

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 67-362

THOMAS L HILL
PO BOX 234
COUNCIL ID 83612
Telephone Number: (208)253-4306

JANICE L HILL
PO BOX 234
COUNCIL ID 83612
Telephone Number: (208)253-4306

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:

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

DATE: 12-7-06 SIGNATURE: Thomas L. Hill
Please print your name: THOMAS L. HILL

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 13 2006

06/02/2006

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

RIGHT NUMBER: 67-362

NAME AND ADDRESS: THOMAS L HILL
PO BOX 234
COUNCIL ID 83612

JANICE L HILL
PO BOX 234
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 1.080 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T17N R01E S31 SWSW Lot 4 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.080 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S25	NESW	6.30	T17N R01W S25	NWSW	38.00
T17N R01W S25	SWSW	34.00	T17N R01W S26	NESE	38.00
T17N R01W S26	SESE	4.20			

120.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources

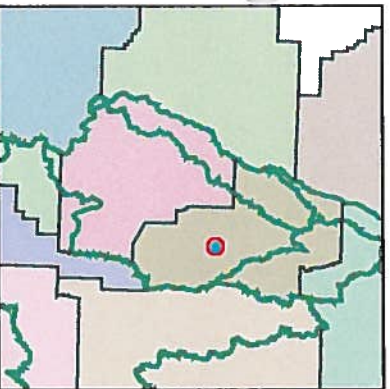


SRBA Recommendation:

