

06/30/2003

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

RIGHT NUMBER: 74-28

NAME AND ADDRESS: MC FARLAND LIVESTOCK CO INC
C/O TEX J KAUER
PO BOX 50
LEMHI ID 83465

SOURCE: HAWLEY CREEK

TRIBUTARY: EIGHTEENMILE CREEK

QUANTITY: 3.300 CFS

PRIORITY DATE: 08/15/1883

POINT OF DIVERSION:

T15N R27E S3 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.300 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R27E S30	SESW	20.0	T16N R27E S30	SWSE	30.0
T16N R27E S30	SESE	34.0	T16N R27E S31	NENE	39.0
T16N R27E S31	NWNE	32.0	T16N R27E S31	NENW	21.0
T16N R27E S31 Lot 1 NWNW		2.0			

178 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 74-25 AND 74-27 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 225.2 ACRES IN A SINGLE
IRRIGATION SEASON.

This right authorizes the irrigation of 178.1 total acres.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WRD416
05/04/83

TRIBUTARY TO: EIGHTEENMILE CREEK

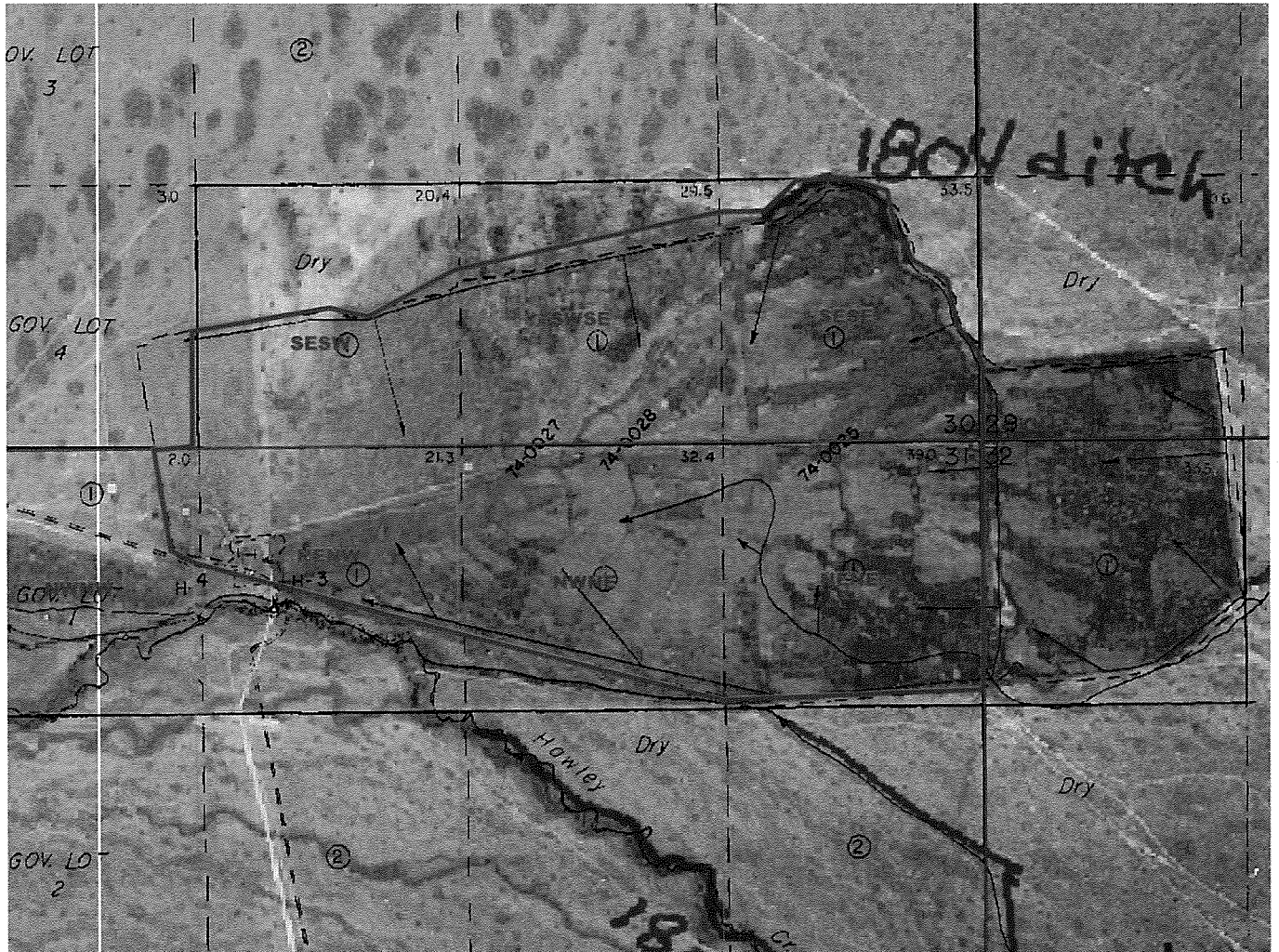
SOURCE: HAWLEY CREEK

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-0028	SKELTON RANCH CO. INC. P.O. BOX 1138 IDAHO FALLS ID 83401	08-15-1883	IRRIGATION 03-15 11-15	3.30 CFS	SENE S03 T15N R27E	NENE(39) NWN(32) DECREE NENW(21) LT01 (NWNW)(02) S31 T16N R27E SESW(20) S4SE(30) SESE(34) S30 T16N R27E	
	REMARKS: AC. IRR.=178.1.					* 178 ACRES*	
74-1094	STATE OF IDAHO DEPT. OF LANDS STATEHOUSE BOISE ID 83720	07-03-1890	STOCKWATER 03-15 11-15	.02 CFS	NWNW S31 T16N R27E		DECREE
74-0012	ELLSWORTH, JAMES ELLSWORTH, MAYBELLE P.O. BOX 27 LEADORE ID 83464	10-16-1908	IRRIGATION 03-15 11-15	2.00 CFS	SENE S02 T15N R27E	NWNW(30) SWNW(19) DECREE S14 T15N R27E S4SW(29) S11 T15N R27E	
	REMARKS: AC. IRR.=77.3. CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.					* 78 ACRES*	
74-0013	SIMS, RALPH SIMS, RUTH P.O. BOX 192 LEADORE ID 83464	07-23-1909	IRRIGATION 03-15 11-15	.42 CFS	SENE S03 T15N R27E	S4NE(02) NENW(34) DECREE NWNW(37) S26 T16N R26E	
	REMARKS: PT. OF INJECTION INTO HAWLEY CK.: NENW, S31, T16N, R27E. PT. OF REDIVERSION FROM HAWLEY CK.: LOT 1, S31, T16N, R27E. AC. IRR. = 72.6.					* 73 ACRES*	
74-0014	SIMS, RALPH SIMS, RUTH P.O. BOX 192 LEADORE ID 83464	07-23-1909	IRRIGATION 03-15 11-15	.66 CFS	SENE S03 T15N R27E	SESW(34) S26 T16N R26E	DECREE
	REMARKS: PT. OF INJECTION INTO HAWLEY CK.: NENW, S31, T16N, R27E. PT. OF REDIVERSION FROM HAWLEY CK.: LOT 1, S31, T16N, R27E.					* 34 ACRES*	
74-0015	SIMS, RALPH SIMS, RUTH	07-23-1909	IRRIGATION 03-15 11-15	.42 CFS	SENE S03 T15N R27E	N4SW(40) SWSW(37) DECREE S26 T16N R26E	

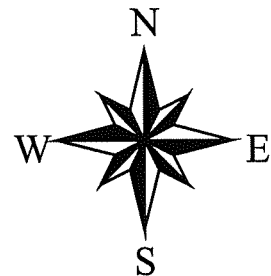
Idaho Department of Water Resources

74-28



0.2 0 0.2 0.4 0.6 Miles

T16N R27E S30, & S31



Prepared by Danni Smith
November 22, 2002
1993/94 True Color Aerial Photo

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 74-28

WATER RIGHT NUMBER: 74-28

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MC FARLAND LIVESTOCK CO INC C/O TEX J KAUER PO BOX 50 LEMHI, ID 83465 (208)768-2711
Original Owner	JOHN E PHIPPS PO BOX 3048 TALLAHASSEE, FL 32303 (904)893-1226
Original Owner	FREDRICK C HIRSCHY BOX 147 MAY, ID 83253 (208)876-4432
Original Owner	SCOTT L WHITWORTH C/O SCOTT L WHITWORTH WHITWORTH & HIRSCHY BOX 147 MAY, ID 83253 (208)876-4432
Original Owner	LYNN HARRINGTON HIRSCHY BOX 147 MAY, ID 83253 (208)876-4432
Original Owner	DIXIE WHITWORTH C/O SCOTT L WHITWORTH WHITWORTH & HIRSCHY BOX 147 MAY, ID 83253 (208)876-4432
Original Owner	SKELTON RANCH CO INC PO BOX 1138 IDAHO FALLS, ID 83401

Priority Date: 08/15/1883 ✓

Basis: Decreed

Status: Active

Source

HAWLEY CREEK

Tributary

EIGHTEENMILE CREEK

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

3.300 CFS

Annual VolumeTotal Diversion:

3.300 CFS

Location of Point(s) of Diversion

HAWLEY CREEK

SE1/4NE1/4

Sec. 3, Twp 15N, Rge 27E, B.M.

LEMHI County

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 74-28

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	27E	30												20.0			30.0	34.0	84.0
16N	27E	31	39.0	32.0			21.0	2.0											94.0
								L 1											

Total Acres: 178

Conditions of Approval:

Remarks:

1. General AC. IRR.=178.1. ✓
 CHANGED OWNERSHIP 12/29/95 JT/GT

Dates and Other Information:

Claim Received Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False