

08/26/2005

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

RIGHT NUMBER: 27-37M

NAME AND ADDRESS: ANNETTE F HAMILTON
626 W 225 S
BLACKFOOT ID 83221

WESLEY R HAMILTON
626 W 225 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.300 CFS

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/20/1886

POINT OF DIVERSION:
T03S R35E S8 SENE Lot 8 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.300 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R34E S12 Lot 5 SESE	7.0	T03S R34E S13 Lot 1 NENE	39.0
T03S R34E S13 Lot 1 NWNE	16.0		

62 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 62 acres in a single irrigation season. Combined Right Nos.: 27-37M, 27-10539, and 27-2129B

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH CENTRAL DITCH.

02/17/2005

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PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
1.300 CFS

PLACE OF USE:

IRRIGATION Within BINGHAM County

T03S R34E S12

SESE

10.0

T03S R34E S13

NENE

37.0

T03S R34E S13

NNNE

15.0

62 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: **Decreed**

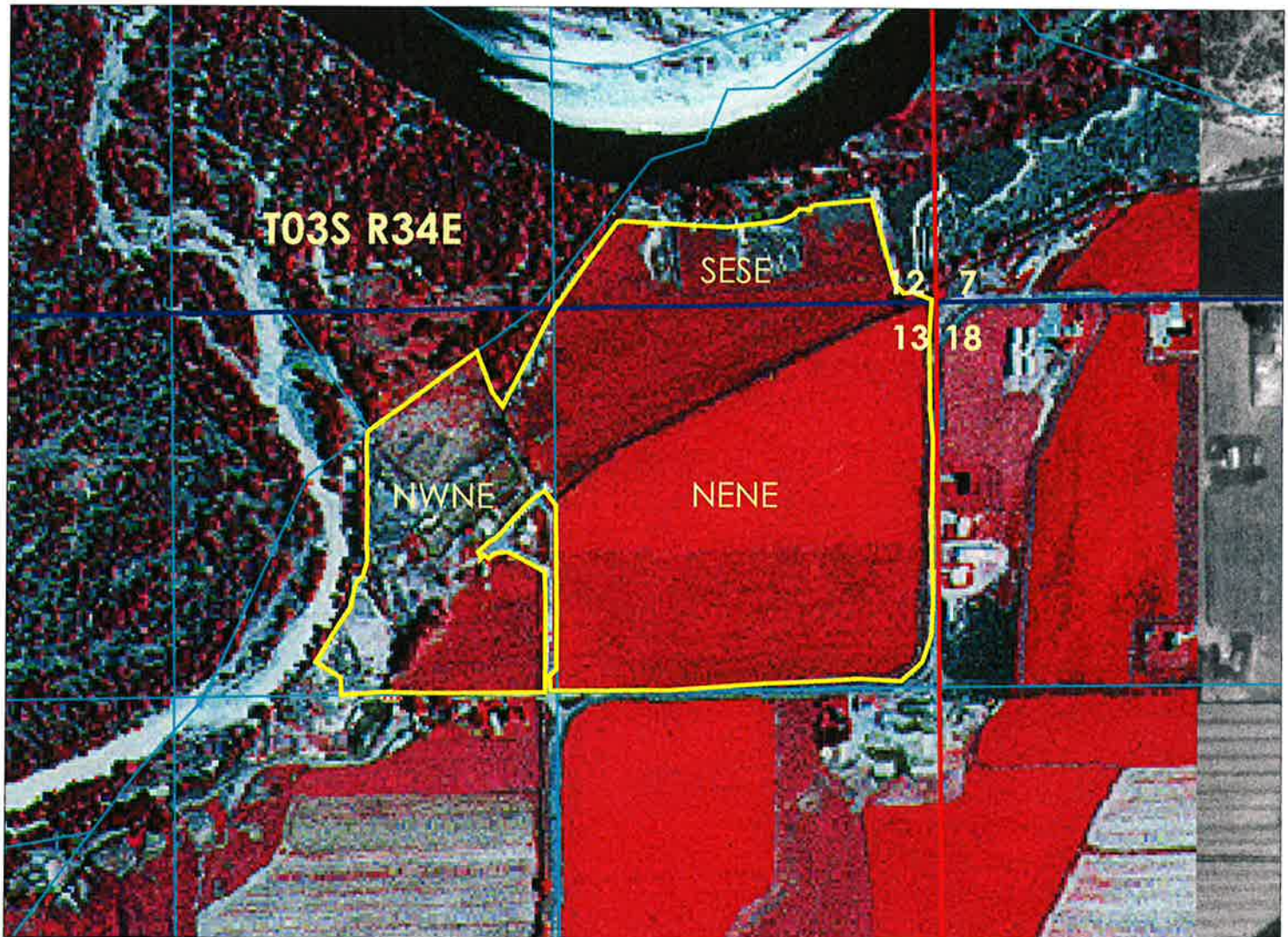
WATER IS DELIVERED THROUGH CENTRAL DITCH.

