

05/26/2004

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

RIGHT NUMBER: 25-7067

NAME AND ADDRESS: HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
12444 N 175 E
RIRIE ID 83443

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.640 CFS
528.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 25-2162B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.35 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1168 AF.

PRIORITY DATE: 04/21/1975

POINT OF DIVERSION:

T03N R40E S12 NWNENE Within BONNEVILLE County
T03N R40E S12 SWNE Within BONNEVILLE County
T03N R40E S12 SWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.640 CFS 528.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R40E S12	SWNE	40.0	T03N R40E S12	SENE	40.0
T03N R40E S12	NESW	40.0	T03N R40E S12	NWSE	40.0
T03N R40E S12	SWSE	33.0	T03N R40E S12	SESE	33.0
T03N R40E S13	NENE	33.0	T03N R40E S13	NWNE	33.0

292 ACRES TOTAL

This right is limited to the irrigation of 132 acres within the place of use
described above in a single irrigation season.

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: License

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After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer 70866 by May 1, 2005.

Failure of the right holder to comply with the conditions of transfer 70866 is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under transfer 70866, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Right 25-2162A is also diverted through the point of diversion located in the NWNENE, Section 12, T3N, R40E described above.