

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

EXPLANATORY MATERIAL: Beneficial Use

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: 22-11823

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

PROFILE

Kent Hillman



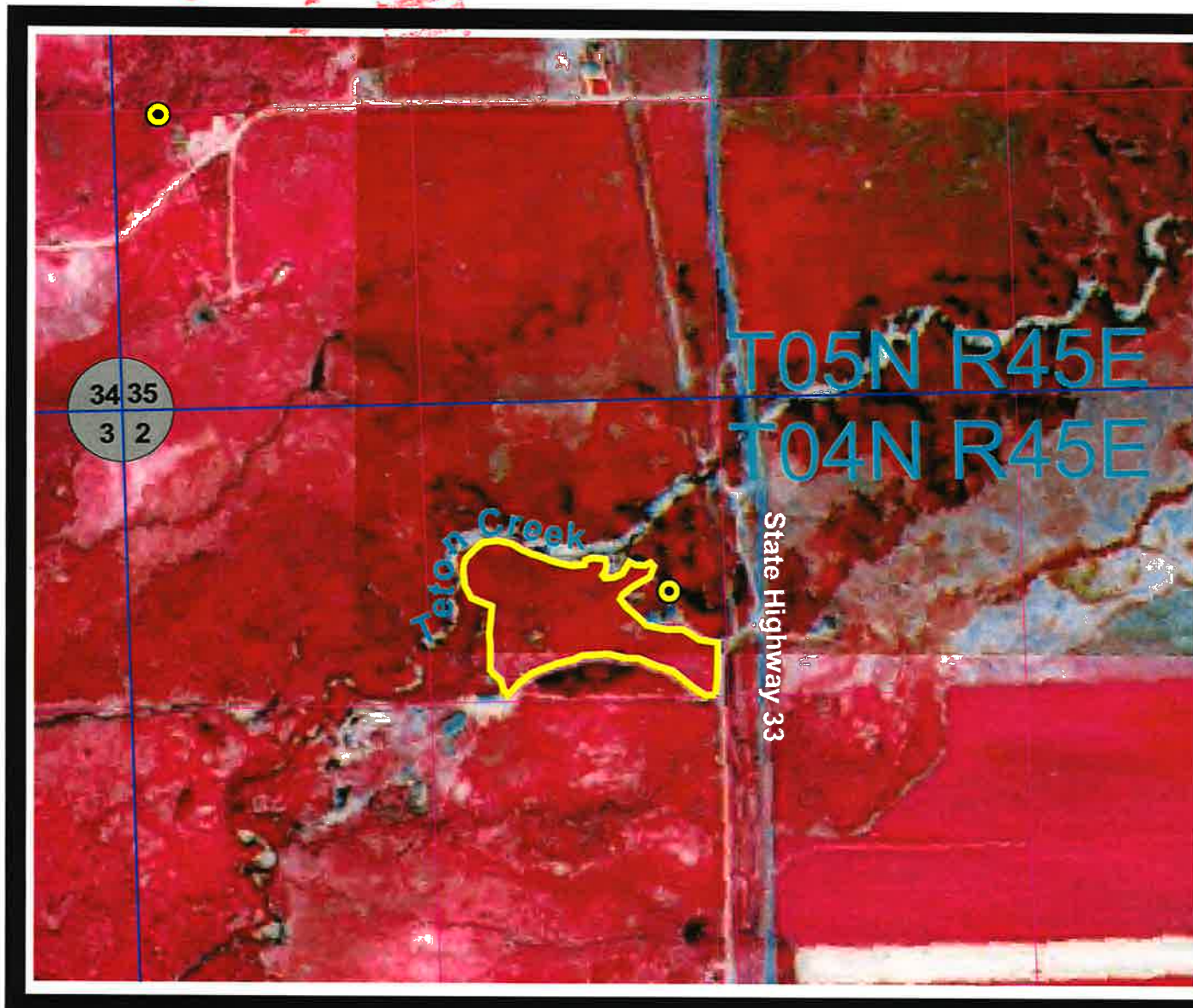
SCANNED
MAY 25 2005

PROPOSED

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

700 0 700 1400 2100 2800 3500

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.**

Deed Cont. & 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 August 26, 1995

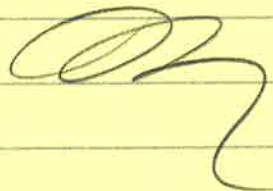
SCANNED

MAY 25 2005

PROCESSED

3/28/05 Discussed w/ Kent Hillman the need
to Amend this claim from Commercial to
Stock since the Slaughter House is no
longer used, but the way is used for
stock and irrig -

See NRCS plan and yellow pg
note in 22-11822.



