

11/08/2006

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

RIGHT NUMBER: 75-4339

NAME AND ADDRESS: NANCY LINELL BILLS
BOX 137
CARMEN ID 83462

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.310 CFS

PRIORITY DATE: 04/06/1904

POINT OF DIVERSION:

T22N R22E S17 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.310 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S17 Lot 1 SWNW	9.90	T22N R22E S17	SESW	1.00
T22N R22E S17	NESW	12.00	T22N R22E S17 Lot 2 NWSW	24.00
T22N R22E S17	SWSW	2.40	T22N R22E S17 Lot 3 SWSW	21.00
T22N R22E S17	SESW	6.70		

77 ACRES TOTAL

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

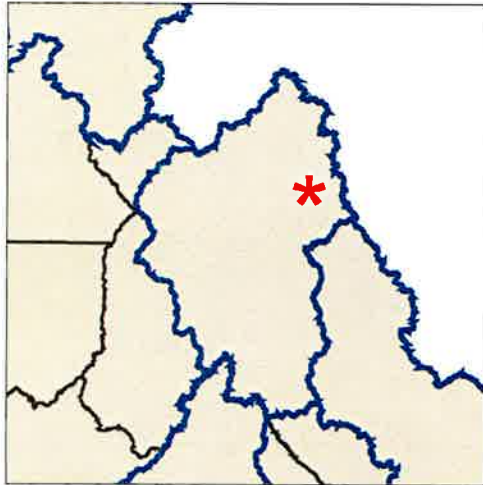
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources



Adjudication Claim Number: **75-4339**



Legend

-  Section Lines
-  22N22E GCDB



0 0.4 0.8 Miles



Prepared by M. Van Bussum
On Wednesday, May 11, 2005
1993/94 Aerial Photography



Idaho Department of Water Resources

SRBA Claim:

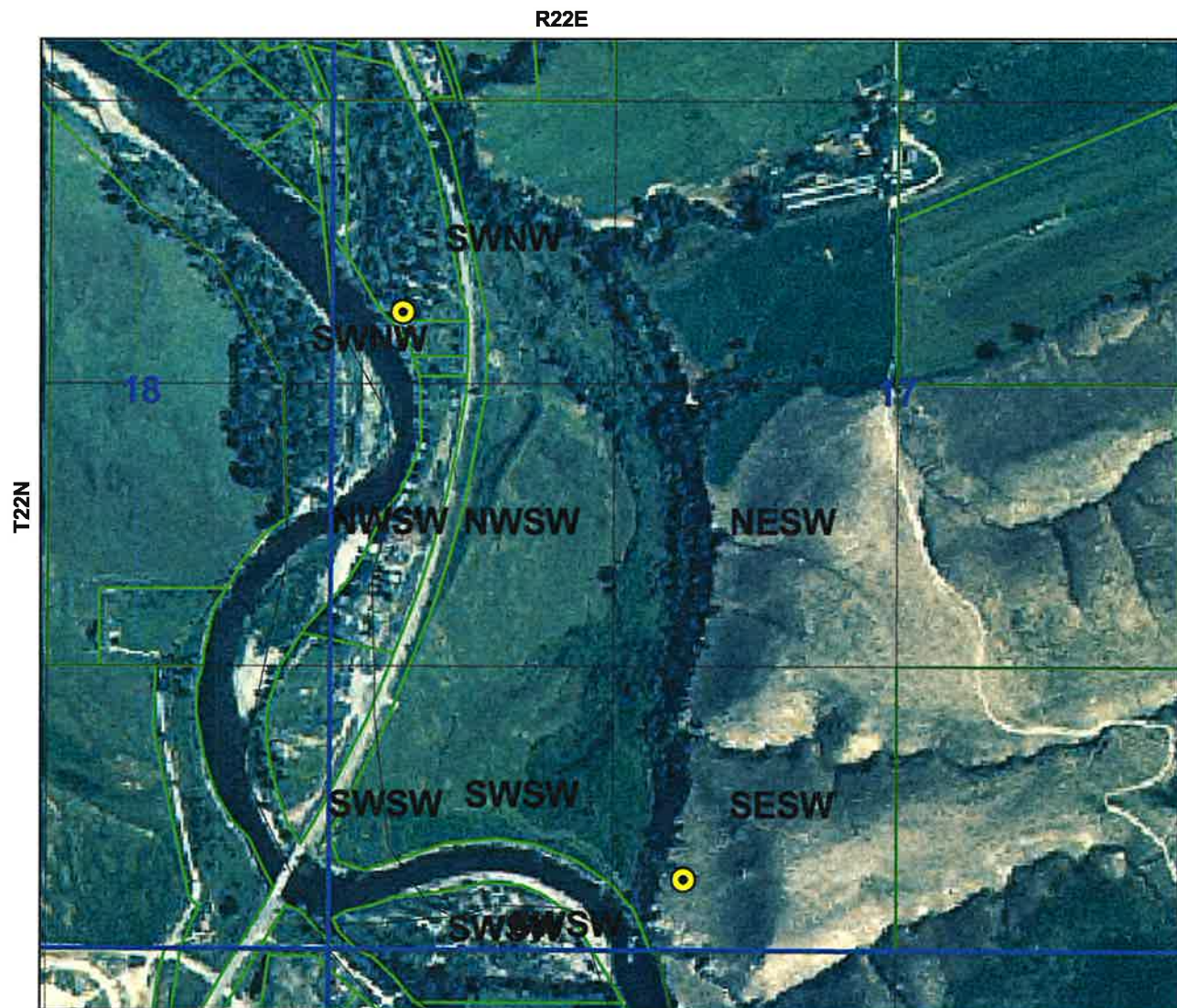
75-4339

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles



Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

11/20/2006

**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: 12/13/2006

Water right number: 75-4339

NANCY LINELL BILLS

BOX 137

CARMEN ID 83462

Telephone Number: (208)756-3147

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: 12/07/06 SIGNATURE: Nancy Linell Bills
Please print your name: Nancy Linell Bills

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED

DEC 11 2006

RECEIVED

DEC 09 2006

IDWR/North

RECEIVED

STATE OF IDAHO

RECEIVED

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP AUG 2 2006

AUG 29 2006

DEPARTMENT OF
WATER RESOURCESPlease print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
Eastern Region
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), 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
	A7504339				
	75-2123 ^c				
	75-10061ABC				
	75-1006220				
	75-10630 ^c				

RECEIVED
SEP 05 2006
IDWR/North

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- 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) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Jon F. Bills
P.O. Box 137 Carmen, ID 83462

4. New Owner/Claimant(s)

Nancy L. Bills

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 137

City, State and ZIP Code

Carmen, ID 83462

New Telephone Number

208-756-3147

5. Date you acquired the property

3-1-03

SCANNED

AUG 29 2006

FILED 3-17-2003TIME 9:10am

LEMHI COUNTY CLERK

BY Bmg DEPUTYState of Idaho) SS No. 253901
County of Lemhi)This instrument was filed for record at the request
of Milton A. Slavinat 1:42 o'clock p.m. 3/19 2003and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio RecorderBy Bunda DeputyFee 12.00

Return to _____

Milton A. Slavin

Attorney at Law

116 North Center Street

Salmon, Idaho 83467

Telephone: 208-756-2030

ISBN 1517

Attorney for Estate

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

In the Matter of the Estate)

of:)

Case No. SP 03-14

JON FRANCIS BILLS,)

**DECREE VESTING ESTATE
IN SURVIVING SPOUSE**

Deceased.)

Upon consideration of the Petition for Summary Administration of Estate in Which Surviving Spouse is Sole Beneficiary filed by NANCY LINELL BILLS on the 31st day of January 2003, the Court finds that:

1. The facts set forth in the Petition are true.
2. The required notice has been given or waived.
3. The Decedent, JON FRANCIS BILLS died on the 23rd day of October, 2002, while domiciled in Lemhi County, Idaho.
4. Venue is proper as the decedent owned real property in Lemhi County, Idaho.
5. The Decedent, JON FRANCIS BILLS and NANCY LINELL "CORBETT" BILLS were duly married at Idaho Falls, County of Bonneville, State of Idaho, on the 10th day of June, 1959, and remained married until the date of Decedent's death.

DECREE VESTING ESTATE

PAGE 1

SCANNED

AUG 29 2006

6. The surviving spouse, NANCY LINELL BILLS, is the sole heir or devisee of the Decedent.

7. The Decedent died testate, leaving a will dated October 25, 1995. The Will was validly executed and is the Last Will and Testament of the Decedent.

