

04/07/2004

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

RIGHT NUMBER: 23-92
NAME AND ADDRESS: GLEN H BILLS
15131 VERMONT ST
WESTMINSTER CA 92683
SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 4.000 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T02N R44E S33 SESESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	4.000 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S05	NESE	30.0	T01N R44E S05	NWSE	31.0
T01N R44E S05	SWSE	40.0	T01N R44E S05	SESE	39.0

140 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 140.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-19B, 29-47A, 29-92.

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: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-19B, 29-47A, 29-92.



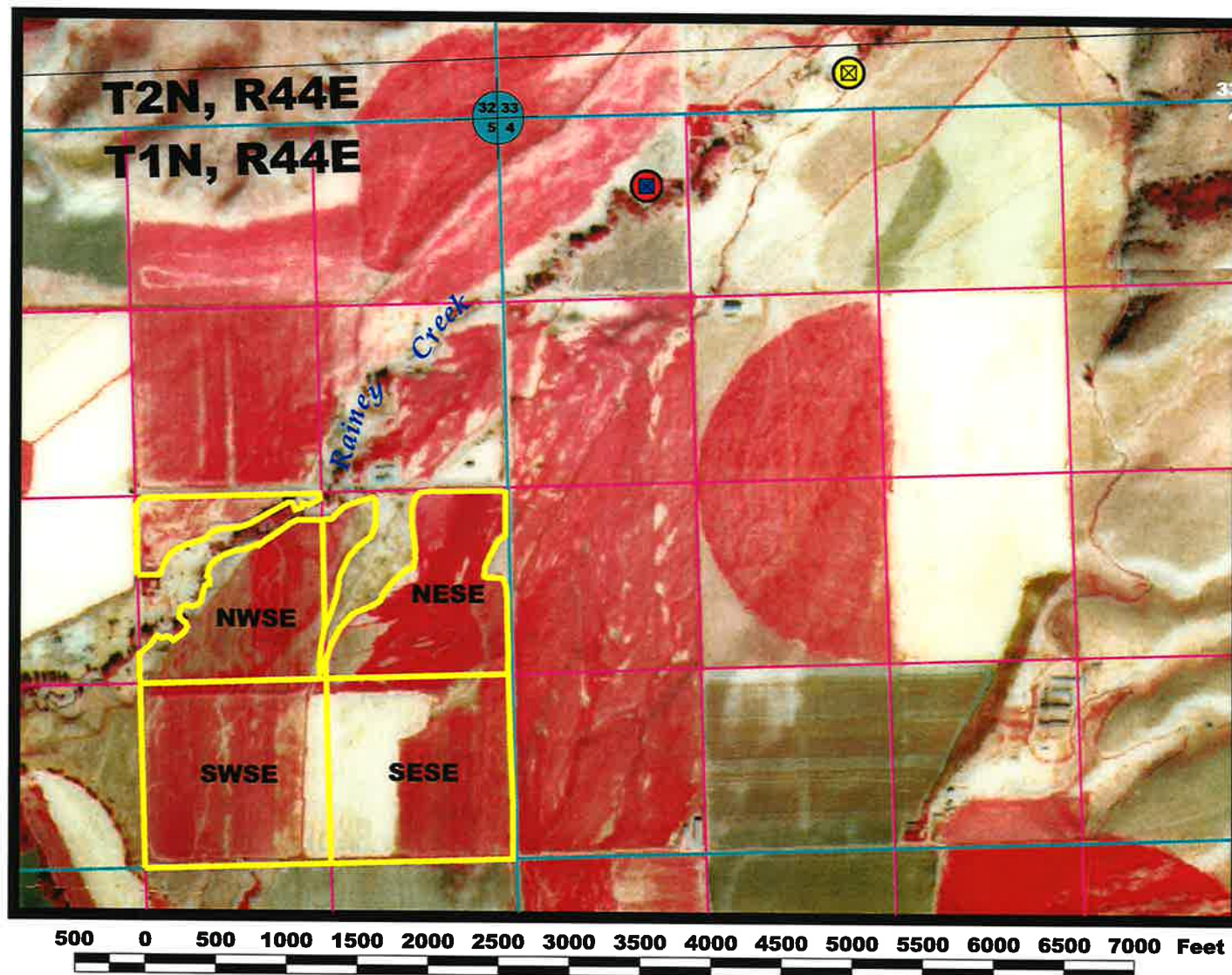
JUL 09 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-00019B,
23-00047A,
23-00092

