

06/21/2004

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

RIGHT NUMBER: 27-11978
NAME AND ADDRESS: COUNTY OF BINGHAM
501 N MAPLE #209
BLACKFOOT ID 83221-1700
SOURCE: GROUND WATER
QUANTITY: 2.980 CFS
521.500 AFY
PRIORITY DATE: 09/19/1977
POINT OF DIVERSION:

T01S R37E S27 SWSWNE Within BINGHAM County
T01S R37E S27 SWSWNW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.980 CFS 521.50 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T01S R37E S27	SWNW	39.0	T01S R37E S27	SESW	40.0
T01S R37E S27	NESW	40.0	T01S R37E S27	NWSW	30.0

149 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

RIGHT NO. 27-11977 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7113

12/19/2003

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

RIGHT NUMBER: 27-11978

NAME AND ADDRESS: COUNTY OF BINGHAM
501 N MAPLE #209
BLACKFOOT ID 83221-1700

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.980 CFS
521.50 AFY

PRIORITY DATE: 09/19/1977

POINT OF DIVERSION:
T01S R37E S27 SWSWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.980 CFS 521.50 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T01S R37E S27	SWNW	39.0	T01S R37E S27	SENW	40.0
T01S R37E S27	NESW	40.0	T01S R37E S27	NWSW	30.0

149 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 27-11977 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7113

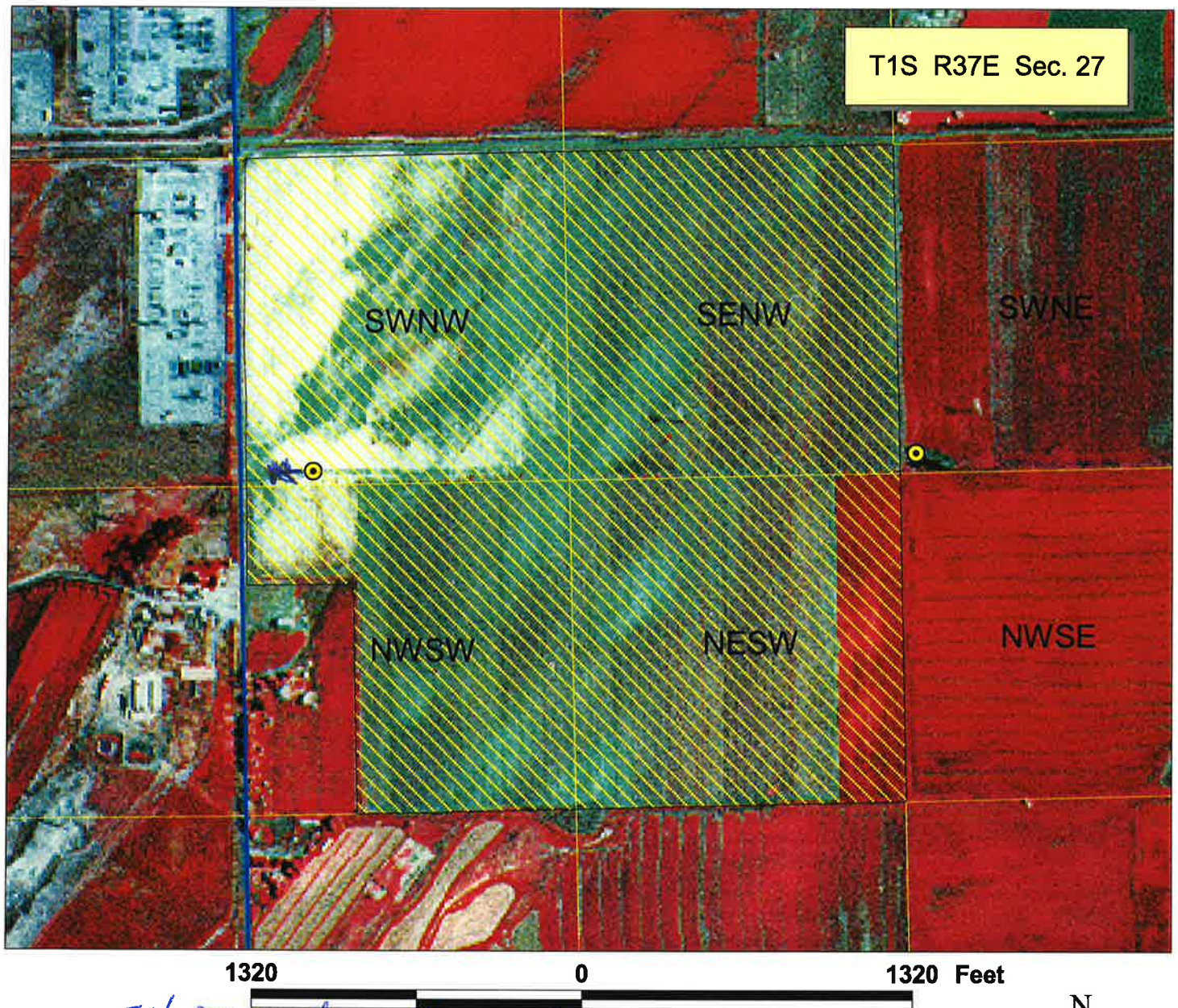


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 27-11978

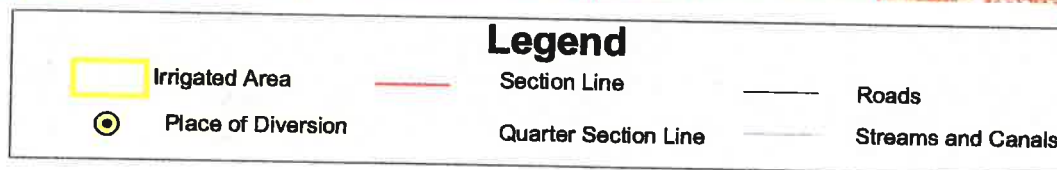
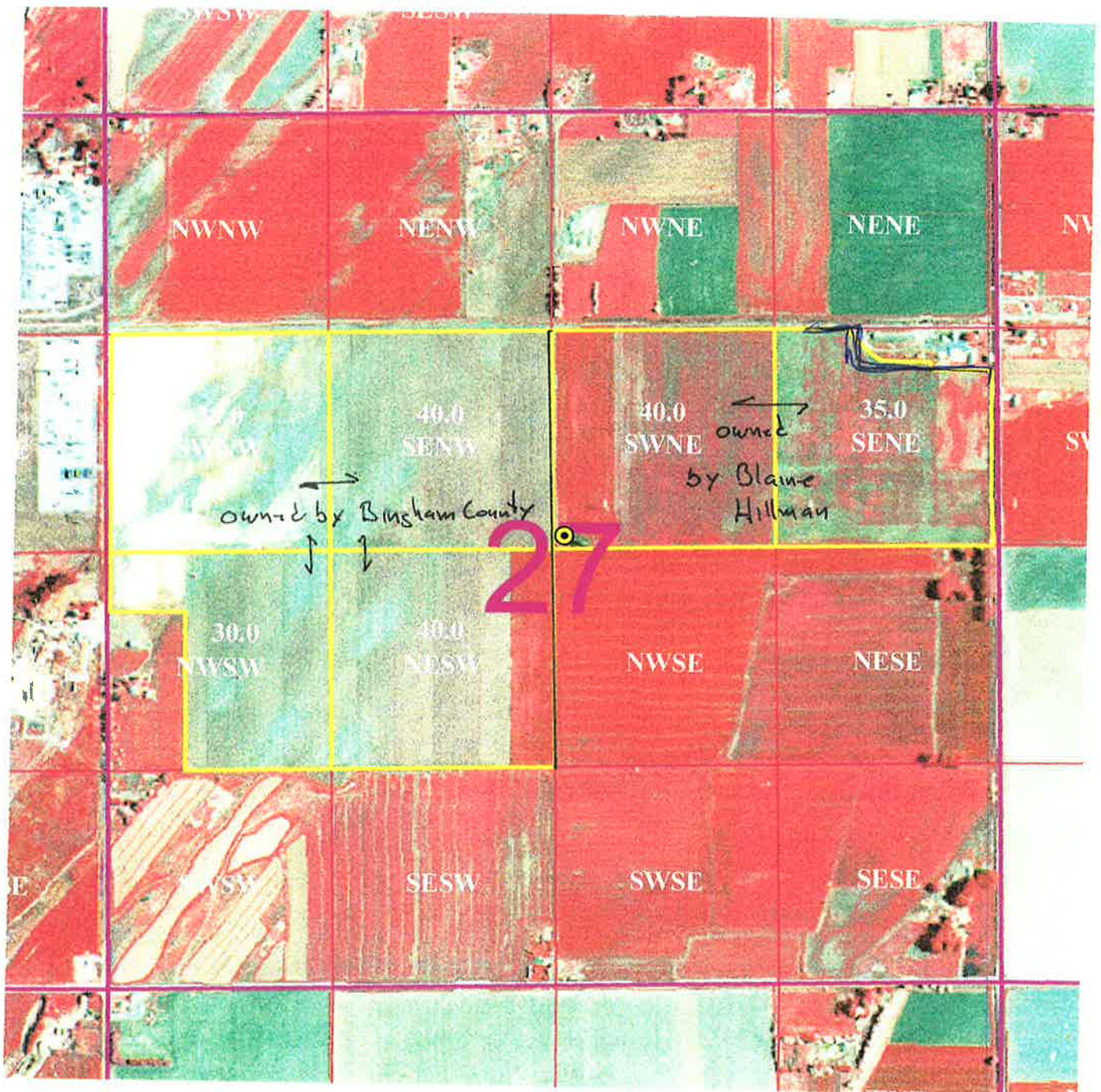


- Point of Diversion
- ▨ Place of Use
- ▭ Sections
- ▭ QQ

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: April 2004

Water Right Claim Number 27-07113
Township , 1S37E

11/10/2000



600 0 600 1200 Feet

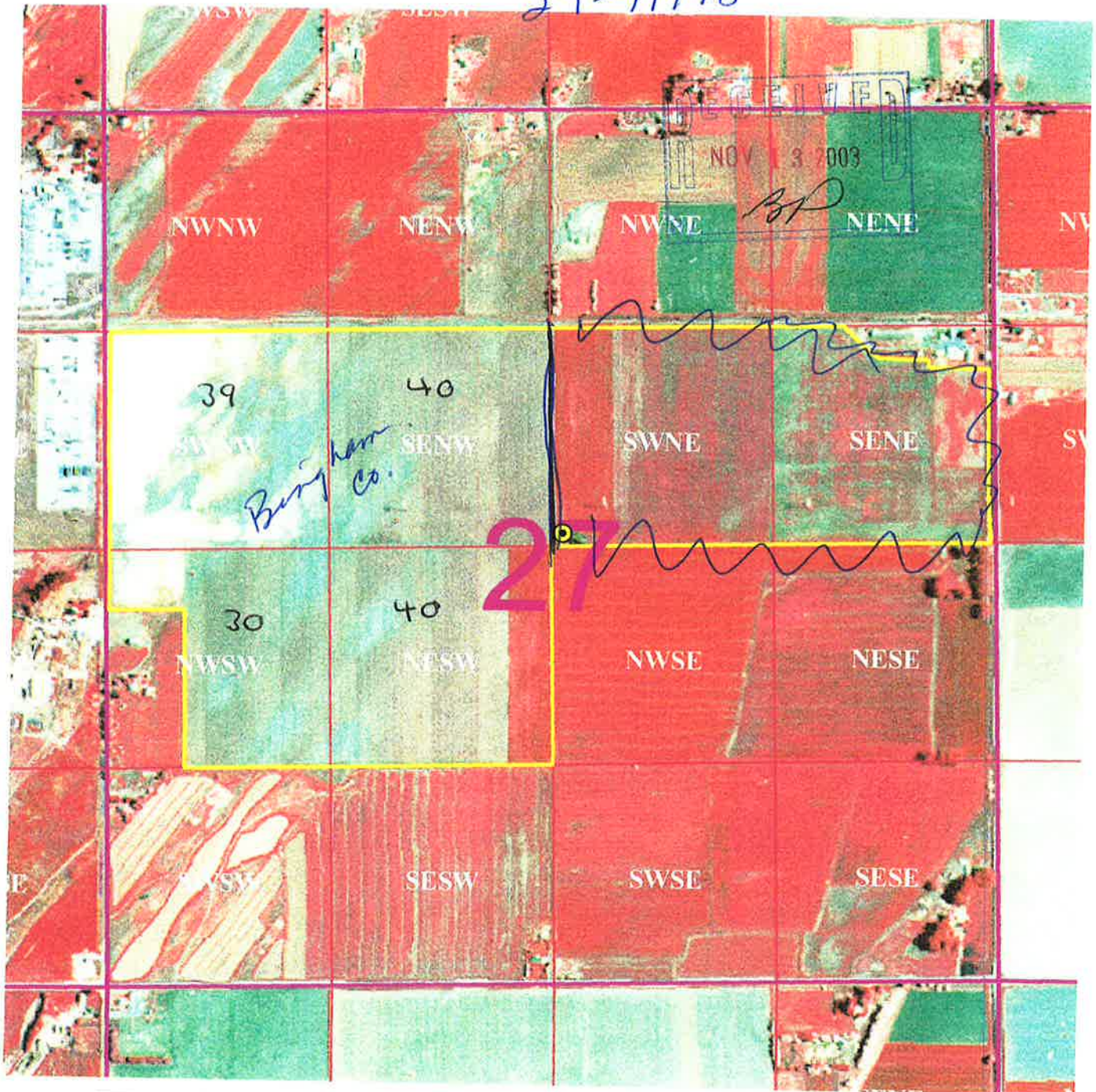


**SPATIAL
DYNAMICS**

Water Right Claim Number 27-07113
Township, 1S37E

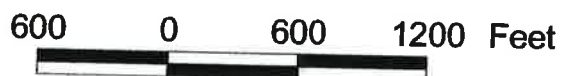
11/10/2000

27-11978



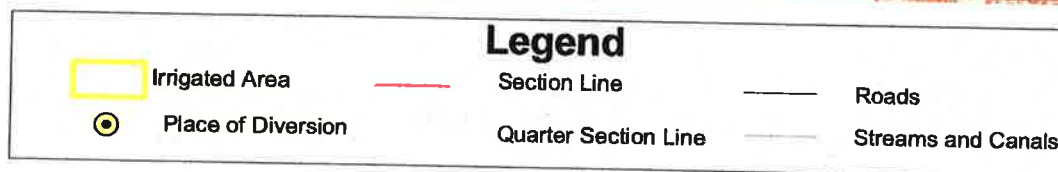
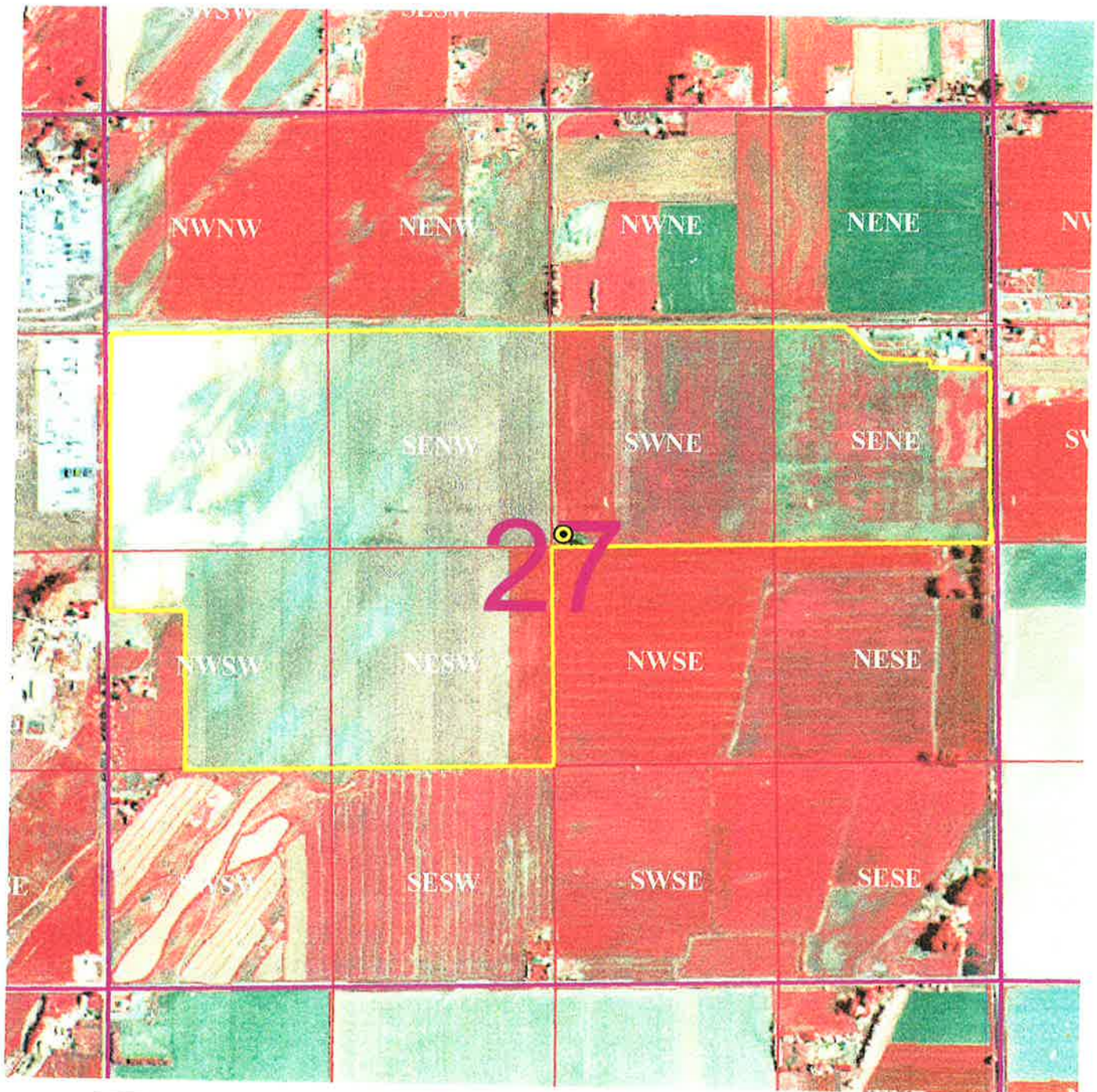
Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



