

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: A25-04022
Date Received: 8/ 3/1988
Receipt No: E001069
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CLYDE A COOK
Address: PO BOX 566
RIRIE ID

208-538-7215

83443

OR

Name: RONALD L LOVELL
Address: PO BOX 566
RIRIE ID

208-538-7215

83443

2. Date of Priority: FEB 7, 1957

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	41E	7	NW	NW	SE		BONNEVILLE

5. Description of diverting works:
WELL, PUMP, PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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NOV 0 / 1990

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	41E	6	SW SW		IRR	40.0
Section Acres						40.0
Total Acres						40.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
25-02163B SAME WELLS

14. Remarks:

BY LAND OWNERSHIP CHANGE MR. RICKS CLAIMS OWNERSHIP OF THIS RT.
LAND IRR. BY SYSTEM SINCE PRIORITY CLAIMED BUT LICENSE 25-02183B
DID NOT INCLUDE. DOMESTIC USE HAS BEEN DISCONNECTED FROM THIS
WELL.
CHANGED OWNERSHIP 3/7/95/JT/GT

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED

NOV 07 1995

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: A25-04022
Date Received: 8/03/1988
Receipt No: 6001069
Received By: ESJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETER J. RICKS ,JR. 208-356-6566
Address: 1266 W. 2000 S.
REXBURG, ID 83440
OR
Name: JUNE RICKS ,JR. 208-356-6566
Address: 1266 W. 2000 S.
REXBURG, ID 83440

2. Date of Priority: FEB 07, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	41E	7	NW	NW	SE		BONNEVILLE

5. Description of diverting works:
WELL, PUMP, PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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0.960 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	41E	6	SW	SW		IRR	40.0
Section Acres							40.0
Total Acres							40.0

11. Place of use in counties: BONNEVILLE

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

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BY LAND OWNERSHIP CHANGE MR. RICKS CLAIMS OWNERSHIP OF THIS RT.
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DID NOT INCLUDE. DOMESTIC USE HAS BEEN DISCONNECTED FROM THIS
WELL.

15. Basis of Claim: STATUTORY CLAIM

(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 to wish to receive and pay a small annual fee for monthly copies of the docket sheet.

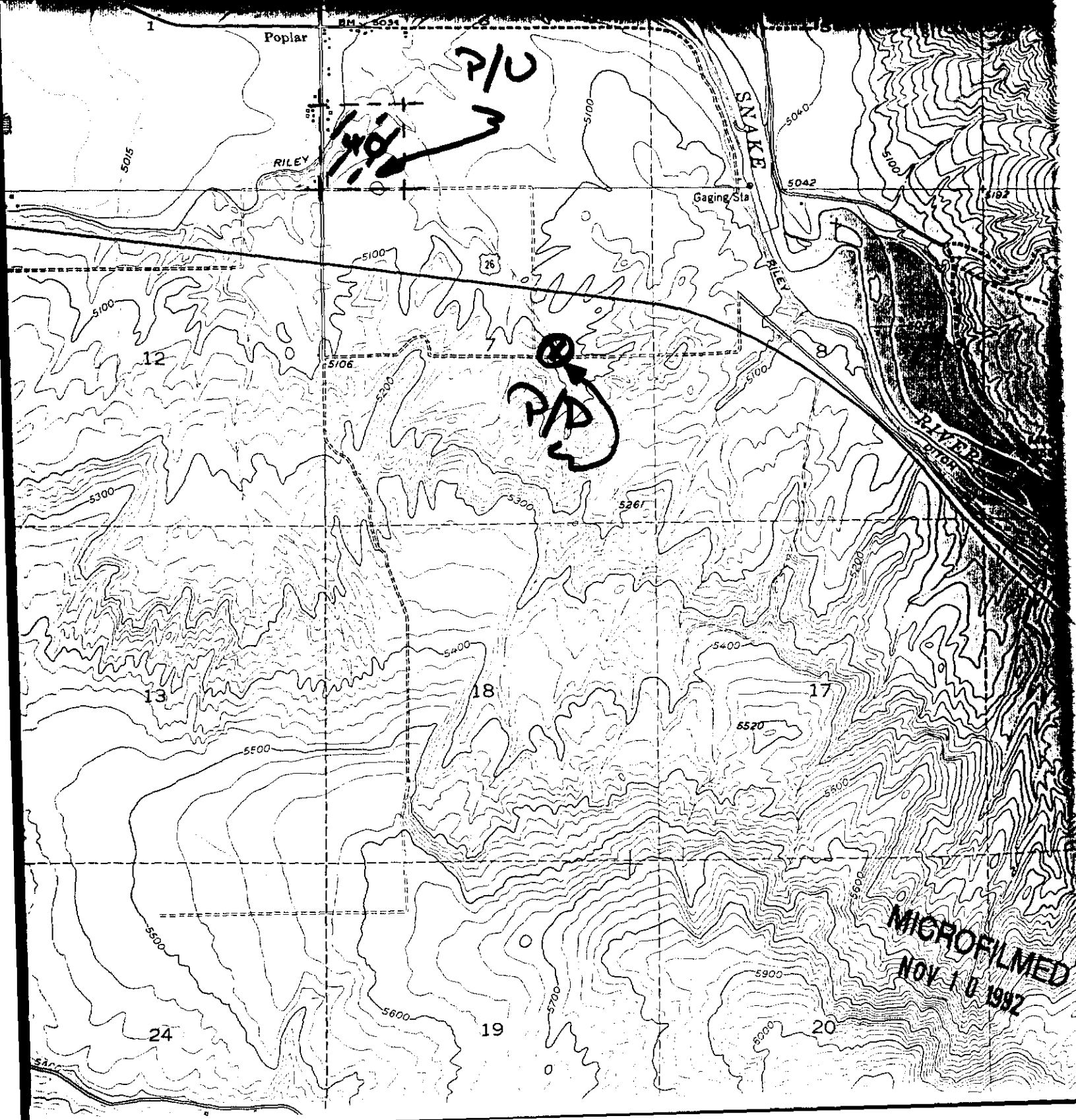
MICROFILMED
3/88
NOV 10 1992

DATE: 02/10/00
PAGE: 1

Field Inspection Flag:
Presumption Flag:

● T3N
R41E

● A25-04022



Log for claim 25-04022

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n41e	6	SWSW	40	41	
Totals:			40	41	

 SPATIAL
DYNAMICS

AJ5809NP
No. A25-04022

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 94

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAMILTON LAND & LIVESTOCK LTD 4850 W 13400 S RIVERTON UT 84065	02/07/1957	IRRIGATION	04-01 11-01	0.800 CFS	
TOTAL DIVERSION:					0.960 CFS	
CONSUMPTIVE USE:						100.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R41E S07 NWNWSE

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
03N	41E	6	:					:					:					:							
																		40	:					:	40.0
																						TOTAL ACRES		40.0	

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: 25-02163B SAME WELLS

Other Water Rights Listing Overlapping Place(s) of Use:
A01-00156 A01-00202

Remarks: GEN BY LAND OWNERSHIP CHANGE MR. RICKS CLAIMS OWNERSHIP OF THIS RT.
LAND IRR. BY SYSTEM SINCE PRIORITY CLAIMED BUT LICENSE 25-02183B
DID NOT INCLUDE. DOMESTIC USE HAS BEEN DISCONNECTED FROM THIS
WELL.
CHANGED OWNERSHIP 3/7/95/JT/GT
CHANGED OWNERSHIP 2/10/00/JC

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 08/03/88 MEYER 03/07/95 JTHOMPSO 03/29/95 POST-STD 02/10/00 JCRABTRE

No. 20-1022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Dale Byington
(name of claimant)
of Ririe, Idaho
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
tributary to _____

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.8</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>Apr. 1</u>	To	<u>Nov. 1</u>
Amount	<u>0.16</u>	Use	<u>Domestic</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 0.96 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) February 7, 1957

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 7 Twp. 3N Rge. 41E B. M. County of Bonneville

Additional points of diversion: _____

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. 2 wells, two 200 Hp. motors and pumps, buried main tapers from 16" to 8", one & half ¼ mile hand lines with 33, 5/32" nozzels per line

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	41E	6											40						40
													X (Domestic)						

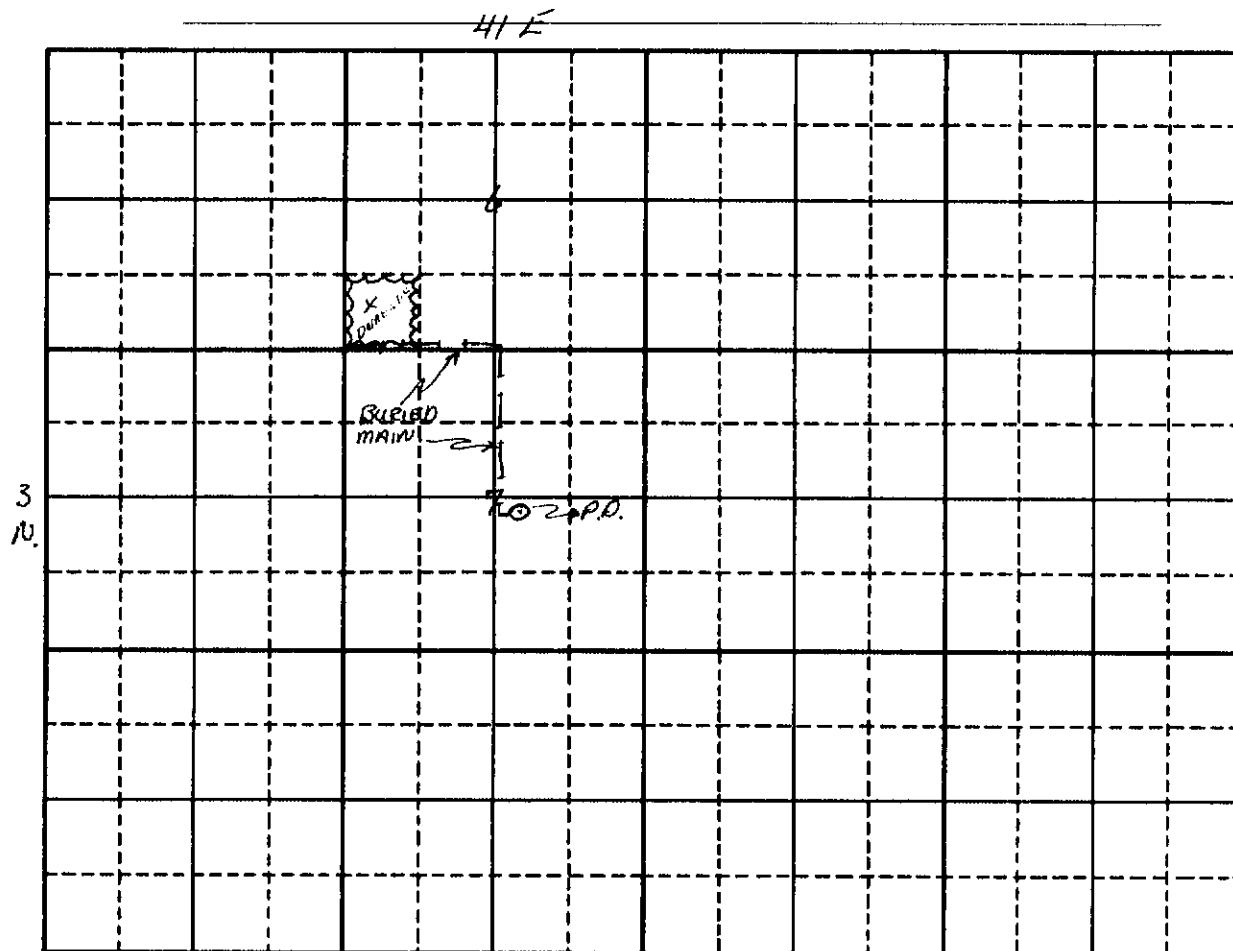
Total No. of acres 40

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

Water is also piped to eight household for domestic use from these two wells

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

(8) Remarks Lands under this claim are adjacent to lands licensed by #G-26754
and are irrigated by the same system.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Bennett)

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

Sworn to before me this 2 day of Dec

Dale Byington
(Claimant)
19 76
James Trimmell
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 10-1-77

For Department Use Only

Received by <u>[Signature]</u>	Date <u>12/2/76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>12/2/76</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>12/2/76</u>			
Approved for publication by <u>[Signature]</u>	Date <u>12-31-76</u>			
Published in <u>East Register</u>				
Dates <u>Dec. 9, 1976</u>				



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 10, 2000

HAMILTON LAND & LIVESTOCK LTD
4850 W 13400 S
RIVERTON UT 84065

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A25-04022,
A25-02108B, A25-02163B, A25-02115A

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG AR 7/23/99

STATE OF IDAHO

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES

JUL 23 1999

Department of Water Resources
Eastern Region

Clark Hamilton NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

538-7725 (H)

538-7755 (S)

390-2675 (M)

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s)
- A25-04022/A25-021088/A25-021638/A25-02115A

Adjudication Claim Number(s) _____

2. The following REQUIRED information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s)
- Clyde A. & LaRae Cook & Ronald Lovell
-
- P. O. Box 566
-
- Ririe, Id 83443

4. New Owner/Claimant(s)
- Hamilton Land & Livestock Ltd.

Name connector (Check one): ☐ AND ☐ OR ☐ AND/ORNew Mailing Address 4850 West 13400 SouthCity, State and ZIP Code Riverton, Utah 84065New Telephone Number () -

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Date 7-15-99Date 7-15-99

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 24, 2000

HAMILTON LAND & LIVESTOCK LTD
4850 WEST 13400 SOUTH
RIVERTON UT 84065

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR A25-02108B, A25-02115A, A25-02163B, A25-04022 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

___ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,

___ LEGAL DESCRIPTION OF PROPERTY

___ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

 X USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.*

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO THIS OFFICE AND WE WILL PROCESS YOUR CHANGE OF OWNERSHIP AS SOON AS POSSIBLE.

*** The map included with the ownership change packet does not reflect the property sold to Hamilton Land and Livestock. Please submit a map for the appurtenant property and our office will process this change as soon as possible. If you have any questions regarding this matter, please contact Senior Water Agent Allen Ruberry at (208) 525-7161.**



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MARCH 7, 1995

CLYDE A COOK
PO BOX 566
RIRIE ID 83443

RE: CHANGE IN OWNERSHIP FOR A25-02108B, -02163B, -04022

Dear Mr. Cook:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,


Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A25-02108B, 02163B, 04022 ^{AT}

☐ Name and Address of Former Owner/Claimant(s)(Seller): RICK BYINGTON

☒ New Owner/Claimant (Purchaser): Clyde A. Beck And/or Nimrod L. Lovell

☒ New Mailing Address: P.O. Box 566
Butte, Idaho 83402

☒ New Telephone Number: (208) 532-7215

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: CONTRACT FOR SALE

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Clyde A. Beck Date 2/22/05

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 07 1990

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

April 25, 1991

NOTICE OF CLAIM A25-10088 & A25-04022

Peter J. Ricks, Jr.
1266 W. 2000 S.
Rexburg, ID 83440

RE: **Evidence of Priority**

Dear Mr. Ricks:

The Notice(s) of Claim identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice(s) and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice(s) have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice(s) be decreed by the court if no evidence of a priority date is submitted.**

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NOV 10 1992

Peter J. Ricks, Jr.

Page 2

Please submit the required evidence supporting the priority date(s) by **May 28, 1991**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

MICROFILMED
NOV 10 1992