Place of Use: T1N, R44E
(parts of) Sec.5 SE

Point(s) of Diversion: T2N, R44E
Sec. 33 SESESW



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: April 2003

02/20/2004

**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: 23-92

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740
Telephone Number: (310) 430-6655

CAROL W BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740
Telephone Number: (310) 430-6655

GLEN H. BILLS
15131 VERMONT ST.
WESTMINSTER, CA 92683
TEL: (714) 892-4994

CAROL W. BILLS
15131 VERMONT ST.
WESTMINSTER, CA 92683
TEL: (714) 892-4994

4/7/04
Done

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:

3/24/04

SIGNATURE:

Glen H. Bills

Please print your name: GLEN H. BILLS

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

SCANNED

JUL 09 2004

Contacts Data Entry Form

Water Right No. 23-92

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

Current Owner: CLON BILLS

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

Current Owner: % 2/93

Current Owner: _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

DESCRIBED UNDER PALISADES TRAIL VS L. CHANDLER, 1951.
SEE DISCREP EXCERPT ATTACHED

RE INDICATED: POD, POH, SYSTEM
OVERLAPS w/ Limits TO 23-19B AND 47A

Reviewer: _____

Date: _____

rights shall immediately lapse and become void and of no effect.

III.

It is further considered, adjudged and decreed by the Court that the plaintiffs are entitled to a summary decree and adjudication of the waters of Snake River and its tributaries with date of priority of January 22, 1910.

<u>Plaintiffs</u>	<u>Amount of Miners Inches</u>	<u>Amount of Second Feet</u>
The Palisade Irrigation Company	4890	97.8
J. L. Higham	120	2.4
Richard A. Beam	360	7.2
Ivan Weeks	160	3.2
<u>Thomas M. Weeks</u>	<u>200</u>	<u>4.</u>
John B. Miller	240	4.8
Shurtleff Bros.	880	17.6
Elizabeth Beam	150	3.
David H. Peterson and Jess L. Peterson	100	2.00
Henry Goettsche	312	6.24
Weeks Bros.	135	2.7
Luther Smith	160	3.2
M. E. Toliver	800	16.
Harry Bitton	160	3.2
Francis Stoltenberg	210	4.2
Joe Kruse	120	2.4
Henry McCabe	150	3.

IV.

Further ordered, adjudged and decreed that the plaintiffs have the right to divert and use said quantity of water with the said priority date subject, however, to the terms of the said decree of December 16th, 1910, and said decree of June 25th, 1929, for use for irrigation and domestic purposes upon the following described lands, to-wit:

23-0092 It is further Ordered, Adjudged and Decreed that the plaintiff, Thomas M. Weeks, has the right to divert from Upper Rainey Creek and use said quantity of water with the said priority date for irrigating and domestic purposes upon the following described lands, to-wit:

Southeast Quarter (SE $\frac{1}{4}$), Section Five (5), Township one (1) North, Range Forty-four (44), East of the Boise Meridian.

23-0093 It is further Ordered, Adjudged and Decreed that the plaintiff, John B. Miller, has the right to divert from Upper Rainey Creek and use said quantity of water with the said priority date for irrigating and domestic purposes upon the following described lands, to-wit:

Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section Six (6); Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section Seven (7); South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), Section Five (5); North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$); Section Eight (8), Township One (1) North, Range Forty-four

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1/22/1916 Claimed Basis: DOCRecommended Priority Date: 1/22/1916 Recommended Basis: DOC☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

Matches Documents

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 2N, R 44E, Sec. 33, SE, SE, SW. County: BONN.Source: RAINY CR Tributary: SNAKE RIVER

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: RA Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
					<u>BONN</u>	<u>RAINY CR</u>
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSED BY DEEDS. RECOMM AS CLAIMED.

