

11/14/2006

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: December 8, 2006

Water right number: 67-14516

KRISTI HAMILTON
2131 MISSMAN RD
COUNCIL ID 83612
Telephone Number: (208)253-6418

DANIEL H HAMILTON
2131 MISSMAN RD
COUNCIL ID 83612
Telephone Number: (208)253-6418

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-06 SIGNATURE: Kristi Hamilton
Please print your name: KRISTI HAMILTON

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 11 2006



11/11/2006

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

RIGHT NUMBER: 67-14516

NAME AND ADDRESS: KRISTI HAMILTON
2131 MISSMAN RD
COUNCIL ID 83612

DANIEL H HAMILTON
2131 MISSMAN RD
COUNCIL ID 83612

SOURCE: SPRINGS TRIBUTARY: CAMP CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1967

POINT OF DIVERSION:

T16N R01W S2 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER in ADAMS County

T16N R01W S02 SESW

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for ~~4~~16 head range cattle.

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 67-14516
Date Received: 1/25/2005
Receipt No: W032563
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KRISTI HAMILTON Phone: (208)253-6418
2131 MISSMAN RD
COUNCIL ID USA 83612

DANIEL H HAMILTON Phone: (208)253-6418
2131 MISSMAN RD
COUNCIL ID USA 83612

2. Date of Priority: 12/31/1967

3. Source: SPRINGS Trib. to: CAMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
16N	01W	2	SE	SW		ADAMS	Ending Point
16N	01W	2	NE	SW		ADAMS	Beginning Point

5. Description of diverting works:

Tile drain (1 1/2 inch pipe) incorporates spring on Rudger property. Flows to Hamilton property where it meets another improved spring. Then flows to pond behind barn all in 1 1/2 inch pipe. Used only for stockwater. Flows approximately .02 cfs depending on what time of year and water year.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 15 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	2	SE	SW	STOCKWATER	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

RECEIVED

JAN 25 2005

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that DANIEL H. AND/OR KRISTI HAMILTON
(Name of Claimant)
2131 MISSMAN RD COUNCIL, ID 83612 Telephone No: 208 253-6488
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) JUNE 1967
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
UNNAMED TILE DRAIN / SPRING tributary to CAMP CREEK OR SINKS

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>.02 - .04</u>	Use <u>STOCK WATER</u>	Period of Use From <u>1-1</u> to <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

4. .04 TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____

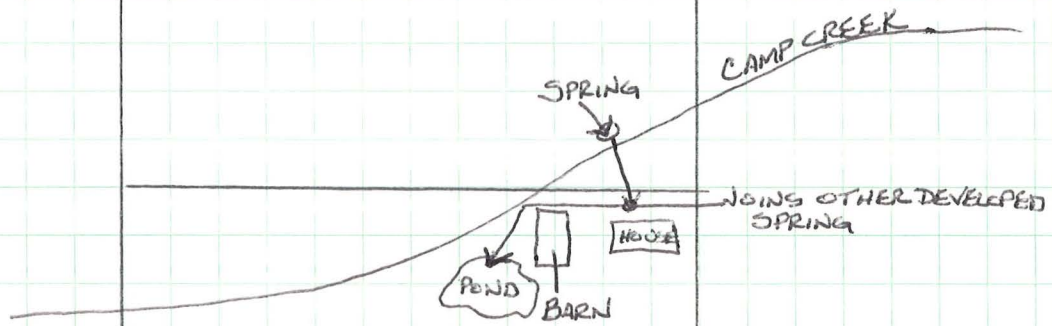
Sec. 2 Township 16N Range 1W B.M., _____ County; additional points
of diversion, if any: ENDS IN TOWNSHIP 16N RANGE 1W SECTION 2 N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.
TILE DRAIN (1 1/2" PIPE) INCORPORATES SPRING ON RUDGER PROPERTY. FLOWS TO HAMILTON PROPERTY WHERE IT MEETS ANOTHER IMPROVED SPRING. THEN FLOWS TO POND BEHIND BARN ALL IN 1 1/2" PIPE. USED ONLY FOR STOCK WATER. FLOWS APPROXIMATELY .02 CFS DEPENDING ON WHAT TIME OF YEAR AND WATER YEAR.

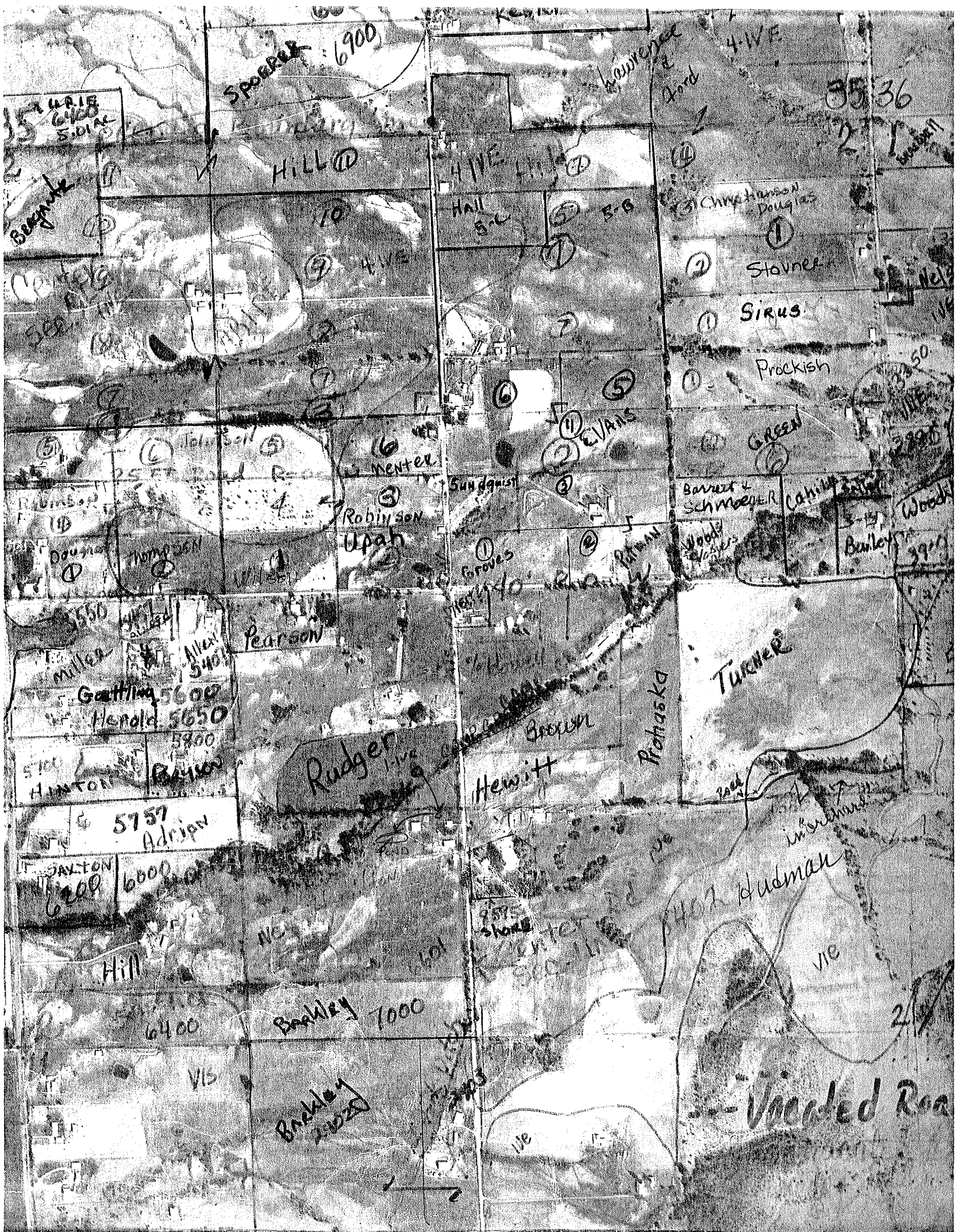
SPRINGS TRIB. CAMP CK.

The spring that we would like to file a claim for was put in by David Rudger around 1967. It originates on the Rudger property just north of Camp Creek (T16N R1W Section 2 NE4SW4) then flows onto Hamilton property (T16N R1W Section 2 N2SE4SW4) where it meets up with another unnamed spring then flows west in a 1 1/2" pipe that flows into a pond where it is used for stockwater for cattle. When the pond overflows the water flows back into Camp Creek. This spring has been used continuously by all property owners since it was put in. If you need more information please feel free to contact me at (208) 253-6418 or e-mail me at kdranch@ctcweb.net. Thank you.

RUDGER PROPERTY
T10N R10W SEC 2
NE 4 SW 4



HAMILTON T10N R10W SEC 2
PROPERTY N2 SE 4 SW 4



6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	16W	2																	

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. THE SPRINGS FLOW INTO POND. APPROXIMATELY 15 COWS ARE WATERED.

NOTE: Include here the type and number of stock watered: MIXED BREED CATTLE - 8 COW/CALF PRS.

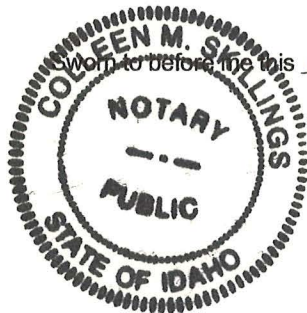
7. Remarks: TILE DRAIN (SEE ATTACHMENTS)

8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
County of Adams) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Kristi Hamilton
Claimant's Signature (and title if claim is for an organization)



Sworn to before me this 21st day of January, 2005.

Colleen M. Skillings
Notary Public

Residing at: Indian Valley

My commission expires: 7/1/2010

FOR DEPARTMENT USE ONLY

Received by AD Date 1-25-05
Prelim. check by _____ Date _____
Fee 225.00 Receipt # W032563
Receipt prepared by AD Date 1-28-03

Published in _____
Publication dates _____
Publication checked by _____ Date _____
Exceptions filed by _____

Receipt Details for ID W032563

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/28/2005 11:21:06 AM	1/28/2005 2:06:08 PM	WESTERN	\$25.00	Check
Payer	HAMILTON, DANIEL/KRISTI			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4934			
Card Expiration Date	Credit Card Transaction #		

Comment Adjudication Claim Fee

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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Print Report

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14516

WATER RIGHT NUMBER: 67-14516

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KRISTI HAMILTON 2131 MISSMAN RD COUNCIL, ID 83612 (208)253-6418
Current Owner	DANIEL H HAMILTON 2131 MISSMAN RD COUNCIL, ID 83612 (208)253-6418

Priority Date: 12/31/1967

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	CAMP CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

SPRINGS	SE1/4SW1/4	Sec. 2, Twp 16N, Rge 01W, B.M.
ADAMS County	(Ending of Reach)	(pond is end for SW)
SPRINGS	NE1/4SW1/4	Sec. 2, Twp 16N, Rge 01W, B.M.
ADAMS County	(Beginning of Reach)	

Place of UseSTOCKWATER Within ADAMS County

T16N R01W S02 SESW

Conditions of Approval:Remarks:Comments:

\$02 SW is for 16 head range cattle
 not for SW not a det of inst blu
 not for SW not to > 13k apd.

Element Reviewed/Verified Dates: