

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-18-1997

PAGE: A-233

RIGHT NUMBER:

43-10505

NAME & ADDRESS:

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

SOURCE:

GROUNDWATER

QUANTITY:

0.06 CFS

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

PRIORITY DATE:

04/01/1944

POINT OF DIVERSION:

T13S R26E S20

NENWSW

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01-01 12-31

0.02 CFS

DOMESTIC 1 HOME

01-01 12-31

0.04 CFS

PLACE OF USE:

STOCKWATER

Within CASSIA County

T13S R26E S20

NWSW

DOMESTIC

Within CASSIA County

T13S R26E S20

NWSW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

PARCEL NO. RP13S26E2005400

STOCKWATER, 5 HORSES, 15 SHEEP

Claim proofread by: KT

Date: 9-5

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: **A43-10505**
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: APR 1, 1944

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	20	NE	SW	NE		CASSIA

5. Description of diverting works:
110'X6" WELL, 40 GPM PUMP, 2" PIPE

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 HORSES, 15 SHEEP

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	26E	20	SW		NE		STOCK	
			SW		NE		DOMEST	

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:
CASSIA CREEK

14. Remarks:
10/1/98 TF; OWNERSHIP CHANGED FROM 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, Malta, 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 Malta, 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, 1994.

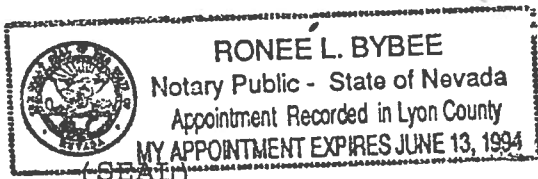
David J. Hellwinkel
David J. Hellwinkel

Nevada

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

On this 28th day of February, 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 $\frac{1}{2}$ 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 $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ 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)

K. J. Bradley
Notary Public;
Residing at Malta, Idaho
My Commission Expires: 6/12/92

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
8°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 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.

-Continued-

Range 24 East of the Boise Meridian, thence South
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 300.80 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.

-Continued-

EXHIBIT "B-1"

Page 2 of 2

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 26 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 $\frac{1}{2}$ 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. Shady
APR 21 11 AM '77
CASSIA COUNTY, IDAHO
FRANK J. SHADY
15: 22 June
Box 487
Burdley, ID

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

207203

Portion 1 (Chattel)
Portion 5 (Real Estate)

PARTIAL RELEASE

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

LK 7-30-97

SD-0601-2 Last Name: HELLWINKEL

STATE

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

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Licensed
5-24-90

SRBA Claims...

RECEIVED

MAY 13 1997

Department of Water Resources
Southern Region

LK 7-30-97

SD-0601-2 Last Name: HELLWINKEL

STATE

S	O	W	Water	Priority	Total	Use
E		N	Right No.	Date	Diversion	Code Desc
L						

HELLWINKEL						
		C	43-07139	03/09/1979	UNNAMED STR	1.500 01 IRR
		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)

(Menu _____)

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.

NO ANSWER 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.

LK 1-30-71

Water Right Number - A43-10505 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HELLWINKEL
DAVID J
JULIE A
1 - HC 61 BOX 1240
2 -
3 -
City- MALTA
Phone - 208-645-2256
1 - HC 61 BOX 1240
2 -
3 -
City- MALTA
Phone - 208-645-2256
State- ID Zip- 83342
State- ID Zip- 83342

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1944 17 SOUTHERN J - BENEFICIAL USE
+ - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER
+ - - - - Point of Diversion - - - - - Diversion Name

Twn	Rng	Sec	Tract	Lot	Rflg	County	Diversion Name
13S	26E	20	NE SW NE		(31)	CASSIA	
Code							Diversion Volume
43 - DOMESTIC							0.040
04 - STOCKWATER							0.020

+ - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - + - - - Total Consumptive Use - + - - - KW Usage - +
0.060 0.0

Tw			Tract	Lot	Acres	Code	Description	County
13S	26E	20	SW NE			04	STOCKWATER	(31) CASSIA
13S	26E	20	SW NE			43	DOMESTIC	(31) CASSIA

+ - - Diversion Means - 110'X6" WELL, 40 GPM PUMP, 2" PIPE
+ - - Non-Irrigation Use - D/1 HOUSE, S/5 HORSES, 15 SHEEP

+ - - Other Rights for Same Use - CASSIA CREEK
+ - - Remarks - - - - - No Remarks found.

