

08/02/2004

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

RIGHT NUMBER: 25-2163C

NAME AND ADDRESS: HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
17122 E OLD RIRIE HWY
RIRIE ID 83443

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.563 CFS

USE OF THIS RIGHT WITH RIGHT NO. 25-2108C IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.748 CFS (.0132 CFS/ACRE) AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1137 AF.

PRIORITY DATE: 02/07/1957

POINT OF DIVERSION:

T03N R41E S7 NENWSE Within BONNEVILLE County

above. Right 25-2108C is also diverted through the point(s) of diversion described

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

1.563 CFS
662.05 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R41E S07	SWNE	33.0	T03N R41E S07	SENE	29.0
T03N R41E S07	SWNW	40.0	T03N R41E S07	SENW	33.2
T03N R41E S07	NESW	39.0	T03N R41E S07	NWSW	30.0
T03N R41E S07	NESE	40.0	T03N R41E S07	NWSE	40.0

284.2 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

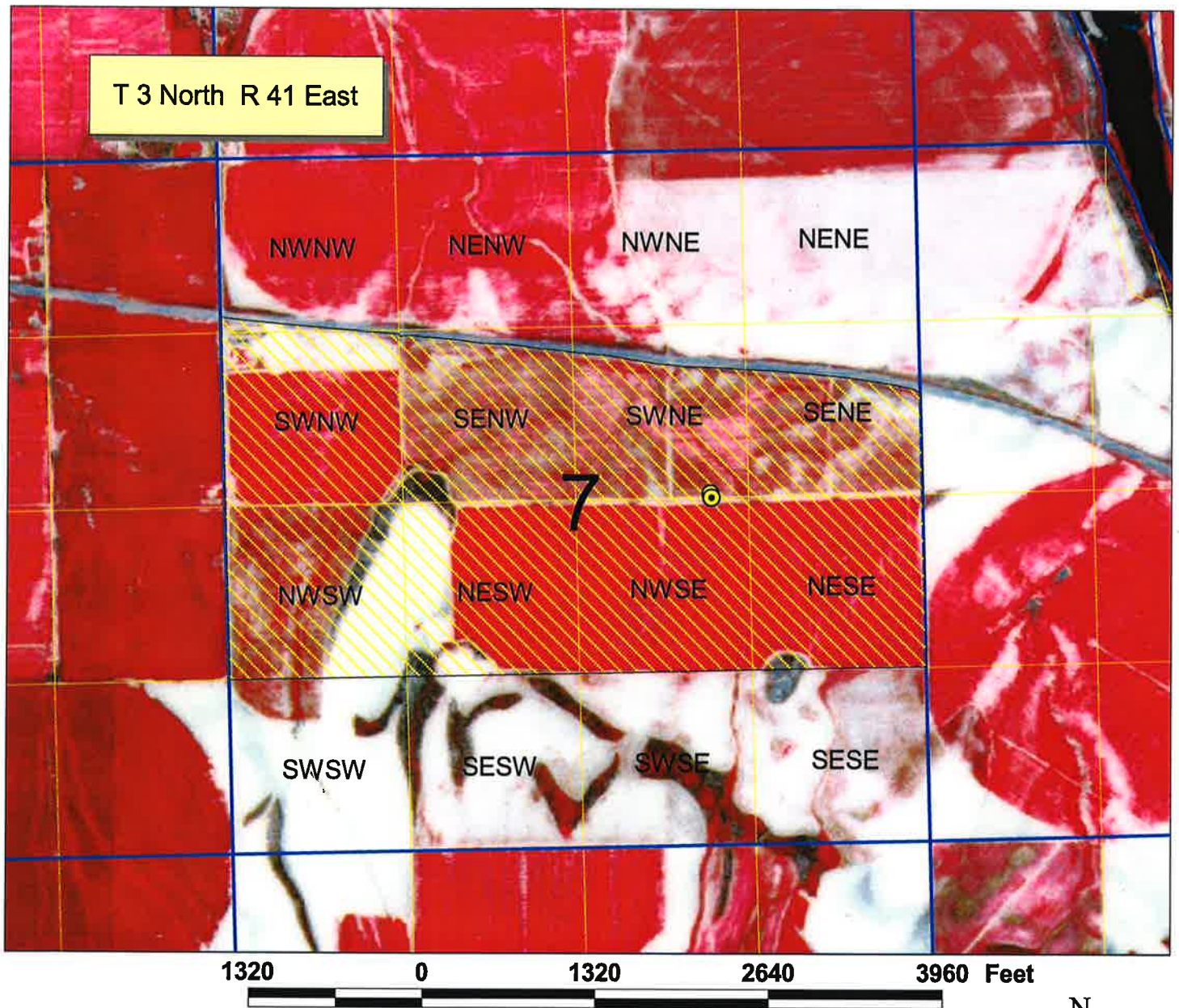


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-2163C



● Point of Diversion
▨ Place of Use
▬ Sections
▬ QQ

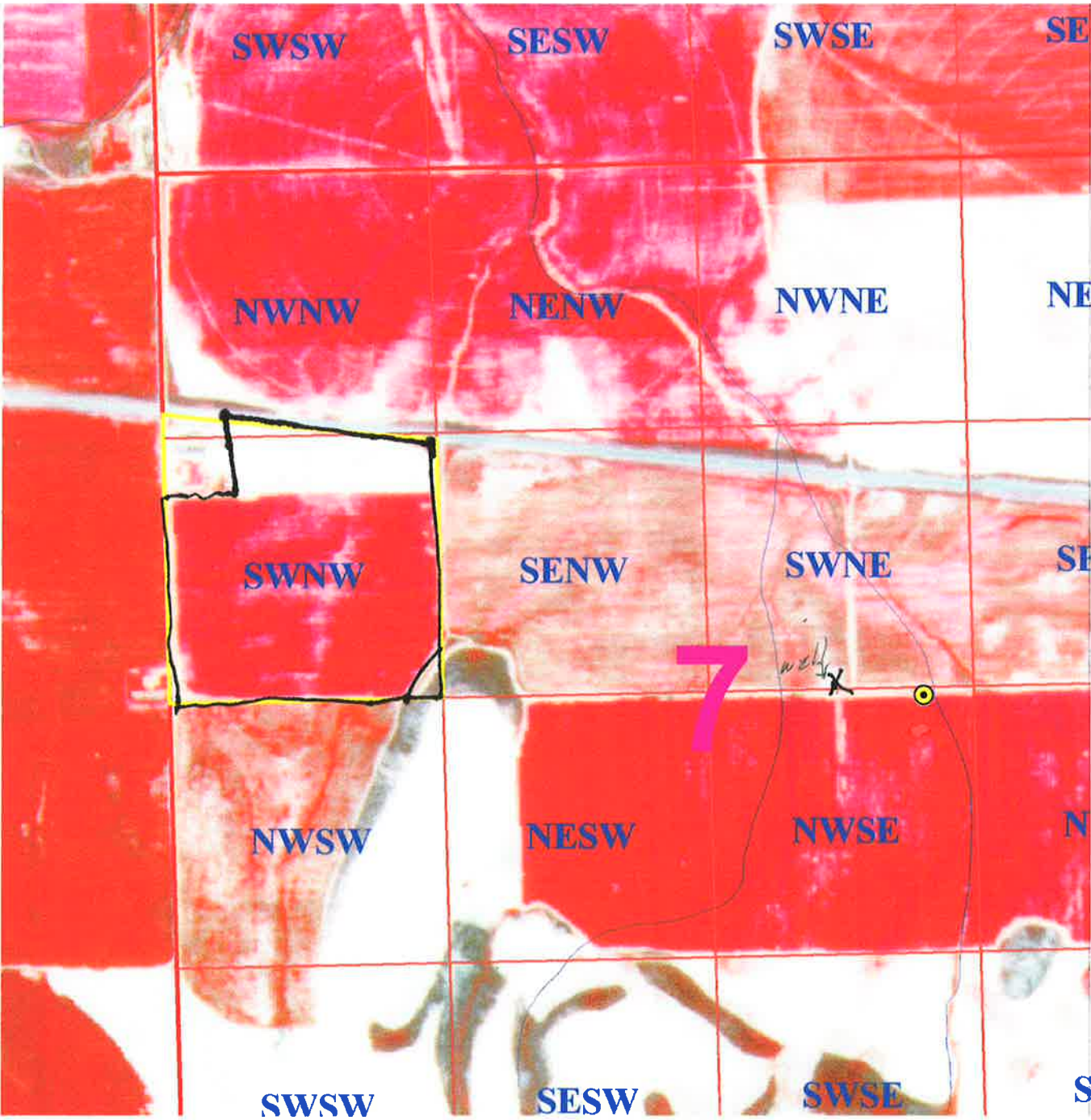
PROFILED



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: July 2004

Water Right Claim Number 25-02163C
Townships , 3N41E, 3N40E

12/01/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend

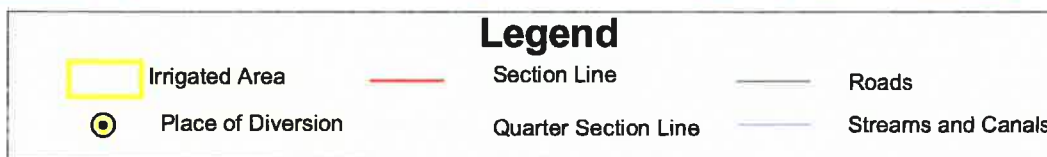
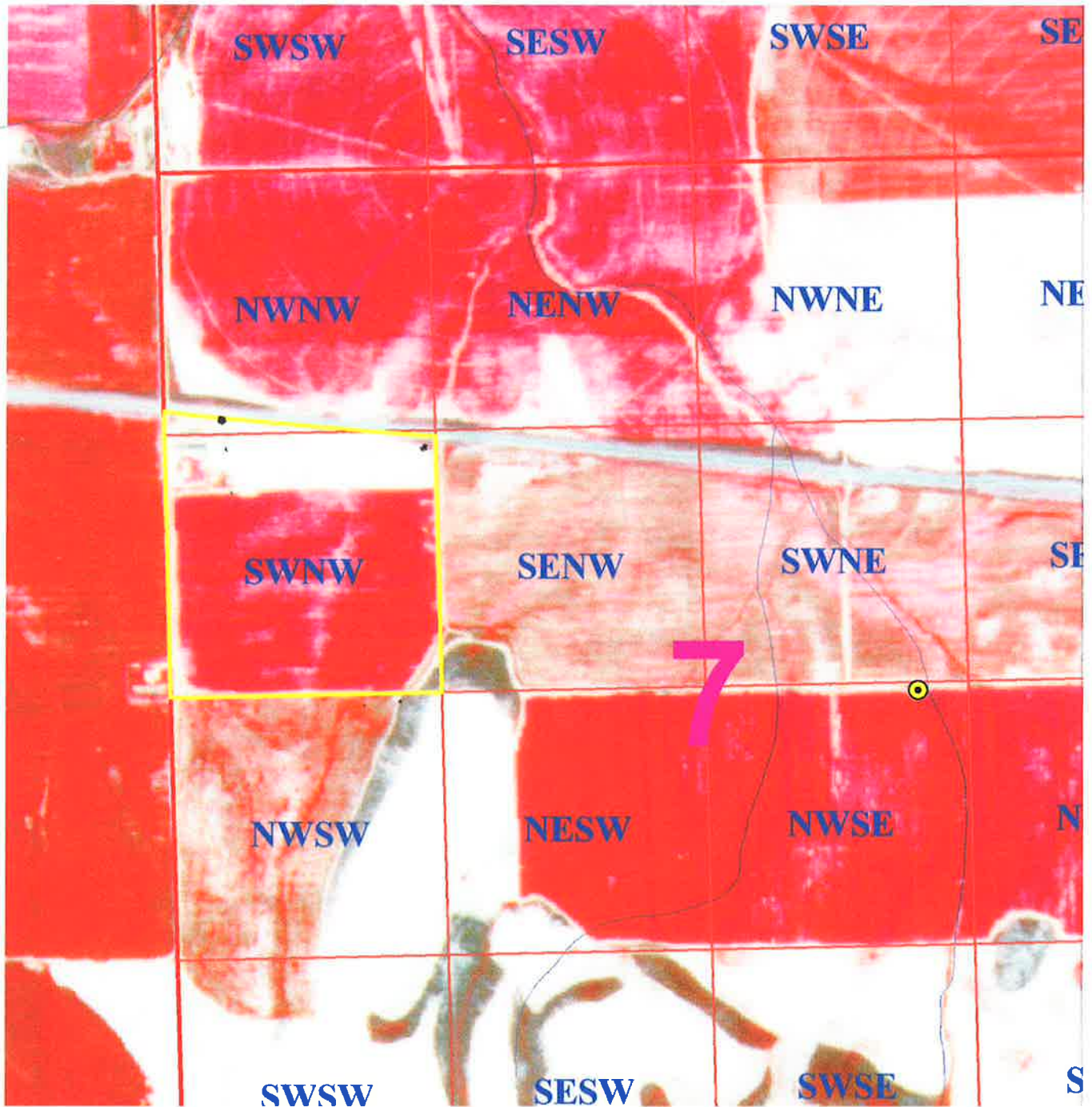


