

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 02-00027

RECEIVED

MAR 17 2000

Department of Water Resources

NAME AND ADDRESS: HAMMETT LIVESTOCK CO
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1922

POINT OF DIVERSION: T06S R08E S03 LOT 07 (SWNE) Within Elmore County
LOT 05 (SWNW)
LOT 06 (SENW)
S04 LOT 06 (SWNE)
LOT 07 (SENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Elmore County
	T06S R08E S03 LOT 07 (SWNE)	LOT 05 (SWNW)
	LOT 06 (SENW)	
	S04 LOT 06 (SWNE)	LOT 07 (SENE)

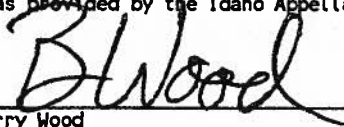
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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: A02-00027
Date Received: 12/ 5/1989
Receipt No: C013281
Received By: DE JIN

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

1. Name: HAMMETT LIVESTOCK CO. 208-366-2411
Address: P.O. BOX 33
HAMMETT ID 83627

2. Date of Priority: JAN 1, 1922

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	08E	3	SW	NE		7	ELMORE
			SW	NW			ELMORE
			SE	NW			ELMORE
		4	SW	NE			ELMORE
			SE	NW			ELMORE

5. Description of diverting works:
CONSTRUCTED ACCESS AND DIVERSION FROM RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 75 HEAD CATTLE, 800 SHEEP, 20 HORSES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	08E	3	SW		NE		STOCK	
			SW		NW		STOCK	
			SE		NW		STOCK	
		4	SW		NE		STOCK	
			SE		NW		STOCK	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/U = SPARLIN ISLAND. USE BY CATTLE DIRECTLY FROM SNAKE RIVER.

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)
County of _____) SS.

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

CIVIL CASE NUMBER: 39576

Identification No. A02-00087
Date Received 12-5-89
Receipt Number C013291

NOTICE OF CLAIM
TO A
WATER RIGHT

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Hammett Livestock Company Phone (208) 366-2411
Mailing Address P.O. Box 33, Hammett, Idaho Zip 83627

2. Date of Priority (Only one per claim) 1/1/1922 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Snake River
which is tributary to (b) Columbia River Name or kind of source

4. Location of point of diversion is: Township 6S Range 8E
Section 3 1/4 of SW 1/4 of NE 1/4, Govt. Lot 7 BM.,
County of Elmore

Additional points of diversion if any: SWNW, SENW, Sec. 3 and SWNE, SENW, Sec. 4, all in T6S, R8E.

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Constructed access and diversion from river.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Stock purposes from 1/1 Month/Day to 12/31 Month/Day (cfs) amount .02
(Both dates are inclusive)
For purposes from to amount

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 75 head of cattle, 800 sheep, 20 horses.

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10. Place of use is: Township: 6S Range 8E

Section 3, SW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any SWNW, SENW, T6S, R8E, Sec. 3; SWNE, SENW, T6S, R8E, Sec. 4

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

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.
(X) None or

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 02-0027

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary

of Hammett Livestock Company, that I have signed the foregoing

document in the space below as Secretary of Hammett Livestock Company

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ann Wilson Rydman Date 12/5/89

Title and Organization Secretary, Hammett Livestock Company

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5 day of December 19 89

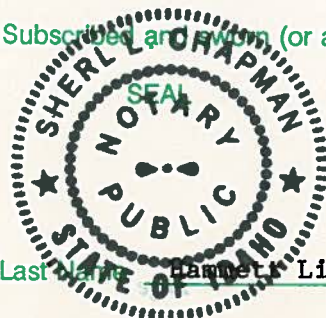
Notary Public Sheri L. Chapman

Residing at 2889 Gille Way Meadows

My Commission Expires 6/14/94

Last Name Hammett Livestock Company Ident No. _____

Copies: White-State, Yellow-Claimant



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+-----+
 ----- Old Water Right Numbers -----
 ----- No Old Water Right Numbers found. -----
 +-----+

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	-
Exam to S.O. Date	-	00/00/0000	Verified Date	-	00/00/0000	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	Presumption Flag	-			-

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Hammett Livestock

CLAIM IDENT. NO.