Water Right Claim Number 27-07113
Township , 1S37E

11/10/2000



600 0 600 1200 Feet





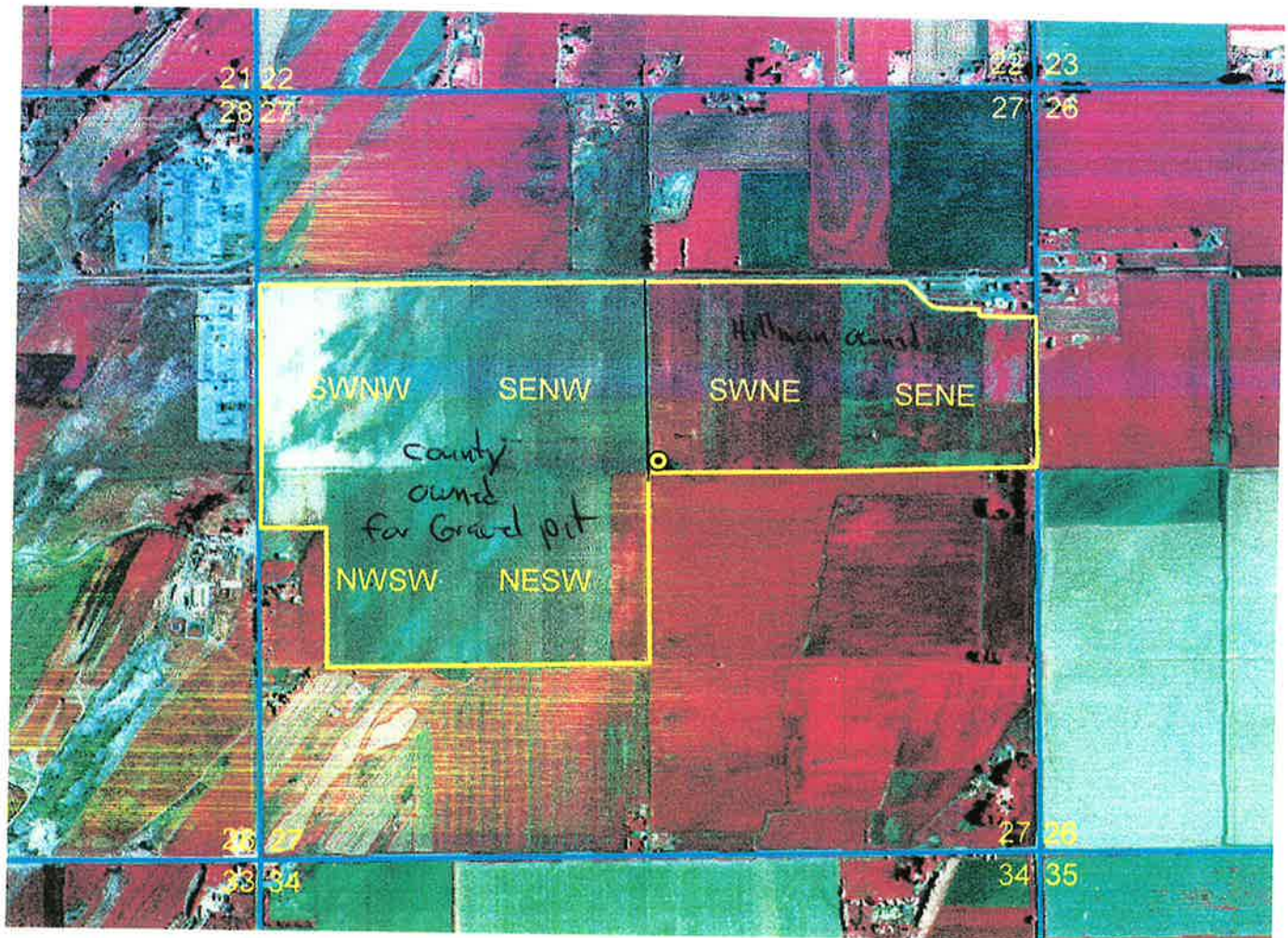
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7113



IRRIGATED ACRES 223.0



LEGEND

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

Place of Use: T1S, R37E
(part of) Sec. 27 SWNE, SENE,
SWNW, SENW, NESW, NWSW

Point of Diversion: T1S, R37E
Sec. 27 NWSW



GIS Place of Use
1987/88 NAPP Ph
Prepared by: B. Payne
Date: August 2003

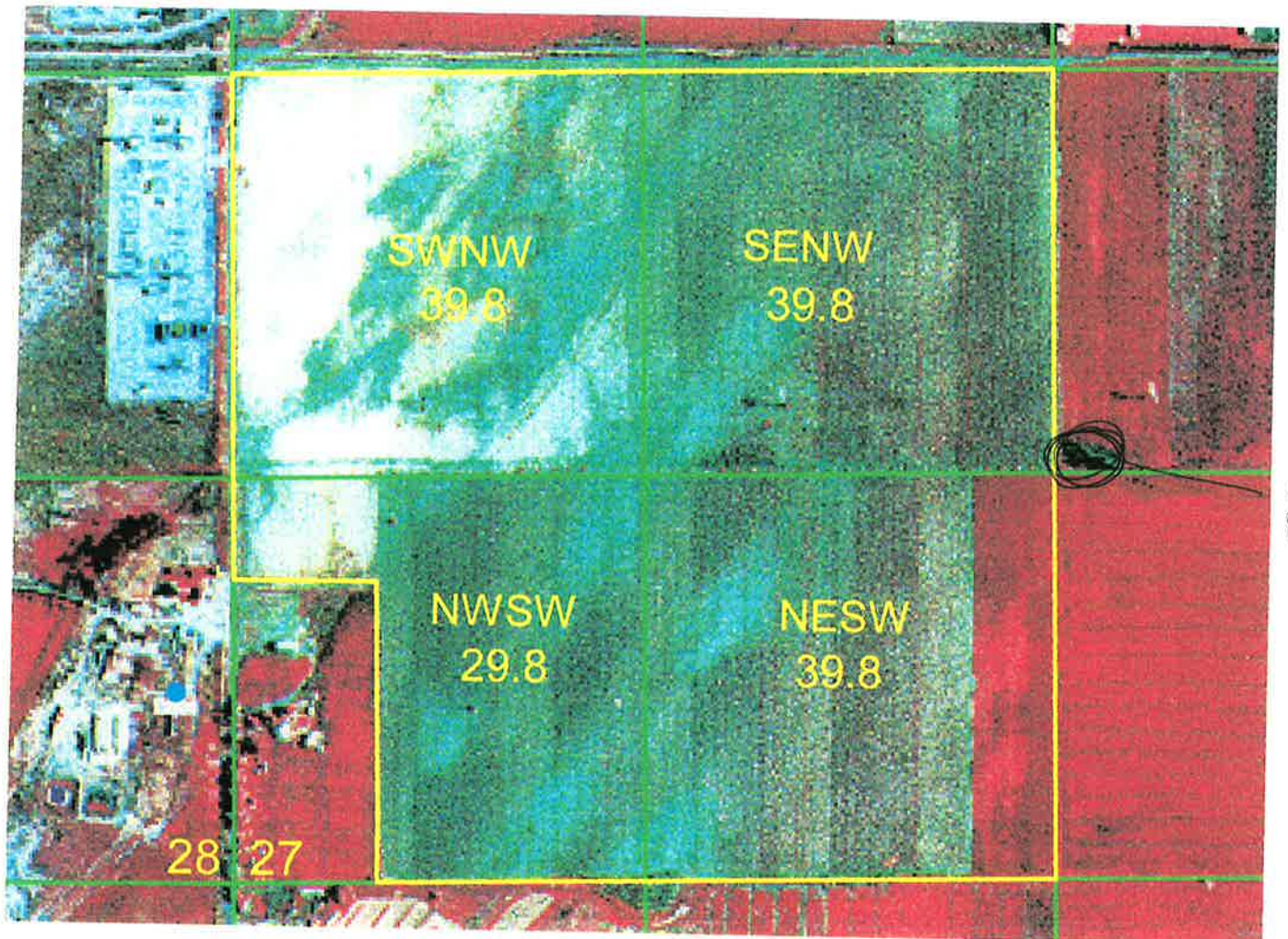


STATE OF IDAHO

Department of Water Resources
Eastern Region



Water Right(s) 27-7113



800 0 800 1600 Feet

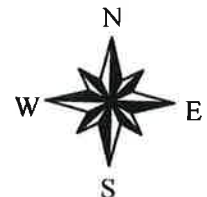
IRRIGATED ACRES 149.0

LEGEND

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

Place of Use: T1S, R37E:
(part of) Sec. 27, SWNW,
SENW, NWSW, NESW.

Point(s) of Diversion: T1S, R37E:
Sec. 27,



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: November 2003

06/21/2004

**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: 27-11978

COUNTY OF BINGHAM

501 N MAPLE #209

BLACKFOOT ID 83221-1700

Telephone Number: (208)785-8040

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:

7/7/2005

SIGNATURE:

Wayne T. Brower

Please print your name:

Wayne T. Brower, Commissioned Chair

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



RECEIVED

JUL 15 2005

Department of Water Resources
Eastern Region

Handwritten:
Kant
7/15

Date: 8 July 2005
To: File
From: Barbara
Re: 27-11978

I found this file on my desk. I checked for a project and shapes. I found a project in the "project recommended" folder. Although it appears to be the same shape as the drawing in the file prepared by Ryan Mikesell the POD file only has one point, not two. The one in the SWNW on the drawing is not included in the shape file we have in Soda. From the drawing, it looks like the POD in question is marked as being approximately 300 feet from the road.

I don't know how to correct this?

Barbara

Notes

12-1-03 claim 2 7-7113 is split. New #s 27-11977
27-11978

12/18/03 Recommended 27-11978 for Bingham Co.
149 acres. It is still operated by Blaine
Hillman. which still owns the property
in the S $\frac{1}{2}$ NE of Sec. 27, T1S, R 37E.

6/21/04 approved T71093 adding ~~and~~ additional
POD - CB

1130 pm called Eric to have him look
the new POD, reprint Notice of Error
sytle, & print a new layout. CB.

7/6/05 Paul Schneider, Bingham Co. 782-3171
cc 317-4381
Came by to talk about the POD. Everything
looks good. The pod in the SWNW needs
to move west a little. Paul will have
the commissioner sign the form. The well
is only 50' east of the road.