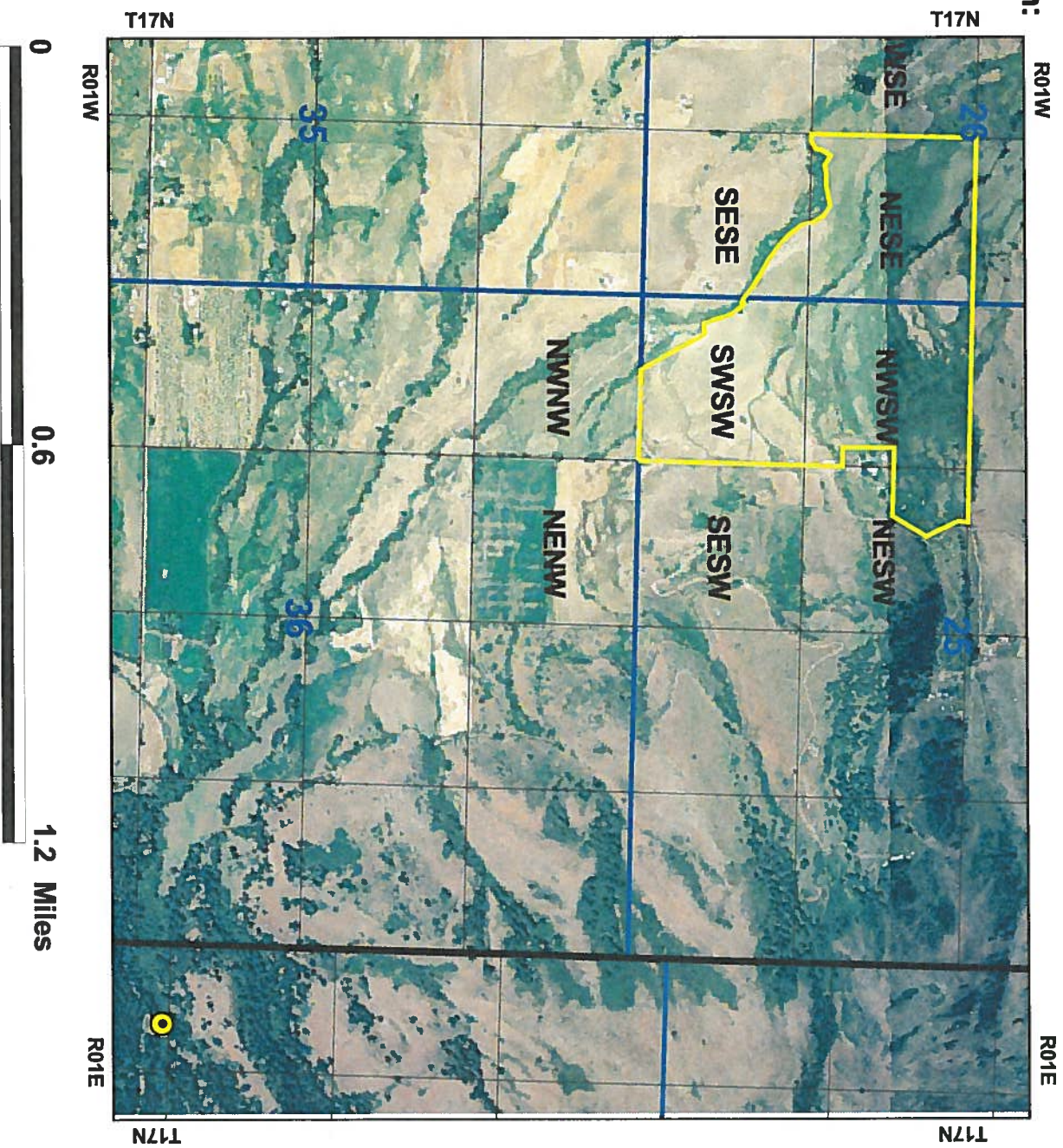
67-362

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

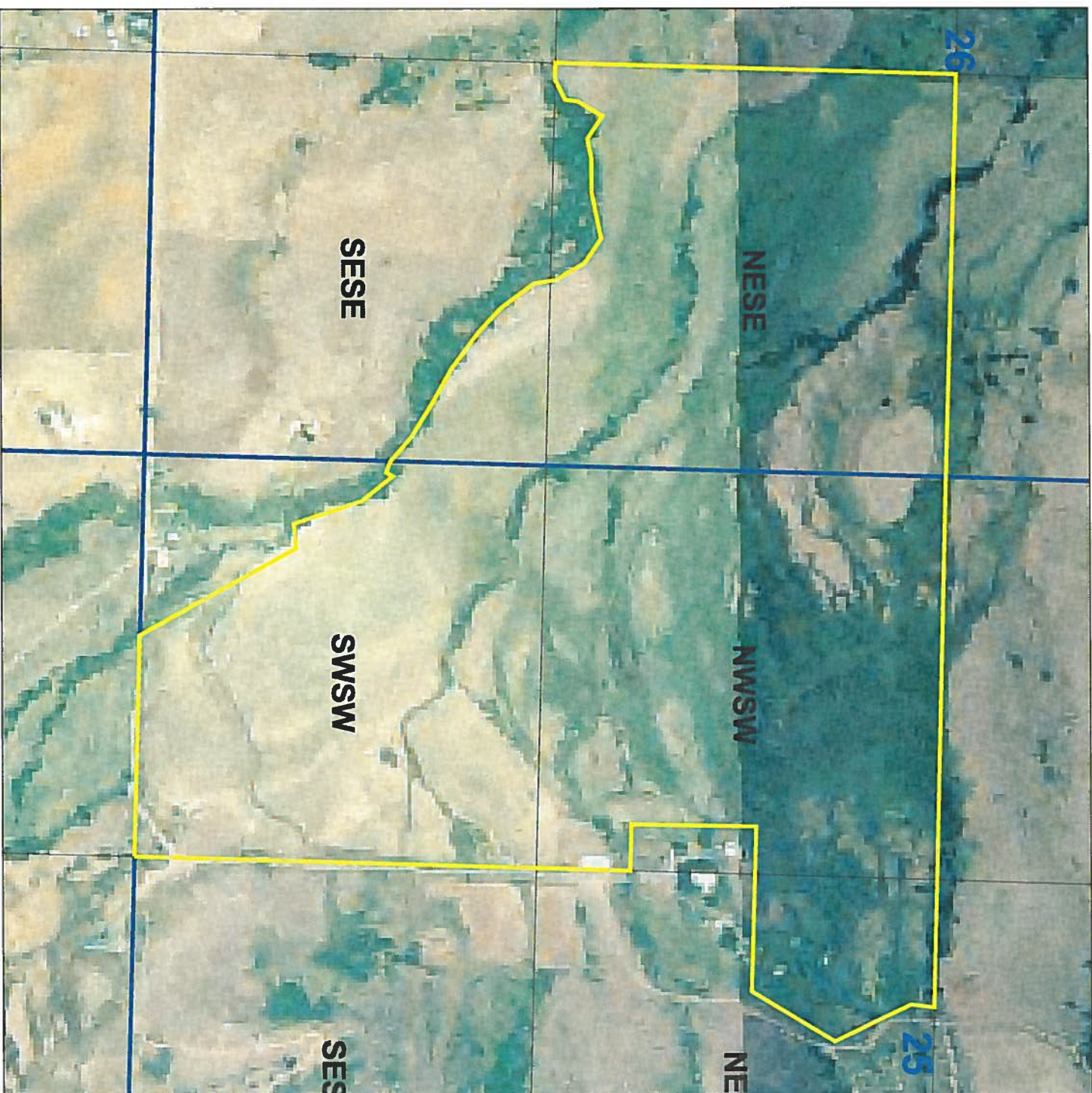
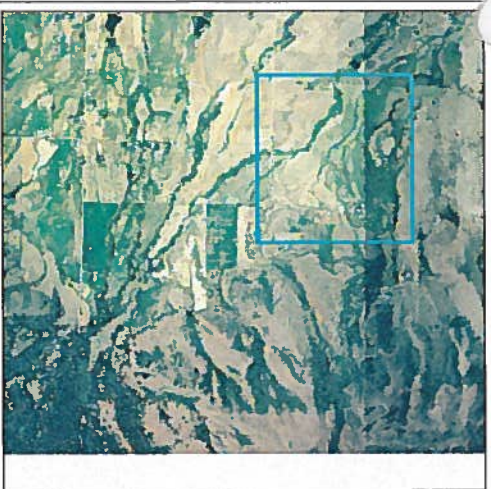


Adams County
IDWR Basin 67



Prepared by C. Saxton
On Friday, June 2, 2006
1987/88 Aerial Photography

67-362



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-362 V1

WATER RIGHT NUMBER: 67-362 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS L HILL PO BOX 234 COUNCIL, ID 83612 (208)253-4306
Current Owner	JANICE L HILL PO BOX 234 COUNCIL, ID 83612 (208)253-4306
Original Owner	A E FELMLEY , ID
Original Owner	ALBERT RATCLIFF , ID
Original Owner	CHARLES LAPPIN , ID

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.080 CFS	
	<u>Total Diversion:</u>	1.080 CFS	

