

05/10/2005

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

RIGHT NUMBER: 22-11822

NAME AND ADDRESS: THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST
ATTN KENT HILLMAN
PO BOX 37
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
2.700 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1928

POINT OF DIVERSION:

T04N R45E S2 SENENW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.050 CFS
2.70 AFY

PLACE OF USE: STOCKWATER Within TETON County

T04N R45E S02 NENW

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.

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: Beneficial Use

AMENDED TO CHANGE NATURE OF USE FROM COMMERCIAL TO STOCK
WATER (100 CATLE, 14 HORSES).

05/10/2005

**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: 22-11822

THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST
ATTN KENT HILLMAN
PO BOX 37
DRIGGS ID 83422
Telephone Number: (208) 354-2748

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: 6-7-05 SIGNATURE: Kent L Hillman

Please print your name: Kent L Hillman

IDWR Regional Office,

RECEIVED

JUN 14 2005

Department of Water Resources
Eastern Region

SCANNED

JUN 16 2005

PROFILED

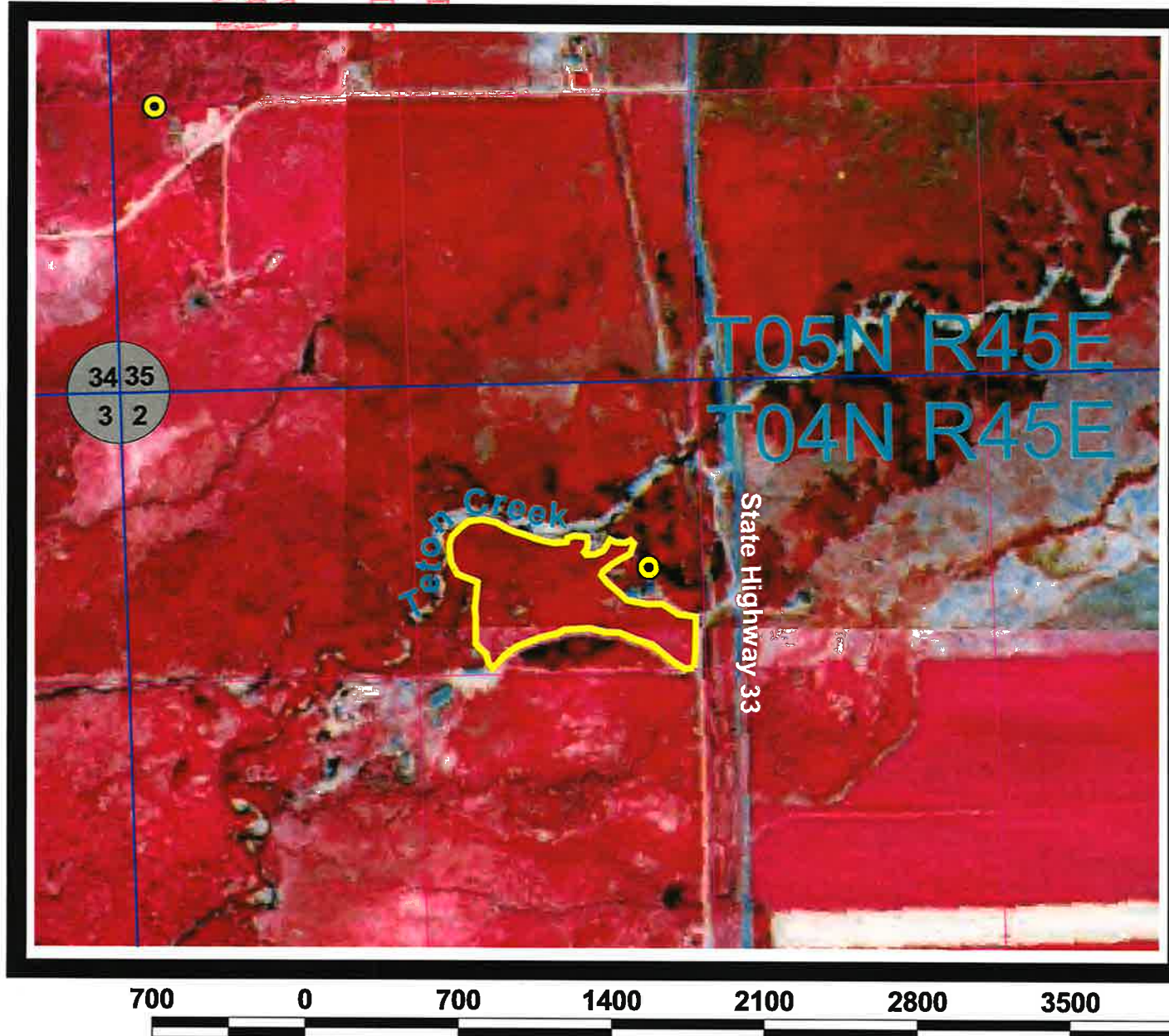
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6/16



RECEIVED
MAY 25 2005
SCANNED

State of Idaho

Department of Water Resources
Eastern Region



Water Right(s):
22-11822
22-11823

Point(s) of Diversion:
T04N R45E
Sec. 2 SENENW

Place of Use (parts of):
T04N R45E
Sec. 2 NENW

LEGEND

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Porter
Date: April 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 25 2005

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-11822		(DOCUMENTS)			
22-11823					

*Ch Done
4/27/05
ASR*

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
Dental Contr. & Trust Docs -

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Guy R. Hillman or Elva L. Hillman
Box 37, Driggs, Id.
4. New Owner/Claimant(s) The Guy Hillman Family Credit Shelter Trust
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Box 37
- City, State and ZIP Code Driggs, Idaho 83422
- New Telephone Number (208) 354-2748
5. Date you acquired the property May 26, 1995

SCANNED

MAY 25 2005

April 21, 2005

RECEIVED

APR 25 2005

Department of Water Resources
Eastern Region

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

First of all, Thank you for the time you afforded me on March 29, I apologize again for my lack of preparation & understanding.

Enclosed you will find the documents you requested plus a General Power of Attorney for me to sign for my mother on any future correspondence. We would further request that claim number 22-11822 be changed from commercial to stock water. Commercial use of the slaughterhouse has been discontinued.

Enclosures;

1. Form #42-248/42-1409(6) - Change on claim #22-11822 to stock water from commercial
2. Quitclaim Deed; includes legal property description
3. Death Certificate Copy of Gay R. Hillman
4. Certificate of Trust
5. Trust documents
6. County Plot map
7. General Power of Attorney - Elva Hillman to Kent Hillman
8. Notarized letter as evidence of claim

If more information is required please contact me.

SCANNED

MAY 25 2005

Kent Hillman

Phone = 208-354-2748

P.O. Box 37

Priggs, Id. 83422

JUN 13 1995

120253

Quitclaim Deed

TETON Co. Id.
Clerk Recorder

THIS INDENTURE, made this 26 day of MAY, 1995, between Guy R. Hillman and Elva Hillman, husband and wife, Driggs, County of Teton, State of Idaho, the party of the first part and Guy R. Hillman and Elva L. Hillman, Trustees, or their successors in trust, under the HILLMAN LOVING TRUST dated 2/28/89, and any amendments thereto, whose complete mailing address is 258 N. Main, Driggs, County of Teton, State of Idaho, the party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and no/100 Dollars lawful money of the United States of America, to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to party of the second part's heirs and assigns, forever, all the following described real estate, situated in the County of Teton, State of Idaho, to-wit:

Tax No. 1073 in Lot 3, Sec. 2-4-45, described: Beg. at the NW Corner of Lot 3, Sec. 2-4-45, thence East 66 rods, more or less, to O. S. L. Right-of-way, thence Southeasterly along said right of way 845.5 feet, to quarter Section Line thence South along said line 480 feet, to SE corner of Lot 3, thence West 413 feet, thence Northwesterly along curve to the left 413 feet, more or less, thence West 627 feet, thence North 300 feet, more or less, thence West 627 feet, thence North 300 feet, thence West 100 feet, thence South 431 feet, thence West 39.5 feet, to SW Corner of said Lot 3, thence North 1341.8 feet, to beginning, containing 36 acres, more or less, together with all fixtures and equipment that the slaughterhouse now contains.

TOGETHER with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

SCANNED

page 1

MAY 25 2005

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Gary R. Hillman
Elva L. Hillman

120253

FILED

AT THE REQUEST OF

Elva Hillman

AT 07 MINUTES PAST 4 P M

DATE June 13, 1995

Asa J. Drake

CLERK OF RECORDER

BY Nora Rigby

DEPUTY

Filled _____
Indexed _____
Platted _____

SCANNED

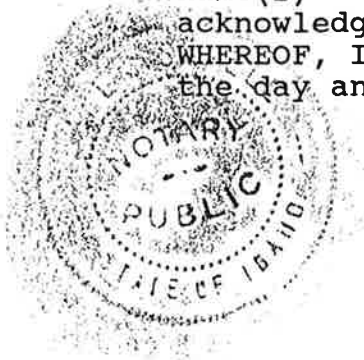
MAY 25 2005

page 2

120253

STATE OF Idaho) ss.
COUNTY OF Teton)

On this 26 day of MAY in the year 1995,
before me G. Sewell, a Notary Public in and for said
State, personally appeared Guy R. Hillman and
EVA L. Hillman known to me to be the person(s) whose
name(s) is/are subscribed to the within instrument, and
acknowledged to me that ~~he~~/they executed the same. IN TESTIMONY
WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year in this certificate first above written.



[Signature]
Notary Public for the State
of Idaho, Residing at 7166
My Commission Expires: Life

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: AUGUST 30, 1995

STATE FILE NUMBER: 95-05192

DECEDENT: GUY ROY HILLMAN

DATE OF DEATH: AUG. 22, 1995

PLACE OF DEATH: DRIGGS, IDAHO

DATE OF BIRTH: MAY 18, 1927

PLACE OF BIRTH: IDAHO

AGE: 68 YEARS

SEX: MALE

VETERAN? NO

MARITAL STATUS: MARRIED

SPOUSE (MAIDEN): ELVA LAURITZEN

SOCIAL SECURITY NUMBER: [REDACTED]

RESIDENCE: DRIGGS, IDAHO

FATHER: ROY HILLMAN

FATHERS BIRTHPLACE: UTAH

MOTHER (MAIDEN): IVA VALENTINE

MOTHERS BIRTHPLACE: IDAHO

MORTUARY: WADE FUNERAL HOME

MORTICIAN: MARK L. WADE

ASHTON, IDAHO

DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: LAWRENCE T. CURTIS, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

METASTATIC COLON CANCER

2 YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

SCANNED

MAY 25 2005

I certify that this is a true and correct reproduction or abstract of an official record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

AUGUST 31, 1995

DATE ISSUED: _____

Jane S. Smith

JANE S. SMITH
State Registrar

CERTIFICATION OF TRUST
(Pursuant to I.C. §§ 68-114 through 119)

This Certification of Trust in Affidavit form is provided pursuant to I.C. §§ 68-114 through 119 and is presented in lieu of a copy of the referenced trust instrument so as to establish the existence of the Trust, the Trustees of the Trust, and various provisions of the Trust.

