

08/26/2005

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

RIGHT NUMBER: 27-2129B
NAME AND ADDRESS: WESLEY R HAMILTON
626 W 225 S
BLACKFOOT ID 83221

ANNETTE F HAMILTON
626 W 225 S
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS
200.00 AFY

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: 09/11/1961

POINT OF DIVERSION:
T03S R34E S13 NENE Lot 1 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	1.000 CFS 200.00 AFY

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	4.0		

50 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.

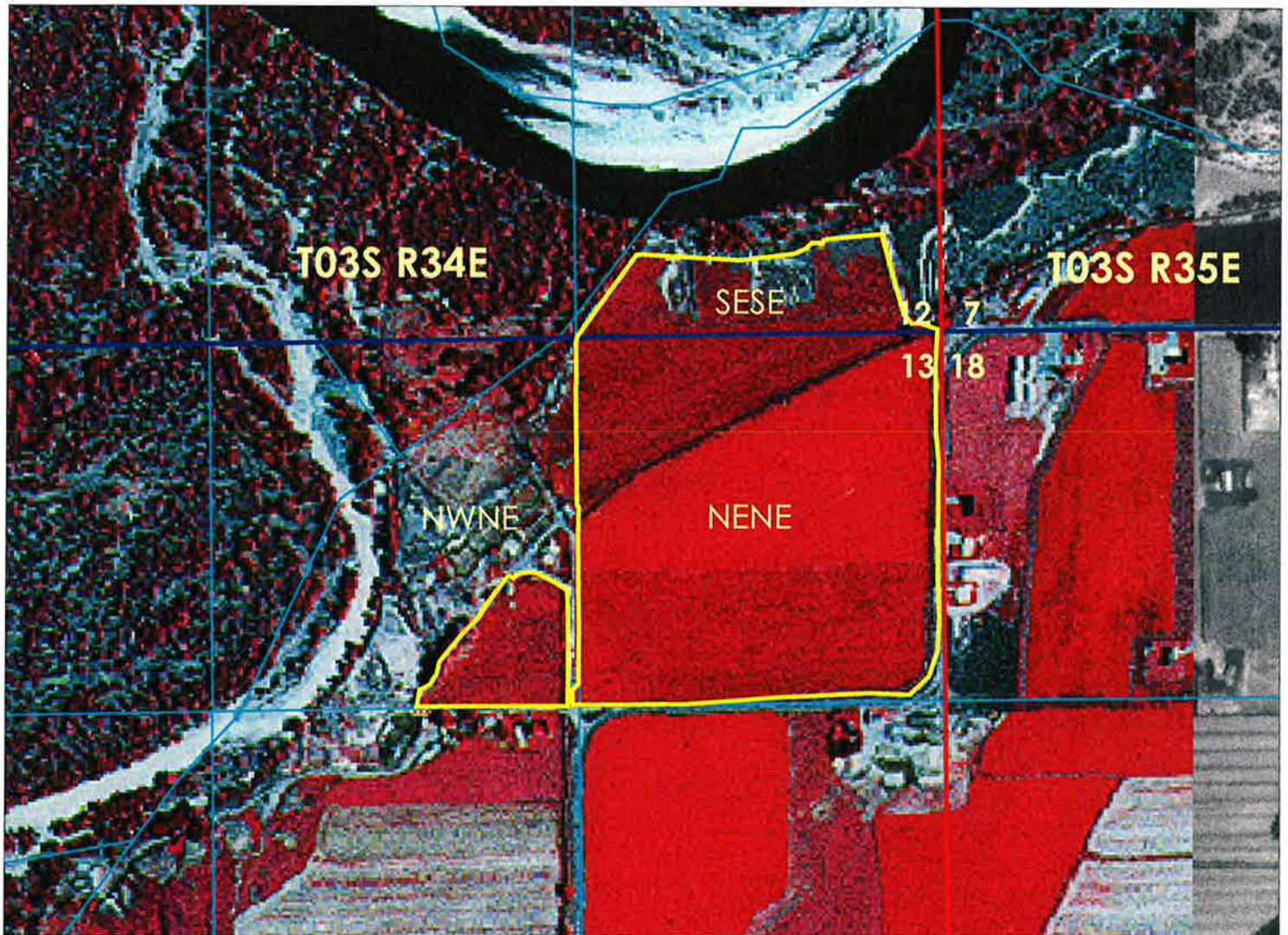
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Department of Water Resources

Eastern Region

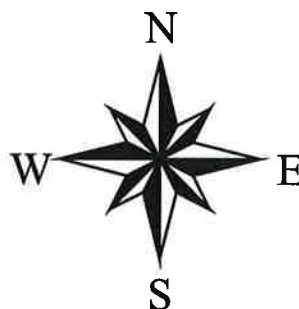


Claim No.: 27-2129B



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



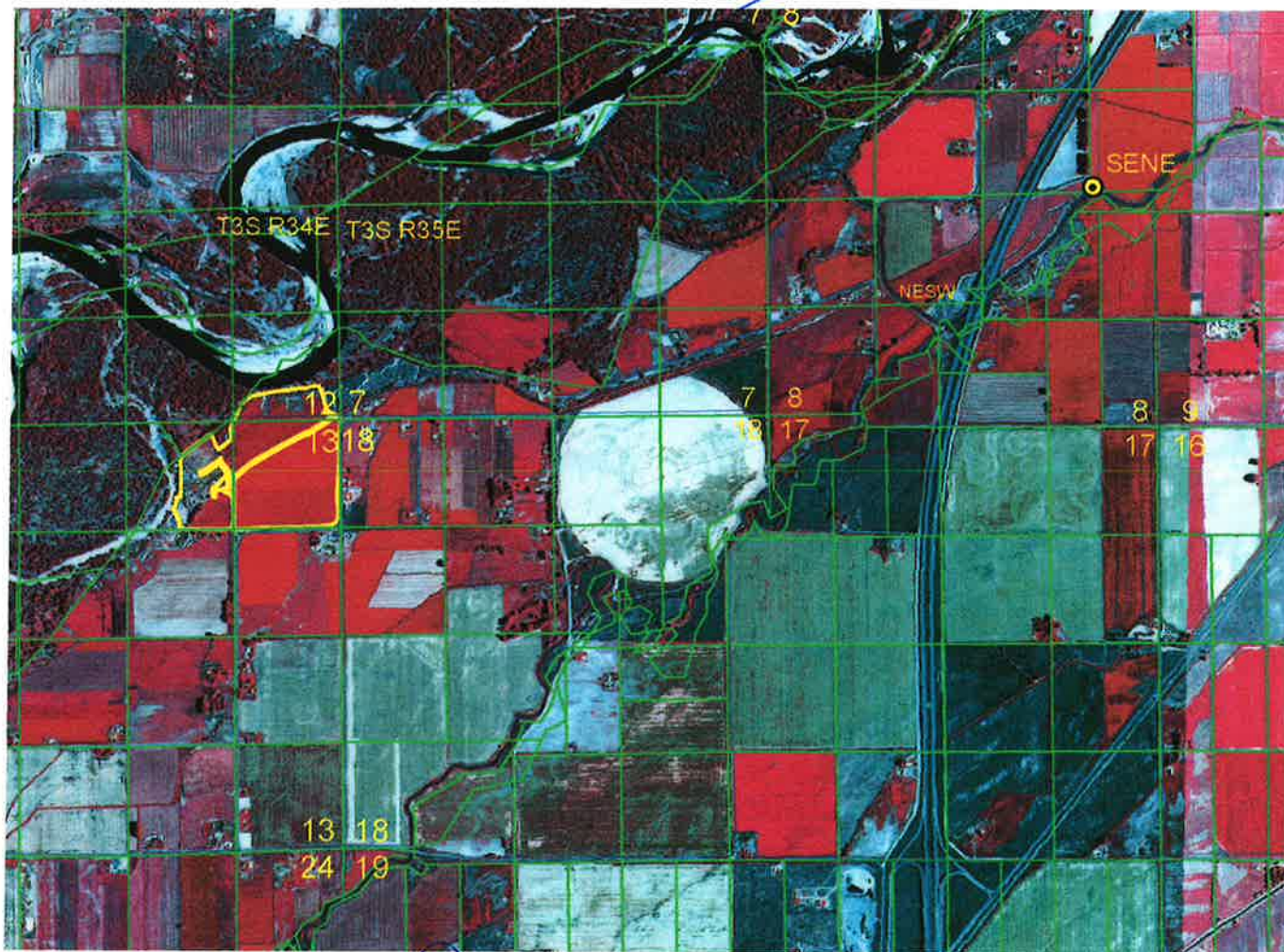
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-37M & 27-10539 E 27-2129B



3000 0 3000 6000 Feet

IRRIGATED ACRES 62

LEGEND

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

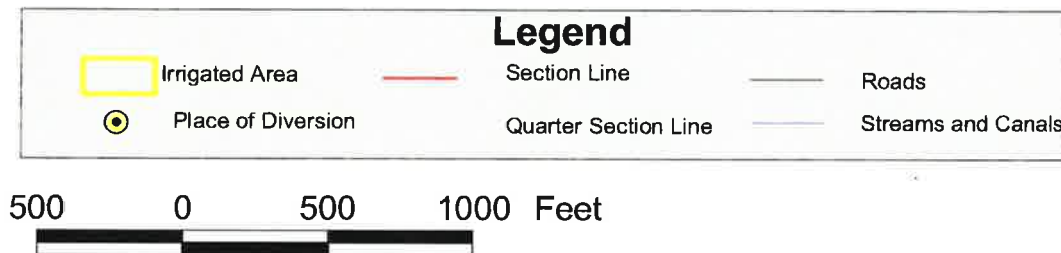
Place of Use: T3S, R34E:
(part of) Sec. 12 L-5 (SESE),
Sec. 13 NENE & NWNE.

Point(s) of Diversion: T3S, R35E:
Sec. 8, SWSENE, L-8



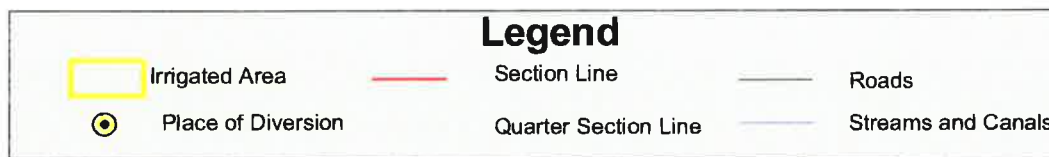
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. BIRD
Date: February 2005

12/22/2000



Water Right Claim Number 27-02129B
Township , 3S34E

12/22/2000





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,

A handwritten signature in cursive script, reading 'Ernest Carlsen', followed by a horizontal line extending to the right.

Ernest Carlsen
Water Right Supervisor

Enclosures (3)

RECEIVED

JUL 22 2005

Department of Water Resources
Eastern Region

02/17/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-2129B

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):

PLACE OF USE ACRES:

T03S R34E S12 LOT5 SESE 10.0 T03S R34E S13 NENE 37.0

T03S R34E S13 NWNE 3.0

50 ACRES TOTAL

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

SHOULD BE THE SAME AS MY OTHER WATER RIGHTS

T03S R34E S12 LOT5 SESE 10.0

T03S R34E S13 NENE 37.0

T03S R34E S13 NWNE 15.0

62 ACRES TOTAL

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

THIS WATER RIGHT COVERS THE SAME GROUND AS
MY OTHER WATER RIGHTS. THE ACRES AND LOCATION
SHOULD BE THE SAME. SEE MAP ATTACHED.

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

DATE: 7-15-05

SIGNATURE: Wesley R. Hamilton

Please print your name:

WESLEY R. HAMILTON

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

KMS
7/22

References

[Contact
Help Desk](#)

[Document
Management
Search](#)

[Launch
ArcView](#)

[Administrative
Rules](#)

[Query
Tools](#)

[Data Entry
Standards](#)

[Show Help](#)

Screen ID
384

Process:
Claim
Verification
Record

Step:
Update
Information

Quick Look

Contacts

Priority Date

POD

Source

POU

Water Use

Period of Use

Review/Verify Log

Status

Claim Number

Version Number

[View Documents](#)

[View Re](#)

Check List

[Print Form](#)

☒ Priority Date

☒ Contacts

☒ Point of Diversion

☒ Source

☐ Place of Use

☒ Purpose of Use

☒ Period of Use

☒ Quantity

☐ Summary [Yes to All](#)

Contacts

Comments

Author Text

Subj

Date - -

[Add](#)

[Edit](#)

[Remove Selected](#)

[Hide References](#)

[Next Step](#)

[Return to Home](#)

Previous
Steps:

[Select Claim](#)

Screen
ID 384

Notes

11/12/03 Search on claim 01-10058 is
for the Smith-Maxwell Ditch Co.

Other rights in Wesley Hamilton's name
27-37M (Part of 37A)
27-10539.

Search brings up 27-10541? ^{Recommended claim?} Excel Doesn't
indicate any file (b27 file list)
forward from Special master for signature
1999? Unable to display court page,
in EDWR Homepage.