Location of Point(s) of Diversion

MILL CREEK	L4 (SW1/4SW1/4)	Sec. 31, Twp 17N, Rge 01E, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	25									6.3	38.0	34.0						78.3
17N	01W	26													38.0			4.2	42.2

Total Acres: 120.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-362 V1

Conditions of Approval:

1. C18 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.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. segbert 8/2/2004 POU
Comment: The NESW of section 25 is not listed in the decree
2. csaxton 6/2/2006 Priority
Comment: Originally priority date was decreed incorrectly, but was amended per decree to May 1, 1886.
3. csaxton 6/2/2006 Overlap
Comment: No overlapping private rights claimed, but is irrigated from E. Fk Ditch Co

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	8/2/2004 9:20:01 AM	segbert			Active
POD	8/2/2004 9:28:44 AM	segbert			Active
Source	8/2/2004 9:28:56 AM	segbert			Active
POU	8/2/2004 9:30:34 AM	segbert			Active
Use	8/2/2004 9:41:11 AM	segbert			Active
Season	8/2/2004 9:41:33 AM	segbert			Active
Quantity	8/2/2004 9:42:17 AM	segbert			Active
Contacts	6/2/2006 10:54:34 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-362 V1

Priority Date	6/2/2006 11:50:04 AM	csaxton	Active
POD	6/2/2006 11:50:25 AM	csaxton	Active
Source	6/2/2006 11:53:30 AM	csaxton	Active
POU	6/2/2006 11:54:21 AM	csaxton	Active
Use	6/2/2006 11:55:26 AM	csaxton	Active
Season	6/2/2006 11:56:08 AM	csaxton	Active
Quantity	6/2/2006 11:56:19 AM	csaxton	Active
Summary		06/02/2006 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/2/2004 9:26:57 AM	segbert	Edited point location
POD	8/2/2004 9:28:14 AM	segbert	Edited point location
POU	8/2/2004 9:40:36 AM	segbert	Edited shape boundary
POU	8/2/2004 9:40:53 AM	segbert	Edited shape boundary
Use	8/2/2004 9:41:10 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Priority Date	8/2/2004 9:20:00 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
POD	8/2/2004 9:28:43 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	8/2/2004 9:28:56 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	8/2/2004 9:24:24 AM	segbert	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-362 V1

POU	8/2/2004 9:30:34 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU?
Season	8/2/2004 9:41:33 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Quantity	8/2/2004 9:42:16 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Contacts	6/2/2006 10:54:34 AM	csaxton	(No) 1. Do you want to schedule an appointment?
Source	6/2/2006 11:53:31 AM	csaxton	Comment for 1: FE by Melanie Vining on 6-7-05 (Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POD	6/2/2006 11:53:16 AM	csaxton	Updated PLS
POU	6/2/2006 11:54:21 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (No) 5. Does the Decree or License have a POU? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - Recommended little part of POU in a QQ that was not decreed. Description for Question 13 - FE by Melanie Vining on 6-7-05

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-362 V1

Use	6/2/2006 11:55:26 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	6/2/2006 11:56:08 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
General	6/2/2006 11:50:04 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/2/2006 11:50:25 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	6/2/2006 11:52:57 AM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-362 V1

Quantity	6/2/2006 11:56:19 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POU	6/2/2006 11:57:21 AM	csaxton	Updated PLS for Active POU
Summary	6/2/2006 11:58:05 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	6/2/2006 11:57:11 AM	csaxton	Updated shape for Active POU

Water Supply Bank:

Notes

67-362

6/7/05 -

No flow measurement needed - per Watermaster (Bosco Bosler) ditch is capable of delivering full duties of water to all users.

This land is currently rented and farmed by Mike Paradis - he owns other water rights in the area as well and would be a good source of information if future questions arise re: Pou, etc.

6-2-06: 54" @ 5/8" per acre = 86.4 acres

THOMAS L. AND JANICE L. MILL

P.O. Box 234

(208) 253-4306

COUNCIL, ID 83612

LAPPIN LANE PROPERTY 125 ACRES 41 SHARES

EAST FORK
DITCH

EXHIBIT "A"

54" ADJ. H₂O - MILL CREEK

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho: Sections 25 and 26: A parcel of land more particularly described as follows:

Commencing at the Section Corner common to Sections 25, 26, 35 and 36;

Thence North 89°58'09" East 492.22 feet to the REAL POINT OF BEGINNING;

Thence North	30°32'25"	West	528.538 feet;
Thence South	86°11'22"	West	84.542 feet;
Thence North	20°01'34"	West	246.634 feet;
Thence North	40°16'14"	West	130.801 feet;
Thence North	76°27'08"	West	727.116 feet;
Thence North	02°18'59"	East	304.673 feet;
Thence North	59°01'51"	West	330.345 feet;
Thence South	33°34'35"	West	186.419 feet;
Thence North	58°39'19"	West	130.779 feet;
Thence South	67°19'54"	West	170.376 feet;
Thence North	00°35'41"	West	1,333.387 feet;
Thence South	89°56'56"	East	1,398.829 feet;
Thence South	89°59'28"	East	1,685.033 feet;
Thence South	07°04'32"	West	82.920 feet;
Thence South	27°46'32"	East	282.780 feet;
Thence South	29°55'06"	West	281.76 feet;
Thence South	89°58'09"	West	577.36 feet;
Thence South	00°38'58"	East	417.83 feet;
Thence North	89°58'09"	East	179.69 feet;
Thence South	01°43'40"	East	688.49 feet;

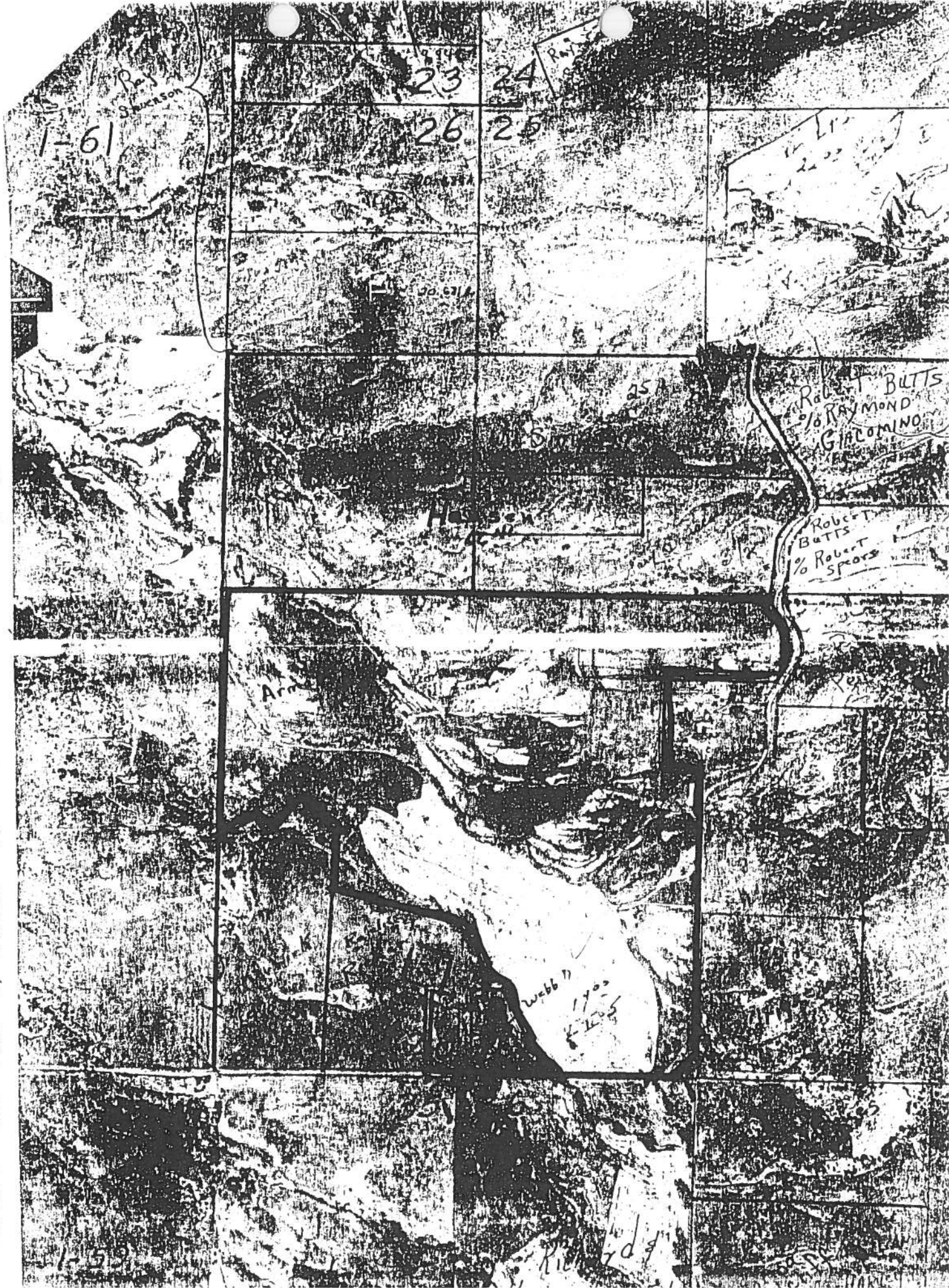
Thence South 00°37'56" West (formerly 00°33'50" West) 921.02 feet;

Thence South 89°58'09" West along the southerly boundary of Section 25 797.527 feet to the POINT AND PLACE OF BEGINNING.

EXCEPTING county road as now established.

125 acres
LAPPIN LANE PROPERTY THOMAS AND JANICE HILL P.O. Box 234 Council, ID 83612

