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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: **A41-10230**
Date Received: 7/ 7/1999
Receipt No: S022342
Received By: _____

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

1. Name: ROBERT R SPILLETT 208-548-2254
Address: PO BOX 144
ROCKLAND ID 83271

Name: JAMES V SPILLETT 208-548-2254
Address: PO BOX 144
ROCKLAND ID 83271

2. Date of Priority: APR 1, 1908

3. Source: ROCK CREEK, SOUTH FORK Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	31E	33	NE	NE	NW		POWER

5. Description of diverting works:
ADSHEAD DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		

7. Total Quantity Appropriated is:
1.000 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 of	Lot	Use	Acres
10S	31E	29	NW	NE		IRR	22.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	31E	29	NE NW		IRR	20.5
Section Acres						43.0
Total Acres						43.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
41-00008E

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 41-00008E IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 43.0 ACRES IN A SINGLE IRRIGATION SEASON.

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): Robert R. Spillott Jr. Date: 7/9/99
James V. Spillott Date: 7/9/99

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of July 19 99 Steve C. Allen
Notary Public

Seal

Residing at Twin Falls, ID
My Commission Expires 12/7/2000

Water Right Number - R41-10230 Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
SPILLETT

JAMES V

1 - PO BOX 144
2 -
3 -

State- ID Zip- 83271

City- ROCKLAND
Phone - 208-548-2254
1 - PO BOX 144
2 -
3 -

SPILLETT

ROBERT R

State- ID Zip- 83271

City- ROCKLAND
Phone - 208-548-2254
1 - PO BOX 144
2 -
3 -

*** K - ALSO KNOWN AS ***
SPILLETT BROTHERS

State- ID Zip- 83271

City- ROCKLAND
Phone - 208-000-0000
1 - PO BOX 144
2 -
3 -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1909 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
ROCK CREEK, SOUTH FORK ROCK CREEK

+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County

10S 31E 33 NE NE NW (77) POWER ADSHEAD DITCH

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

01 - IRRIGATION 04/01 10/31 1.000

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
1.000 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

10S 31E 29 NW NE 22.5 01 IRRIGATION (77) POWER
10S 31E 29 NE NW 20.5 01 IRRIGATION (77) POWER

Total Acres: 43.0

+ - - Diversion Means - ADSHEAD DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 41-00008E

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Prefix Translation: RESEARCH

Water right number - R41-10230

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

POU1 USE OF THIS RIGHT WITH RIGHT NO. 41-00008E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 43.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

A4100008

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - - +

00/00/0000

+ - - - - - Comments - - - - - +

Date: 10/14/1999 User Id: DJONES Subject: RECOMMENDATION
HIGH WATER CLAIM. PRIORITY IS JUNIOR TO 41-02001.

+ - - - - - Audit Fields - - + 10/14/99 DJONES

+ - - - - - 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 07/07/1999 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S022342 | Water District | - 41 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

see
3/23/00

GIS w/8E
pou #'s: 105
pod #'s: 46

COPY

RECEIVED

FEB 27 2007

DEPARTMENT OF
WATER RESOURCES

NOTICE OF COMPLETED
TWIN FALLS CO., IDAHO
FILED

2007 FEB 23 AM 11 45

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

In Re SRBA

Case No. 39576

SUBCASE NO. 41-8E, 41-13C
41-10230

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

2-21-07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/23, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

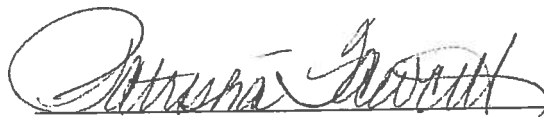
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

James V Spillett
986 Bryan
Pocatello ID 83201

Robert R Spillett
PO Box 144
Rockland ID 83271

Jason Walker
Ling Robinson & Walker
PO Box 396
Rupert ID 83350



Signature of person or attorney mailing the form

02/16/2007

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

RIGHT NUMBER: 41-8E
NAME AND ADDRESS: ROBERT R SPILLETT
PO BOX 144
ROCKLAND ID 83271

JAMES V SPILLETT
986 BRYAN
POCATELLO ID 83201

SOURCE: SOUTH FORK ROCK CREEK TRIBUTARY: ROCK CREEK
QUANTITY: 0.355 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT
OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION
42-222.