8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the Decedent and the character of the property is community.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That the Petitioner, NANCY LINELL BILLS, is the surviving spouse of the Decedent and is the sole heir or devisee of the Decedent.

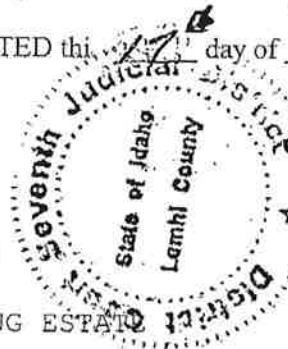
2. The property of the Decedent described hereinabove is hereby vested in and distributed to NANCY LINELL BILLS, free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the Estate of the Decedent as heir, devisee, or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the Decedent.

4. That any other community property not now known or discovered which may belong to said decedent or said estate and the petitioner, or in which the said decedent and petitioner may have an interest, be, and the same hereby is distributed and vested in NANCY LINELL BILLS, absolutely.

5. There shall be no further administration of the Estate of the Decedent.

DATED this 17th day of March 2003.



Jerry R. Meyers
JERRY R. MEYERS
Magistrate Judge

sumpro\BILLS\lde\1471-02

DECREE VESTING ESTATE

PAGE 2

SCANNED

AUG 29 2006

SCHEDULE OF COMMUNITY PROPERTY
JON FRANCIS BILLS
(DOD 10-23-2002)

REAL PROPERTY: Located in the County of Lemhi, State of Idaho, more particularly described as follows to-wit:

Parcel 1:

The E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17; Lot 6, NE $\frac{1}{4}$, Sec. 20; all in Township 22 N., R. 22 East Boise Meridian. Containing approximately 307.50 acres;

Also, a part of Lots 7 and 8, and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 20, T. 22 N., R. 22 East Boise Meridian, more particularly described as follows, to-wit:

Commencing at the East Quarter Corner of said Sec. 20, run thence West along the North boundary of the SE $\frac{1}{4}$ of Sec. 20, a distance of 1320 feet to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20 and the point of beginning; continuing thence West 1653 feet; thence S. 7° 58' E. 2403.2 feet; thence N. 72° 00' E. 1387.9 feet to a point on the East boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 20; thence North along the East boundary of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 20 a distance of 1951.1 feet to the point of beginning, containing approximately 74.72 acres.

Together with all improvements on the above described premises.

Parcel 2:

The East Half of the Northwest Quarter and the Lots numbered One and Two of Section Seventeen in Township Twenty-two North of Range Twenty-two East of Boise Meridian in Idaho, containing one hundred and fifty three acres and ten hundredths of an acre.

Together with all ditches, water, water rights pertaining to and used in connection with the above described property. Also, all range and range rights.