54" ADJ. H2O - MILL CREEK 41 SHARES EAST FURR DITCH



Idaho Department of Water Resources



T17N R01W

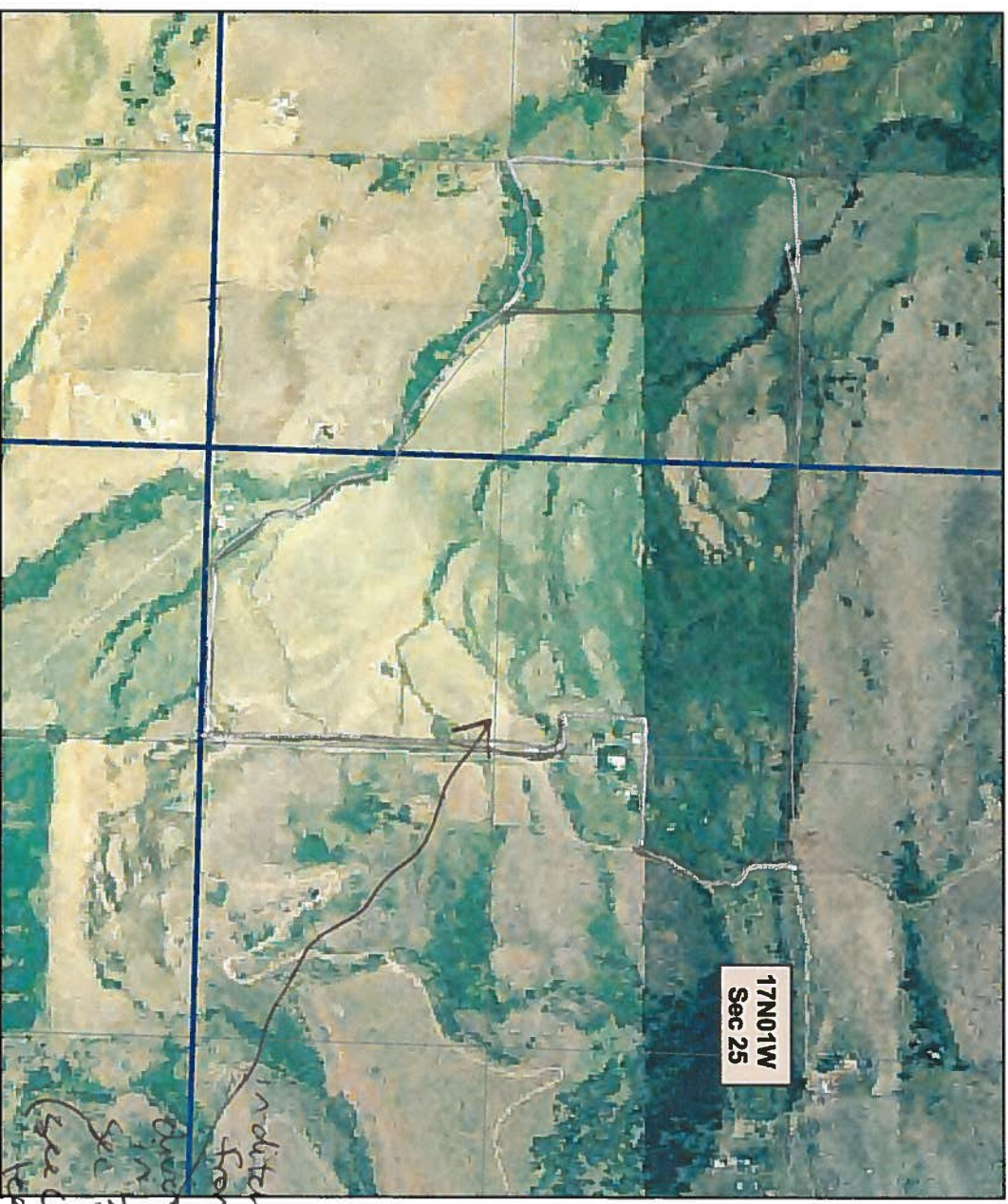
Adjudication Claim Number:

67-362



Legend

- PLS Sections
- Quarter Quarters



Prepared by D. Narsavage
On Tuesday, May 17, 2005
1987 Aerial Photography

ditches run along base of hills from
P00 in section 31. The P00 is higher
in elevation than the 1900 conference



Priority Date Data Entry Form

Claim Number 67-362

Claimed Priority Date: 5/1/1886

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/1/1886

Water Right Basis: Decreed

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

already decreed

Reviewer: *mw*

Date: *6/7/05*

Point of Diversion and Source Data Entry Form

Claim Number 67-362

Claimed Point of Diversion and Source

T17N R01E S31 SWSW Within ADAMS County Source: MILL CREEK WEISER RIVER

T17N R01W S25 NESW Rediversion Within ADAMS County Source: MILL CREEK WEISER RIVER

T17N R01W S25 NWSW Rediversion Within ADAMS County Source: MILL CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Mill Cr

Tributary To

Weiser River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

POD in Section 31 is where water leaves natural source (Mill Creek) GPS Tag # A0014034 (tagged by Bosco Bosler). From looking @ aerial photos, discussion w/ claimant and water master, the 2 listed PODs are rediversions and water never re-enters public domain after POD in Section 31. See Map for general path of water as explained by Bosco Bosler, water master.

Reviewer: MVDate: 6/7/05

Place Of Use Data Entry Form

Claim Number 67-362

Claimed Place Of Use

T17N R01W S25	NESW	5.0	T17N R01W S25	NWSW	38.0
T17N R01W S25	SWSW	38.0	T17N R01W S26	NESE	39.0
T17N R01W S26	SESE	5.0			

Total Acres 125

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

T17N R01W S25	NWSW	T17N R01W S25	SWSW
T17N R01W S26	NESE	T17N R01W S26	SESE

Total Acres

Recommended Place of Use

See corrections to claimed POU above

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

Total Acres

Document how the POU was verified:

outlined on map by claimant

Reviewer:

mw

Date:

6/7/05

Purpose of Use Data Entry Form

Claim Number 67-362

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

*conversation w/ claimant*Reviewer: *mw*Date: 6/7/05

Period of Use and Quantity Data Entry Form

Claim Number 67-362

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	1.08	

Overall Diversion Rate 1.08 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	/	/	1.08	