DATE RECEIVED

12-5-89

CK #

3582

AMOUNT \$

25 / \$300

Required

- | | YES | NO | Info? |
|--|-------------------------------------|--------------------------|--------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | N/A |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | N/A |
| Is the consumptive use correct? | ☒ | ☐ | N/A |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | N/A |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 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 |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) | ☒ | ☐ | N/A |
| 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 desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | ☒ | ☐ | N/A |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | N/A |
| 19. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | ☒ | ☐ | Exempt |

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AUG 07 1992

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

DATE: 02/08/99
PAGE: 1

Water Source:	Snake River	Tributary to:	Columbia River	Stage:	Beneficial Use
Point(s) of Diversion:	T06S R08E S03 Lot07(✓SWNE) Lot05(✓SWNW) Lot06(✓SENU) S04 Lot06(✓SWNE) Lot07(✓SENE)			ELMORE County	ELMORE County

[illegible]

POW County: ELMORE

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
 DETERMINATION OF HISTORICAL BENEFICIAL USE.
 N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 75 RANGE CATTLE, 800 SHEEP, 20 HORSES
PARCEL NOS. 06S08E031510 & 06S08E041950

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		02/08/1999	

Misc: **Water District Number:** 02 **Field Inspection Flag:**
Presumption Flag:

Comments: Date: 04/09/1997 User-ID: CORR2 Subject: COPIED FROM REMARKS
P/U = SPARLIN ISLAND. USE BY CATTLE DIRECTLY FROM SNAKE RIVER.

Date: 02/08/1999 **User-ID:** KWALKER **Subject:** RECOMMENDATION

AJ0749NP
No. R02-00027

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/08/99
PAGE: 2

Comments: Date: 02/08/1999 User-ID: KWALKER Subject: RECOMMENDATION
THIS RECOMMENDATION IS CONSISTENT WITH THE FINDINGS OF EXAMINER
IN "SMALL 02" ADJUDICATION. SEE FILE FOR THOSE FINDINGS. THIS
CLAIM DID NOT SPECIFY PLACE OF USE AS SPARLIN ISLAND. THAT
REMARK WAS CARRIED OVER FROM PRIOR CLAIM.

Audit: 02/08/99 KWALKER

Water Right Number - R02-00027

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
HAMMETT LIVESTOCK CO

1 - PO BOX 33

2 -

3 -

City- HAMMETT

Phone - 208-366-2411

State- ID Zip- 83627

+ - - - - Priority Date 01/01/1922 - - - - + - - - - Region ERROR IN REGION - - - - + - - - - Stage J - BENEFICIAL USE - - - - + - - - - Status - - - - +

+ - - - - Source SNAKE RIVER - - - - + - - - - Point of Diversion - - - - - + - - - - Tributary COLUMBIA RIVER - - - - +

+ - - - - TwN Rng Sec Tract Lot RFlg County Point of Diversion - - - - - + - - - - Diversion Name

06S 08E 3 SW NE 7 (39) ELMORE
SW NW 5 (39) ELMORE
SE NW 6 (39) ELMORE
SW NE 6 (39) ELMORE
~~SE NW 7~~ (39) ELMORE

SENE 7

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume

04 - STOCKWATER

01/01 12/31

0.020

+ - - - - Total Div. Rate 0.020 - - - - + - - - - Total Div. Volume - - - - + - - - - Total Div. Capacity - - - - + - - - - Total Consumptive Use - - - - + - - - - KV Usage - - - - +

+ - - - - TwN Rng Sec Tract Lot Acres Place of Use Code Description County

06S 08E 3 SW NE 7 04 STOCKWATER (39) ELMORE
06S 08E 3 SW NW 5 04 STOCKWATER (39) ELMORE
06S 08E 3 SE NW 6 04 STOCKWATER (39) ELMORE
06S 08E 4 SW NE 6 04 STOCKWATER (39) ELMORE
06S 08E 4 SE NW 7 04 STOCKWATER (39) ELMORE

+ - - - - Diversion Means - CONSTRUCTED ACCESS AND DIVERSION FROM RIVER

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP STOCKWATER, 75 HEAD CATTLE, 800 SHEEP, 20 HORSES

Parcel No. 06S08E031510

06S08E041950

Water right number - R02-00027

Prefix Translation: RESEARCH

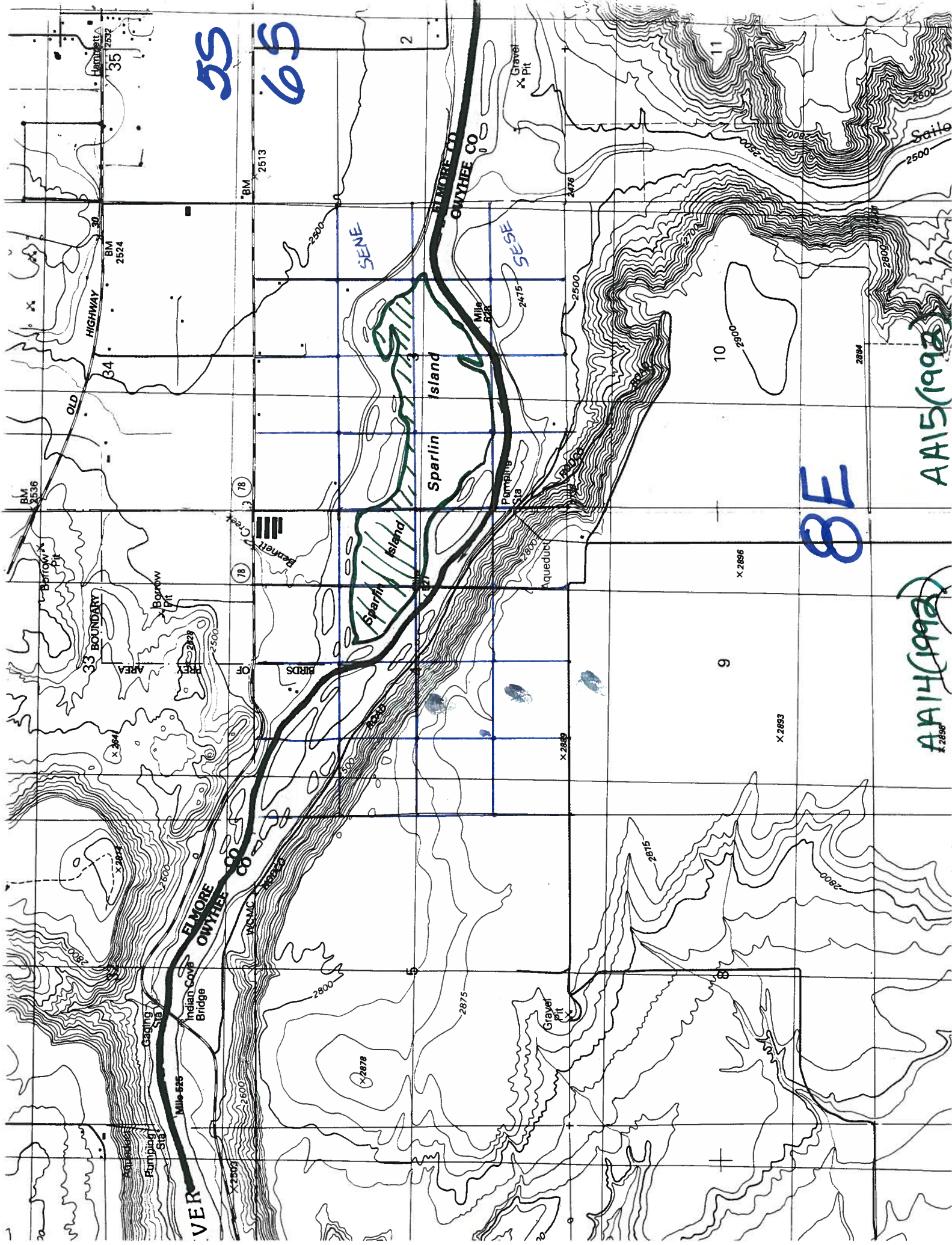
+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
+ - - - - No Old Water Right Numbers found.
+ - - - - Conditions of Approval - - - - - +
+ - - - - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
+ - - - - DETERMINATION OF HISTORICAL BENEFICIAL USE.
+ - - - - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
+ - - - - GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - - - Decree Date - - +
00/00/0000

+ - - - - Audit Fields - 04/09/97 CORR2

+ - - - - Date: 04/09/1997 User Id: CORR2 Subject: COPIED FROM REMARKS
P/U = SPARLIN ISLAND. USE BY CATTLE DIRECTLY FROM SNAKE RIVER.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 12/05/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District - 02
Licensed Date - 00/00/0000 Receipt Number - C013281 Federal/State Indicator - S
POU Ownership Flag - Y Presumption Flag -
Name Connector - Notice of Error Flag -



5S

6S

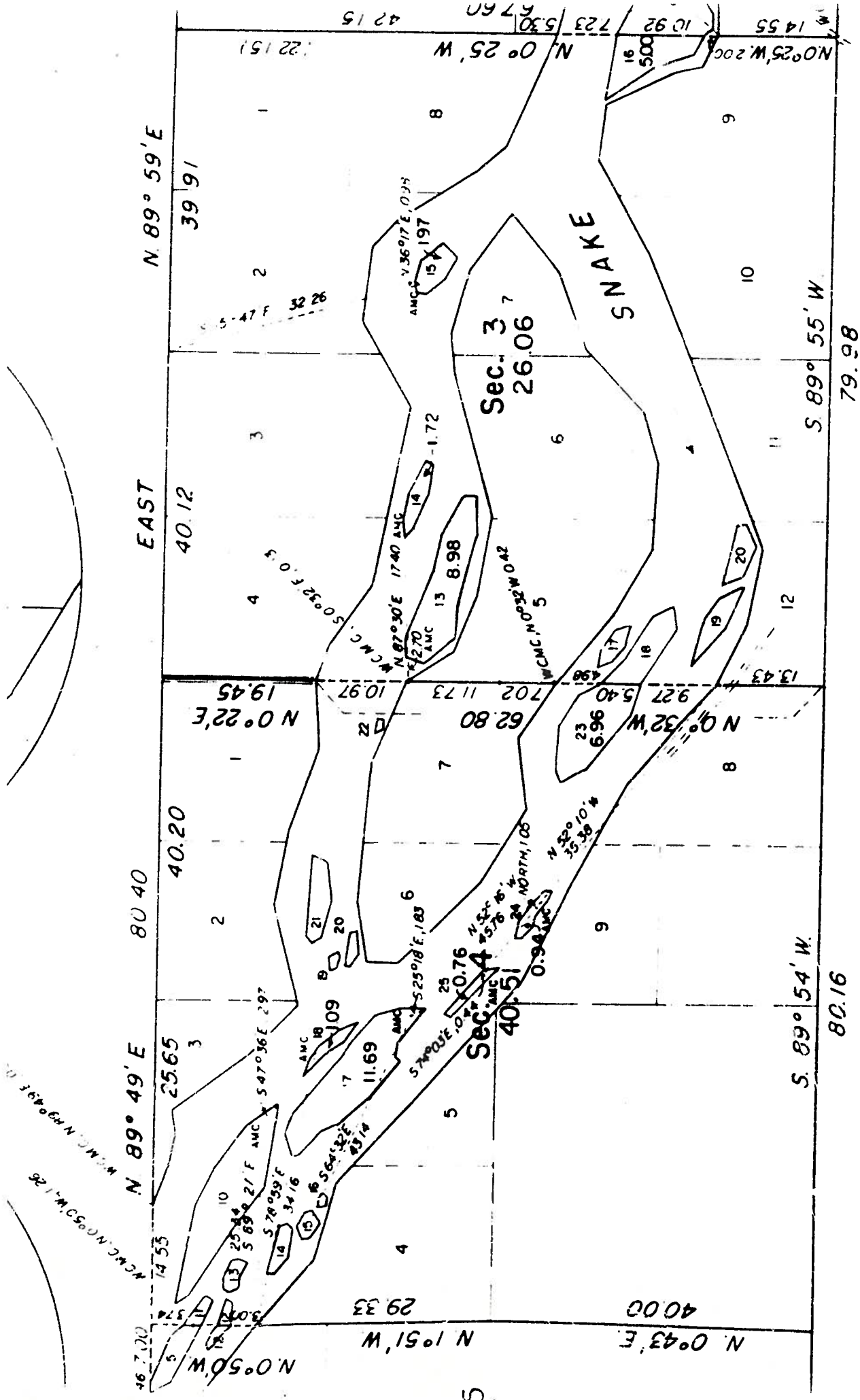
5ENE

5ESE

8E

AA14(1992)

AA15(1992)



65-8-1966

This map represents the present and reestablished boundaries of the Snake River boundary and adjacent

WATER RIGHT NUMBER - A02-00027

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

*** C - CURRENT OWNER ***
HAMMETT LIVESTOCK CO.

1 - P.O. BOX 33
2 -
3 -
CITY- HAMMETT
PHONE - 208-366-2411
STATE- ID ZIP- 83627

PRIORITY DATE - 01/01/1922
REGION -
ERROR IN REGION
STAGE -
BENEFICIAL USE
STATUS -

SOURCE - SNAKE RIVER
TRIBUTARY - COLUMBIA RIVER

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
06S	08E	3	SW NE	7		(39)	ELMORE	
			SW NW			(39)	ELMORE	
			SE NW			(39)	ELMORE	
			SW NE			(39)	ELMORE	
			SE NW			(39)	ELMORE	

CODE -
DESCRIPTION -
PERIOD FROM - 01/01
PERIOD TO - 12/31
WATER USE -
DIVERSION RATE - 0.020
DIVERSION VOLUME -
TOTAL DIV. RATE - 0.020
TOTAL DIV. VOLUME -
TOTAL DIV. CAPACITY -
TOTAL CONSUMPTIVE USE -
KW USAGE -

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	DESCRIPTION	COUNTY
06S	08E	3	SW NE			04	STOCKWATER	(39) ELMORE
06S	08E	3	SW NW			04	STOCKWATER	(39) ELMORE
06S	08E	3	SE NW			04	STOCKWATER	(39) ELMORE
06S	08E	4	SW NE			04	STOCKWATER	(39) ELMORE
06S	08E	4	SE NW			04	STOCKWATER	(39) ELMORE

DIVERSION MEANS - CONSTRUCTED ACCESS AND DIVERSION FROM RIVER
NON-IRRIGATION USE - STOCKWATER, 75 HEAD CATTLE, 800 SHEEP, 20 HORSES
OTHER RIGHTS FOR SAME USE - NONE

REMARKS -
P/U = SPARLIN ISLAND. USE BY CATTLE DIRECTLY FROM SNAKE RIVER.
OLD WATER RIGHT NUMBERS -
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A02-00027 PREFIX TRANSLATION: ADJUDICATION CLAIM

NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF - - - + DEGREE DEFENDANT - - - + DEGREE DATE - +
00/00/0000

AUDIT FIELDS - 10/22/91 HARRIS

NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 12/05/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 02
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C013281	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

06508E031510
06508E041950

DATA ENTRY

ENTERED
CHECKED

- Verified By
- Topo Map/Ortho-PQ
- ASCS Map
- Watermaster Records
- Nat'l Photos
- Field Exam
- Other (See Remarks)
- County Records
- Witness Statement
- Project Records
- IDWR Records

VERIFIED
FEB U 9 1994

CERTIFIED
FEB 18 1994
WATER EXAMINER

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-0027	I.D. No.	Map No.
\$30.00	Fee Paid	18880
		Receipt No.

Notice is hereby given that Hammett Livestock Company

(Name of Claimant)

P.O. Box 33, Hammett, ID 83627

(Mailing Address)

Telephone No. 208-366-2173

(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, or priority date of decreed, licensed or permit right) January 1, 1922

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River - main stem
tributary to Columbia 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:

4-1 AFA Quantity .06 cfs Use Stock Period of Use From 1-1 To 12-31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .06 cfs TOTAL QUANTITY CLAIMED. (NWSW) (NWSW) (NWSW)

(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lots 5, 6, 7
Sec. 3, Twp. 6S, Rge. 8E, B.M. Owyhee Elmore County

Additional Points: Lots 6, 7, Section 4, T6S, R8E, B.M.

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.

Direct consumption from river and from any ditches from the river.

(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.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	8E	3			lot 7				lot 5	lot 6	6:6	6:5				6:7			
6S	8E	4			lot 7				lot 6										
					6:6	6:7													

Total no. of acres -0-

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water for 250 +/- cattle

NOTE: Include here the type and number of stock watered: 250 cattle S/250 Range

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

(8) Remarks P/U = Sparlin Island. Use by cattle directly from Snake River.

(9) 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, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

KEYPUNCHED

CW 8/22/84

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 Hammett Livestock Co.
(Signature of Claimant)

(Date)

State of Idaho

Organization

County of Ada

Seal

Organization Hammett Livestock Co.
James J. Elias Vice Pres.
(Signature of Authorized Agent)

On this 24th day of April, in the year 1981 before me

a notary public, personally appeared James J. Elias
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 he) executed the same.

My commission expires February 1, 1981

Notary Public residing at Boise Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. Shaff

Date 6/22/84

Right No. 02-0027

Claimant Hammett Livestock

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☒ Other I.C. 42-113
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 6-20-84

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended .06 cfs. 1/4 stream
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 00 Hammett

Field Photographs Taken ☒ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

1974 00
JUN 10 1984
MICROFILMED

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-0027

1. Name of Applicant Hammett Livestock

2. Priority _____

3. Source of Water Snake River

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use Stockwater From 1-1 to 12-31

_____ cfs Use _____ From _____ to _____

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: ^{(NW/4) (NE/4) (SW/4)} Lot 5, 6, 7 of Section 3

Twp. 6S, Rge. 8E, County of E/More
Lot 6 (SW/4), Lot 7 (SE/4), S. 4, T 6S, R 8E

6. Describe Diversion Works: Cattle drinking directly from river;
no physical (mechanical) diversion from river.

7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>6S</u>	<u>8E</u>	<u>3</u>									<u>6.6</u>	<u>6.5</u>				<u>6.7</u>			
		<u>4</u>			<u>6.6</u>	<u>6.7</u>					<u>5</u>	<u>5</u>				<u>5</u>			

TWP.				RGE.				COUNTY				SCALE: 1" = 1 MILE			

8. Purpose other than irrigation: 5/250 Range

9. Remarks: P/U = Sparlin Island. From north side at one point
and southside from Headco Rd. For most of the island's length, no
signs of ramps or ditches. River is high, but these claimed physical
attributes are probably not obscured.
This examination was made on the 20 day of June, 19 84.

1:15 pm - 1:45 pm

(Signed) _____

Examiner

19

20

21

40

28

38

29

28

38

38

38

06-7063

40

40

40

02-7063

26

31

32

P.D.

North side
observation point

33

32

02-215

Lr. 2

T 5 S

T 6 S

38

Sparky Island
02-002715

Headed Road Observations

MICROFILMED

AUG 10 1994

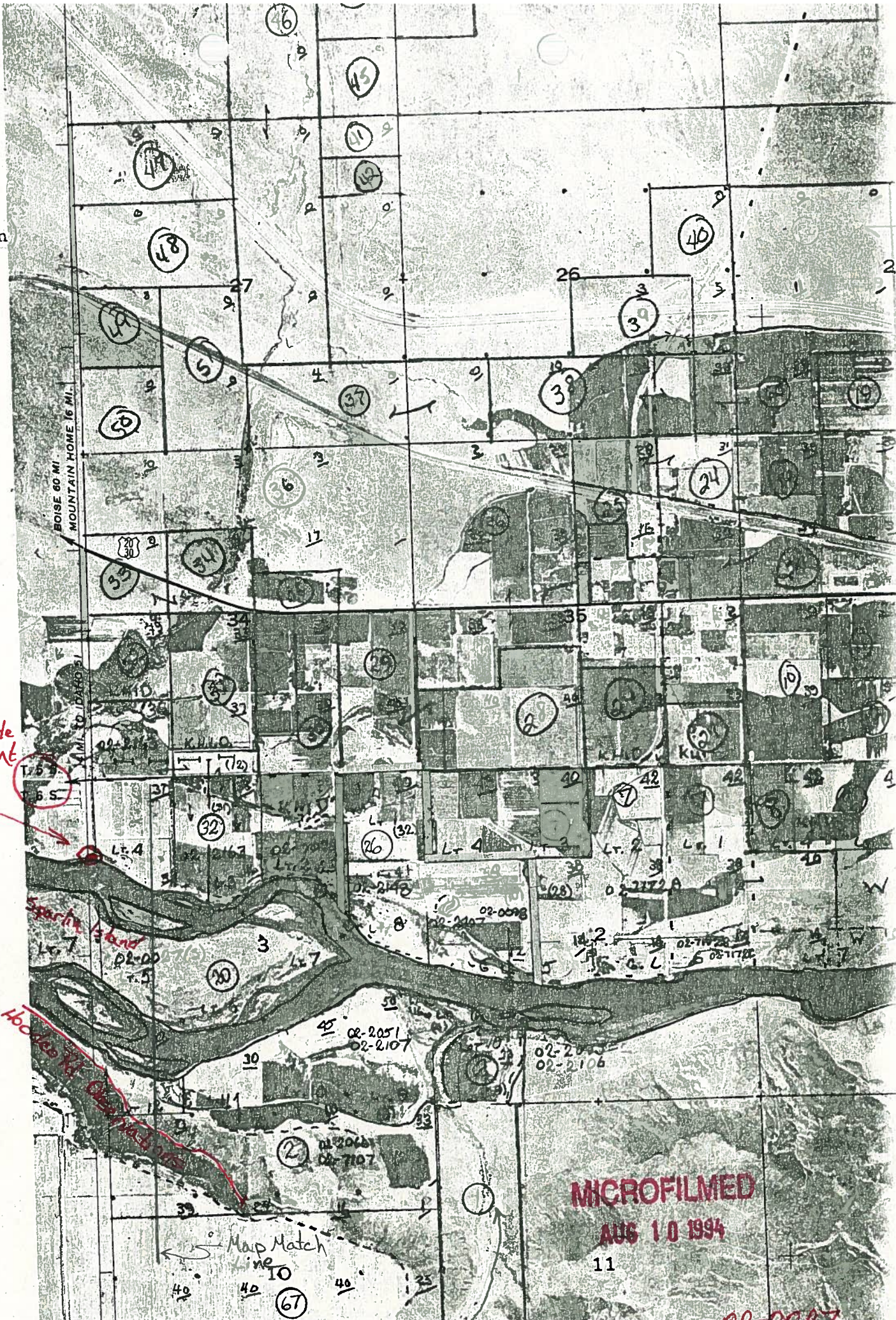
45

G.N.Lidgren

lworth

st* North side
bservation point

81





State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 18, 1982

Sherl L. Chapman
Consultant
921 S. Orchard, Suite N
Boise, ID 83705

file copy

Dear Sherl,

In response to your letter of February 16, 1982, the Department will not return any claims that have been received in proper order with the correct filing fee. This policy would include the claims filed by your clients, Mr. Jim Elias, Hammett Land and Livestock Company, or Wilson and Wilson.

The recommendation the Department will make to the court in its Proposed Finding on all claims is still in the review process. Case law, the statutes, the claim, supporting information, the field inspections and several other factors will all be used to arrive at the recommendations. Any claim could be recommended as filed, or disallowed in whole or part.

Before the Proposed Finding is submitted to the court, a Preliminary Report will be sent to all claimants and/or their agents. Any claimant who feels adversely affected by the decisions on the claims in the Preliminary Report can file a protest with the Department. The resulting hearing and decision, if necessary, will be made a matter of record submitted to the court with the Proposed Finding.

Thank you for your help and cooperation in the Snake River Adjudication.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:aje

cc: Mr. Jim Elias
Mr. Norm Young
Ms. Jo Beeman

MICROFILMED
AUG 10 1994

6/20/84 1:15 - 1:45 PM
From north side of at one point and south side from Hooped Rd
for most of the islands length, no signs of ramps or ditches.
Since is high ground, but physical attributes are probably
not obscured.

Sherl L. Chapman

CONSULTANT

921 S. ORCHARD / SUITE N / BOISE, IDAHO 83705 / PHONE 344-6690

February 16, 1982

RECEIVED
FEB 17 1982

Mr. Don Shaff
Department of Water Resources
92 S. Cole Road
Boise, Idaho 83709

Department of Water Resources
Western Regional Office

Dear Don:

Subsequent to a telephone call by John Noyse of the Department of Water Resources on February 12 regarding claims filed in behalf of Mr. Jim Elias and Hammett Land and Livestock Company, I contacted Joe Beeman, Norm Young and Ken Dunn of the State office to discuss your concerns with them. It appears, based upon some case law in Hayden Lake and in other states, that there is some precedent for establishment of a water right for livestock water without diversion. I recognize, however, that the issue is somewhat clouded since there also have been some court cases where contrary decisions have been made. However, since Mr. Elias has constructed ramps and other facilities to provide specific watering sites for his sheep and cattle along the Snake River and those sites are immediately recognizable as stock water sites, it is my opinion and the general opinion of both Ken and Norm that this work would suffice as evidence of construction of facilities, sufficient to allow claiming of a water right. Joe Beeman has indicated she would call you to discuss our conversations and provide you with information regarding other court actions regarding this matter. Since Mr. Elias has constructed such facilities and provided opportunity for his stock to water directly from the Snake River at specific sites and the use of such water is a beneficial use in Idaho, we would ask that the claims as filed be processed in the Snake River adjudication. We feel that it would be contrary to our best interest if the claims were returned because of the ever increasing competition for water from the Snake River.

If you have any questions or need additional information, please don't hesitate to contact me or Mr. Elias.

Sincerely yours,

Sherl L. Chapman
Sherl L. Chapman
Consultant

MICROFILMED

AUG 10 1994

SLC:kje
cc:Mr. Jim Elias

SPECIALIST IN

GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES

Memo to Files

Date: February 16, 1982

From: John K. Noyes

Subject: Status of Claims 02-0027, 02-0028, 02-0048, 02-0049

I met with James E. Elias of Wilson & Wilson livestock Company to review the livestock adjudication claims from the Snake River. All of the points of diversion on the above claims have no diversion works, only a sloped ramp to the river for access of the livestock.

In a telephone conversation with Sherl Chapman, who is assisting the Wilsons, I will call Jo Beeman about the legality of the claims.

MICROFILMED

AUG 10 1994

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0027	
I.D. No.	Map No.
\$30.00	18860
Fee Paid	Receipt No.

Notice is hereby given that Hammett Livestock Company
(Name of Claimant)
P.O. Box 33, Hammett, ID 83627
(Mailing Address) 208-366-2173
(Zip Code) Telephone No.

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, or priority date of decreed, licensed or permit right) January 1, 1922

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SNAKE RIVER @ main stem
tributary to Columbia 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:
Quantity .06 cfs Use Stock Period of Use From 1-1 To 12-31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .06 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lots 5, 6, 7 1/4
Sec. 3, Twp. 6S, Rge. 8E, B.M., Owyhee County
Additional Points: Lots 6, 7, Section 4, T6S, R8E, B.M.

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. Direct consumption from river and from any ditches from the river.

(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.

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	
6S	8E	3			lot				lot	lot									
6S	8E	4			lot					lot									

Total no. of acres -0-

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water for 250 +/- cattle

NOTE: Include here the type and number of stock watered: 250 cattle

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

(8) Remarks _____

(9) 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, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

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.

(Date)
State of Idaho Organization Hammett Livestock Co.
County of Ada ss. Seal _____
(Signature of Claimant)
(Signature of Spouse)
(Signature of Authorized Agent)

On this 24th day of April, in the year 1981 before me
a notary public, personally appeared _____
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.
My commission expires February 1, 1981 Notary Public residing at Boise, Idaho