7-8-05 Note to file. BP

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71093APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Bingham County Phone 782-3170
Post Office address 501 North Maple #209, Blackfoot ID 83221

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Split from Former Right to 27-7113
the need for own well

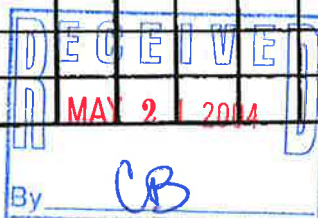
B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 27-11978 Priority 09-19/1927 Amount (cfs/ac-ft) 2.980 CFS Nature of Use IRRIGATION Period of Use 04-01 to 11-01
2. Total amount of water being transferred 2.980 cubic feet per second and/or 521.50 acre-feet per annum.
3. Source of water Ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	27	0.15	37E	Bingham	Hillman Pit
✓	SW	SW	NW	27	0.15	37E	Bingham	Farm Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01S	37E	27							39.0	40.0	40.0	30.0							149.0

Total acres 149.0

SCANNED

MAR 16 2007

T71093

PART 1

6. General Information:

a. Description of diversion system Drip System, To Tree's,

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

no change place of use

d. Remarks:

Land is going to be used for gravel pit, Tree's have been planted around boundary for dust control, noise and for view of the public

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

T71093

SCANNED
MAR 16 2004

Page 3 of 6

Page 1

Transfer No. 71093
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 27-11978

Priority Date: 09/19/1977

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	2.98 CFS	521.5 AFA	
	Total Diversion		2.98 CFS	521.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNE 01S 37E 27 BINGHAM

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 37E 27							39.0	40.0	40.0	30.0							149.0

Total Acres: 149

Conditions/Remarks:

1. 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.
2. RIGHT NO. 27-11977 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7113

SCANNED

MAR 16 2004

T71093

page 4 of 6

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. 71093
Receipt No. _____

Current Water Right No. 27-11978

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? ☒ No

T71093

SCANNED

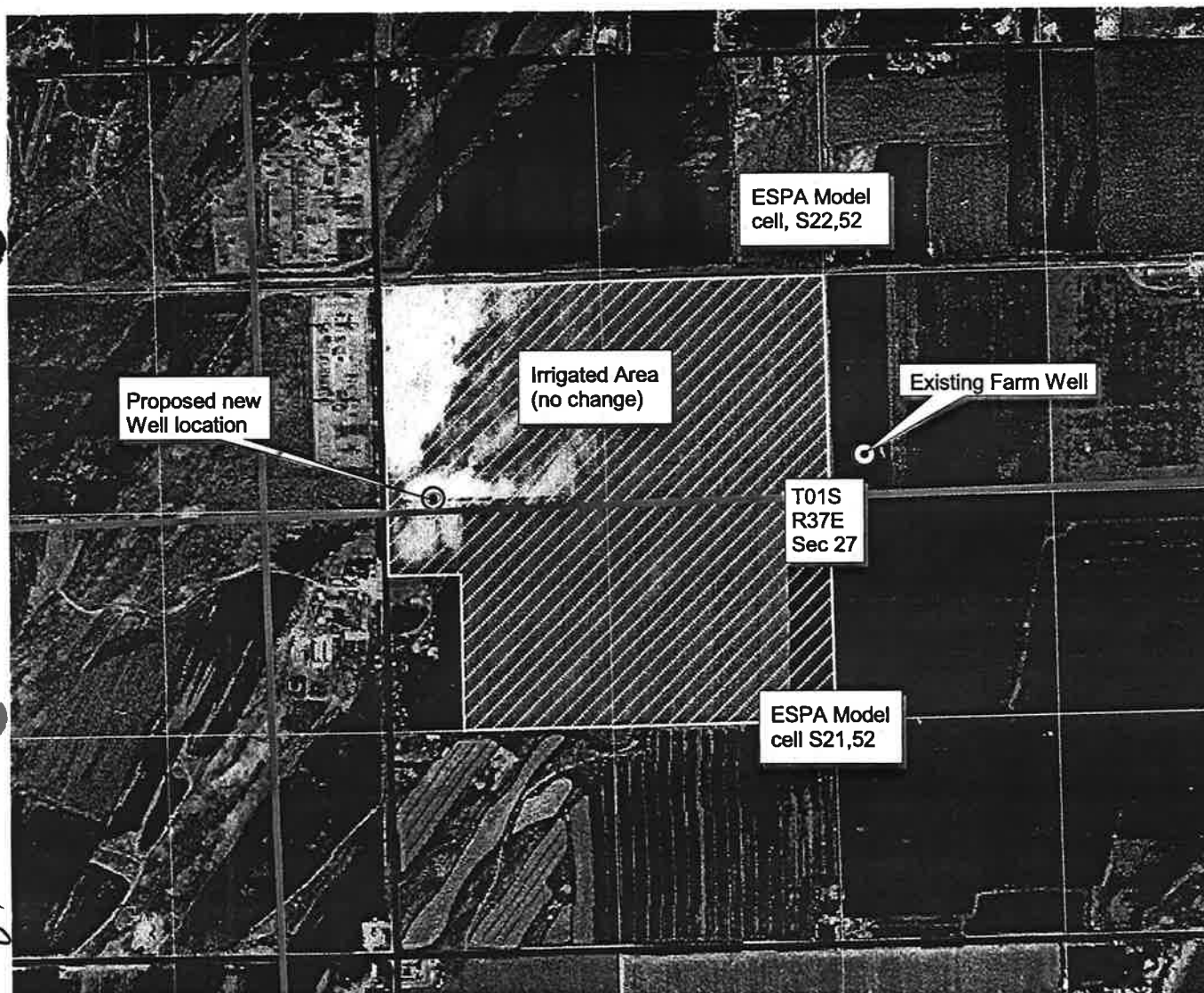
MAR 16 2006

Bingham County 27-11978

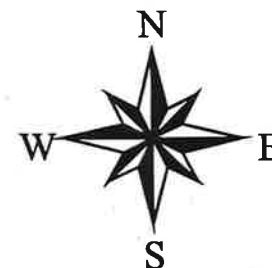
T71093

SCANNED

MAY 2 2004



-  Modelgrid.shp
-  Well.shp
-  Bingcounty.shp
-  Sections
-  QQ



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 Feet



T71093

Page 5 of 6

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>no change</u>			to _____ to _____

2. Quantity and quality of return flows and location of discharge:

no change

3. Describe effects on other water uses resulting from the proposed change:

no change

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 3rd day of March, 19 2004.

Debraugh Shipley
(Signature of Applicant)

Heidi Huffman
(Notary Public) Blackfoot, ID

My commission expires 2-3-09

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachmentsReceived by K. Rieger Date 3-4-04

Protest filed by _____

Prelim. check by WRK Fee 330.00E029586Received by WRK Date 3-4-04Published in Morning News

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

T71093

SCANNED

MAR 16 2004

Bird, Cindy

From: Shaff, Don
Sent: Monday, June 14, 2004 10:42 AM
To: Bird, Cindy
Subject: RE: B27 Transfer

City of Bingham

*file in
27-11978*

You are doing the preparing recommendatins for the claims in Basin 27. The approved transfer for 27-11978 must be reflected in the recommendation for it. The data for the approved transfer is in Claim 27-11978 making the use of the pod, pou, water uses, etc from the Claim easy to use in the Recommendation as Use Claim * (POU) as Recommended * (POU). The Conditions from the Claim can be copied into the Recommendation from the Claim in the recomm remarks screen in the lower right hand corner. The signed approved transfer will be on A012 as soon as Darla gets the file scanned.

If you want to have an idea of the relationship of the data records, do an Information Search of 27-11978 looking for Claims, Recommendations, and Transfers. With the results open a hidden column to the right of Status that will show you RightID. You will see the xrfromClaim has the same number as the Recomm. The Claim has the same number as the xrtoClaim. The xr's were used by Allocations to prepare and produce the transfer document. The purpose of all this data sharing is to reduce data entry and keep the data consitent in the water processes.

If you have questions, work with Ernie, or we can link by phone and net meeting, or stop when you happen to be in Boise.

Don Shaff
dshaff@idwr.state.id.us
208-327-7932

-----Original Message-----

From: Bird, Cindy
Sent: Monday, June 14, 2004 10:23 AM
To: Shaff, Don
Subject: RE: B27 Transfer

Don, I'm sorry but I'm not following the email.
Cindy

-----Original Message-----

From: Shaff, Don
Sent: Monday, June 14, 2004 9:08 AM
To: Bird, Cindy
Subject: B27 Transfer

My bad, Cindy. A Recommendation had been made, but the data for the approved transfer is in the Claim data that you can use to update the Recommendation.

Don Shaff
dshaff@idwr.state.id.us
208-327-7932

Bird, Cindy

From: Carlsen, Ernie
Sent: Thursday, June 10, 2004 5:19 PM
To: Bird, Cindy
Subject: FW: 71093 County of Bingham - Approved Transfer

Cindy, for your information.

-----Original Message-----

From: Skaggs, Pam
Sent: Thursday, June 10, 2004 3:35 PM
To: Carlsen, Ernie; Shaff, Don
Subject: 71093 County of Bingham - Approved Transfer

Rights associated with approved Transfer 71093

WR Number	Current#	Type
27-11978	27-11978	Recommendation

This message is notification that this transfer has been approved and is available for distribution as appropriate.

Bird, Cindy

From: Shaff, Don
Sent: Monday, June 14, 2004 1:00 PM
To: Bird, Cindy
Subject: 27-11978

Cindy, the purpose of the transfer was to add a POD. You can update the Recomm from Use Claim to make Recomm and copy the Conditions to the Recomm (with appropriate changes in the Category most of which go to Explanatory.)

Don Shaff
dshaff@idwr.state.id.us
208-327-7932

Notes

A27-07113

1/ Exam done on 11-10-2003 with Mr. Hillman

2/ GPS data - 0653338
0246567

File # 7113
GPS Tag # A0012491

3/ Photos - 1/ well + 125hp pump
2/ Pump tag

4/ Ownership of right is split. I talked to Bingham County Commissioners + secured a change of ownership from them. Dave Babbitt, director of Public Works signed document. All paperwork sent to Soda Springs office, 11-10-2003.



DAVID BABBITT
Director
Solid Waste / Roads & Bridges

BINGHAM COUNTY PUBLIC WORKS DEPARTMENT

501 N. Maple #209
Blackfoot, ID 83221-1700
(208) 782-3170
Fax: (208) 785-4131
Email: dbabbitt@co.bingham.id.us

5/ County (Bingham) now owns 2/3 of the irrigated ground but Hillman leases ground back + farms it all.

12-1-03 Requested IF to split claim. BP

Notes

8/5/03 Please verify the ownership of property with Bingham Co.

Add: C18 Gen Cond. & COS Gen Cond.

