

**T06N R02W
S26 & S27**

Idaho Department of Water Resources

Claims: 65-02626

Prepared by:

RON HOWERTON

Date: 19 SEP 00

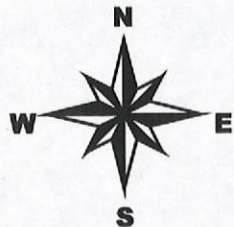
 **Place of use**

 **POD**

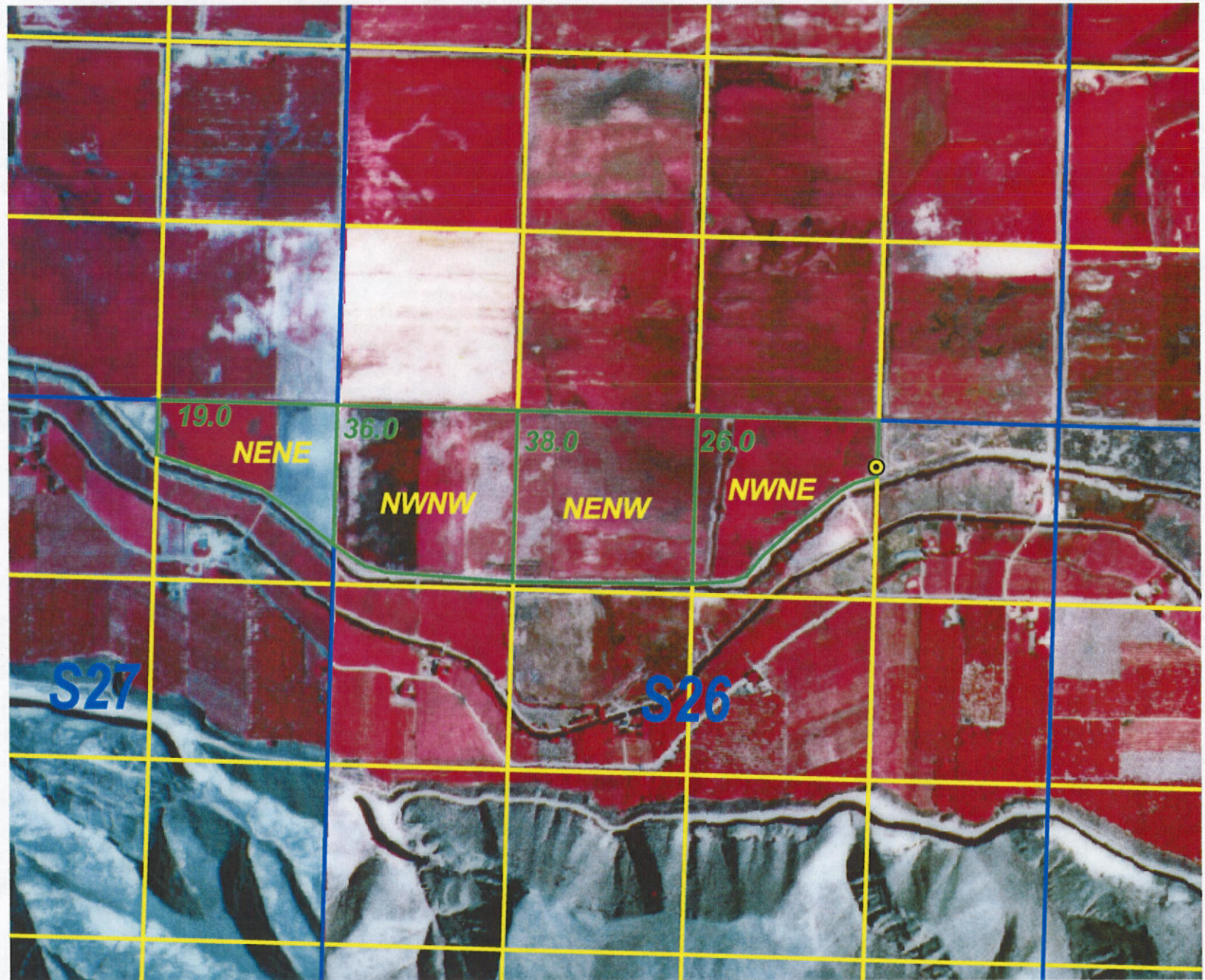
 **SECTION**

 **1/4 1/4**

119 Acres



1987 NAPP



0 0.25 0.5 0.75 1 1.25 1.5 Miles



**T06N R02W
S26 & S27**

Idaho Department of Water Resources

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Prepared by:

RON HOWERTON

Date: 19 SEP 00

 **Place of use**

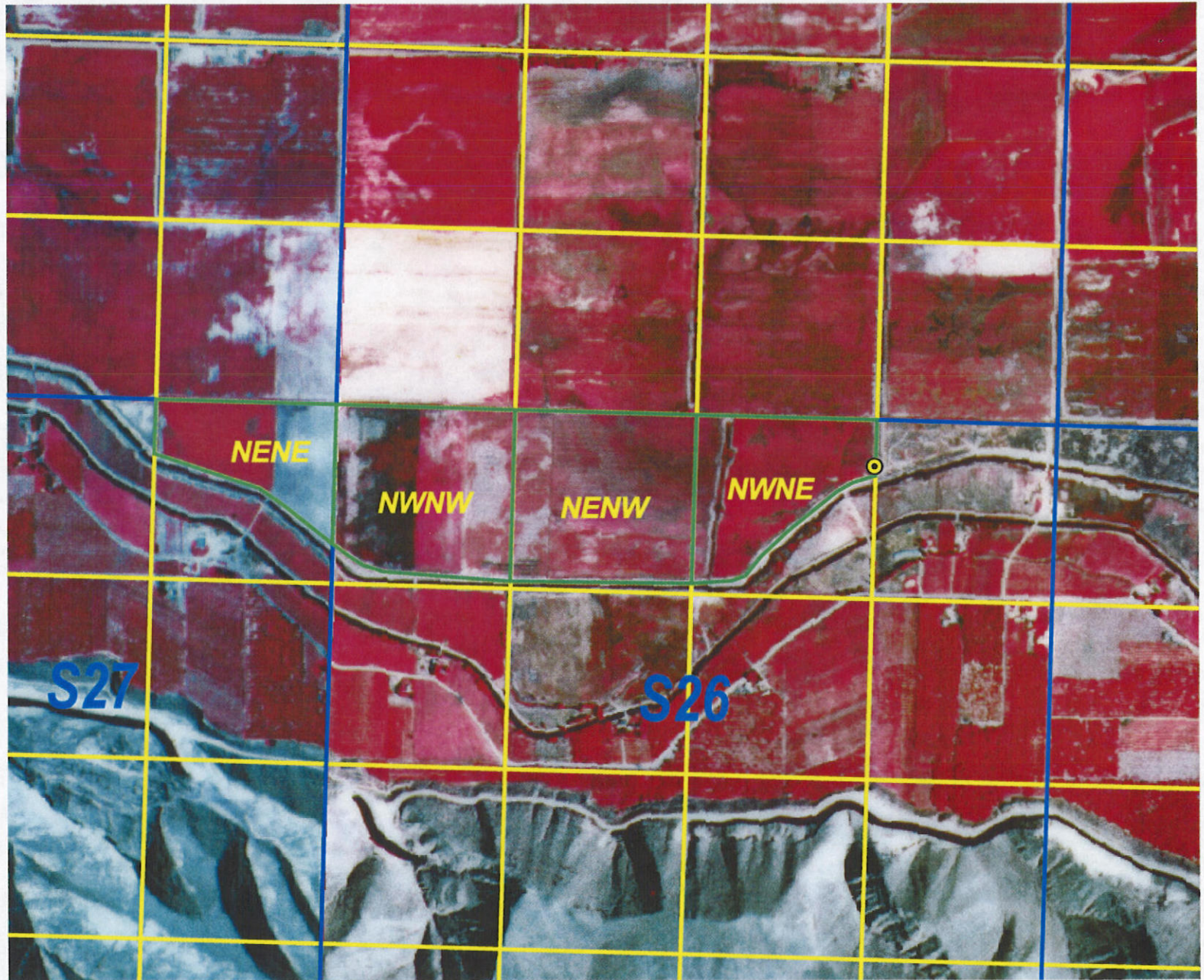
 **POD**

 **SECTION**

 **1/4 1/4**

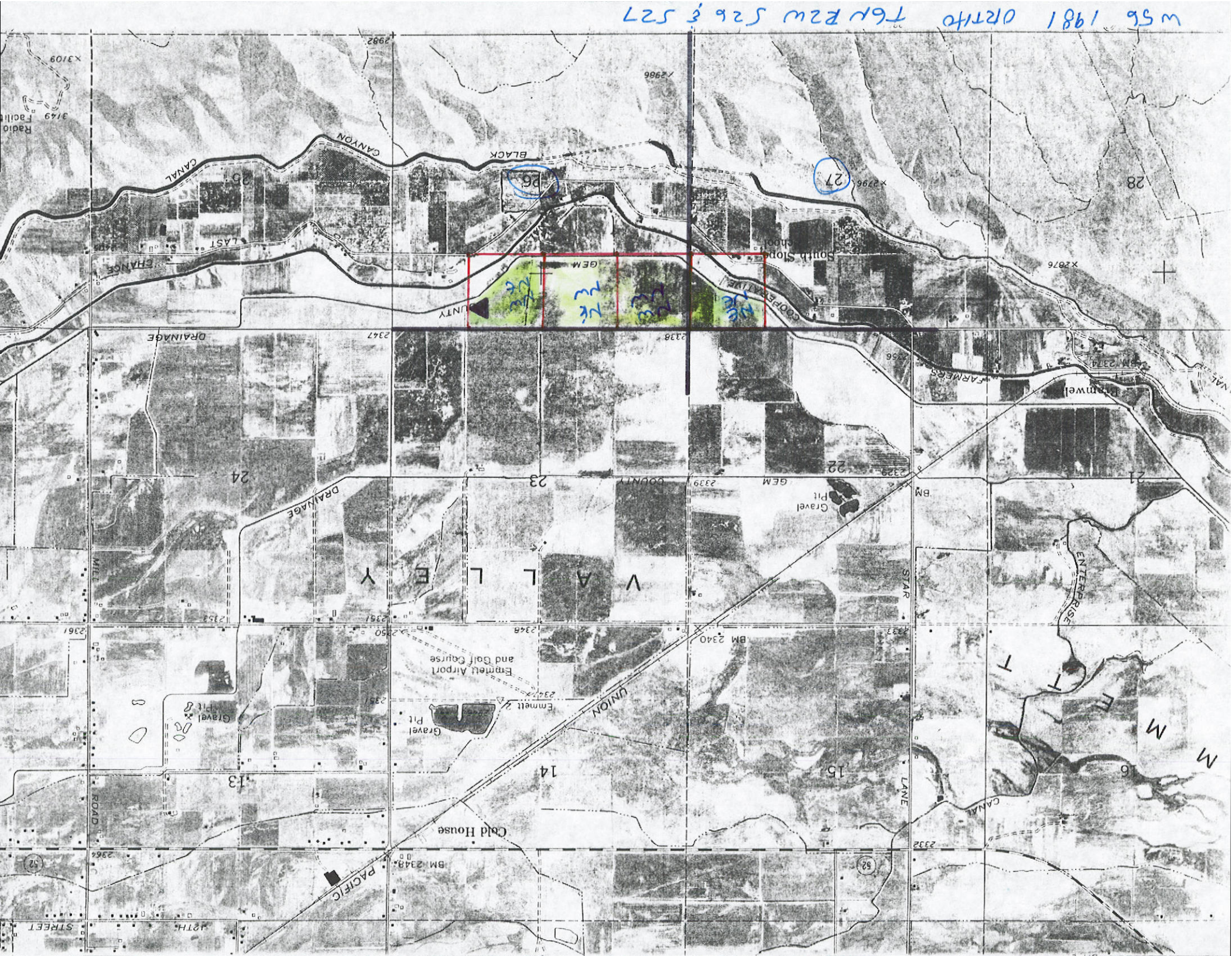


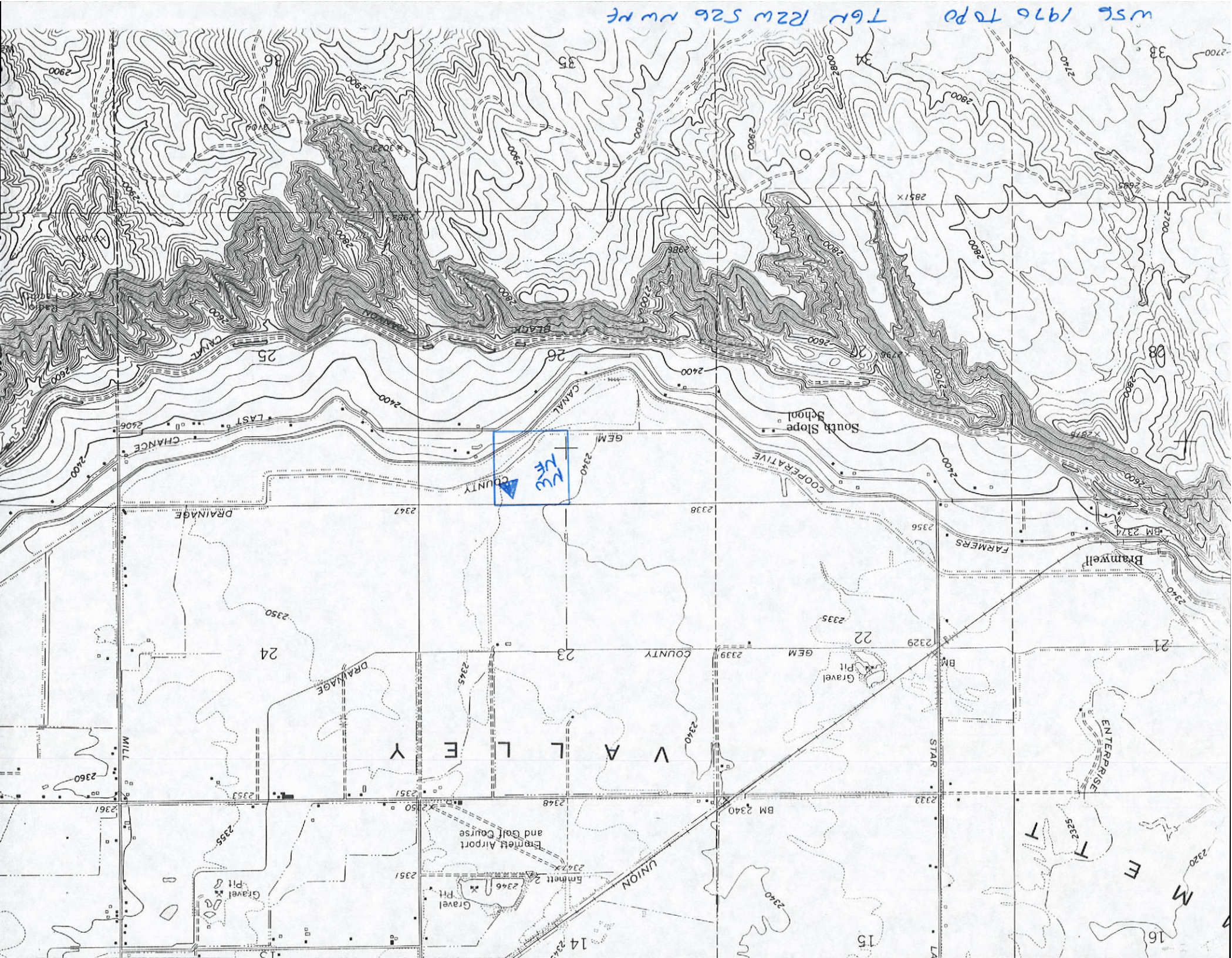
1987 NAPP