PRIORITY DATE: 10/01/1879

POINT OF
DIVERSION: T10S R31E S33 NENENW Within POWER County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 4/01 10/31 | 0.355 CFS |

PLACE OF USE: IRRIGATION in POWER County

| | | | | | |
|---------------|------|-------|---------------|------|-------|
| T10S R31E S29 | NWNE | 22.50 | T10S R31E S29 | NENW | 20.50 |
|---------------|------|-------|---------------|------|-------|

43 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 41-10230 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION
SEASON.

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 - Decreed

02/16/2007

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

RIGHT NUMBER: 41-13C
NAME AND ADDRESS: JAMES V SPILLETT
986 BRYAN
POCATELLO ID 83201

ROBERT R SPILLETT
PO BOX 144
ROCKLAND ID 83271

SOURCE: SOUTH FORK ROCK CREEK TRIBUTARY: ROCK CREEK
QUANTITY: 0.200 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT
OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION
42-222.

PRIORITY DATE: 05/01/1881

POINT OF
DIVERSION: T10S R31E S29 SWNENW Within POWER County
T10S R31E S33 NENENW Within POWER County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.200 CFS |

PLACE OF USE: IRRIGATION in POWER County

| | | | | | |
|----------------|------|-------|---------------|------|-------|
| T10S R31E S29 | NWNE | 22.50 | T10S R31E S29 | NENW | 25.50 |
| 48 ACRES TOTAL | | | | | |

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 41-8E & 41-10230.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 - Decreed

02/16/2007

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

RIGHT NUMBER: 41-10230
NAME AND ADDRESS: ROBERT R SPILLETT
PO BOX 144
ROCKLAND ID 83271

JAMES V SPILLETT
986 BRYAN
POCATELLO ID 83201

SOURCE: SOUTH FORK ROCK CREEK TRIBUTARY: ROCK CREEK
QUANTITY: 1.000 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT
OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION
42-222.

PRIORITY DATE: 04/01/1909

POINT OF
DIVERSION: T10S R31E S33 NENENW Within POWER County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 4/01 10/31 | 1.000 CFS |

PLACE OF USE: IRRIGATION in POWER County

| | | | | | |
|---------------|------|-------|---------------|------|-------|
| T10S R31E S29 | NWNE | 22.50 | T10S R31E S29 | NENW | 20.50 |
|---------------|------|-------|---------------|------|-------|

43 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 41-00008E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 43.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 23, 2007

JAMES V SPILLET
986 BRYAN
POCATELLO ID 83201

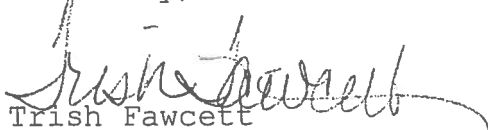
RE: SRBA Claim(s) 41-8E, 41-13C, 41-10230

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,


Trish Fawcett
Technical Records Specialist

Enclosure

cc: Robert R Spillet
PO Box 144
Rockland ID 83271

Jason Walker
Ling Robinson & Walker
PO Box 396
Rupert ID 83350

NCAP.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 15 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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): 41-8E 41-10230 41-13C

[] Name(s): (old) James Z. Spillet
(New) James V. Spillet

[] Old Mailing Address: 986 Bryan
Pocatello, ID 83201

[] New Mailing Address: 986 Bryan
Pocatello, ID 83201

Telephone Number: (208) 237-4195

[] Signature(s) of Owner(s) James V. Spillet

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

Date: 2/14/07

February 14, 2007

State of Idaho
Department of Water Resources
Twin Falls ID 83301

Re: Name Change and Spelling

Dear Terry,

Your letter indicated you needed a correction on my address only. I need to bring to your attention that the middle initial in my name was wrong as well as the spelling of my last name. I have made these corrections on the form I am returning to you.

Thank you for bringing these errors to my attention.

Sincerely, 

James V. Spillett