AFFIDAVIT

ELVA L. HILLMAN, being first duly sworn on oath, deposes and says:

1. Affiant represents, pursuant to I.C. § 68-115(2) that the Trust described herein which was amended and restated on December 28, 1989 has not been revoked or further amended in such a way as would make any representations contained in this Certificate incorrect. Affiant further represents that the signature set forth below is that of all sole and the currently acting Trustee of the ELVA HILLMAN MARITAL TRUST and THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST, each of which are sub trusts created by and stated in the HILLMAN LOVING TRUST dated 28th December, 1989.

2. Affiant represents that she is the sole Trustee of the HILLMAN LOVING TRUST, governed by that certain Trust Agreement dated 28th December, 1989. Attached to this Certificate is a true and correct copy of pages one and two of the Trust Agreement which describes the creation of the Trust and confirms the original appointment of GUY R. HILLMAN and ELVA L. HILLMAN, as the initial Trustees. GUY R. HILLMAN died August 22, 1995, and ELVA L. HILLMAN is the current acting Trustee of each trust contained therein.

3. That attached to this Certificate are pages 33 through and including 36 of the Trust Agreement, which are true and correct copies of the powers and authority granted to the Trustee to transact business on behalf of the Trusts and which establish ELVA L. HILLMAN, as sole successor trustee.

4. That also attached to this Certificate is a copy of page 55 of the Trust Agreement, which a true and correct copy of the signature and acknowledgment page of the Trust and which evidences that the Trust is in actual existence.

5. That the contents of this Affidavit are true and correct and the copies attached are true and correct copies of the original Trust Agreement. The Trust has not been revoked or further amended so as to make any representations contained in the Certification incorrect.

DATED this 29 day of June, 2004.

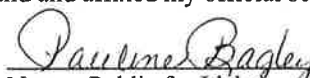

ELVA L. HILLMAN, Trustee

STATE OF IDAHO)
 TETON : ss.
COUNTY OF BONNEVILLE)

On this 29 day of June, 2004, before me the undersigned, a Notary Public for the State of Idaho, personally appeared ELVA L. HILLMAN, known to me to be the person whose name is subscribed to the within 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.




Notary Public for Idaho
Residing at: Victor
My Commission Expires: 8/2005

SCANNED
MAY 25 2005

THE HILLMAN LOVING TRUST

ARTICLE ONE

THE CREATION OF OUR TRUST

Section 1. Our Trust

We are husband and wife. This is our Trust, dated December 28, 1989, by GUY R. HILLMAN, the husband Trustmaker, ELVA L. HILLMAN, the wife Trustmaker, and the initial Trustees:

GUY R. HILLMAN

ELVA L. HILLMAN

Our Trust is a joint revocable living trust. For purposes of this agreement and for all legal purposes, our trust will be referred to as THE HILLMAN LOVING TRUST. All references to "our trust" or "trust," unless otherwise stated, shall refer to THE HILLMAN LOVING TRUST and the trusts created in it. All references to "Trustee" shall refer to our initial Trustee or Trustees, or their successor or successors in trust.

When the term "Trustmaker" is used in our trust, it shall have the same legal meaning as "Grantor," "Settlor," "Trustor," or any other term referring to the maker of a trust.

Notwithstanding anything in our trust to the contrary, when we are serving as Trustees under our trust, either of us may act for and conduct business on behalf of our trust as a Trustee without the consent of any other Trustee.

Section 2. The Name of Our Trust

For convenience, our trust shall be known as the:

THE HILLMAN LOVING TRUST, dated December 28, 1989

For purposes of beneficiary designations and transfers directly to our trust, our trust shall be referred to as:

GUY R. HILLMAN and ELVA L. HILLMAN, Trustees,
or their successors in trust, under THE HILLMAN LOVING TRUST
dated December 28, 1989, and any amendments thereto.

THE TRUST - 1

SCANNED

MAY 25 2005

ARTICLE TWO
OUR FAMILY

The names and birth dates of our children are:

Name	Birth Date
Richard G. Hillman	February 3, 1947
Kent L. Hillman	March 31, 1951
Michael R. Hillman	October 22, 1957

All references to our children in this agreement are to these children, as well as any children subsequently born to us or legally adopted by us.

THE TRUST - 2

SCANNED
MAY 25 2005

ARTICLE FIFTEEN

THE RESIGNATION, REPLACEMENT, AND SUCCESSION OF OUR TRUSTEE

Section 1. The Resignation of a Trustee

Any Trustee may resign by giving thirty days written notice to each of us or to our respective legal representatives. If either us is not living, the notice shall be delivered to the Trustees and to all of the beneficiaries then eligible to receive mandatory or discretionary distributions of net income from any trust created under this agreement.

If a beneficiary is a minor or is legally incapacitated, the notice shall be delivered to that beneficiary's legal representative.

Section 2. The Removal of Trustee

Any Trustee may be removed as follows:

a. Removal by Us

We reserve the right to remove any Trustee at any time, but only if we both agree.

b. Removal by One of Us

After one of us dies or during any period that one of us is disabled and the other Trustmaker is living and is not disabled, the surviving nondisabled Trustmaker may remove any Trustee.

c. Removal by Other Beneficiaries

After the death or incapacity of both of us, a majority of the beneficiaries then eligible to receive mandatory or discretionary distributions of net income under this agreement may remove any Trustee.

d. Notice of Removal

Neither of us, nor any of our beneficiaries, need give any Trustee being removed any reason, cause, or ground for such removal.

Notice of removal shall be effective when made in writing either by:

Personal delivery to the Trustee and securing a written receipt,
or

Mailing notice in the United States mails to the last known address of the Trustee by certified mail, return receipt requested.

SCANNED

MAY 25 2005

Section 3. Replacement of Trustees

Whenever a Trustee is removed, dies, resigns, becomes legally incapacitated, or is otherwise unable or unwilling to serve, that Trustee shall be replaced as follows:

a. The Death or Disability of a Trustee While We are Serving as Trustees

We may serve as the only Trustees or we may name any number of Trustees to serve with us. If any of these other Trustees subsequently die, resign, become legally incapacitated, or are otherwise unable or unwilling to serve as a Trustee, we may or may not fill the vacancy, as we both agree.

b. Disability Trustees of GUY R. HILLMAN

Upon the disability of GUY R. HILLMAN, the following shall serve as disability Trustee:

ELVA L. HILLMAN

If the nondisabled Trustmaker is then serving as a Trustee, she shall continue to serve upon the disability of GUY R. HILLMAN.

If a disability Trustee is unwilling or unable to serve or cannot continue to serve for any other reason, then the following shall be named as successor disability Trustees in the order in which their names appear:

KENT L. HILLMAN

RICHARD G. HILLMAN

MICHAEL R. HILLMAN

c. Disability Trustees of ELVA L. HILLMAN

Upon the disability of ELVA L. HILLMAN, the following shall serve as disability Trustee:

GUY R. HILLMAN

If the nondisabled Trustmaker is then serving as a Trustee, he shall continue to serve upon the disability of ELVA L. HILLMAN.

If a disability Trustee is unwilling or unable to serve or cannot continue to serve for any other reason, then the following shall be named as successor disability Trustees in the order in which their names appear:

KENT L. HILLMAN

RICHARD G. HILLMAN

MICHAEL R. HILLMAN

d. **Death Trustees of GUY R. HILLMAN**

On the death of GUY R. HILLMAN, the following Trustee shall replace our initial Trustees, if they are then serving, or our disability Trustees, if they are then serving:

ELVA L. HILLMAN

If the surviving Trustmaker is then serving as a Trustee, she shall continue to serve upon the death of GUY R. HILLMAN.

If a death Trustee is unwilling or unable to serve as a Trustee or cannot continue to serve for any other reason, then the following shall be named as successor death Trustees in the order in which their names appear:

KENT L. HILLMAN

RICHARD G. HILLMAN

MICHAEL R. HILLMAN

e. **Death Trustees of ELVA L. HILLMAN**

On the death of ELVA L. HILLMAN, the following Trustee shall replace our initial Trustees, if they are then serving, or our disability Trustees, if they are then serving:

GUY R. HILLMAN

If a death Trustee is unwilling or unable to serve as a Trustee or cannot continue to serve for any other reason, then the following shall be named as successor death Trustees in the order in which their names appear:

KENT L. HILLMAN

RICHARD G. HILLMAN

MICHAEL R. HILLMAN

f. **Successor Trustees**

If a successor Trustee is unwilling or unable to serve during the period in which I am disabled or after my death, the next following successor Trustee shall serve until the successor Trustees so named have been exhausted.

A Trustee may be listed more than once in this Section 3 or an initial Trustee may also be named as a disability Trustee or a Trustee who will serve at death. Naming a Trustee more than once is done as a convenience only and is not to be construed as a termination of that Trustee's trusteeship.

g. Unfilled Trusteeship

In the event no named Trustees are available, a majority of the beneficiaries then eligible to receive mandatory or discretionary distributions of net income under this agreement shall forthwith name a corporate fiduciary.

If a majority of the beneficiaries then eligible to receive mandatory or discretionary distributions of net income under this agreement cannot agree on a corporate fiduciary, any beneficiary can petition a court of competent jurisdiction, ex parte, to designate a corporate fiduciary as a Trustee.

The court that designates the successor Trustee shall not acquire any jurisdiction over any trust created under this agreement, except to the extent necessary to name a corporate fiduciary as a successor Trustee.

Section 4. Corporate Fiduciaries

Any corporate fiduciary named in this trust agreement or appointed by a court of competent jurisdiction as a Trustee must be a bank or trust company situated in the United States having trust powers under applicable federal or state law.

Section 5. Powers and Liabilities of Successor Trustee

Any successor Trustee, whether corporate or individual, shall have all of the rights, powers, and privileges, and be subject to all of the obligations and duties, both discretionary and ministerial, as given to the original Trustee.

Any successor Trustee shall be subject to any restrictions imposed on the original Trustee.

No successor Trustee shall be required to examine the accounts, records and acts of any previous Trustee. No successor Trustee shall in any way be responsible for any act or omission to act on the part of any previous Trustee.

requested to the party making delivery.

The effective date of delivery shall be the date of personal delivery or the date of the return receipt, if received, or if not, the date it would have normally been received via certified mail, provided there is evidence of mailing.

e. **Applicable State Law**

The validity of this trust shall be determined by reference to the laws of the state of Idaho.