Layne Hamilton filed on 27-2129B.

2/3/05 Do NOT update PLS..

recommend as noted. CB.

Create layout for 27-2129B, 27-37M
& 27-10539. They are all used in
the same POU.

CB.

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

2/17/05 27-2129B approve trans. 4083 -1993
use court 2129B shape for linker's. So acrs under
this right.

27-37M

3/17/04 Merlin Yancy called with some documents he located in the courthouse that indicates Wis Hamilton only has a right to 60 inches of well 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 well water.

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

COPY

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner: See Claim

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

Reviewer:

Date: 1/2/03

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A27-2129B

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

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

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

transfer 4083, licenseReviewer: CBDate: 11/2/03

Priority Date Data Entry Form

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
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 (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) 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 (X) 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 (X) 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 (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: A27-2129B

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

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

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

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

Other rights from this POD? no.

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

License
T 4083

Transfers Changing POD no yesReviewer: CBDate: 2/3/08

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27 - 212913

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

If Yes, go to 4
If No, go to 2

Yes (☒) No (☐)

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

If Yes, go to 3
If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes (☒) No (☐)

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

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes (☒) No (☐)

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

If Yes, go to 7
If No, go to 9

Yes (☐) No (☐)

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

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes (☐) No (☐)

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

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

Yes (☐) No (☐)

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

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

Yes (☐) No (☒)

Point of Diversion

Source

Claim No. 27-2129B

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: A27-2129B☐ 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
<u>Irrigation.</u>				

Document how the Purpose of Use was verified:

T4083

license

Transfers Changing Purpose of Use noReviewer: CBDate: 2/3/05

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-212913

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: A27-2129B☒ 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
33	34E	12	SESE		Bingham	5	10	Irrigation
		13	NENE		"		37	"
		13	NWNE		"		3	"

Total Acres 50

Document how the POU was verified:

T4083Do NOT UPDATE PLS.Link ~~27-212~~ ' convert 2129B stage.Transfers Changing POU yesReviewer: CBDate: 2/3/05

Place Of Use Data Entry Form

Place of Use

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

If Yes, go to 2a

If No, go to 2b

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

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

If Yes, go to 4

If No, go to 7

4. Has the License been issued?

If Yes, go to 6

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

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

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

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

If Yes, go to 8

If No, go to 13

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

If Yes, add condition C05, go to 13

If No, go to 9

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

10. Was an enlargement claim filed?

If Yes, go to 13

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

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

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

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

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.

Claim No. _____

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☐

Yes ☐ No ☒

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: A27-2129B☐ 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	1.0	200

Overall Diversion Rate 1.0 Overall Diversion Volume 200

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

T4083

Reviewer: CBDate: 2/3/05

Period of Use and Quantity Data Entry Form

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
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
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
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
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
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
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
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
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
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 (X) No ()

Yes () No ()

Yes () No ()

Yes (X) No ()

Yes (X) No ()

Yes () No ()

Yes () No ()

Yes () No ()

Yes () No ()

Yes () No ()

Yes () No ()

Yes () No ()

Yes () No ()

Yes (X) No ()

Yes () No ()

Yes () No (X)

Yes () No ()

Yes () No (X)

Period of Use

Quantity

Claim No.

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 (☐)

Quantity

Summary

Claim No. 27-2129B

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 (☐)

Summary

Summary Data Entry Form

Claim No.: _____

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

C18
R31 Qty Cond.

Split or Combined Right Analysis:

yes

Attached Field Notes or Other Documents:

Claim No.:

27-2129B.

Reviewer

CB

Date

2/3/05

JUL 16 2001

Log for claim 27-02129B

Spatial Dynamics LTD

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	12	SESE	10	5.3	
03s34e	13	NENE	40	43	NWNE qq acreage included.
Totals:			50	48.3	

AJ5809NP
No. A27-02129B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 72

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANNETTE HAMILTON	09/11/1961	IRRIGATION	04-01 10-31	1.000 CFS	
C	WESLEY HAMILTON					
	626 W 225 S					
	BLACKFOOT ID 83221					
				TOTAL DIVERSION:	1.000 CFS	
				CONSUMPTIVE USE:		150.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03S R34E S13 NENE BINGHAM 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	:	
03S	34E	12	:					:						:											:	
03S	34E	13	:	37		03		:						:											:	
																							TOTAL ACRES		50.0	

