

01/30/2006

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

RIGHT NUMBER: 22-2225

NAME AND ADDRESS: LARRY M HILL
3987 W 6800 S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
17.50 AFY

PRIORITY DATE: 01/14/1963

POINT OF
DIVERSION: T05N R39E S35 SESWNW Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.100 CFS
17.50 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R39E S35 SWNW 5.00

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 - License

Remains of Lic. Reaffirmed

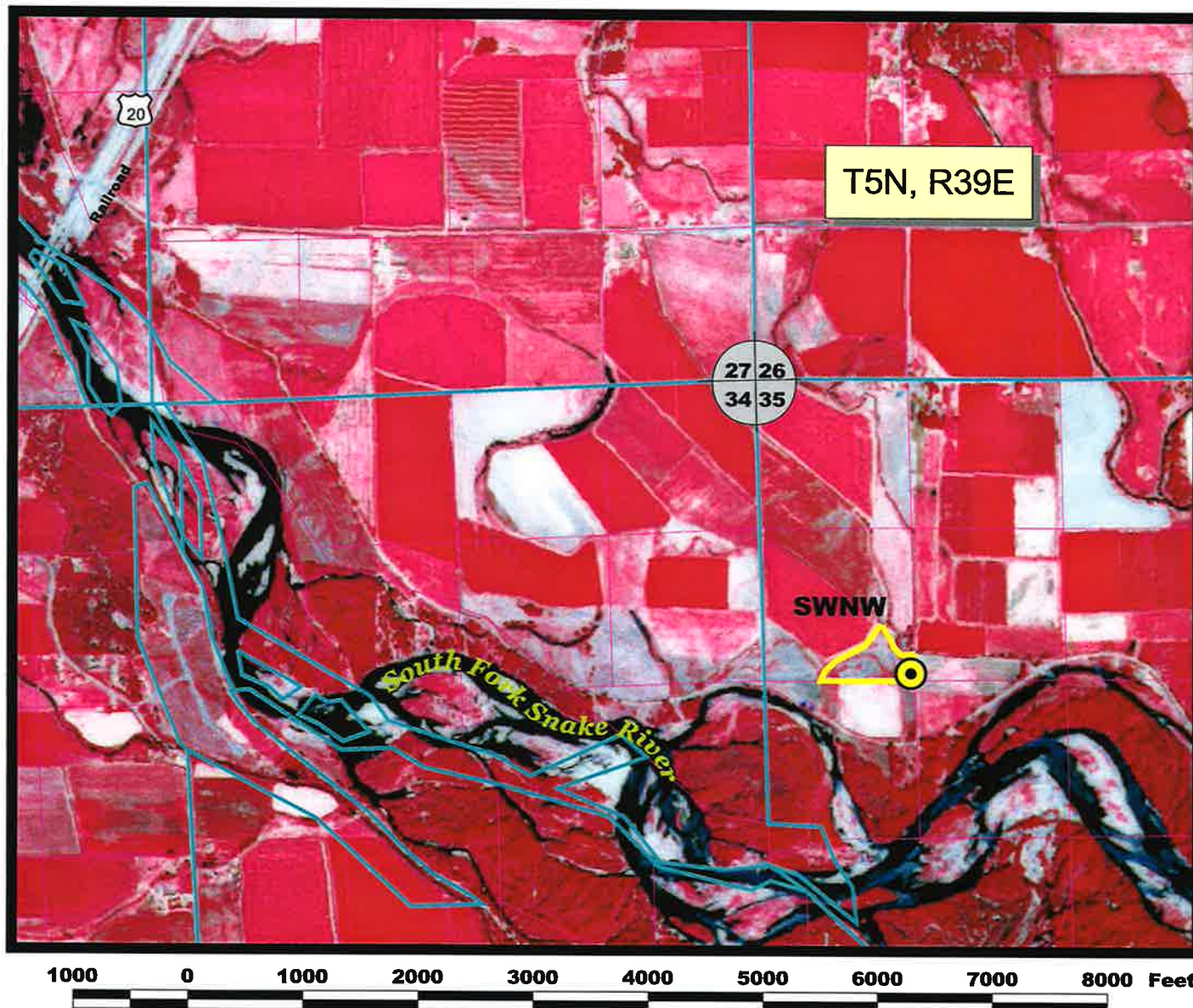
*⇒ No. Hill Amendment claim
Down to this*



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-2225

Point(s) of Diversion:
T5N, R39E
Sec. 35 SESWNW

Place of Use: (part of)
T5N, R39E
Sec. 9 SWNW

LEGEND

-  Point of Diversion
-  SESE Place of Use
-  Section
-  Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: November 2005

11/17/2005

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: 22-2225

LARRY M HILL

3987 W 6800 S

REXBURG ID 83440

Telephone Number: (208)356-6312

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:

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

DATE: 12-22-05 SIGNATURE: Larry M Hill
Please print your name: LARRY M HILL

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

Just
File

Claim No. 02-2025

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☒ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

10/28/04 356-6312 8:46 AM disconnected from call
8:50 AM busy

11/29/04 7:25 am Mrs. Hill → need to talk to Larry
Call a little before 2 PM

10/29/04 12:45 - Mr. Hill gone all day, call PM.