Overall Diversion Rate 1.08 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

reviewer in office - check season of use
for this area

Reviewer: mwDate: 6/7/05

Contacts Data Entry Form

Claim Number: 67-362

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	THOMAS L HILL	PO BOX 234	COUNCIL	ID	83612	(208)253-4306
Current Owner	JANICE L HILL	PO BOX 234	COUNCIL	ID	83612	(208)253-4306
Original Owner	A E FELMLEY			ID		
Original Owner	ALBERT RATCLIFF			ID		
Original Owner	CHARLES LAPPIN			ID		

Date of Field Exam: 6/7/05 Time: 6:30pmAccompanied By: Tom+Jan Hill Phone Number: 253-4306Relationship to Claimant:

Directions to Property (if different from above) and/or update owner information:

off Lappin Lane - Council, ID

_____Reviewer: WVDate: 6/7/05

⑤

File 397

41-1

67-A

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF WASHINGTON.

JOHN T MUIR and WILLIAM
MUIR, partners doing
business under the firm name
and style of Muir Brothers,
Plaintiffs,

vs

WILLIAM ALLISON, et al,
Defendants.

AMENDED DECREE

Upon reading and filing the above application, it is hereby made manifest to appear to me that a mistake was made in the writing of the said decree in relation to the Mill Creek rights of the several claimants, and it is hereby ordered, adjudged and decreed and the Court does hereby order, adjudge and decree, that said decree be amended in the following particulars:

J D and John Poyner in the said 1906 decree was awarded 40 miners inches of water to date from May 1, 1889, whereas in the decree in the above entitled action it was made to read from May 1, 1886. In the said decree in the above entitled action there was likewise a mistake in the matter of award of the Council Orchards, as successor in interest of J Marion Young, whereby it was awarded 37 inches of water to date from May 1, 1889, whereas in truth or in fact, the said decree should have read 1899. Also in the decree in the above entitled action, Huston and Spahr was awarded priority from May 1, 1899, whereas in truth or in fact the true date is 1889. Also in the decree of the above entitled action of the Council Orchards, it was awarded 10 3/4 inches of water from the right of J Marion Young, to date from 1885, whereas in truth or in fact it should have read 15 5/8 inches of water. In the matter of the water right of Lappin and Felmlly under the 1906 decree, Charles Lappin and C S Gibbs were as successors in interest of James J Jones, awarded 65 miners inches of water, to date from May 1, 1886, whereas in the decree in the above entitled action, said date was made to read 1896, the decree in the above cause is

JUL 24 1996

hereby amended to conform to the said Mill Creek decree, in the above particulars.

Dated this 21 day of June, 1923.

Ed L Bryan,
District Judge.

STATE OF IDAHO }
County of Washington } ss

I, Frank E Smith, Clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, hereby certify that the within and foregoing is a full, true and complete copy of the Amended Decree rendered and entered in the action entitled John T Muir and William Muir, partners doing business under the firm name and style of Muir Brothers, Plaintiffs, vs William Allison, et al, Defendants, as the same appears of record in Judgment Book F, at page 170, records of said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 2nd day of July, 1923.

Frank E. Smith
Clerk of the District Court

RECORDED
JUL 24 1923

J F Lowe
L J Rhinehart
Loren Rhinehart
Anna Morrow

38 ✓
31 ✓
40 ✓
5 ✓

June 5, 1902 67 0344
June 5, 1902 67 0345
June 5, 1902 67 0346
June 5, 1902 67 0347

Mill Creek.

William Winkler, Lewis Winkler, Mrs F H Hayner,
John Kessler, Jim Kessler, Lewis Kessler, Bettie
Dickerson, Janie Hart, Ida Blanchard, William
Kessler, Elva Young and Rebecca Kessler, suc-
cessors of Alexander Kessler, deceased

25 ✓

Frederick N Watrous, Grantee of Geo M Winkler-----

16 2/3 ✓

12 1/2 ✓

33 1/3 ✓

20 3/4 ✓

P H Schaff and F B Galey, Grantees of Samuel Harp

37 1/2 ✓

29 ✓

Deseret Sheep Company sub for C A Martin, Grantee
of Margaret Krigbaum

41 2/3 ✓

Mill Creek (Con)

Council Valley Orchards, Grantee of J Marion
Young

10 3/4 ✓

29 ✓

37 1/2 ✓

21 1/2 ✓

27 1/2 ✓

J D Poyner and John Poyner

George T Ellis

P H Schaff and Thomas L Watt, Grantees of B F
Middletown

37 1/2 ✓

Charles Lappin and A M Felmley, Grantees of C B
Gibbs

54 ✓

James A Huston Jr. and William Spahr, Grantees
of John and J D Poyner

16 ✓

18 ✓

15 ✓

8 1/2 ✓

100 ✓

B W Turnipseed

J V Morrison

C W Holmes

Council Valley Orchards

Unnamed Stream.

