

11/16/2006

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

RIGHT NUMBER: 67-4566

NAME AND ADDRESS: DOROTHY HILEMAN
2378 MILL CREEK RD
COUNCIL ID 83612-5221

JIM HILEMAN
2378 MILL CREEK RD
COUNCIL ID 83612-5221

SOURCE: UNNAMED STREAM

TRIBUTARY: WEISER RIVER

QUANTITY: 0.070 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1929

POINT OF DIVERSION:

T17N R01W S35 NWSESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.050 CFS
STOCKWATER	01/01 12/31	0.010 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S35 NESE 0.90 T17N R01W S35 NWSE 0.80

STOCKWATER same as IRRIGATION

1.7 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Stockwater use is for 15 range cattle.

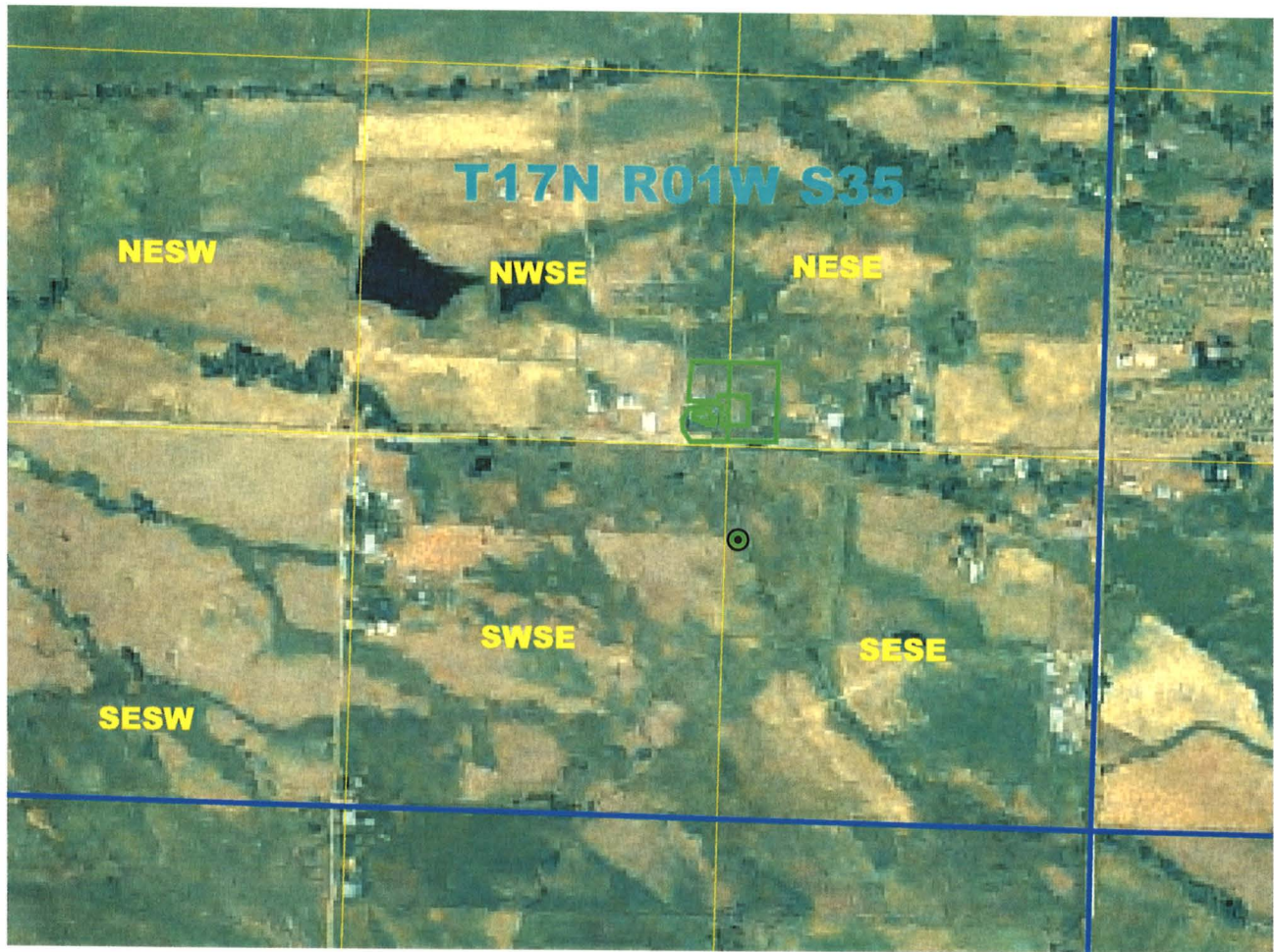
Source is also known as Last Chance Creek.