Adjust claim shape in the SENE to 34 acres

- link POI & POD.

- Then finish the Q you must answer the first 3 Questions on the summary sheet to set the status as active.

9-16-03 No Bingham special tax lot available. BCP

10-2-03 I talked to Clamont & he did not verify anything but his address. He indicated the property had been "switched" up the County. I told him we would send an ownership change. BCP

10-3-03 Skip, Cindy would like you to check this out before we send any ownership change. There is only 1 Bingham Cty claim. It is in 1N, 36E. BCP

11-10-03 exam - with Mike Hollman

GPS data - 0653338
0246567

File 7113

GPS tag # A0012491

Photo - 1, well + GPS tag on post
looking East
2/ Motor tag - 125 Hp



Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone (208) 782-3173

Current Owner _____ Bingham Co. 501 N. Maple #209 _____

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

Current Owner _____ Blackfoot, ID 83221-1700 _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Mr. Hillman Phone Number: _____

Relationship to Claimant: previous owner. / operator

Date of Field Exam: 11-10-2003 Time: _____

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

Reviewer:

Date:

12/18/03

Priority Date Data Entry Form

Claim Number: 27-11978

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 9-19-1977 Recommended Basis: License☐ 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:

License

Reviewer: CPDate: 12/18/03

Priority Date

Claim No. _____ - _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No (X)
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. *license*
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry Form

Claim Number: 27-11978

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? 27-11977

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

License 27-7113

Transfers Changing POD noReviewer: CBDate: 12/18/03

Point of Diversion

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

SourceClaim No. -

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8

If No, go to 10

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

Yes (☐) No (☐)

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (☐) No (☐)

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Yes (☐) No (☒)

Purpose of Use Data Entry Form

Claim Number: 27-11978☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			149	

Document how the Purpose of Use was verified:

license 27-7113Transfers Changing Purpose of Use noReviewer: CBDate: 12/18/03

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes (☐) No (☐)

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes (☐) No (☐)

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes (☐) No (☒)

Purpose of Use

Place Of Use Data Entry Form

Claim Number: 27-11978. Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
01S	37E	27	SWNW		Bingham		39	Irrigation.
			SESW		Bingham		40	Irrigation
			NESW		Bingham		40	Irrigation
			NWSW		Bingham		30	Irrigation.

Total Acres 149

Document how the POU was verified:

license 27-7113; 1987 NAPP photography,
field exam.

Transfers Changing POU NoReviewer: CBDate: 12/18/03

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a

If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4

If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8

If No, go to 13

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13

If No, go to 9

Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (☐) No (☐)

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.

If No, POU review is complete.

Yes (☐) No (☒)

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: 27-11978☐ 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

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	2.98	521.5

Overall Diversion Rate 2.98Overall Diversion Volume 521.5

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

License 27-1113

Reviewer: CBDate: 12/18/03

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (☒) No (☐)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes (☐) No (☐)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes (☐) No (☐)
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes (☒) No (☐)
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes (☒) No (☐)
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes (☐) No (☐)
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes (☐) No (☐)
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes (☐) No (☐)
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes (☐) No (☐)
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes (☐) No (☐)
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes (☐) No (☐)
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes (☐) No (☐)
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes (☐) No (☐)
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes (☒) No (☐)
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes (☐) No (☐)
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes (☐) No (☒)
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes (☐) No (☐)
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
Yes (☐) No (☒)

Quantity

Claim No. -

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

Yes (☐) No (☐)

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10

If No, go to 9

Yes (☒) No (☐)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10

If No, go to 11

Yes (☐) No (☐)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes (☒) No (☐)

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

Yes (☐) No (☐)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Yes (☐) No (☒)

Summary

Claim No. _____ - _____

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2

If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

Yes (☐) No (☒)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☐) No (☐)

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

Yes (☒) No (☐)

6. Would you like to view the recommended right?

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

Yes (☒) No (☐)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

Yes (☐) No (☒)

9. Would you like to set the verification date?

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

P.21 Exp. Remark 27-7113

FOS Exp. Rem 27-11978

Split or Combined Right Analysis:

27-11977 Blaine Hellman
1.48 cbs (74 acs.)

27-7113
4.46 cbs.

27-11978 Bingham Co
298 cbs (149 ac.)

Attached Field Notes or Other Documents:

yes

Claim No.:

27-11977

Reviewer

CB

Date

12/18/03

East AS
Cindy

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71093

This is to certify that: COUNTY OF BINGHAM
501 N MAPLE #209
BLACKFOOT ID 83221-1700
(208)785-8040

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
27-11978	AJC/License	09/19/1977	2.98 cfs	521.5 af	N/A	149.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
27-11978	NO	NO	NO	YES	NO	NO

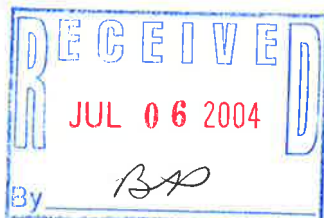
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
27-11978	27-11978	2.98 cfs	521.5 af	N/A	149.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.98 cfs	521.5 af	N/A	149.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of June, 2004

Gary Spackman
Chief, Water Allocation Bureau



WATER RIGHT NO. 27-11978
As Modified by Transfer No. 71093

In accordance with the approval of Transfer No. 71093, Water Right No. 27-11978 is now described as follows.

Right Holder: COUNTY OF BINGHAM
 501 N MAPLE #209
 BLACKFOOT ID 83221-1700

Priority Date: September 19, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.98 CFS	521.5 AF
			2.98 CFS	521.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSWNE	Sec. 27 Twp 01S Rge 37E BINGHAM County
GROUND WATER	SWSWNW	Sec. 27 Twp 01S Rge 37E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S 37E 27																	149.0

Total Acres: 149

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. The total instantaneous diversion of water from all points of diversion under Right 27-11978 shall not exceed 2.98 cfs, nor a total combined annual volume of 521.50 af.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.



WATER RIGHT NO. 27-11978
As Modified by Transfer No. 71093

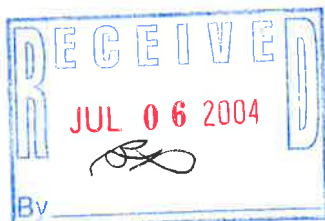
CONDITIONS OF APPROVAL

7. Prior to the diversion and use of water under Transfer approval 71093, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 10th day of June, 20 04


Chief, Water Allocation Bureau



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/18/2003

WATER RIGHT NO. 27-7113 ✓

Owner Type	Name and Address
Current Owner	WILLIAM T MATLOCK 5718 WALLIS LN WOODLAND HILLS, CA 91367

Priority Date: 09/19/1977
Basis: License
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	4.46 CFS	780.5 AFA
Total Diversion			4.46 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 27	Township 01S	Range 37E	BINGHAM County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01S	37E	27		SWNE	40		SENE	34						
				SWNW	39 ✓		SENW	40 ✓						
				NESW	40 ✓		NWSW	30 ✓						

Total Acres: 223

Dates:

Licensed Date: 04/12/1982

Decreed Date:

Permit Proof Due Date: 11/1/1982

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 11/30/1977

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



Close

From: Crabtree, Jennifer
To: Bird, Cindy
Cc: Carlsen, Ernie; Payne, Barbara; Forsgren, Kristen
Subject: Split of 27-7113
Sent: 12/1/2003 11:11 AM

Importance: Normal

Hi. 27-7113 is split into 27-11977 and 27-11978. ERNIE, please delete the parent recommendation. CINDY, for some reason the database did not create two new claims, but created two new recommendations, instead. Please edit the recommendations. BARBARA, please create two new folders. KRISTEN, please barcode the new claims to Cindy. Thanks all!

15 West Center
Soda Springs, ID 83276
Phone (208) 547-3993
FAX (208) 547-3939

Idaho Department of Water Resources

Fax

FAXED
12/1/03

To: Jennifer Crabtree

From: Barbara Payne

Fax: 525-7177

Pages: 3

Phone:

Date: 12/1/2003

Re: Split 27-7113 Blaine Hillman

CC:

Hi Jennifer,

Cindy would like for you to split this claim according to the attached notice of change in water right ownership. Mr. Hillman sold 149 acres to Bingham County. Diversion rate is 2.97 cfs. The change states that 149 acres were sold to Bingham County. When I prepared a preliminary spacial drawing, they calculate out as follows:

SWNW	39.8 acres
SENW	39.8 acres
NWSW	29.8 acres
NWSW	39.8 acres
Total	149.2 acres

These acres are located in T1S, R37E, Section. The POD is located in the SESENW.

You stated these would be 10,000 numbers because we were not using alpha designation for split any more.

Please let Cindy know what these numbers will be. Thanks.

Barbara



If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A27-07113</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2.97 cfs</u>	<u>149 *</u>
Stock		<u>S 1/2 NW & N 1/2 SW</u>
Domestic		<u>Section 27</u>
Other		<u>T1S R37E</u>
Total	<u>2.97 cfs</u>	<u>* See Attached map</u>

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

D. M. Burt
Public Works Director

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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



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
	A27-07113	Y			

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**.

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**.

Name and Address of Former
Owner/Claimant(s)

Blaine Hillman
770 N. 1100 E. Shelley, ID 83274

New Owner/Claimant(s)

Bingham County

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

501 North Maple #209

City, State and ZIP Code

Blackfoot ID 83221-1700

New Telephone Number

(208) 782-3123

Date you acquired the property

Oct 16, 2001

1 December 2003

Re: 27-7113 Blaine Hillman

Memo to File:

Skip called this morning stating that Blaine Hillman sold a portion of this land to Bingham County for the purpose of mining the gravel. However, the mining will not begin for several years. The arrangements was that Mr. Hillman will continue to farm the ground. So at this time only a change in ownership for a portion of the land needs to take place.

