

09/05/2006

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

RIGHT NUMBER: 22-2216

NAME AND ADDRESS: RANDALL B HILLMAN
PO BOX 14
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.920 CFS
806.40 AFY

Right Nos. 22-2216 and 22-7268 are limited to a total combined annual diversion volume of 1100.4 AF.

PRIORITY DATE: 10/02/1961

POINT OF DIVERSION:
T07N R41E S25 SENWSW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	4/01 10/31	1.920 CFS 806.40 AFY
PLACE OF USE:	<u>IRRIGATION Within FREMONT County</u>		
	T07N R41E S25 NENW 1.40	T07N R41E S25 NWNW	35.00
	T07N R41E S25 SWNW 40.00	T07N R41E S25 SENW	26.00
	T07N R41E S25 NESW 38.00	T07N R41E S25 NWSW	40.00
	T07N R41E S25 SWSW 40.00	T07N R41E S25 SESW	39.00
	T07N R41E S25 NWSE 11.00	T07N R41E S25 SWSE	28.00
	T07N R41E S25 SESE 16.00		
	314.4 ACRES TOTAL		

Right Nos. 22-2216 and 22-7268 are limited to the irrigation of a combined total of 314.4 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 - License

09/05/2006

**NOTICE OF ERROR
REPLY**

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:

Water right number: 22-2216

RANDALL B HILLMAN
PO BOX 14
NEWDALE ID 83436
Telephone Number: (208)458-4616

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:

10-12-06

SIGNATURE:

Randall B Hillman

Please print your name:

Randall B. Hillman

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

OCT 25 2006

Department of Water Resources
Eastern Region

*Kmo
10/25*



State of Idaho

DEPARTMENT OF WATER RESOURCES

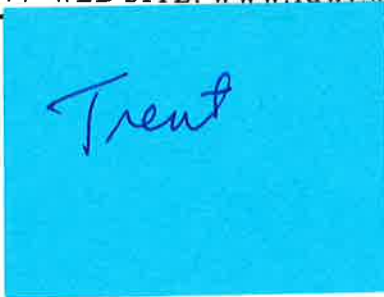
900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

April 7, 2006

RANDALL B HILLMAN
PO BOX 14
NEWDALE ID 83436



K KEMPTHORNE
Governor

ARL J. DREHER
Director

RE: FILING LICENSE 22-2216 IN THE SNAKE RIVER BASIN
ADJUDICATION

Dear Mr. Hillman:

Our records indicate water right 22-2216 was licensed by the Idaho Dept. of Water Resources prior to 1987. Therefore, Idaho Code 42-1421 requires that you file this license with the Snake River Basin Adjudication (SRBA) court, if you still use this water and want to retain your water rights.

An SRBA claim form is enclosed. Please fill it out, sign it in the presence of a notary public and enclose the appropriate filing fee (\$100.00). We will be happy to proceed with processing the claim once you will return it to our office.

Respectfully,

Jennifer Crabtree

For: Trent Galbraith
Senior Water Rights Agent

Enclosure



Idaho Department of Water Resources

SRBA Recommendation:

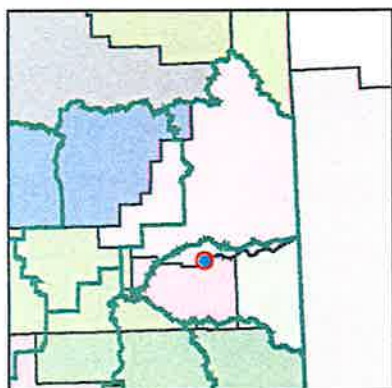
22-2216

22-7268

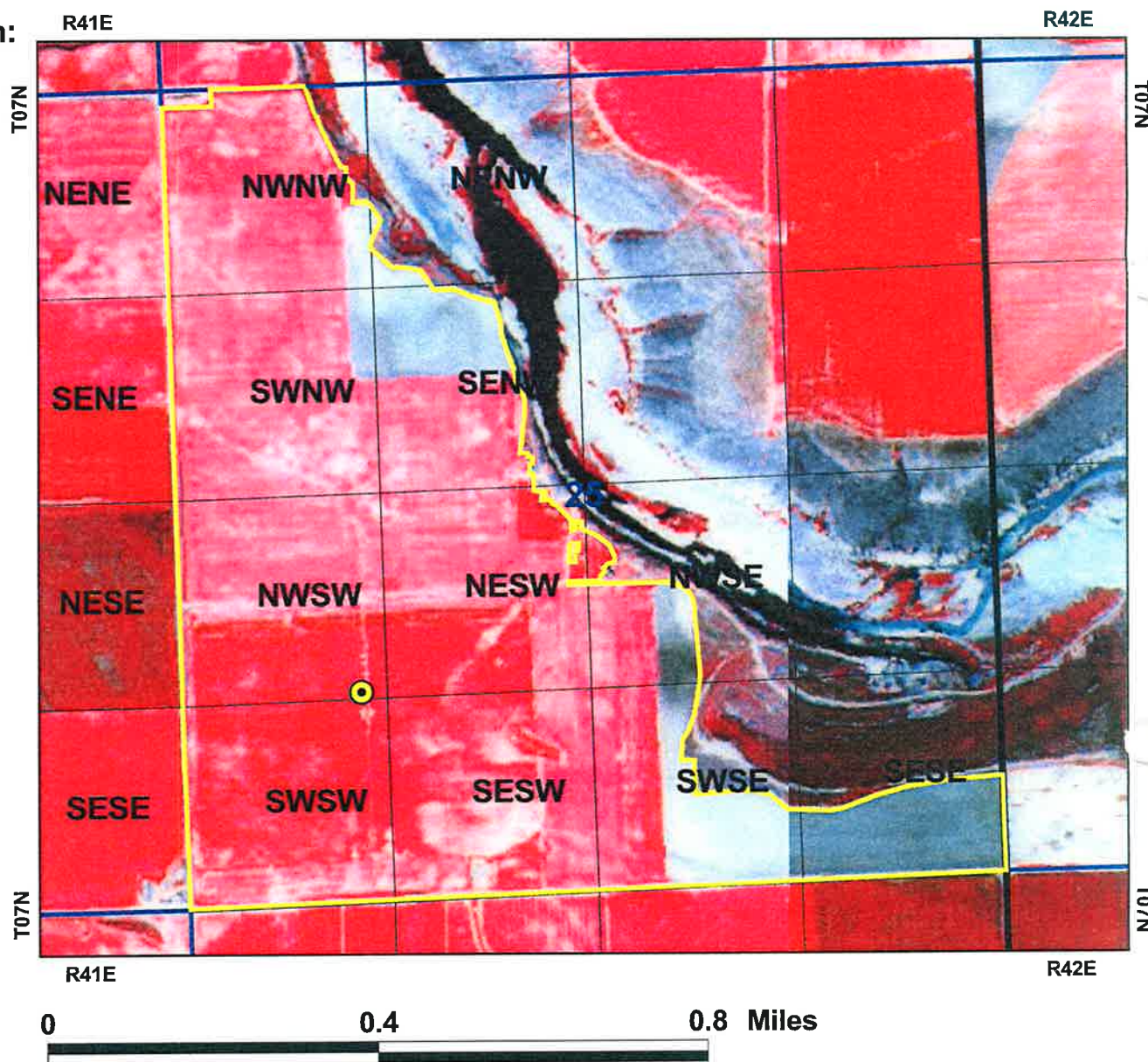
(Irrigation)

Legend

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



Fremont County
IDWR Basin 22



Prepared by T. Galbraith
On Tuesday, September 5, 2006
1987/88 Aerial Photography

WATER LICENSE

Water License No. G-30227/22-2216 Priority October 2, 1961 Amount 1.92 c.f.s.