11/3/04 7:17 356-6312 Busy
7:35 8 AM Nov 19 4th house (see) South side

11/16/04 7:30 9 AM Nov 20

Claim no. _____

Claimant Contact Log

Date _____

Remarks

Agent initials

11/20/04 - Can be used for air but not water when SW 15
 actual. Press 75-100" (when water tap 19 1/2)
 1 per clarinet @ meeting @ farm) BAC

Contacts Data Entry Form

Claim Number: A22-2225

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

- ① Claimant believes he has seen reference to 1954 priority in Hill-Pottinger Canal books. He will call me if he can find it, for beneficial use claim.
- ② Amended claim was filed to remove well from water meas. district. I tried several times to explain implications of reducing claim but claimant is determined not to be in WMO.
- ③ This is supplemental to SW rights which are used every year so forfeiture should not be an issue even though well is not run in yrs when SW rights are adequate.
- ④ Sketched app is smaller than original license. Currently (and for many years) there has been no flume to deliver well water to N side of Nelson-Covey ditch.

Bae 11/20/04

Reviewer: _____ Date: _____

Priority Date Data Entry FormClaim Number: A22-2225

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

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

license priority 1/14/1963. Claimant may provide
documentation of earlier priority or ben. use claim.

Reviewer: _____

Date: _____

Water Right No(s). A22-~~652~~ 2225



GPS DATA:

Tag # A0012238 Location: pump base

Diversion Data:

Source: GW Trib to: _____

MOTOR

Make: FD tractor Model: 4020 Hp: 80

SN: _____ (but in operating pump it is run only at fast idle x 1000 rpm)

PUMP

Make: Fairbanks-Morse Model: Size 12 1 stage Disch: 12"

SN: PW 955 1160 RPM

NOTES:

uses Amarillo gear-drive serial 01 40452
rated 30 hp @ 1760 rpm. BAC 11/20/04

Field Exam Date: _____ Agent: _____

A22-~~633E~~ 2225



Ditch looking west
from road. For scale
yellow book is 5" x 7 1/2".



Claimant
demonstrating
how deep water
runs in 12"
discharge pipe

Bac
11/20/04

11 20 '04

Point of Diversion and Source Data Entry Form

Claim Number: A22-2225Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Tw	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? No, unless beneficial use claim forTransfers Pending or approved: earlier priority is filed.Document how the POD and Source were verified:GPS Waypoint 32 2673965E 1393395 N IDTM835N 39E 35 SESWNWThis is consistent w/ claim and license. Bac 11/20/04

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-2225Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: 01-161, Palisades storage.Document how the POU was verified:

Please see attached sketch based on claimant-guided sketch and GPS readings. Note that claimant-guided sketch was NW corner of POU too far south. 5 acres within sketched POU. CBAC 11/20/04

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: A22-2225Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