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: 01-10058

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

A27-00004G A27-00037M A27-10539 A27-10540

Remarks: GEN *** CLAIM CHANGED PURSUANT TO APPROVED TRANSFER 4083, ESV 8/30/93

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

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

Audit: 09/02/93 THOMPSON 03/29/95 POST-STD

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	27-02129	Walter Hamilton	2.78
SPLIT INTO PARTS A & B BY TRANSFER #4083			
Partial Assignment	27-02129A	Walter Hamilton	1.78
Partial Assignment	27-02129B	Wesley Hamilton Annette Hamilton	1.00

RECORDED

JUN 29 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4083
WATER RIGHT NO. 27-02129B

This is to certify that: **ANNETTE HAMILTON**
WESLEY HAMILTON
626 W 225 S
BLACKFOOT ID 83221

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.00 CFS	200.0 AF

SOURCE

GROUNDWATER

Priority: 09/11/1961

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 13, Township 03S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	34E	12	Lot 5 (SESE)	10		10
		13	NENE	37	NWNE 3	40
Total number of acres irrigated:						50

CONDITIONS/REMARKS:

1. 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 the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.

RECORDED

JUN 29 1993

TRANSFER NO. 4083
WATER RIGHT NO. 27-02129B

CONDITIONS/REMARKS:

5. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

Dated this 15th day of June, 1993

J. Glen Saxton
Chief, Water Alloc. Bureau

JUN 29 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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.

Wesley R. Hamilton
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of April, 19 93.

Betty J. Thompson
(Notary Public)

BETTY J. THOMPSON, NOTARY PUBLIC

My commission expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Assisted by Kew Received by Kew Date 7 April 93 Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by Kew Date 7 April 93 #EO18424

Published in Spokane Falls Copies of protest forwarded by _____

Pub. dates April 15: 22-93 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

JUN 29 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 27-2129 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority Sept 11 1961

5. Water is used for the following purpose:

amount 2.78 cfs for IRRIGATION purposes from NOT SPECIFIED to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.78 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	SE	22	3S	34E	Bingham	

8. 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	
3S	34E	22									12			40			20		72
											43						46		
		27		29			31			7									67
				41						42									

JUN 29 1993

Total acres 139

9. Describe any other water rights used for the same purpose as described above Shares in Smith-Maxwell

ditch

10. 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, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.0 cfs for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	SE	22	3S	34E	Bingham	

3. 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	
3S	34E	27		29			21												50
				41															

Total acres 50

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.78 cfs for Irrigation purposes from 4/1 to 10/31
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
6		SW	SE	22	3S	34E	Bingham	

3. 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	
3S	34E	22									12			40			20		72
											43						46		
		27					10			7									17
										42									

Total acres 89



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4083

Department of Water Resources **APPLICATION FOR TRANSFER OF WATER RIGHT**
PART 1

Name of applicant Wesley or Annette Hamilton Phone 785-0646
Post Office address 626 W 225 S Blackfoot Id 83221

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 Temporary change until new application for place of use is approved. Surface water is not sufficient during low water years.

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

1. Right Number 27-2129 Priority Sept 11, 1961 Amount (cfs/ac-ft) 1 cfs Nature of Use Irrigation Period of Use 4/1 to 10/31
2. Total amount of water being transferred 1.0 cubic feet per second and/or _____ 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	13	3S	34E	Bingham

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	
3S	34E	12																45	10
		13	37	3														10	40

Total acres 50

PART 1**6. General Information:**

a. Description of diversion system well, pump, mainline to laterals with
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:

Land will be dried up.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

JUN 29 1993

License and Certificate of Water Right

Water License No. G-30176 Priority September 11, 1961 Amount 2.78 c.f.s.

THIS IS TO CERTIFY that WALTER HAMILTON

of Blackfoot, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 11, 1961; that Permit No. G-30176 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.78 second feet, was issued thereunder on February 23, 1968, showing that said works were completed on the 15 day of December, 1966; and that on the 15 day of December, 1966 WALTER HAMILTON

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

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-30176 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 ~~xxx of Licenses, xxx Page~~ on the 23 day of February, 1968.

The right hereby confirmed dates from September 11, 1961.

The Point of Diversion is located in Lot 6 in the (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 22, Twp. 3 S, R. 34 E., B.M. Bingham County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.78 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S	34 E	22	Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)	35	12
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)	40	20
		27	Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)	40	29
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	12	31
			Lot 2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)	8	7
			Total number of acres irrigated:		139

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 23 day of February, 1968.