Barbara



Close

From: Harold and Anne Marie Jones [SMTP:powder1@ida.net]

To: Payne, Barbara

Cc:

Subject: Re: Missing File followup & Blaine Hillman

Sent: 11/27/2003 8:05 PM

Importance: Normal

This should be just a change of ownership for a portion of the claim.
Bingham County only purchased about 2/3 of the ground and the Claim should
be an A and B type split with a common POD.

The ground is still farmed by the original owner.

Skip

--

Anne Marie Jones
2101 Bramble Lane
Idaho Falls, Idaho 83402

Technology Fellow
Albertson Foundation
e-mail Ajones@ext.jkaf.org

Work:
Century High School
7801 Diamonback Lane
Pocatello, Idaho 83204
208-478-6863
e-mail jonesal@d25.k12.id.us



Close

From: Payne, Barbara
To: 'powderl@ida.net'
Cc: Bird, Cindy
Subject: Missing File followup & Blaine Hillman
Sent: 11/26/2003 2:35 PM

Importance: Normal

Hi Skip,

Please disregard my last request for the missing file. My eagle eye "Bird Lady" found it for me.

SECOND ITEM

You sent this claim file back stating that it needed to be split. Cindy was wondering exactly what you told the claimant on how the transfer will take place. Apparently Bingham County purchased part of this land in 2001. Do you want the transfer to be handled as a split or within the adjudication process. Thanks.

Still have a great turkey day.

Barbara :-}

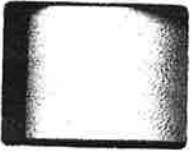


Photo - 1/4 x 11 + GPR tag on post
looking East
2/ Water tag - 125 HP

GPS tag # A0012491

File 7113

GPS date - 0653338
0246567

11-10-03 - 03 x cam - with Mike Williams

COPY

Purchase Agreement

This agreement is entered into between Bingham County, a political subdivision of the State of Idaho, and Blaine and Janice Hillman, husband and wife:

WITNESSETH:

1. SALE OF PROPERTY: BINGHAM COUNTY agrees to purchase the real property described as Tract D and Tract F of the Warranty Deed recorded in Bingham County as #380605 and the real property described as Tract F-2 and F-3 of the Quitclaim Deed recorded in Bingham County as #403547. Both said recorded documents are attached. The property, which is being purchased, constitutes 154.9654 acres.

2. WATER RIGHT: The sale of the property includes all water rights associated with the parcel of property being sold. Should BLAINE HILLMAN discontinue farming, the County will be responsible for placing its own source for accessing its water right upon the purchased property.

3. PURCHASE PRICE: BINGHAM COUNTY agrees to pay BLAINE HILLMAN the sum of four hundred sixty five thousand dollars and no cents (\$465,000.00)

4. RIGHT OF WAY: BINGHAM COUNTY will allow BLAINE HILLMAN to reserve the right to ingress and egress his property over Tract F-2 described in the Quitclaim Deed recorded in Bingham County as #403547 and attached hereto. This right of way will be perpetual

5. IRRIGATION SYSTEM: The irrigation system located above ground on the property at the time of purchase will remain the property of BLAINE HILLMAN.

6. HAZARDOUS WASTE: BLAINE HILLMAN guarantees that there has not been any hazardous waste as defined by federal, state or local laws or regulations, except approved agriculture chemicals used, stored, and/or buried on the property.

7. ATTORNEY FEES: If action is brought to enforce the terms or provisions of this agreement, or to enforce forfeiture for default, or to collect damages for breach, the prevailing party in such action shall be entitled to recover from the losing party reasonable attorney fees together with costs.

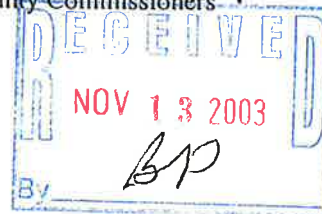
8. ENTIRE AGREEMENT: This is the entire agreement of the parties and can only be modified or amended in writing by the parties.

DATED this 12th day of October 2001.

Blaine Hillman
BLAINE HILLMAN

Janice Hillman
JANICE HILLMAN

DeVaughn Shipley
DeVAUGHN SHIPLEY, Chairman
Board of Bingham County Commissioners



505323

WARRANTY DEED

COPY

BLAINE D. HILLMAN and JANICE HILLMAN, husband and wife, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
BINGHAM COUNTY, as GRANTEE,
whose address is P. O. Box 607, Blackfoot, Id 83221, and Grantee's successors and assigns, all of the following described real property, to-wit:

Township 1 South, Range 37 E.B.M., Bingham County, Idaho
Section 27: S1/2NW1/4 and N1/2SW1/4.

EXCEPTING the County road along the West.

ALSO EXCEPTING THEREFROM: Beginning at a point of the East line of a County road that is N0°21'30"E along the section line 1318.85 feet to the SW corner of said NW1/4SW1/4 and S89°48'17"E 25.00 feet from the SW corner of said Section 27, and running thence S89°48'17"E 439.47 feet; thence N0°21'30"E 937.50 feet; thence N89°48'17"W 439.47 feet to the East line of said County Road; thence S0°21'30"W along said East line 937.50 feet to the point of beginning.

The South 66 feet of the N1/2NW1/4.

RESERVING UNTO THE GRANTOR, his successors and assigns the right of ingress and egress and utilities over, through and across the South 66 feet of the North Half of the Northwest Quarter.

SUBJECT TO the 2001 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: October 16, 2001

Blaine D. Hillman

Blaine D. Hillman

Janice Hillman

Janice Hillman

Bonneville Land & Title Co.

497 N. Capital Ave. • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 524-6600 • Fax (208) 524-6072

February 7, 2003

Bingham County
ATTN: David N. Babbitt
501 North Maple #209
Blackfoot, Idaho 83221

RE: CB-1122

COPY

Dear Sirs:

Please find enclosed the following documents from the transaction we recently closed:

- [X] Original Warranty Deed, Instrument No. 505323
- [X] Original Owners Policy of Title Insurance,
- [] Your Copy of the Application for Homeowners Exemption,
- [] ADDT'L ITEM:
- [] ADDT'L ITEM:
- [] ADDT'L ITEM:

We appreciate your letting us serve you! Please contact us when you refinance, purchase or sell, so that we can make sure you receive the discounts and great service you are entitled to.

If you have any questions, please do not hesitate to contact our office.

Thank you.

Sincerely,

Molly Hart
Molly Hart



Lane R. Archibald
President & General Counsel

Bonneville Land & Title Co.

497 N. Capital Ave • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 534-6600 • Fax (208) 524-6072

BUYER'S SETTLEMENT STATEMENT

PURCHASER: Bingham County

SELLER: Bonn. Land & Title Co., Accom: Janice Hillman, Exchanger
Blaine D. Hillman, Exchanger

FILE NUMBER: CB-1122

Property 154.9654 Acres Bingham County
Location: Farm Ground

Settlement date: 10/16/01

Date of prorations: 10/16/01

COPY

	Debit	Credit
Purchase Price.....	465,000.00	
Deposit or Earnest Money.....		465,000.00
Title Insurance Premium.....	1,576.25	
Recording Fees.....	3.00	
Sub-totals	466,579.25	465,000.00
BALANCE DUE FROM PURCHASER		1,579.25
Totals	466,579.25	466,579.25

The undersigned acknowledges receipt hereof, agrees to the correctness hereof, and authorizes and instructs Closing Agent to disburse accordingly.

Shaughn Shipley
Bingham County

Wayne T. Brown

Clare Jolley



Form No. 1402.92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



COPY

ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Insurance Company

BY

Gary L. Keruett

PRESIDENT

ATTEST

Mark L. Arnesen

SECRETARY

J 1781386



COPY

OWNER'S POLICY

SCHEDULE A

Order No.: **B44460**

Policy No.: **J 1781386**

Reference No.:

Amount of Insurance: **\$ 465,000.00**

Premium: **\$ 1,576.25**

Endorsements: **None**

\$

Date of Policy: **October 22, 2001** at **04:27 PM**

1. Name of Insured:

Bingham County

2. The estate or interest in the land which is covered by this policy is:

A fee simple interest

3. Title to the estate or interest in the land is vested in:

Bingham County

4. The land referred to in this policy is described as follows:

**Township 1 South, Range 37 E.B.M., Bingham County, Idaho
Section 27: The S. 66 feet of the N $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; and N $\frac{1}{2}$ SW $\frac{1}{4}$
EXCEPTING the County road along the West. ALSO EXCEPTING
THEREFROM: Beginning at a point on the E. line of a County road that is
N. 0°21'30" E. along the section line 1318.85 feet to the SW corner of said
NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S. 89°48'17" E. 25.00 feet from the SW corner of said
Section 27, and running thence S. 89°48'17" E. 439.47 feet; thence N.
0°21'30" E. 937.50 feet; thence N. 89°48'17" W. 439.47 feet to the E. line of
said County road; thence S. 0° 21'30" W. along said E. line 937.50 feet to
the point of beginning.**

COPY

SCHEDULE B

Order No.: **B44460**

Policy No.: **J 1781386**

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. 2001 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year.
Taxes which may be assessed and entered on the property roll for 2001 with respect to new improvements and first occupancy, which may be included on the regular property, which are an accruing lien, not yet due and payable.
8. Levies and assessments of Snake River Valley Irrigation District.
9. Contract upon the terms, conditions and provisions contained therein:
Recorded: August 17, 1945, in Book N of Miscellaneous Records, Page 388
Vendor: Oregon Short Line Railroad Company and Union Pacific Railroad Company
Purchaser: Frandsen Brothers, a co-partnership composed of Viggo Frandsen and Efner Frandsen, individuals.

**OWNER'S POLICY
SCHEDULE B**
(Continued)

COPY

Order No.: **B44460**

10. Power line easement granted to Idaho Power Company recorded November 18, 1971, as Instrument No. 165608.
(over S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 27)
11. Provisions in deed recorded December 16, 1991 as Instrument No. 403193, substantially as follows: Including but not limited to minerals
12. Provisions in deed to Bingham County recorded October 22, 2001 as Instrument No. 505323.