4/27/05 Sent Amendment via
Kathy —

PROFILED

SCANNED
MAY 25 2005

Contacts Data Entry Form

Claim Number: 2211823

Owner Type	Full Name	Address	City	State	Zip
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Current Owner:	<u>Guy B. Hillman</u>	Phone No.:	<u>208-354-5221</u>
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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.4/25/05 c/o ELDD TO HILLMAN in TRUSTFE pod/pou compliance/system

Reviewer: _____ Date: _____

PROFILED

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MAY 25 2005

Priority Date Data Entry FormClaim Number: 2211823

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 15 April, 1948 Claimed Basis: BU

Recommended Priority Date: _____ Recommended Basis: _____

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

Evidence Supports Date Claimed

Reviewer: _____

Date: _____

PROFILED**SCANNED**
MAY 25 2005

Point of Diversion and Source Data Entry FormClaim Number: 2211823Water 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	UNNAMED STREAM	TETON RIVER

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:*As claimed*

Reviewer: _____ Date: _____

SCANNED

MAY 25 2005

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Place Of Use Data Entry Form

Claim Number: 2211823Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
4N	45E	2	NE	1/4	TaTeh		20	Irrigation

Total acres 20Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:Ac per GBS

Reviewer: _____ Date: _____

SCANNED

MAY 25 2005

PROCESSED

Season of Use and Quantity Data Entry Form

Claim Number: 2811 823Water 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
Irrigation	4/15	10/15	0.40	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Prng	4/15	10/31	0.18	

Overall Diversion Rate _____ Overall Diversion Volume _____

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

IDWR. STD. SOD. 4/15 - 10/31

$9 \text{ ac} \times .02 = 0.18 \text{ cfs}$

Reviewer: _____

Date: _____

PROCESSED

SCANNED
MAY 25 2005



Pond used to irrigate Hillman claim
near the old slaughterhouse

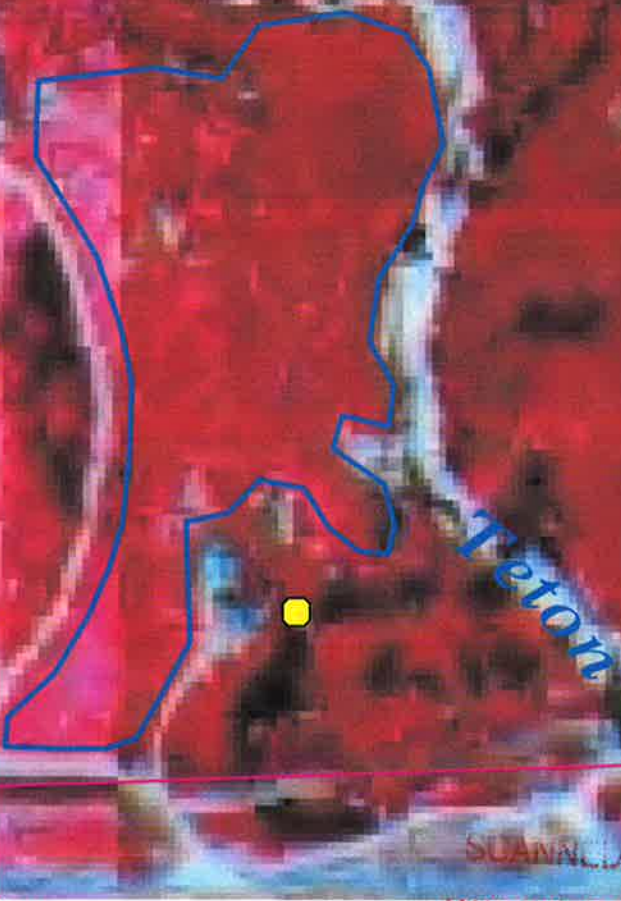
DD

PROTECTED

SCANNED
MAY 25 2005

34 35
3 2

T5N, R45E
T4N, R45E



SCANNED

MAY 25 2005

PROTECTED

March 17, 2005

GUY HILLMAN
PO BOX 37
DRIGGS ID 83422

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11823

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 April 15, 1948, from an UNNAMED STREAM.

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

PROFILED

MAILED
19 MAR 2004

March 19, 2004

**GUY HILLMAN
BOX 37
DRIGGS ID 83422**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11823

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 APRIL 15, 1948, from an UNNAMED STREAM.

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.

SCANNED

MAY 25 2005

PROFILED

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 22-11823
Date Received: 9/22/1988
Receipt No: M001397
Received By:

**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: 04/15/1948
3. Source: UNNAMED STREAM Trib. to: TETON CREEK
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:
POND, TRACTOR, PUMP, HANDLINES AND SPRINKLERS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.4	
7. Total Quantity Appropriated is:
0.4 C.F.S.
8. Total consumptive use:
9. Non-irrigation uses:
10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	45E	2	NE NW	IRRIGATION	20
Section Acres					20
Total Acres					20
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:

SCANNED

MAY 25 2005

PROPOSED

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.

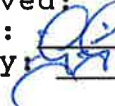
CIVIL CASE NUMBER: 39576

RECEIVED

AUG 13 1992

AUG 13 1992

Department of Water Resources
Western Regional Office

Ident. Number: A22-11823
Date Received: 9/22/1988
Receipt No: M001397
Received By: 

Department of Water Resources **NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

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: APR 15, 1948

3. Source: UNNAMED STREAM Trib. to: TETON CREEK

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:
POND, TRACTOR, PUMP, HANDLINES AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-11823

Page 1

Date: 09/22/88

FILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 06 1992

A2211823



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	2	NE NW		IRR	20.0
Section Acres						20.0
Total Acres						20.0

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

PROFILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 06 1992

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 X 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): *Gary R. Nelson* 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 Gibson
Notary Public

Seal

Residing at Boise, Id

My Commission Expires 9-21-99

PROFILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 06 1992

POND
IAR

48 43000m. N.

Guy Hillman
T4N R45E
SECTION 2

1 120 000 FEET
(WYO. 4 WEST)

SE NE NW

T5N

T4N

PROFILED

MICROFILMED
SCANNED
NOV 06 1992
MAY 25 2005