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-8-1997
PAGE: A-239

RIGHT NUMBER: 43-10505

NAME & ADDRESS: DAVID J HELLWINKEL
JULIE A HELLWINKEL
HC61 BOX 1240
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 04/01/1944

POINT OF DIVERSION: T13S R26E S20 NENWSW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T13S R26E S20	NWSW
	DOMESTIC	Within CASSIA County
	T13S R26E S20	NWSW

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

PARCEL NO. RP13S26E2005400

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST

Date: 8/19/97

Data entry verified by: TAM

Date: 8/15

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: A43-10505
Date Received: 6/15/1989
Receipt No: S008271
Received By: tw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND/OR

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

2. Date of Priority: APR 01, 1944

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	26E	20	NE	SW	NE		CASSIA

5. Description of diverting works:
110'X6" WELL, 40 GPM PUMP, 2" PIPE

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/5 HORSES, 15 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	20	SW	NE	STOCK DOMEST	

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:
CASSIA CREEK

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
MAR 05 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Identification No. 443-10505

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) David J. and Julie A. Hellwinkel Phone (208) 645-2256Mailing Address HC 61 Box 1240, Malta, Idaho Zip 833422. Date of Priority (Only one per claim) April 1944 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Well

Name or kind of source

which is tributary to (b) None4. Location of point of diversion is: Township 13 South Range 26 EastSection 20, NE 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,County of CassiaAdditional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 110 feet ±, 6" casing, 2" pipe, centrifical pump 110 volts, 40 gpm, 200 gallon pressure tank, all underground, 500' lines 1 1/2".

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

		Month/Day	Month/Day	(cfs)
For <u>Domestic</u> purposes from	<u>01/01</u>	to	<u>12/31</u>	amount <u>.04</u>
	(Both dates are inclusive)			
For <u>Stockwater</u> purposes from	<u>01/01</u>	to	<u>12/31</u>	amount <u>.02</u>

7. Total quantity claimed .06 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership, Stockwater: Type and Number of livestock) 50 cattle, 5 horses, 15 sheep (indefinite periods)

One household served.

MICROFILMED

MAR 05 1994

10. Place of use is: Township: 13 South Range 26 East

Section 20, NE 1/4 of SW 1/4 ~~XIV~~, Govt. Lot _____, B.M.,

County of Cassia for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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 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. None ()

14. Remarks: Irrigation water in same area by water rights as listed in
Jobe-Adams Decree- IDWR 43-0068, 43-0070B

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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. Hellmink Date 6-6-89
Jodi A. Hellmink 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 _____ Date _____

Title and Organization _____

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

Subscribed and sworn (or affirmed) before me this 6th day of June 1989

SEAL

Notary Public Russell Nicks

Residing at Malta, Idaho

My Commission Expires April 6, 1993

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
MAR 05 1993

DAVID HE
JULIE HE
HC 61

DAVID AND JULIE HELLWINKEL
HC 61 BOX 1240
IDAHO 83342
-2256

RECEIVED

N 7 1989

Department of Water Resources
Northern Region Office

Water rights filed
are directing these
actions when we were in

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

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



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) 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

Go to Page ____

Page: 1

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

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

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

20900
Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

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 51 BOX 1240
MALTA ID 83342
*PO Box 104
Wellington N.Z. 89444*

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

In Re Snake River Basin Adjudication Case
No. 39576

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

APR 19 1995
ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

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

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

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

21183
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

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
Wallington ID 89444

05/10/2001

**NOTICE OF ERROR
REPLY**

domestic

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-10505

LARRY KINCADE

~~HC-61-BOX-1240~~

MALTA ID 83342

Telephone Number: (208) 645-2346

DARLENE KINCADE

~~HC-61-BOX-1240~~

MALTA ID 83342

Telephone Number: (208) 645-2346

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

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

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

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

DATE: 6-13-01 SIGNATURE: *Darlene Kincaide*

Please print your name: Darlene Kincaide

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208) 736-3033

WATER RIGHT NUMBER - A43-10505 PREFIX TRANSLATION: ADJUDICATION CLAIM

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+ - - - - - +
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- CONDITIONS OF APPROVAL - - - - -

NO CONDITIONS OF APPROVAL FOUND.

[illegible]

+ - - AUDIT FIELDS - 06/15/89 WHITE

[illegible][illegible]

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	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	06/15/1989	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROGF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	S008271	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
SEE EXEMPT FLAG	-		NAME CONNECTOR	-	AND/OR			

RP 13S 26E 2065400

3 3 2

323

ЩОДО

AUG 4 1991

"Verified By"
Topo Map/Ortho-PQ
AEC Map
Vermaster Records
Map Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

DATA ENTRY

4-15-98

6/23/20

VERIFIED

SEP 26 1991

CERTIFIED
SEP 29 1991
WATER EXAMINER