This right when combined with all other rights shall provide no more than .03 cfs per acre.



State of Idaho
Idaho Department of Water Resources
Western Region

T17N R1W SECTION(S) 35
WATER RIGHT(S) : 67-4566



○ Point of Diversion

Total Irrigated Acres = 1.7 acre(s)

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: November 2006



TO: ADJUDICATION CLAIM FILE 67-4566

FROM: DANIEL A. NELSON

DATE: 11/16/06

SUBJECT: CLAIM REVIEW

This claim is based on a statutory claim for this ground. The Snake River Basin Adjudication (SRBA) claimed 1 less acre, but the same rate of diversion. In reviewing the current tax lot information, I discovered that the claimant only owns 2.07 acres total. The claimant provided an affidavit for evidence of priority, so the priority date will remain the same as claimed.

My review of the maps show that of the 2.07 acres owned by the claimant only 1.7 acres are irrigated. 0.06 cfs was claimed on both the SRBA claim and the statutory claim. Using the standard 0.03 cfs per acre for land under 5 acres, the maximum allowable diversion rate for this property is 0.05 cfs. Since 0.05 cfs is below the amount claimed, I am recommending this claim for 0.05 cfs for 1.7 acres. No volume limitation is required on this claim for irrigation, because it is a surface water right. The stockwater use is a minimal use, and will be recommended as claimed with the condition limiting the water use to 13,000 gallons per day.

The claim lists the source as Last Chance Creek. Last Chance Creek is not shown on any of the maps, but it is referred to in the Muir-Allison decree as an unnamed stream. Therefore, I am recommending this claim as an unnamed stream tributary to the Weiser River. I will include a condition stating that the source is also known as Last Chance Creek.

From my overlap review, it appears as though decreed water right 67-353 might have overlapped this property at one time. However, I have spoken to Craig Saxton, the agent that recommended 67-353, and informed me that the watermaster has never delivered any water to the claimant. Mr. Saxton sent me a split tree of the original decree, and the entire diversion rate decreed has been allocated to other individuals. However, there does seem to be approximately 1.4 acres of the decree not allocated to any of the splits. In a discussion with Mr. Saxton, we agreed that these acres probably belong to the claimant, but there was enough water under the decree to properly irrigate his ground. Therefore, he began using the water under this claim. Even if the claimant does have some right to some of this decreed right, it is from Mill Creek, a different source, so it should not affect the approval of this claim. I will include a condition that limits the water use on this ground to 0.03 cfs per acre.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4566 V1

WATER RIGHT NUMBER: 67-4566 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOROTHY HILEMAN 2378 MILL CREEK RD COUNCIL, ID 83612-5221 (208)253-4420
Current Owner	JIM HILEMAN 2378 MILL CREEK RD COUNCIL, ID 83612-5221 (208)253-4420

Priority Date: 01/01/1929

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.050 CFS	
STOCKWATER	01/01 to 12/31	0.010 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4SE1/4SE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS 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	
17N	01W	35													.9	.8			1.7

Total Acres: 1.7

STOCKWATER same as IRRIGATIONConditions of Approval:

1. X02 Stockwater use is for 15 range cattle.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. B01 Source is also known as Last Chance Creek.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4566 V1

6. C18 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.

Remarks:Comments:

1. dnelson 11/16/2006 Claim Review

Comment: This claim is based on a statutory claim for this ground. The Snake River Basin Adjudication (SRBA) claimed 1 less acre, but the same rate of diversion. In reviewing the current tax lot information, I discovered that the claimant only owns 2.07 acres total. The claimant provided an affidavit for evidence of priority, so the priority date will remain the same as claimed.