Department of Water Resources

Eastern Region



Claim No.: 27-10539 and 27-37M

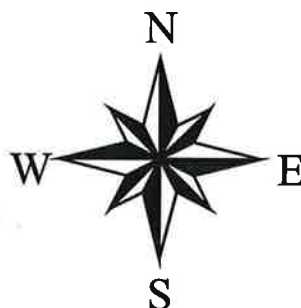


SCANNED

JAN 10 2006

0 660 1320 1980 2640 Feet

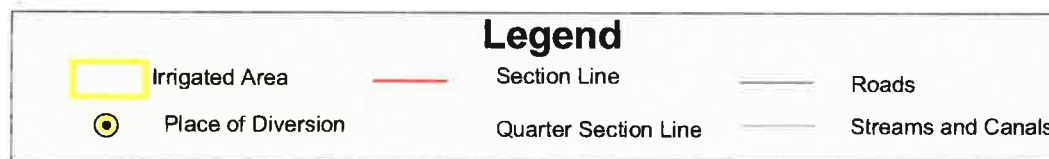
-  Place of Use
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: August 2005

12/21/2000

Water Right Claim Number 27-00037M Township , 3S34E





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 3, 2005

Wesley R Hamilton & Annette F Hamilton
626 W 225 S
Blackfoot ID 83221

RE: Change to Preliminary Director's Report 27-37M, 27-10539 and 27-2129B

Dear Wesley & Annette:

The purpose of this letter is to notify you the Preliminary Director's Reports you previously received for the above referenced claims have been changed. A printout of the new Preliminary Director's Reports and a map is included for your records.

The enclosed report is based on information obtained subsequent to the initial mailing and replaces the previous Preliminary Director's Reports. I urge you to take a few minutes and review the elements of your water rights as reflected on these revised Preliminary Director's Reports.

The Department expects to submit to the Snake River Basin Adjudication Court all recommendations for the Blackfoot Drainage, Basin 27, in November 2005. At that time you will receive Director's Reports for your water rights, which should mirror these revised preliminary recommendations. The Director's Report mailing will not include a map.

Naturally if you have questions please call me at the above phone number.

Respectfully Submitted,

Ernest Carlsen
Water Right Supervisor

Enclosures (3)

PROFILED

SCANNED

JAN 10 2006

RECEIVED

JUL 22 2005

02/17/2005

Department of Water Resources
Eastern Region

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: 27-37M

Wesley R. Hamilton
626 West 225 South
Blackfoot, ID 83221
Telephone Number: (208) 785-0646

Annette F. Hamilton
626 West 225 South
Blackfoot, ID 83221
Telephone Number: (208) 785-0646

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

NAME & ADDRESS:

ANNETTE F. HAMILTON
626 W. 225 SO.
BLACKFOOT, ID 83221

WESLEY R. HAMILTON
626 W. 225 SO.
BLACKFOOT, IDA

2. Describe the changes you wish to make in the proposed recommendation:

SHOULD BE: WESLEY R. HAMILTON
626 W. 225 SO.
BLACKFOOT, IDAHO 83221

ANNETTE HAMILTON
626 W. 225 SO.

BLACKFOOT, IDAHO 83221

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

I WOULD LIKE MY NAME 1ST AND MAIL TO
BE SENT TO ME

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

DATE: 7-15-05

SIGNATURE:

Wes Hamilton

Please print your name:

WESLEY R. HAMILTON



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

KMJ
7/22

27-37 M Wesley R Hamilton

where did 105" of Welch water come from?

1986 Loney B. Mickelsen (^{Burva} Elmer Mickelsen) to Wesley and Annette Hamilton
100" T3S R34E S 12 Lot 5
S 13 Lot 1 and tract 38

1987 Mickelsen to Hamilton
5" - which came through the Stecklen's - LEGIT

8.7.2 12/1945 William Stephens to Elmer Mickelsen
all water rights?
60" T3S R34E Sec 12 Lot 5
S 13 Lot 1

~~6.15.7 5/1921 Sarah H. Welch to Lorenzo R Thomas and William W. Stephens~~

6.16.0.2 12/1921 William + Alice Stephens to Lorenzo Thomas
40" no property

same day

6.16.0.1 12/1921 Lorenzo Thomas ^{quitclaim} to William Stephens
100" T3S R34E S 12 Lot 5
S 13 Lot 1

6.16.0.0 12/1921 William Stephens to Lorenzo Thomas
40" 1/2 undivided interest
40 shares Welch or 40" T3S R34E S 13 NWSE

6.16.0 12/1921 Sarah Eramnell to Lorenzo Thomas
all water T3S R34E S 13 Lot 3 20 ac.

6.15.7 5/1921 Sarah A. Welch to Lorenzo Thomas and William W. Stephens
100" T3 R34 S 12 Lot 5
S 13 Lot 1

S. lot. 3 4/1919 Assignment of Bond for Deed George W Jones to Lorenzo & William
100" to them T3S R34E S 12 Lot 5 84-85 acres
50" for Jones S 13 Lot 1