 SPATIAL
DYNAMICS



Water Right Claim Number 25-02163C
Townships , 3N41E, 3N40E

12/01/2000

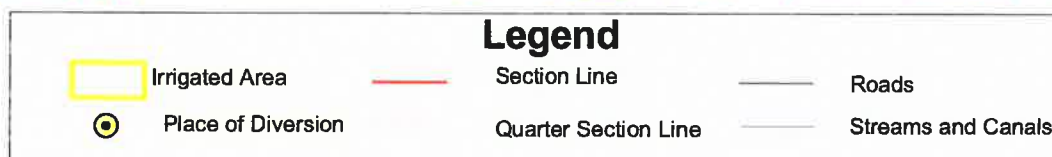
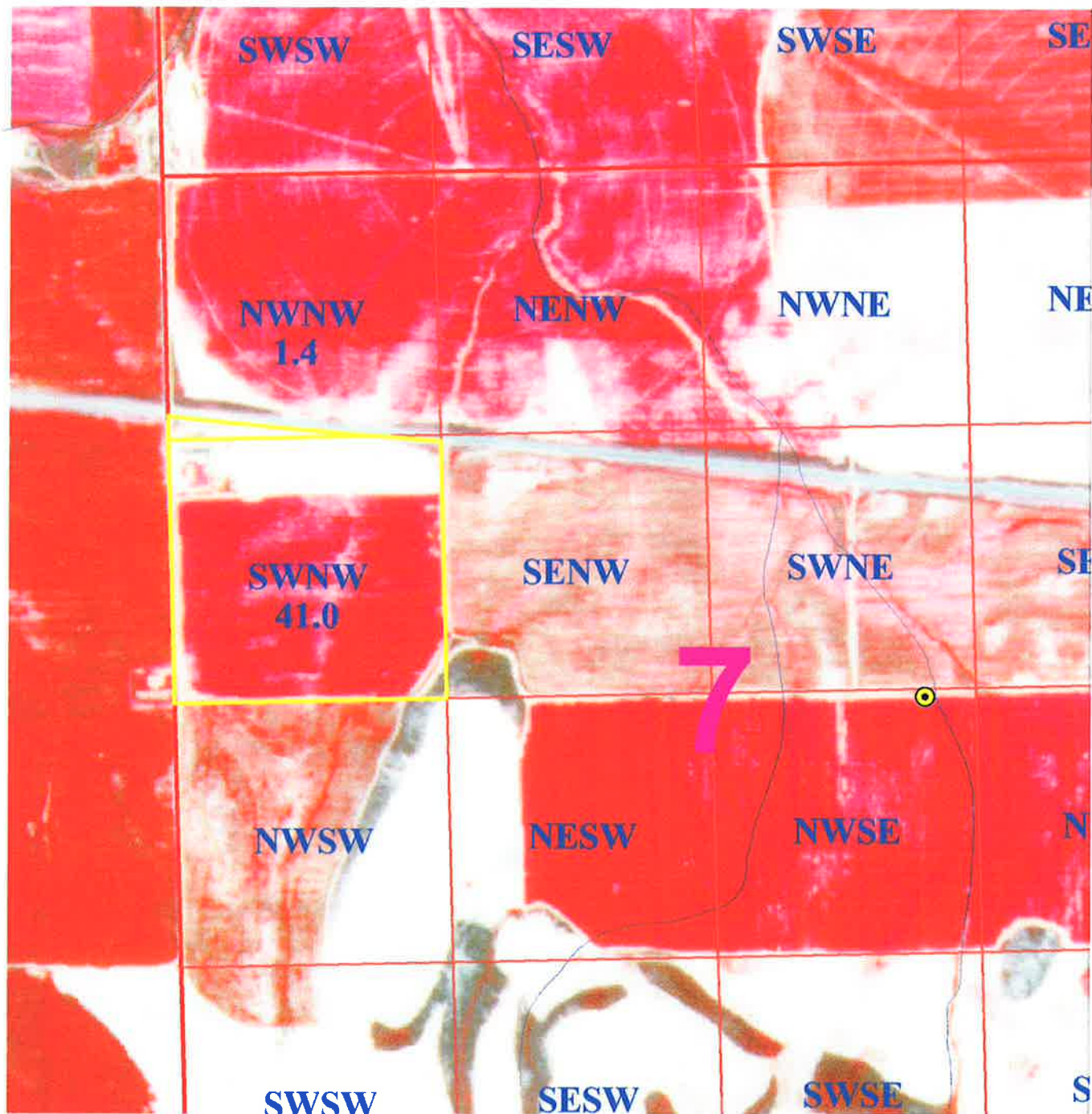


SPATIAL DYNAMICS



Water Right Claim Number 25-02163C
Townships , 3N41E, 3N40E

12/01/2000



500 0 500 1000 1500 Feet



SPATIAL
DYNAMICS



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
25-2163C					
25-2108C					

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

- 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) Anle Landon

12444 N 175 E

4. New Owner/Claimant(s) Hamilton Land + Livestock

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

New Mailing Address 17122 E. Odd River Hwy

City, State and ZIP Code Ririe, Id 83443

New Telephone Number (208) 538-7725

5. Date you acquired the property _____

SCANNED

AUG 27 2004

CORPORATION WARRANTY DEED

Handwritten: 1014403

BONNEVILLE LAND & TITLE CO., a Corporation under the laws of the State of Idaho having been duly authorized by its Board of Directors, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
HAMILTON LAND & LIVESTOCK LTD., a Utah Limited Partnership, as GRANTEE, whose address is 4850 W 13400 So., Riverton, Ut 84065, and Grantee's successors and assigns, all of the following described real property, to-wit:

TRACT 1:

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

Section 1: **W 1/2 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**

INSTRUMENT NO.	1014403
DATE	01-07-00
INST. CODE	235
IMAGED PGS	3
FEE	9-
STATE OF IDAHO COUNTY OF BONNEVILLE) ss I hereby certify that the within instrument was recorded. Ronald Longmore, County Recorder By <i>[Signature]</i> Deputy Request of <i>[Signature]</i>	

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:

- 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.
- 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.
- 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 Records, records of Bonneville County, Idaho.
- 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 East along the Section line to the South line of said ditch; 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**

SCANNED
AUG 27 2004

Bonneville Land & Title Co.

E1/2 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.

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 1933.83 feet, a chord of 1520.43 feet and said chord bearinging N46°46'33"W to the true point of beginning.

TRACT 5:

Section 19, Township 3 North, Range 41 East of the Boise Meridian, Bonneville County, Idaho.

SUBJECT TO the LPP and subsequent joint general laws and ordinances, all existing police regulations, ordinances, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and other rights, easements, benefits, appurtenances and appurtenances thereto belonging or in anywise appertaining and any reversion, remainder, rent, issue, and profits thereof
Grantor, for itself, and its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.
In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: January 5, 2000

Bonneville Land & Title Co.

SCANNED
AUG 27 2004

attest

STATE OF IDAHO

COUNTY OF Bonneville

On January 5 2000, before me, the undersigned, personally appeared

Lane R. Archibald known or identified to me to be President of the
corporation that executed the within instrument, and acknowledged to me that such
corporation executed the same.

Notary Public for the State of Idaho

Commission Expiration Date: 1/28/2003

LENORE J. KATRI
NOTARY PUBLIC
STATE OF IDAHO

Bonneville Land & Title Co.

497 N. Capitol Ave. • P.O. Box 31690 • Idaho Falls, ID 83403-1690 • (208) 324-6600

SCANNED
AUG 27 2004

JUL 27 2001

Log for claim 25-02163C

Spatial Dynamics CAT

12/1/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n41e	7	NWNW	2	1.4	
03n41e	7	SWNW	40	41	
Totals:			42	42.4	

A. 2502163C

250 H.P. G. E. PUMP. SN# 5K6286XH74H

This well. Also has water right # A 2502108C

IT ALSO COMINGLES WITH WATER RIGHTS

A2502163B

A2502108B

A2504022

G.P.S. 0687970
0280886

Tag # A0 009509

1 The photo for this well is attached to

Water Right 29-329

File # A2502108C

HAS NEW OWNER
HAMILTON LAND + LIVESTOCK

AJ5809NP
No. A25-02163C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 92

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AMLE LONDON 12444 N 175 E RIRIE ID 83443 (208) 538-7318	02/07/1957	IRRIGATION	04-01 11-01	1.315 CFS	
					TOTAL DIVERSION:	1.315 CFS
					CONSUMPTIVE USE:	107.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R41E S07 NENWSE 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				
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		
03N	41E	7	:	:	02	40	:	:	:	:	:	:	:	42.8		
													TOTAL ACRES	42.8		

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-02108C

Other Water Rights Listing Overlapping Place(s) of Use:
A25-02163B

Remarks: GEN TRANS. 2956.
THIS CLAIM IS FOR 68% OF LICENSE 25-02163A.

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

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

Audit: 03/26/91 FRITSCHL 03/29/95 POST-STD

NOVEMBER 19, 1992

AMLE LANDON
12444 N 175 E
RIRIE ID 83443

RE: RENUMBERED NOTICE

Dear Ms. Landon:

The Department has changed the identification numbers for Notices of Claim #A25-12508, A25-12509, A25-12510, and A25-12511. The new numbers are #A25-07102A, A25-02125A, A25-02163C, and A25-02108C. We have also modified receipt #E009530 to reflect the new numbers.

A copy of the receipt and the Notices of Claim are enclosed for your records.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED

APR 12 1994

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 25-2163C
Date Received: 7/20/1989
Receipt No: E009530
Received By:

Amended

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HAMILTON LAND & LIVESTOCK LTD Phone: (208)538-7725

C/O CLARK HAMILTON
17122 E OLD RIRIE HWY
RIRIE ID USA 83443

2. Date of Priority: 02/07/1957

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	41E	7	NE NW 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	11/01	1.563	

7. Total Quantity Appropriated is:
1.563 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED

AUG 27 2004

10. Place of use:-

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	41E	7	SW	NE	IRRIGATION	33
			SE	NE	IRRIGATION	29
			SE	NW	IRRIGATION	33.2
			NE	SW	IRRIGATION	39
			NW	SW	IRRIGATION	30
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	NW	IRRIGATION	40
Section Acres						284.2
Total Acres						284.2

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:

TRANS. 2956.

THIS CLAIM IS FOR 68% OF LICENSE 25-02163A.

Amended to show proper acreage

15. Basis of Claim: License

SCANNED

AUG 27 2004

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: _____

For Organizations:

I do solemnly swear or affirm that I am Partner of _____ Title

Hamilton Land & Livestock Ltd. that I have signed the foregoing Organization

document in the space below as Partner of _____ Title

Hamilton Land & Livestock Ltd. and that the statements contained in the Organization

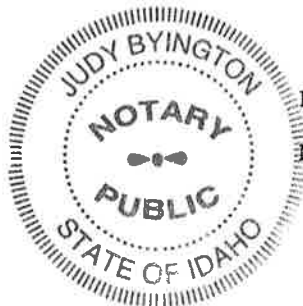
foregoing document are true and correct.

Charles S. Hamilton
Signature of Authorized Agent
Hamilton Land & Livestock
Title and Organization
27 July 04
Date

State of Idaho)
County of Idaho-Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 Day of July 2004

Judy Byington
Notary Public



Residing at 13532 N. 175 E. Pine, ID
My commission Expires 10-4-2008

JUL 27 2001

193

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

Renumbered: A25-02163C

Ident. Number: ~~A25-12510~~

Date Received: 7/19/1989

Receipt No: E009530

Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AMLE LANDON 208-538-7318
Address: 12444 N. 175 E.
RIRIE, ID 83443

2. Date of Priority: FEB 07, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	41E	7	NE	NW	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	11/01	1.315		

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

8. Total consumptive use is 107.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	41E	7	NW	NW		IRR	2.8
			SW	NW		IRR	40.0
Section Acres							42.8

A25-12510

Page 1

Date: 07/19/89

MICROFILMED
NOV 10 1992



10. Place of Use: Continued

Total Acres 42.8

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:
NONE

14. Remarks:
TRANS. 2956.
THIS CLAIM IS FOR 68% OF LICENSE 25-02163A.

15. Basis of Claim: LICENSE
Water Right Number: 26754

MICROFILMED
NOV 10 1992

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: _____

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): Amie Landon Date: 7/19/89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of July 19 89

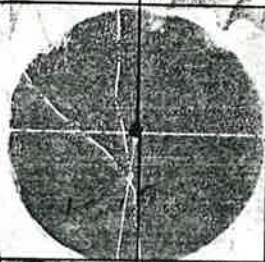
Anthony S. Olenchak
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9/12/1994

MICROFILMED
NOV 10 1992



40

40

Gaging S

RILE

29

Poplar

Borrow