.060	43	DOMES
DAVID J	ARR C	A43-10509	04/27/1910	SPRINGS	0.100	04	STOCK
DAVID J	ARR C	A43-10510	01/01/1885	THREE SPRIN	0.400	04	STOCK
DAVID J	ARR C	A43-10511	01/01/1885	TWO SPRINGS	0.300	43	DOMES
DAVID J	C	R43-00068	04/30/1872	CASSIA CREE	3.290	01	IRR
DAVID J	C	R43-00070B	04/30/1872	CASSIA CREE	0.260	01	IRR
DAVID J	C	R43-00071B	04/30/1873	CASSIA CREE	0.260	01	IRR

(Enter=Continue)

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RECEIVED

MAY 13 1997

Department of Water Resources
Southern Region

LK 7-30-97

SD-0601-2 Last Name: HELLWINKEL

STATE

S	E	L	First Name	O	W	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Des
-	-	-	HELLWINKEL	-	-	-	-	-	-	-	-
-	-	-	DAVID J	A+R	C	A43-00068	04/30/1872	CASSIA CREE	3.290	01	IRR
-	-	-	DAVID J	A+R	C	A43-00070B	04/30/1872	CASSIA CREE	0.260	01	IRR
-	-	-	DAVID J	A+R	C	A43-00071B	04/30/1873	CASSIA CREE	0.260	01	IRR
-	-	-	DAVID J	A+R	C	A43-00073B	04/01/1894	CASSIA CREE	1.310	01	IRR
-	-	-	DAVID J	A+R	C	A43-00074B	04/27/1910	CASSIA CREE	0.160	01	IRR
-	-	-	DAVID J	A+R	C	A43-00190	04/30/1885	CASSIA CREE	1.000	01	IRR
-	-	-	DAVID J	A+R	C	A43-00476	04/30/1872	TUNNEL SPRI	0.240	01	IRR
-	-	-	DAVID J	A+R	C	A43-07139	03/09/1979	RUNOFF AND	1.500	01	IRR

(Enter=Continue)

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Licensed
5-24-90

SRBA Claims...

RECEIVED

MAY 13 1997

Department of Water Resources
Southern Region

SD-0601-2 Last Name: HELLWINKEL

STAT

S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	Code	Des

HELLWINKEL

DAVID J.	C	43-07139	03/09/1979	UNNAMED STR	1.500	01	IRR
JULIE A.	C	43-07139	03/09/1979	UNNAMED STR	1.500	01	IRR

WATER RT filed for in adjudication...
has now gone to license.

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD 7=This Query)

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RECEIVED

MAY 13 1997

**Department of Water Resources
Southern Region**

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A43-00068 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 10, 1997 1:49pm

NAME:
KINCADE, LARRY AND DARLENE

RE:
OWNERSHIP CHANGE RECD
A43-00068 ET AL IN THE
NAME OF ORIG CLAIMANT
HELLLWINKEL.

RECIEVED MANILA ENVELOPE TODAY FROM KINCADE AND TELEPHONED TO
ACKNOWLEDGE RECEIPT OF THE 1409 ETC.

NOANSWER AT 11:55 AM SO LEFT A MESSAGE ON THE RECORDER SAYING THAT
WE WERE SWAMPED HERE AT THE OFFICE AND IT WOULD BE SOME WEEKS
BEFORE I COULD LOOK OVER THE MATERIALS AND GET THEM TO THE STAFF
PERSON WHO WOULD DO THE WORK. SUGGESTED THEY COULD CALL WITH ANY
QUESTIONS.



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

PHILIP E. BATT
GOVERNOR

July 9, 1996

KARL J. DREHER
DIRECTOR

DAVID J OR JULIE A HELLWINKEL
PO BOX 104
WELLINGTON NV 89444

RECEIVED

JUL 11 1996

Re: Snake River Basin Adjudication (SRBA) Department of Water Resources
Notices of Claim No. A43-00068, A43-00070B, A43-00071B,
A43-00073B, A43-00074B, A43-00190, A43-00476, A43-07139,
A43-10505, A43-10509, A43-10510 & A43-10511
Change of Address

