

06/22/2002

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: July 23, 2002

Water right number: 37-4263

ELAINE HILT
2163 S 1700 E
GOODING ID 83330
Telephone Number: (208) 934-8507

DARYL HILT
2163 S 1700 E
GOODING ID 83330
Telephone Number: (208) 934-8507

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: 7-8-02

SIGNATURE: Daryl Hilt

Please print your name: DARYL HILT

IDWR State Office, PO Box 83720, Boise ID 83707-9815

06/03/2002

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

RIGHT NUMBER: 37-4263
NAME AND ADDRESS: ELAINE HILT
2163 S 1700 E
GOODING ID 83330

DARYL HILT
2163 S 1700 E
GOODING ID 83330

SOURCE: GROUND WATER
QUANTITY: 2.18 CFS
468.0 AFY
PRIORITY DATE: 06/01/1961
POINT OF DIVERSION:

TRIBUTARY:

T06S R14E S23 NESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.180 CFS 468.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S23	NESE	30.0	T06S R14E S23	NWSE	40.0
T06S R14E S23	SWSE	40.0	T06S R14E S23	SESE	7.0

117 ACRES TOTAL

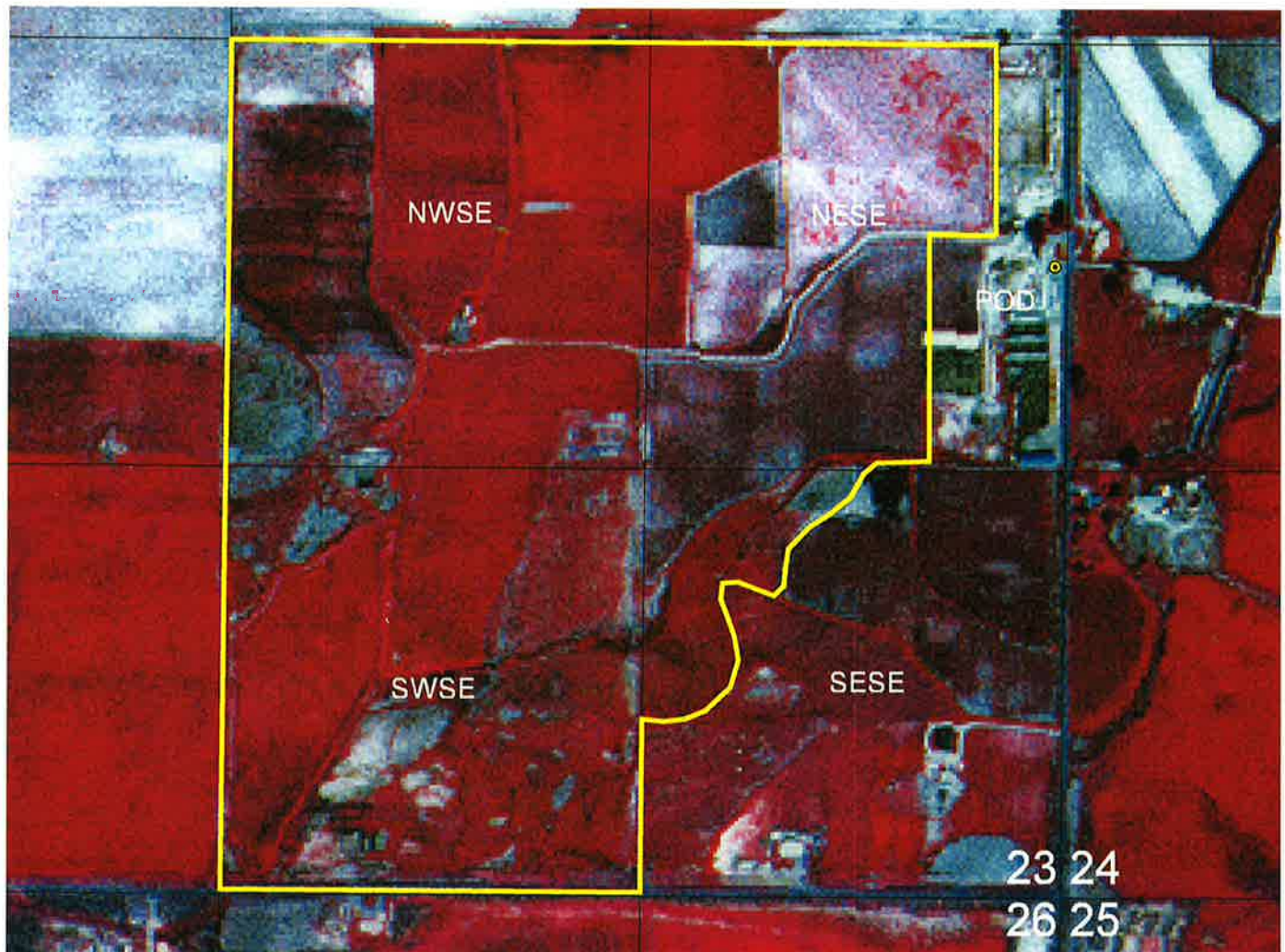
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