S. 54.2 12/19/18 James W. Welch to Sarah A. Welch
150" T3 R34 S12 Lot 5 84.5 ac.
S13 Lot 1

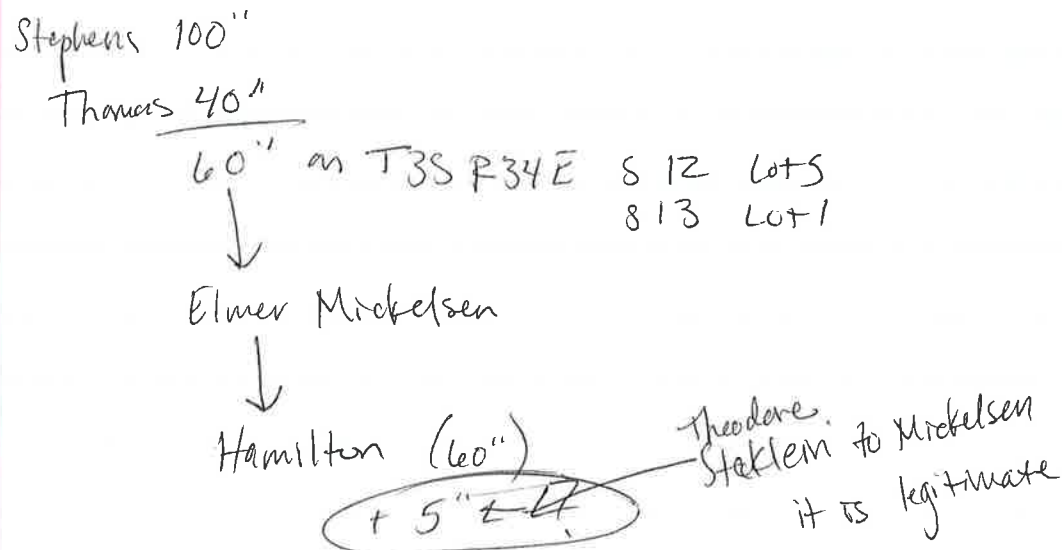
S. 41.5
S. 41.3

11/1917 Agreement for Sale of Real Estate and Bond for Deed
Sarah Welch and James W Welch to George W Jones

150''

T3 R34 S 12 Lot 5
S 13 Lot 1

James G. Welch to Sarah and James W. Welch (family)
 460" $\frac{1}{2}$ to Sarah T3S R35E S 7 Lot 6
 $\frac{1}{2}$ to James T3S R34E S 13 Lot + 1
 Lot + 2
 Lot + 3
 S 12 Lot + 5



Notes

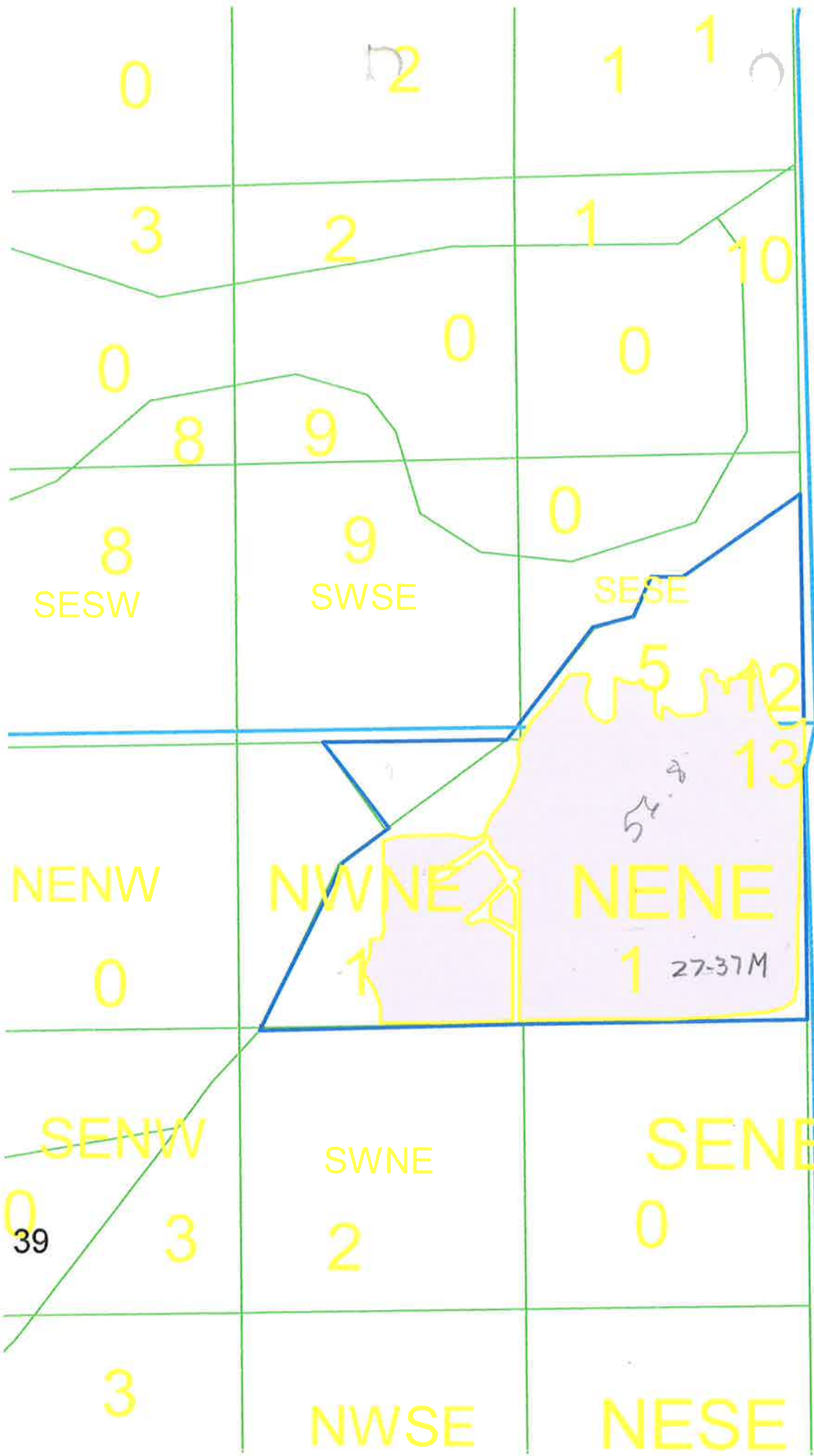
12-8-03 Envelope of priority to claimant BT

2-26-04 Received letter from AG's office PB

2/3/05 Create layout for 27-37M & 27-2129B, 210539.
together. Put both w/p's on the layout.
Do not update PLS.
Recommend as noted.