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

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

Claimant Signature

Idaho Department of Water Resources
Selection File Maintenance, Screen II

Date 07/08/96
Time 15:47:29

Page: 1

A43-00070B	A43-00071B	A43-00073B	A43-00074B
A43-00476	A43-07139	A43-10505	A43-10509
A43-10511	R43-00068	R43-00070B	R43-00071B
R43-00074B	R43-00190	R43-00476	R43-07139
R43-10510	R43-10511		

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
AL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

ent of water Resources
il
13720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RECEIVED
APR 20 1995
Department of Water Resources

DAVID J HELLWINKEL
JULIE A HELLWINKEL
HC 61 BOX 1240
MALTA ID 83342

PO Box 104
Wellington W-8 9444

NOTICE OF FILING DIRECTOR'S REPORT

DIRECTOR'S REPORT

Director's Report Part II is a report by the Idaho Department of Water Resources contains abstracts of claims by the United Indian Tribes to "non-consumptive" water (as instream flows) throughout the Snake River Basin. The abstracts summarize the claims with- out changing the water right as claimed. Supplemental Director's Report Part II includes claims not included in the Director's Report Part II. The supplemental report also includes amended claims, which contain changes previously abstracted in the Director's Re-

Director's Report Part III contains the description of these water rights, and includes both documents and maps. The Supplemental Report Part III includes claims not included in the Director's Report Part III, as well as amended claims which contain changes to claims included in the Director's Report Part III.

Complete copies of Part II of the reports are available for inspection at all offices of IDWR and at locations printed on this notice. Complete copies of Part III of the reports are available for inspection at the State Office of IDWR and the SRBA District Court. Copies of all or a portion of the reports are available from the IDWR State Office subject to the costs of mailing and/or copying.

RESPONSES TO DIRECTOR'S REPORT

You may file an objection to any portion of the Director's Report with the SRBA District Court. You must use the court approved objection form that is available from the IDWR, which contains instructions for filing an objection. All objections must be received by the IDWR before October 16, 1995. You must mail a copy of the objection to IDWR and the United States District Court with the objection form. If you are objecting to a claim filed by an Indian tribe, you must mail a copy of the objection to the tribe at the address shown in the report.

RESPONSES TO OBJECTIONS

The United States and the Indian Tribes may be required to file a response to an objection to their claims with the SRBA District Court. The response must be filed with the court approved

PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceedings on an objection to **your water right, your objection, or your response**. You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A subscription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calendar year 1995).

IDWR has filed or will file Director's Reports for all other claims within the Snake River Basin, one for each of the reporting areas in the Snake River Basin. Notice of the filing of these reports, and of further proceedings on these reports, will also be included in the docket sheet.

You may be affected by orders and decrees entered by the court in proceedings on other objections and proceeding on other reports. **It is very important that you subscribe to the docket sheet** if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

FURTHER INFORMATION

The court has adopted procedures for the post-report phase of the SRBA, which are set forth in the order of the court entitled "SRBA Administrative Order No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

R. KEITH HIGGINSON

Director, Idaho Department of Water Resource

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

**SNAKE RIVER BASIN ADJUDICATION CASE
9576**

**Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.**

**ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
HEREBY NOTIFIED OF THE FOLLOWING:**

**TOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
ICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
SE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
ON THESE WATER RIGHT CLAIMS.**

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
AL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

nt of water Resources

720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

**RECEIVED
APR 20 1995
Department of Water Resources**

**DAVID J HELLWINKEL
JULIE A HELLWINKEL
HC61 BOX 1240
MALTA ID 83342**

*PO Box 104
Williston ID 89444*

NOTICE OF FILING DIRECTOR'S REPORT

DIRECTOR'S REPORT

Director's Report Part II is a report by the Idaho Department of Water Resources contains abstracts of claims by the United Indian Tribes to "non-consumptive" water (as instream flows) throughout the Snake

The abstracts summarize the claims with-ively changing the water right as claimed. mental Director's Report Part II includes claims not included in the Director's Re-

The supplemental report also includes amended claims, which contain changes eviously abstracted in the Director's Re-

Director's Report Part III contains the for these water rights, and includes both documents and maps. The Supplemental report Part III includes claims not included tor's Report Part III, as well as amended h contain changes to claims included in 's Report Part III.

plete copies of Part II of the reports are inspections at all offices of IDWR and at cations printed on this notice. Complete art III of the reports are available for in- the State Office of IDWR and the SRBA rt. Copies of all or a portion of the reports e from the IDWR State Office subject to f costs of mailing and/or copying.