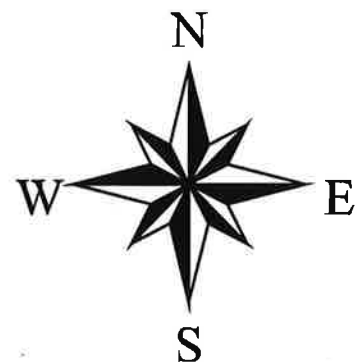
37-4263

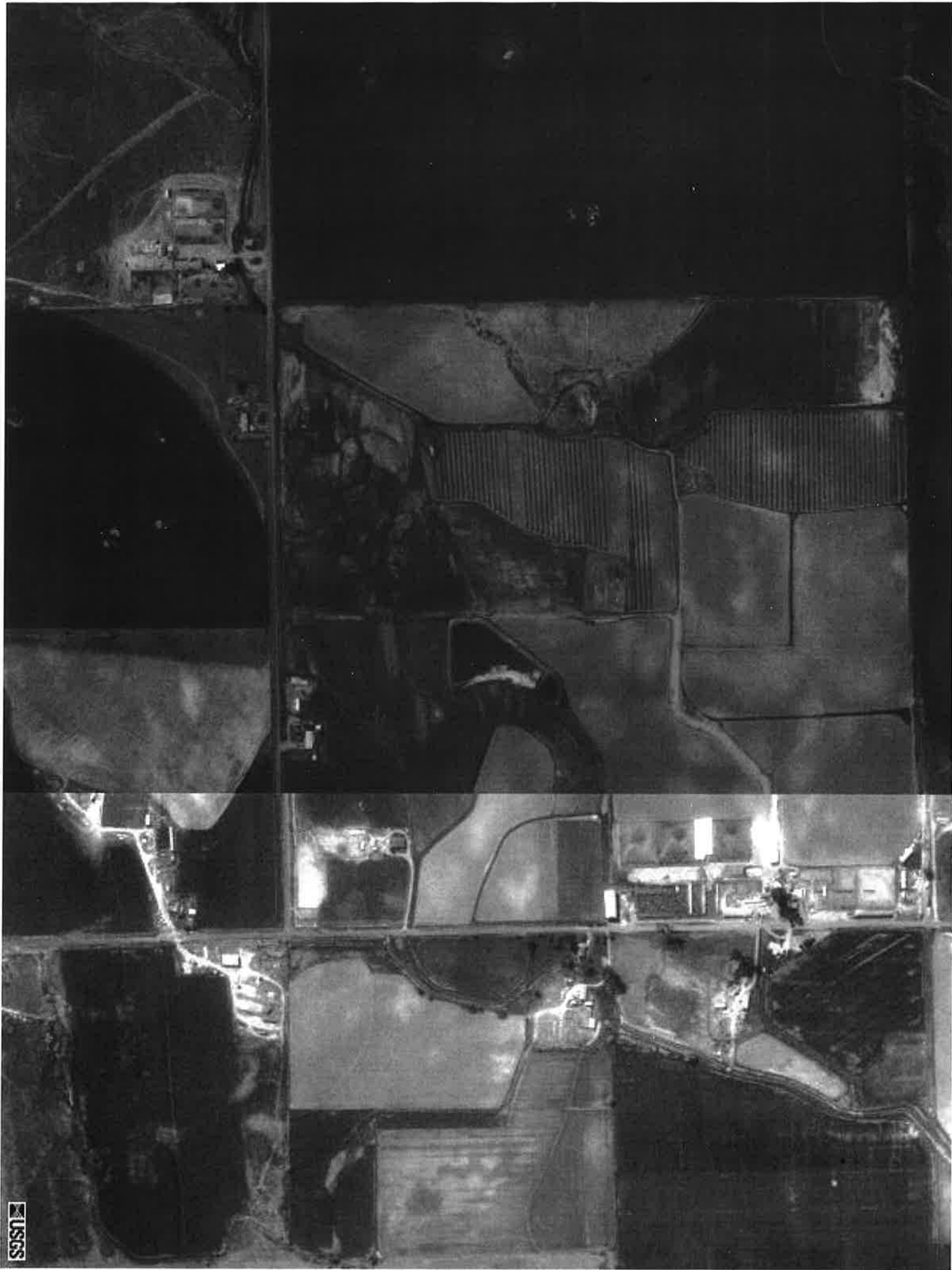


500 0 500 1000 1500 2000 Feet

T06S R14E S23

Map prepared by: Carter Fritschle
Date prepared: 10/22/01
1987-1988 NAPP photography
Idaho Department of Water Resources