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
IN	44E	5	SE		BOON		140	Pang

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

POU DETERMINED BY DEEDS AS SE⁴ SEC. 5 T1N, R44E - SO CLAIMED
SO RECOMMENDED.

OVERLAPS w/ 23-19B AND 47A w/ Ac Limits to each

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

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

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Irrig</i>	<i>4/1</i>	<i>11/1</i>	<i>40</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Irrig</i>	<i>4/15</i>	<i>10/31</i>	<i>40*</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

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

DEBROS DOES NOT DEBROS SOIL-USE DEBROS AS 4/15 TO 10/31.

** Q IS DEBROS AS 4.2 cfs, CLAIMS 4.0 cfs - HOWEVER, 140 AC @ 4.0 cfs = 0.02857... cfs/AC @ 0.02 (42.220 IC) AND 140 AC = 2.80 cfs → LOADS 1.2 cfs for DITCH LOSS COMBINED Q REMARKS APPLY*

Reviewer: _____

Date: _____

Log for claim 23-00092

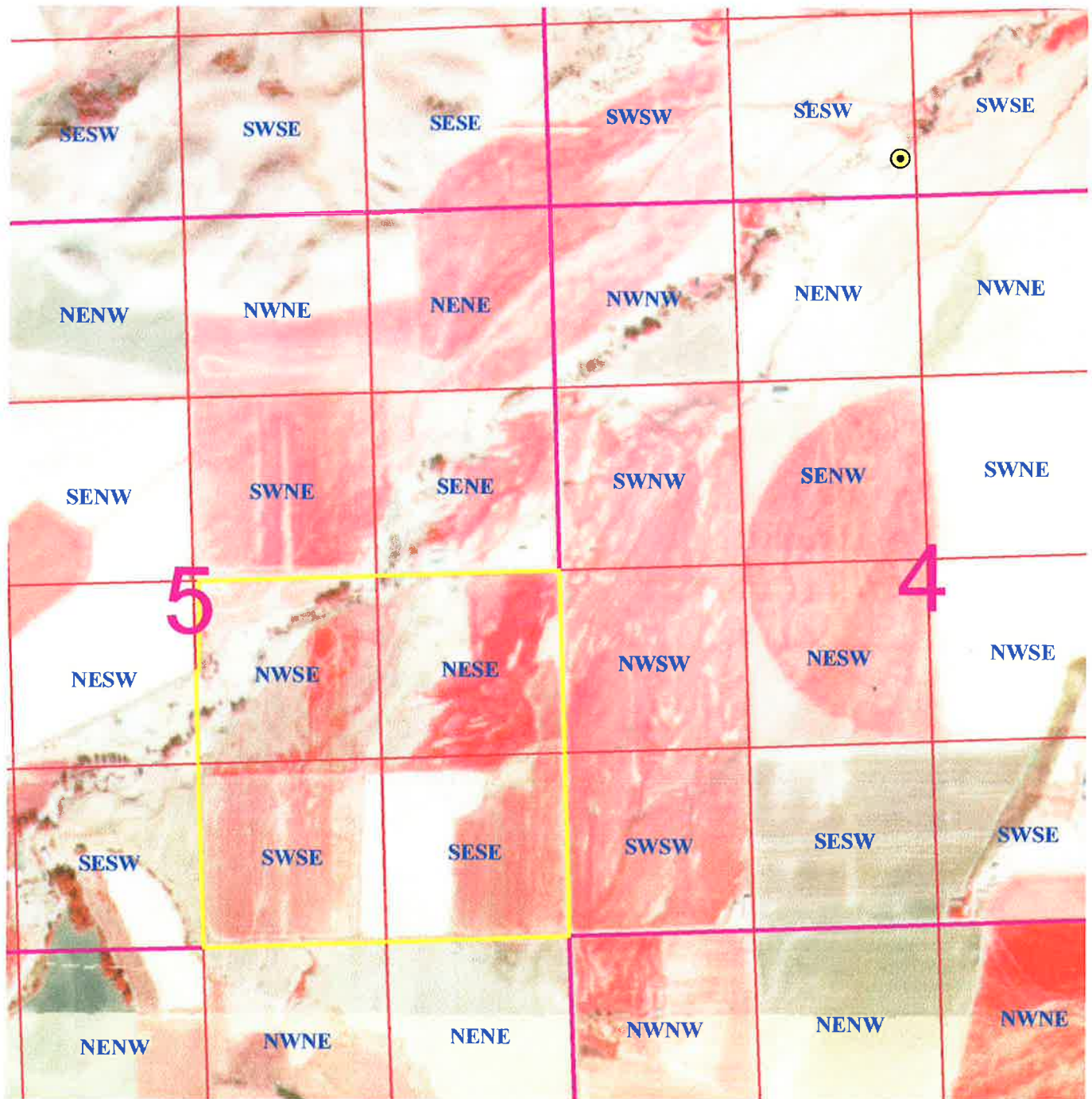
Spatial Dynamics BTD

5/31/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	5	NESE	35	40	Indiscernible
01n44e	5	NWSE	35	39	Indiscernible
01n44e	5	SWSE	35	40	Indiscernible
01n44e	5	SESE	35	40	Indiscernible
Totals:			140	159	

