

05/26/2004

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

RIGHT NUMBER: 25-2162B

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.710 CFS
640.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 25-7067 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: 02/07/1957

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 10/31	1.710 CFS 640.00 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

Right 25-2162B is limited to the irrigation of 160.0 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

05/26/2004

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

After specific notification by the Department, the right holder shall measure the diversion 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.

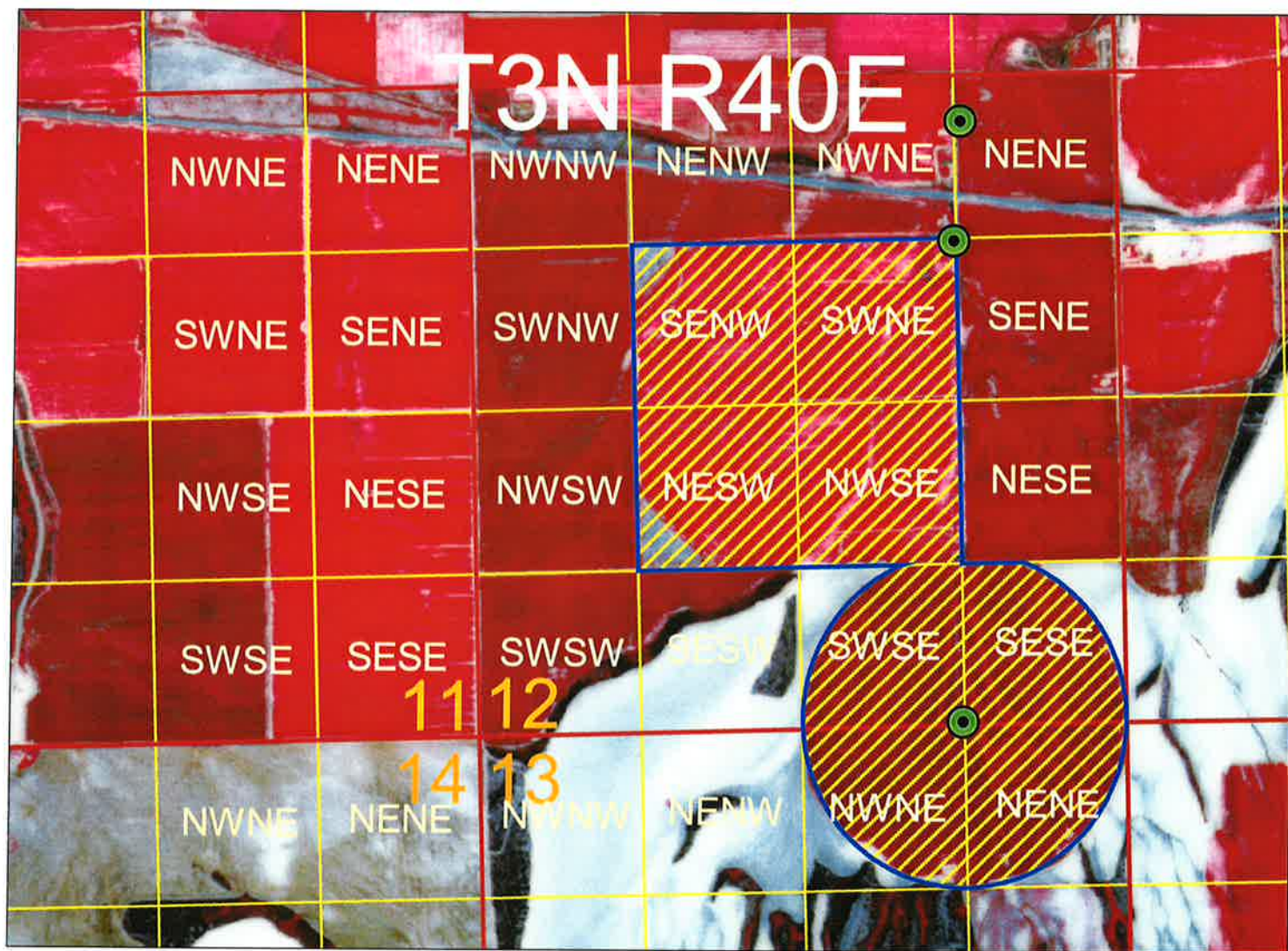
Prior to diversion of water under transfer 70866, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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