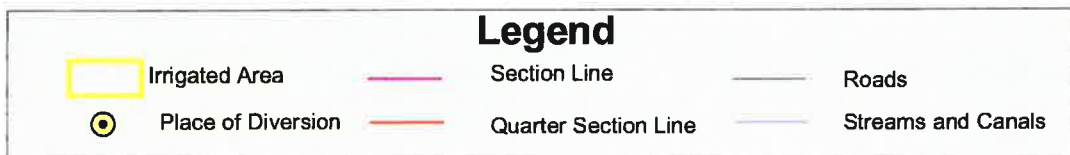
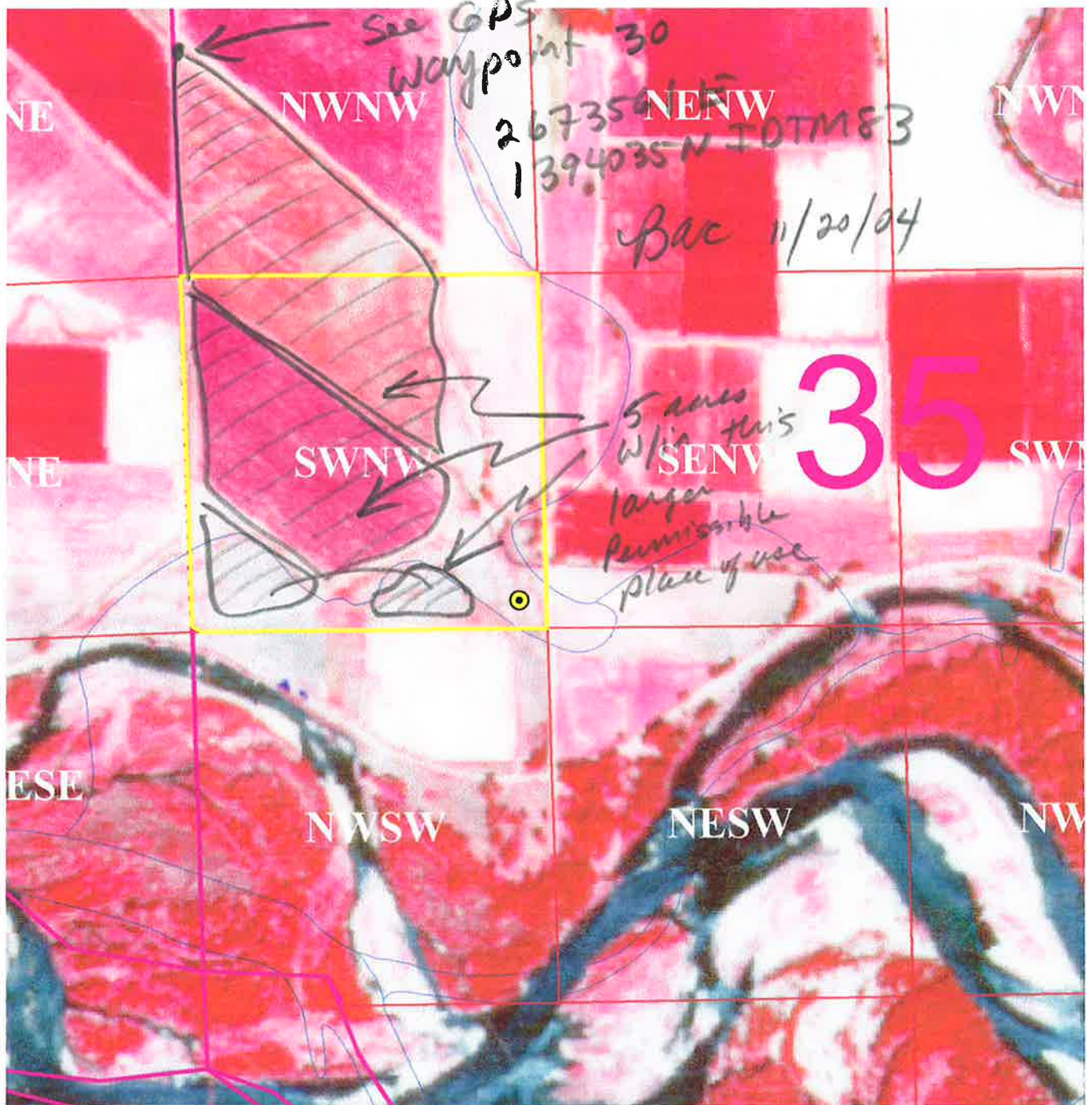
Overall Diversion Volume _____

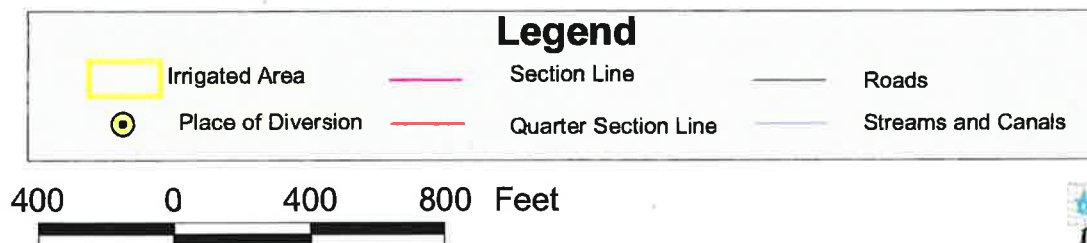
Document how the Period of Use and/or Diversion Rate were verified:

April 1 - Oct 31 per license. Diversion rate
claimed is proportional to original license (0.02/acre)
BAC 4/20/04

Reviewer: _____

Date: _____





WATER LICENSE

Water License No. G-30904/22-2225 Priority January 14, 1963 Amount 1.06 c.f.s.