END OF EXCEPTIONS

JUL 18 2001

Log for claim 27-07113

Spatial Dynamics LTD

11/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01s37e	27	SWNE	40	40	
01s37e	27	SENE	34	35	
01s37e	27	SWNW	39	39	
01s37e	27	SENE	40	40	
01s37e	27	NESW	40	40	
01s37e	27	NWSW	30	30	
Totals:			223	224	

J5809NP
o. A27-07113

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 55

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANICE HILLMAN	09/09/1977	IRRIGATION	04-01 11-01	4.460 CFS	780.50 AFA
C	BLAINE HILLMAN					
	770 N 1000 E			TOTAL DIVERSION:	4.460 CFS	
	SHELLEY ID 83274			CONSUMPTIVE USE:		669.00 AFA
	(208) 346-6037					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

oint(s) of Diversion: T01S R37E S27 SWNE BINGHAM County

lace of use Legal Description for: IRRIGATION

NE				NW				SW				SE																					
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM
1S	37E	27	:			40		34	:			39		40	:	40		30	:													223.0	
																														TOTAL ACRES	223.0		

DU County: BINGHAM

on-Irrigation Uses: NOT GIVEN

ther Rights: NONE

ther Water Rights Listing Overlapping Place(s) of Use:

A01-00038 A01-00039 A01-00171 A01-00172 A01-00250 A01-00328 A01-10247 A27-07131

Remarks: GEN IN 1977 WE DRILLED A WELL INSTEAD OF PUMPING OUT OF THE SNAKE
RIVER VALLEY CANAL

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 07/28/89 KEISER 10/11/94 JTHOMPSO 03/29/95 POST-STD

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 27-7113 Priority 09/19/1977 Amount 4.46 CFS 780.50 AF

THIS IS TO CERTIFY, that DAVID L. BROWN, JR.

of WOODBARK HILLS, CALIFORNIA 91367, has complied with the terms and conditions of Permit No. 27-7113 issued pursuant to Application for Permit dated 09/19/1977, and has submitted proof to the Department of Water Resources on 07/13/1978, that he has applied water to a beneficial use; and examination by the Department indicates that the works have a capacity for the DIVERSION OF 5.69 CFS of water from GROUNDWATER tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
<u>4.46 CFS</u>	<u>780.50 ACRES FEET</u>	<u>IRRIGATION</u>	<u>09/01 - 11/01</u>

Location of point of diversion: TRACT, SW1/4 SEC. 21 TWP. 01S RGE. 37E

Location of place of use:

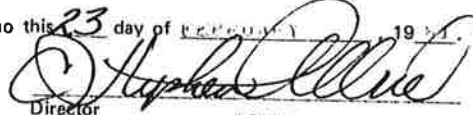
TWP.	RGE.	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>01S</u>	<u>37E</u>	<u>21</u>			<u>0.5</u>	<u>5.3</u>			<u>3.0</u>	<u>0.0</u>	<u>4.0</u>	<u>5.0</u>							<u>7.3</u>

Total number of acres irrigated 773

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho this 23 day of February 19 79.


Director

MICROFILMED

DET

A hand-drawn map on grid paper. The map shows a well and a road. The well is located in the center of the grid, with a label 'Well' and '20 ft' next to it. The road is located to the left of the well, with a label 'R 37E'. The map is oriented with North at the top.

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

(Applicant)

Received by CW Date 9-19-77 Time 12:01
Preliminary check by AK Fee \$ 65.00
Received by CW Date 9-19-77 # 2006
Publication prepared by CW Date 9-19-77
Published in Blackfoot News
Publication dates Sept. 29 & Oct. 6 - 1977
Publication approved me Date October 11, 1977
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RC JK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7113, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 82.
- c. Other: 1. For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. 2. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 30 day of November, 19 77.


Deputy Director

A27-07113 125 hp pump



A27-07113 - looking East

GPS
Tag



Identification No. 27 7113
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant William T. Matlock Phone: 213-883-1349
post office address 5718 Wallis Ln. Woodland Hills, Calif. 91367
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 1S
Range 37E B.M. Bingham County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4.48 for Irr. purpose from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4.48 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo, Day) (Mo, Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 45,000
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

[illegible]

c. Describe any other water rights used for the same purposes as described above.

Snake

b. Who owns the land to be irrigated or place of use

applicant to make this filing—

Tenant on the property is Blaine Hillman

1. Name of permit holder William S. Matlock
Post office address 5718 Wallis Lane, Ballard Hills, CO Phone 885-1349
Person to contact operator Blaine Hillman Phone _____

3. Water will be used for the following purposes:

Period of Use: from 4-1 to 11-1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use) Department _____

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 4.48 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 18 N/S, Range 57E E/W, B.M., Section 37, Subdivision SW 1/4 NE 1/4 Big Horn County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____
County _____

Other Points of Diversions: _____

Description of diverting works: 125 HP H.E. electric motor & plunger turbine pump, mainline

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Page 37E

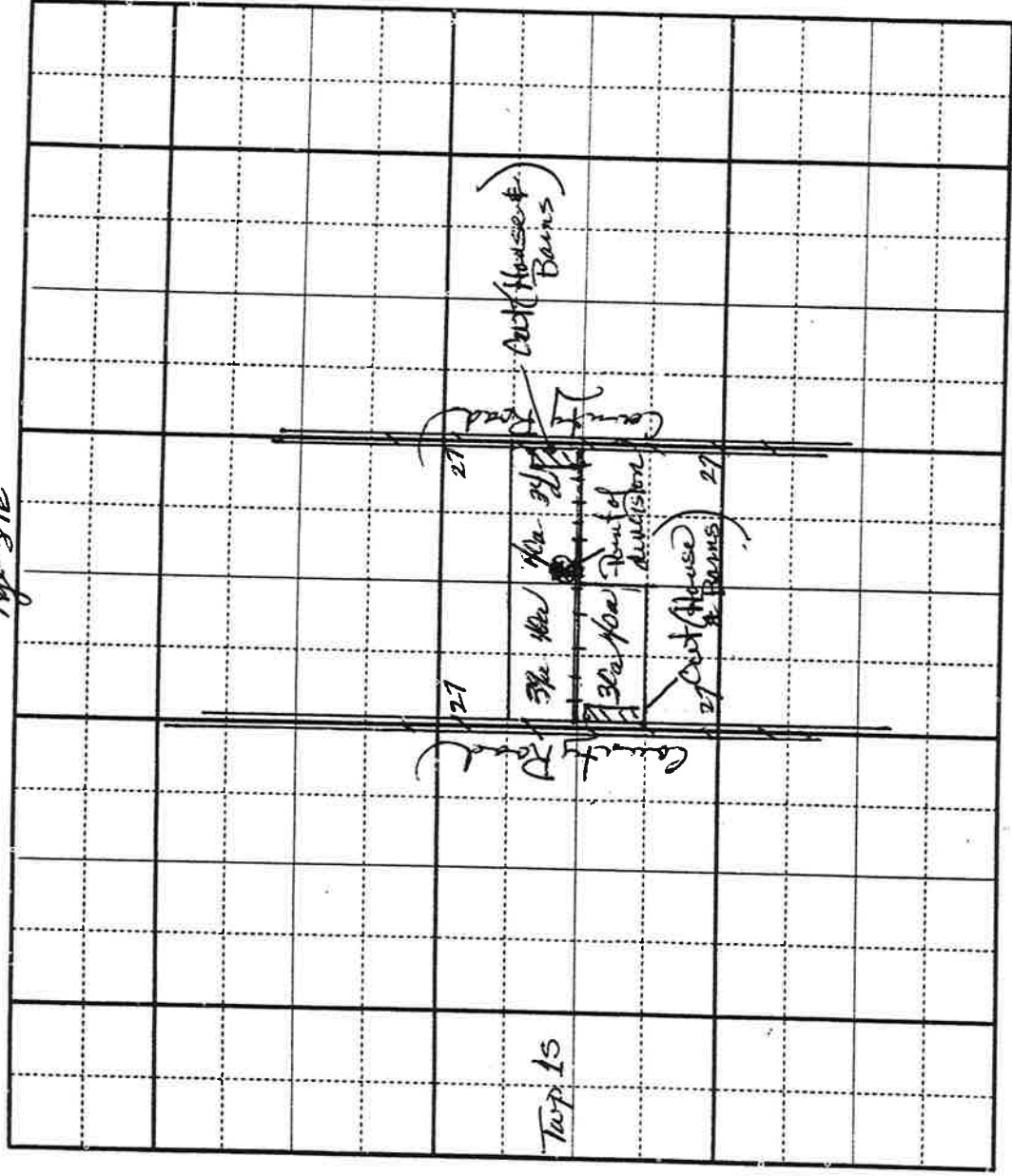
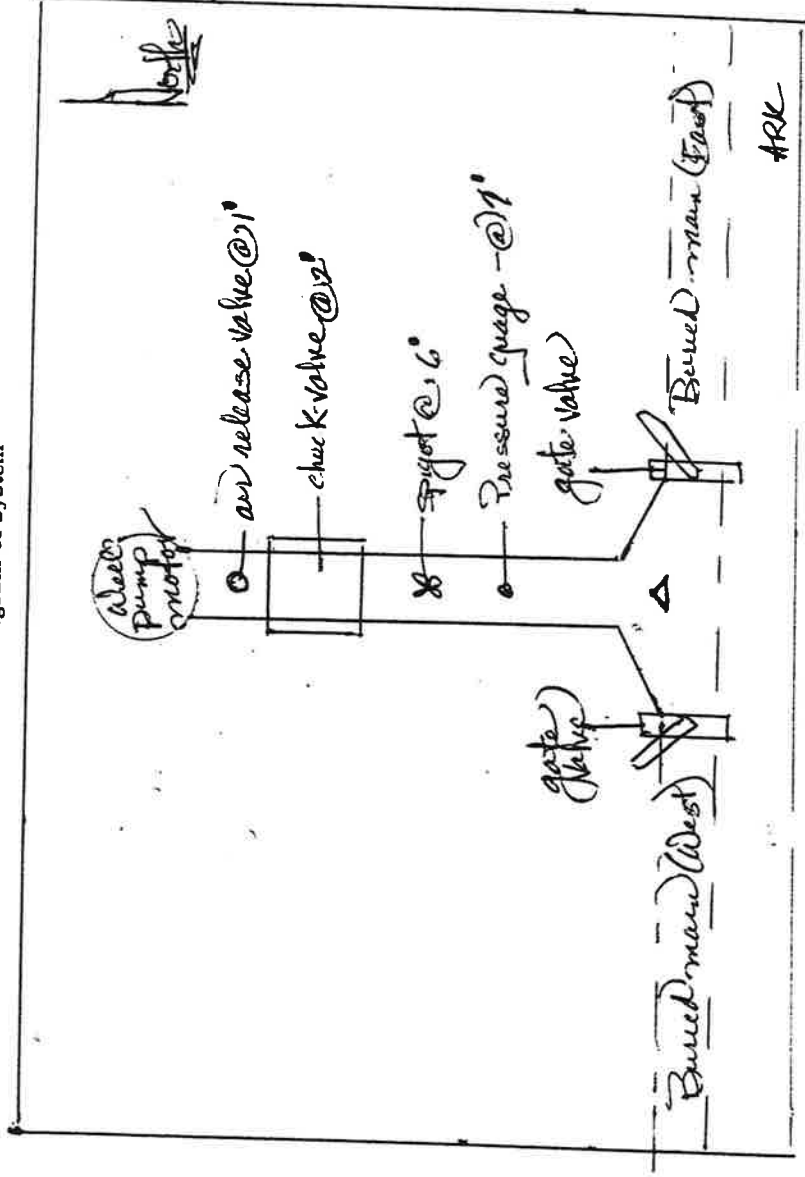