Questions with regard to the construction and administration of the various trusts contained in this agreement shall be determined by reference to the laws of the state in which the trust is then currently being administered.

f. **Duplicate Originals**

This agreement may be executed in several counterparts; each counterpart shall be considered a duplicate original agreement.

g. **Severability**

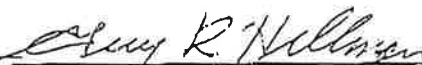
If any provision of this agreement is declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the remaining provisions of this agreement. The remaining provisions shall be fully severable, and this agreement shall be construed and enforced as if the invalid provision had never been included in this agreement.

We have executed this agreement the day and year first written above.

We certify that we have read our foregoing revocable living trust agreement, and that it correctly states the terms and conditions under which our trust property is to be held, managed, and disposed of by our Trustee. We approve this revocable living trust in all particulars, and request our Trustee to execute it.


GUY R. HILLMAN, Trustmaker


ELVA L. HILLMAN, Trustmaker


GUY R. HILLMAN, Trustee


ELVA L. HILLMAN, Trustee

THE TRUST - 55

SCANNED

MAY 25 2005

EXHIBIT "A"

Parcel #4 (RP 04N45E022400 A)

Description: Pasture land south of Driggs

Legal Description: Tax #1073: Beginning at the Northwest Corner of Lot 3, Section 2, Twn. 4 North, Rge. 45 EBM and running thence East 66 rods (1089 feet) to the OSLRR right-of-way, thence southeasterly along the right-of-way 845.5 feet to quarter section line, thence South along said line 480 feet to the Southeast Corner of Lot 3, then West on a curve to the North 535 feet, more or less, then West 660 feet, more or less, then North 300 feet, then West 100 feet, then North 845 feet to the point of beginning.

Acres: 36±

Improvements: Slaughter house

SCANNED
MAY 25 2005

GENERAL POWER OF ATTORNEY

We, ELVA L. HILLMAN of Driggs, Idaho, designate and appoint KENT L. HILLMAN of Driggs, Idaho, as our attorney-in-fact and agent (subsequently called "agent") to act in our names and for our benefit. We grant to our agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as we might or could do if personally present and fully competent, hereby ratifying and confirming all that our agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

1. **General Grant of Power.** Our agent shall have power to exercise or perform any act, power duty, right or obligation whatsoever that we now have or may hereafter acquire, relating to any person, matter, transaction or property, real or personal, tangible or intangible, now owned or hereafter acquired by us, including, without limitation, the powers specifically enumerated in this instrument. Generally, our agent shall have power to do and perform all matters, transact all business, and make, execute, and acknowledge all contracts, orders, deeds, mortgages, leases, assignments, assurances, and instruments of every kind which may be requisite or proper to effectuate the purposes of this general power of attorney.

2. **Specific Powers.** Without in any way limiting the generality of the power and authority conferred upon our agent by this instrument, our agent shall have and may exercise each of the following specific powers:

a. **Power to Acquire and Sell.** To acquire, purchase, exchange, grant options and sell, assign, release, convey, mortgage, hypothecate, lease, and accept and take possession of real and personal property and interests therein, both tangible and intangible, upon such terms, conditions, and covenants as our agent shall deem proper and to sign, seal, execute and deliver and acknowledge such deeds, leases, contracts, assignments, indentures, agreements, mortgages, deeds of trust, bills of sale, security agreements and related forms, exchange agreements, bills, bonds, notes, receipts, releases and satisfactions of mortgages, security interests, and judgments, and such other instruments in writing as shall be proper.

b. **Borrowing and Banking Powers.** To borrow moneys on our behalf and to sign, seal, execute, deliver and acknowledge on our behalf such promissory notes, bills, bonds, or other evidence of indebtedness and such mortgages, deeds of trust, security agreements, pledges, or other documents to secure the payment of borrowed funds as our agent shall deem proper. To make, receive, and endorse checks and drafts, deposit and withdraw funds, acquire and redeem certificates of deposit in banks, savings and loan associations, and other financial institutions, and to release such mortgages, deeds of trust, or other security instruments as may be necessary or proper in the exercise of the rights and powers herein granted.

c. **Powers of Collection and Payment.** To forgive, request, demand, sue

for, recover, collect, receive and hold all sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension, profit sharing, retirement, social security, medicare, insurance and other contractual benefits and proceeds, all documents of title, all property and property rights, real or personal, intangible and tangible, and demands whatsoever, liquidated or unliquidated, now or hereafter owned by, or due, owing, payable or belonging to us or in which we have or may hereafter acquire an interest; to have, use, and take all lawful means and equitable and legal remedies and proceedings in our name and for the collection and recovery thereof including the enforcement of mortgages, deeds of trust, and security instruments, and to adjust, sell, compromise, and agree for the same, and to execute and deliver for us, on our behalf, and in our name, all endorsements, releases, receipts, or other sufficient discharges for the same. To pay and discharge all debts and demands due and payable or which may hereafter become due and payable by us to any person or persons whomsoever.

d. **Management Powers.** To maintain, repair, improve, invest, manage, insure, rent, lease, encumber, partition, and in any manner deal with any real or personal property, tangible or intangible, or any interest therein that we now own or may hereafter acquire, upon such terms and conditions as our agent shall deem proper, and to transfer any or all of our assets to the trustee of any revocable living trust which we may have created.

e. **Motor Vehicles.** To apply for a certificate of title upon, and endorse and transfer title to, any motor vehicle, and to represent in such transfer assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer assignment.

f. **Business Interests.** To conduct or participate in any lawful business of whatever nature; to execute partnership agreements and amendments thereto; to incorporate, reorganize, merge, consolidate, recapitalize, sell, liquidate or dissolve any business; to elect or employ officers, directors and agents; to carry out the provisions of any agreement for the sale of any business interest or the stock therein; and to exercise voting rights with respect to stock, either in person or by proxy, and exercise stock options.

g. **Tax Powers.** To prepare, sign, and file joint or separate income tax returns or declarations of estimated tax for any year or years; to prepare, sign, and file gift tax returns with respect to gifts made by us for any year or years; to consent to any gift and to utilize any gift-splitting provision or other tax election; and to prepare, sign, and file any claims for refund of any tax.

h. **Safe Deposit Boxes.** To have access at any time or times to any safe deposit box rented by us, wheresoever located, and to remove all or any part of the contents thereof, and to surrender or relinquish said safe deposit box, and any institution in which any such safe deposit box may be located shall not incur any liability to us or our estate as a result of permitting our agent to exercise this power.

i. **Gift Transactions.** To have the power to make gift transactions as follows:

(1) To make gifts to organizations, whether charitable or otherwise, to which the principal has made gifts, and to satisfy pledges made to organizations by the principal;

(2) To make gifts on behalf of the principal to the principal's spouse, children, and other descendants or the spouse of any child or other descendant, either outright or in trust, for purposes which the agent deems to be in the best interest of the principal, specifically including minimization of income, estate, inheritance, or gift taxes, provided that no agent nor anyone the agent has a legal obligation to support may be the recipient of any gifts in any one calendar year, which, in the aggregate, exceed \$10,000.00 in value to each recipient, unless gifts in excess of said amount are specifically authorized by the instrument; and,

(3) To prepare, to execute, to consent to on behalf of the principal, and to file any return, report, declaration, or other document required by the laws of the United States, or by any state or subdivision thereof, or by any foreign government, which the agent deems to be desirable or necessary with respect to any gift made under the authority of this section.

j. **Medicaid Qualification.** To take actions to qualify the principal for Medicaid, including but not limited to nursing home financial assistance, and without limitation including the following specific powers.

(1) To divest the principal of sufficient assets so as to qualify for Medicaid assistance;

(2) To convert the principal's assets into assets to be owned by the principal which are exempt from the resources allowable under applicable statutes and the Medicaid rules and regulations;

(3) The power to disclaim any inheritance; and

(4) To change the principal's domicile to any other state where the Medicaid eligibility rules may be more favorable.

3. **Revocability.** This power of attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by us or our agent and delivered to such person or institution.

4. **Interpretation.** This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific powers herein is not intended to, nor does it, limit or restrict the general powers herein granted to our agent.

5. **Disability of Principal.** This General Power of Attorney shall not be affected by disability of the principal.

6. **Third-Party Reliance.** Third parties may rely upon the representations of our agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent

shall incur any liability to us or our estate as a result of permitting our agent to exercise any power.

7. **Governing Law.** This General Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

IN WITNESS WHEREOF, we have executed this General Power of Attorney this 11 day of October, 1995.

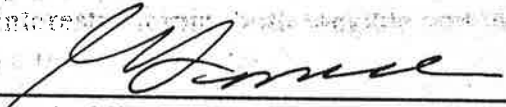


ELVA L. HILLMAN, Principal

STATE OF IDAHO)
 :
County of Teton ~~Bonneville~~)

On this 11 day of October, 1995, before me, the undersigned, a Notary Public in and for said state, personally appeared ELVA L. HILLMAN, known to me to be the person whose names are subscribed to the within General Power of Attorney 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 in this certificate first above written.



Notary Public for the State of Idaho
Residing at Driggs
My Commission Expires: Life

L:\DRN\2801\POA.EST

Apr. 21, 05

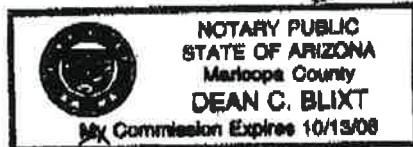
To Whom it may concern:

My late husband, Guy R Hillman, and I used our acreage around the slaughter house south of Briggs for hay and pasture. We used sprinklers on the south 20 acres from the late 1960s to the late 1980s. After that time we rented it for pasture and ranching. We also had a commercial slaughter operation for which we used well water.

I have ^{HAD} no success finding anyone who worked for us during this time who is still living. ^{TO VERIFY}

If I can be of any further assistance please contact me at 480-396-9751 Mesa, Az.

Eva L Hillman



Dean C Blixt

SCANNED
MAY 25 2005

Contacts Data Entry Form

Claim Number: 2211822

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

Current Owner: Guy R Hillman Phone No.: 208-354-8221

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.B. U

* Amended to Stockwater only 4/27/05 - Recommend as such.

Commercial / Slaughter House

* Fix GROUNDWATER TO ⇒ GROUND WATER OK

FE. post / pour CONVEYANCE / SYSTEM

Reviewer: _____ Date: _____

PROFILED

SCANNED

MAY 25 2005

Point of Diversion and Source Data Entry Form

Claim Number: 2211 & 22

Water 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.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
4N	45E	2		SE NE NW	Teton	Groundwater	

Recommended Point(s) of Diversion and Source.