CTIONS TO DIRECTOR'S REPORT

may file an objection to any portion of the eports with the SRBA District Court. You court approved objection form that is avail- IDWR, which contains instructions for filing n. All objections must be received by the before October 16, 1995. You must mail a r objection to IDWR and the United States n the objection form. If you are objecting act of a claim filed by an Indian tribe, you ail a copy of the objection to the tribe at : shown in the report.

SPONSES TO OBJECTIONS

United States and the Indian Tribes may required to file a response to an objection of their claims with the SRBA District Court.

PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceed- ings on an objection to **your water right, your objec- tion, or your response.** You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A sub- scription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calen- dar year 1995).

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You may be affected by orders and decrees entered by the court in proceedings on other objec- tions and proceeding on other reports. **It is very im- portant that you subscribe to the docket sheet** if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

FURTHER INFORMATION

The court has adopted procedures for the post- report phase of the SRBA, which are set forth in the order of the court entitled "SRBA Administrative Or- der No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attor- ney.

R. KEITH HIGGINSON

Director, Idaho Department of Water Resource

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: A43-10511
Date Received: 6/15/1989
Receipt No: S008271
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID HELLWINKEL 208-645-2256
Address: HC 61 BOX 1240
MALTA, ID 83342

AND/OR
Name: JULIE HELLWINKEL 208-645-2256
Address: HC 61 BOX 1240
MALTA, ID 83342

2. Date of Priority: JAN 01, 1885

3. Source: TWO SPRINGS Trib. to: CLYDE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	24E	26	SE	NE	SE		CASSIA

5. Description of diverting works:
UNSPECIFIED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	10/15	0.300		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 BEEF STOCK

A43-10511

Page 1

Date: 06/15/89

MICROFILME

MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	24E	26			DOMEST STOCK IRR	
			SE	SE		15.0
					Section Acres	15.0
					Total Acres	15.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-00190

14. Remarks:
IRRIGATES PASTURE AND ORCHARD. OLD WR MAY EXIST, BUT CANNOT
BE DETERMINED.

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

CIVIL CASE NUMBER: 39576

Ident. Number

A43-10511

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) David and Julie Hellwinkel Phone (208) 645-2256Mailing Address HC 61 Box 1240, Malta, Idaho Zip 833422. Date of Priority (Only one (1) per claim) 1885 1/13. Source of water supply (a) Two springs
which is tributary to (b) Clyde Creek4. a. Location of existing point of diversion is: Township 13S Range 24E Section 26,
SE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, B.M., County of Cassia

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. Spring used as domestic water and
for some irrigation.

MICROFILME

MAR 05 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 10/15 amount .30 or _____

For Domestic purposes from 1/01 to 12/31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .30 (cfs) and/or (b) 15 (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) One house and orchard, pasture for appx. 5 cattle

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	
13S	24E	26																15	15
																		S	
																		D	

Total number of acres irrigated 15

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

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

14. Remarks:

Spring served as domestic water for old homestead and as irrigation
water for pasture both north and south of county road along Clyde Creek

We believe there must be a water right with the homestead, either under
the name of Leavitt or Twitchell, prior owners, but we cannot locate