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Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4566 V1

Contacts	11/16/2006 9:47:14 AM	dnelson	Active
Priority Date	11/16/2006 9:48:11 AM	dnelson	Active
POD	11/16/2006 9:50:13 AM	dnelson	Active
Source	11/16/2006 9:51:23 AM	dnelson	Active
POU	11/16/2006 9:53:13 AM	dnelson	Active
Use	11/16/2006 9:54:14 AM	dnelson	Active
Season	11/16/2006 9:55:26 AM	dnelson	Active
Quantity	11/16/2006 9:56:07 AM	dnelson	Active
Summary	11/16/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/16/2006 9:52:59 AM	dnelson	Updated shape for Active POU
Contacts	11/16/2006 9:47:15 AM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Claim is below the threshold requiring a field exam.
General	11/16/2006 9:48:12 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from previous owner.
POD	11/16/2006 9:50:14 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4566 V1

Source	11/16/2006 9:51:24 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Aerial photos.
POU	11/16/2006 9:53:13 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial Photos.
Use	11/16/2006 9:54:14 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Below threshold requiring verification other than claim file.
Season	11/16/2006 9:55:27 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4566 V1

Quantity	11/16/2006 9:56:08 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Water use is below measurement requirement.
Summary	11/16/2006 9:57:01 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	11/16/2006 9:49:53 AM	dnelson	Updated shape

Water Supply Bank:

T17N R01W S35

NESW

NWSE
0.8 acres

NESE
0.9 acres



SWSE

SESE

SESW

NENW

NWNE

NENE

Split history for Decreed Right 67-00353

WR History

67-00353 Schaff/Galey
0.75 cfs
60 ac
0 af

TR 8-19-1921

Claim History

67-00353 Schaff/Galey
0.75 cfs
60 ac
0 af

Watermaster Records

67-353A	Harvey	0.14	0.14
		10	
67-353B	Kruse	0.03	
		5	
67-353C	Camp	0.16	0.16
		16	
		0	
67-353D	Woodington	0.04	0.04
		3	
		0	
67-353E	Paradis	0.38	0.41
		68	
		0	

C/O to Paradis

67-353A Harvey
0.14
10

67-353B Paradis
0.03
2.4

67-353C Camp
0.16
12.8

67-353D Woodington
0.04
3

67-353E Paradis
0.38
30.4

Acreage calc at 5/8 " per acre

Sum CFS =	0.75
Sum Acre =	102
Sum AF =	n/a

0.75

Extra CFS =	0
Extra Acre =	-42
Extra AFA =	n/a

Sum CFS =	0.75
Sum Acre =	58.6
Sum AF =	n/a

Extra CFS =	0
Extra Acre =	1.4
Extra AFA =	n/a

*Last updated 12-12-05 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

Page #	Parcel Number	Name	New Charge 2005	New Charge 2003	Water in Inches	File #	Original Owner	Priority Date
21	7N01W351	PARADIS, MICH	\$ 16.40	\$14.36	20.5	353	SCHAFF/GALE	5/1/82
22	7N01W350	HARVEY, DON	\$ 5.60	\$4.90	7	353	SCHAFF/GALE	5/1/82
22	7N01W357	WOODINGTON	\$ 10.00	\$7.50	2	353	SCHAFF/GALE	5/1/82
22	7N01W357	CAMP, JAMES	\$ 10.00	\$7.50	8	353	SCHAFF/GALE	5/1/82

ONLY OTHER OVERLAP FOR 67-4566 IS 67-13946, WHICH IS FOR DOMESTIC GROUNDWATER USE. OVERLAP SHOULDN'T BE AN ISSUE. DAN 11-15-06.

Received From
Craig Saxton. ENTIRE
DIVERSION RATE HAS
BEEN SPLIT UP, BUT THERE
IS AN EXTRA 1.4 ACRES
LEFT OVER. THIS COULD
BE AN OVERLAP, BUT
WATER MASTER RECORDS
DON'T SHOW ANY
DELIVERY TO HILMAN

DAN

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4566

WATER RIGHT NUMBER: 67-4566

Owner Type Name and Address
 Current Owner DOROTHY HILEMAN
 2378 MILL CREEK RD
 COUNCIL, ID 83612-5221
 (208)253-4420

Current Owner JIM HILEMAN
 2378 MILL CREEK RD
 COUNCIL, ID 83612-5221
 (208)253-4420

Priority Date: 01/01/1929

Basis: Beneficial Use

Status: Active

Source

LAST CHANCE CREEK

*unnamed*Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From To

3/15 to 11/15

1/01 to 12/31

Diversion Rate

0.060 CFS

~~0.010 CFS~~Total Diversion:

0.070 CFS

*0.06 CFS*Annual Volume*0.05 CFS*~~limited to 0.01 CFS/standards?~~*OK*Location of Point(s) of Diversion

LAST CHANCE CREEK

ADAMS County

unnamed

NW1/4SE1/4SE1/4

Sec. 35, Twp 17N, Rge 01W, B.M.

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	
17N	01W	35													1.5	1.5			3.0

Total Acres: 3

STOCKWATER same as IRRIGATIONConditions of Approval:

1. AC. IRR. = 3.

Remarks:Comments:Dates and Other Information:

N-DB STOCKWATER
N-05
X05 15 Hd Range CATTLE.

*ALSO KNOWN locally as**LAST Chance CREEK.*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4566

WATER RIGHT NUMBER: 67-4566

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JIM HILEMAN STAR RT COUNCIL, ID 83612

Priority Date: 01/01/1929

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
LAST CHANCE CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/01	0.060 CFS	
STOCKWATER	1/01 to 12/31	0.010 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

LAST CHANCE CREEK	SE1/4SE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS 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	
17N	01W	35													2.0	2.0			4.0

Total Acres: 4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. AC. IRR. = 3.

Remarks:Comments:Dates and Other Information:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Department of Defense
Western Regional Office

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 Jim Hileman
(Name of Claimant)

Star Rt. Council, Idaho 83612 Telephone No. 253-4420
(Mailing Address) (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) 1929

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)

Last Chance Creek tributary to WELSER RIVER

- (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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates Inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>06 cfs</u>	Use	<u>irrigation</u>	Period of Use From	<u>Dec 1</u> To <u>Dec 1</u>
Quantity	<u>140 gpd (0.1 cfs)</u>	Use	<u>stock water</u>	Period of Use From	<u>Jan 1</u> To <u>Dec 31</u>
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____
Quantity	_____	Use	_____	Period of Use From	_____ To _____

- (4) 0.07 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35 Twp. 17N Rge. 1W B.M., County of Adams

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. Pumps and Pipeline

- (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.

[illegible]

No. of acres 3

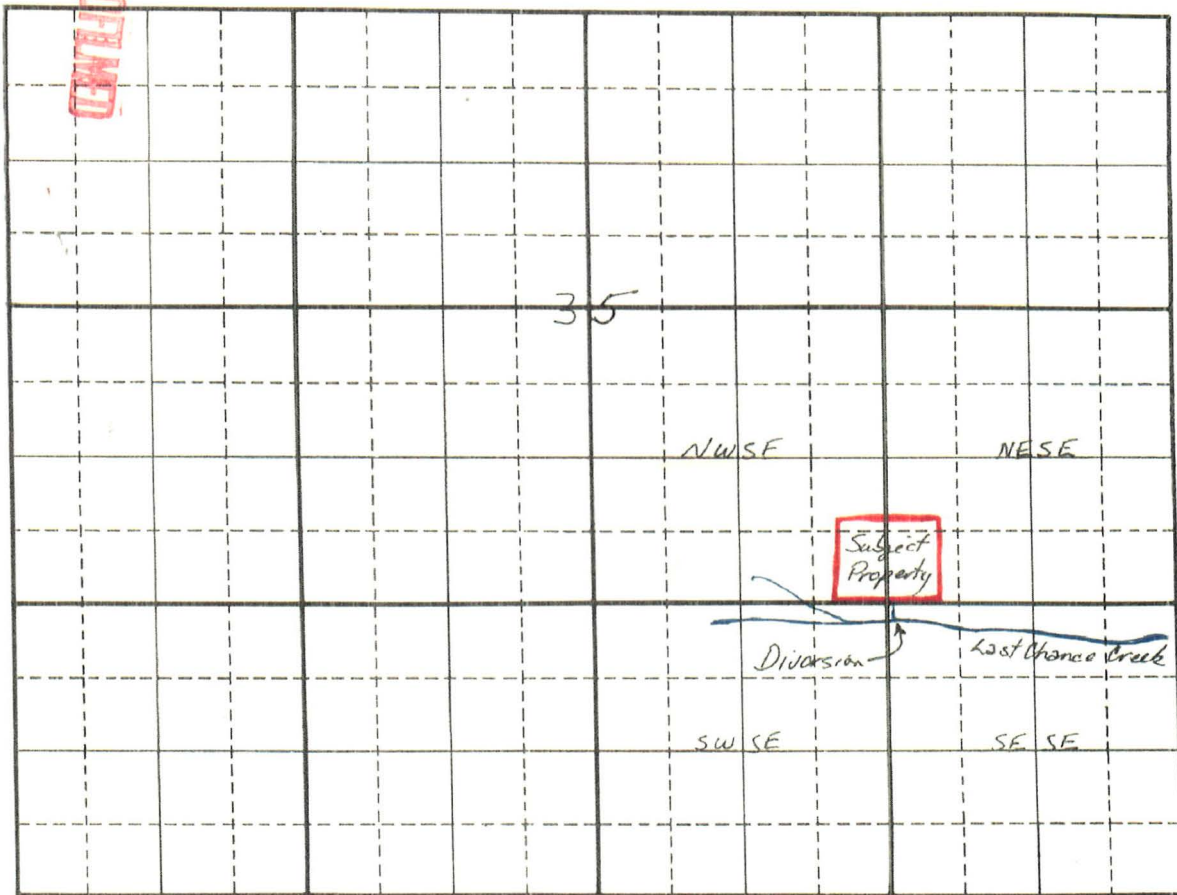
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Livestock use for approx. 10 head of horses and 1 cow and domestic garden and yard

NOTE: Include here the type and number of stock watered: 10 horses and 1 cow

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

(8) Remarks _____



Scale: 8 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 Adams)

) 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.

Sworn to before me this 2 day of July, 1983.

Notary Public

Residing at Adams County, Idaho

My commission expires 11-4-83

7-7-83 FOR DEPARTMENT USE ONLY

Received by mm

Date 5-31-83

Exception filed by:

Forwarded to

Date

Prelim. check by JG

Date 2-27-84

claimant by:

Published in Adams County Leader

Date 7/1/83

Dates 3/29 & 4/5/84



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 29, 1983

RECEIVED
FEB 3 1984

Jim Hileman
Star Rt.
Council, ID 83612

Department of Water Resources
Western Regional Office

Dear Mr. Hileman:

We are now in the process of reviewing the claims that came into our office during the June 30, 1983, deadline rush. Your claim has been reviewed and prior to processing a few more items need to be included.

You have listed irrigation as a use, however, under Item 6(A) no acreage was listed. The number of acres being irrigated in each quarter-quarter needs to be listed.* Another question involves the source of water listed. You have listed both springs and Last Chance Creek. If the springs have been developed at the source, i.e., catch box and pipeline then they should be listed. However, if they just flow into the creek and you pump out of the creek, the only source to be listed would be Last Chance Creek.

