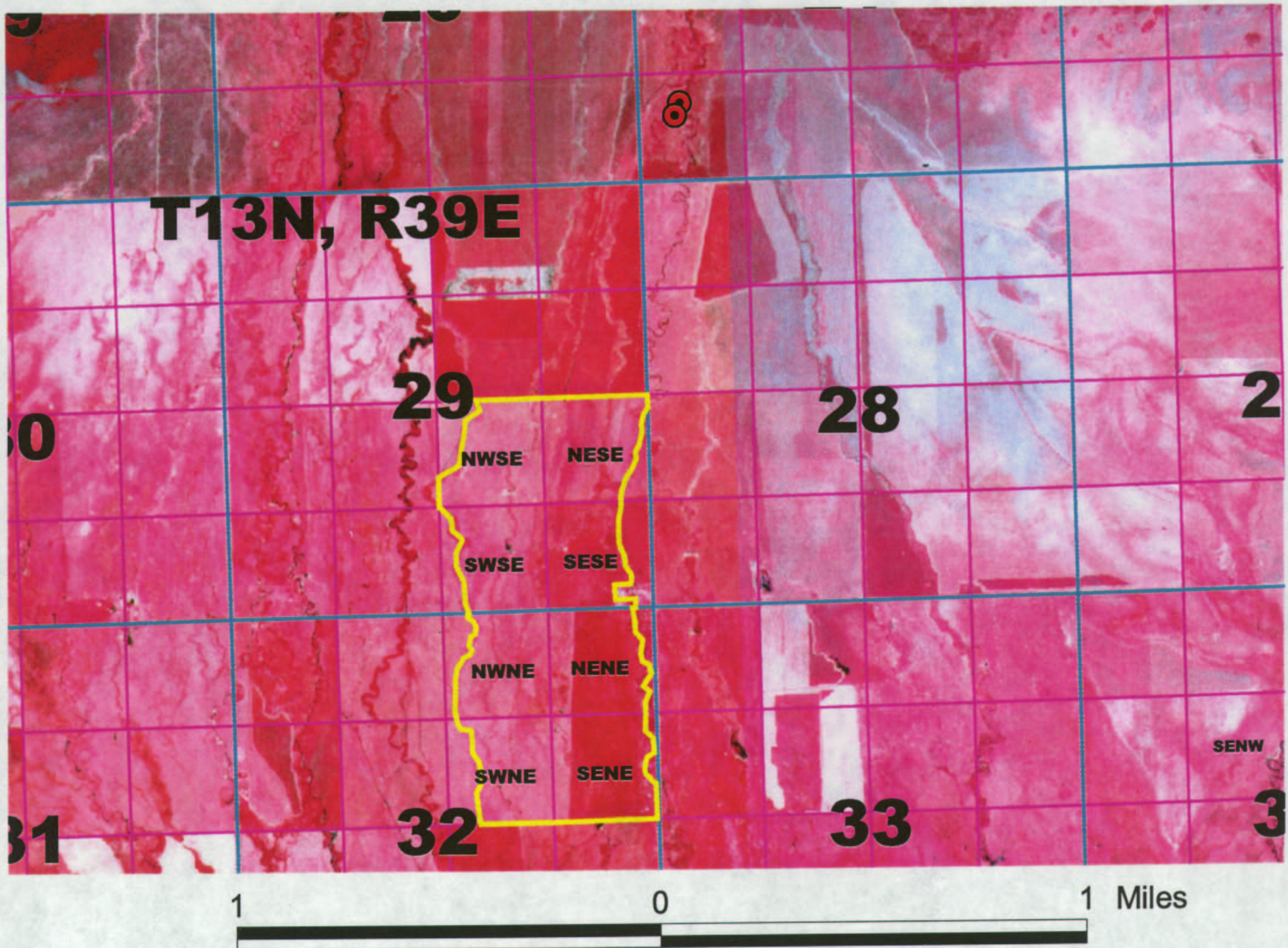




STATE OF IDAHO