2-4-05 When layout is complete need to do
ecur on POU & Summary page. PB

9-16-05 Tracked Welch water for this property. Only 60" from
Elmer Mickelson, not 100" like deed says. Mickelson could
only get 60" from William Stephens. 5" more from Stricklands
of Welch water. Recommend 65" of Welch water.



5/24/04 CB
WPS Hamilton
60" From Mickelson
5" from Lavelle
Steeple
from Antie
Wright?
?

Notes

5/24/03 - 60" of water conveyed from Elmer
Michelson to Ules Hamilton (1/15/86)

Stevens's 60"

5" from Stecklein to Michelson?

Did Artie Wright have 50" to convey? (to Stecklein)

We don't find that.

Because 1927 - Continental life -> Merlin Yancey
got 25" of the 50" owned by Artie Wright

Can verify only 60" as of today that was decided
or owned that could be conveyed to Ules
Hamilton. CB

105" was not transferred on W/R site.

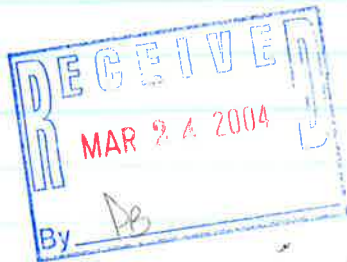
2/3/05 Ules Hamilton has 65" of
James Welch water.

CINDY BEAD

3-22-04

RE: SRBA CLAIM BASED ON WATER RIGHT #27-37M
LETTER DATED 2-24-04

ENCLOSED ARE WATER DEEDS PROVING THAT I AM
A SUCCESSOR TO 5 INCHES OF WELCH WATER PURCHASED
BY ELMER MILKESEN FROM THADORE STECKLEIN JULY 1967
I BELIEVE YOU HAVE ALREADY RECEIVED DOCUMENTATION
SUPPORTING TRACKING MR. STECKLEIN'S CLAIM TO
THE ORIGINAL WELCH DECREE. IF NOT SUCH
DOCUMENTATION IS AVAILABLE.



Sincerely
Wesley R. Hamilton



3-22-04

CINDY BEAD

RE: SRBA CLAIM BASED ON WATER RIGHT #27-37M
LETTER DATED 2-24-04

THE FOLLOWING DOCUMENTS PROVE THAT
I AM A SUCCESSOR TO THE ORIGINAL JAMES
WELCH WATER RIGHT, AND PROVE A CLAIM
TO 60 INCHES OF THAT ORIGINAL RIGHT

Sincerely
Wesley Hamilton
WATER RIGHT OWNER

3/17/04 Merlin Yancy called with some documents he located in the courthouse that indicates W's Hamilton only has a right to 60 inches of Welch water instead of the 100 inches claimed.

27-37L Also, documentation on Don Anderson's property has only 40" instead of the 60 inches claimed.

27-37N Merlin also found some additional documentation to connect some of the information in his file for Welch water.

Merlin is going to email me a copy of the documents. CB

Was Hamilton filed on 105 inches? Can the other 5 inches be verified?

Waiting for documents from either Merlin Yancy or Was Hamilton.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone

Current Owner.

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

Claim No. 27-37M

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.
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.

done

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: A 27-37M

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
35	35E	8	8	SENE	Bingham	Blackfoot.
GPS Coordinates: <u>43.17542198</u>					<u>-112.38095290</u>	

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? yes, central ditch

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

Link Central Ditch & Shp

Transfers Changing POD _____

Reviewer: CBDate: 2/3/05

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27 - 37M

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 POD as shown on the Permit. Go to 10

4. Does the parent right have a POD?

Yes (☐) No (☒)

If Yes, go to 5

If No, go to 6

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

Yes (☐) No (☐)

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

If No, go to 6

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

Yes (☐) No (☒)

If Yes, go to 7

If No, go to 9

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

Yes (☐) No (☐)

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

8. Was a transfer filed?

Yes (☐) No (☐)

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

If No, go to 9

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

Yes (☒) No (☐)

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

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

Yes (☐) No (☒)

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

If No, POD review is complete.