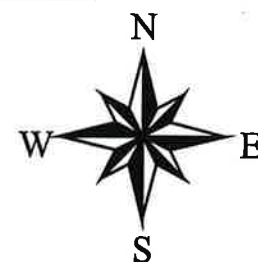


Department of Water Resources

Claim No.: 25-2162B



0 1320 2640 3960 5280 Feet



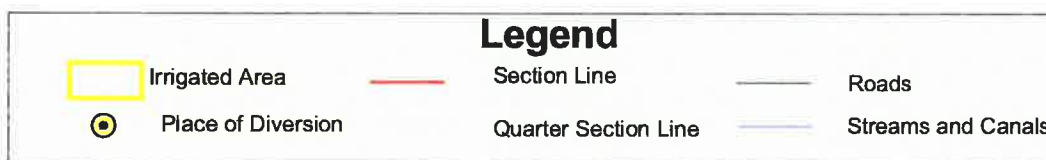
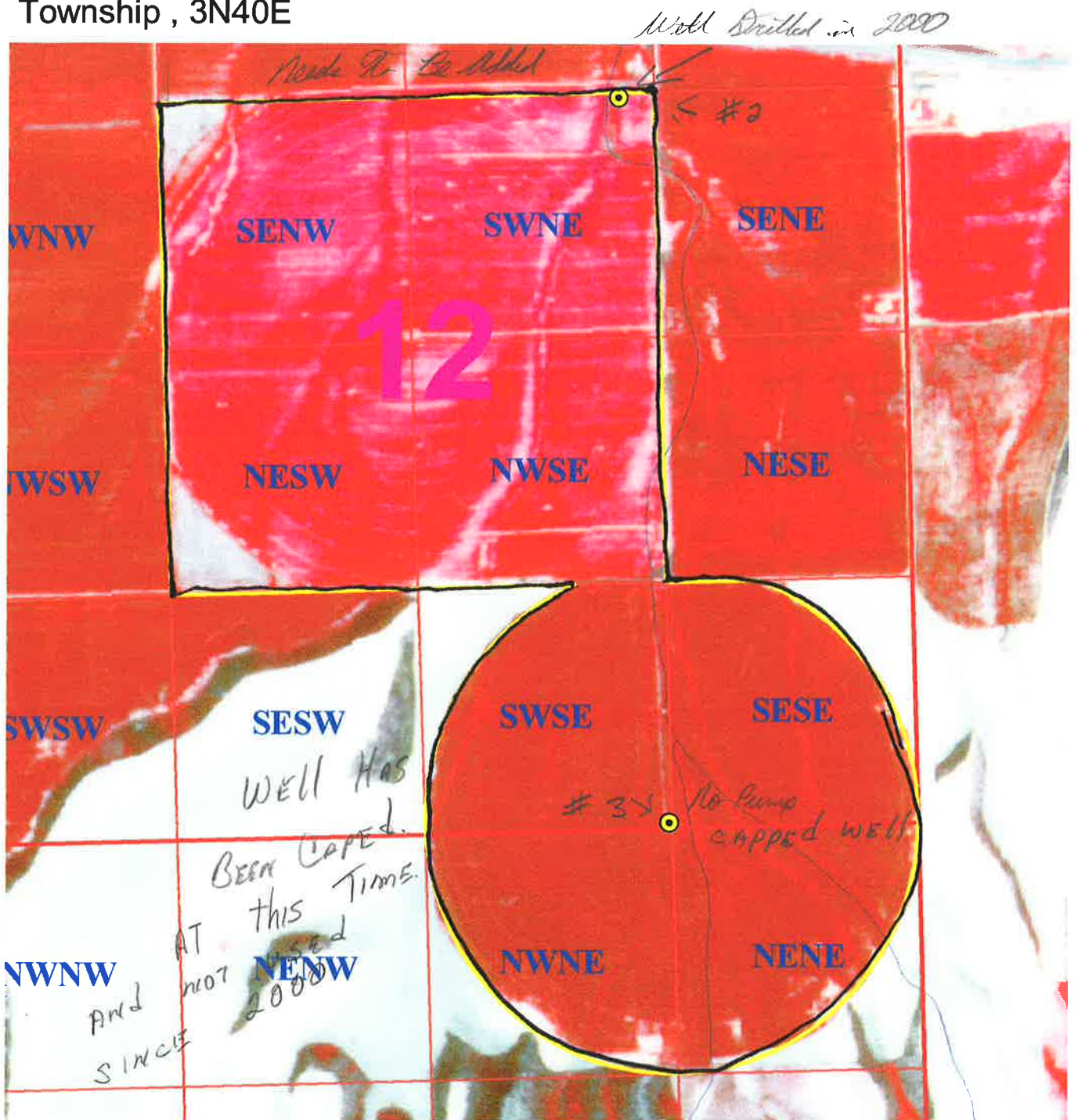
-  Point of diversion
-  Place of use
-  Sections
-  QQ

SCANNED
AUG 30 2004

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: May 2004

Water Right Claim Number 25-02162B
Township , 3N40E

11/30/2000



SPATIAL
DYNAMICS



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70866

This is to certify that: HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
12444 N 175 E
RIRIE ID 83443
(208)538-7725

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
25-2162B	AJC/License	02/07/1957	1.71 cfs	640 af	160.0	292.0	GROUND WATER
25-7067	AJC/License	04/21/1975	2.64 cfs	528 af	132.0	292.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
25-2162B	NO	YES	NO	NO	NO	NO
25-7067	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
25-2162B	25-2162B	1.71 cfs	640 af	160.0	292.0		N/A	N/A	N/A	N/A
25-7067	25-7067	2.64 cfs	528 af	132.0	292.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.35 cfs	1168 af	292.0	292.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2004



Chief, Water Allocation Bureau

SCANNED

AUG 30 2004

WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 70866

In accordance with the approval of Transfer No. 70866, Water Right No. 25-2162B is now described as follows.

Right Holder: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 12444 N 175 E
 RIRIE ID 83443

Priority Date: February 07, 1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.71 CFS	640.0 AF
			1.71 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNENE	Sec. 12 Twp 03N	Rge 40E	BONNEVILLE County
GROUND WATER	SWNE	Sec. 12 Twp 03N	Rge 40E	BONNEVILLE County
GROUND WATER	SWSE	Sec. 12 Twp 03N	Rge 40E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
03N	40E	12			40.0					40.0					40.0					40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0																			66.0

Total Acres: 292

CONDITIONS OF APPROVAL

- After specific notification by the Department, the right holder shall measure the diversion 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.
- Prior to diversion of water under this approval, 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.
- ✓ The total instantaneous diversion of water from all points of diversion under Rights 25-2162B and 25-7067 shall not exceed 4.35 cfs, nor total combined annual volume of 1168.0 af.
- ✓ Right 25-2162B is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
- Right 25-2162A is also diverted through the point of diversion located in the NWNENE, Section 12, T3N, R40E described above.
- 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.

SCANNED

AUG 30 2004

WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 70866

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ☒ 9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 1st day of May, 2004



Chief, Water Allocation Bureau

SCANNED

AUG 30 2004

K410

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70866

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

name of Applicant Hamilton Land & Livestock LTD c/o Clark Hamilton (208) 538-7725

st Office address 12444 N 175 E Rivie, ID 83443

PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Recently aquired adjacent property with a good well that would preclude drilling new well.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>25-2462B</u>	<u>02/07/1957</u>	<u>1.71 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>
<u>25-7067</u>	<u>04/21/1975</u>	<u>2.64 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>10/31</u>

2. Total amount of water being transferred 4.35 cubic feet per second and/or 1168 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	NE	NE	12	3N	40E	Bonneville	Woods Well
	SW	NE		12	3N	40E	"	
	SW	SE		12	3N	40E	"	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	40E	12			40					40	40					40	33	33	226
3N	40E	13	33	33															66

SCANNED
AUG 30 2004

SCANNED
OCT 29 2003

Total Acres 292

T70866

General Information:

a. Description of diversion system

5 wells and Pumps to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NA.

d. Remarks:

Transfer 69593

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

and the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

SCANNED
OCT 29 2003

T70864

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 25-2162B

Priority Date: 02/07/1957

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 10/31	1.71 CFS	640.0 AFA	
	Total Diversion	1.71 CFS	640.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	03N 40E	12	BONNEVILLE
GROUND WATER	SWSE	03N 40E	12	BONNEVILLE
GROUND WATER	NWNE	03N 40E	12	BONNEVILLE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 40E 12			40.0				40.0		40.0					40.0	33.0	33.0	226.0
03N 40E 13	33.0	33.0															66.0

Total Acres: 292

Conditions/Remarks:

1. After specific notification by the Department, the right holder shall measure the diversion 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.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

OCT 29 2003

T70866

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-2162B

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, 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.
8. The total instantaneous diversion of water from all points of diversion under Rights 25-2162B and 25-7067 shall not exceed 4.35 cfs, nor total combined annual volume of 1168.0 af.
9. Right 25-2162B is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

SCANNED

OCT 29 2003

T70866

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Page 1

Transfer No. 70866
Receipt No. _____IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 25-7067

Priority Date: 04/21/1975

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	2.64 CFS	528.0 AFA	
	Total Diversion	2.64 CFS	528.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	03N 40E	12	BONNEVILLE
GROUND WATER	SWSE	03N 40E	12	BONNEVILLE
GROUND WATER	NWNE	03N 40E	12	BONNEVILLE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 40E 12			40.0				40.0		40.0					40.0	33.0	33.0	226.0
03N 40E 13	33.0	33.0															66.0

Total Acres: 292

Conditions/Remarks:

1. After specific notification by the Department, the right holder shall measure the diversion 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.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

OCT 29 2003

T70866

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-7067

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, 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.
8. The total instantaneous diversion of water from all points of diversion under Rights 25-2162B and 25-7067 shall not exceed 4.35 cfs, nor total combined annual volume of 1168.0 af.
9. Right 25-7067 is limited to the irrigation of 132.0 acres within the place of use described above in a single irrigation season.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

SCANNED

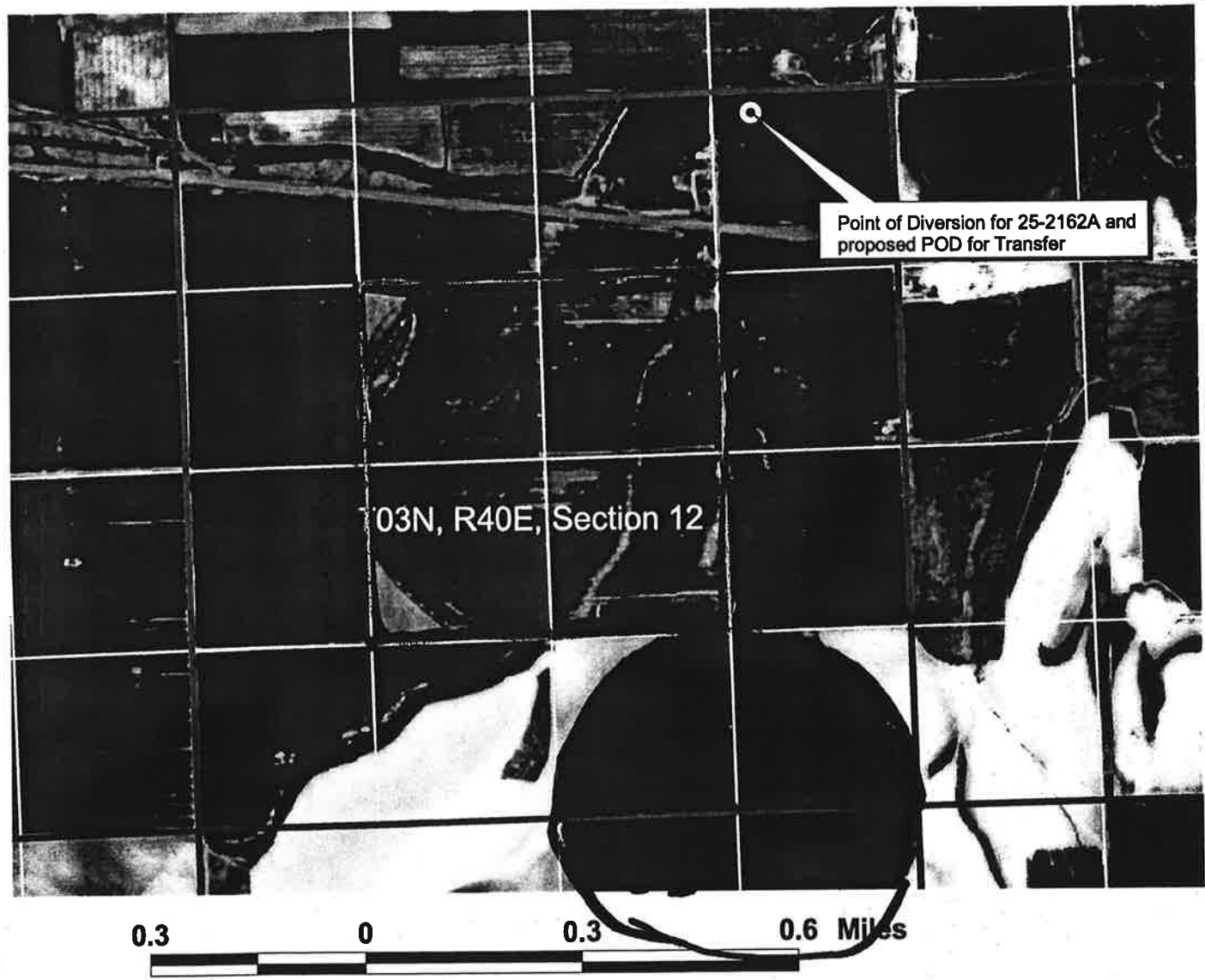
OCT 29 2003

T70866

7-01-8

T70866

Part 3



Hamilton Land & Livestock LTD

Total 292 acres

- ⊙ Diversion.shp
- Sections
- QQ

SCANNED
OCT 29 2003

A compass rose with eight points, indicating North (N), South (S), East (E), and West (W).

T70866

1. CHANGES IN NATURE OF USE

- I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
- I understand that any willful misrepresentations made in this application may result in voiding its approval.