Council Valley Orchards

100 ✓

Frank B Galey

20 ✓

C W Holmes

10 ✓

C B McDonald High water 56

34 ✓

Fort Hall Creek

C T Hamill

4 ✓

4 ✓

6 ✓

11 ✓

Louis Harp

A L Freehafer and Margaret F Ellis

67 0348
May 1, 1878 Trans 504-517-539-71 ✓
May 1, 1881 67 0349
May 1, 1884 67 0350
May 1, 1893 67 0351
May 1, 1894 67 0352
May 1, 1882 67 0353
May 1, 1891 67 0354
May 1, 1884 Trans 504 67 0355

May 1, 1885 67 0356
May 1, 1894 67 0357
May 1, 1889 67 0358
May 1, 1886 67 0359
May 1, 1893 67 0360
May 1, 1894 67 0361

May 1, 1896 67 0362

May 1, 1899 67 0363

May 1, 1903 67 0364

July 1, 1909 67 0365

May 1, 1909 67 0366

June 1, 1906 67 0367

July 3, 1911 67 0368

March 17, 1913 67 0369

May 16, 1912 67 0370

July 2, 1892 67 0371

May 1, 1882 67 0372

May 1, 1889 67 0373

May 1, 1882 67 0374

June 1, 1911 67 0375

JUL 24 1896

WILLIAM WINKLER, LEWIS WINKLER, MRS F H HAYNER, JOHN KESSLER, JIM KESSLER, LEWIS KESSLER, BETTIE DICKINSON, JANIE HART, IDA BLANCHARD, WILLIAM KESSLER, ELVA YOUNG AND RUBEN COCA KESSLER, successors of Alexander Kessler, deceased: The Southwest Quarter of the Northeast Quarter, Section 10, the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 10 in Township 16 North, Range 1 West Boise Meridian.

FREDERICK N WATKINS: The South half of the Northwest Quarter and the North half of the Southwest Quarter, Section 35, Township 17 North Range 1 West Boise Meridian.

P H SCHAFF AND F B GALEY: The South half of the Northeast Quarter and the North half of the Southeast Quarter Section 35, Township 17 North, Range 1, West Boise Meridian.

DESIGNET SHARP COMPANY: The Southeast Quarter of Section 34, Township 17 North, Range 1 West Boise Meridian.

COUNCIL VALLEY ORCHARDS: The South half of the Southeast Quarter, Section 35, Township 17 North, Range 1 West Boise Meridian and the North half of the Northeast Quarter, Section 2, Township 16 North, Range 1 West Boise Meridian.

J D POYNTER AND JOHN POYNTER: The North half of the Southwest Quarter and the West half of the Northwest Quarter of Section 36, Township 17 North, Range 1 West Boise Meridian.

GEORGE T WILLIS: The Southeast Quarter of the Southeast Quarter, Section 4, the Southwest Quarter of the Northwest Quarter, Section 3, and a tract bounded as follows, commencing at the Southwest corner of lot 1, said Section 4, thence north along the west side of said lot 20 rods, thence east 80 rods, thence south 20 rods, thence west 80 rods to the place of beginning, all in Township 16 North, Range 1 West Boise Meridian.

P H SCHAFF AND THOMAS L WATT: The North half of the Northwest Quarter Section 35, and 70 acres east of the right of way of the P & I N Ry. in the Southeast Quarter of the Southeast Quarter Section 27, and the Northeast Quarter of the Northeast Quarter Section 34, all in Township 17 North, Range 1 West Boise Meridian.

see attached

CHARLES LAPPIN AND A E FREMLEY: The West half of the Southwest Quarter of Section 25, and the east half of the southeast Quarter of Section 26, Township 17 North, Range 1, West Boise Meridian.

JAMES A HUSTON, JR. and WM H SPAHR: The West half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter, Section 36, Township 17 North Range 1 West Boise Meridian.

B W TURNIPSEED: Lot 4, the Southeast Quarter of the Southwest Quarter, and the South half of the Southeast Quarter Section 31, Township 17 North, Range 1 East Boise Meridian.

J V MORRISON: The Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 4, Township 16 North, Range 1 West Boise Meridian.

O W HOLMES: The Northwest Quarter of the Southwest Quarter Section 3, Township 16 North, Range 1 West Boise Meridian.

FRANK S GALEY: Northwest Quarter Southeast Quarter and Northeast Quarter Southeast Quarter Section 35, Township 17 North, Range 1 West Boise Meridian.

LOUIS HARP: The South half of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter, Section 23, and the Southeast Quarter of the Southeast Quarter Section 14, Township 17 North, Range 1 West Boise Meridian.

JUL 24 1996

MILL CREEK RIGHTS.

Deseret Sheep Company, substituted for C. A. Martin,
Grantee of Margaret Krigbaum,

41 2/3 May 1, 1884

William Winkler, Lewis Winkler,
Mrs. F. H. Hayner, John Kessler,
Jim Kessler, Lewis Kessler,
Bettie Dickerson, Janie Hart
Ida Blanchard, William Kessler,
Elva Young and Rebecca Kessler,
successors of Alexander
Kessler, deceased,

25 " " 1878

Charles Lappin and A. E.