Point of Diversion

Source

Claim No. 27-37M

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 Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5
If No, go to 7

Yes (☒) No (☐)

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

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

Yes (☐) No (☐)

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

If Yes, go to 8
If No, go to 10

Yes (☐) No (☐)

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

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

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

Yes (☐) No (☐)

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

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

Yes (☐) No (☐)

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

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Yes (☐) No (☒)

Source

Purpose of Use Data Entry Form

Claim Number:

A27-37M

☒ 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:

duree

Transfers Changing Purpose of Use _____

Reviewer:

CB

Date:

2/3/05

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-37M

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: A27-37M 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
35	34E	12	SESE		Bingham	5	1010	Irrigation
		13	NENE		"		3731	Irrigation
		13	NWNE		"		3315	"

Total Acres 50

Document how the POU was verified:

1987 NAPP photography
T4083~~Area met with Stan redid acres they are~~
~~now 8 ac.~~
link 27-2129B link 27-37M.Transfers Changing POU Reviewer: CBDate: 2/3/05

Place of Use

Claim No. _____

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: A27-37M☐ 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	1.3	

Overall Diversion Rate 1.3 Overall Diversion Volume _____

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

Weekly analysis
F4083

Reviewer: CBDate: 2/2/05

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

If Yes, go to 4

If No, go to 2

Yes (X) 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 Period of Use as shown on the Permit. Go to 18

Yes () No ()

4. Does the parent right have a Period of Use?

If Yes, go to 5

If No, go to 6

Yes () No (X)

5. Can the claimed Period of Use be verified using the water right file?

If Yes, go to 14

If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Period of Use?

If Yes, go to 7

If No, go to 12

Yes () No (X)

7. Does the change include an enlargement in the Period of Use?

If Yes, go to 9

If No, go to 8

Yes () No ()

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

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

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 12

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 12

If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

11. Was a transfer filed?

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

Yes () No ()

12. Does the file contain all of the necessary information to verify the Period of Use?

If Yes, go to 13

If No, collect the necessary information. Conduct field exam if necessary. Go to 13

Yes (X) No ()

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

If Yes, go to 14

If No, go to 15

Yes () No (X)

14. Is irrigation claimed as a purpose of use?

If Yes, go to 16

If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

15. Is irrigation claimed as a purpose of use?

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

Yes (X) No ()

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?

If Yes, go to 17

If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

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?

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

Yes () No ()

18. Is a Period of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Yes () No (X)

Period of Use

Quantity

Claim No. 27 - 37 M

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 Quantity shown on the Permit. Go to 11

Yes ☐ No ☐
4. Does the parent right have a diversion rate and/or volume?
If Yes, go to 5
If No, go to 7

Yes ☒ No ☐
5. Can the claimed diversion rate and/or volume be verified using the water right file?
If Yes, go to 8
If No, go to 7

Yes ☒ No ☐
6. Is the basis of claim a posted notice?
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes ☐ No ☐
7. Is a flow measurement required?
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

Yes ☐ No ☐
8. Does the parent right have an annual diversion volume limit?
If Yes, go to 10
If No, go to 9

Yes ☐ No ☒
9. Is the source Ground Water and does the purpose of use require a diversion volume limit?
If Yes, go to 10
If No, go to 11

Yes ☐ No ☒
10. Is irrigation a purpose of use?
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

Yes ☐ No ☐
11. Has a diversion volume limit for this water use been established by a decree, license or transfer?
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

Yes ☐ No ☒
12. Is a Quantity remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes ☒ No ☐

Summary

Claim No. 27 - 37M

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes (☒) No (☐)

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

Yes (☐) No (☒)

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

Yes (☐) No (☐)

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

Yes (☐) No (☐)

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

Yes (☒) No (☐)

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.

Yes (☒) No (☐)

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

Yes (☒) No (☐)

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

Yes (☐) No (☒)

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 (☐)

combined limits, yes

Summary

Summary Data Entry Form

Claim No.: _____

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

C18

R31 Qty Cond.

FOI Exp. Remark

Central Ditch

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

27-37M

Reviewer

CB

Date

2/3/05

Basin No.	Sequence Number	Split Suffix	Name	Basis of a Claim	yyyy-mm-dd Priority Date	Remarks	Useage	Other Water Rights Used	\$=Stevens	ven s Decree	Total CFS	Recommended diversion (inches)
27	37	L	Anderson, Donald	Decreed	1886-03-20	Welch Irrigation Co. T.52	irrigation	27-2125	s	37	1.08	54.00
27	37	C	Bean, Audrey H.	Decreed	1886-03-20		irrigation	27.4F	s	37	0.97	48.50
27	37	P	Bergeman, E. V.		1886-03-20		irrigation		s	37	0.28	14.00
27	12017		Clements, Casey A.	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.38	19.00
27	11997		Coffman, Harvey	Decreed	1886-03-20		irrigation		s	37	0.10	5.00
27	10550		Ganske, Robert L.	Decreed	1886-03-20	Claim based on Miner's shares & F&W 27-23B. AMENDED	irrigation		s	37	0.06	3.00
27	10844		Gay, Walter A.	Decreed	1886-03-20		irrigation		s	37	0.17	8.67
27	37	M	Hamilton, Wesley	Decreed	1886-03-20		irrigation	27-4G	s	37	1.30	65.00
27	12015		Hansen, Helen	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.03	1.50
27	37	F	Hill, Stanley	Decreed	1886-03-20		irrigation		s	37	0.12	6.00
27	12016		Hospkins, Robert	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.03	1.50
			LDS Church	Decreed	1886-03-20		irrigation		s	37		0.00
27	10358		Leiseth, Jason	Decreed	1886-03-20	probably 27	irrigation		s	37	0.00	0.00
27	37	A	McDaniel, Brett	Decreed	1886-03-20	T#52. Welch Irrigation	irrigation		s	37	1.76	88.00
27	11994		Nation, Howard S.	Decreed	1886-03-20	Parent right 27-11120	irrigation		s	37	0.015	0.75
27	12014		Novosad, Joyce	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.16	8.00
27	11995		Romrell, Don	Decreed	1886-03-20	Parent Right 27-11120	irrigation		s	37	0.015	0.75
27	37	E	Rowbury, Rex C.	Decreed	1886-03-20	T#52	irrigation		s	37	0.12	6.00
27	37	B	Stecklein, LaVerelle	Decreed	1886-03-20		irrigation		s	37	0.00	0.00
27	37	G	Stecklein, LaVerelle	Decreed	1886-03-20		irrigation	27-27B, 7065, 2126, 10552, 10555, 26B	s	37	0.69	34.33
27	37	J	Winter, Norman	Decreed	1886-03-20		irrigation		s	37	0.10	5.00
27	37	H	Worthington, Dallen	Decreed	1886-03-20		irrigation		s	37	0.04	2.00
27	37	K	Wright, Franklin D.	Decreed	1886-03-20		irrigation	27-27C, 23F	s	37	0.04	2.00
27	37	N	Yancey, Merlin	Decreed	1886-03-20		irrigation		s	37	0.50	25.00
								TOTALS			7.96	398.00