Clark B. Hamilton
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of October, 2003

Jennifer Crabtree
(Notary Public)

My commission expires 9/23/09

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and attachments
Received by Se Date 10/2/2003 Protest filed by
Prelim. Check by Fee
Received by JC Date 10-2-03 E029255
Published in Post Register Copies of protest forwarded by
Pub. Dates 3/25 & 4/1/04 Hearing held by Date
Watermaster recommendations requested on Recommended for ☐ approval ☐ denial

received by

Copy of transfer sent to lien holder _____

SCANNED
OCT 29 2003

T70866

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69593

This is to certify that: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 12444 N 175 E
 RIRIE ID 83443
 (208)538-7725

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
25-2162B	AJC/License	02/07/1957	1.71 cfs	640.0 af		292.0	GROUND WATER
25-7067	AJC/License	04/21/1975	2.64 cfs	462.0 af		292.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

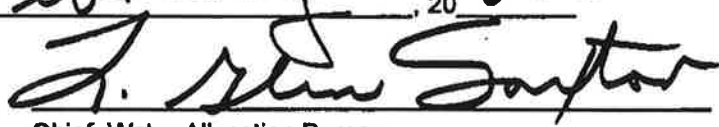
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
25-2162B	NO	NO	NO	YES	NO	NO
25-7067	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
25-2162B	25-2162B	1.71 cfs	640.0 af	160.0	292.0		N/A	N/A	N/A	N/A
25-7067	25-7067	2.64 cfs	528.0 af	132.0	292.0		N/A	N/A	N/A	N/A
TOTALS		4.35 cfs	1168.0 af	N/A	292.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 19th day of February, 2002


 Chief, Water Allocation Bureau

MICROFILMED
FEB 25 2002

WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 69593

In accordance with the approval of Transfer No. 69593, Water Right No. 25-2162B is now described as follows.

Right Holder: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 12444 N 175 E
 RIRIE ID 83443

Or

HAMILTON LAND & LIVESTOCK LTD
 C/O CLETUS HAMILTON
 4850 W 13400 S
 RIVERTON UT 84065

Priority Date: 02/07/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.71 CFS	640.0 AF
			1.71 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 12 Twp 03N Rge 40E	BONNEVILLE County
GROUND WATER	SWNE	Sec. 12 Twp 03N Rge 40E	BONNEVILLE County
GROUND WATER	SWSE	Sec. 12 Twp 03N Rge 40E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12			40.0				40.0	40.0						40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0

Total Acres: 292

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Rights 25-2162B and 25-7067 shall not exceed 4.35 cfs, nor total combined annual volume of 1168.0 af.

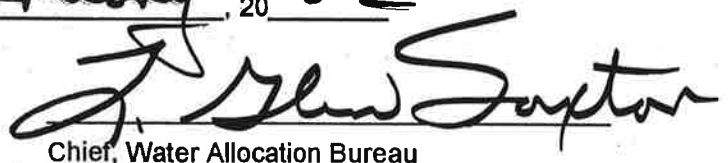
WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 69593

CONDITIONS OF APPROVAL

3. Prior to diversion of water under this approval, 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.
4. After specific notification by the Department, the right holder shall measure the diversion 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.
5. Right 25-2162B is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19th day of February, 2002


Chief, Water Allocation Bureau



State of Idaho

JUL 27 2001

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 2001

SHARON LEE HAMILTON
CLITUS HAMILTON
HAMILTON LAND & LIVESTOCK
4850 W 13400 S
RIVERTON UT 84065

RE: OWNERSHIP CHANGE FOR WATER RIGHTS 25-2108, 25-2115A,
25-2162, 25-7067, 25-7102A, & 25-7180

Dear Mr. & Mrs. Hamilton:

I am returning the above referenced requests received in our office on January 3, 2001. The ownership was already changed to Hamilton Land and Livestock in 1999 and 2000.

I have enclosed copies for your records. Please note some of the right numbers have changed. 25-2108 was renumbered to 25-2108B and 25-2108C as a result of an administrative transfer. 25-2162 was split by a change of ownership into 25-2162A and 25-2162B. The property retained by the Hamilton's is the B portion.

I hope this updates you on the status of these rights.

Sincerely,

A handwritten signature in cursive script that reads 'Jennifer Crabtree'.

Jennifer Crabtree
Technical Records Specialist

Enclosure

Log for claim 25-02162B

Spatial Dynamics CAT

11/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	12	SWNE	40	40	
03n40e	12	SENW	40	40	
03n40e	12	NESW	40	40	
03n40e	12	NWSE	40	40	
03n40e	12	SWSE	33	33	
03n40e	12	SESE	33	33	
03n40e	13	NENE	33	31	
03n40e	13	NWNE	33	31	
Totals:			292	288	



A 25 - 02162 B NO PUMP. WELL CAPPED

Tag # AO 009506 GPS - 0686 466

photo # 8 Take in SW Direction - 02 80046

This Well Did Irrigate The Land outlined
on The Map. It is the well in the middle
of circle on map. The water was transferred
to well in SW NE SEC 12 Drilled in 2000
Photo + information on next page
Tag is on well capp. at end of pipe.

HAVE CHANGED POU + POD



A25-02162B

Hamilton SITE # 2

150 HP. GE pump. SN# KK6277XH1A

TAG # AD009505 C.P.S 0686422
0281245

phot # 7 10" PIPE

THIS WELL WAS DRILLED IN 2000 AND IRRIGATES
SE NW SW NE NESW NW SE

AJ5809NP
No. A25-02162B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 89

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAMILTON LAND & LIVESTOCK 4850 W 13400 S RIVERTON UT 84065 (801) 254-3511	02/07/1957	IRRIGATION	04-01 10-31	1.710 CFS	640.00 AFA
TOTAL DIVERSION:					1.710 CFS	640.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R40E S12 SWNE SWSE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
03N	40E	12	:				40	:				40	:	40				:	40	33	33	:			:	226.0
03N	40E	13	:	33	33			:					:					:							:	66.0
																							TOTAL ACRES		292.0	

POU County: BONNEVILLE

Other Rights: 25-07067

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-07067

Other Water Rights Listing Overlapping Place(s) of Use:
A25-02162 A25-07067

Conditions of Approval:

- R64 - 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.
- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
 - transfer is cause for the Director to rescind approval of the
 - transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, 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.

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer 5550 shall not exceed 4.35 cfs, nor a total combined annual volume of 1102.0 af.

Remarks: After specific notification by the department, the right holder shall measure the diversion 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.

Right 25-02162B is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.

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

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

Audit: 09/29/99 JCRABTRE 12/28/99 DCARLSON

WATER RIGHT NUMBER	NAME	CFS
25-02162	RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5550..	
25-02162A	BYINGTON , EUGENE	1.29
25-02162B	HAMILTON LAND & LIVESTOCK	1.71

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TRANSFER OF WATER RIGHT

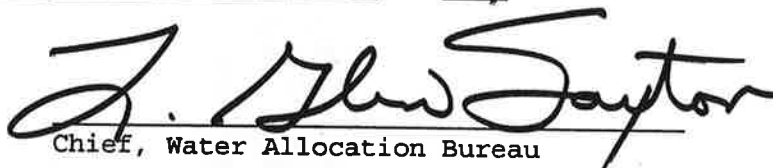
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NOV 10 1999

TRANSFER NO. 5550
WATER RIGHT NO(S) . 25-02162B/25-07067

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acres nor more than 4.0 afa per acres at the field headgate for irrigation of the lands above.
5. Prior to diversion of water under this approval, 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.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5550 shall not exceed 4.35 cfs, nor a total combined annual volume of 1102.0 af.
7. After specific notification by the department, the right holder shall measure the diversion 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.
- ** 8. Right 25-02162B is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- ** 9. Right 25-07067 is limited to the irrigation of 132.0 acres in the place of use described above in a single irrigation season.

Dated this 1st day of November, 1999.


Chief, Water Allocation Bureau

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NOV 10 1999

MEMORANDUM

TO: Files 25-02162 & 25-07067

FROM: Pam Skaggs/*CS* State Office

SUBJECT: Transfer 5550

DATE: November 1, 1999

Transfer 5550 changes and adds a point of diversion under a portion of Right 25-02162, splitting the right into Parts A and B, and adds a second point of diversion under Right 25-07067. The transferred rights will be combined into a single system with a 292.0 acre permissible place of use.

The applicant has purchased the land associated with the transferred portion of Right 25-02162 and wants to use the existing well under Right 25-07067 and add a new well to the system. An expedited drilling permit, #25-99-E-0159-000, was issued for the new well.

Season of use and diversion volume under Right 25-02162 were identified under current standards. Right 25-02162B retains the licensed season of use and diversion volume. Recommended conditions include multiple points of diversion/measuring devices, future annual reporting, permissible place of use limits, irrigation overlap and standard transfer conditions.

OCT 29 1999

Page 1 of 7

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

Transfer No. 5550

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Hamilton Land + Livestock Phone 208-483-2753
4850 W 13400 S Riverton UT 84065 801-254-3511

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Purchased portion of 25-02162 & need to drill well on our property plus connect with well under 25-07067.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
25-02162^B 02/07/1957 1.71 irrigation 4/01 to 11/01
25-07067 04/21/1975 2.64 Irr. 4/01 to 11/01
_____ to _____
_____ 4.35 _____ to _____
2. Total amount of water being transferred 4.77 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	12	03N	40E	Bonneville	New
		SW	SE	12	"	"	"	

5. Lands irrigated or place of use:

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	
03N	40E	12			40					40	40					40	33	33	226
		13	33	33															66

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Total acres 160 292

PART 2

TRANS NO. 5550

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 25-02162

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	3.00 CFS
DOMESTIC	to	
	Totals	3.00 CFS

SOURCE

GROUNDWATER

Priority: 02/07/1957

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 12, Township 03N, Range 40E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 40E 12	NENE 40	SWNE 40	SENE 40	
	SENE 40	NESW 40	NESE 40	
	NWSE 40			280
		Total number of acres irrigated:		280

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

(over)

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A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 25-07067STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.64 CFS	462.0 AF

SOURCE

GROUNDWATER

Priority: 04/21/1975

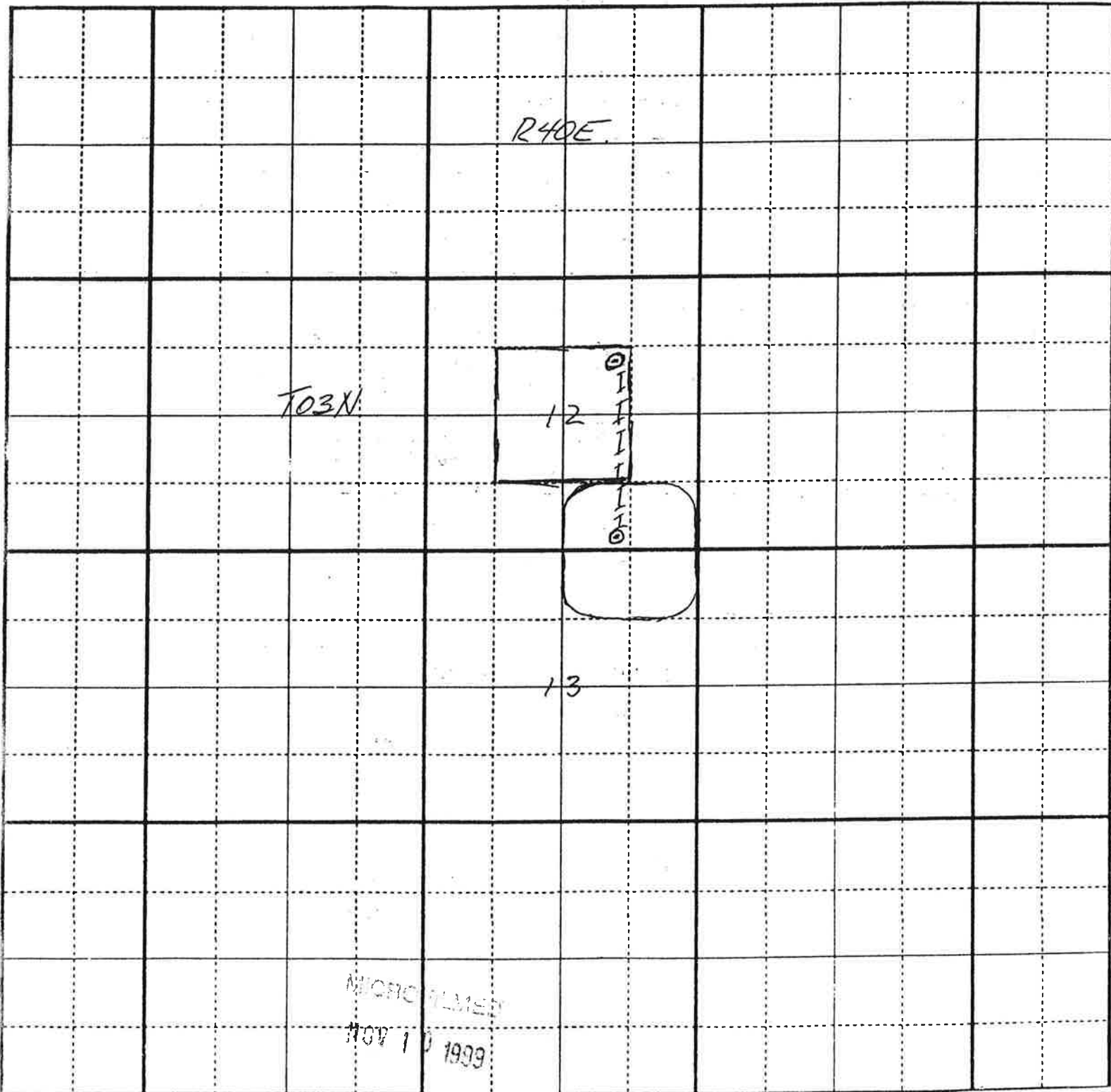
LOCATION OF POINT(S) OF DIVERSION:SWSE , Sec. 12, Township 03N, Range 40E
BONNEVILLE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	40E	12	SWSE 33	SESE 33		66
		13	NENE 33	NWNE 33		66
Total number of acres irrigated:						132

CONDITIONS/REMARKS:To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describeMICROFILMED
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Id. Water resource

BILL OF SALE

AMLE LONDON FAMILY PARTNERSHIP, an Idaho Limited Partnership, and AMLE LONDON and BARBARA LONDON, husband and wife, hereinafter referred to as "Transferor", in and for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, sell, transfer, and deliver to HAMILTON LAND & LIVESTOCK LTD, a Utah Limited Partnership, hereinafter referred to as "Transferee", the personal property described hereinbelow, to-wit:

All existing irrigation equipment

Transferee shall have all right and title to the goods in themselves and his executors, administrators, assigns.

Transferor is the lawful owner of the goods and the goods are free from all encumbrances, except:

NONE

Transferor has all right to sell the goods and will warrant and defend the right against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the Transferor herein has executed this Agreement this 15th day of July, 1999.

AMLE LONDON FAMILY LIMITED
PARTNERSHIP

BY: *Amle Landon*

BY: _____

Amle Landon
Amle Landon

Barbara Landon
Barbara Landon

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STATE OF IDAHO

)
) SS.
)

COUNTY OF BONNEVILLE

On July 15, 1999, before me, the undersigned, personally appeared Amle Landon and Barbara Landon known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



NOTARY FOR THE STATE OF IDAHO

Commission Expires: 1/28/2003

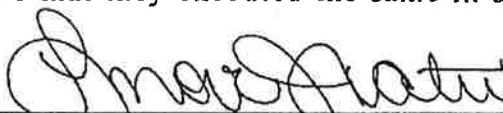
STATE OF IDAHO

)
) SS.
)

COUNTY OF BONNEVILLE

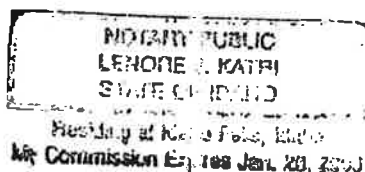


On July 15, 1999, before me, the undersigned, personally appeared _____ known or identified to me to be the partners in the Partnership and the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.



NOTARY FOR THE STATE OF IDAHO

Commission Expires: 1/28/2003



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TRACT 1:

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho.

Section 1: W1/2 SE1/4 LESS the West 330 feet
SE1/4 SE1/4 LESS the East 330 feet and that portion lying South and East of
Riley Ditch a/k/a Progressive Ditch
NE1/4 SE1/4

Section 12: SW1/4 NE1/4
SE1/4 NW1/4
NE1/4 SW1/4
NW1/4 SE1/4
S1/2 SE1/4

Section 13: N1/2 NE1/4
SE1/4

Section 24: N1/2 NE1/4

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 18: Government Lots 1, 2, 3 and 4
E1/2 SW1/4
SW1/4 SE1/4

Section 19: Government Lot 1
NE1/4 NW1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, running thence West 330 feet; thence North 264 feet; thence East 330 feet; thence South 264 feet to the point of beginning.
- b. Beginning at a point that is North 264 feet from the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, running thence North 264 feet along the Section line; thence West 330 feet; thence South 264 feet; thence East 330 feet to the point of beginning.
- c. That certain property conveyed to Bonneville County, State of Idaho for roadway purposes by that certain Quitclaim Deed recorded in Book 7 at Page 160 of Deed

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Records, records of Bonneville County, Idaho.

- d. Beginning at a point that is N00°15'32"W along the Section line 295.83 feet and S89°44'28"W 691.18 feet from the Southeast Corner of Section 1, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, said POINT OF BEGINNING being on the South line of the Riley (Progressive) ditch; running thence N85°52'54"W 426.73 feet; thence S00°10'20"E 430 feet, more or less, to the South line of said Section 1; thence Northeasterly along the South line of said ditch to the POINT OF BEGINNING.

TRACT 2:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 7: Government Lots 1, 2, 3 and 4, lying South of U.S. Highway No. 26
W1/2 NW1/4 lying South of U.S. Highway 26
NE1/4 lying South of U.S. Highway 26
NE1/4 SW1/4
N1/2 SE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Northeast Corner of Government Lot 3, Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, running thence West 165 feet; thence South 1000 feet; thence East 500 feet; thence North 1000 feet; thence West 335 feet to the point of beginning.
- b. Beginning at the Southeast Corner of Government Lot 2, Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, running thence North to the Southern boundary line of U.S. Highway 26; thence Westerly along such Southern boundary line to a point 100 feet West of the Eastern boundary line of Government Lot 2; thence South to the Southern boundary line of Government Lot 2; thence East 100 feet to the point of beginning.
- c. Beginning at a point that is S0°07'33"E 2612.19 feet along the Section line and S89°52'27"W 1607.91 feet from the Northeast Corner of Section 7, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho; running thence S0°07'33"E 20.00 feet; thence S89°52'27"W 20.00 feet; thence N0°07'33"W 20.00 feet; thence N89°52'27"E 20.00 feet to the point of beginning.

TRACT 3:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

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Section 19: Government Lots 2 and 3
SE1/4 NW1/4
E1/2 SW1/4
W1/2 NE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. Beginning at the South Quarter Corner of Section 19, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, THE TRUE POINT OF BEGINNING; running thence North 319.86 feet; thence Westerly 1348.28 feet on the arc of a curve to the right having a radius of 1883.88 feet, long chord of 1319.70 feet, bearing of long chord S88°02'12"W; thence S00°14'30"W 276.47 feet; thence N89°55'E 1320.00 feet to the TRUE POINT OF BEGINNING, said point being the Southeast Corner of the Southeast Quarter of the Southwest Quarter.

TRACT 4:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 19: That portion of Government Lot 4 being more particularly described as follows:

Beginning at the Southwest Corner of Section 19, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho, running thence North 1320 feet and East 247.70 feet to the TRUE POINT OF BEGINNING; running thence N89°54'E 1112.23 feet to the Northwest Corner of the Southeast Quarter of the Southwest Quarter of said Section; thence S00°14'36"W 1043.54 feet; thence Northwesterly 1562.43 feet on the Arc of a curve to the right, said curve having a radius of 1933.88 feet, a chord of 1520.43 feet and said chord bearing N46°46'33"W to the true point of beginning.

TRACT 5:

Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

Section 19: W1/2 SE1/4.

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NOV 10 1999

Water Right Number - A25-02162B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 26755

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HAMILTON LAND & LIVESTOCK

1 - 4850 W 13400 S

2 -

3 -

City- RIVERTON

State- UT Zip- 84065

Phone - 801-254-3511

*** O - ORIGINAL OWNER ***
BYINGTON

EUGENE

1 -

2 -

3 -

City- RIRIE

State- ID Zip- 00000

Phone - 208-000-0000

LONDON

AMLE

1 - 12444 N 175 E

2 -

3 -

City- RIRIE

State- ID Zip- 83443

Phone - 208-538-7318

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
02/07/1957 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name
03N 40E 12 NW NE NE (19) BONNEVILLE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.710+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.710 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 40E 12 SW NE 40.0 01 IRRIGATION (19) BONNEVILLE
03N 40E 12 SE NW 40.0 01 IRRIGATION (19) BONNEVILLE
03N 40E 12 NE SW 40.0 01 IRRIGATION (19) BONNEVILLE
03N 40E 12 NW SE 40.0 01 IRRIGATION (19) BONNEVILLE

Total Acres: 160.0

+ - - Diversion Means - WELL/PUMP

+ - - Non-Irrigation Use -

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NOV 10 1999

Water right number - A25-021628

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
A2502162

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 09/29/99 JCRABTRE

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

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NOV 10 1999

Water Right Number - A25-07067

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HAMILTON LAND & LIVESTOCK

1 - 4850 W 13400 S

2 -

3 -

City- RIVERTON

State- UT Zip- 84065

Phone - 801-254-3511

*** O - ORIGINAL OWNER ***

PARKER

LEO H

1 -

2 -

3 -

City- -

State- ID Zip- 00000

Phone - 208-000-0000

LONDON

AMLE

1 - 12444 N 175 E

2 -

3 -

City- RIRIE

State- ID Zip- 83443

Phone - 208-538-7318

L BAR ACRES INC

1 - C/O LARRY BROWN

2 -

3 -

City- IONA

State- ID Zip- 83427

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/21/1975 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
03N 40E 12 SE SW SE (19) BONNEVILLE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.640 462.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.640 462.00 330.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03N 40E 12 SW SE 33.0 01 IRRIGATION (19) BONNEVILLE
03N 40E 12 SE SE 33.0 01 IRRIGATION (19) BONNEVILLE
03N 40E 13 NE NE 33.0 01 IRRIGATION (19) BONNEVILLE
03N 40E 13 NW NE 33.0 01 IRRIGATION (19) BONNEVILLE

Total Acres: 132.0

MICROFILMED
NOV 10 1999

Water right number - A25-07067

Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - WELL/PUMP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +

GEN CHANGED OWNERSHIP PER REQUEST/JC/9-13-99

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 07/19/89 OLENICHA 03/29/95 POST-STD 09/13/99 JHOAGLAN

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E009530	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

MICROFILMED

NOV 10 1999

State of Idaho License and Certificate of Water Right

Water License No. G-26755

Amount 3.0 c.f.s.

Water District No.

Priority February 7, 1957

THIS IS TO CERTIFY that EUGENE BYINGTON of Ririe, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 7, 19 57 ; that Permit No. G-26755 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.0 second feet, was issued thereunder on July 22, 19 63 , showing that said works were completed on the 27th day of January, 19 62 ; and that on the 27th day of January, 19 62

EUGENE BYINGTON of Ririe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & domestic, under Use Permit No. G-26755 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 12 of Licenses at page 7642, on the 22nd day of July, 19 63 ;

The right hereby confirmed dates from February 7, 1957, 19 ;

The Point of Diversion is located in the NE 1/4 NE 1/4, Sec. 12, Tp. 3 N., R. 40 E., B. M. County Bonneville

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 3.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	40 E.	12	NE 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		280

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 22nd day of July, 19 63 .

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

23
25-2162
APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34662
Permit No. G- 26755
District No.