Deputy

State Reclamation Engineer.

27 2159 30176

27-2129

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38213
Permit No. G- 30176
District No.

1. Name of Applicant: **Walter Hamilton**
Postoffice address: **Rt. 3, Blackfoot** County: **Bingham** State: **Idaho**
2. Quantity of water claimed: **205 miner's inches or 4.1 c.f.s.**
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **22**
Twp. 3 S, Rge. **34 E**, B.M., County of **Bingham**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section **22**, Twp.
Rge. **34 E**, 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 **22**, Twp. **3 S**, Rge. **34 E**, B.M.
7. Kind of works: **30 HP Electric Motor on pump**
8. Estimated cost of works: **\$ 2500.00**
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 **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:
Smith Maxwell Decree of the Upper Snake River
 - (a) **205** ~~xx cubic feet per second~~ inches ~~xx gallons per minute~~ of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
T3S	34 E	22 27	10 40	12 8	35 40	40 20	135 70
						TOTAL	205

APPROVAL OF TIME EXTENSION

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. G-30176 to December 31, 1966.

Witness my hand this 19th day of October, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded: October 25, 1966.

Permit No. G-30176 ✓

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that WALTER HAMILTON of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. G-30176, issued upon Application No. G-38213 bearing date of priority of September 11, 1961, authorizing the diversion of 4.1 second feet of waters of a well County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.78 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 22, Township 3 South, Range 34 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 22; Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Section 27, Township 3 South, Range 34 East, Boise Meridian.

Proof of Completion of Works made: December 15, 1966

Witness my hand this 23 day of February, A.D., 1968

/s/ JACK A. BARNETT
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 2.78 SEC. FT.
LICENSE PAG NO. 30176

dy

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30176

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

1. Name of applicant Walter Hamilton

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW¹/₄ of Section 22
T. 3 S R. 34 E County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same:

CHRWSLER INDUSTRIAL NATURAL GAS MOTOR
STEWART E STEVENSON PUMP DRIVE
LAYNE & BOWLER PUMP # 44026 P
8" DISCHARGE 9' INTO CONCRETE OUTLET
BOX - THROUGH EARTH DITCHES

5. Water is used for: irrigation

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):

E¹/₂SW¹/₄, S¹/₂SE¹/₄, Sec. 22; N¹/₂NE¹/₄, E¹/₂NW¹/₄, Sec. 27, T. 3 S, R. 34 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? SNAKE RIVER

Remarks: IN R. WALTER HAMILTON PRESENT

SPARKING METER USED 1 REV 17 Sec.

or - 5.88 cfs.

IRRIGATION REQUIREMENT = 3.5 AC FT / acre / season

This examination was made on the 10 TH day of AUG., 19 67

(Signed) Dean Reynolds Examiner.

30176
24 V
Plat -

Walter Hamilton *dump, ditches*
Route 3 *Smith Maxwell Ditch*
Blackfoot, Idaho *gravity flow*
Permit No. G-30176 *16" 183' 250" H-9'*

Examination for Comp. of Works & Beneficial Use

County Bingham

Quantity: 4.1 c.f.s. Sec. 22 T. 3S R. 34E

Source: subterranean

P.D.: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 3 S, R. 34 E, B.M.

Use: irrigation

Extension: yes

Protest:

Completion of Works:

Other Rights: Smith Waxwell Decree of UpperSnake River

Filed: September 11, 1961

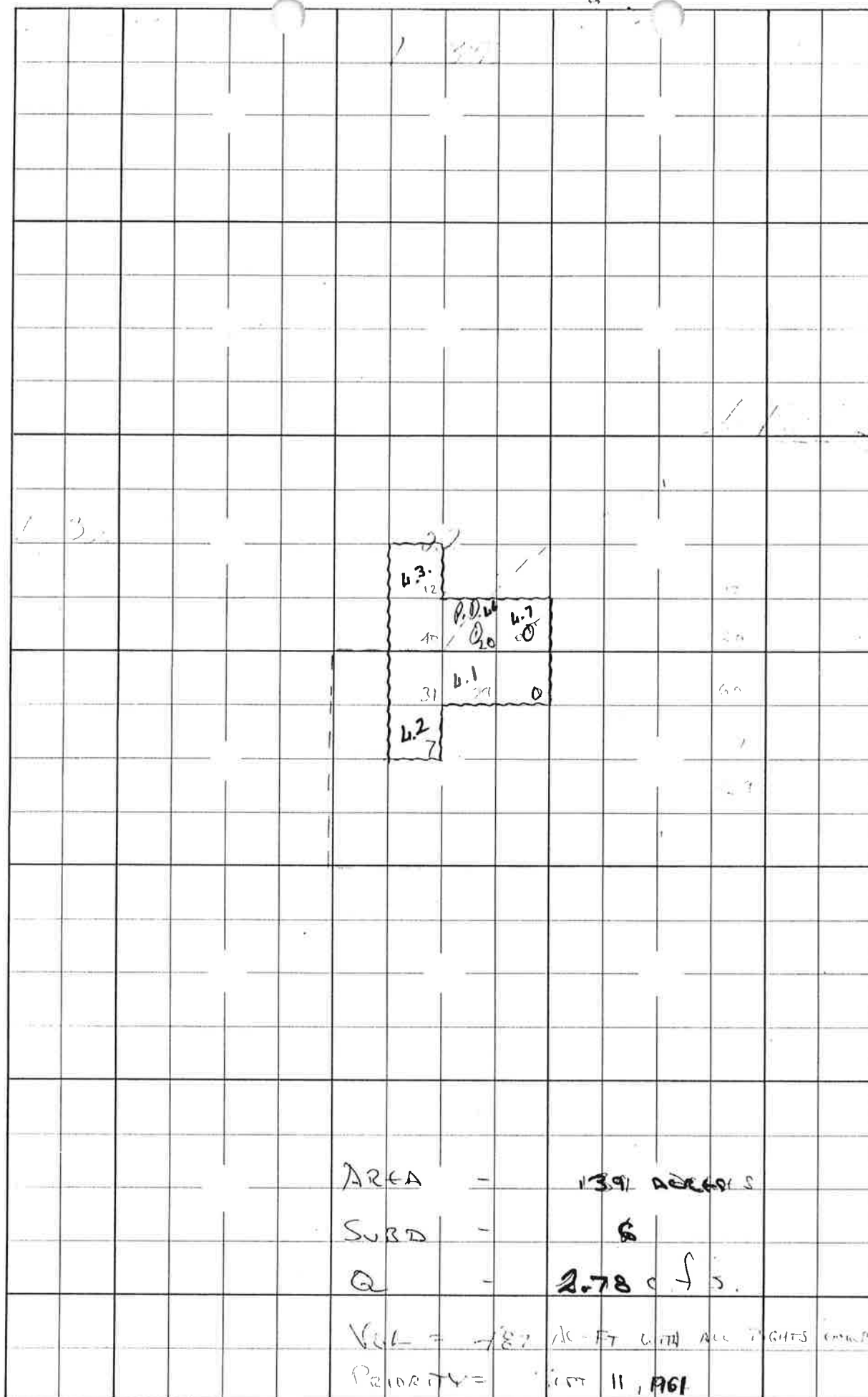
Due: September 11, 1966

Made: December 15, 1966

Priority: ~~December 15, 1961~~
September 11, 1961

INSTRUCTIONS TO EXAMINERS

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





State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

SEPTEMBER 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

ANNETTE AND WESLEY HAMILTON
626 W 225 S
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-02129

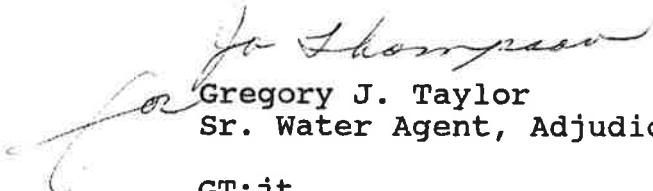
Dear Mr. and Mrs. Hamilton:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) have been split as follows:

Wesley Hamilton: A27-02129B, 1.0 cfs, 50 acres
Layne Hamilton: A27-02129A, 1.78 cfs, 89 acres.

Enclosed for your records are typed Notices reflecting your portion of the rights. Review these Notices and if there are other corrections or questions, feel free to contact this office (525-7161).