Basin No.	Sequence Number	Split Suffix	Name	R	D	Basis of a Claim	yyyy-mm-dd Priority Date	Remarks	Y N/A Layout	Other Water Rights Used	S-Stevens	ens Decree #	Total CFS	Claimed Diversion (Inches)	Recommended diversion (inches)	Difference in Inches		
27	37	L	Anderson, Donald			Decreed	1886-03-20	Welch Irrigation Co. T.52		27-2125	s	37	0.64	32.00	30.00	(2.00)		
27	37	C	Bean, Audrey H.			Decreed	1886-03-20			27.4F	s	37	1.17	58.50	58.50	0.00		
27	37	P	Bergeman, E. V.				1886-03-20				s	37	0.28	14.00	14.00	0.00		
27	10267		Clements, Casey A. Novasad & Hoskin			Decreed	1885-06-01				s	37	0.60	30.00	30.00	0.00		
27	11997		Coffman, Harvey			Decreed	1886-03-20				s	37	0.10	5.00	5.00	0.00		
27	10550		Ganske, Robert L.			Decreed	1886-03-20	Claim based on Miner's shares & F&W 27-23B. AMENDED			s	37	0.06	3.00	3.00	0.00		
27	10844		Gay, Walter A.			Decreed	1886-03-20				s	37	0.43	21.65	4.50	(17.15)		
27	37	M	Hamilton, Wesley			Decreed	1886-03-20			27-4G	s	37	2.10	105.00	62.00	(43.00)		
27	37	F	Hill, Stanley			Decreed	1886-03-20				s	37	0.26	13.00	6.00	(7.00)		
			LDS Church			Decreed	1886-03-20				s	37		0.00	2.00	NOT CLAIMED IN SRBA		
27	10358		Leiseth, Jason			Decreed	1886-03-20	probably 27			s	37	0.06	3.00	0.00	(3.00)		
27	37	A	McDaniel, Brett			Decreed	1886-03-20	T#52. Welch Irrigation			s	37	1.76	88.00	88.00	0.00		
27	11994		Nation, Howard S.			Decreed	1886-03-20	Parent right 27-11120			s	37	0.03	1.50	0.75	(0.75)		
27	11995		Romrell, Don			BU	1886-03-20	Parent Right 27-11120	Y		s	37	0.03	1.50	0.75	(0.75)		
27	37	E	Rowbury, Rex C.			Decreed	1886-03-20	T#52			s	37	0.60	30.00	30.00	0.00		
27	37	B	Stecklein, LaVerelle			Decreed	1886-03-20				s	37	0.40	20.00	17.00	(3.00)		
27	37	G	Stecklein, LaVerelle			Decreed	1886-03-20			27-27B, 7065, 2126, 10552, 10555, 26B	s	37	0.80	40.00	21.50	(18.50)		
27	37	J	Winter, Norman			Decreed	1886-03-20				s	37	0.05	2.50	0.00	(2.50)		
27	37	H	Worthington, Dallen			Decreed	1886-03-20				s	37	0.04	2.00	2.00	0.00		
27	37	K	Wright, Franklin D.			Decreed	1886-03-20			27-27C, 23F	s	37	0.10	5.00	0.00	(5.00)		
27	37	N	Yancey, Merlin			Decreed	1886-03-20				s	37	0.50	25.00	25.00	0.00		
										TOTALS			10.01	500.65	400.00	(102.65)		



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 24, 2004

COPY

ANNETTE F AND WESLEY R HAMILTON
626 W 225 S
BLACKFOOT ID 83221

RE: SRBA Claim based on decreed water right No. 27-37 M

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources (IDWR or the "Department") in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp. 106-117 (Bingham County, Idaho August 1, 1891), to James Welch. This water right was decreed for 400 inches (8.0 cfs) with a March 20, 1886, priority date. This water right was numbered sometime after the decree by IDWR as water right no. 27-37.

The Department has received multiple claims to this water right totaling more than 8.0 cfs. In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original James Welch water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right.

Please provide this information by March 26, 2004, to Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources. You can contact her at 208-547-3993. If you have any further questions regarding this matter, you can contact Cindy or you can contact me directly at 208-327-5404.

Very Truly Yours,

A handwritten signature in cursive script, reading "Candice M. McHugh".

Candice M. McHugh
Deputy Attorney General
Idaho Dept. of Water Resources

c: electronically Cindy Bird, IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

9 December 2003

Wesley Hamilton
626 West 225 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-37M

COPY

Subject: EVIDENCE OF PRIORITY DATE

Response Date: 8 January 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its SRBA claims review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the SRBA.

The referenced claim is not a decreed right based on Welch Irrigation. In the Stevens' 1891 decree the Welch water was decreed as mining, not irrigation and cannot be converted to irrigation. The mining purpose is non-consumptive while, irrigation is consumptive. Therefore, it can only be recommended to the Court as a beneficial use claim. However, before we can prepare the recommendation, we need evidence to support when the water was put to beneficial use for irrigation.

It is important that each element of the Notice be substantiated. For claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some examples of Documents Which May Be Evidence of the Priority Date**".

If we do not hear from you by the above referenced response date we will recommend to the Court that this claim be disallowed.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script that reads "Cindy E. Bird/h".

Cindy E. Bird
Adjudication Bureau

CEB/bjp
Enclosure: Evidence of Priority Brochure

SCANNED

JAN 13 2001

Log for claim 27-00037M

Spatial Dynamics LTD

12/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	12	SESE	11	5.3	
03s34e	13	NENE	60	51	NWNE qq acreage included.
Totals:			71	56.3	

AJ5809NP
No. A27-00037M

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 54

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WESLEY R HAMILTON	03/20/1886	IRRIGATION	04-01 11-01	2.100 CFS	
C	ANNETTE F HAMILTON					
	626 W 225 S					
	BLACKFOOT ID 83221			TOTAL DIVERSION:	2.100 CFS	
	(208) 785-0646			CONSUMPTIVE USE:		213.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE

Stage: DECREED

Point(s) of Diversion: T03S R35E S08 SESWNE BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
03S	34E	12	:																	
03S	34E	13	:	40		20														
																			TOTAL ACRES	71.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: 30 INCHES FOX & WHITTEN WATER (27-00004G)

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A27-00037B A27-00037N A27-10452 A27-10539 A27-10847

Other Water Rights Listing Overlapping Place(s) of Use:
A27-02129B A27-10539 A27-10540

Remarks: GEN FOR 105 INCHES OF WELCH WATER (27-00037A)

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

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

Audit: 09/13/94 DCARLSON 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Wesley Hamilton CLAIM ENT. NO. A27-10540
DATE RECEIVED 5-10-89 CK # AMOUNT \$

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | * |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | * |
| 8. If required is a consumptive use entered? | ☒ | ☐ | * |
| Is the consumptive use correct? | ☒ | ☐ | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | * |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | * |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | * |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | * |
| 22. Should this claim be data entered? | ☒ | ☐ | * |

Claim checked by: ESB Date: 6-26-89Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)Receipt Prepared by: Date:
Claim data entered by: Date: Checked by: Date:
Sent to claimant by: Date: Comments: Old number filed - 27-00037A.MICROFILMED
NOV 12 1992

343868

WARRANTY DEED

For Value Received, LONEY B. MICKELSEN, the duly appointed, qualified and acting Personal Representative of the Estate of Elmer Mickelsen, deceased, and the duly appointed, qualified and acting Conservator of the Estate of Burva D. Mickelsen, an incapacitated person, and surviving widow of Elmer Mickelsen, deceased, of 626 West, 225 South, Blackfoot, Idaho 83221 the grantor does hereby grant, bargain, sell, and convey unto

WESLEY R. HAMILTON and ANNETTE F. HAMILTON, husband and wife,

the granteeS, whose current address is 853 West, 400 South, Blackfoot, Idaho 83221

the following described premises, to-wit:

Township 3 South, Range 34, E. B. M., Bingham County, Idaho

Section 12: Lot 5

Section 13: Lot 1 and Tract 38

Subject to reservations contained in Government patents concerning mineral and other rights, taxes for the year 1986, which are assumed by the Grantees, power line easements granted to Idaho Power Company, and to all existing building, zoning and other regulations of use.

(Possession is reserved by the Grantor until February 3, 1986, and Sellers cattle may remain on the property until May 15, 1986, with corrals to be maintained in good condition and no pasture is to be used by Seller.)

TOGETHER WITH 30 inches of the decreed waters of the Blackfoot River as shown by the Decree filed August 1, 1891, in the case of Fred S. Stevens, et al, vs. Eastern Idaho Water Company, et al, which water is appurtenant to the above described land, said Water Decree having a priority date of 1885.

TOGETHER WITH 100 inches of the decreed waters of the Blackfoot River, commonly known as Welch Water.

13/20/1986

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: January 15th, 1986.

Loney B. Mickelsen
LONEY B. MICKELSEN, Personal Representative of the Estate of Elmer Mickelsen, deceased and Conservator of the Estate of Burva D. Mickelsen, an incapacitated person.

STATE OF IDAHO, COUNTY OF BINGHAM

On this 15th day of January, 1986, before me, a notary public in and for said State, personally appeared LONEY B. MICKELSEN, Personal Representative of the Estate of Elmer Mickelsen, deceased, and Conservator of the Estate of Burva D. Mickelsen, incapacitated,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such Personal Representative and Conservator.

[Signature]
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires is permanent.

343868

RECORDED
JAN 22 1986

1986 JAN 31 AM 11:27

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

1-29-1987

RECORDED & INDEXED

202 PT

358720

1987 FEB 26 AM 10:25

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

WATER DEED

THIS INDENTURE, made this 29th day of January 1987, by and between LONEY B. MICKELSEN, the duly appointed, qualified and acting Personal Representative of the Estate of Elmer Mickelsen, deceased and Burva D. Mickelsen, deceased, of Blackfoot, Bingham County, Idaho hereinafter referred to as Grantor, and WESLEY R. HAMILTON AND ANNETTE F. HAMILTON, husband and wife, whose current address is 853 West, 400 South, Blackfoot, Idaho 83221, Bingham County, Idaho, hereinafter referred to as Grantee:

WITNESSETH: That the said Grantor, for valuable consideration to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and confirm unto the Grantees and their heirs and assigns forever, all of the following described water right, situated in the County of Bingham, State of Idaho, to wit:

5 Miner's inches of the waters of the Blackfoot River decreed to James Welch by the District Court of the Fifth Judicial District of the State of Idaho, in and for Bingham County in re: Fred S. Stevens, et al, plaintiff, vs. Eastern Idaho Water Company, et al, defendants, dated August 1, 1891, and recorded in Book 1 of Judgements at pages 107-116, records of Bingham County, Idaho, with a priority of March 20, 1886.

TO HAVE AND TO HOLD ALL and singular the above described water rights, together with their appurtenances unto the Grantees and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Loney B. Mickelsen
LONEY B. MICKELSEN, a Personal

12.20.4

ENCLOSURE

NOV 13 1990

MICROFILMED
NOV 12 1992

JUL 13 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: A27-00037M
Date Received: 5/10/1989
Receipt No: E007286
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WESLEY R. HAMILTON 208-785-0646
Address: 626 W 225 S
BLACKFOOT ID 83221

OR

Name: ANNETTE F. HAMILTON 208-785-0646
Address: 626 W 225 S
BLACKFOOT ID 83221

2. Date of Priority: MAR 20, 1886

3. Source: BLACKFOOT RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	35E	8	SE	SW	NE		BINGHAM

5. Description of diverting works:
OLD WELCH DITCH NOW CENTRAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.100		

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

8. Total consumptive use is 213.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

NOV 13 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	12	SE	SE		IRR	11.0
						Section Acres	11.0
		13	NE	NE		IRR	40.0
			NW	NE		IRR	20.0
						Section Acres	60.0
						Total Acres	71.0

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:
30 INCHES FOX & WHITTEN WATER (27-00004G)

14. Remarks:
FOR 105 INCHES OF WELCH WATER (27-00037A)

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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: _____

RECORDED
NOV 13 1996

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 A27-00037M

Ident. Number: A27-10540

Date Received: 5/10/1989

Receipt No: E007286

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WESLEY R. HAMILTON 208-785-0646
Address: 626 W 225 S
BLACKFOOT, ID 83221

OR

Name: ANNETTE F. HAMILTON 208-785-0646
Address: 626 W 225 S
BLACKFOOT, ID 83221

2. Date of Priority: MAR 20, 1886

3. Source: BLACKFOOT RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	35E	8	SE	SW	NE		BINGHAM

5. Description of diverting works:
OLD WELCH DITCH NOW CENTRAL DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.100		

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

8. Total consumptive use is 213.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-10540

Page 1

Date: 08/03/89

MICROFILMED
NOV 12 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	12	SE	SE		IRR	11.0
						Section Acres	11.0
		13	NE	NE		IRR	40.0
			NW	NE		IRR	20.0
						Section Acres	60.0
						Total Acres	71.0

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:
30 INCHES FOX & WHITTEN WATER (27-00004G)

14. Remarks:
FOR 105 INCHES OF WELCH WATER (27-00037A)

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
NOV 13 1989

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

~~MICROFILMED~~
NOT 12 1992

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: 39356

Ident. Number A27-10540Date Received 5/10/89Receipt Number F007286

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WESLEY R. OR ANNETTE F. HAMILTON Phone (208) 785-0646Mailing Address 626 W. 225 SO. BLACKFOOT, IDAHO Zip 832212. Date of Priority (Only one (1) per claim) 20 MARCH 18863. Source of water supply (a) BLACKFOOT RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 3 So. Range 35 E. Section 8,S. E. 1/4 of S. W. 1/4 of N. E. 1/4, Govt. Lot, _____ B.M., County of BINGHAM

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. OLD WELCH DETCH / NOWCENTRAL DETCH

NOV 13 1989
MICROFILMED
NOV 12 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 1 APRIL to 1 NOV. amount 2.1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.3 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3 Sd.	34 E.	12																11	11
		13	40	20															60

Total number of acres irrigated 71

11. In which county (ies) are lands listed above as place of use located? BINGHAM

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
30 INCHES OF FOX & WHITTEN WATER or None ()
(27-000046)

14. Remarks:
FOR 105 INCHES OF WELCH WATER (27-00037A)

RECORDED

NOV 13 1990

MICROFILMED
NOV 12 1992

Last Name HAMELTON Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 27-000046 27-000 37A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Kesley R. Hamilton Date 10 MAY 89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10th day of May 19 89

SEAL

Notary Public Anthony S. Olenick

Residing at Boise Falls

My Commission Expires 9/12/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
NOV 12 1992

Copies White-State, Yellow-Claimant

20-2-4-11
NO. 42-202
DELETED

100-4-101

20

WELCH

100

48

THOMAS JOHN

Grave Pit