Felmley, Grantee of C. S. Gibbs,

54

" " 1896

J. D. Poyner and John Poyner,

21 1/2

" " 1886

B. W. Turnipseed,

18

" " 1903

Frederick M. Watriss,
Grantee of Geo. M.
Winkler,

16 2/3

" " 1881

12 1/2

" " 1884

33 1/3

" " 1893

20 3/4

" " "

P. H. Schaff and
F. S. Galey, Grantees
Samuel Hark

37 1/2
29

" " 1882
" " 1891

Council Valley Orchards
Grantee J. Marion Young

10 3/4
29
37 1/2

" " 1885
" " 1894
" " 1889

James A. Huston and William
Spahr, Grantees of John and
J. D. Poyner,

16

" " 1899

P. H. Schaff and Thomas L.
Watt, Grantees of B. F.
Middleton,

37 1/2

" " 1894

27 1/2

" " 1893

George T. Ellis

16

July 1 1909

J. V. Morrison,

8 1/2

May 1 1909

C. W. Holmes

MAILED

JUL 24 1900

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 67-362
Date Received: 1/2/1990
Receipt No: W007306
Received By:

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

1. Name of Claimant(s)

THOMAS L HILL Phone: (208)253-4306

PO BOX 234
COUNCIL ID USA 83612

JANICE L HILL Phone: (208)253-4306

PO BOX 234
COUNCIL ID USA 83612

2. Date of Priority: 05/01/1886

3. Source: MILL CREEK , MILL CREEK , MILL CREEK Trib. to: WEISER RIVER , WEISER
RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	25	NW SW	ADAMS R	
17N	01E	31	SW SW	ADAMS	
17N	01W	25	NE SW	ADAMS R	

5. Description of diverting works:

CONC. STRUC., PIPE, GRAVITY FLOWS AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.08	

7. Total Quantity Appropriated is:
1.08 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
17N	01W	25	NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	38
			NE	SW	IRRIGATION	5
					Section Acres	81
17N	01W	26	NE	SE	IRRIGATION	39
			SE	SE	IRRIGATION	5
					Section Acres	44
					Total Acres	125

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

WATER IS CARRIED IN PRIVATE DITCHES ACRES WILL BE PAID FOR BY EAST FK. DITCH.

15. Basis of Claim: Decreed

16. Signature(s)

address already appears to be changed (printed on
contacts pg. of field exam forms) but this is "just in case"

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): _____

Previous Mailing Address: HC 62 Box 1360
Council, ID
83612

New Mailing Address: P.O. Box 234
Council, ID
83612

Telephone Number: (208) 253-4306

Signature of all Claimant(s): Janice L. Hill
Please print your name below your signature.
JANICE L. HILL

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

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: A67-00362
Date Received: 1/ 2/1990
Receipt No: W007306
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THOMAS L HILL
Address: HC 62 BOX 1360
COUNCIL ID

208-253-4306

83612

OR

Name: JANICE L HILL
Address: HC 62 BOX 1360
COUNCIL ID

208-253-4306

83612

2. Date of Priority: MAY 1, 1886

3. Source: MILL CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01E	31	SW	SW			ADAMS
	01W	25	NE	SW		R	ADAMS
			NW	SW		R	ADAMS

5. Description of diverting works:

CONC. STRUC., PIPE, GRAVITY FLOWS AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.080		

7. Total Quantity Appropriated is:

1.080 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

SCANNED
APR 02 2004

A67-00362

Page

1

Date: 02/23/93

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	25	NE	SW		IRR	5.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
					Section Acres		81.0
		26	NE	SE		IRR	39.0
			SE	SE		IRR	5.0
					Section Acres		44.0
					Total Acres		125.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00126, A67-00127

14. Remarks:
WATER IS CARRIED IN PRIVATE DITCHES
ACRES WILL BE PAID FOR BY EAST FK. DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON
vs Decree Defendant

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: A67-00362
Date Received:
Receipt No: W0007306
Received By: _____

RECEIVED

JAN 02 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Western Regional Office

1. Name: THOMAS L. HILL 208-253-4306
Address: HC 62, BOX 1360
COUNCIL, ID 83612
OR
Name: JANICE L. HILL 208-253-4306
Address: HC 62, BOX 1360
COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1886

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01E	31	SW	SW			ADAMS
	01W	25	NE	SW		R	ADAMS
			NW	SW		R	ADAMS

5. Description of diverting works:
CONC. STRUC., PIPE, GRAVITY FLOWS AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	25	NE	SW		IRR	5.0
			NW	SW		IRR	38.0
			SW	SW		IRR	38.0
						Section Acres	81.0
		26	NE	SE		IRR	39.0
			SE	SE		IRR	5.0
						Section Acres	44.0
						Total Acres	125.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00126,A67-00127

14. Remarks:
WATER IS CARRIED IN PRIVATE DITCHES
ACRES WILL BE PAID FOR BY EAST FK. DITCH.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree 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: _____

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): Thomas L. Hill Date: 10-23-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of oct 19 89 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

POOR ORIGINAL



RECEIVED

THE HILLS



JAN 02 1990

H.C. 62 BOX 1360
COUNCIL, IDAHO 83612

Department of Water Resources
Western Regional Office

Dec. 29, 1989

Dear Sir:

I am sending my \$50⁰⁰ filing fee for water right #A67-00362. The East Fork Ditch Co. secretary, Janet Meyer, is to be in your office Jan. 2, 1990 to pay for the acreage on this parcel of land.

I have, also, enclosed an amended water right #A67-00356A.

The third enclosure is water right #A67-04109 which needs amended. The point of diversion needs amended to read as follows:

17N 01E 31 SW SW ADAMS

It has the section wrong. It is to read the same as #A67-00356A. She didn't notice the mistake until our neighbor found it when he was down there for his filing.

I realize you all are very busy just now so when you get to this it will be appreciated.

Sincerely,
(Mrs) Thomas Hill

Enc: \$50⁰⁰ check
#A67-00362
#A67-00356A
#A67-04109 (copy)

MICROFILMED

AUG 05 1994