0 0.25 0.5 0.75 1 1.25 1.5 Miles

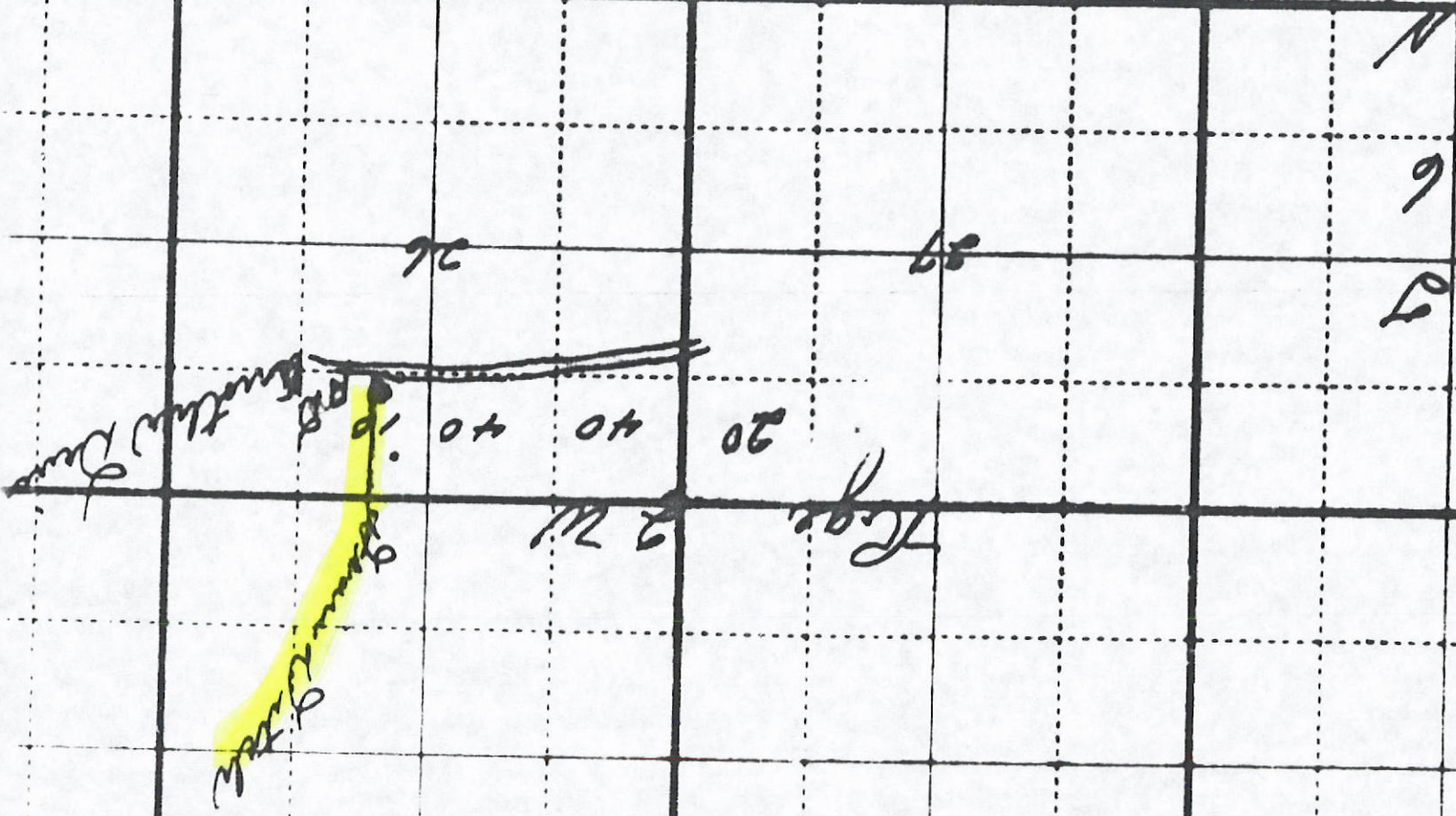




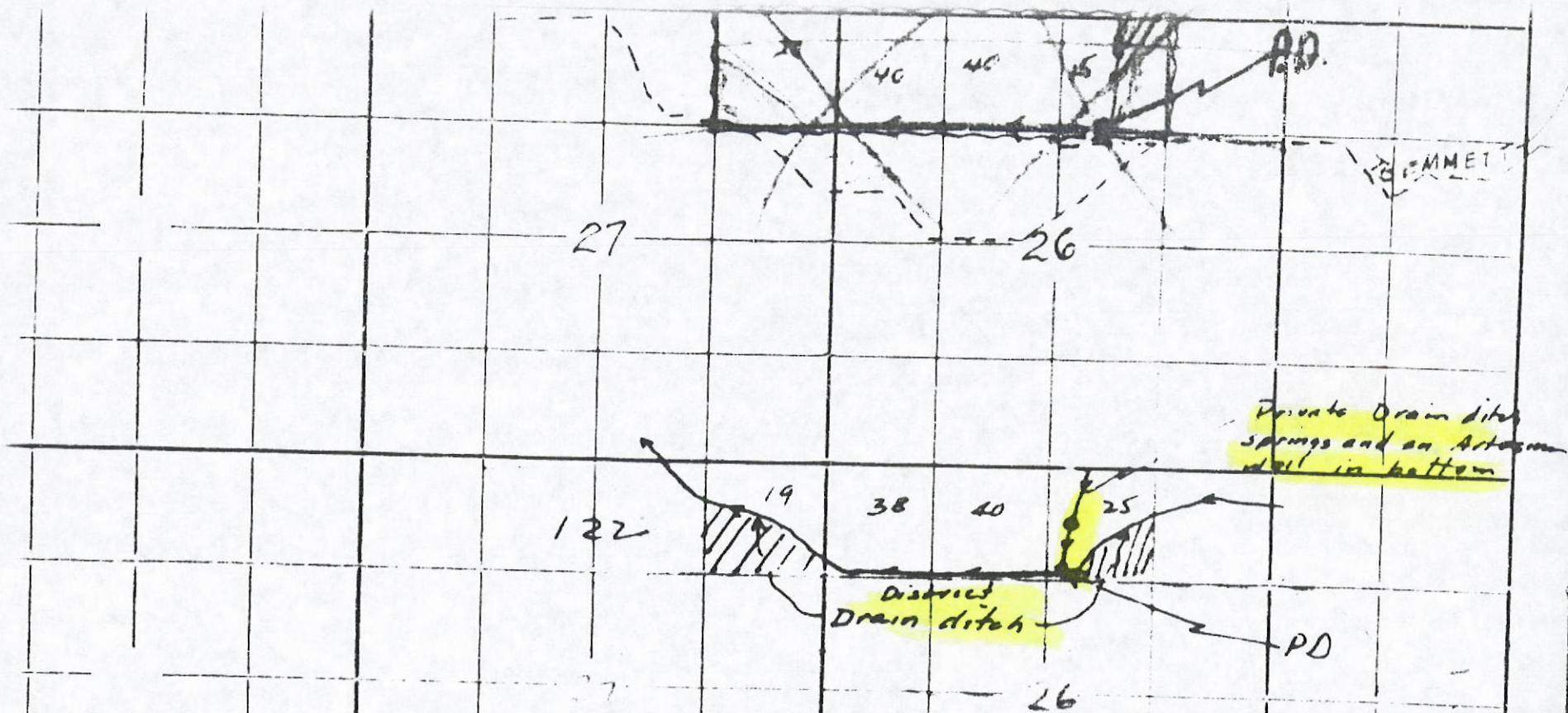




PERMIT MAP FROM
MILWAUKEE



MAP NOTES FROM FX LIC MYCR/FICM



Subdivisions

4

area

122
115 acres

Q

= 1.4 cfs or 70 inches

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 TWIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-02626
DATE RECEIVED: 1-12-90
RECEIPT NO: X999999
RECEIVED BY: -----



Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: RICHARD P. HAMILTON
ADDRESS: 3020 SALESYARD RD.
EMMETT, ID

83617

2. DATE OF PRIORITY: OCT 30, 1957

3. SOURCE: WASTE WATER

TRIB. TO: TUNNEL NO. SEVEN WASTEWAY

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	02W	26		NW	NE		GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	1.400		

7. TOTAL QUANTITY APPROPRIATED IS:
1.400 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	02W	26	NW	NE		IRR	26.0
			NE	NW		IRR	38.0
			NW	NW		IRR	36.0

SECTION ACRES 100.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	02W	27	NE	NE		IRR	19.0
SECTION ACRES							19.0
TOTAL ACRES							119.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF FARMERS COOPERATIVE
IRRIGATION CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREED

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
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): *Bill Blumhardt* DATE: 1-12-90

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF _____ TITLE

_____, THAT I HAVE SIGNED THE FOREGOING ORGANIZATION DOCUMENT IN THE SPACE BELOW AS _____ OF

_____, AND THAT THE STATEMENTS CONTAINED IN THE ORGANIZATION FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Blaine) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 12th DAY

OF January 19 90

Jacqueline K. Korte
NOTARY PUBLIC

SEAL

RESIDING AT Emmett Idaho

MY COMMISSION EXPIRES 9-28-94

65-02626

PAGE

3

DATE: 10/28/89

4727

MICROFILMED

SEP 21 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

RIGHT NUMBER: 65-2626

NAME AND ADDRESS: RICHARD P HAMILTON
3020 SALESYARD RD
EMMETT ID 83617

SOURCE: WASTEWATER

TRIBUTARY: TUNNEL NO. SEVEN
WASTEWAY

QUANTITY: 1.40 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF FARMERS COOPERATIVE
IRRIGATION CO. SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/30/1957

POINT OF DIVERSION:

T06N R02W S26 NWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.400 CFS

PLACE OF USE:

IRRIGATION Within GEM County

T06N R02W S26	NWNE	26.0	T06N R02W S26	NENW	38.0
T06N R02W S26	NWNW	36.0	T06N R02W S27	NENE	19.0

119 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: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM FARMERS
COOPERATIVE IRRIGATION CO., LTD.

AJ5809NP
No. A65-02626

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD P HAMILTON 3020 SALESYARD RD EMMETT ID 83617	10/30/1957	IRRIGATION	03-15 11-15	1.400 CFS	
TOTAL DIVERSION:					1.400 CFS	

Water Source: WASTE WATER

Tributary to: TUNNEL NO. SEVEN WASTEWAY

Stage: DECREED

Point(s) of Diversion:

T06N R02W S26

NWNE

DE STANDARDS

GEM 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	Lt	Ac	SUM			
06N	02W	26	:			26	:		38	36	:				:						100.0			
06N	02W	27	:		19	:			:		:				:						19.0			
TOTAL ACRES																				119.0				

POU County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF FARMERS COOPERATIVE
IRRIGATION CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

QNT E2B E W24

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

C18

NOTES
private drain ditch not shown
on topo map, drains into
District drain. SEE Fx
NOTES IN FILE.

WR5809NP
No. 65-02626

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD P. HAMILTON 3020 SALESYARD RD. EMMETT ID 83617	10/30/1957	IRRIGATION	03/15 11/15	1.400 CFS	
TOTAL DIVERSION:					1.400 CFS	

Water Source: WASTE WATER

Tributary to: TUNNEL NO. SEVEN WASTEWAY

Stage: DECREED

Point(s) of Diversion: T06N R02W S26 NWNE

GEM 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
06N	02W	26	:			26				38	36									:	100.0
06N	02W	27	:	19																:	19.0
																				TOTAL ACRES	119.0

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03640

Other Water Rights Listing Overlapping Place(s) of use:
65-00054X 65-00066 65-13609

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF FARMERS COOPERATIVE
IRRIGATION CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates:	App. Received:	Priority Date:	10/30/1957
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

**T06N R02W
S26 & S27**

Idaho Department of Water Resources

Claims: 65-02626

Prepared by:

RON HOWERTON

Date: 19 SEP 00

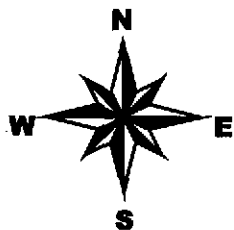
 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**

119 Acres



1987 NAPP



**T06N R02W
S26 & S27**

Idaho Department of Water Resources

Claims: 65-02626

Prepared by:

RON HOWERTON

Date: 19 SEP 00

 **Place of use**

 **POD**

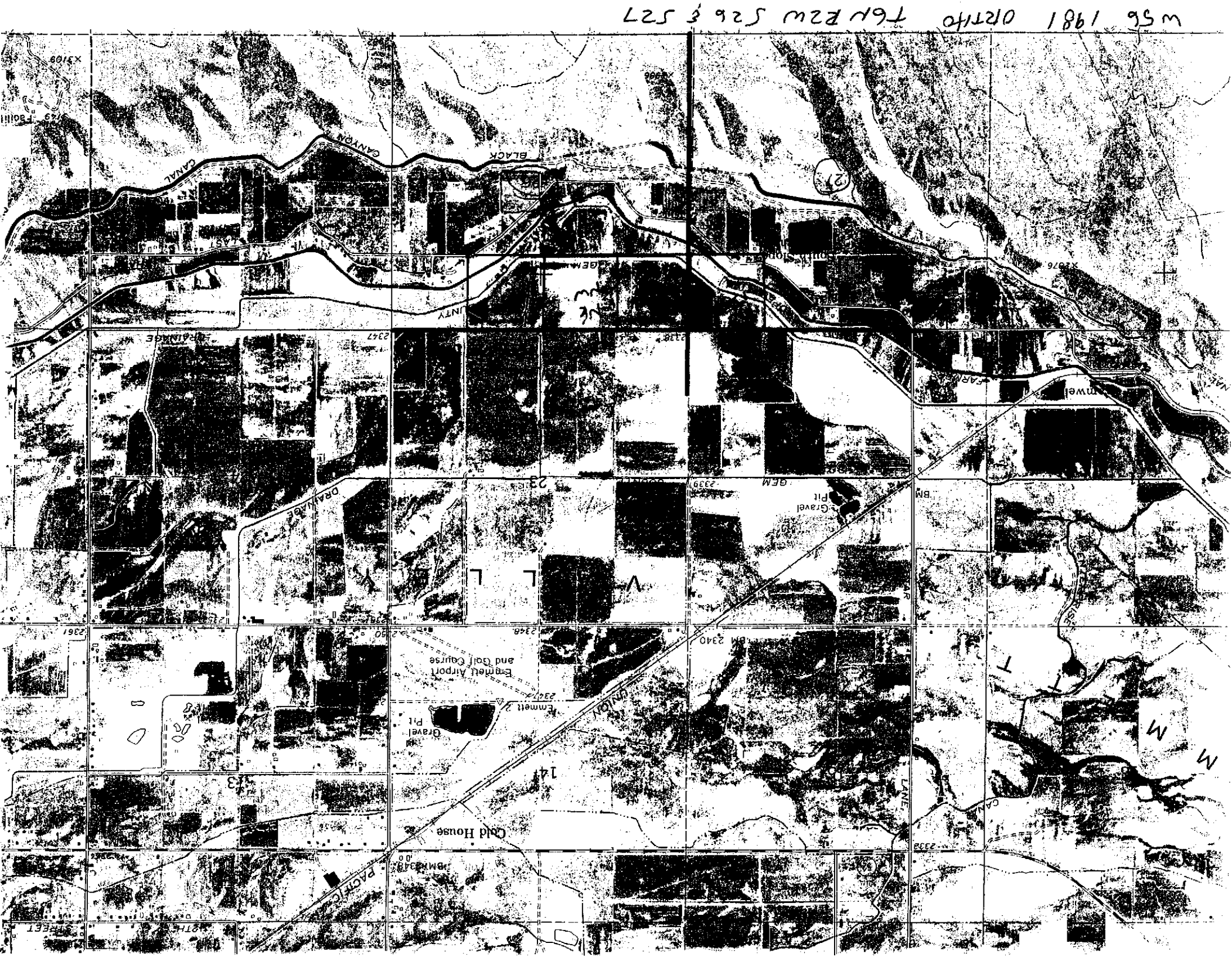
 **SECTION**

 **1/4 1/4**

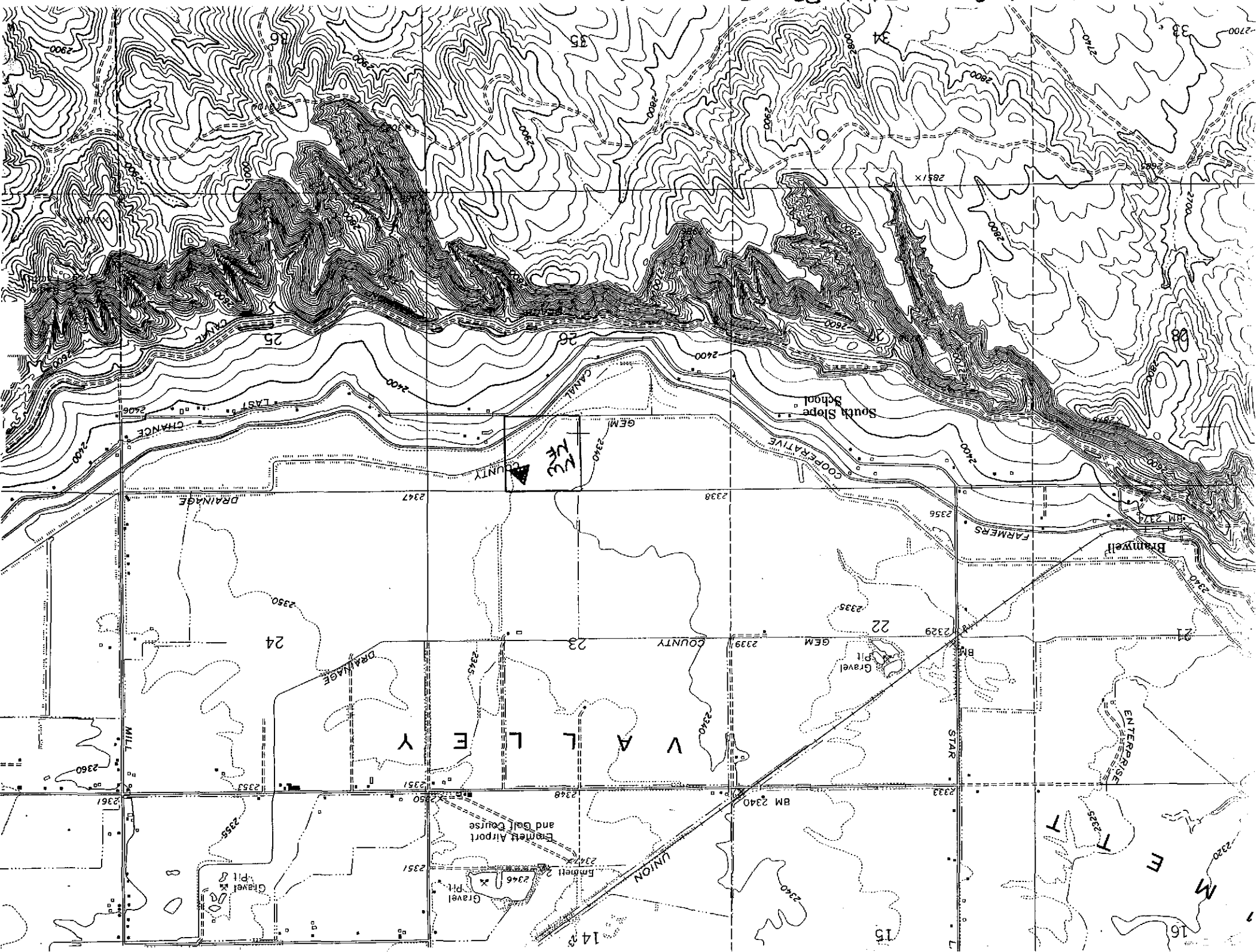


1987 NAPP





W56 1976 to 90 76N 122W 526 NW NE



DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 27005

This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant McLinn Brothers2. Source of water supply: Privately owned drain ditch3. Location of point of diversion: Is in the _____ NW 1/4 of Section 26T. 6 N R. 2 W.B.M. County of Gem

4. Describe works as they exist, giving dimensions and capacities of same: 3 HP U.S. Motor
#2662185 Cascade pump #4124 8'x6' column into 8'x40' discharge
lateral into open ditch. East and West
pipe

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

90 acres in NW 1/4, NE 1/4, NW 1/4 Sec. 26., 20 acres in NE 1/4 Sec. 27., Twp. 6 N., Rge. / 2 W.B.M.

Making a total of 110 acres.

the source of this water is from an artesian well. It is not capped there are a number of springs which feed this drain. Private drain ditch is 12' bottom x 35' top width 5' 12' deep water level 2' to 3' deep

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Payett RiverRemarks: Mr. McLinn (owner) participated in examinationPump was broken down in 1963 when examination was made according to Mr. McLinn.It is necessary to lower the water table under this land in order to farm it.

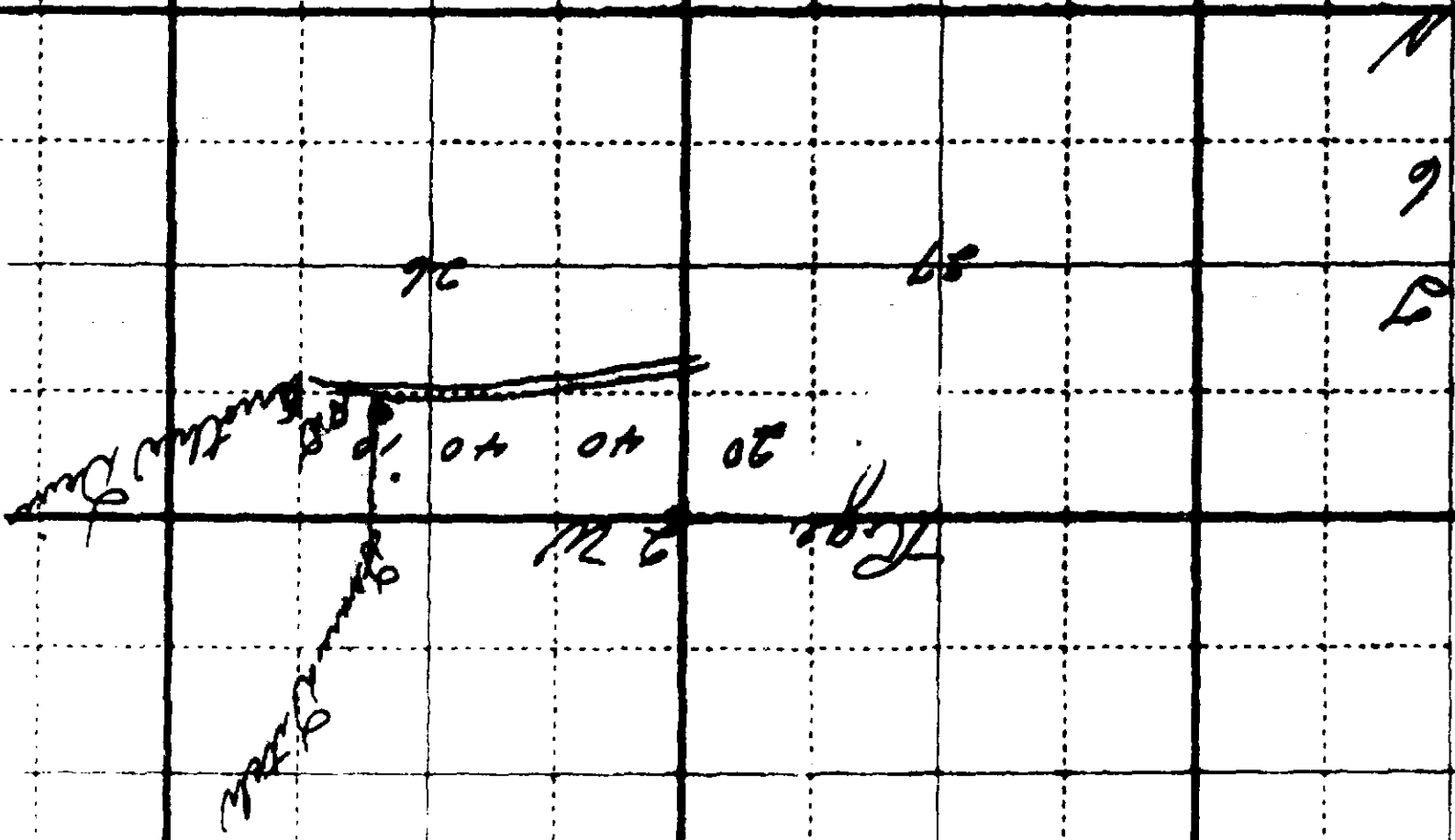
McLinn Brothers were driving cattle in from Range only Harry Putzier, Manager
local Idaho Power Office present.

Measured by Sparking Meter 3 Rev. 3 min. 42 Sec. = 640 cfs 11/13/64 JLFThis examination was made on the 24th day of June, 1963(Signed) Row Helberg ExaminerRechecked November 13, 1964 L. Johnson

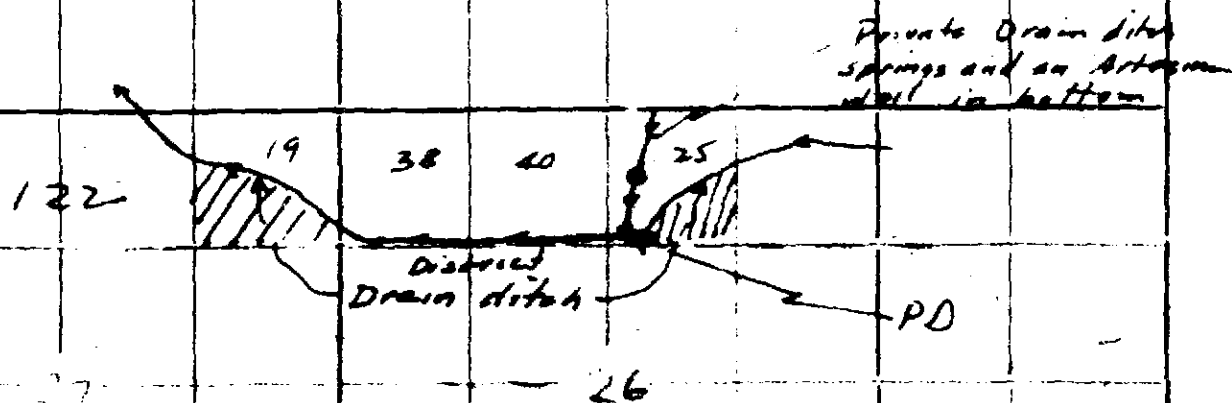
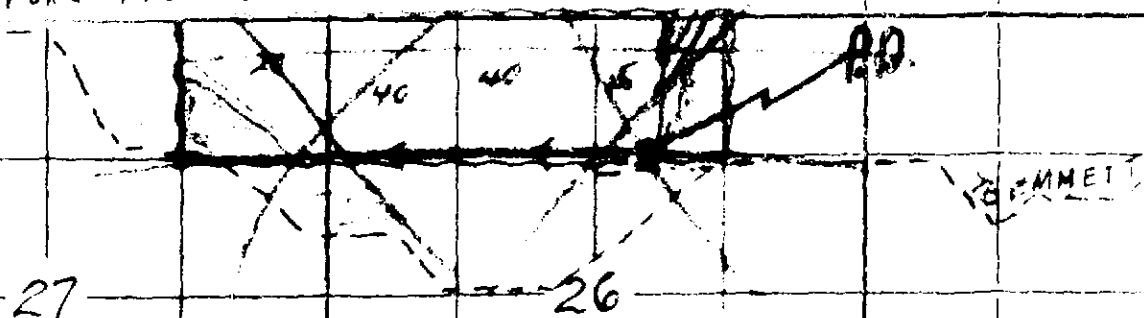
27005

FROM EX LIG MICROFILM

PERMIT MAP FROM
MATERIAL



MAP NOTES FROM FX LIC MICROFILM



SUBDIVISIONS

4

area

~~122~~
~~115~~ acres

Q

= 1.4 cfs or 70 inches

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO. 65-2626
MAP NO.
RECEIVED
MAY 18 1971

Notice is hereby given that Richard P. Hamilton (Name of Claimant)

Route #3, Box #197, Emmett, Idaho 83617 (Mailing Address)

Department of Water, claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued)
10/30/57
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean)
drain ditch (waste water) tail to Tunnel No. 7 Wasteway
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Use 1.4 irrigation 555 AF Period of Use From May 1 To Oct 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use 335 AFA Period of Use From 3/15 To 11/15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use 335 AFA Period of Use From 3/15 To 11/15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- (4) Quantity of water claimed: 1.4 Cubic Feet Per Second, or 530 Acre Feet Per Annum, and/or 530 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 NE 1/4, Sec. 26, Twp. 2, Rge. 2W, B.M.; additional points:
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 pump and motor from drain ditch into earth ditch for flood irrigation (10" discharge)
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	26					40	38											78 10 9
		27	19				38	36											19 1 9
			26																

Total No. of acres 722 119

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

NONE

- (7) Effluent, sewage waste, or return water from this use is discharged into
drain ditch
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks main source of water is from an artesian well plus some other springs which feed the drain ditch (this is a combined farm and irrigation Co. water right shall provide no more than 100 acre nor 75 AFA per acre)
- (10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: License No. 65-2626

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

Richard P. Hamilton
(Signature of Claimant)

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

State of Idaho
County of Ada

On this 18 day of May, 1971, before me, a notary public, personally appeared Richard P. Hamilton, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing at 200 E. Idaho

My commission expires 2-18-1974

Alan 4/4/77

25 N