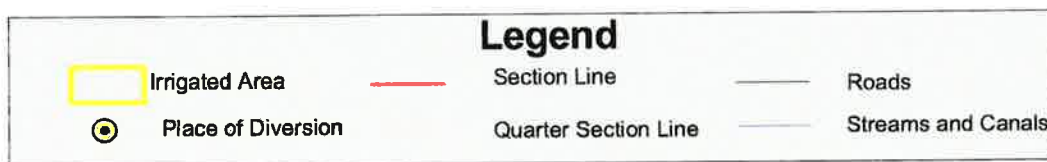
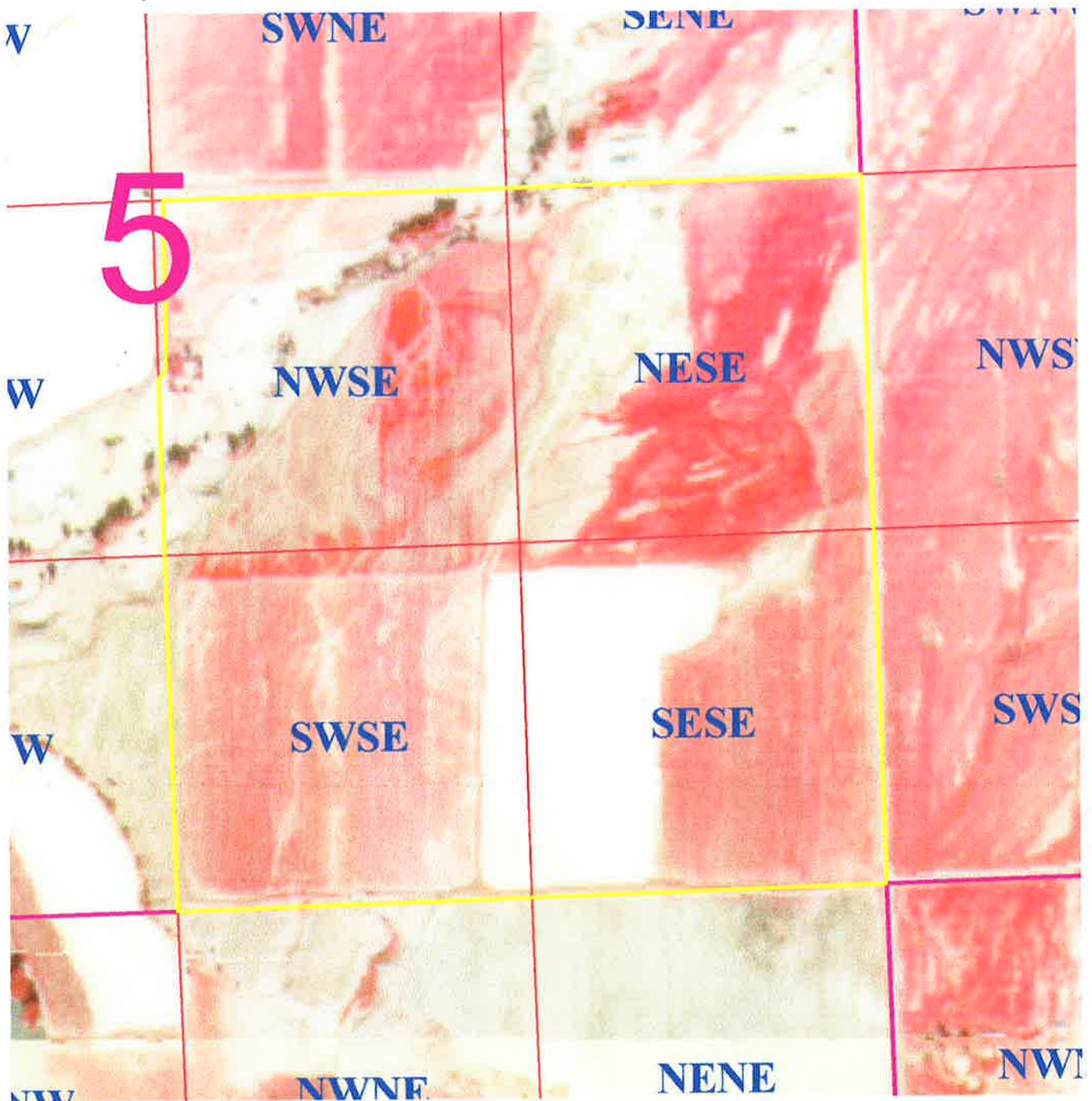
Water Right Claim Number 23-00092
Township , 1N44E

05/31/2001



Water Right Claim Number 23-00092
Township , 1N44E

05/31/2001





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

APR 06 1993

Department of Water Resources
Eastern District Office

DATE OF CLOSING: July, 1992

LEGAL DESCRIPTION OF PROPERTY: Township 1 North Range 44 East
Section 5, 1/4 of 1/4 of s/e 1/4 Govt. Lot, BM. See attached
Lot , Block , Subdivision/Townsite for exception
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A23-00047A; A23-00019B; A23-00092; A23-0191
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): MARGARETE HOWARD
PO Box 25
SWAN VALLEY, ID. 83449
- ☐ New Owner/Claimant (Purchaser): GLEN H. & CAROL W. BILLS
- ☐ New Mailing Address: 154 ELECTRA AVE. SEAL BEACH
SEAL BEACH, CA 90740
- ☐ New Telephone Number: (310) 430-6655
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Certified copy of Warranty Deed #832303
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s)

Glen & Carol W. Bills

Date 2/8/93Date 2/8/93

☐ Signature of Former Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

APR 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

APRIL 7, 1993

GLEN H BILLS
154 ELECTRIC AVE
SEAL BEACH CA 90740

RE: CHANGE IN OWNERSHIP FOR A23-00047A, -00019B, -00092,
AND -10191

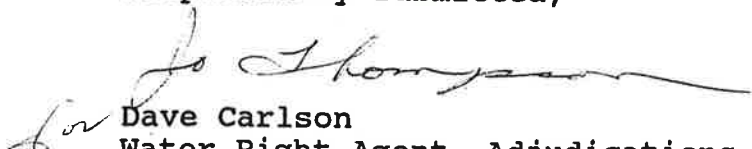
Dear Mr. Bills:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,