Diagram of System



DATE OF EXAM 9th day of July, 1979

ACREAGE
Found 223a ✓
Recommended 223a ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 4.46 c.f.s. V = 1780.5 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X County _____

Name source exchanged with: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 5.69 dfs Method of measurement Annubar

Total Q recommended 4.46 cfs Meter No. 800 Type 10.02 Ann Condition standard

Total V recommended 780.5 AF/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION: $Q_{gpm} = (\text{pipe I.D.})^2 \left(\frac{\text{d fuses of H}_2\text{O}}{100} \right) = (9.73)^2 (3.85) (149) = (94.69) (3.85) (149) = 551.9 \text{ gpm}$
 $\text{Volume} = 223a \times 3.5 \text{ AF/a} = 780.5 \text{ AF/yr}$
 $1.9835 \times 214 \text{ days} \times 4.46 \text{ cfs} = 1893.13 \text{ AF/yr} = 2551.9 \text{ gpm}$
 $Q = \text{Allow. } 0.02 \text{ cfs/Ac} = 223a \times 0.02 = 4.46 \text{ cfs}$
 $448.8 \text{ gpm/cfs} \times 4.46 \text{ cfs} = 2001.4 \text{ gpm}$
 $2001.4 \text{ gpm} \div 350 = 5.69 \text{ capacity}$

SYSTEM DESCRIPTION:
Groundwater is diverted by a 125 HP General Electric - fri-clad induction motor - m/n - 5K6208X H1A 3ph, 575 - HNT-817119.
and by a Johnston Vertical Turbine pump - no I.D.s. Average
Irrigated by 13 - 1/4 in long handline lateral sprinklers

REMARKS: System shown, operated, and described by Blaine Hellman
Land 1/3 in grain 1/3 in spuds

Examiner's Signature Anthony R. Kozlowski Date Nov 1, 1979
Checked by John D. Corbin Date 12/12/79
Approved by John Date 2/4/81

No Overlap w/ 27-7131

NOV 12 1992

JUL 18 2001

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: A27-07113
Date Received: 6/01/1989
Receipt No: E008615
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE HILLMAN 208-346-6037
Address: 770 N. 1000 E.
SHELLEY, ID 83274

OR
Name: JANICE HILLMAN 208-346-6037
Address: 770 N. 1000 E.
SHELLEY, ID 83274

2. Date of Priority: SEP 09, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	37E	27	SW	NE			BINGHAM

5. Description of diverting works:
1 20" WELL, 100' DEEP, 125 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.460		780.50

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

8. Total consumptive use is 669.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NOT GIVEN

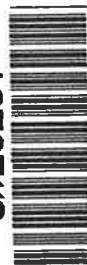
A27-07113

Page 1

Date: 07/28/89

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NOV 12 1992

A2707113



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	37E	27	SW	NE		IRR	40.0
			SE	NE		IRR	34.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	30.0

Section Acres 223.0

Total Acres 223.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:
IN 1977 WE DRILLED A WELL INSTEAD OF PUMPING OUT OF THE SNAKE
RIVER VALLEY CANAL

15. Basis of Claim: ~~BENEFICIAL USE~~

License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Date Received

Receipt Number

A27-07113
6-1-89
E00 8615

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Blaine^{or} Janice Hillman Phone (208) 346-6037Mailing Address 770 N. 1000 E. Shelley, Idaho Zip 832742. Date of Priority (Only one (1) per claim) Sept. 9, 19773. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 01S Range 37E Section 27,
S45W 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 01S Range 37E Section 27, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 120" well 100 feetDeep. 125 hp pump.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 4-16 amount 4.46 or 780.5

For Irrigation purposes from 4-1 to 11-1 amount 4.46 or 780.5

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.46 (cfs) and/or (b) 780.5 (acre feet)

8. Total consumptive use claimed is 669 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
01S	37E	27			40	34			39	40	40	30							223

Total number of acres irrigated 223

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: IN 1977 we drilled a well instead of
pumping out of the Snake River Valley canal

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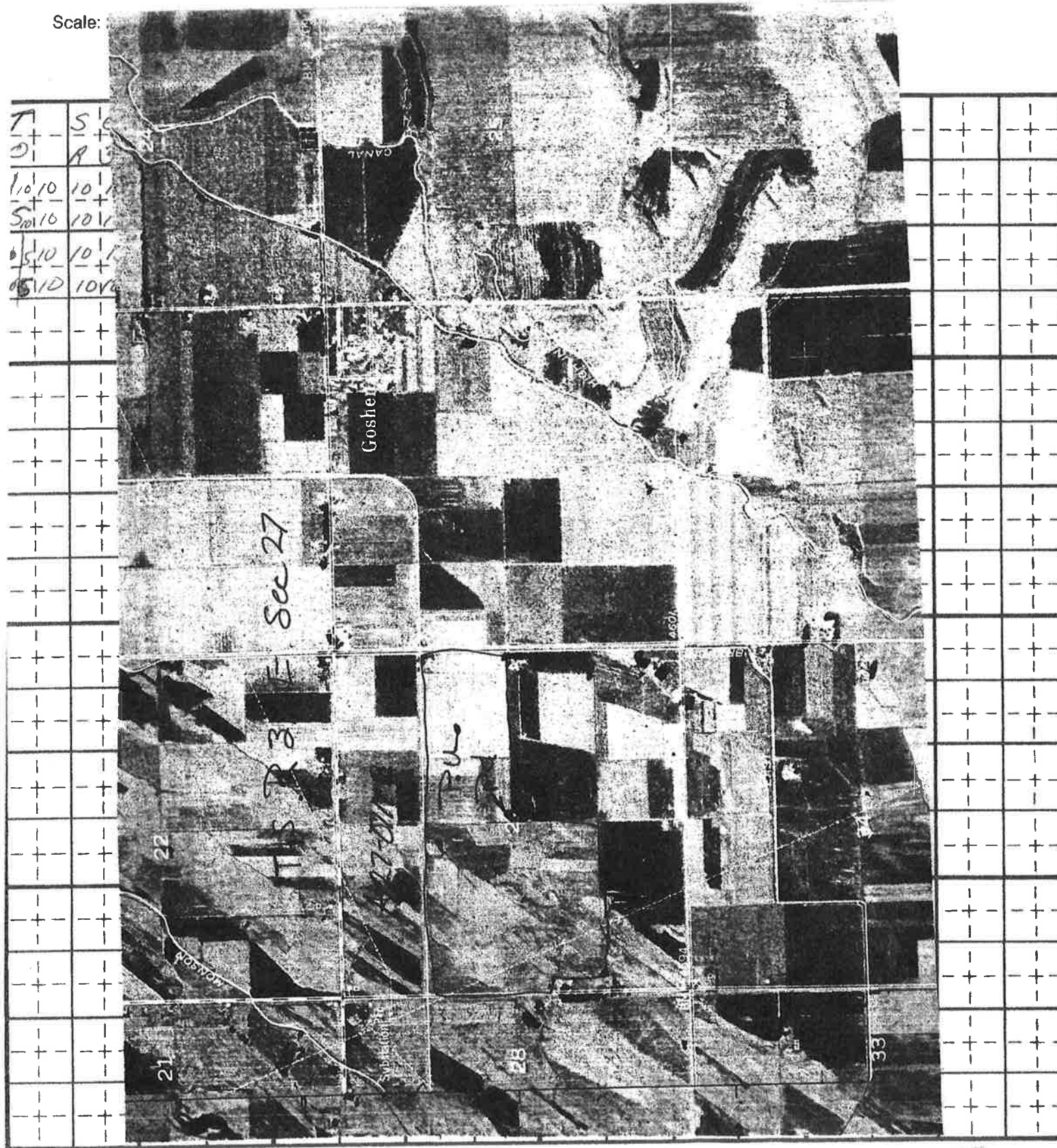
NOV 12 1992

Last Name Hillman Ident No. 27-7113

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale:



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Last Name H. H. H. H.

Ident No. 27-7113

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 27-7113
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) Blaine Hillman Date May 26, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 26 day of May 19 89

SEAL

Notary Public Harry W. Miller

Residing at 712 W. 30th

My Commission Expires July 8, 1991

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 12 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant