

01/21/2005

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

RIGHT NUMBER: 27-2123

NAME AND ADDRESS: SHAYNE HAMILTON
839 WEST RIVERTON RD
BLACKFOOT ID 83221

RHITT HAMILTON
839 WEST RIVERTON RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.020 CFS
353.500 AFY

PRIORITY DATE: 11/22/1961

POINT OF DIVERSION:

T03S R34E S27 NWNWNE Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
2.020 CFS
353.50 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R34E S27 Lot 1	NWNE	11.0	T03S R34E S27	NWNW	37.0
T03S R34E S27	SESW	15.0	T03S R34E S27 Lot 2	NWSW	33.0

96 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: **License**



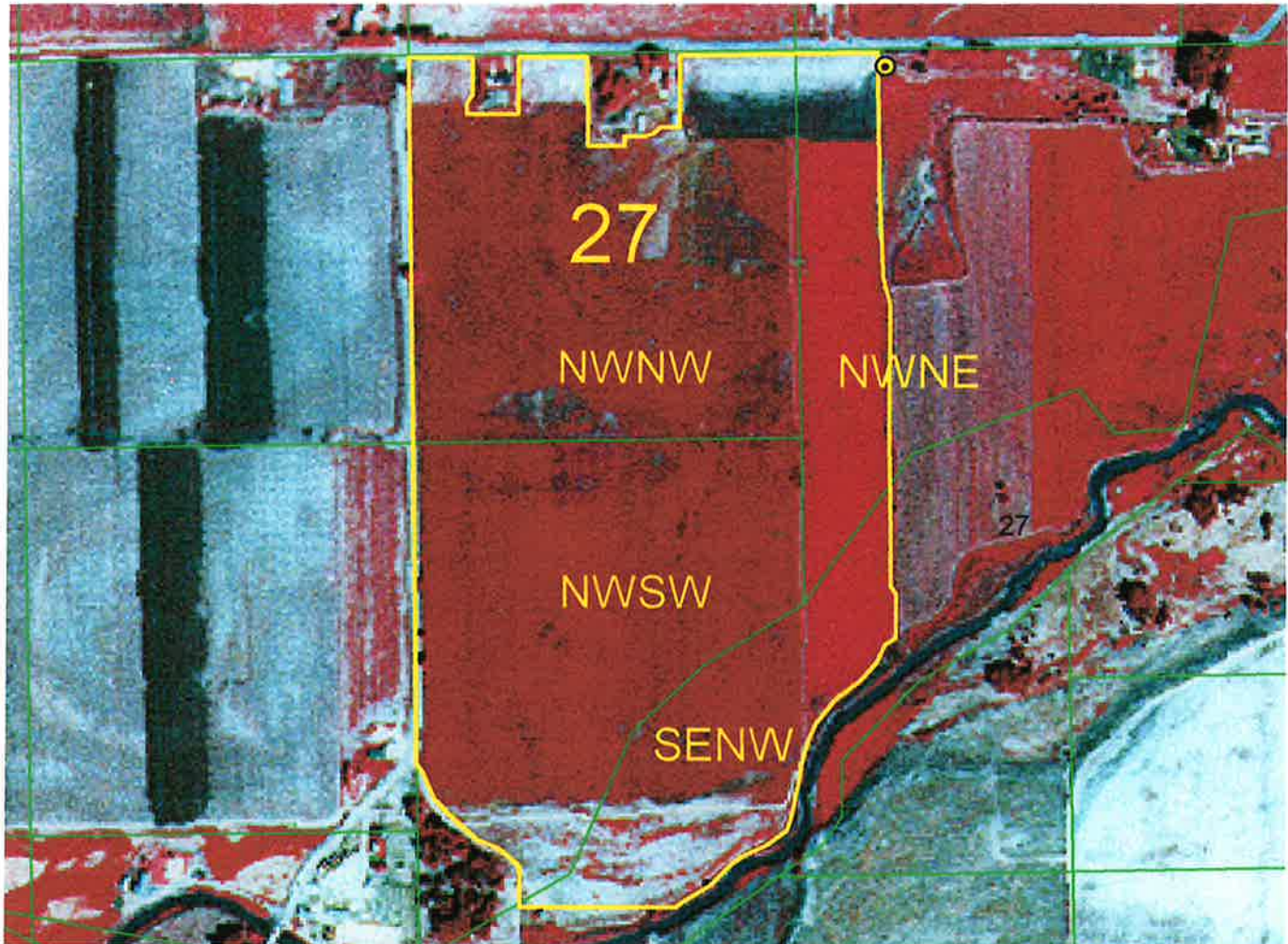
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-2123



500 0 500 1000 Feet

IRRIGATED ACRES 95.6

PROFILED

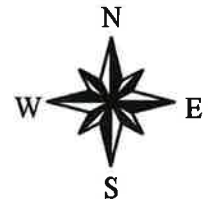
LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

SCANNED

Place of Use: T3S, R34E:
(part of) Sec. 27, NWNW,
NWNE, NWSW, SENW.

Point(s) of Diversion: T3S, R34E:
Sec. 27, NWNWNE.

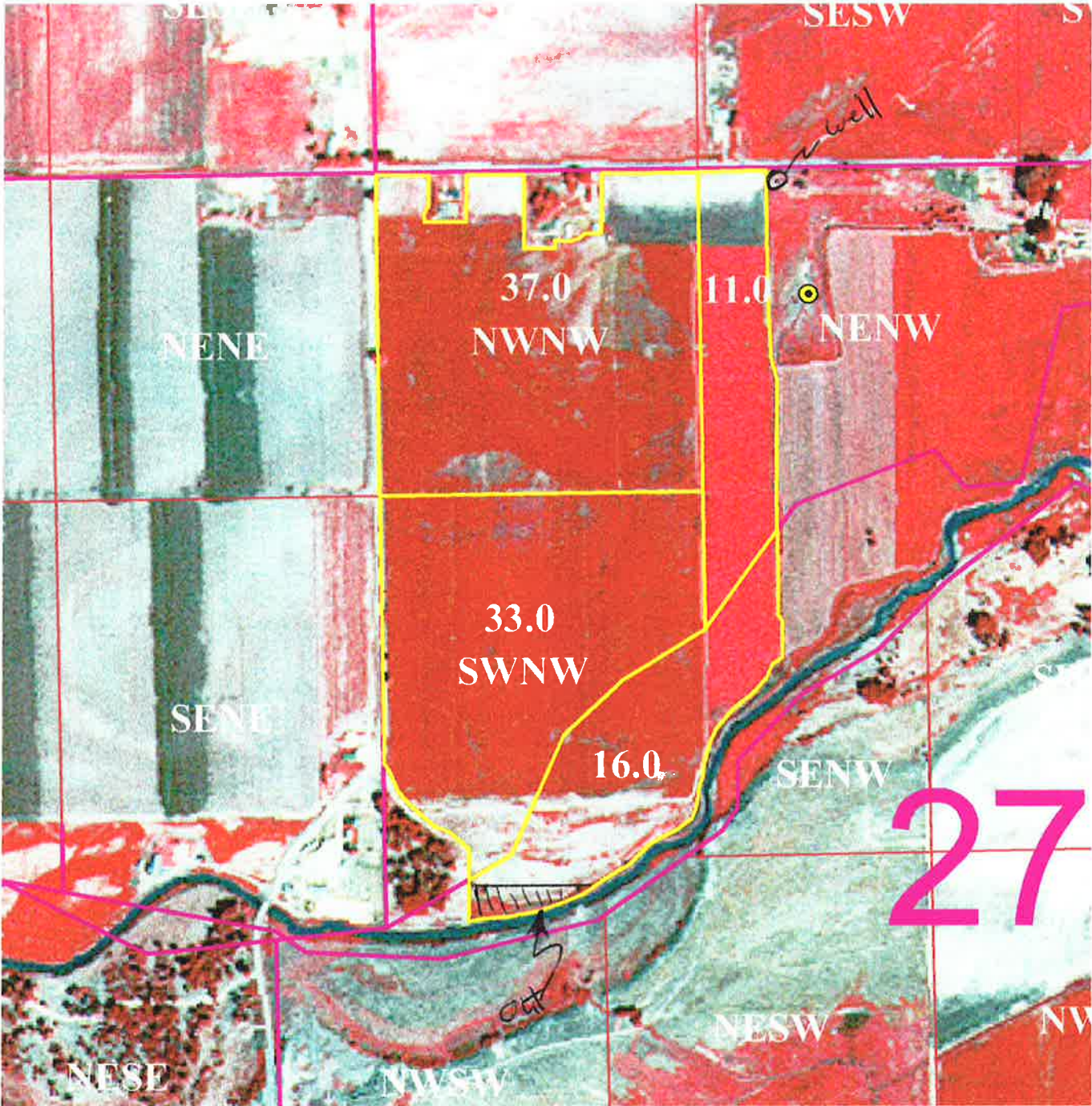


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: January 2005

MAR 09 2006

Water Right Claim Number 27-02123
Township , 3S34E

12/22/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



*These markings
must be ships.
BP*



01/21/2005

**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:

Water right number: 27-2123

Shayne Hamilton
839 West Riverton Road
Blackfoot, ID 83221
Telephone Number: (208) 785-0666

Rhitt Hamilton
839 West Riverton Road
Blackfoot, ID 83221
Telephone Number: (208) 785-0666

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:

July 25-05

SIGNATURE:

Shayne W. Hamilton

Please print your name:

Shayne W. Hamilton

IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161



PROFILED

**SCANNED
MAR 09 2006**

Handwritten initials: KWS 8/18

01/21/2005

**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:

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Rhitt Hamilton
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Blackfoot, ID 83221
Telephone Number: (208) 785-0666

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:

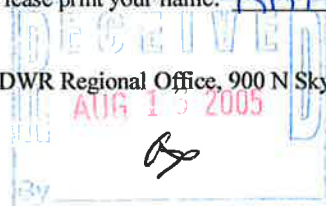
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: July 25 05 SIGNATURE: Rhitt Hamilton

Please print your name: Rhitt Hamilton

IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161



Handwritten initials: RWS 8/8

DELOG
CB/4-26-04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 23 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	27-2123				

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

None A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

A Ladd Carter & Jane M Carter

438 S 900 West Blackfoot, 83221

4. New Owner/Claimant(s)

Shayne W Hamilton & Rhitt S Hamilton

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

839 West Riverlun Rd Blackfoot

City, State and ZIP Code

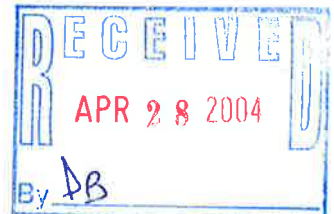
Blackfoot Idaho 83221

New Telephone Number

(208) 785-0666

5. Date you acquired the property

March 9 2004



6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Shayne L. Hamlin
Blair Hamlin

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

Order No.:3020405447-Z

538381

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 6.00 DEP 1.12

2004 MAR -9 PM 12: 11

FOR VALUE RECEIVED

RECORDED AT THE REQUEST OF

A. Ladd Carter and Jane M Carter, Husband and Wife

Alliance Title & Escrow Corp.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Shayne Hamilton, an unmarried person and Rhitt Hamilton, an unmarried person

whose current address is

839 W. RIVERTON ROAD, BLACKFOOT, IDAHO 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

Beginning at the Northwest corner of Section Twenty-seven (27), Township Three (3) South, Range Thirty-four (34), East of the Boise Meridian, Bingham County, Idaho, and running thence East along the Section line 1643 feet, thence South 0°38' East to the North bank of the Blackfoot River also being the South line of Government Lot 1, thence West along the North bank of said River and the South line of Government Lots 1 and 2 to a point of intersection with the West line of said Section 27; thence North along the West line of said Section 27, 3117 feet more or less to the Place of Beginning.

EXCEPTING THEREFROM: Part of the NW¼NW¼ of Section 27, Township 3 South, Range 34, East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point on the South line of a County Road that is South 89°45' East along the Section line 131.44 feet and South 00°15' West 25.00 feet from the Northwest corner of said Section 27; thence South 00°15' West 208.71 feet; thence South 89°45' East 208.71 feet; thence North 00°15' East 208.71 feet; thence North 89°45' West along said Road right-of-way 208.71 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM: Part of the NW¼ of the SW¼ and the SW ¼ of the SW ¼ of Section 27, Township 3 South, Range 34 East of the Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a point on the West line of said Section 27, said point being S 00°27'18" E 2474.85 feet from the Northwest corner of said section; thence S 00°27'18" E 619.09 feet along said section line; thence N 85°52'01" E 411.72 feet along an existing fence line that follows the right bank of the Blackfoot River; thence N 00°27'18" W 243.59 feet to an existing fence corner; thence S 85°55'34" W 13.20 feet along an existing fence; thence N 56°12'41" W 367.62 feet to an existing fence corner; thence N 21°10'42" W 152.61 feet to an existing fence corner; thence S 90°00'00" W 39.80 feet to the West line of Section 27 and the Point of Beginning.

ALSO EXCEPTING THEREFROM: Part of the Northwest Quarter of the Northwest Quarter (NW¼NW¼) of Section 27, Township 3 South, Range 34 East of the Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a point that is South 90°00'00" East 696.38 feet along the Section line from the Northwest corner said Section 27, and running thence South 90°00'00" East 266.60 feet along said Section line to an existing fence line extended; thence along said existing fence line the following three (3) courses:

- (1) South 01°11'13" East 300.33 feet; thence
- (2) South 89°57'24" West 265.62 feet; thence
- (3) North 1°22'23" West 300.55 feet extended to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.



Dated: 3/08/2004

A. Ladd Carter
A. Ladd Carter

Jane M Carter
Jane M Carter

State of IDAHO

County of BINGHAM

On this 8TH day of MARCH in the year 2004 before me, a Notary Public in and for said state, personally appeared A. LADD CARTER AND JANE M. CARTER known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that THEY executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Cathy G. Fuller
Notary Public for the State of IDAHO
Residing at: BLACKFOOT
Commission Expires: 03/19/2007

538381

2
70.0

ms

A
A27-02120 DIVER
45522

A27-02123
PART OF
DIVER

A27-02120

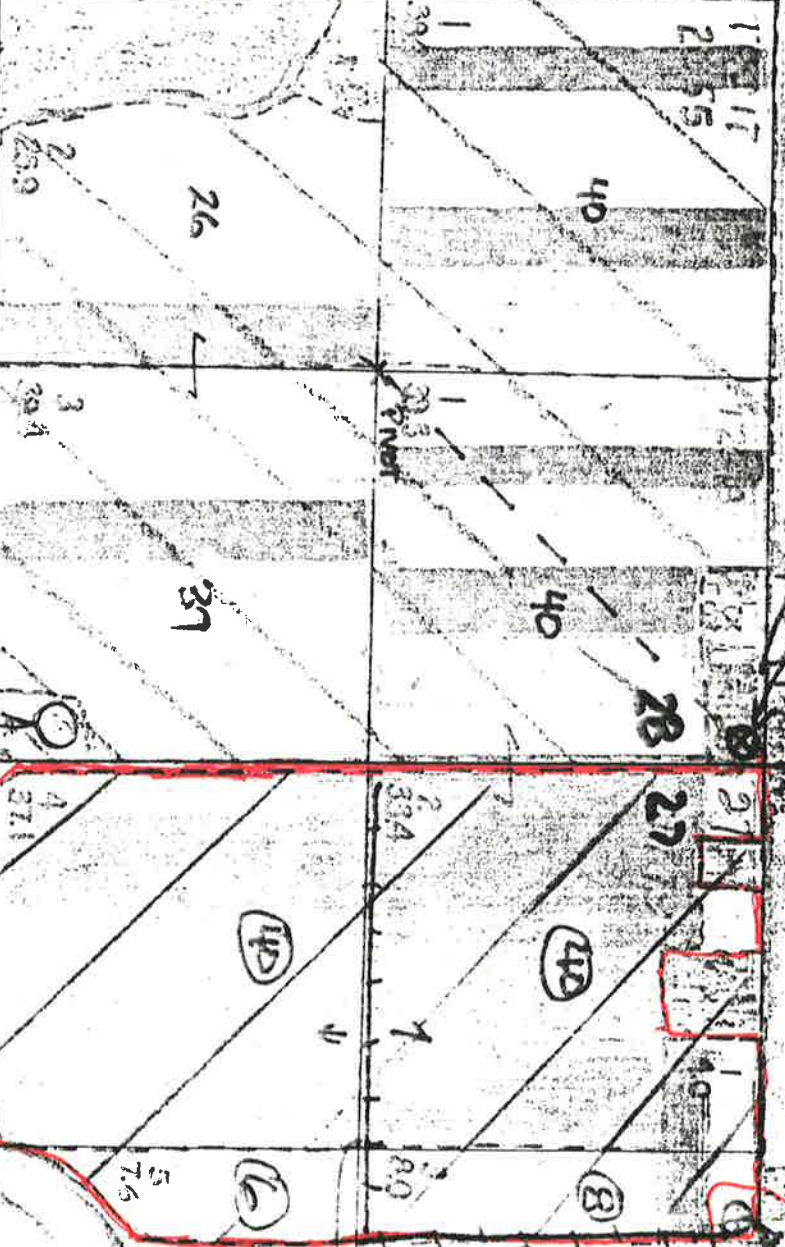
A27-02123

R34E

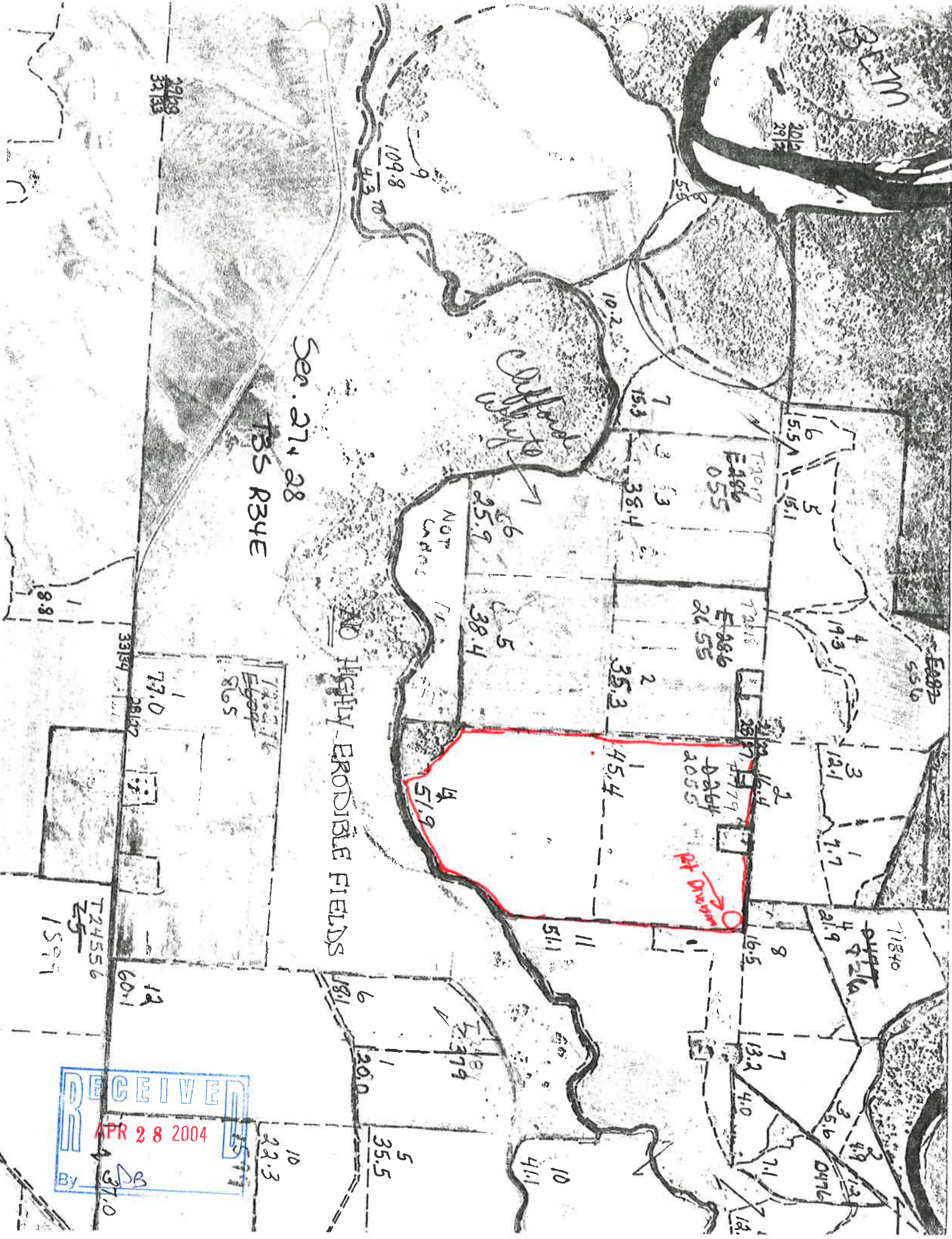
A27-10473

9
out

out



RECEIVED
APR 28 2004
By DB



See. 27, 28

T35 R34E

NO HIGHLY ERODIBLE FIELDS

Coffin

RECEIVED
APR 28 2004
By [Signature]

Notes

9/12/03. Some of the land claimed under this right don't show irrigation. Verify the POU; that all of the 101 acres are irrigated because shape only contains 97 acres?

INTER-DEPARTMENT MEMO

TO: Ship

SUBJECT: POU Verification

FROM: Cindy

DATE: 9/12/03

Please verify the total number of acres irrigated and that the white spots on the 1987 imagery is irrigated

Map of ownership

() For your information

☒ Response required

CB
signature

Notes

A27-02123

1/ Exam done 11-6-2003 with Ladd Carter

2/ GPS data - 0624587
0227589

File # 2123

Existing Tag on
Power Pole, # A0007104

3/ Well & pump (50 hp motor) w/ electrical to
sprinklers

4/ See spatial map - white area is irrigated
but small piece on south edge of
property is not.

4-28-04 Received ownership change from Shayne
Hamilton, warranty deed & map. PB

Contacts Data Entry Form

[illegible]

Current Owner See Claim

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer:

Date:

Contacts Data Entry Form

Priority Date Data Entry FormClaim Number: A27-02123

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

License

Reviewer: CBDate: 9/12/03**Priority Date Data Entry Form**

Priority DateClaim No. 27-2123

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☒ No ☐
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☒ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☒ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. *license*
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: A27-02123

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? none

Document how the POD and Source were verified and/or Pump and Motor data:

license

_____Transfers Changing POD noReviewer: CPDate: 9/12/03

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27 - 2133

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

Point of Diversion

Source

Claim No. 27 - 2123

1. Is the basis of claim a Decree or License?

Yes (☒) No (☐)

If Yes, go to 4

If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes (☐) No (☐)

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes (☐) No (☐)

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source?

Yes (☒) No (☐)

If Yes, go to 5

If No, go to 7

5. Can the claimed Source be verified using the water right file?

Yes (☒) No (☐)

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

6. Is the basis of claim a Posted Notice?

Yes (☐) No (☐)

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

7. Is there evidence that there has been a change in the Source?

Yes (☐) No (☐)

If Yes, go to 8

If No, go to 10

8. Can the change be verified as an accomplished transfer?

Yes (☐) No (☐)

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer?

Yes (☐) No (☐)

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

10. Does the file contain all of the necessary information to verify the Source?

Yes (☐) No (☐)

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required?

Yes (☐) No (☒)

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Source

Purpose of Use Data Entry Form

Claim Number: A27-02123☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

License

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 9/12/03

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-2123

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
Yes ☐ No ☐
4. Does the parent right have a Purpose of Use?
If Yes, go to 5
If No, go to 6
Yes ☒ No ☐
5. Can the claimed Purpose of Use be verified using the water right file?
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
Yes ☒ No ☐
6. Is there evidence that there has been a change in the Purpose of Use?
If Yes, go to 7
If No, go to 11
Yes ☐ No ☐
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C04, go to 11
If No, go to 8
Yes ☐ No ☐
8. Does the change include an enlargement of the Purpose of Use?
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
11. Does the file contain all of the necessary information to verify the Water Use?
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
Yes ☐ No ☐
12. Did the claimant file a transfer?
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
Yes ☐ No ☐
13. Is a Purpose of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.
Yes ☐ No ☒

Purpose of Use

Place Of Use Data Entry Form

Claim Number: A27-02123☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

runse

Transfers Changing POU noneReviewer: CBDate: 8/12/03

Place Of Use Data Entry Form

Place of UseClaim No. 27 - 2123

1. Is the basis of claim a Decree or License?

If Yes, go to 2a

If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4

If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8

If No, go to 13

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13

If No, go to 9

Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (☐) No (☐)

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.

If No, POU review is complete.

Yes (☐) No (☒)**Place of Use**

Period of Use and Quantity Data Entry Form

 Claim Number: A27-02123
☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	2.02	353.5

 Overall Diversion Rate 2.02 Overall Diversion Volume 353.5

Document how the Period of Use and/or Diversion Rate were verified:

license, IDWR's standards

$$10 \text{ AC} \times \frac{3.5 \text{ AF}}{\text{AC}} = 353.5 \text{ AF}$$
STD 804

 Reviewer: CB

 Date: 8/12/03

1. Is the basis of claim a Decree or License? Yes ☒ No ☐
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes ☐ No ☐
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes ☐ No ☐
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes ☒ No ☐
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes ☒ No ☒
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes ☐ No ☒
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes ☐ No ☐
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes ☐ No ☐
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes ☐ No ☐
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes ☐ No ☐
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes ☐ No ☐
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes ☒ No ☐
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined? Yes ☐ No ☒
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes ☐ No ☐
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes ☒ No ☐
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes ☐ No ☐
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes ☐ No ☐
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes ☐ No ☒
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Period of Use

Quantity

Claim No. 27 - 2/23

1. Is the basis of claim a Decree or License?

Yes (☒) No (☐)

If Yes, go to 4

If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes (☐) No (☐)

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes (☐) No (☐)

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

4. Does the parent right have a diversion rate and/or volume?

Yes (☒) No (☐)

If Yes, go to 5

If No, go to 7

5. Can the claimed diversion rate and/or volume be verified using the water right file?

Yes (☒) No (☐)

If Yes, go to 8

If No, go to 7

6. Is the basis of claim a posted notice?

Yes (☐) No (☐)

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

7. Is a flow measurement required?

Yes (☐) No (☐)

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

8. Does the parent right have an annual diversion volume limit?

Yes (☐) No (☒)

If Yes, go to 10

If No, go to 9

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

Yes (☒) No (☐)

If Yes, go to 10

If No, go to 11

10. Is irrigation a purpose of use?

Yes (☒) No (☐)

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

Yes (☐) No (☐)

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

12. Is a Quantity remark and/or condition required?

Yes (☐) No (☒)

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Quantity

Summary

Claim No. 27 - 2123

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Yes (☐) No (☒)

Yes (☐) No (☐)

Yes (☐) No (☐)

Yes (☒) No (☐)

Yes (☒) No (☐)

Yes (☒) No (☐)

Yes (☐) No (☒)

Yes (☒) No (☐)

#5 No

Summary

Claim No.: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18 Gen Press Condition

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

27-2123

Reviewer

CB

Date

9/12/03

Photo looking East



GPS tag

A27-0212.3

JUL 16 2001

Log for claim 27-02123

Spatial Dynamics LTD

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	27	NWSW	13	16	Includes SENW qq.
03s34e	27	NENW	8	11	
03s34e	27	NWNW	40	37	
03s34e	27	SWNW	40	33	GCDB does not match qq's.
Totals:			101	97	

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/29/2003

WATER RIGHT NO. 27-2123

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALTON MC DANIEL RT 3 BLACKFOOT, ID 83221

Priority Date: 11/22/1961

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	2.02 CFS	
Total Diversion			2.02 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENW	Sec. 27	Township 03S	Range 34E	BINGHAM County
--------------	------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	34E	27		NENW	8		NWNW	40		SWNW	40		SEnw	6
				NWSW	7									

Total Acres: 101

Dates:

Licensed Date: 08/01/1979

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

AJ5809NP
No. A27-02123

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 64

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANE CARTER	11/22/1961	IRRIGATION	04-01 11-01	2.020 CFS	
C	LADD CARTER					
C	LAYNE F HAMILTON					
C	LINDA HAMILTON					
	438 S 900 W			TOTAL DIVERSION:	2.020 CFS	
	BLACKFOOT ID 83221			CONSUMPTIVE USE:		303.00 AFA
	(208) 785-3116					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03S R34E S27

NWNENW

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NENE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
03S	34E	27	:	:	08	40	40	06	:	07	:	:	:	:	101.0	
													TOTAL ACRES	101.0		

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: SMITH-MAXWELL DITCH CO. SHARES

Other Water Rights Listing Overlapping Place(s) of Use:

A01-10058 A27-02129 A27-02129A

Remarks: GEN MR. CARTER HAS 5 YEAR LEASE W/ OPTION TO BUY FROM MR.
MC DANIELS. MR. CARTER IS FILING AS LEASOR OF PROPERTY.
**CHANGED OWNERSHIP_5/16/97/JT/AR

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

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

Audit: 05/08/89 VERNER 09/29/94 JTHOMPSO 03/29/95 POST-STD 05/16/97 JTHOMPSO



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

MAY 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LADD CARTER
LAYNE HAMILTON
438 S 900 W
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-02123

Dear Mr. Carter and Mr. Hamilton:

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 is a copy of the Notice(s) of Claim, 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 this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

5-5 AR
STATE OF IDAHO DE LO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
5/15/97

APR 30 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources
Incomplete forms will be returned. Eastern District Office

1. Water Right Number(s) G-30023
Adjudication Claim Number(s) A 27-02123 = 101 ac / 2.02 cfs
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) Michael McDaniel & Colleen McDaniel
Box 3
Blackfoot, Id 83221
4. New Owner/Claimant(s) A. Leonard Jane Mc Carter or Layne F. And Linda Hamilton
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 436 S 900 W. Blackfoot Id
City, State and ZIP Code Blackfoot Id 83221
New Telephone Number (208) 785 - 3116
5. Date you acquired the property Aug 11, 1989
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 101 Number and type of stock None
Diversion rate in CFS 2.62 2.02 cfs Number of homes N/A 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) A. Leonard Jane Mc Carter Date 4-29-97
Layne Hamilton Linda Hamilton Date 4-29-97
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.

WARRANTY DEED

COPY

For Value Received

MICHAEL D. MCDANIEL and COLLEEN M. MCDANIEL, both single persons

the grantors, do hereby grant, bargain, sell and convey unto

A. LADD CARTER and JANE M. CARTER, husband and wife, and
LAYNE F. HAMILTON and LINDA HAMILTON, husband and wife

whose current address is

the grantees, the following described premises, in Bingham County Idaho, to wit:

Beginning at the Northwest corner of Section Twenty-seven (27), Township Three (3) South, Range Thirty-four (34), East of the Boise Meridian, Bingham County, Idaho, and running thence East along the Section line 1643 feet, thence South 0°38' East 2130 feet to the North bank of the Blackfoot River, thence West along the North bank of said River to a point of intersection with the West line of said Section 27; thence North along the West line of said Section 27, 3117 feet to the Place of Beginning.

EXCEPTING THEREFROM: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 3 South, Range 34, East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at the NW corner of said Section 27 and running thence East along the North line 1030 feet; thence South 300 feet; thence West 1030 feet; thence North 300 feet to the Point of Beginning...

7.09ac

Subject to right-of-way for ditch along North line of conveyed property, which Grantor herein reserves use of water from said ditch.

Subject to taxes and assessments for the year 1989 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the Grantees...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: July 7, 1989

Michael D. McDaniel
MICHAEL D. MCDANIEL

Colleen M. McDaniel
COLLEEN M. MCDANIEL

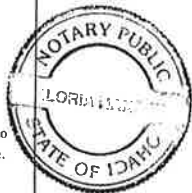
STATE OF IDAHO, COUNTY OF Bingham
On this 7th day of July, 1989,
before me, a notary public in and for said State, personally
appeared

382306

1989 AUG 11 AM 10:24

RECORDED AT THE REQUEST OF
AMERICAN LAND TITLE CO., INC.

MICHAEL D. MCDANIEL and
COLLEEN M. MCDANIEL



known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Lorne Hansen

Notary Public

Residing at Blackfoot, Idaho

Comm. Expires 1/16/93

Furnished by the AMERICAN LAND TITLE CO., Blackfoot, Idaho

Part of
Diversion

4 NHEL
45.5

22

400 S Riverdon Rd

1 NHEL

3 NHEL

3.5

2 NHEL

2

3 NHEL

0

4 NHEL

4

6.7

2 NHEL

93.3

+

33 34

1000 S Riverdon Rd



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

October 2, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LADD CARTER
438 S 900 W
BLACKFOOT ID 83221

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A27-02123

Dear Mr. Carter:

IDWR has been notified the address presently in our claim records for your co-claimant, Michael McDaniel, is incorrect. If he is still a co-claimant, we are hoping you can notify IDWR of his correct mailing address.

When you filed Notice of Claim #A27-02123 May 8, 1989, you stated you had a five-year lease with an option to buy from Mr. McDaniel. If you renewed the lease with McDaniel, please sign your name at the bottom of this letter, and return it to this office. If the ownership of the property to which the water right referenced above applies has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

We hope to assure that you and your co-claimant receive future notices about SRBA matters. Please contact me if you have any questions or concerns.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SO:ss:region

#####

The address of my co-claimant is:

Street _____

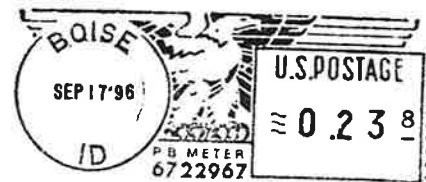
City _____ State _____ Zip Code _____

Claimant Signature

RECEIVED
NOV 13 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

PRESORTED
FIRST CLASS



DELIVERABLE
ADDRESSED
UNABLE TO FORWARD

file

A27-02123
MICHAEL MC DANIEL
RT 3
BLACKFOOT

RECEIVED

SEP 20 1996

Department of Water Resources

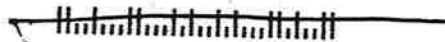
ID 83221

*INSUF.
Add*

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State of Idaho

License and Certificate of Water Right

Water License No. G-30023 Priority November 22, 1961 Amount 2.02 c. f. s.
(late proof)

THIS IS TO CERTIFY that

ALTON MC DANIEL

of Blackfoot, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 1, 1961; that Permit No. G-30023 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.02 second feet, was issued thereunder on February 13, 1968, showing that said works were completed on the 28 day of November, 1966; and that on the 28 day of November, 1966 ALTON MC DANIEL

of Blackfoot, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of Irrigation under Use Permit No. G-30023 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in ~~Volume~~ of Licenses, at Boise, on the 13 day of February, 1968.

The right hereby confirmed dates from November 22, 1961. (late proof)

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, Twp. 3 S, R. 34 E, B.M. Bingham County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.02 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Four-Corner Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S	34 E	27	NE $\frac{1}{4}$	8	8
			NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$	7.8	6
			NW $\frac{1}{4}$	9	7
Total number of acres irrigated:					101

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 13 day of February, 1968.

R. Keith Higgins
State Reclamation Engineer.

27 2123

30023

27-2123

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38049
Permit No. G- 30023
District No.

1. Name of Applicant: Alton McDaniel
Rt. #3
Postoffice address: Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed: 105 miners inches or 2.1 cfs
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27
Twp. 3 S , Rge. 34 E , B.M., County of Bingham
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled, cased well and electric pump
8. Estimated cost of works: \$ 4,700
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) 2.1 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	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		
3 S	34 E	27		8	40	40 7.8	9	104.8
PERMIT NO. G-30023 ✓								
CERTIFICATE OF COMPLETION OF WORKS								
TO ALL WHOM IT MAY CONCERN:								
This is to certify that ALTON MC DANIEL of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. G-30023, issued upon Application No. G-38049 bearing date of priority of November 22, 1961 (late proof), authorizing the diversion of 2.1 second feet of waters of a well, County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.02 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in the NE¹/₄NW¹/₄ Section 27, Township 3 South, Range 34 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NW¹/₄, NW¹/₄SW¹/₄ Section 27, Township 3 South, Range 34 East, Boise Meridian.								
Proof of Completion of Works made: November 28, 1966								
Witness my hand this 13 day of February, A. D. 1968								
/S/ R. KEITH HIGGINSON State Reclamation Engineer								
LICENSE ISSUED FOR <u>2.02</u> SEC. FT. LICENSE PAGE NO. <u>30023</u>								

Alton McDaniel *gravity flow - Smith-Marwell ditch*
Route #3
Blackfoot, Idaho *16-134*
4-20-30

Permit No. G-30023 *9-250"*

Examination for Completion of Works & Beneficial Use

County Bingham

Sec. 27 T. 3S R. 34E
Quantity: 2.1 c.f.s.

Source: subterranean

P.D.: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 3 S, R. 34 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: August 1, 1961