Please contact us with the above information and we can process your claim. If you have any questions, please do not hesitate to contact us.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG:cjk

RECEIVED
FEB 3 1984
* as close as I can get with out going smaller as quarter line goes the property is: SW SWNESE, SW SENWSE 1/2 A each.

* IF 3 ACRES ARE BEING IRRIGATED AS YOU PENCILLED IN BY AMOUNT OF WATER, PLEASE SHOW WHICH 1/4 IN THE 3 ACRES LIE IN.

THANK YOU

AFFIDAVIT

I, Gene Camp, having attended school adjacent to the subject property known as the Galey Ranch north of Council, Idaho and being very familiar with the land and irrigation since the 1920's I do hereby testify that the land on the attached map and legal description has been irrigated from a small stream known as Last Chance Creek and shown on the map since at least the year 1929.

The water volume was sufficient to irrigate the land for the entire summer which would involve approximately One Inch per acre.

May 25, 1982

Gene Camp

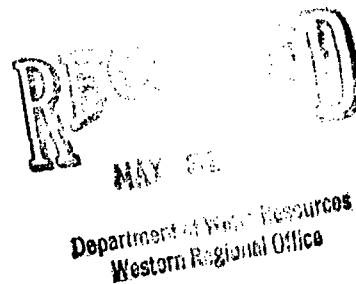
STATE OF IDAHO

County of Adams)

On this 25 day of May, 1982, before me, the undersigned, a Notary Public in and for said State, personally appeared Gene Camp known to me to be the person who signed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affix my seal the day and year first above written.

Daniel J. Morris

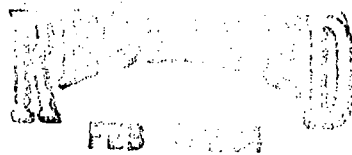


As close as I can without going smaller
as quarter line goes thru property is:

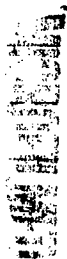
In SWNESE, In SEWSE.

There $1\frac{1}{2}$ acres each.

The springs go into creek and we
pump out of creek.



Department of Water Resources
Western Regional Office



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: **A67-04566**
Date Received: 12/14/1989
Receipt No: W007130
Received By: _____

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

1. Name: JIM HILEMAN 208-253-4420
Address: HC 62 BOX 1340
COUNCIL ID 83612
OR
Name: DOROTHY HILEMAN 208-253-4420
Address: HC 62 BOX 1340
COUNCIL ID 83612

2. Date of Priority: JAN 1, 1929

3. Source: LAST CHANCE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	35	NW	SE	SE		ADAMS

5. Description of diverting works:
PUMP IN DITCH W/PIPELINE TO IRRIGATED GROUND & STOCK TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.010		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 10-15 HEAD MIXED

SCANNED
MAY 10 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	35	NE	SE		IRR	1.5
			NW	SE		IRR	1.5
						Section Acres	3.0
						Total Acres	3.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR. = 3.

15. Basis of Claim: BENEFICIAL USE

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)
) SS.
County of _____)

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

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Receipt Number

W007130

RECEIVED

DEC 14 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) HILEMAN, JIM & DOROTHY Phone (208) 253-4420Mailing Address HC 62, Box 1340, COUNCIL, ID Zip 836122. Date of Priority (Only one (1) per claim) 01/01/19293. Source of water supply (a) LAST CHANCE CK.
which is tributary to (b) WEISER4. a. Location of existing point of diversion is: Township 17N Range 01W Section 35,
NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of ADAMS

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 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. PUMP IN DITCH WITH PIPELINE TO
IRRIGATED GROUND & STOCK TANK.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 03/15 to 11/15 amount 0.06 or _____

For STOCKWATER purposes from 01/01 to 12/31 amount 0.01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.07 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER FOR 10-15 HD / MIXED

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	
<u>17N</u>	<u>01W</u>	<u>35</u>													<u>1.5</u>	<u>1.5</u>			<u>3.0</u>

Total number of acres irrigated 3.0

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

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 (X)

14. Remarks:

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Last Name HILEMAN

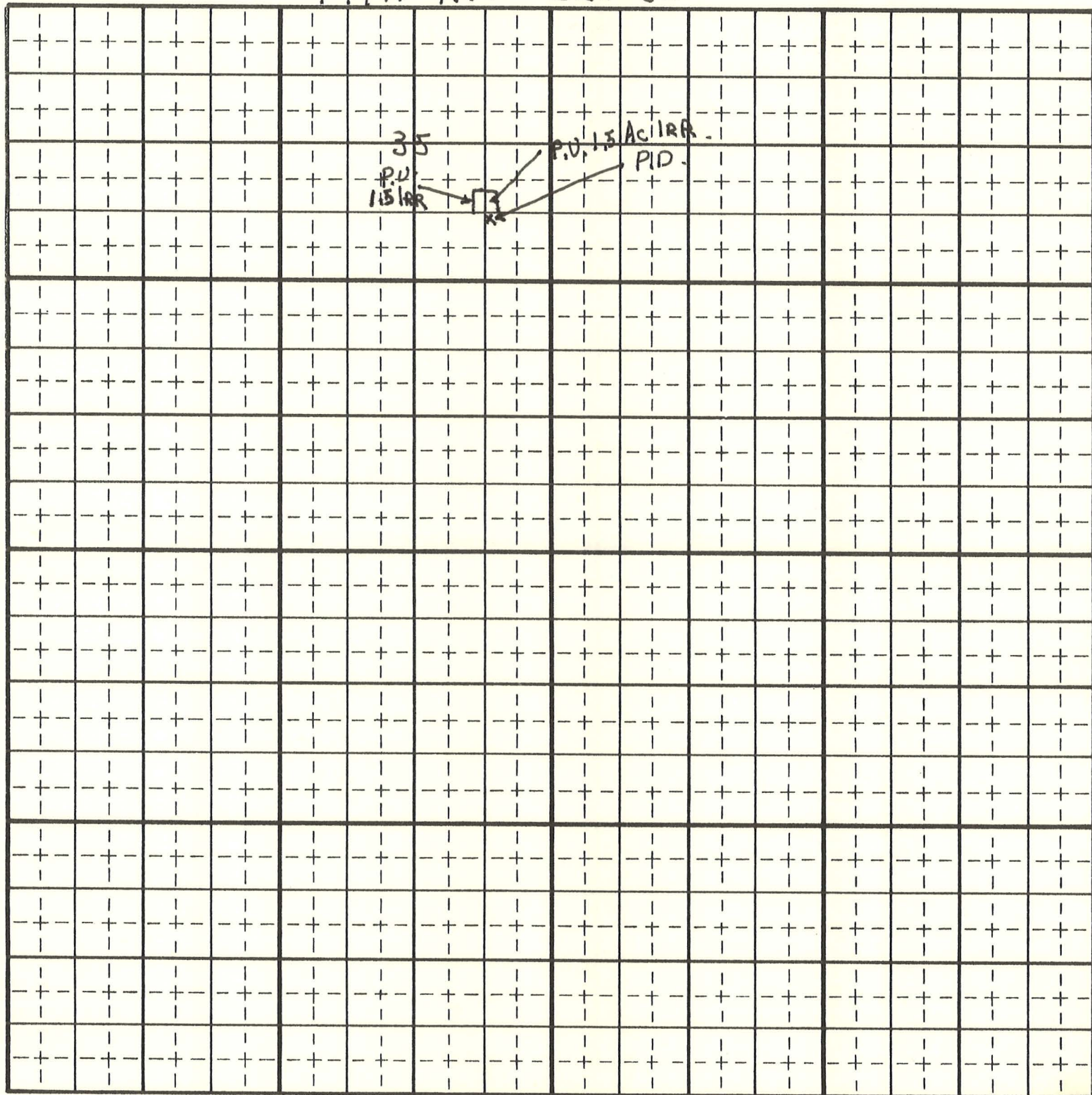
Ident No. R67-04566

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T17N R1W SEC 35



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Last Name HILEMAN

Ident No. A67-04566

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 67-04566
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) *A. Leachy Hileman* Date 12-6-89

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 ADAMS) SS.