for Dave Carlson
Water Right Agent, Adjudications

DC:jt

Enclosure: Notices of Claim

cc: Margarete Howard/Change Ownership Form

MICROFILMED

APR 11 1994

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: **A23-00092**
Date Received: 8/25/1989
Receipt No: E009979
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GLEN H BILLS
Address: 154 ELECTRIC AVE
SEAL BEACH CA 90740
AND/OR
Name: CAROL W BILLS
Address: 154 ELECTRIC AVE
SEAL BEACH CA 90740
310-430-6655
310-430-6655
2. Date of Priority: JAN 22, 1916
3. Source: RAINEY CREEK, UPPER Trib. to: SNAKE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	44E	33	SE	SE	SW		BONNEVILLE
5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES. FLOOD IRRIGATION
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		
7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 350.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

MICROFILMED
APR 11 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	5	NE	SE		IRR	35.0
			NW	SE		IRR	35.0
			SW	SE		IRR	35.0
			SE	SE		IRR	35.0
						Section Acres	140.0
						Total Acres	140.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-0019B, 23-0047A

14. Remarks:
P/D NOT GIVEN IN DECREE.
P/U INCOMPLETE IN DECREE
RIGHT CANNOT BE TRANSFERRED. SEE DECREE.
WEEKS BROTHERS HAVE LEASE AGREEMENT WITH MRS. HOWARD TO FARM
THIS PARCEL.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

PALISADE IRR. CO., ET AL.
Decree Plaintiff

LYNN CRANDALL.
vs Decree Defendant

MICROFILMED

APR 11 1994

50 X
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: A23-00092
Date Received: 8/18/1989
Receipt No: E009979
Received By: SBV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARGARETE HOWARD
Address: P.O. BOX 25
SWAN VALLEY, ID 83449 208-483-3361

OR

Name: WEEKS BROTHERS
Address: C/O STEVE WEEKS
P.O. BOX 25
SWAN VALLEY, ID 83449 208-483-3361

A2300092



2. Date of Priority: JAN 22, 1916

3. Source: RAINEY CREEK, UPPER Trib. to: SNAKE RIVER, SOUTH F

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	44E	33	SE	SE	SW		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A23-00092

Page 1

Date: 08/18/89

MICROFILMED
NOV 8 7 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	5	NE	SE		IRR	35.0
			NW	SE		IRR	35.0
			SW	SE		IRR	35.0
			SE	SE		IRR	35.0
						Section Acres	140.0
						Total Acres	140.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
23-0019B, 23-0047A

14. Remarks:
P/D NOT GIVEN IN DECREE.
P/U INCOMPLETE IN DECREE
RIGHT CANNOT BE TRANSFERRED. SEE DECREE.
WEEKS BROTHERS HAVE LEASE AGREEMENT WITH MRS. HOWARD TO FARM
THIS PARCEL.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

PALISADE IRR. CO., ET AL.
Decree Plaintiff

vs LYNN CRANDALL.
Decree Defendant

MICROFILMED
NOV 07 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: 1

For Organizations:

I do solemnly swear or affirm that I am President of Weeks Bros Inc Organization, that I have signed the foregoing document in the space below as President Title of Weeks Bros Inc Organization and that the statements contained in the foregoing document are true and correct.