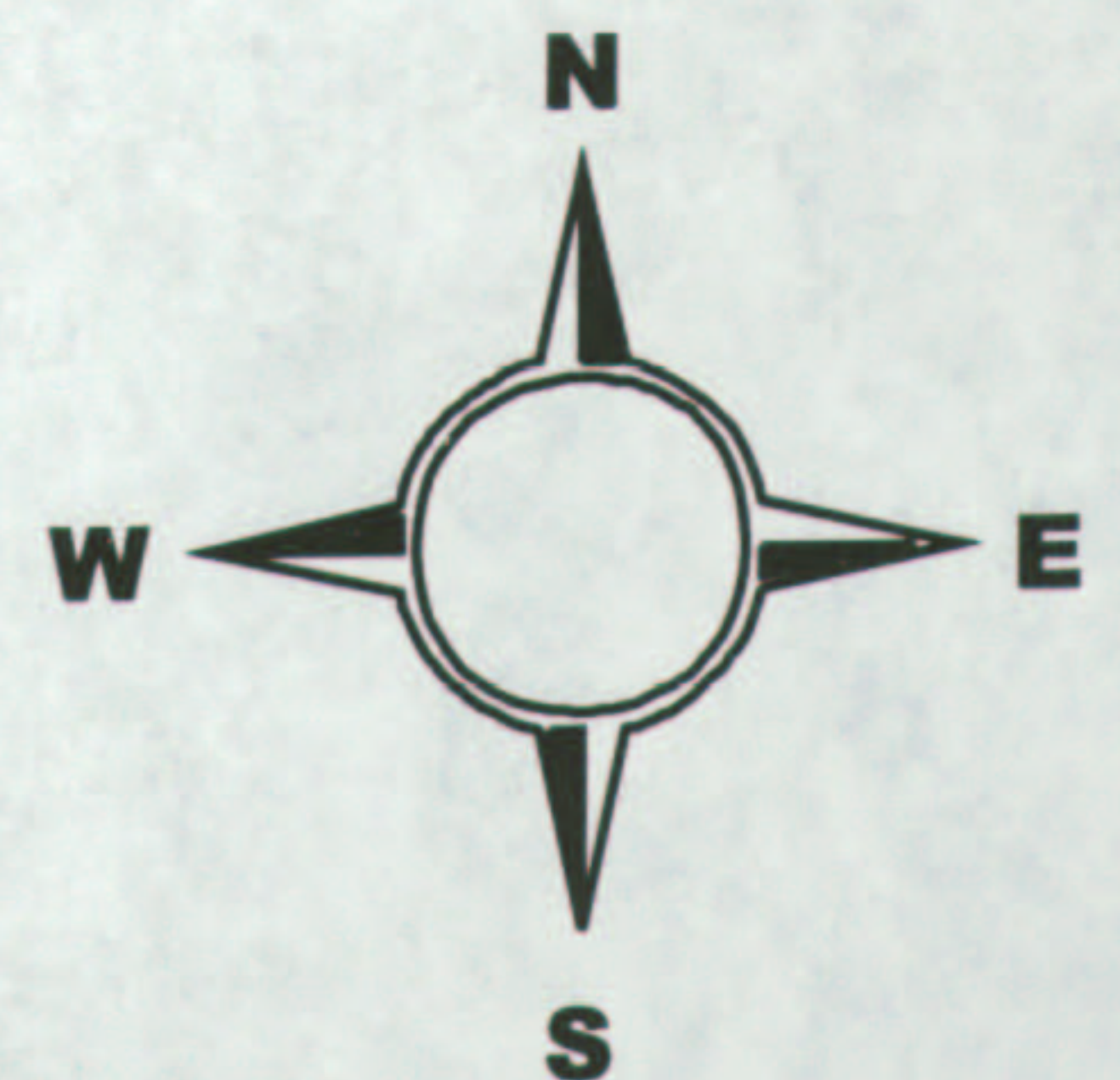
Department of Water Resources
Eastern Region