Respectfully submitted,


Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notices of Claim

cc: Layne Hamilton/copies of claims

File: P

MICROFILMED

APR 12 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

POOR ORIGINAL

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

RECEIVED
SEP 08 1993

Department of Water Resources
Eastern District Office

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A3A27-02129B $\rightarrow 1.78 \text{ CFS} - 89 \text{ Acres} = \text{A Portion}$
 $\rightarrow 1.0 \text{ CFS } 50$
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): LAYNE F. HAMILTON
839 W RIVERTON RD.
BLACKFOOT, ID. 83221
- ☐ New Owner/Claimant (Purchaser): ANNETTE OR WESLEY HAMILTON
- ☐ New Mailing Address: 626 W 225 S
BLACKFOOT, ID. 83221
- ☐ New Telephone Number: () 785-0646
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
PURSUANT TO APPROVED TRANSFER 4083, 1.00 CFS AND 50 ACRES.
- ☐ Attach proof of ownership, describe proof attached: APPROVED TRANSFER 4083
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Wesley R. Hamilton Date 5 SEPT 93
- ☐ Signature of Former Owner/Claimant(s): Layne Hamilton Date Sept. 5 93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

APR 12 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

SEPTEMBER 9, 1993

WELSEY OR ANNETTE HAMILTON
626 W 225 S
BLACKFOOT ID 83221

RE: TRANSFER

Dear Mr. Hamilton:

Our office has received notice of approved transfer #4083 resulting in a split of water right #27-02129B.

The Snake River Basin Adjudication claim filed on this right has been amended to reflect the division based on the transfer. The Notice of Claim was divided as follows:

A27-02129A	LAYNE F HAMILTON	1.780 CFS	89 Acres
A27-02129B	WESLEY HAMILTON	1.000 CFS	50 Acres

The enclosed Notice identifies your portion of the right. Please review the notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice please place the copy with your records.

Sincerely,

Eric Verner
Sr. Water Agent

EV:sc

Enclosure

MICROFILMED

APR 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4083
WATER RIGHT NO. 27-02129B

Region Adj.
RECEIVED

JUN 21 1993

Department of Water Resources
Eastern District Office

This is to certify that: **ANNETTE HAMILTON** ✓
WESLEY HAMILTON ✓
626 W 225 S
BLACKFOOT ID 83221 ✓

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION ✓	04/01 to 10/31 ✓	1.00 CFS ✓	200.0 AF

SOURCE

GROUNDWATER ✓

Priority: 09/11/1961

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 13, Township 03S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S	34E	12	Lot 5 (SESE) 10 ✓			10 ✓
		13	NENE 37 ✓	NWNE 3 ✓		40 ✓
Total number of acres irrigated:						50 ✓

CONDITIONS/REMARKS:

1. 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 the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.

MICROFILMED

APR 12 1994

TRANSFER NO. 4083
WATER RIGHT NO. 27-02129B

CONDITIONS/REMARKS:

5. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

Dated this 15th day of June, 1993

J. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED

APR 12 1994

JUL 1989

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: A27-02129B

Date Received: 5/ 9/1989

Receipt No: X777777

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ANNETTE HAMILTON
Address: 626 W 225 S
BLACKFOOT ID 83221

OR

Name: WESLEY HAMILTON
Address: 626 W 225 S
BLACKFOOT ID 83221

2. Date of Priority: SEP 11, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03S	34E	13	NE NE		BINGHAM

5. Description of diverting works:

WELL PUMP MAINLINE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		

7. Total Quantity Appropriated is:

1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	12	SE	SE	5	IRR	10.0
						Section Acres	10.0
		13	NE	NE		IRR	37.0
			NW	NE		IRR	3.0
						Section Acres	40.0
						Total Acres	50.0

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:
01-10058

14. Remarks:

*** CLAIM CHANGED PURSUANT TO APPROVED TRANSFER 4083, ESV 8/30/93

15. Basis of Claim: LICENSE

Water Right Number: 30176

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: **A27-02129B**
Date Received: 5/ 9/1989
Receipt No: E007267
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ANNETTE HAMILTON
Address: 626 W 225 S
BLACKFOOT ID 83221

OR

Name: WESLEY HAMILTON
Address: 626 W 225 S
BLACKFOOT ID 83221

2. Date of Priority: SEP 11, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	34E	13	NE	NE			BINGHAM

5. Description of diverting works:
WELL PUMP MAINLINE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.000		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
APR 12 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	12	SE	SE	5	IRR	10.0
						Section Acres	10.0
		13	NE	NE		IRR	37.0
			NW	NE		IRR	3.0
						Section Acres	40.0
						Total Acres	50.0

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:
01-10058

14. Remarks:

*** CLAIM CHANGED PURSUANT TO APPROVED TRANSFER 4083, ESV 8/30/93

15. Basis of Claim: LICENSE

Water Right Number: 30176

MICROFILMED
APR 12 1994