Steve Weeks
Signature of Authorized Agent
Bros Weeks Bros Inc
Title and Organization
8/25/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of August 19 89

Eva Pen
Notary Public
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Seal

Residing at _____
My Commission Expires _____

A23-00092

Point of Diver

Point of Diver

DITCH

Pump Well

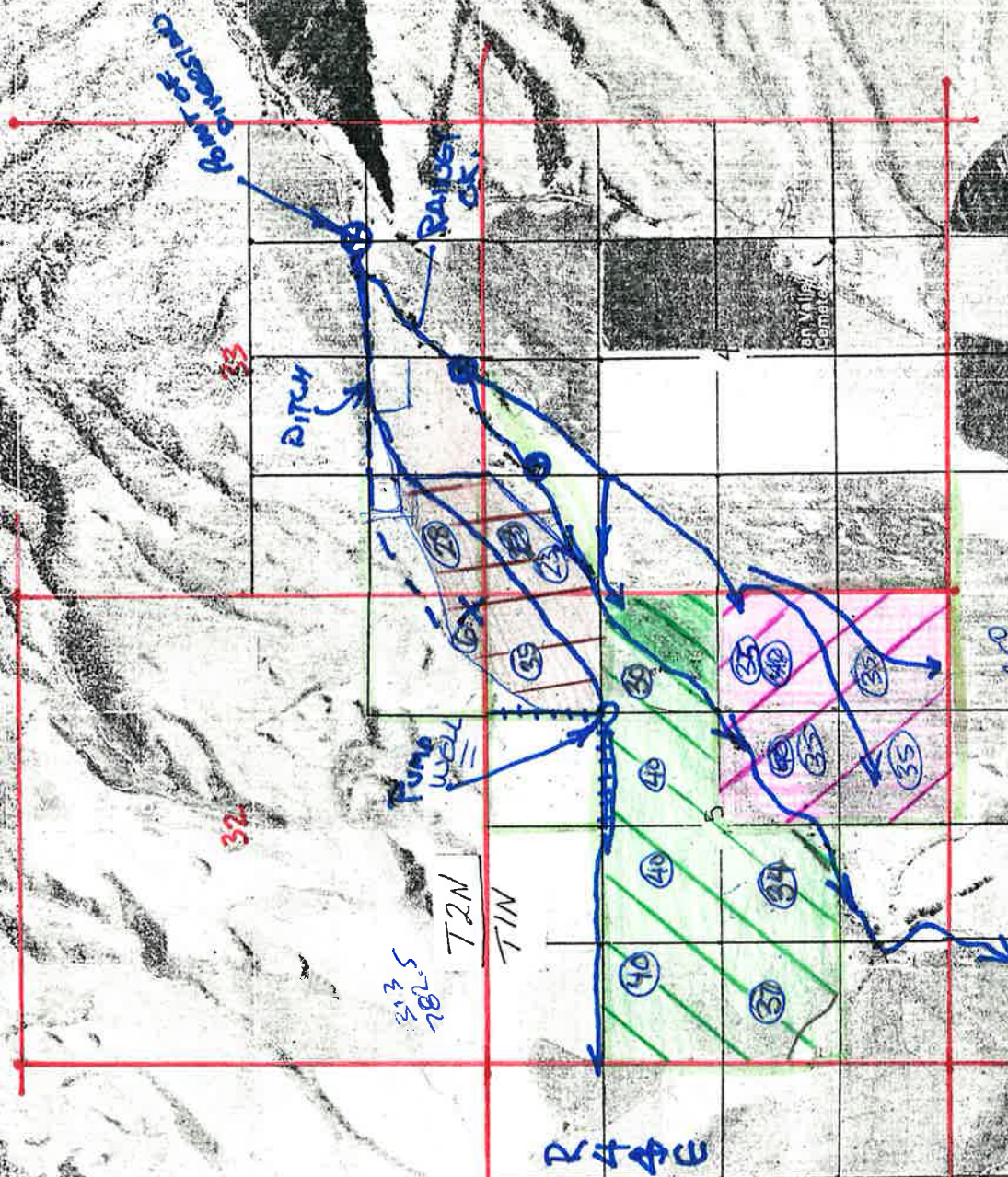
T2N
T1N

R4
E



11 CROFTLAND
400 11 1/2 AC.

R4
R4



MICROFILMED
NOV 4 7 1982

$$\frac{R_4}{R_4}$$