Subscribed and sworn (or affirmed) before me this 6th day of DEC 1989

SEAL

Notary Public *Donna E. Smith*

Residing at BOISE, ID

My Commission Expires 11/08/1994

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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OCT 23 1996

Last Name HILEMAN Ident. Number A67-04566

Copies White-State, Yellow-Claimant

Old (D) Number -

```
+ - - - - - Last Name - - - - - +      + - First Name - - +      + - - - - - - - - Address - - - - - - - - - - - - - +
```

*** C - CURRENT OWNER ***

HILEMAN

JIM

1 - STAR RT.

2 -

3 -

City- COUNCIL

Phone -

State- ID Zip- 83612

+ - - Priority Date - - +	+ - - Region - - - +	+ - - Stage - - - +	+ - - Status - - - +
01/01/1929	14 WESTERN	S - STATUTORY CLAIM	

Source	Tributary
LAST CHANCE CREEK	WEISER RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
17N	01W	35	SE SE			(3) ADAMS				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/01	11/01	0.060	
04 -	STOCKWATER	01/01	12/31	0.010	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.070

Place of Use									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
17N	01W	35	NE SE		2.0	01	IRRIGATION	(3)	ADAMS
17N	01W	35	NW SE		2.0	01	IRRIGATION	(3)	ADAMS

Total Acres: 4.0

+ - - Diversion Means - PUMPS & PIPELINE

+ - - Non-Irrigation Use - S/10 RANGE, 1 DAIRY

+ - - Other Rights for Same Use -

+	-----	Remarks	-----	+
	AC. IRR. = 3.			

```
+-----+ Old Water Right Numbers -----+
```

No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	01/17/1986	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-	
Presumption Flag	-							

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Hileman, Jim & Dorothy

CLAIM IDENT. NO.

AL 7-04566

DATE RECEIVED 12-14-89

RECEIPT # 2007130

FEE PAID \$ 53.00

FEE REQ'D \$ 53.00

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	___	*
2. Is a priority date entered?	<u>X</u>	___	*
Is the priority date acceptable in view of mandatory filing dates? <u>X</u> *			
See Adjudication Memos #1 and #4 to determine if a Permit is required. _____			
3. (a) Is a source entered?	<u>X</u>	___	*
(b) Is a tributary to entered? (if required) N/A	<u>X</u>	___	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	___	*
5. Is there a description of the diverting works?	<u>X</u>	___	
6. Are the water uses appropriate for the form?	<u>X</u>	___	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	___	
Is a quantity claimed for each use?	<u>X</u>	___	*
7. Is a total quantity claimed entered?	<u>X</u>	___	
8. If required is a consumptive use entered? N/A	<u>X</u>	___	
Is the consumptive use correct? N/A	<u>X</u>	___	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	___	*
If multiple domestic, is single ownership indicated?			
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	___	*
11. Is (are) the county(ies) entered?	<u>X</u>	___	
12. Is the ownership of p.u. checked?	<u>X</u>	___	
13. Are other water rights listed or "none" indicated?	<u>X</u>	___	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	<u>X</u>	___	
15. Is the basis of the claim indicated?	<u>X</u>	___	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	<u>X</u>	___	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?			
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	<u>X</u>	___	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	<u>X</u>	___	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	___	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	___	*
21. Was this claim filed on time?	<u>X</u>	___	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?			
22. Is the fee enclosed correct? Exempt	<u>X</u>	___	*

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	YES	NO
23. Is this claim being rejected and returned to claimant?	<u> </u>	<u>X</u>
24. Can this claim be data entered?	<u>X</u>	<u> </u>
25. Was claim modified?	<u> </u>	<u>X</u>
If yes, do modifications require notification to claimant? Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: ZAD Date 7-26-94
 Claim data entered by: ZAD Date 9-6-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER
 THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE
 RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: Claiming 1 less acre than originally claimed on
 statutory claim.

RECORDED
 1994 SEP 10