1. Name of Applicant: EUGENE BYINGTON
Postoffice address: Star Route, Ririe County: Bonneville State: Idaho
2. Quantity of water claimed: 5.6 cubic feet per second
(a) Rate of withdrawal in cubic feet per second. 5.6 or Idaho
Miners' inches 280 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Water
about 175 feet West and 10 feet North distant from the Southeast corner of-
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12,
and is in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12, T. 3 N., R. 40 E., B. M.
Twp. 3 N., Rge. 40 E., B. M., County of Bonneville
5. Water is to be used for: Irrigation and Domestic Purposes - (See Remarks)
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: Well, pump pressure system and sprinkler system
8. Estimated cost of works: \$35,000.00
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 Five (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 on hand: \$
(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: None.
(a) (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.

5. Water is used for: 1 Miner's inch for domestic purposes - 5.6 cubic f , less 1 miner's inch, or a total of 279 miner's inches to be used for irrigation purposes.

Ownership of all property designated herein is vested in Eugene Byington, applicant.

Remarks: 14. The total number of irrigable acreage herein given is 280 acres.

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.

/s/ Eugene Byington

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. February 7, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26755

Recorded in Book 94 , Page 26755 Approved February 15, 1957

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 15, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 15, 1962.

Witness my hand this 15th day of February, 1957

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th day of February, 1957.

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG

Secretary of State.

By ROBERT E. SMYLIE

Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N.	40 E.	12	40	40	40				40		40					40	40		280

Application for Amendment
POINT OF DIVERSION ✓
Permit No. G-26755

Comes now Eugene Byington and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26755. That the point of diversion is described in said Permit as being located: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12., Twp. 3 N., Rge. 40 E.B.M.

That he now requests that the point of diversion be changed to a point located: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12., Twp. 3 N., Rge. 40 E., B.M.

That the reason for desiring to make such change is as follows: The first well site proved to be poor location for a well and practically no water was realized. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 13th day of December, 1961.

/s/ Eugene Byington

Date of Receipt at Department of Reclamation December 13, 1961

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26755. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Recorded: December 13, 1961

Permit No. G-26755
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that EUGENE BYINGTON of Ririe, County of Bonneville, and State of Idaho, the holder of Permit No. G-26755, issued upon Application No. G-34662 bearing date of priority of February 7, 1957, authorizing the diversion of 5.6 second feet of waters of a well, County of Bonneville, State of Idaho, for irrigation and domestic 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 3.0 second feet of the waters of a well from subterranean flow that the point of diversion of said waters NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 3 N., R. 40 E., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 280 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 3 N., R. 40 E., B. M.

Witness my hand this 22nd day of July, A.D. 1963

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: January 27, 1962

LICENSE ISSUED FOR 3.0--SEC. FL.
page 7642

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26755

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Eugene Byington

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE 1/4 of Section 12

T. 3 N. R. 40 E.B.M. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: 150 H.P. & E.

Motor # R.V. 83 0002 Layne & Bowler pump # 22351 10" x 110'
Column 16" x 110' casing 1160' o.d. none well depth 170'
10" check valve into 10" x 2640' then tee into 8" x 1320' west end
8" x 1320' East all mainline is buried.

5. Water is used for: irrigation and domestic

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4, NE 1/4, S 1/2 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4 Sec. 12., Twp. 3 N., Rge. 40 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Eugene Byington (owner) participated in examination.

Measurement was made by taking pressure readings
along each lateral 7 lines 231 nozzles size 1/4"

This examination was made on the 31 day of July, 1963

(Signed) Ron Helgeson

Examiner.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26755

REPORT ON PROOF OF ~~Completion of Works & Beneficial Use~~

Eugene Byington, Ririe, Idaho

G 26755



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

HAMILTON LAND & LIVESTOCK
4850 W 13400 S
RIVERTON UT 84065

RE: CHANGE IN OWNERSHIP FOR A25-02162

Dear Mr. Hamilton:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A25-02162A, 1.29 CFS ON 120 ACRES, LANDON
A25-02162B, 1.71 CFS ON 160 ACRES, HAMILTON

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

RECEIVED

AUG 30 1999

Department of Water Resources
Eastern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Incomplete forms will be returned.

- split*
1. Water Right Number(s) A25-02162, A25-07067, A25-07180,
Adjudication Claim Number(s) A25-02108A, A25-07102A
 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) Amle Landon.
12444 N 175 E Rivie ID
 4. New Owner/Claimant(s) Hamilton Land & Livestock
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 4850 W 13400 S
City, State and ZIP Code Riverton UT 84065
New Telephone Number (801) 254-3511
 5. Date you acquired the property July, 1999.
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
 7. Signature of New Owner/Claimant(s) Hamilton Land & Livestock Date 8-30-99
Robert Hamilton Gen Partner Date 8-30-99
 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

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

JUL 21 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: **A25-02162B**
Date Received: 7/20/1989
Receipt No: X777777
Received By: _____

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

1. Name: HAMILTON LAND & LIVESTOCK 801-254-3511
Address: 4850 W 13400 S
RIVERTON UT 84065

2. Date of Priority: FEB 7, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	12	SW	SW	NE		BONNEVILLE
			SW		SE		BONNEVILLE

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.710		640.00

7. Total Quantity Appropriated is:
1.710 C.F.S. (and/or) 640.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	12	SW	NE		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	12	SW	SE		IRR	33.0
			SE	SE		IRR	33.0
			Section Acres				226.0
		13	NE	NE		IRR	33.0
			NW	NE		IRR	33.0
			Section Acres				66.0
			Total Acres				292.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
25-07067

14. Remarks:

The total instantaneous diversion of water from all points of diversion under Transfer 5550 shall not exceed 4.35 cfs, nor a total combined annual volume of 1102.0 af.

After specific notification by the department, the right holder shall measure the diversion 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.

Right 25-02162B is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.

15. Basis of Claim: LICENSE

Water Right Number: 26755

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: _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A25-02162B**
Date Received: 7/20/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

A2502162B

1. Name: HAMILTON LAND & LIVESTOCK
Address: 4850 W 13400 S
RIVERTON UT

801-254-3511

84065

2. Date of Priority: FEB 7, 1957

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	40E	12	NW	NE	NE		BONNEVILLE

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.710		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	40E	12	SW	NE		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

					Section Acres	160.0
--	--	--	--	--	---------------	-------

					Total Acres	160.0
--	--	--	--	--	-------------	-------

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 26755