37-4263

5-16-1992

2 meter resolution

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 37-4263
Date Received: 5-31-02 *ca*
Receipt No: S001398
Received By:

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

1. Name of Claimant(s)

ELAINE HILT Phone: (208)934-8507

2163 S 1700 E
GOODING ID USA 83330

DARYL HILT Phone: (208)934-8507

2163 S 1700 E
GOODING ID USA 83330

2. Date of Priority: 06/01/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	14E	23	NE SE	GOODING	

5. Description of diverting works:

WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.18	

7. Total Quantity Appropriated is:
2.18 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	14E	23	NE	SE	IRRIGATION	35
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	9
Section Acres						124
Total Acres						124

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

USED TO SUPPLEMENT CANAL WATER SHARES.

15. Basis of Claim: Statutory Claim

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): *Daryl Hill* Date: 5-31-01
 _____ Date: _____

State of Idaho)
 County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 31st day of May 2002



Carter Fritschle

Notary Public

Residing at Kuna ID

My commission Expires 3-21-2006

NSG

POD Data

06S 14E 23 NESE

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
06S 14E 23 NESE	A0007979	IRRIGATION WELL		WMD20010
Latitude 000:00:00.000	Longitude 000:00:00.000	GPS File R043022A	PCC (2)	
Comments POD ADDED PER TRANSFER 5316				

PCC Data

Year	Total KWH	PCC Acre-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Service Number
2001	501.00	1.28	1	392.94	04/25/2001	IP	3654751507	9783654418
Comments:						Tracking:	Preferred:	Validated:
							Change Date:	5/16/2002

PCC Calibration

Date	PCC	Change Date:
04/25/2001	392.94	5/8/2001

Kilowatt-Hour Meter	Condition #1	Condition #2	Condition #3
Utility IP	KW 70.76 GPM 978 PCC 392.94 PSI 0 Percent 100	KW 0 GPM 0 PCC PSI 0 Percent 0	KW 0 GPM 0 PCC PSI 0 Percent 0
Pole No	Descrip ONLY ONE CONDITION, USED FOR FLUSHING DAIRY LINE.	Descrip	Descrip
Meter Mfr G			
Meter S/N 92596801			
Disk Const 43.2			
Multiplier 1			

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
4/25/2001	CKNOWLES	PCC Calibration	5/8/2001

Notes: This well is a 75 H.P. lifting water from about 230 ft. Discharge on the fuji was at 978 GPM. They use this pump to flush a sewer line from the dairy and it discharges into the lagoons where they then pressurize a irrigation system.

Daryl Helt 3/13/02
2163 South
1700 East
Gooding, Id 83330

Mr. Helt;

My husband and I had that
^{oil} well drilled before 1963
Lloyd H and LaVone Porter

We moved to Boise in 1963
and used the well several
years; at that time \$10,000
was a lot of money but we
needed the water badly.
so decided to do it.

it definely should go
with that place, Good Luck

former owner LaVone Porter

3009 Tamarack

Boise Id 83703

208-336-8726



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2002

37-4263
DARYL HILT
2163 S 1700 E
GOODING ID 83330

Re: Evidence of Priority Date

RESPONSE DEADLINE
APRIL 12, 2002

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,

Carter Fritschle
Water Rights Supervisor

Enclosures

37-4263
ELAINE HILT
2163 S 1700 E
GOODING ID 83330

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: A37-04263
Date Received: 8/11/1988
Receipt No: S001398
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL HILT 208-934-8507
Address: 2163 S. 1700 E.
GOODING, ID 83330

OR
Name: ELAINE HILT 208-934-8507
Address: 2163 S. 1700 E.
GOODING, ID 83330

2. Date of Priority: JUN 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	23		NE	SE		GOODING

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	14E	23	NE		SE		IRR	35.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	9.0
Section Acres								124.0
Total Acres								124.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-08055

14. Remarks:
USED TO SUPPLEMENT CANAL WATER SHARES.

15. Basis of Claim: STATUTORY CLAIM

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):

Daryl Hill

Date: 8-11-88

Date: _____

State of Idaho)

County of

Twin Falls

) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Daryl &/or Elaine Hilt

(Name of Claimant)

