

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: A29-07530
Date Received: 6/27/1990
Receipt No: E014924/C015325
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LUKE L. HAMILTON, SR. 208-776-5279
Address: P.O. BOX 276
LAVA HOT SPRINGS, ID 83246
OR
Name: ANNA HAMILTON, SR. 208-776-5279
Address: P.O. BOX 276
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JAN 09, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	20	SE	SE			BANNOCK

5. Description of diverting works:
WELL/PUMP 390' DEEP TO HOME AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		2.40
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 3.00 A.F.A.

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME

State of Idaho

County of Bonneville)
) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of June 19 90

Dave Carls
Notary Public

Seal

Residing at Neise, Id

My Commission Expires 2/26/96

03/26/2001

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

RIGHT NUMBER: 29-7530

NAME AND ADDRESS: DENISE WILSON
JAMES D WILSON
PO BOX 508
LAVA HOT SPRINGS, ID 83246

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS
3 AFY

PRIORITY DATE: 01/09/1980

POINT OF DIVERSION: T09S R38E S20 SESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.02 CFS 2.40 AFY
DOMESTIC	1-01 12-31	0.04 CFS 0.60 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R38E S20 SESE 0.8
DOMESTIC Use same as IRRIGATION

0.8 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: BASIS OF CLAIM - License

AJ0749NP
No. A29-07530

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

DATE: 04/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENISE WILSON	01/09/1980	IRRIGATION	04-01 11-01	0.02 CFS	2.40 AFA
C	JAMES D WILSON		DOMESTIC	01-01 12-31	0.04 CFS	0.60 AFA
	PO BOX 508					
	LAVA HOT SPRINGS ID 83246			TOTAL DIVERSION:	0.06 CFS	3.00 AFA
	(208) 776-5964			CONSUMPTIVE USE:		3.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R38E S20 SESE

BANNOCK 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	:	---
09S	38E	20	:					:					:					:					:	
																								0.8
TOTAL ACRES																							0.8	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, ONE HOME

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Log for claim A29-07530

Spatial Dynamics PJM

8/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	20	SESE	0.8	1	
Totals:			0.8	1	

CLAIMED AS LICENSOR: So Recommended

DATE: 05/22/00
PAGE: 173

Audit: 06/28/90 DCARLSON 07/27/94 THOMPSON 03/28/95 SSHERMAN 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-05222

Priority: January 9, 1980 Amount: 0.06 CFS 3.0 AFA

This is to certify, that LUKE L. HAMILTON, SR.

P.O. BOX 276

LAVA HOT SPRINGS, ID 83246

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 9, 1980, and has submitted proof to the Department of Water Resources on January 30, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .120 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.02 CFS	2.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AFA
	Totals	0.06 CFS	3.0 AFA

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 20, Township 09S, Range 38E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	38E	20	SESE	0.8		0.8

Total number of acres irrigated: 0.8

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21st day of April, 1989.

MICROFILMED

Asst. Dir. for the

Director

MAY 09 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07530

RECEIVED
DEC 07 1988

Date of Priority: January 9, 1980

Comes now LUKE L. HAMILTON, SR.
P.O. BOX 276
LAVA HOT SPRINGS, ID 83246

Department of Water Resources
APPROVED

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07530, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.02 CFS	2.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AFA
	Totals	0.06 CFS	3.0 AFA

LOCATION OF POINT OF DIVERSION(S):

SESE , Sec. 20, Township 09S, Range 38E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S 38E 20	SESE 0.8	<u>1.8</u>		0.8
Total number of acres irrigated:				0.8

PLACE OF USE: DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Luke L. Hamilton Sr., this 3 day of Dec., 1988.

MICROFILMED

MAY 09 1989

Luke L. Hamilton Sr.
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07530

FOR DEPARTMENT USE ONLY

~~C003806~~ C003807

Preliminary check by _____ Fee = \$20.00 Received by 44 Date 12-8-88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 29-07530 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 21st day of April, 1989.

Norman C. Young
(Director)
Acting for the

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Luke L. Hamilton, Sr. Phone 776-5279

Post office address P. O. Box 276, Lava Hot Springs, ID 83246

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 9S

Range 38E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .07 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and 3 horse power, 1½ drop pipe

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 390 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 9S

Range 38E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 2 milk cows and 2 horses

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one.

(5) If water is to be used for other purposes describe: house, lawn, shrubs, garden and trees

[illegible]

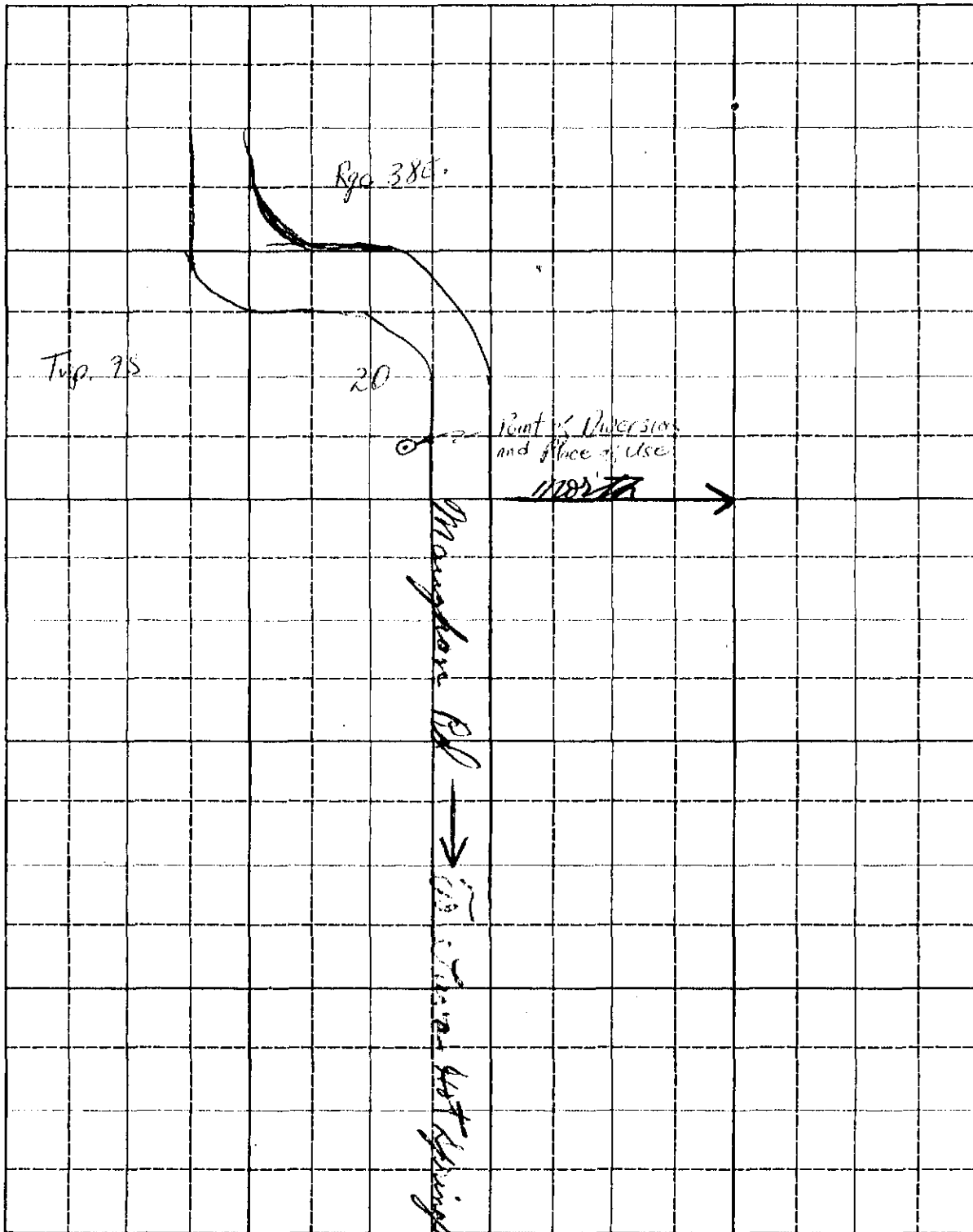
c. Describe any other water rights used for the same purposes as described above. _____

b. Who owns the land to be irrigated or place of use Luke Hamilton

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks _____

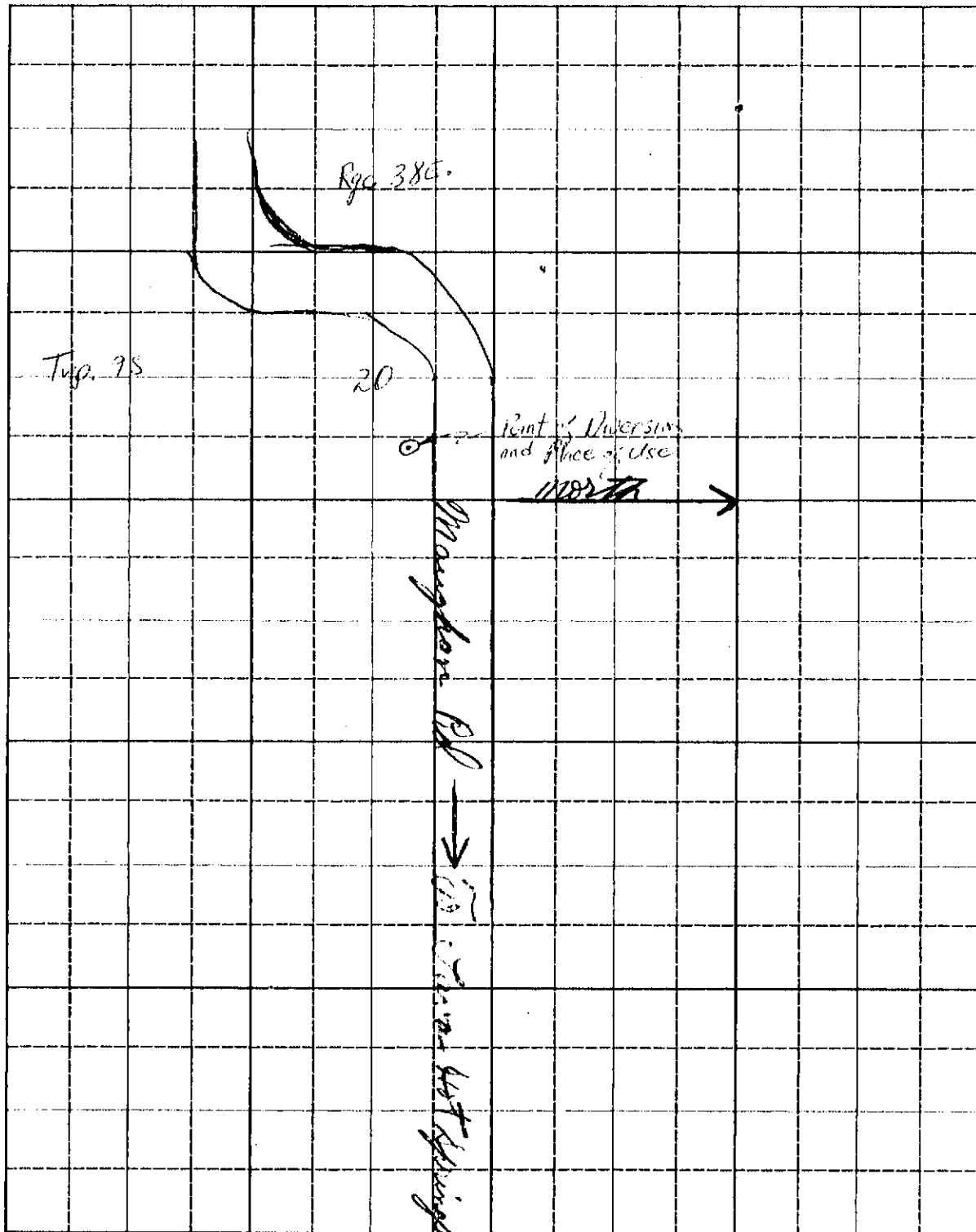
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x *Duke J. Hamilton, Sr.*
(Applicant)

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x *Charles V. Hamilton, Jr.*
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 29-7530

1. Owner: Luke L. Hamilton, Sr. Phone No. 776-5279

Current Address: P.O. Box 276, Lava Hot Springs, Idaho 83246

2. Accompanied by: owner EXAM. DATE: 6-9-87

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

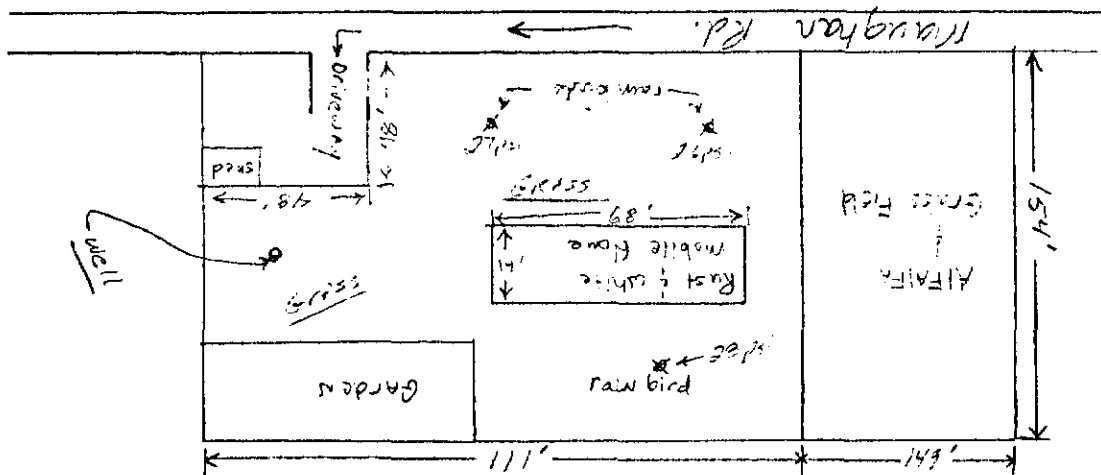
B. OVERLAP REVIEW

1. Other water rights with same place of use: Dempsey Creek Irrigation (1 share).
PORNEUF Irrigation Co. (1 share). ☐ Copies Attached

2. Other water rights with same point of diversion: NA
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



UNRECORDED

MAY 09 1989

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well/pump/motor to house and to ^{the three} rainbirds for irrigation for lawn, field & garden.

3-ORCid Jet sprinklers (5/32 Nozzles) used for measurement

500 gallon pressure tank.

Well depth = 390'

static water level = 32'

flow about = 36'

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
submersible	Fairbanks	3hp	114	11113	1.1

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	20	9S	38E	Bannock	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
9S	38E	20																0	

MAY 09 1989

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pitot gauge			Asnercof-		0-100	psi

2. Measurements:

5/32" Nozzle

~~28 psi~~ ~~27 psi~~ ~~26 psi~~

a/ 27 psi av. pressure for 5/32" N = 3.78 gpm x 3 = 11.34 gpm

b/ 11.34 gpm = 0.03 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: Pitot gauge

2. Alternate Method for Checking Purposes:

(Theoretical) $Q = \frac{3 \text{ hp} \times 8.814 \times 0.8}{118' \text{ Lift} + (2.308 \times 27 \text{ psi})} = \frac{21.15}{180.3} = 0.12 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____
Total Head: (1) + (2) = _____ (3)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

$Q = 0.12 \text{ cfs}$
all above
theoretical.
kw 11/8/88

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

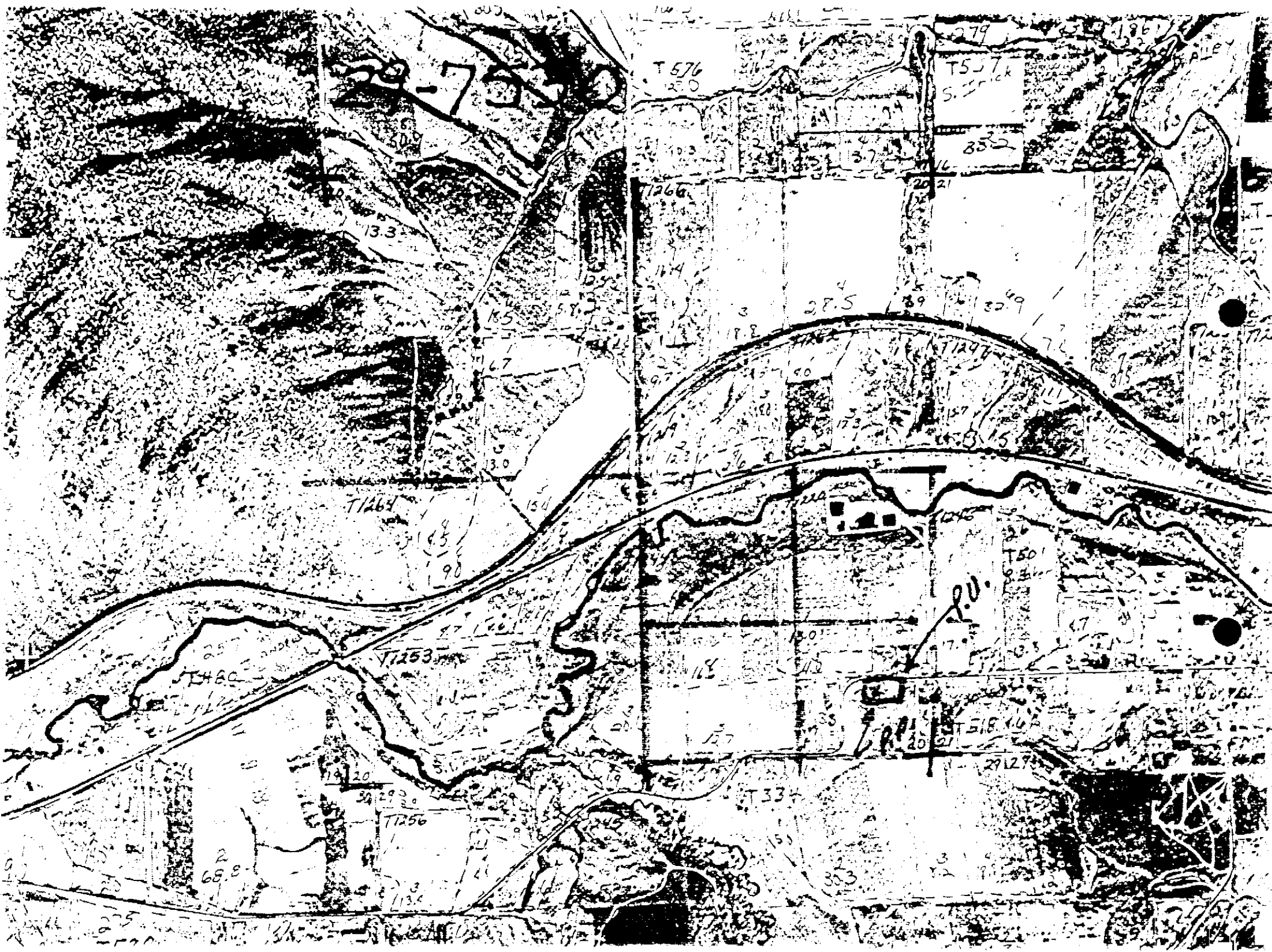
$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.84) / (3.0) = 2.52$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.03 \times 214) / (1.9835) = 12.73$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.52$

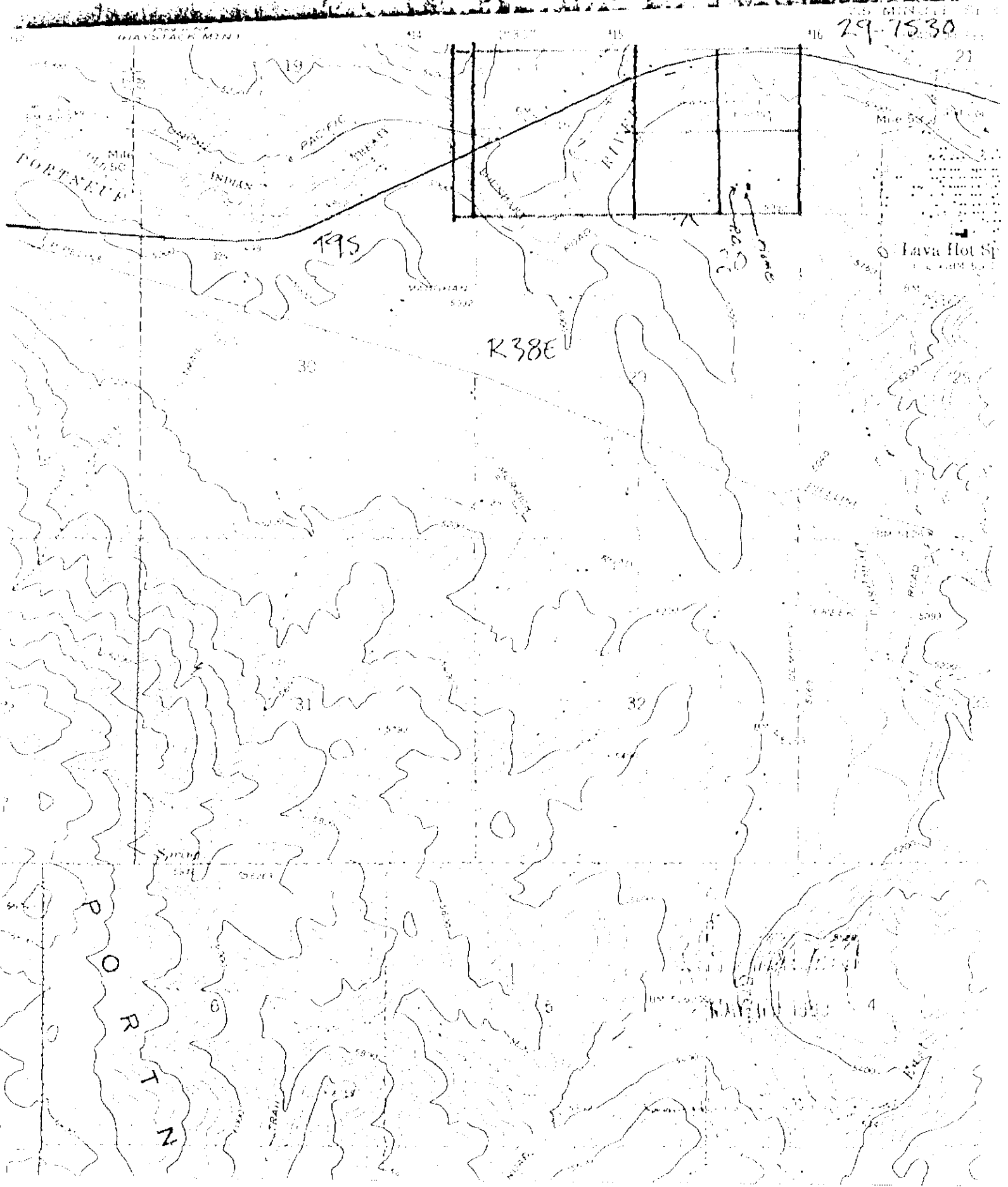
2. Volume Calculations for Other Uses:

N.A.

MICROFILMED

MAY 09 1989









State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

March 28, 1995

R. KEITH HIGGINSON
DIRECTOR

JAMES D AND DENISE WILSON
PO BOX 508
LAVA HOT SPRINGS ID 83246

RE: Snake River Basin Adjudication (SRBA)
Bannock County - Notice of Claim #A29-07530

Dear Claimants:

Thank you for your March 23, 1995, letter advising us that you are the new owner of water right A29-07530. Please refer to this water right claim number in any correspondence you may have with the Department. Before we can modify our records to reflect your new ownership, we need your signature on the enclosed computer-generated Amended Notice of Claim A29-07530. The only change you see to the claim the former owners filed is the replacement of the name and address. If you believe the description of your water right should have other changes, please make the correction and initial the change.

Please sign the enclosed Amended Notice of Claim #A29-07530, have your signature(s) notarized and return the form to my attention. You may want to make a photocopy of the signed claim before returning the original to this office.

Please contact me at 208/327-7862 if you have any questions.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:state:tf

Enclosures:

Copy of Amended Water Right A29-07530

"How You Will Receive Notice..." Information Sheet

cc: former owners

RECEIVED
NOV 1 2 1995

JUN 15 1995

Department of Water Resources
Eastern District

March 23, 1995

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Id 83720

RECEIVED

MAR 27 1995

Department of Water Resources

Re: Notice of Claim to a Water Right in the Snake River Basin
Adjudication, Bannock County

Dear Sirs,

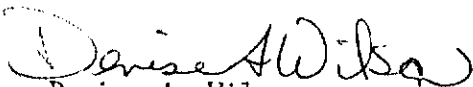
We have purchased a property from Mr. Luke Hamilton in Lava Hot Springs, Bannock County. It is our understanding that we must request and change the ownership information with your office, in order to maintain our water rights.

I am enclosing copies of paperwork that we received that show how the water right is currently shown. I am also enclosing a copy of the warranty deed showing that we are now owners of this parcel.

Please send any necessary documentation, forms and fee schedules that are necessary in order for us to properly change this water right ownership.

Information and forms may be sent to : James D. and Denise Wilson
P.O. Box 508
Lava Hot Springs, ID 83246
(208) 776-5964

Thank you.


Denise A. Wilson

RECEIVED

JUN 15 1995

Department of Water Resources
Eastern District Office

MICROFILMED

NOV 13 1990

A29-07530

WARRANTY DEED

94007457

FOR VALUE RECEIVED

LUKE L. HAMILTON AND ANNA M. HAMILTON, HUSBAND AND WIFE

RECEIVED

The Grantor S, do hereby grant, bargain, sell and convey unto

MAR 27 1995

JAMES D. WILSON AND DENISE A. WILSON, HUSBAND AND WIFE

Department of Water Resources

The Grantee S, whose address is 624 DOE LANE S.E. ALBUQUERQUE N.M. 87123

the following described premises, to-wit:

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 9 SOUTH, RANGE 38 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20; THENCE WEST 1262.8 FEET; THENCE NORTH 615.6 FEET TO THE SOUTH LINE OF MAIN STREET, LAVA HOT SPRINGS, EXTENDED WEST; THENCE EAST ALONG THE SOUTH LINE OF MAIN STREET EXTENDED, WEST 295 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EAST 308.4 FEET; THENCE SOUTH 148 FEET; THENCE WEST 308.4 FEET; THENCE NORTH 148 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, THEIR heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said Grantee S, that THE Y ARE the ownerS in fee simple of said premises; that said premises are free from all encumbrances

and that The Y will warrant and defend the same from all lawful claims whatsoever.

Dated: APRIL 20, 1994 AND APRIL 26, 1994

Luke L. Hamilton by Anna M. Hamilton atty in fact
LUKE L. HAMILTON BY ANNA M. HAMILTON ATTORNEY-IN-FACT
Anna M. Hamilton
ANNA M. HAMILTON

STATE OF OKLAHOMA, COUNTY OF PAYNE

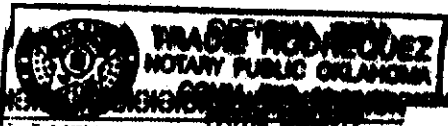
On this 20TH day of APRIL, 1994, before me, a notary public in and for said State, personally appeared

ANNA M. HAMILTON

known to me to be the person whose name IS subscribed to the within instrument, and acknowledged to me that SHE executed the same.

Tracee Rodriguez
Notary Public

Residing at STILLWATER, OKLAHOMA
Comm. Expires 03/04/94



PIONEER TITLE
POCATELLO, IDAHO

STATE OF IDAHO, COUNTY OF BANNOCK

On this 26 day of APRIL, 1994, before me, the undersigned personally appeared

ANNA M. HAMILTON

known to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact.

LUKE L. HAMILTON and who acknowledged that he subscribed the name of the said ANNA M. HAMILTON as principal, and HER own name as attorney-in-fact.

Don Bittner
Notary Public
Residing at POCATELLO, Idaho
Comm. Expires 5/30/99

A29-07530

NO. 94007457
PIONEER TITLE
94 APR 28 P2 56



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1990

RECEIVED

MAR 27 1995

Luke L. Hamilton, Sr.
P.O. Box 276
Lava Hot Springs, Idaho

Department of Water Resources

RE: Notice of Claim to a Water Right in the Snake River Basin
Adjudication, Bannock County

Dear Mr. Hamilton:

We are returning your Notice of Claim to a Water Right filed for your property in Bannock County. We are also enclosing Receipt #C015325 in the amount of \$25.00, for the filing fees. Only the first page of the claim form was received. We cannot process a claim unless it is complete.

Also, at Item 6, you have indicated irrigation as one of the purposes of the water. If you wish to claim a water right that includes irrigation, a different claim form must be completed. Enclosed is a "Long Form" for your use if you wish to include irrigation as a part of your claim.

A search of our records shows a water right, number 29-07530, issued in your name. A copy of this licensed water right is enclosed. Please note that the priority date listed on the license is January 9, 1980. At Item 2 on your claim you have entered a priority date of October 9, 1975. It is not uncommon to have more than one water right established from the same well. If the beneficial use of the water for domestic purposes occurred prior to making the application for permit, you may want to file a separate claim for the domestic use. However, both domestic and irrigation uses are listed on license 29-07530. Therefore, if you wish to file the long form and claim both domestic and irrigation uses and base your claim on Water Right License 29-07530 with the January 9, 1980 priority date, you may.

If you do decide to include irrigation as part of your claim, the filing fee is \$50.00 plus a variable fee of \$1.00 per acre claimed as irrigated. Therefore, the fee for a claim based on Water Right Number 29-07530 is \$51.00, which would require payment of an additional \$26.00.

RECEIVED
MICROFILM
JUN 13 1990

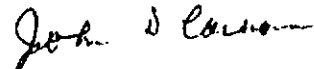
29-07530

Department of Water Resources
Eastern District Office

Luke L. Hamilton, Sr.
June 13, 1990
Page 2

Please return the documents with the appropriate filing fee to this office to the attention of Carter Fritschle. If you will make these corrections before July 13, 1990 you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire an appointment to obtain assistance in completing the form.

Yours Truly,


John D. Carlson
Adjudication Supervisor

JDC:CF:sf:state:tf
Enclosures:
Notice of Claim
Receipt #C015325
Short Form with instructions
Long Form with instructions

MICROFILMED

NOV 13 1990

A29-07530



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1990

*2-6-91
filed 6/27/90
E 014924 + C015325.
Danni Smith*

Luke L. Hamilton, Sr.
P.O. Box 276
Lava Hot Springs, Idaho

RE: Notice of Claim to a Water Right in the Snake River Basin
Adjudication, Bannock County

Dear Mr. Hamilton:

We are returning your Notice of Claim to a Water Right filed for your property in Bannock County. We are also enclosing Receipt #C015325 in the amount of \$25.00, for the filing fees. Only the first page of the claim form was received. We cannot process a claim unless it is complete.

Also, at Item 6, you have indicated irrigation as one of the purposes of the water. If you wish to claim a water right that includes irrigation, a different claim form must be completed. Enclosed is a "Long Form" for your use if you wish to include irrigation as a part of your claim.

A search of our records shows a water right, number 29-07530, issued in your name. A copy of this licensed water right is enclosed. Please note that the priority date listed on the license is January 9, 1980. At Item 2 on your claim you have entered a priority date of October 9, 1975. It is not uncommon to have more than one water right established from the same well. If the beneficial use of the water for domestic purposes occurred prior to making the application for permit, you may want to file a separate claim for the domestic use. However, both domestic and irrigation uses are listed on license 29-07530. Therefore, if you wish to file the long form and claim both domestic and irrigation uses and base your claim on Water Right License 29-07530 with the January 9, 1980 priority date, you may.

If you do decide to include irrigation as part of your claim, the filing fee is \$50.00 plus a variable fee of \$1.00 per acre claimed as irrigated. Therefore, the fee for a claim based on Water Right Number 29-07530 is \$51.00, which would require payment of an additional \$26.00.

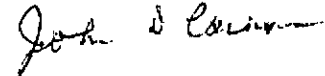
MICROFILMED

NOV 13 1992

Luke L. Hamilton, Sr.
June 13, 1990
Page 2

Please return the documents with the appropriate filing fee to this office to the attention of Carter Fritschle. If you will make these corrections before July 13, 1990 you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire an appointment to obtain assistance in completing the form.

Yours Truly,


John D. Carlson
Adjudication Supervisor

JDC:CF:sf:state:tf
Enclosures:
Notice of Claim
Receipt #C015325
Short Form with instructions
Long Form with instructions

MICROFILMED
NOV 13 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Hamilton

CLAIM IDENT. NO.

A29-07530

DATE RECEIVED

3-5-90CR # C015325

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
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. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☐ YES ☒ N/A
- Is the consumptive use correct? ☐ YES ☒ 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. ☒ YES ☐ N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO
12. Is the ownership of p.u. checked? ☐ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO
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.) ☐ YES ☒ N/A
15. Is the basis of the claim indicated? ☐ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by:

CA

Date:

5-25-90

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

MICROFILMED

Comments:

No Page 2

NOV 13 1992

Letter to Sally's WPS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07530

Priority: January 9, 1980 Amount: 0.06 CFS 3.0 AFA

This is to certify, that LUKE L. HAMILTON, SR.

P.O. BOX 276

LAVA HOT SPRINGS, ID 83246

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated January 9, 1980, and has submitted proof to the Department of Water Resources on January 30, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .120 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.02 CFS	2.4 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AFA
	Totals	0.06 CFS	3.0 AFA

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 20, Township 09S, Range 38E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	38E	20	SESE	0.8		0.8

Total number of acres irrigated: 0.8

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21st day of April, 1989.

NOTED
MAY 09 1989

Acting for the Director

Norman C. Gentry

MICROFILMED

NOV 13 1989