Due: August 7, 1966

Made: November 28, 1966

Priority: November 22, 1961

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

26623

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

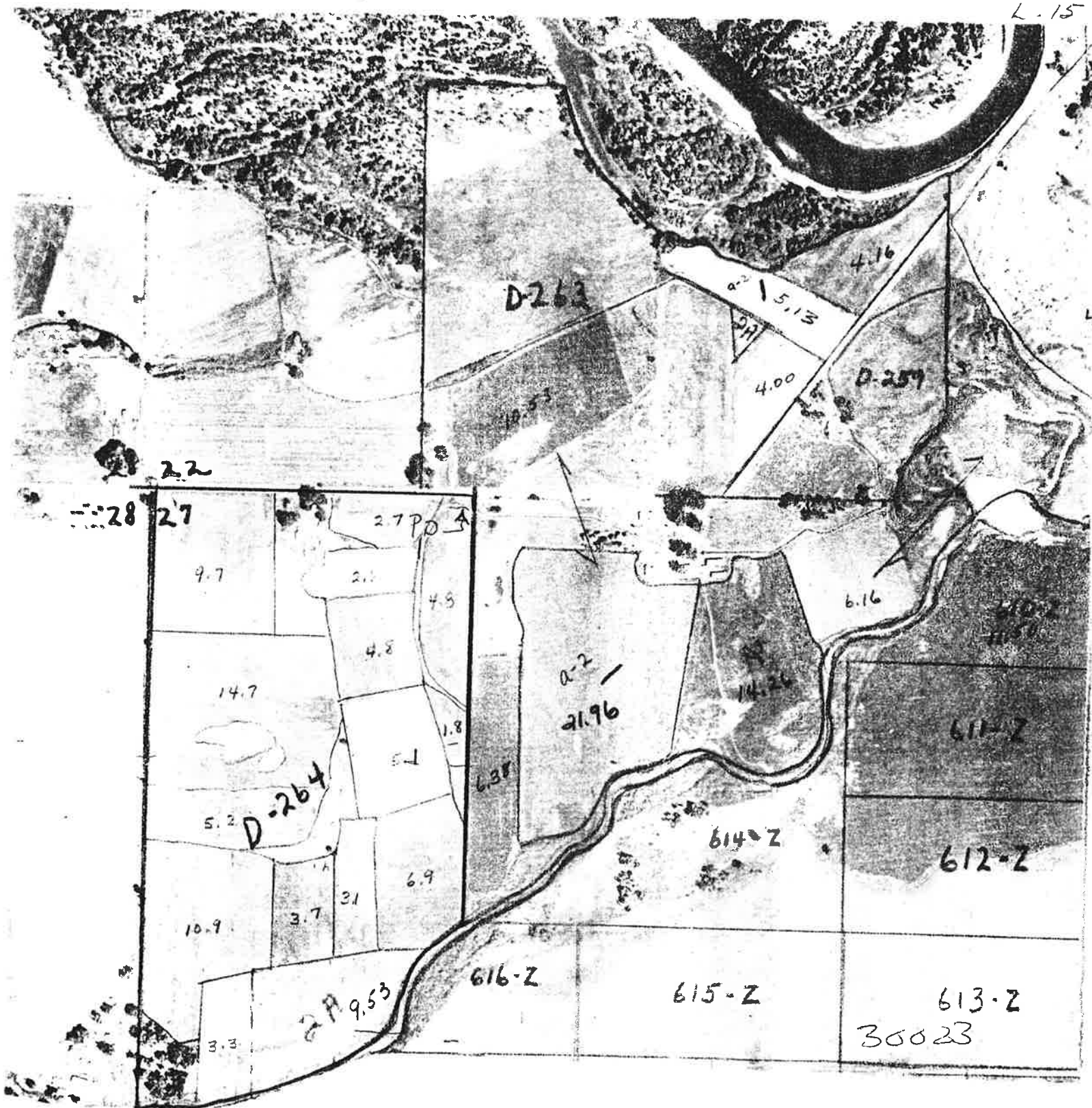
REPORT OF EXAMINER

PERMIT NO. G-30023

REPORT ON PROOF OF Completion of Works & Beneficial Use

70023

L-15



JUL 16 2001

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: **A27-02123**

Date Received: 5/ 8/1989

Receipt No: E007212

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	JANE CARTER	208-785-3116
Address:	438 S 900 W BLACKFOOT ID	83221
AND/OR		
Name:	LADD CARTER	208-785-3116
Address:	438 S 900 W BLACKFOOT ID	83221
AND/OR		
Name:	LAYNE F HAMILTON	208-785-3116
Address:	438 S 900 W BLACKFOOT ID	83221
AND/OR		
Name:	LINDA HAMILTON	208-785-3116
Address:	438 S 900 W BLACKFOOT ID	83221

2. Date of Priority: NOV 22, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	34E	27	NW	NE	NW		BINGHAM

5. Description of diverting works:
160'X10" WELL W/ 75HP TURBINE PUMP INTO MAINLINE/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

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

8. Total consumptive use is 303.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03S	34E	27	NE		NW		IRR	8.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	6.0
			NW		SW		IRR	7.0

Section Acres 101.0

Total Acres 101.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SMITH-MAXWELL DITCH CO. SHARES

14. Remarks:
MR. CARTER HAS 5 YEAR LEASE W/ OPTION TO BUY FROM MR.
MC DANIELS. MR. CARTER IS FILING AS LEASOR OF PROPERTY.
**CHANGED OWNERSHIP_5/16/97/JT/AR

15. Basis of Claim: LICENSE

Water Right Number: 30023

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: A27-02123
Date Received: 5/08/1989
Receipt No: E007212
Received By: 25

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	MICHEAL MC DANIEL	208-524-3346
Address:	RT. 3	
	BLACKFOOT, ID	83221
OR		
Name:	LADD CARTER	208-785-3116
Address:	438 S. 900 W.	
	BLACKFOOT, ID	83221
OR		
Name:	JANE CARTER	208-785-3116
Address:	438 S. 900 W.	
	BLACKFOOT, ID	83221

A2702123



2. Date of Priority: NOV 22, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	34E	27	NW	NE	NW		BINGHAM

5. Description of diverting works:
160'X10" WELL W/ 75HP TURBINE PUMP INTO MAINLINE/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

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

8. Total consumptive use is 303.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-02123

Page 1

Date: 05/08/89

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	27	SE	NW		IRR	6.0
			NW	SW		IRR	7.0

Section Acres 101.0

Total Acres 101.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SMITH-MAXWELL DITCH CO. SHARES

14. Remarks:
MR. CARTER HAS 5 YEAR LEASE W/ OPTION TO BUY FROM MR.
MC DANIELS. MR. CARTER IS FILING AS LEASOR OF PROPERTY.

15. Basis of Claim: LICENSE
Water Right Number: 30023

16. Signature(s)

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

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ladd Carter Date: 5-8-89

Date: _____

State of Idaho

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8 day

of May 1989

[Signature]
Notary Public

Residing at Laurel 8

My Commission Expires 22 Aug 1994



A27-02123
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A27-02120 DIVER

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A27-10473

A27-02123

A27-02120

NOV 12 1992