Water Right(s): 31-00024 and 31-00245



Total Irrigated Acres: 266

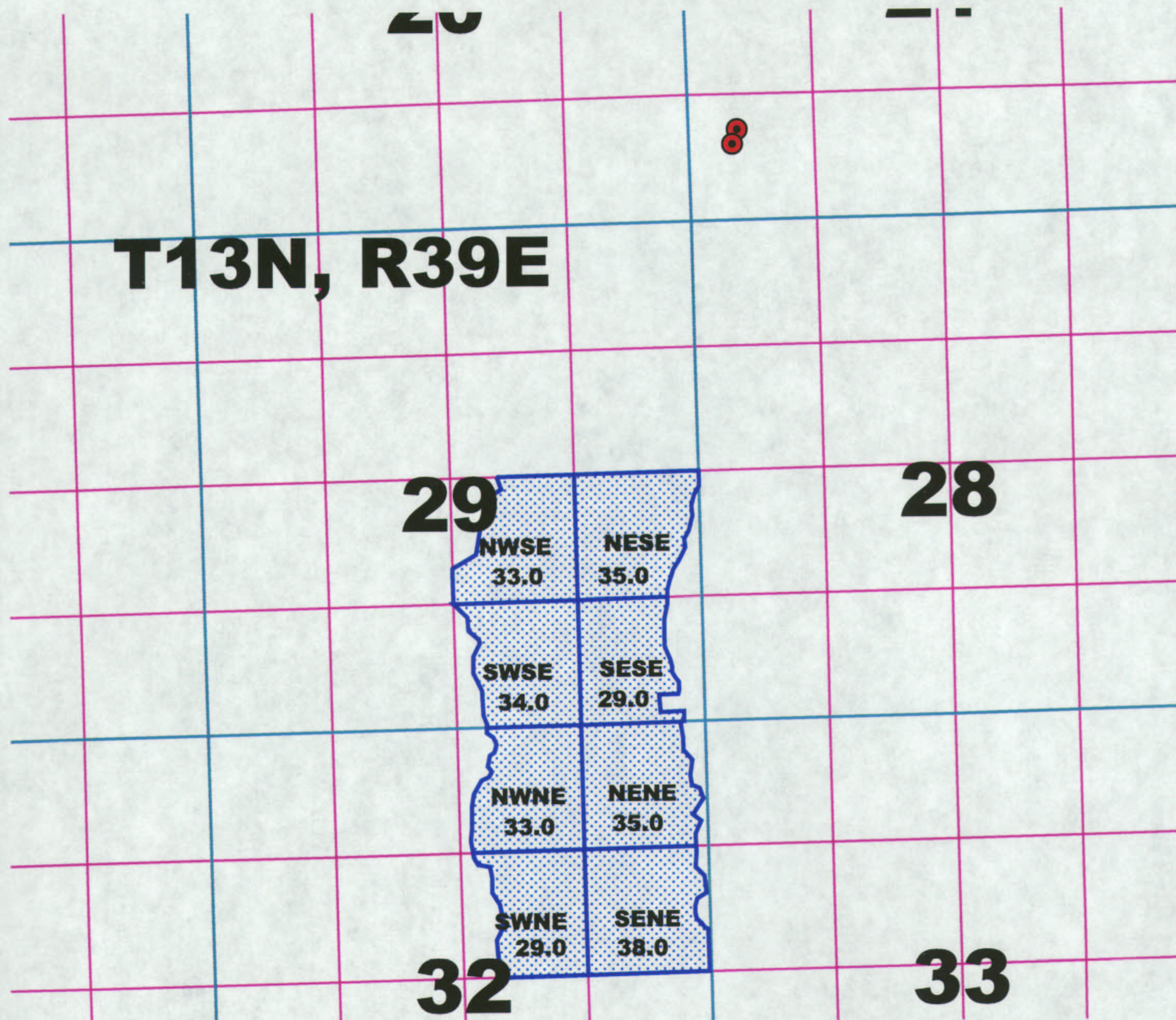
- Point of Diversion
- Place of Use
- Quater Section Lines
- Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: January 2001

WR #: 31-00024 and 31-00245

Jack and Lela Hamilton



Total Irrigated Acres: 266

Acreage Distribution

Prepared By: Craig Saxton
January 2001

20 21
29 28

Ching



Jack Hamilton
31-00024, 31-00245
**(POU AS AMENDED W/
PERMISSIBLE POU)**

NWSE
33

NESE
35

SWSE
34

SESE
29

29 28
32 33

T13N, R39E

NWNE
33

NENE
35

SWNE
29

SENE
38

Creek

East
Camas

Creek

ditch

Creek

L1 6
Kingore

5

L4

L3

T12N, R39E

01/11/2001

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

RIGHT NUMBER: 31-24

NAME AND ADDRESS: JACK R HAMILTON
LELA M HAMILTON
4969 N 5 E
IDAHO FALLS, ID 83401

SOURCE: CHING CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 2.4 CFS

~~THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE~~
~~SHALL NOT EXCEED 13,000 GALLONS PER DAY.~~ DELETED 11/18/01 ABR

PRIORITY DATE: 05/01/1898

POINT OF DIVERSION: T13N R39E S21 NWSWSW Within CLARK County
T13N R39E S21 NWSWSW Within CLARK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05-01 10-31	2.40 CFS
STOCKWATER	05-01 10-31	0.05 CFS

PLACE OF USE:

IRRIGATION Within CLARK County			
T13N R39E S29	NESE	35	T13N R39E S29 NWSE 33
T13N R39E S29	SWSE	34	T13N R39E S29 SESE 29
T13N R39E S32	NENE	35	T13N R39E S32 NWNE 33
T13N R39E S32	SWNE	29	T13N R39E S32 SENE 38

STOCKWATER Use same as IRRIGATION

266 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-00245 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 266 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 131 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

STOCKWATER - 240 CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-24

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK R HAMILTON
Current Owner	LELA M HAMILTON
	4969 N 5 E
	IDAHO FALLS, ID 83401
	(208)522-5020

Priority Date: 05/01/1898
Basis: Decreed
Status: Valid

<u>Source</u>	<u>Tributary to</u>
CHING CREEK	SPRING CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	05/01	10/31	2.4 CFS		
STOCKWATER	05/01	10/31	0.05 CFS		
Total Diversion	2.4 CFS				

Location of Point(s) of Diversion:

CHING CREEK	NWSWSW	Sec. 21	Township 13N	Range 39E	CLARK County
CHING CREEK	NWSWSW	Sec. 21	Township 13N	Range 39E	CLARK County

IRRIGATION Use:
Acre Limit: 266

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13N	39E	29		NESE	35		NWSE	33		SWSE	34		SESE	29
		32		NENE	35		NWNE	33		SWNE	29		SENE	38

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 266

Conditions of Approval:

1. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

CP5

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-00245 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 266 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:

Licensed Date: *4/1 - limited to 131 ac*
 Claim Received Date: 06/10/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 11/01/1930
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	1/5/01 12:46:31 PM	csaxton			In Process
POD	1/5/01 1:12:09 PM	csaxton			In Process
POU	1/5/01 1:16:44 PM	csaxton			In Process
Priority Date	1/5/01 12:46:48 PM	csaxton			In Process
Quantity	1/5/01 1:20:44 PM	csaxton			In Process
Season	1/5/01 1:19:28 PM	csaxton			In Process
Source	1/5/01 1:13:28 PM	csaxton			In Process
Summary	1/5/01 1:30:30 PM		1/5/01 1:30:30 PM	csaxton	Complete
Use	1/5/01 1:16:27 PM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 31
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:C
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	1/5/01 12:46:29 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Allen Ruberry met with claimant on 7/17/00.
POD	1/5/01 1:12:08 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	1/5/01 1:11:00 PM	csaxton	Edited point location
POD	1/5/01 1:08:59 PM	csaxton	Edited point location
POU	1/5/01 1:16:42 PM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.

Priority Date	1/5/01 12:46:46 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	1/5/01 1:20:42 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	1/5/01 1:19:27 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	1/5/01 1:13:27 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (NO) The claimed source can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Source. 5. (YES) The change can be verified as an accomplished transfer. - Comment for 5: See Paper CVR 7. (YES) The file contains all of the necessary information to verify the source. - Comment for 7: See Paper CVR 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (YES) Source condition was required.
Summary	1/5/01 1:30:29 PM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	1/5/01 1:16:26 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

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 31-24
Date Received: 6/10/88
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LELA M HAMILTON Phone:

4969 N 5 E
IDAHO FALLS ID USA 83401

JACK R HAMILTON Phone: (208)522-5020

4969 N 5 E
IDAHO FALLS ID USA 83401

2. Date of Priority: 05/01/1898

3. Source: CHING CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
13N	39E	21	NW SW SW	CLARK

5. Description of diverting works:

WOODEN HEADGATE W/ WEIR, OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	2.4	
STOCKWATER	05/01	10/31	0.05	

7. Total Quantity Appropriated is:
2.4 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
13N	39E	29	NE	SE	IRRIGATION	35
			NW	SE	IRRIGATION	33
			SW	SE	IRRIGATION	34
			SE	SE	IRRIGATION	29
Section Acres						131
13N	39E	32	NE	NE	IRRIGATION	35
			NW	NE	IRRIGATION	33
			SW	NE	IRRIGATION	29
			SE	NE	IRRIGATION	38
Section Acres						135
Total Acres						266

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

TWO POINTS OF DIVERSION. DIVERSIONS ALSO USED TO DIVERT A31-00245

CLAIM AMENDED TO ALLOW PERMISSIBLE POU WITH 31-00245.
STOCKWATER POU SAME AS IRRIGATION

15. Basis of Claim: Decreed

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: 0

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): Jack R. Hamilton Date: Oct. 23, 2000

Date:

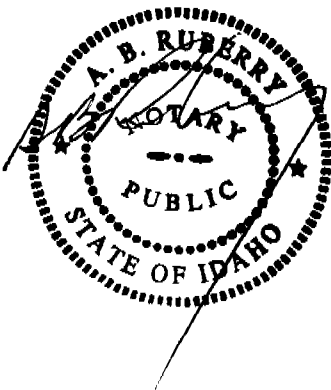
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd
of October 2000 A. B. Ruberry

Notary Public

Residing at Bona Faus Bona

My commission Expires 09/23/03



20. 21

29 28

China

NWSE
33

NESE
35

Jack Hamilton
31-00024, 31-00245
(POU AS AMENDED W/
PERMISSIBLE POU)

SWSE
34

SESE
29

29 28
32 33

T13N, R39E

NWNE
33

NESE
35

SWNE
29

SESE
35

Creek

ditch

T12N R39E

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: A31-00024
Date Received: 6/10/1988
Receipt No: M000090
Received By: IDA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JACK R. HAMILTON
Address: 4969 N. 5 E.
IDAHO FALLS ID 83401
OR
Name: LELA M. HAMILTON
Address: 4969 N. 5 E.
IDAHO FALLS ID 83401
208-522-5020
2. Date of Priority: MAY 1, 1898
3. Source: CHING CREEK Trib. to: SPRING CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	39E	21	NW	SW	SW		CLARK
5. Description of diverting works:
WOODEN HEADGATE W/ WEIR, OPEN DITCHES.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.400		
STOCKWATER	04/15	10/15	0.050		
7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 400.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/ 240 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	39E	29	NE	SE		IRR	36.0
			NE	SE		STOCK	
			NW	SE		IRR	34.0
			NW	SE		STOCK	
			SW	SE		IRR	35.0
			SW	SE		STOCK	
			SE	SE		IRR	33.0
			SE	SE		STOCK	

Section Acres 138.0

Total Acres 138.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:

TWO POINTS OF DIVERSION. DIVERSIONS ALSO USED TO DIVERT
A31-00245.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ERNEST SAUVE

Decree Plaintiff

W. H. ABBOTT.

VS

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 _____ 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): Jack R. Hamilton Date: 5-11-93
Date: _____

State of Idaho)
County of BOUDDIE) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of May 19 93

[Signature]
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9-12-94

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: A31-00024
Date Received: 6/10/1988
Receipt No: M000090
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK R. HAMILTON
Address: 4969 N. 5 E.
IDAHO FALLS, ID 83401

208-522-5020

OR
Name: LELA M. HAMILTON
Address: 4969 N. 5 E.
IDAHO FALLS, ID 83401

2. Date of Priority: MAY 01, 1898

3. Source: CHING CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	39E	21	NW	SW	SW		CLARK

5. Description of diverting works:
WOODEN HEADGATE W/ WEIR, OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.400		
STOCKWATER	04/15	10/15	0.050		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 240 RANGE CATTLE

A31-00024

Page 1

Date: 06/10/88

MICROFILMED
NOV 16 1992

A3100024

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	39E	29	NE	SE		IRR	40.0
			NE	SE		STOCK	
			NW	SE		IRR	40.0
			NW	SE		STOCK	
			SW	SE		IRR	40.0
			SW	SE		STOCK	
			SE	SE		IRR	40.0
			SE	SE		STOCK	

Section Acres 160.0

Total Acres 160.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:
TWO POINTS OF DIVERSION. DIVERSIONS ALSO USED TO DIVERT
A31-00245.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT.

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 ☒ 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): Jack R. Hamilton Date: 6-10-88