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

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Reviewed as claimed

Reviewer: _____ Date: _____

SCANNED

MAY 25 2005

PROFILED

Place Of Use Data Entry Form

Claim Number: 2211822Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
4N	43E	2	NE	NW	Teton			COMMERCIAL

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:Amended to Stockwater 4/27/05

Reviewer: _____ Date: _____

SCANNED

MAY 25 2005

PROFILED

Season of Use and Quantity Data Entry Form

Claim Number: 2211822Water 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
Commercial	1/1	12/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Stock	1/1	12/31	2005	

Overall Diversion Rate _____

Overall Diversion Volume _____

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

IDWR STD Sou. 1/1 - 12/31

Reviewer: _____

Date: _____

SCANNED
MAY 25 2005

PROFILED

MAY 25 2005

SCANNED

PROTECTED

11/10/04 09

Colt 2nd. Sui APSS - VA

Pump

Westhouse Sui: 3140438

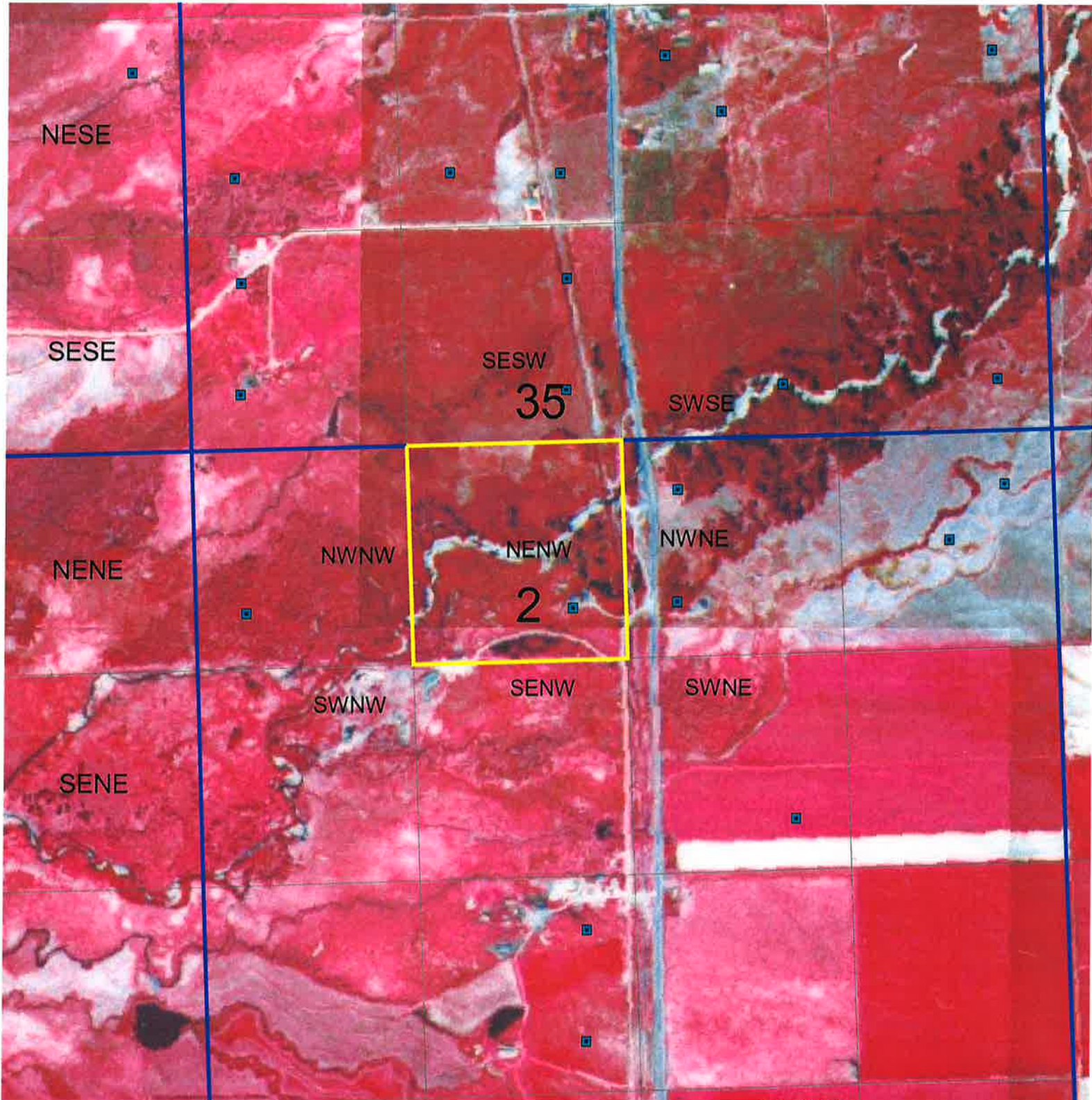
Motor

GPS tag # A001232 or brown box with round Shaggy #5

Pump used for well near old Williams
Shaggyhouse.



22-11822



PROFILED

SCANNED
MAY 25 2005

March 23, 2005

James Joyner
Walla Walla District Corps of Engineers
Idaho Falls Regulatory Office
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

Dear Mr. Joyner

Enclosed is a permit request from property located one mile south of Driggs, ID on Teton Creek. This project will restore flow in the main Teton Creek channel by removing a plug of gravel and woody debris, while protecting existing riparian vegetation. Also gravel debris will be removed near the Rails to Trails bike path where the banks of the streambed have been altered. Along with the main channel, bioengineering techniques will be done on the small, south channel to protect eroding banks. The south channel is fed by three spring ponds that need restored by removing sediment and installing water control structures. All of the work will be fenced off from cattle and watering facilities installed on the property to ensure the highest protection.

This project is an NRCS approved project. A planning meeting for this project was conducted in the summer of 2004 with participation from Department of Environmental Quality, Soil Conservation Commission, Idaho Department of Fish and Game, Idaho Department of Water Resources, and Army Corps of Engineers.

Thank you for your time in considering our project permit request.

Sincerely,



Kent Hillman



PROTECTED

SCANNED

MAY 25 2005

JC 'T APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

**DO NOT START WORK UNTIL YOU
RECEIVE PERMITS FROM BOTH
THE
CORPS AND THE STATE**

This application may be used to apply for both a Department of the Army permit from the U.S. Army Corps of Engineers (Corps) and for State of Idaho permits. Department of the Army permits are required by Section 10 of the Rivers and Harbors Act of 1899 for any structures or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including their adjacent lands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq., Idaho Code. **Route Uses: Information provided on this form will be used in evaluating the application. Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can permits be issued.** Applicants should send this completed application, along with one set of good reproducible drawings showing the location and character of the proposed project, to the Corps of Engineers and the State of Idaho. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. The Applicant Information pamphlet provides instructions and a checklist for completing the drawings.

Corps of Engineers # _____	2a. Department of Water Resources # _____	2b. Department of Lands # _____	
Date Received _____	Date Received _____	Date Received _____	
Fee Rec'd By: _____	Receipt # _____	Fee Rec'd By: _____	Receipt # _____

PLEASE TYPE OR PRINT

1. Applicant <u>Elva Hillman LLP</u>	4. a. Authorized Agent <u>Kent Hillman</u>
2. Mailing Address <u>PO Box 81</u>	b. Mailing Address _____
<u>Driggs, ID 83422</u>	
Area _____ Area _____	Area _____ Area _____
3. Work Phone (208) <u>709-5415</u> Home (208) <u>354-2748</u>	c. Work Phone () _____ Home () _____
d. Fax Number _____	
e. Email Address _____	
Location where proposed activity exists or will occur.	
5. e. Tax Assessor's Description	
a. Waterway <u>Teton Creek</u>	
1 mile south of Driggs, ID	
b. Distance/Direction from nearest city or town	County/State
<u>83422 Teton County Idaho</u>	
c. Zip Code	Local jurisdiction (city or county)
<u>83422</u>	<u>Teton County Idaho</u>
d. Directions to the site <u>South 1 mile from Driggs on Hwy 33. Located on Teton Creek downstream from Rails to Trails bike path bridge.</u>	
a. Describe Project (Work below the ordinary high water mark or in wetlands). <u>This project will restore flow in the main Teton Creek channel by removing a plug of gravel and woody debris, about 700 LF long, (site 11/12), existing riparian vegetation will be protected. A channel cross section, typical of between the two bridges, will be constructed following removing debris, where needed, included 300LF in a upstream altered reach of streambed, (site #1)</u>	
<u>Also this project will protect eroding banks of a small, south channel, that is the south edge of the flood plain, and has been damaged by high flows that overtopped the main channel banks, with several types of bio engineered practices. Three existing ponds at the start of the normally spring fed south channel will be restored by removing sediment, and installing water control structures., and new outlet pipes in the dikes of each pond.</u>	
<u>To protect the restoration fences and watering facilities will be installed.</u>	
b. Construction methods and equipment <u>A Excavator will gather, sort, and load the logs and woody debris into trucks for transport to a safe burn or bury area. The excavator will also gather and load gravel debris from channel restoration into dump trucks, which haul the material to a safe area above normal HWL. The south channel bank protection will be installed with a backhoe and hand labor. Rock will be hauled by a truck to the site.</u>	
c. Length of project along the stream or extension into lake or reservoir: <u>Restore 980 LF of main channel, plus protect 900 LF of south channel banks</u>	
d. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.)	

COMPLETE THE FOLLOWING FOR DISCHARGES OF DREDGED OR FILL MATERIAL

a. Volume dredged or fill material to be placed waterward of the ordinary high water mark (BOTH TEMPORARY AND PERMANENT)?	200
	(cubic yards)
b. Will fill be placed in wetlands? <u>no</u> If yes, area: _____ (acres) Type of fill material: <u>rock and willow planting</u>	
	(i.e. sand, rock, clay, concrete, etc.)
c. Will dredging be required waterward of the ordinary high water mark or in wetlands? <u>Yes</u> If yes, volume <u>3900</u>	(cubic yards)
d. Type of dredged material <u>Gravel and large woody debris that is blocking the channel</u>	
e. Disposal site for dredged material: <u>Upland location, above normal WL</u> Method of dredging: <u>Excavate with track hoe, transport with truck</u>	
f. Method to control turbidity and sedimentation: <u>Work will be done during low flow period</u>	
g. Is project located in a mapped floodway? _____ If yes, complete the Engineering "No-Rise" certification form.	

8.a. Purpose and intended use: Commercial _____ Public _____ Private x Other _____ De _____ a _____

b. Reason for project _____

9. Proposed Starting Date 2005 Estimated Duration _____

10. List portions of the project that are complete with month and year of completion _____
Label this work on your drawings.

11. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

Lazy Two Ranch, INC (C/O Robert E Griggs, Jr.) PO Box 314 Driggs, ID 83422 (208) 354-2227

Ronald Lau PO Box 45 Driggs, ID 83422 (208) 354-8286

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

12. LEGAL OWNER IF OTHER THAN APPLICANT

a. Name _____ d. Phone Work () _____

b. Mailing Address _____ Home () _____

c. City, State, Zip Code _____

13. List applications, approvals, or certifications from other Federal, state, or local agencies for work described in this application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

14. Has any agency denied approval for the proposed activity? Yes _____ No _____ (If "Yes" explain) _____

15. Other comments/information: This is a Natural Resources Conservation Service approved project and design. A planning meeting was put together by the Natural Resources Conservation Service in the summer of 2004 with participation from Department of Environmental Quality, Soil Conservation Commission, Idaho Department of Fish and Game, Idaho Department of Water Resources, and Army Corps of Engineers. Also Friends of the Teton River and Teton Regional Land Trust have an interest in the project.

16. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed and completed work.

Signature of Applicant (ORIGINAL SIGNATURE REQUIRED) _____ Printed Name _____ Date _____

17. If you wish to designate an authorized agent, complete item 4, item 16 and the following information.

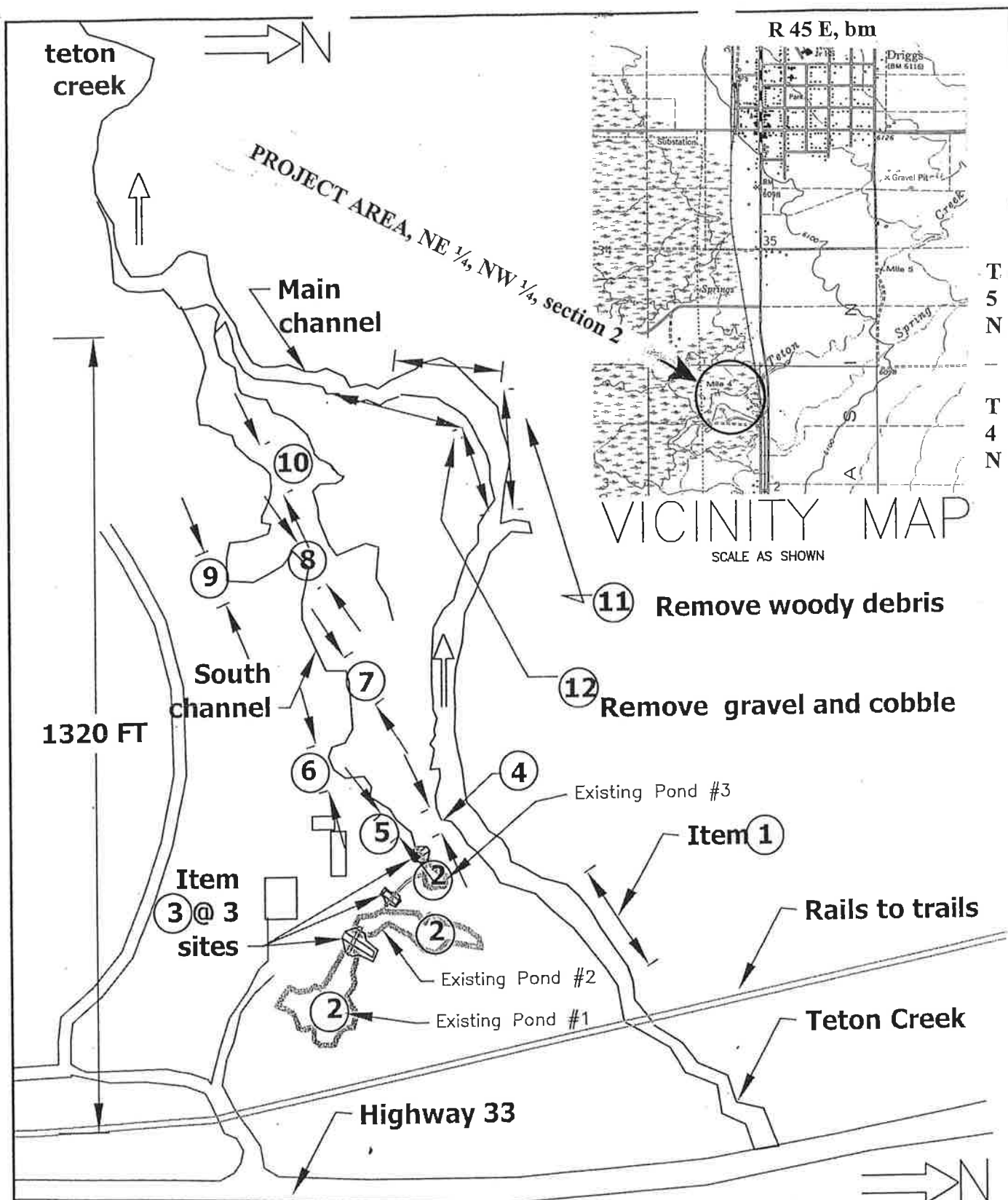
I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Original Signature of Authorized Agent _____ Date _____ Original Signature of Applicant _____ Date _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

DO NOT SEND CORPS PROCESSING FEE WITH APPLICATION

SEND IDAHO DEPARTMENT OF WATER RESOURCES OR IDAHO DEPARTMENT OF LANDS FILING FEE WITH APPLICATION



PROJECT SITE MAP

NOTE: Work item description and planned extent on sheet 2



**HILLMAN RANCH
TETON CREEK
RESTORATION**

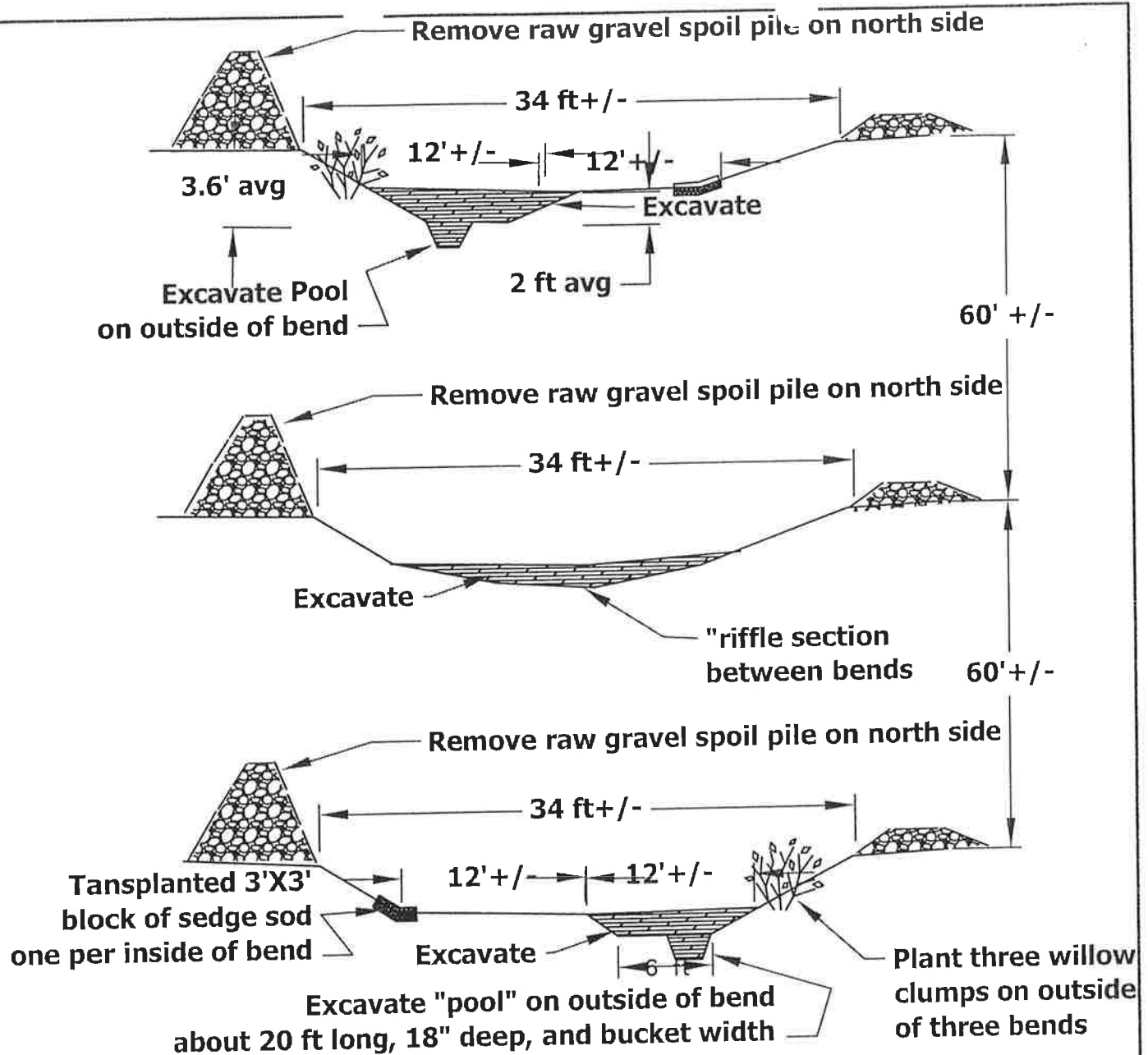
Designed _____	Date _____	File Name _____
Drawn <u>rel</u> <u>02/26/05</u>		Drawing Name _____
Checked _____		<u>00/00/00</u> <u>00:00</u>
Approved _____		Sheet <u>1</u> of <u>11</u>

WORK ITEMS

Item number	Item	Extent
1	Remove gravel spoil piles and restore channel cross section	300 LF, about 420 cy
2	Remove silt and debris from three existing ponds	East Pond=694cy ;Middle pond =281cy ; West pond=110 cy
3	Replace old pond outlets with new water control structures	Three each with: inlet pipe, structure, and outlet pipe.
4	Install 80 LF of willow clump planting and 2 rock barbs	Install 11 large, live willow clumps and 2-30 cy barbs
5	100LF of eroding bank	Install willows; 100 ft with rock armor
6	150 LF of eroding bank	Install willows; 80ft with armor, 40ft with anchors, +30ft of F
7	150 LF of eroding bank	Install willows; 40ft with armor, 80ft with anchors, +30ft of F
8	100 LF of eroding bank	Install willows; 40ft with armor, 40 ft with anchors, +20ft of F
9	200 LF of eroding bank	Install willows;120ft with armor, 50ft with anchors, +30ft of F
10	200 LF of eroding bank	Install willows;120ft with armor 50ft with anchors, +30ft of F
11	450 LF of channel blocked with woody debris	Remove about 978 cy to a safe disposal site above HWL
12	680 LF of channel blocked with gravel and cobble	Remove about 2,400 cy to a non wetland above normal HWL

NOTE:

- A. Item number 1, is to remove gravel spoil piles blocking high water channels and to restore some channel shape and meandering to a reach that was altered by a upstream project. Some vegetation will be added, existing will be protected during gravel removal and channel shaping.
- B. Item numbers 11 and 12, are to remove highwater deposited woody debris and gravel from the creek main channel. To protect existing bank vegetation, the blocked channel area will be used to enter and transport the debris to a site above the normal HWL.