Route #2 Box 230, Gooding, ID 83330

(Mailing Address)

Telephone No. 934-8507

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1961

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater

tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

(Mo., Day)

Quantity 1.11 cfs Use irrigation Period of Use From Mar 15 To Nov 15

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

- (4) 1.11 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23 Twp. 6S Rge. 14E B.M., County of Gooding

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump, 70 hp motor, gravity system

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	14E	23													35	40	40	9	124

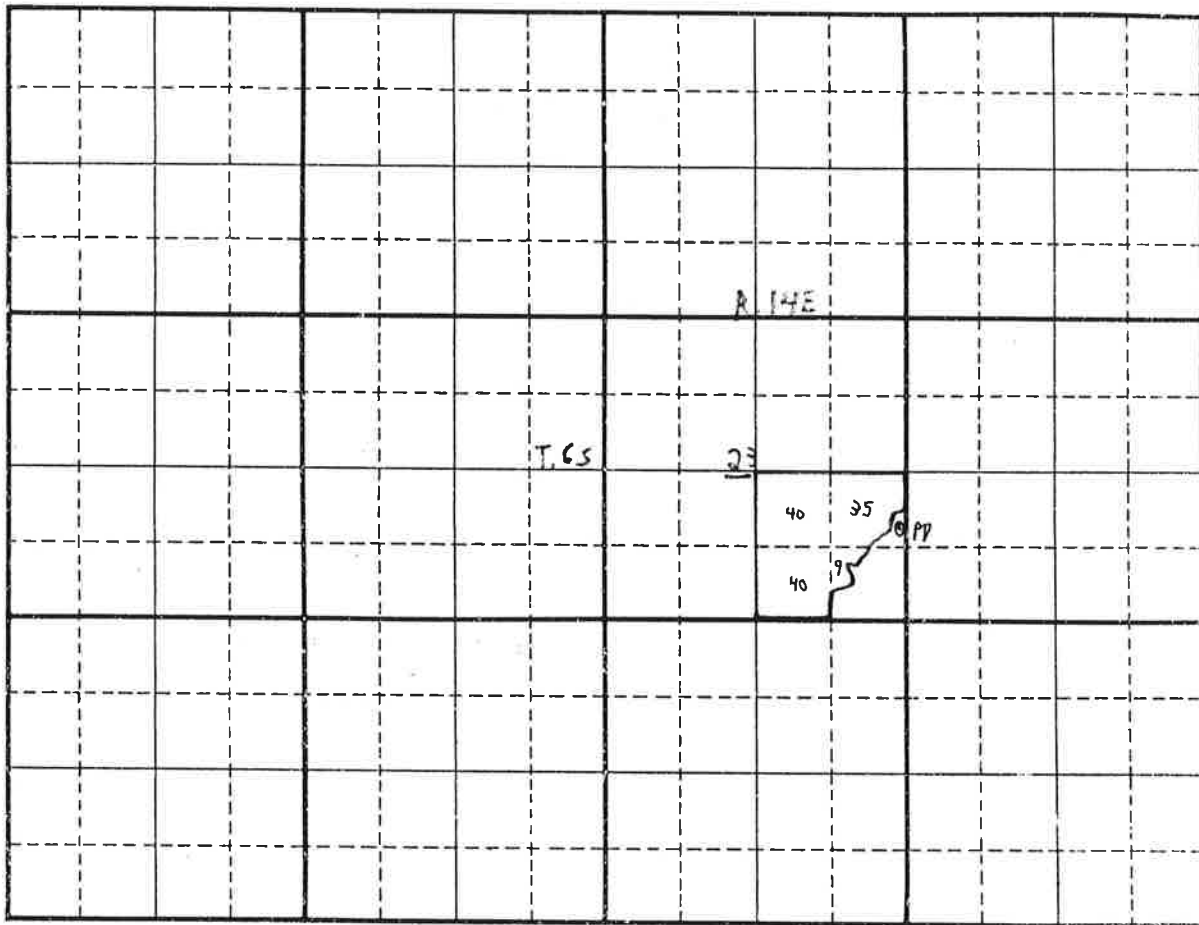
No. of acres 124

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Well is used mainly for pre-irrigation of crops.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Daryl Hitt
(Claimant)

Sworn to before me this 27th day of October, 19 82.

Loren O Halmer
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JF Stanton Date 10-27-82 Exception filed by: _____ Date _____
Prelim. check by LR Date _____
\$30.00 fee received by JP Date 10-27-82 423816
Published in Gooding, Co. Recorder
Dates 11/24/82 12/1/82