Date: _____

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of June 19 88

John Don Carson
Notary Public

Seal

Residing at Boise, Id

My Commission Expires 6/2/94

19 20
30 29

IRVIN
MACE

Points of Diversion

3
13.1

20 21
29 28

E. R.
BRADSHAW
A93

WILLIAM
TWP 13N R6E S9E
A25
T18

JOHN
LARICK
A30
T26

CLOYD
LEE
A112

JACK

29 30
32 31
T16
A23
BOYD
McCORMICK

HAMILTON
A21
T14

RAY
SANDERS
A7

MAX SIDDOWAY

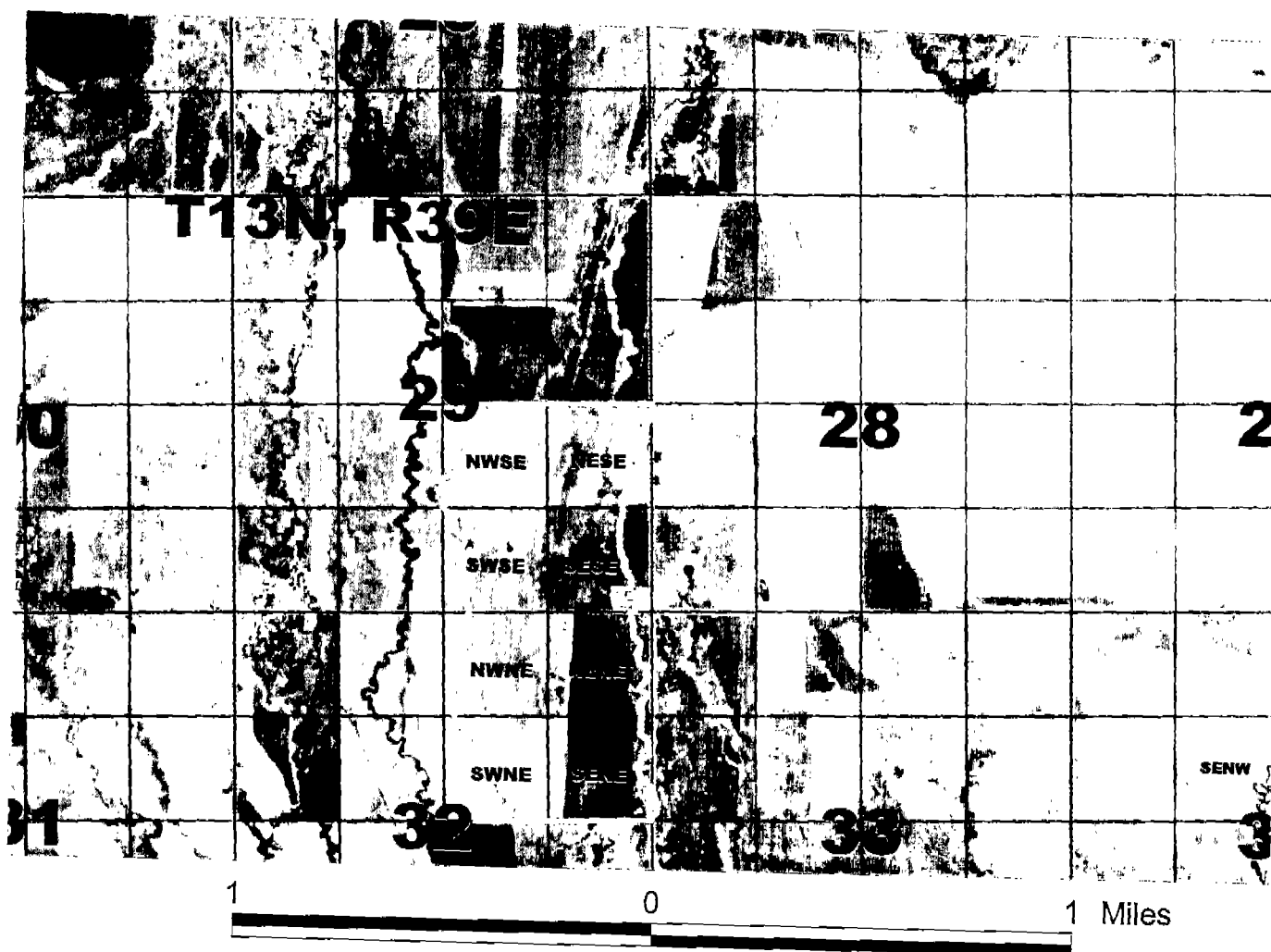
3 4
490 984
BLAINE SMITH
MARY WELCH



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-00024 and 31-00245



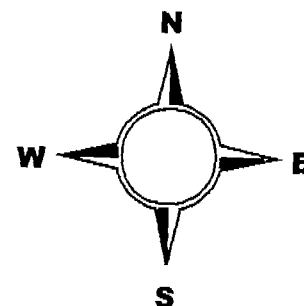
Total Irrigated Acres: 266

● Point of Diversion

□ Place of Use

□ Quater Section Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: January 2001

WR #: 31-00024 and 31-00245

Jack and Lela Hamilton

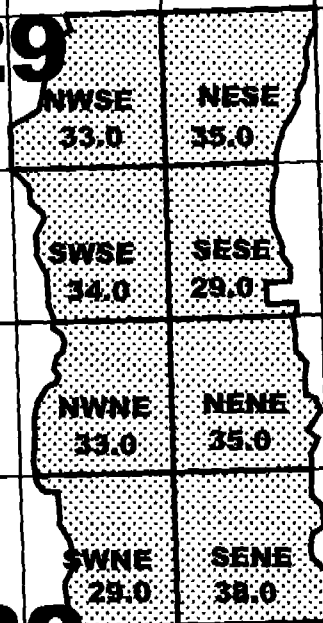
T13N, R39E

29

28

32

33



Total Irrigated Acres: 266

Acreage Distribution

Prepared By: Craig Saxton
January 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:27
03/11/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-10024

LAST: HAMILTON
ADDRESS: 4969 N. 5 E.
CITY: IDAHO FALLS
PHONE NUMBER: 208-522-5020

FIRST: JACK R.

STATE: ID ZIP: 83401

OWNER CODE: C

LAST: HAMILTON
ADDRESS: 4969 N. 5 E.
CITY: IDAHO FALLS
PHONE NUMBER: 208-000-0000

FIRST: LELA M.

STATE: ID ZIP: 83401

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: TWO POINTS OF DIVERSION. DIVERSIONS ALSO USED TO DIVERT
A31-00245.

*Re-Approved
10/23/212*

CONTACT PERSON: Ac RUGER

PHONE NUMBER: () -

DATE OF FIELD EXAM: 2/17/24

APPOINTMENT MADE: Y(☒) N()

TIME: 9:00 A(☒) P()

ACCOMPANIED BY: JACK HAMILTON

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

MET JACK AS APPOINTED DISCUSSED POD'S (2), PERMISSIBLE POLICE CONVICTIONS.

A. AJ CLAIM: # 431-00024 PRIORITY DATE: 05-01-1898 STAGE: 0

B. WR RECORD: # 31-00024 PRIORITY DATE: 05-01-1898 STAGE: 0

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES:

DEPT RECD "1898-BEGINNING OF IRRIGATION SEASON." CLAIMS MAY 1, 1898.
DEPARTMENT RECOGNIZED SEASON OF USE BEGINS MAY 1, 1898 - ENDS
OCTOBER 31.

RECOMMENDED PRIORITY DATE:
05-01-1898

LET IT BE SO

REVIEWED BY

DATE

2/28/24

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00024	13N	39E	21	NW	SW	SW		CLARK

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A31-00245 NONE

WR RECORDS IN SAME 40 ACRE TRACT

31-02076
31-07410

SOURCE: CHINE CREEK

TRIB: SPRING CREEK

B. WR POINT OF DIVERSION AND SOURCE:

3100024 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: WARM CREEK

TRIB: EAST CANAS CREEK

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	----
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	----

NOTES:

DISCREPANCY AS 'WARM CREEK' CLAIMED AS CHINE CREEK
POD DISCREPANCY AS 'APPROXIMATELY ONE MILE ... NORTHEASTERLY ... IRRIGATED [LANDS] AND
NEAR THE WEST CENTER OF SEC. 21 T13N R239E.' NEITHER OF THESE CLAIMS
FIT THE LOCATION OF WARM CREEK - POD AS '1 MI NORTHEASTERLY ...' CAN BE
CONSTRUCTED TO FIT TO CHINE CREEK AS CLAIMED.

REF: OQ 4-43

→ C#2
A SOURCE
WHEN ALWAYS ?
DISCREP ERROR

REMARKS INDICATE
TWO POINTS OF
DIVERSION -
WHICH? ONE LISTED.
* BOTH HAVE SAME
LEGAL DESCRIPTION.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
13N	39E	21	NW	SW	SW	---	Clark	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: CHANG CK TRIB: SPRING CK

REVIEWED BY: ABR DATE: 7/17/2K

SYSTEM DESCRIPTION: SEE PDD photos IN 31-00245 - EITHER/BOTH RS. EITHER GATES.
CLASSIC WOODEN GATES OF MAIN CHANNEL OF CHANG CREEK, WEIRS ± 100' DOWN DITCH.

A. ROOT WATER RIGHT NUMBERS: A31-00024

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	39E	29	NE	SE		HAMILTON, JACK R.	A31-00024 /40.0	31-00024 /			
			NE	SE		HAMILTON, JACK R.	A31-10072 /	- /			
13N	39E	29	NE	SE		HAMILTON, JACK R.	A31-00024 /	31-00024 /			
			NE	SE		HAMILTON, JACK R.	A31-10072 /	- /			
13N	39E	29	N4	SE		HAMILTON, JACK R.	A31-00024 /40.0	31-00024 /		STK	
13N	39E	29	N4	SE		HAMILTON, JACK R.	A31-00024 /	31-00024 /		STK	
13N	39E	29	S4	SE		HAMILTON, JACK R.	A31-00024 /40.0	31-00024 /		23.0	
13N	39E	29	S4	SE		HAMILTON, JACK R.	A31-00024 /	31-00024 /		23.0	
13N	39E	29	SE	SE		HAMILTON, JACK R.	A31-00024 /40.0	31-00024 /		21.0	
			SE	SE		HAMILTON, JACK R.	A31-10071 /	- /	Dom.		
			SE	SE		HAMILTON, JACK R.	A31-10072 /	- /	Stock		
13N	39E	29	SE	SE		HAMILTON, JACK R.	A31-00024 /	31-00024 /	Stock	21.0	
			SE	SE		HAMILTON, JACK R.	A31-10071 /	- /	Dom		
			SE	SE		HAMILTON, JACK R.	A31-10072 /	- /	Stock		
TOTAL ACRES							A31-00024	160.00		88.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

*SEE GPS Log
Ac & Dist.*

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POB COUNTY: CLARK

*7/17/22 - Permissible POB w/
BOTH Rts. Per Jack Hamilton.*

PRESUMPTION FLAG:

NOTES:

DESCRIBED POOL DESCRIBED AS 'S8⁴ SEC. 29 T13N R39E' F1/2 CLAIM -
BEST CASE AVERAGE (4 QD's @ 40 AC =) 160 AC AS CLAIMED

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00024 IRRIGATION	FROM 04-15 TO 10-15	2,400 CFS
A31-00024 STOCKWATER	FROM 04-15 TO 10-15	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2,400 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00024 IRRIGATION	FROM 05-01 TO 09-01	2,400 CFS
31-00024 STOCKWATER	FROM TO	2,400 CFS
31-00024 DOMESTIC	FROM TO	2,400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2,400 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	----
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	----
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	----

~~Don't think it's a problem to~~
~~Stockwater (B. 100, 0.050 CFS).~~

Stockwater is defined by decree.

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

Period of Use as May 1 to Oct. 31 is historic practice according to W/M B31.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.400 CFS
MR ROOT RIGHT TOTAL DIVERSION RATE: 2.400 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS

CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

WMD OVERLIES

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME PDU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME PDU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-00024	STOCKWATER	HAMILTON, JACK R.	FROM 04-15 TO 10-15	.050 CFS	
A31-10072	STOCKWATER	HAMILTON, JACK R.	FROM 05-01 TO 12-01	.050 CFS	
A31-10071	DOMESTIC	HAMILTON, JACK R.	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DJES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 400.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

P/D APPROX. 1 MILE NORTHEAST OF P/U.

PRIORITY DATE LISTED AS BEGINNING OF IRR. SEASON.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

1B. CALCULATIONS

*2.4 DISPERSED ON BEST CASE
AC OF 160AC.
50 CLAIMED.*

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VIL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Pring</u>	<u>5/1 10/31</u>	<u>2.40</u>	-----	-----
<u>Stock</u>	<u>5/1 10/31</u>	<u>0.05</u>	-----	-----
TOTAL FOR THIS RIGHT		<u>2.4</u>	-----	-----

REVIEWED BY:

DATE:

5/31/20

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00024

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 2.400	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00024	2.400	-		31-00024	2.400
TOTAL CFS		2.400				2.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE Y	FIELD EXAMINER _____
---------------	----------------------------

NOTES:

Decreased/Claimed as 2.4 cfs. No apparent splits or TL's

AUTHENTICATION:

SIGNATURE: *[Signature]* DATE: *5/31/02*
NAME OF FIELD EXAMINER: *Aaron B. [Signature]* TITLE: *SA: [Signature]*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:27
03/11/93

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-10024

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TUPO MAP/ORT-40-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
MAP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

04:51:12
03/11/93

CLAIM NUMBER: A51-00024

WATER SOURCE: CHING CREEK

 ϕz

TREBUTARY TO: SPRING CREEK

STAGE: DECEED

T134 R39E S21

NW5454

CLARK COUNTY

NE

NW

SN

SE

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

NE

44

SN

SE

POU COUNTY: CLARK

NON-IRRIGATION USES: S/ 240 RANGE CATTLE

OTHER RIGHTS: NONE

REMARKS: TWO POINTS OF DIVERSION, DIVERSIONS ALSO USED TO DIVERT
AST-00245.

DATES: **EXAM MADE DATE:** **VERIFIED DATE:** **07/98/1985**

MISC: WATER DISTRICT NUMBER: 31 FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

01/24/2001

**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: March 9, 2001

Water right number: 31-24

LELA M HAMILTON
4969 N 5 E
IDAHO FALLS ID 83401

JACK R HAMILTON
4969 N 5 E
IDAHO FALLS ID 83401
Telephone Number: (208)522-5020

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: 01/31/01 SIGNATURE: Jack R. Hamilton
Please print your name: _____

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

Gustave E. Brauer

1898 - Beginning of
Irrigation
Season

2.4 c.f.s.

Source: Warm Creek, a tributary
of Camas Creek.

Point of Diversion: Approximately
one mile in a northeasterly direction
from the land to be irrigated and
near the West center of Section 21,
Township 13 North, Range 39 East,
B.M.

1 mi NE from irrig. lands, ...

NEAR WEST CENTER SEC. 21

T13N R39E

SE⁴ SEC. 29 T13N R39E

For use on the following described
land, to-wit: Southeast Quarter
of Section 29, Township 13 North,
Range 39 East, B.M.

No.

11

1100

WHAT OR WHERE IS THE 'WEST CENTER OF SECTION 21'?

October 3, 2000

Jack Hamilton
4969 N 5 E
Idaho Falls ID 83401

Re: Enlargement claim of 31-00024, 31-00245

Dear Jack:

I am currently reviewing the above referenced water right claims for your property in the Kilgore area. Based on our several discussions this past summer regarding the place of use of the Ching Creek water it appears that it may be possible to file an enlargement claim to include additional acres. If you are interested in filing such a claim for these additional acres please call as soon as possible for an appointment to stop by the office for a visit.

Incidentally, I have again reviewed the wastewater claim (31-10070) from the Burtenshaw (Bradshaw) field. At this point, I am in the position of disallowing the claim because I have received no evidence of priority. I would prefer not to disallow the claim but absent the evidence I will have no choice. If you can provide this important information please bring it with you when you make your appointment to visit on the above matter.

I have tried to contact you by telephone without success. However, if you should have questions or concerns please feel free to contact me.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc: files 31-00024, 31-00245, 31-10070

No ENLARGEMENT CLAIM NEEDED. AMENDED
TO SHOW PPU OF BOTH RTS.