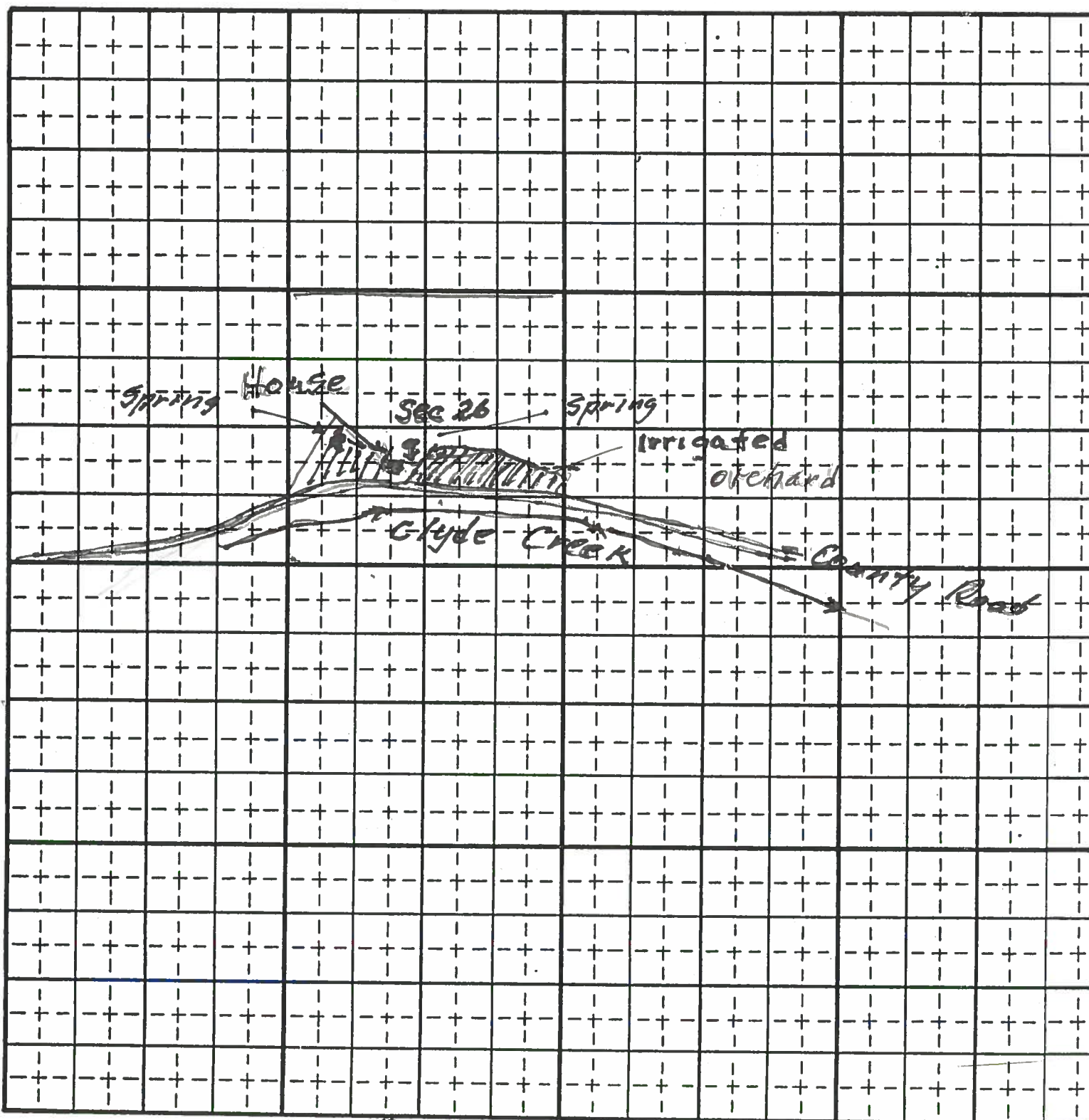
the exact right. However, the adjoining property with right has a
priority date of 1885.

Last Name HELLWINKEL Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile



T13S R24E - Sec. 26 -

Last Name

Hellwinkel

Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILM

MAR 05 1991

15. Basis of Claim (check one) Beneficial Use XX Posted Notice _____ License _____ Permit _____
Decree ?
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments -3-

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

Signature of Claimant (s) David J. Hellwinkel Date 6-6-89

Julie A. Hellwinkel Date 6-6-89

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 6th day of June 19 89

SEAL

Notary Public Rosello Nedda

Residing at Malta Idaho

My Commission Expires April 6, 1993

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 _____

Last Name HELLWINKEL Ident. Number _____

MICROFILME

Copies White-State, Yellow-Claimant
MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10511

DAVID J. HELLWINKEL

JULIE A. HELLWINKEL

HC 61 BOX 1240

MALTA

ID 83342

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". 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. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

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

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. 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".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILME

MAR 05 1993

06/15/2001

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

RIGHT NUMBER: 43-10511

NAME AND ADDRESS: DARLENE KINCADE
LARRY KINCADE
1781 E HWY 77
MALTA, ID 83342

VERIFIED BY KKC

SOURCE: UNNAMED STREAM

TRIBUTARY: CLYDE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1885

POINT OF DIVERSION:	T13S R24E S26	NESWNW	Beginning of Stream Flow	Within CASSIA County
	T13S R24E S26	SENESEW	End of Stream Flow	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within CASSIA County</u>			
T13S R24E S26	SWNW	T13S R24E S26	SENESEW
T13S R24E S26	LOT 1	NESW	

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

06/08/2001

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

RIGHT NUMBER: 43-10511

NAME AND ADDRESS: DARLENE KINCADE
LARRY KINCADE
HC 61 BOX 1240
MALTA, ID 83342

SOURCE: TWO SPRINGS

TRIBUTARY: CLYDE CREEK

QUANTITY: 0.3 CFS

VERIFIED BY: *KKC*

PRIORITY DATE: 01/01/1885

POINT OF DIVERSION: T13S R24E S26

SENESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PLACE OF USE:

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

NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWR's field examination or by other evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

02/23/2001

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

RIGHT NUMBER: 43-10511
NAME AND ADDRESS: DARLENE KINCADE
LARRY KINCADE
HC 61 BOX 1240
MALTA, ID 83342

SOURCE: TWO SPRINGS

TRIBUTARY: CLYDE CREEK

QUANTITY: 0.3 CFS

PRIORITY DATE: 01/01/1885

POINT OF DIVERSION: T13S R24E S26

SENESE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PLACE OF USE:

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

NO LAWFUL APPROPRIATION SHOWN.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This preliminary recommendation is based upon inadequate information and does not reflect the expected final recommendation for this right and any other overlapping rights. Communication between the claimant and the department is required to resolve the outstanding issues.

Hellwink

System layout from West to East

*A43-10509 Springs/irr possible wrong legal.

A43-00190 Claimed P/U appears to overlap with 00080
claimed by Bowcut

*A43-10510 - 20 Acres of irrigation from springs
(springs & irr visible on other Photo)

*A43-10511 dom/stock with irr. P/U along county
road. ? is dom abandoned?

Main Farm east of Corner Crown.

A43-00068, 70B, 71B, 73B, 74B, 476

Question on P/U claimed in Sec 20 SE SW
Should be SW SW? ^{NOT} no record found in SW SW.

A43-07139 licensed in 1990

* NO EVIDENCE OF PRIORITY SUBMITTED

22-23
27-26

D72

23-24
26-25

CLAIM	INIT
T. R. S. Q/Q	
P/D	
PHOTO	Q-26 1978
DT. EID.	



IDAHO DEPARTMENT OF WATER RESOURCES

Use

According to map drawn on
orig Notice of Claim - House
& Spring seem to be on
Lots 1 & 2 (N 1/2 of SW) which
agrees with deed but not
claim.

LOT 2

no evidence
of priority

HES 207

LOT 3

LOT 4

0

660

1320 Feet

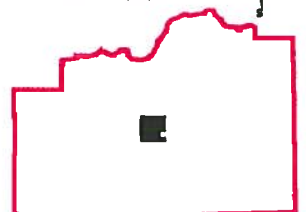
TWP 13S; RNG 24E; Sec 26
FIELD EXAM DATE AGENT

JPEG LAYOUT CREATED

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- CLAIMED PLACE OF USE
- CLAIMED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES

CASSIA Co.



GIS ACRE TOTAL

LK 7-30-97

Water Right Number - A43-10511 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

+ - - - - Last Name - - - - + + - - - First Name - - - - + + - - - Address - - - - - +

*** C - CURRENT OWNER ***
HELLWINKEL

DAVID J 1 - HC 61 BOX 1240 State- ID Zip- 83342

JULIE A 2 - City- MALTA Phone - 208-645-2256

HELLWINKEL 3 - 1 - HC 61 BOX 1240 State- ID Zip- 83342

3 - City- MALTA Phone - 208-645-2256 State- ID Zip- 83342

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +

01/01/1885 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

TWO SPRINGS CLYDE CREEK

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County Diversion Name

13S 24E 26 SE NE SE (31) CASSIA

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

04 - STOCKWATER 01/01 12/31 0.020

01 - IRRIGATION 03/15 10/15 0.300

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Div. Capacity - - + + - - Total Consumptive Use - - + + - - KW Usage - - +

0.300 0.300 15.0

+ - - - - Tract Lot Acres Code Description County

13S 24E 26 SE SE 15.0 01 IRRIGATION (31) CASSIA

13S 24E 26 04 STOCKWATER (31) CASSIA

13S 24E 26 43 DOMESTIC (31) CASSIA

Total Acres: 15.0

+ - - Diversion Means - UNSPECIFIED

+ - - Non-Irrigation Use - D/1 HOUSE, S/5 BEEF STOCK

+ - - Other Rights for Same Use - A43-00190

+ - - - - Remarks - - - - - +

GEN IRRIGATES PASTURE AND ORCHARD. OLD WR MAY EXIST, BUT CANNOT

2/12/97

26 lot 142

LK 7-30-97

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

05/13/97 15:59:48
Page 2

Water right number - A43-10511

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - BE DETERMINED. - - - - - +
+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.
+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.
+ - - - - - Decree Plaintiff - - - - - + - - - - - Decree Date - - - - - +
00/00/0000

+ - - - - - Audit Fields - 06/15/89 WHITE 06/05/91 SOUTH1 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 | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - | Old Judicial District | - |
| Claim Received Date | - 06/15/1989 | Last Amended Date | - | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - | Water District | - |
| Licensed Date | - 00/00/0000 | Receipt Number | - S008271 | Federal/State Indicator | - S |
| | | PQU Ownership Flag | - Y | Presumption Flag | - |
| | | Name Connector | - AND/OR | Notice of Error Flag | - |

DAVID HE
JULIE HE

HC 61

DAVID AND JULIE HELLWINK

HC 61 BOX 1240

IDAHO 83342

-2256

*Need check
Returned
for \$ 912.00*

Nine A43 -

D.L. EVANS

(208) 673-5301
PO. BOX 517
ALBION, IDAHO

For *Agencies*

1:24 10358

Rocky Mountain Bank Note

D

10505
10509
00070B
00071B
00073B
00074B
00190
00476

07139
10510
10511
00068

6-6
1085
919
92-358/1241
\$ 950.00
Dollars
De Hellwinkel
119

RECEIVED

N 7 1989

ent of Water Resources
thern Region Office

Enclosed
pursuant to the
claims to your attention as
your office last week.

ater rights filed
re directing these
ons when we were in

A summary of our claims and the computed filing fee is as follows:

| Permit # | Priority Date | c.f.s. | Acres | Filing Fee |
|----------------|---------------|--------|-------|-----------------------------|
| 43-0068 | 4-30-1872 | 1.88 | 94 | \$ 144.00 |
| 43-0070B | 4-30-1872 | .26 | 13 | 63.00 |
| 43-0476 | 4-30-1872 | .24 | 12 | 62.00 |
| 43-0071B | 4-30-1873 | .26 | 13 | 63.00 |
| 43-0073B | 4-01-1894 | 1.31 | 65 | 115.00 |
| 43-0074B | 4-27-1910 | .16 | 8 | 58.00 |
| | | 4.11 | 205 | 505.00 |
| 43-07139 | 3-09-1979 | 1.50 | 75 | ~~125.00~~ 87.00 |
| Beneficial | 4-27-1910 | .10 | 5 | 55.00 |
| 43-00190 | 1885 | 1.00 | 50 | 105.00 |
| Beneficial | 1885 | .40 | 20 | 70.00 |
| Beneficial | 1885 | .30 | 15 | 65.00 |
| Domestic/stock | 1944 | N/A | N/A | 25.00 |
| | | 7.41 | 370 | \$ ~~950.00~~ 912.00 |

We have enclosed our check for \$950.00 in payment of the filing fee. We have also included \$7.50 for our subscription to the docket sheet in 1989.

If there is anything we have forgotten or if you have questions, please contact us. Julie's work number is (208) 645-2211. Thank you for your assistance when we were in.

Sincerely,

Julie Hellwinkel
David and Julie Hellwinkel

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27 26

D72

23 + 24
26 25

CLAIM
T. R. S. Q/Q INIT
P/D
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DE.FID.

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