THIS IS TO CERTIFY, that RICHARD R. ROTH
of Thornton, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated January 14, 1963; that Permit G-30904/22-2225 was issued pursuant
to said application; that the proposed works were completed on or about May 1967,
with a storage or carrying capacity of 2.59 c.f.s., said works consisting of
well, pump, and earth ditches; and that on December 18, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 186.2
acre feet per season, with a maximum rate of diversion of 1.06 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 SW 1/4 NW 1/4 Sec. 35, T. 5 N, R. 39 E, B.M., and
other additional points _____, in the County of
Madison; 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 186.2 acre feet per year.

Description and location of place of use:

TWP.	RANG.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5 N</u>	<u>39 E</u>	<u>35</u>					<u>27</u>	<u>26.2</u>											<u>53.2</u>

Total number of acres irrigated 53.2

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

29th day of October, 19 69

L. Kirk Higg
State Reclamation Engineer

~~22-2225~~
30904 *plot 111*
gms

22-2225

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38984
Permit No. G- 30904
District No.

1. Name of Applicant: Richard R. Roth
Postoffice address: Thornton, Rt. 1 County: Madison State: Idaho
2. Quantity of water claimed: 80 inches - 1.6 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35
Twp. 5 N , Rge. 39 E , B.M., County of Madison
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Open Pit
8. Estimated cost of works: \$2500.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Surface water
 - (a) 1.6 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

By _____ *Agent,*

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 30904

Recorded in Book 108 Page 30904 Approved January 14, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **July 17, 1965**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before January 17, 1968

Witness my hand this 17th day of January, 1963

s/ CARL E. TAPPAN, Assistant
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ... ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th
day of January 1963

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

12.

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 $\frac{1}{4}$	
5 N	39 E	35		40 40			80

LICENSE ISSUED FOR 1206 REG. FI.
 LICENSE PAGE NO. _____

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-30904

This proof is for Completion of Works & Beneficial Use In Water District No.

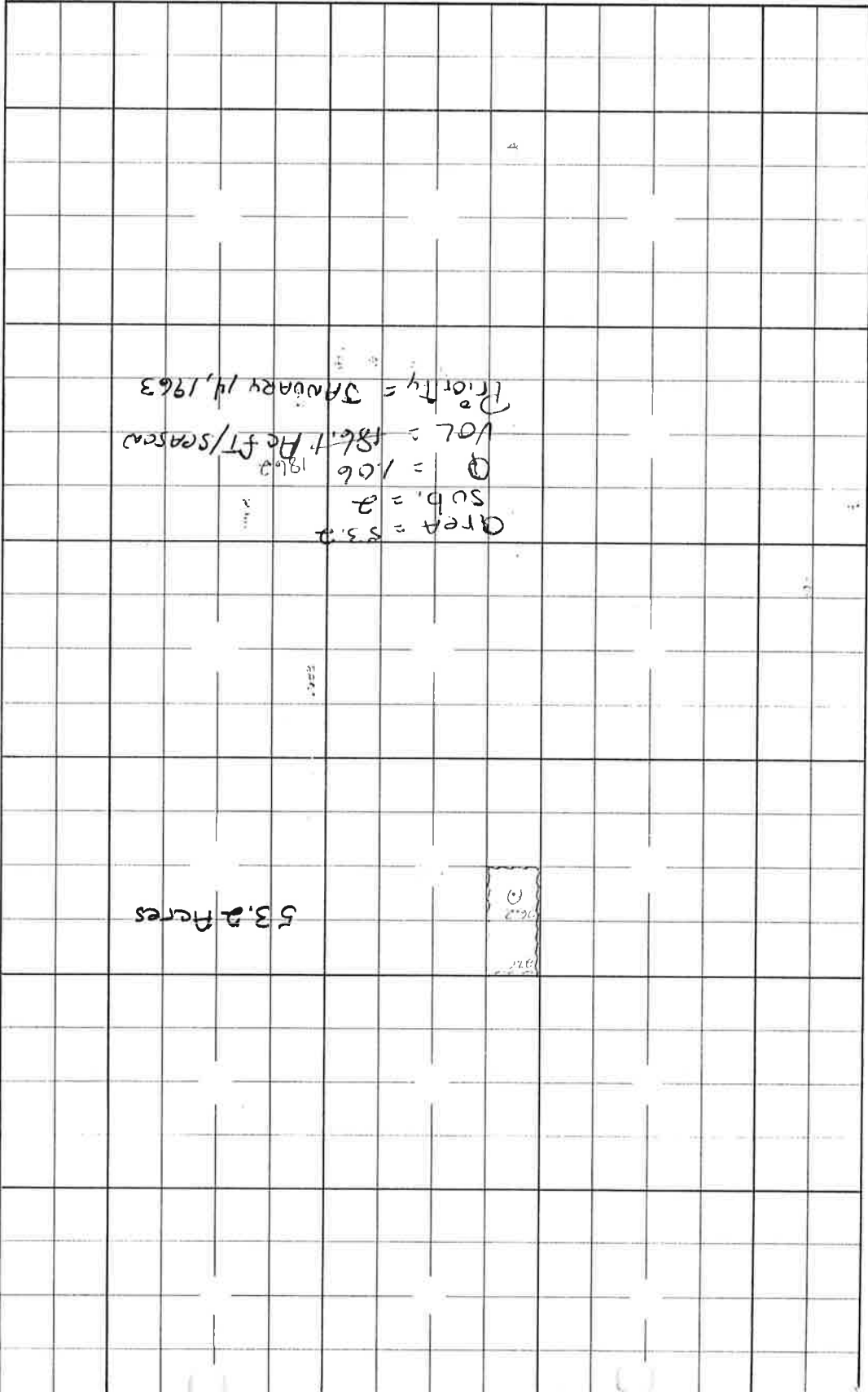
1. Name of applicant Richard R. Roth
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35
R 39 E T 5 N County of Madison
4. Describe works as they exist, giving dimensions and capacities of same: CONTACTED MR. ROTH
AMARILLO Right Angle Drive unit 30 HP Ser # OL
Johnston Pump
12" Discharge
EARTH DITCHES
5. Water is used for: irrigation purposes
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
W $\frac{1}{2}$ NW $\frac{1}{4}$, sec. 35, T. 5 N, R. 39 E, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: CONTACTED MR. ROTH100 - 36 = 2.78 cfs100 - 38 = 2.64 " 2.63100 - 40 = 2.5 "100 - 41 = 2.44 "4 $\sqrt{10.35}$ = 2.54Allow 1.06 cfsVol 86.2 Acc 5 ft.Irrigation Req 3.5This examination was made on the 8 day of July, 1968(Signed) pm
Examiner.PLAT
✓