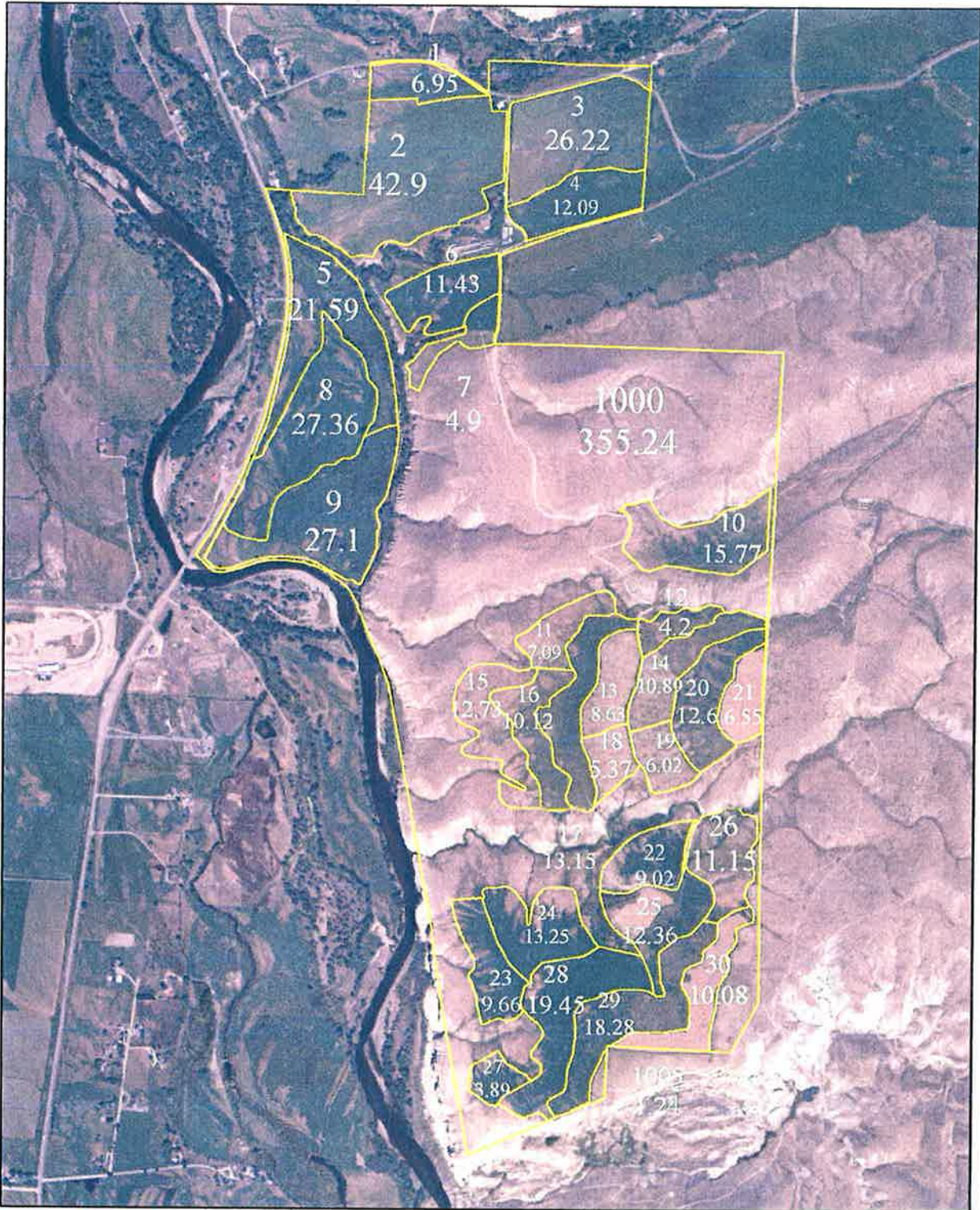
Being all and the same property described in patent from the United States Government, dated February 9, 1901, recorded in the office of the County Records of said County of Lemhi, in Book "K" of Deeds, at page 304.

ALSO, Lot 3, the East Half of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, Section Seventeen (17) and Lot Five (5) Section Twenty (20), all in Township 22 North, Range 22, East of the Boise Meridian, containing approximately 197 acres.

Together with all water, water rights, ditch and ditch rights, range and range rights; and
Together with all improvements on the above described premises.

ALSO, the following described property, also in Lemhi County, Idaho, to-wit:

The NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17 and that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17 described as beginning at the NW corner of said subdivision and run thence South on the Westerly side line thereof 558 feet; thence northeasterly to the Northeast corner of said subdivision and thence Westerly to the place of beginning; all in Township 22 North, Range 22 East of the Boise Meridian, containing approximately 48.5 acres of land.



United States Department of Agriculture
Farm Service Agency
Lemhi/North Custer

FSN 20 T40



- Wetlands
- Fields, Boundaries

February 23, 2006

0 750 1,500 3,000 4,500 6,000 Feet

SCANNED

APR 20 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s).

A7504339

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: N. Linell and Jon Loren Bills

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0017065 GPS 122

Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>
Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

	Print Name _____
	Signature _____

OCT 10 2001

127

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: A75-04339
Date Received: 5/08/1990
Receipt No: M006947
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JON F. BILLS 208-756-3147
Address: BOX 137
CARMEN, ID 83462

2. Date of Priority: APR 06, 1904

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	22E	17	SE	SW			LEMHI

5. Description of diverting works:
HEADGATE, DITCH & PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.080		

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

8. Total consumptive use is 192.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 500 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Acres
22N	22E	17	SW	NW		11.0 2/9/1901
			NE	SW		7.0 6/23/1922
			NW	SW		25.0 1901 2/9

A75-04339

Page 1

Date: 05/08/90

A7504339



MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	17	SW	SW		IRR	30.0 1913 5/16
			SE	SW		IRR	4.0 6/23/1922
						Section Acres	77.0
						Total Acres	77.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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: 6

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): Jon Z. Bille Date: 5-8-90

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of May 19 90 Wane Carl
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96