

#100⁰⁰.x

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10376
Date Received: 2/23/1990
Receipt No: 5012377
Received By: Dr

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 16 1990

Department of Water Resources
Eastern District Office

1. Name: L. DON HAMMOND & *Marilyn Hammond*
Address: BOX 1694
POCATELLO, ID 83204

2. Date of Priority: JUN 01, 1885

3. Source: RAPID CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	22	NE	NE			BANNOCK

5. Description of diverting works:
PUMP FROM CREEK TO SPRINKLE IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.860		

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

8. Total consumptive use is 125.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	22	NE	NE		IRR	29.0
			SW	NE		IRR	5.0
			SE	NE		IRR	2.8

Section Acres 36.8

A29-10376

Page 1

Date: 02/23/90

MICROFILMED

NOV 16 1992

A2910376



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	23	NW	NW		IRR	13.0
Section Acres							13.0
Total Acres							49.8

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES 29-00293- 0.2 CFS, 291- 0.06 CFS, (291- 0.6CFS)

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CHARLES E. STEWART, ET. AL.

Decree Plaintiff

vs

A. J. DAMRON, ET. AL.

Decree 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 X 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): L. L. Hammond Date: 3-12-90

Arizona
State of Idaho)
County of Yavapai) SS. Date: 3-12-90

Subscribed and sworn (or affirmed) before me this 12th day

of March 19 90

Kenneth H. H. H.
Notary Public

Seal

Residing at Yuma, Arizona

My Commission Expires July 22, 1993

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NOV 10 1957

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD

29-10376 ✓

HAMMOND, DON
HAMMOND, MARILYN
PO BOX 1694
POCATELLO ID 83204



BOX CLOSED-
NO ORDER





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 20, 2001

29-10376

L DON HAMMOND

MARILYN HAMMOND

PO BOX 1694

POCATELLO ID 83204

2850 S Banrock Hwy #14
Pocatello ID 83204-3606

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

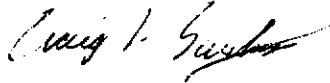
For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 22, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,



Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 29-10376

Log for claim A29-10376

Spatial Dynamics BTD

9/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	NENE	29	33	
07s36e	22	SWNE	5	5.1	
07s36e	22	SENE	2	2.3	
07s36e	23	NWNW	13	11	
Totals:			49	51.4	

6/7/01 NCO - send

Nelson, Stewart
2630 Al Inkorn Rd
Inkorn ID
83245

AJ5809NP
No. A29-10376

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 283

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARILYN HAMMOND	06/01/1885	IRRIGATION	03-15 11-15	0.860 CFS	
C	DON HAMMOND					
	BOX 1694					
	POCATELLO ID 83204					
				TOTAL DIVERSION:	0.860 CFS	
				CONSUMPTIVE USE:		125.00 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R36E S22

NENE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07s	36E	22	:	29		05		02												:	36.8
07s	36E	23	:							13										:	13.0
																				TOTAL ACRES	49.8

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A29-00291A A29-00292 A29-00292B A29-00294A A29-00294B A29-00294C A29-00294D A29-00294E A29-00294G A29-00294J

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

A29-00291 A29-00291A A29-00292 A29-00292B A29-00293 A29-00293A A29-00293B A29-00294A A29-07602 A29-10024

Remarks: GEN THIS CLAIM COMBINES 29-00293- 0.2 CFS, 292- 0.06 CFS, 291- 0.6CFS

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

Misc: Water District Number: 29F Field Inspection Flag:
Presumption Flag:

Audit: 03/15/90 DCARLSON 03/22/90 DCARLSON 12/03/92 COX 03/29/95 POST-STD
11/02/95 CFRITSCH