DESIGN CROSS SECTIONS Item 1

Debris removal reach

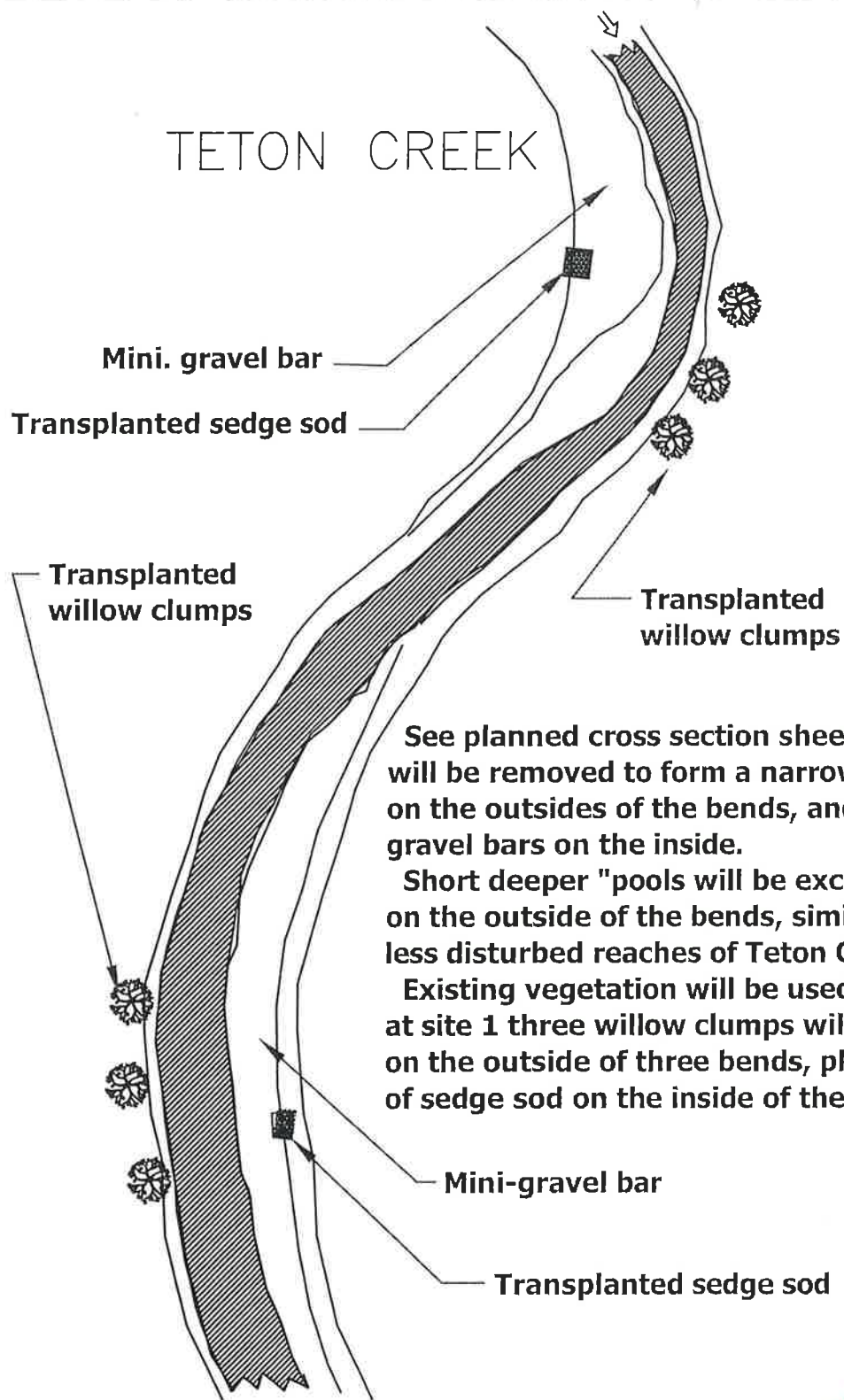
NOTE:

- (1) Total length about 300 ft, 420 cy of excavating and hauling gravel from the channel and spoil piles. Plus nine live willow clumps, and three big sedge sod plugs transplanted into the banks.
- (2) Some of the south side has spoil to be removed, where it will not damage existing trees.
- (3) Channel alignment and cuts will be marked on site for construction
- (4) Work is planned for no streamflow time of year in this reach.



**HILLMAN RANCH
TETON CREEK
RESTORATION**

Designed _____	Date _____	File Name _____
Drawn rel	08/26/04	Drawing Name _____
Checked _____		00/00/00 00:00
Approved _____		Sheet 3 of 11



See planned cross section sheet; gravel will be removed to form a narrow channel on the outsides of the bends, and mini gravel bars on the inside.

Short deeper "pools will be excavated on the outside of the bends, similar to less disturbed reaches of Teton Creek

Existing vegetation will be used plus at site 1 three willow clumps will be planted on the outside of three bends, plus a plug of sedge sod on the inside of the bend.

SAMPLE PLAN VIEW

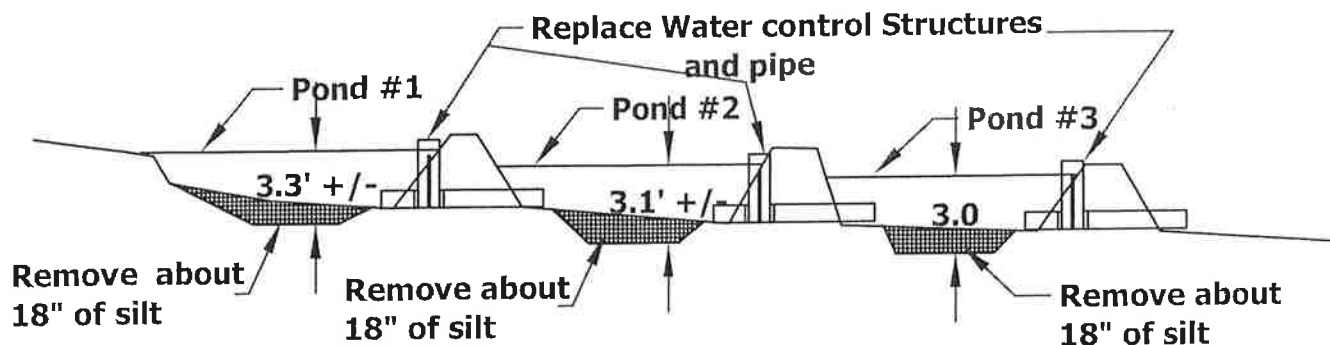
Project channel restoration in the gravel and debris removal reaches, of site #1 and site 11-12. Site #1 only needs the willow clumps and sedge sod treatment.

SCANNED
MAY 25 2005



HILLMAN RANCH TETON CREEK RESTORATION Teton SCD Driggs, ID

Date _____		File Name _____
Designed _____		Drawing Name _____
Drawn <u>rel</u> <u>08/26/04</u>		00/00/00 00:00
Checked _____		Sheet <u>L</u> of <u>11</u>
Approved _____		REV



EXISTING PONDS PROFILE

EXISTING PONDS DATA				PLANNED	
Pond No.	Surface area AF	Max. Water depth ft	Approx. Storage AF	Restore depth to about	Approx. pond storage AF
1	0.30 acres	1.8	.34	3.3 ft +/-	0.57
2	0.14 acres	1.6	0.18	3.1 ft +/-	0.29
3	0.05 acres	1.5	0.06	3.0 ft +/-	0.10

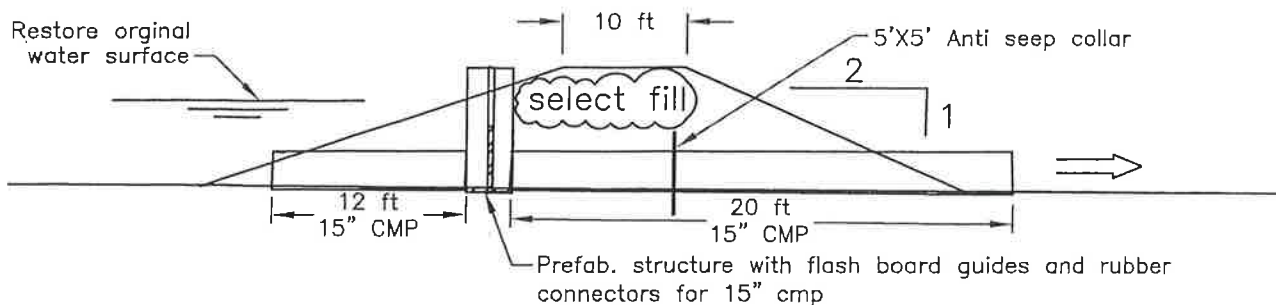
NOTE:

Ponds are more than 30 years old, the overflow/outlet pipes are rusted and need replaced. Years of silt and debris deposits have reduced the depth to less than 2 ft, which promotes weed growth, which reduces benefits for fish and waterfowl. Test pits have about 18" of silt in the bottom of the ponds. Pond water surface will be restored, not increased. Material, removed, not needed or unsuitable for rebuilding the dike, will be disposed of above the normal HWL.



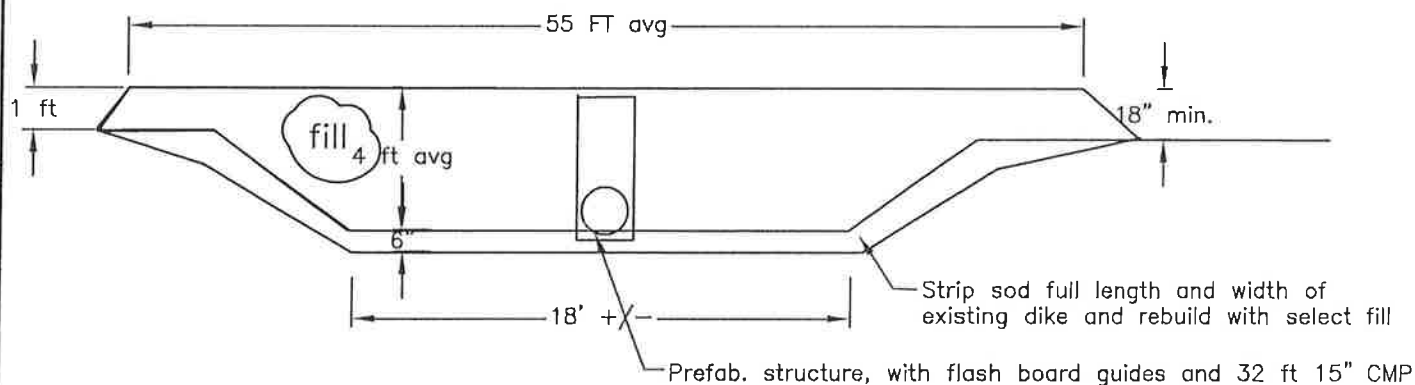
HILLMAN RANCH TETON CREEK RESTORATION

Designed	Date	File Name
Drawn <u>rel</u>	08/26/04	Drawing Name
Checked		00/00/00 00:00
Approved		REV



WATER CONTROL STRUCTURE CROSS SECTION

not to scale



TYPICAL WATER CONTROL STRUCTURE DETAIL

not to scale

NOTE:

These three old ponds have lost much of their wildlife benefits from silt deposits. Test pits show about 18 inches of silt. The material removed, will be disposed of or used in upland area's above the normal HWL.