Scale: 2 inches Equals 1 Mile. Draw Map In Ink.





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: **A22-02225**
Date Received: 8/10/1989
Receipt No: E009816
Received By: _____

AMENDED

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

AMENDED

1. Name: LARRY M HILL 208-356-6312
Address: 3987 W 6800 S
REXBURG ID 83440

2. Date of Priority: JAN 14, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	35	SE	SW	NW		MADISON

5. Description of diverting works:
WELL W/ PUMP (TRACTOR PTO). OPEN DISCHARGE TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	35	SW	NW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

SURFACE RTS. FROM HILL-PETINGER DITCH. PALISADES

14. Remarks:

TOTAL AC. IRR.=53.2.

THIS WELL IS USED AS SUPPLEMENTAL TO SURFACE RIGHTS.

PALISADES STORAGE RIGHTS AND 01-00161.

AMENDED 3/27/1997 TO TOTAL AC. IRR.=5.0 SLB

15. Basis of Claim: LICENSE

Water Right Number: 30904

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):

Larry M Hill

Date: 3-27-97

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of March 19 97



Wendy J. Murphy
Notary Public

Residing at Idaho Falls

My Commission Expires 6/23/2000

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: A22-02225
Date Received: 8/04/1989 8-10-89
Receipt No: E009816
Received By: E22

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY M. HILL
Address: 3987 W. 6800 S.
REXBURG, ID 83440 208-356-6312

2. Date of Priority: JAN 14, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	39E	35	SE	SW	NW		MADISON

5. Description of diverting works:
WELL W/ PUMP (TRACTOR PTO). OPEN DISCHARGE TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.060		

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

8. Total consumptive use is 132.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	39E	35	NW	NW		IRR	27.0
			SW	NW		IRR	26.0
Section Acres							53.0

A22-02225

Page 1

Date: 08/04/89

MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Total Acres 53.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

SURFACE RTS. FROM HILL-PETINGER DITCH. PALISADES

14. Remarks:

TOTAL AC. IRR.=53.2.

THIS WELL IS USED AS SUPPLEMENTAL TO SURFACE RIGHTS.

PALISADES STORAGE RIGHTS AND 01-00161.

15. Basis of Claim: LICENSE

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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): Larry M. Hill Date: 8-10-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of August 19 89 Calvin Wray
Notary Public

Seal

Residing at Desko Falls
My Commission Expires 5/29/99