THIS IS TO CERTIFY, that HENRY TRUPP, Sr.
of Newdale, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated October 2, 1961; that Permit G-30227/22-2216 was issued pursuant
to said application; that the proposed works were completed on or about 1961,
with a storage/or carrying capacity of 1.92 c.f.s., said works consisting of
well, pumps, and sprinkler system, and that on June 10, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 806.4
acre feet per season, with a maximum rate of diversion of 1.92 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 7 N, R. 41 E, B.M., and
other additional points _____, in the County of
Fremont; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 806.4 acre feet per year.

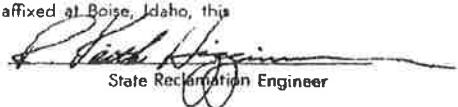
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7 N</u>	<u>41 E</u>	<u>25</u>					<u>35</u>	<u>40</u>	<u>15</u>	<u>31</u>	<u>40</u>	<u>40</u>	<u>40</u>		<u>11</u>	<u>36</u>	<u>26.4</u>		<u>314.4</u>

Total number of acres irrigated 314.4

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of December, 1969.

State Reclamation Engineer

30227
22-2216

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 22-2216
Date Received: 6/29/2006
Receipt No: E032033
Received By:

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

1. Name of Claimant(s)

RANDALL B HILLMAN Phone: (208)458-4616
PO BOX 14
NEWDALE ID USA 83436

2. Date of Priority: 10/02/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	41E	25	NE SW	FREMONT	

5. Description of diverting works:

ONE WELL AT A DEPTH OF 297 FT THE WELL WAS DRILLED DEEPER IN 1978 BOOSTER PUMP
AND SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	1.92	806.4

7. Total Quantity Appropriated is:
1.92 C.F.S. and/or 806.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	41E	25	NW	NW	IRRIGATION	35
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	15
			NE	SW	IRRIGATION	31
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NW	SE	IRRIGATION	11
			SW	SE	IRRIGATION	36
			SE	SE	IRRIGATION	26
Section Acres						314
Total Acres						314

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used: 22-7268 FOR 4.15CFS

14. Remarks:

AC. IRR.=314.4.

15. Basis of Claim: License

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 22-2216Date Received 6/27/06 KMDReceipt Number E032033

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 27 2006

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) Randall B. Hillman Phone (208) 390-4440
Mailing Address PO Box 14 Newdale, Idaho Zip 83436

2. Date of Priority (Only one (1) per claim) 10 / 02 / 1961

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 07N Range 41E Section 25,
NE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Fremont

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), 297 ft
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. 1 Well at a depth of ~~800 ft~~

The Well was drilled deeper in 1978 and, booster pump and
sprinkler systems

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 10/31 amount 1.920 or 806.40

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.920 (cfs) and/or (b) 806.40 (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.) _____

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	
07N	41E	25						35	40	15	31	40	40	40		11	36	26	314

Total number of acres irrigated 314

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

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.
WR No. 22.7268 Diversion Rate of 4.15 CFS or None ()

14. Remarks:

Last Name

Hillman

Ident No.

39576

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-2216
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 _____

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

Signature of Claimant (s) Randall B. Hillman

Date 6-26-06

Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

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 Fremont) SS.

Subscribed and sworn (or affirmed) before me this 26th day of June 192006

SEAL

Notary Public Susan Lett

Residing at Newdale, ID

My Commission Expires June 2, 2012

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 Hillman Ident. Number 39576

Copies White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

R 41 E

A hand-drawn map on a grid showing a river and various points. The river is labeled "Pieton River". Points are marked with numbers and letters: 35, 40, 15, 26, 31, 11, 40, 40, 36, 26. A point is labeled "Point of discussion in 2/1". A line connects the points 35, 40, 15, 26, 31, 11, 40, 40, 36, 26.

Last Name

Hillman

Ident No.

39576

Copies: White-State, Yellow-Claimant