Spring flow and the normal annual water table fluctuations raises the water level in these ponds, restoring their original capacity will improve the habitat for waterfowl, and other wildlife.

A fence will exclude livestock from this wetland restoration portion of the project.

PROFILE

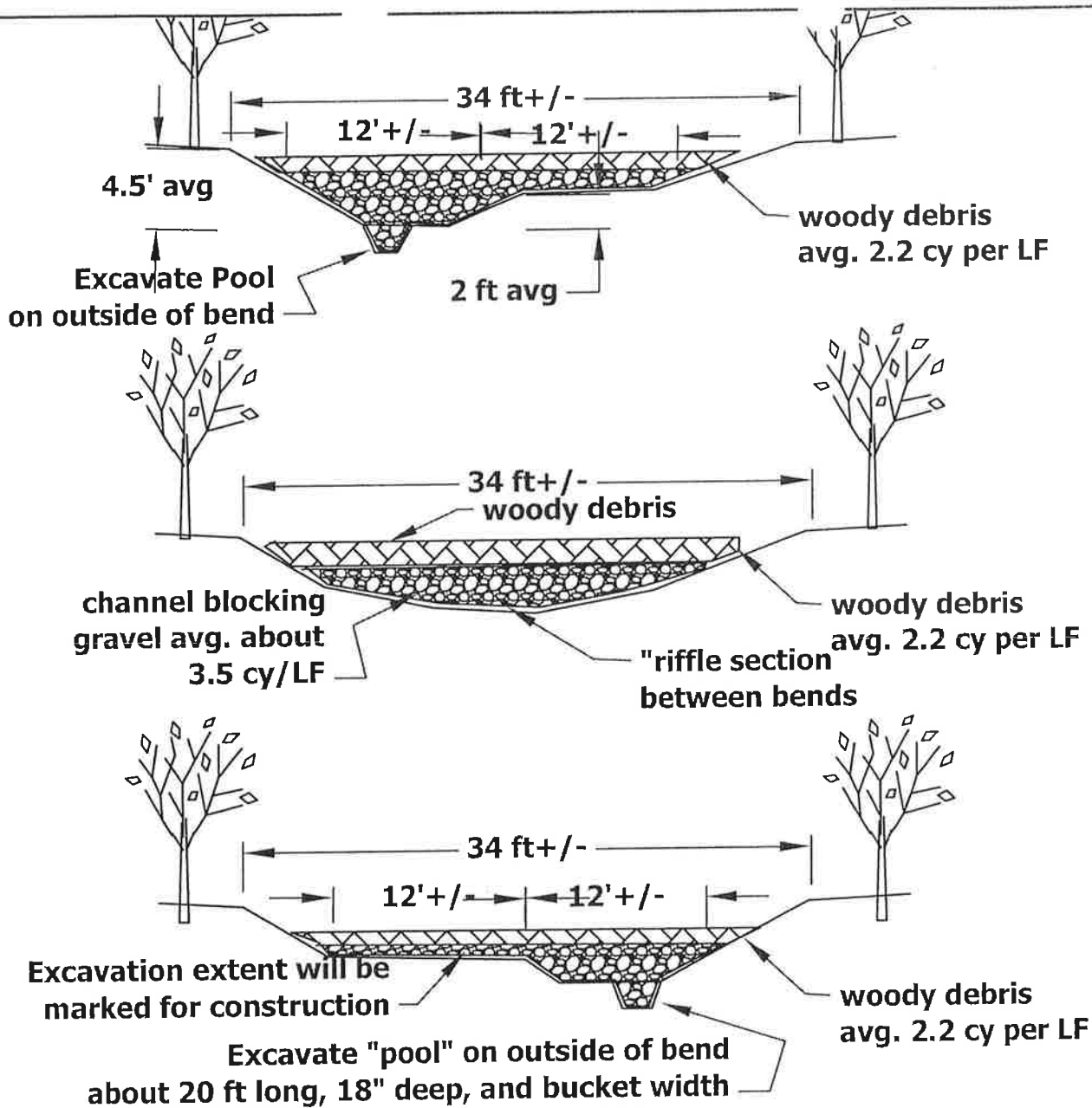
SCANNED
MAY 25 2005



HILLMAN RANCH
TETON CREEK
RESTORATION
Driggs ID Teton SCD

Designed _____ Drawn _____ Checked _____ Approved _____	Date _____	File Name _____ Drawing Name _____ 00/00/00 00:00
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REV
03/22



DESIGN CROSS SECTIONS

Project Items 11-12

NOTE:

- (1) To protect existing trees and riparian vegetation, on each side of the channel, the logs and woody debris, (Item 11), will be removed first, using the channel route during the dry channel part of the year, in this reach of Teton Creek.
- (2) The excess gravel (Item 12) will then be removed, starting at the downstream end and proceeding upstream, restoring a channel cross section, that will be deeper, and not suitable for transporting excess gravel out of the reach, to a site above normal high water and/or wetland.



**HILLMAN RANCH
TETON CREEK
RESTORATION**
Teton SCD, Briggs ID

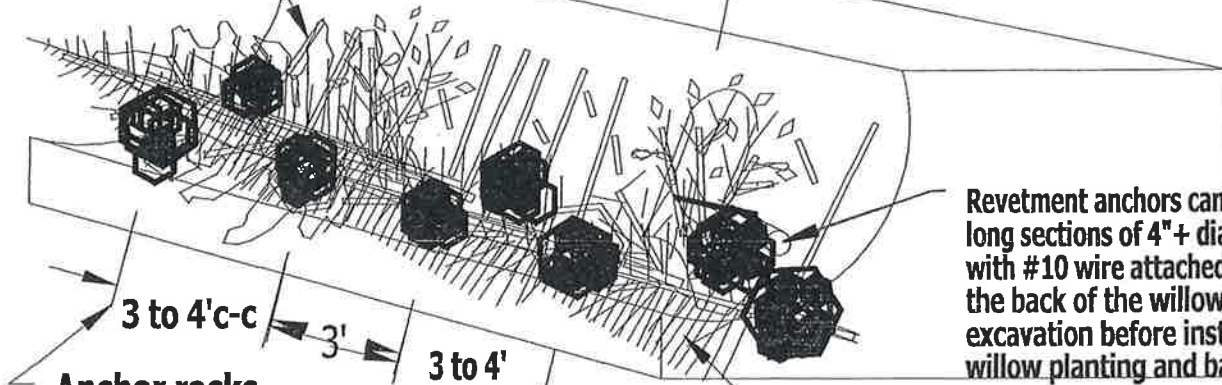
Designed _____ Date _____
Drawn rel 08/26/04
Checked _____
Approved _____

File Name _____
Drawing Name _____
00/00/00 00:00
Sheet 7 of 11

Install live stakes at 24 inch diamond spacing between the vertical bundles

6' c-c

Live willow clumps or bundles



Anchor rocks average 20 inch dia. @ 3 to 4 ft. center to center

Revetment anchors can be 24" long sections of 4" + dia. wood with #10 wire attached, placed in the back of the willow planting excavation before installing the willow planting and backfilling.

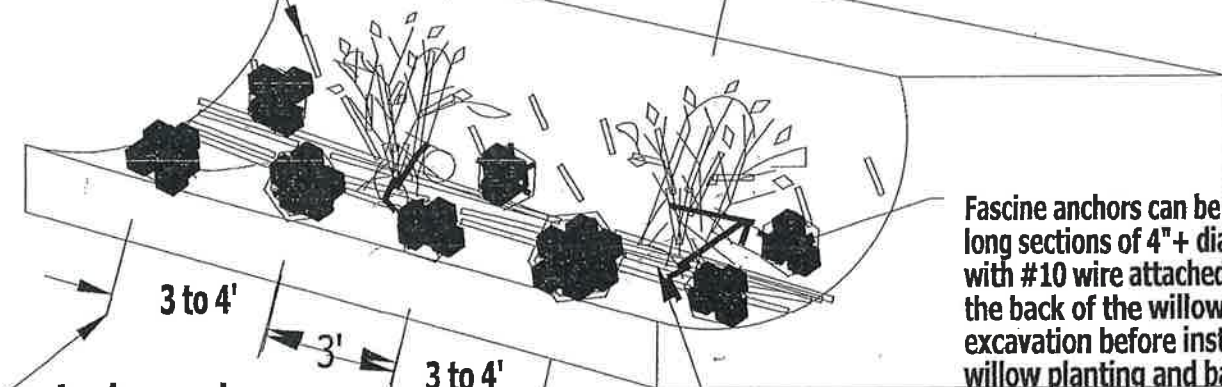
Overlap brush or tree revetment about 25 to 30 percent, tie together and either to the log anchors with #10 wire, every 6 ft, or use the rock anchors

BRUSH OR TREE REVETMENT WITH VERTICAL LIVE WILLOW CLUMPS OR BUNDLES AND ANCHOR ROCKS

Install live stakes at 24 inch diamond spacing between the vertical bundles

6' c-c

Live willow clumps, or bundles



Anchor rocks average 20 inch dia. @ 3 to 4 ft.

Fascine anchors can be 24" long sections of 4" + dia. wood with #10 wire attached, placed in the back of the willow planting excavation before installing the willow planting and backfilling.

Install horizontal bundle (Fasine) of live willow cutting, tied together, and anchor with large rocks or the bank revetment anchors

LIVE FASCINE REVETMENT WITH VERTICAL LIVE WILLOW CLUMPS OR BUNDLES AND ANCHOR ROCKS

**HILLMAN RANCH
TETON CREEK
STREAMBANK STABILIZATION
Teton SCD Driggs, Idaho**

NATURAL RESOURCES CONSERVATION SERVICE

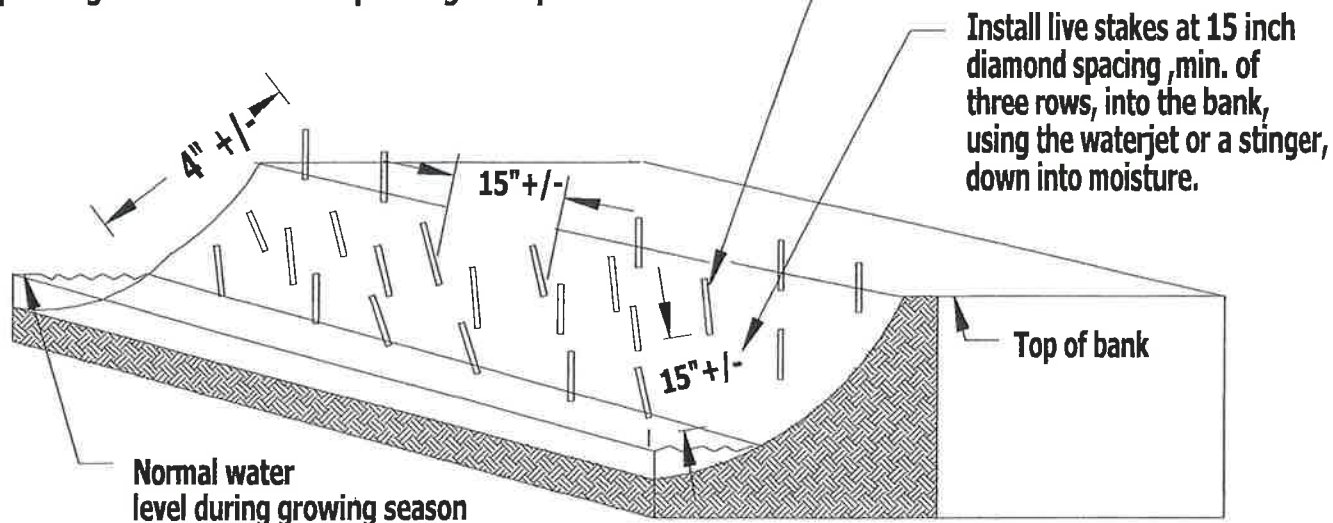
drawn by rel
date

SCANNED sheet 8

MAY 25 2005 of 11

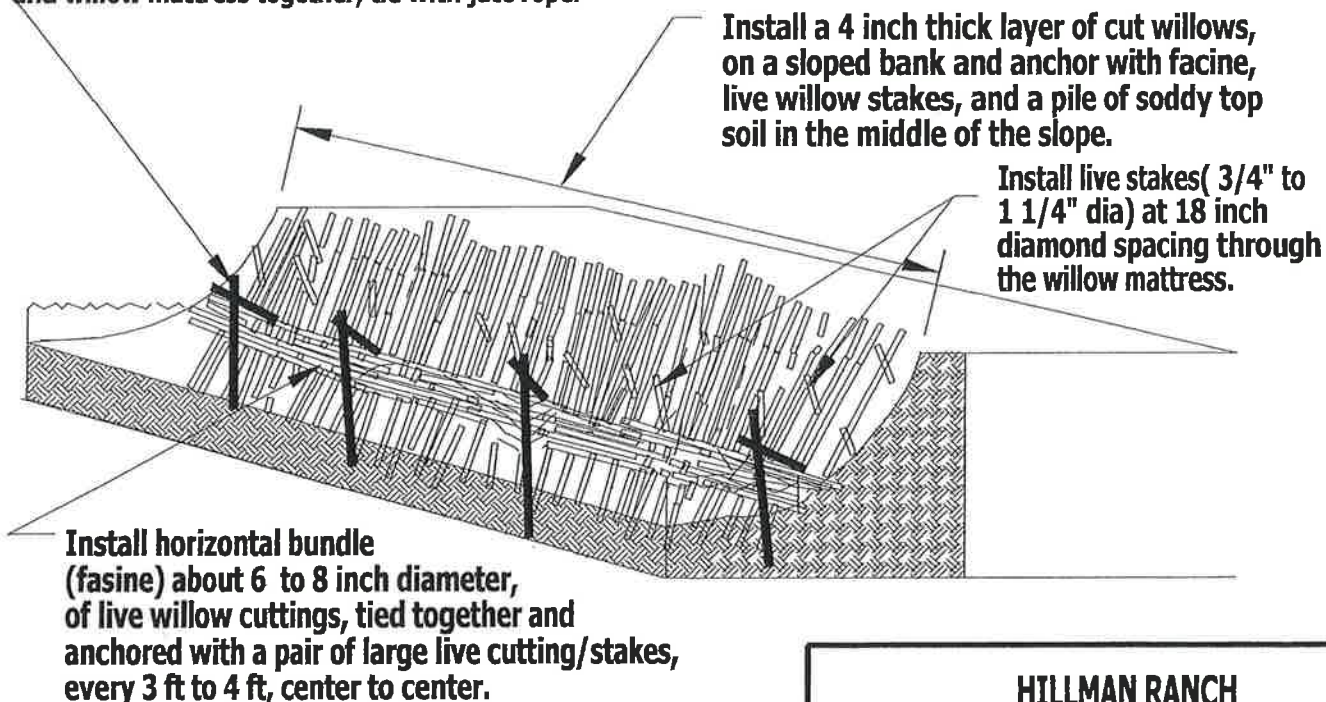
PROOF

Install select willow cuttings, planted into; water jet, power auger, or punch bar holes, 2 1/2 to 3 ft. min. deep holes. Refer to THE PRACTICAL STREAMBANK BIOENGINEERING GUIDE for planting stock selection and planting techniques.



LIVE WILLOW POLE PLANTING TREATMENT

ANCHOR STAKES-install a average of a pair of 2" dia. stakes every 3 ft. to 4 ft, to hold the fasine at the low water line and to bind the fascine and willow mattress together, tie with jute rope.



LIVE BRUSH MATTRESS TREATMENT ANCHORED WITH STAKES AND A FASCINE REVETMENT

HILLMAN RANCH
TETON CREEK
STREAM STABILIZATION
Teton SCD Driggs, Idaho

NATURAL RESOURCES CONSERVATION SERVICE

drawn by rel

date:

SCANNEL

MAY 25 2005

sheet 10

of 11

PROFILED

STREAM

FLOW

Existing bank

Install Rock boulders
offset in the stream
and rock riprap mix
on the bank and in
the anchor

willow
planting

ENERGY DISSIPATER ROCK BARB

SCALE: as shown

10'
@ 53 deg.

avg bottom

4'

18"

24"

6'

CROSS SECTION

6'

5'

anchor into
bank

8 ft

6" slope toward
middle

3'-6"

18"

3'-6"

Anchor 24" into channel bottom
and 5' into sides of channel

plant willows cutting
in anchor excavation

ROCK BARB DESIGN CROSS SECTION

SCALE: as shown

NOTE: about 15 cy per barb

HILLMAN RANCH
TETON CREEK

ROCK RIPRAP BARB STRUCTURE
Teton SCD Driggs, Idaho

NATURAL RESOURCES CONSERVATION SERVICE

drawn by rel
date:

sheet 1/
of 11

THIS HAS NOTHING
ABOUT A CHANCE TO
THE WELL MOTOR SIZE.

CANB CLO 3/28/05

3/28/05

MR. HUMANE DISCUSSED THE NRCS PROG
AS THOUGH A LARGER PUMP WAS BEING
INSTALLED TO ACCOMMODATE STOCKWATER
AND IRRIGATION FROM THE WELL
(22-11822) - I ADVISED HIM HE CAN'T
IRRIGATE FROM THE WELL UNLESS HE
CAN DEMONSTRATE THAT "THIS" WELL
WAS USED FOR IRRIGATION PRIOR TO
MARCH 25, 1963 (AND PROVIDE EVIDENCE
OF SOME MANNER). AS FAR AS STOCK
WATER GOES AN AMENDMENT TO 11822
FROM COMMERCIAL TO STOCK IS ALL THAT
IS NEEDED -

HE STATES THEY DON'T AND HAVE'NT IRRIG.
FROM THE POND IN YEARS - 11823 - Q:
IS THE RIGHT GONE?

non

SCANNED

MAY 25 2005

PROFILE

March 17, 2005

GUY HILLMAN
PO BOX 37
DRIGGS ID 83422

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11822

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of December 31, 1928, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date". **PLEASE READ THE ENCLOSED PAMPHLET.**

SCANNED

MAY 25 2005

PRO

*Ammon 4/27/05 - No noon for
Evidence since stockwater only*

MAILED
19 MAR 2004

March 19, 2004

**GUY HILLMAN
BOX 37
DRIGGS ID 83422**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11822

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of DECEMBER 31, 1928, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

MAILED
MAY 25 2005

SCANNED

MAY 25 2005

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 22-11822
Date Received: 9/22/1988
Receipt No: M001397
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE GUY HILLMAN FAMILY CREDIT SHELTER TRUST Phone: (208) 354-2748
ATTN KENT HILLMAN
PO BOX 37
DRIGGS ID USA 83422

2. Date of Priority: 12/31/1928

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	2	SE NE NW	TETON	

5. Description of diverting works:

WELL, 35' DEEP, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.05	2.7

7. Total Quantity Appropriated is:

0.05 C.F.S. and/or 2.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 100

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	45E	2	NE NW	STOCKWATER	

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

PROFILED

SCANNED
MAY 25 2005

AMENDED TO CHANGE NATURE OF USE FROM COMMERCIAL TO STOCK WATER (100 CATLE, 14 HORSES).

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 Organizations:

I do solemnly swear or affirm that I am Kent Hillman of
Title
The Guy Hillman Family Credit Shelter Trust, that I have signed the foregoing
Organization
document in the space below as Personal Representative of
Title
The Guy Hillman Family Credit Shelter Trust and that the statements contained in the
Organization
foregoing document are true and correct. Kent Hillman
Signature of Authorized Agent
Personal Representative - Guy Hillman Family Credit Shelter Trust
Title and Organization
5-5-05
Date

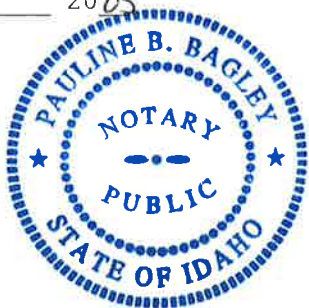
State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of May 2005

Pauline Bagley
Notary Public

Residing at Victor

My commission Expires 8/2005



SCANNED

MAY 25 2005

PROFILED
04/27/2005

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: A22-11822
Date Received: 9/22/1988
Receipt No: M001397
Received By: *[Signature]*

RECEIVED

AUG 13 1992

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: GUY R. HILLMAN 208-354-8221
Address: BOX 37
DRIGGS, ID 83422

OR

Name: ELVA L. HILLMAN 208-354-8221
Address: BOX 37
DRIGGS, ID 83422

2. Date of Priority: DEC 31, 1928

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	2	SE	NE	NW		TETON

5. Description of diverting works:
WELL, 35' DEEP, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.060		

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:
SLAUGHTER HOUSE FACILITIES

A22-11822

Page 1

Date: 09/22/88

PROFILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 06 1992

A2211822



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	2	NE NW		COMMER	

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
NONE

14. Remarks:

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 j 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): X Tony R. Hillman Date: X 9-22-1988
Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Sept 19 88 William Gene E.

Notary Public

Seal

Residing at Boise, Id

My Commission Expires 9-2-1994

SCANNEL

MAY 25 2005

MICROFILMED

NOV 06 1992

PROFILED

Slaughter
house

48 43000m. N.

Guy Hillman

T4N R4SE

1 120 000 FEET
(WYO. 4 WEST)

SECTION 2

SENE NW

T5N



T4N

SCANNED

MAY 25 2005

MICROFILMED

NOV 06 1992

