

02/12/2004

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

RIGHT NUMBER: 27-2129A

NAME AND ADDRESS: LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.780 CFS
356.000 AFY

USE OF THIS RIGHT WITH THE WATER OF SMITH-MAXWELL DITCH CO. SHALL
NOT PROVIDE MORE THAN 0.02 CFS PER ACRE.

PRIORITY DATE: 09/11/1961

POINT OF DIVERSION:

T03S R34E S22 NESWSE 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	1.780 CFS 356.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R34E S22 Lot 3 NESW	7.5	T03S R34E S22	SESW	36.6
T03S R34E S22	SWSE	6.7	T03S R34E S22 Lot 6 SWSE	24.2
T03S R34E S27 Lot 1 NWNE	33.3	T03S R34E S27	SENW	18.4

126.7 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 89 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: **License**

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



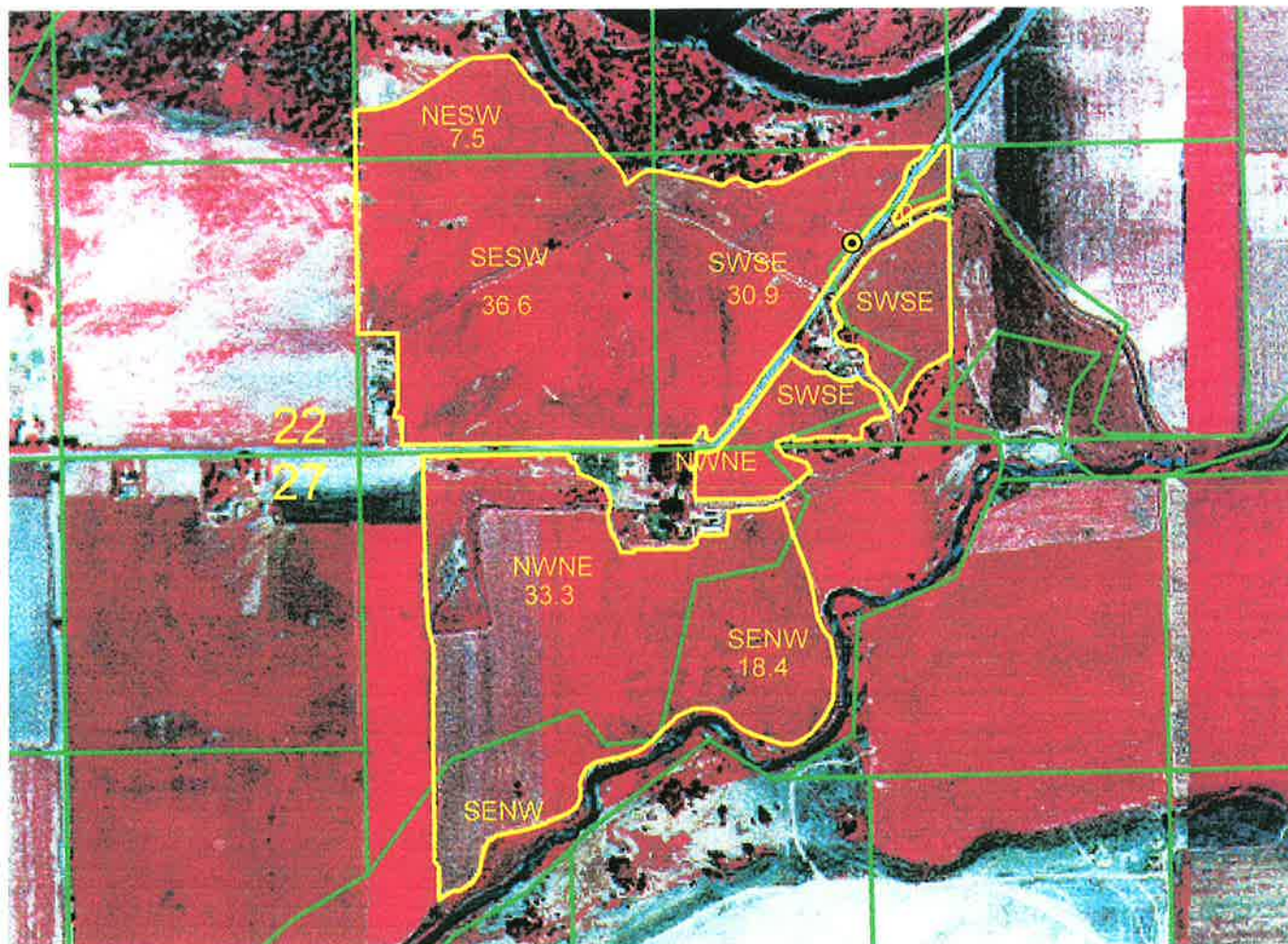
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-2129A



800 0 800 1600 Feet

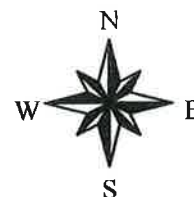
IRRIGATED ACRES 126.7

LEGEND

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

Place of Use: T3S, R34E:
(part of) Sec. 22, NESW,
SESW, SWSW.
(part of) Sec. 27, NWNE,
SENE.

Point(s) of Diversion: T3S, R34E:
Sec. 22, SWSE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: February 2004



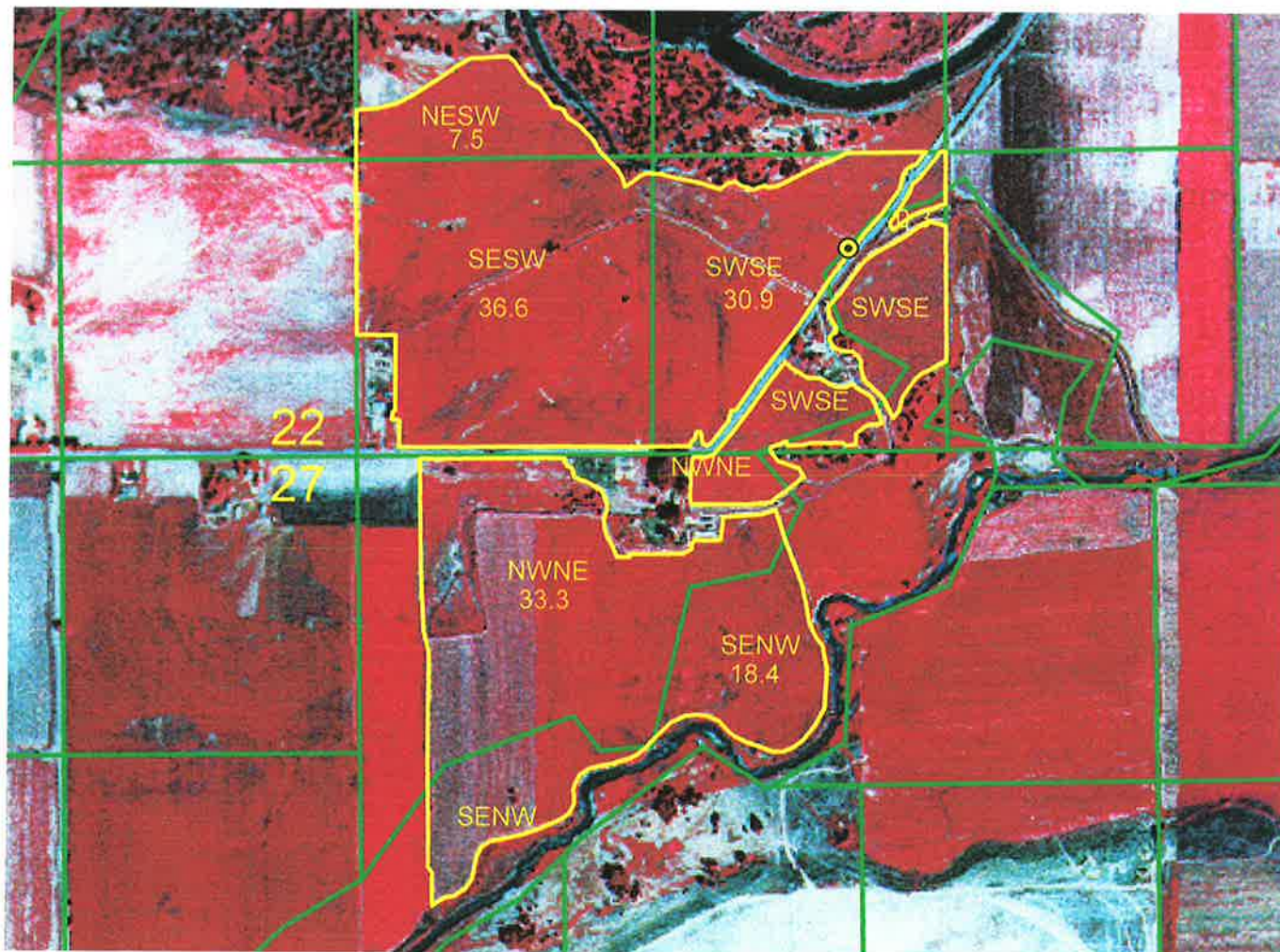
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-2129A



800 0 800 1600 Feet

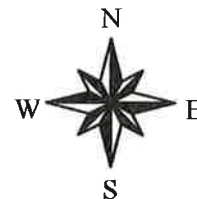
IRRIGATED ACRES 126.7

LEGEND

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

Place of Use: T3S, R34E:
(part of) Sec. 22, NESW,
SESW, SWSW.
(part of) Sec. 27, NWNE,
SENE.

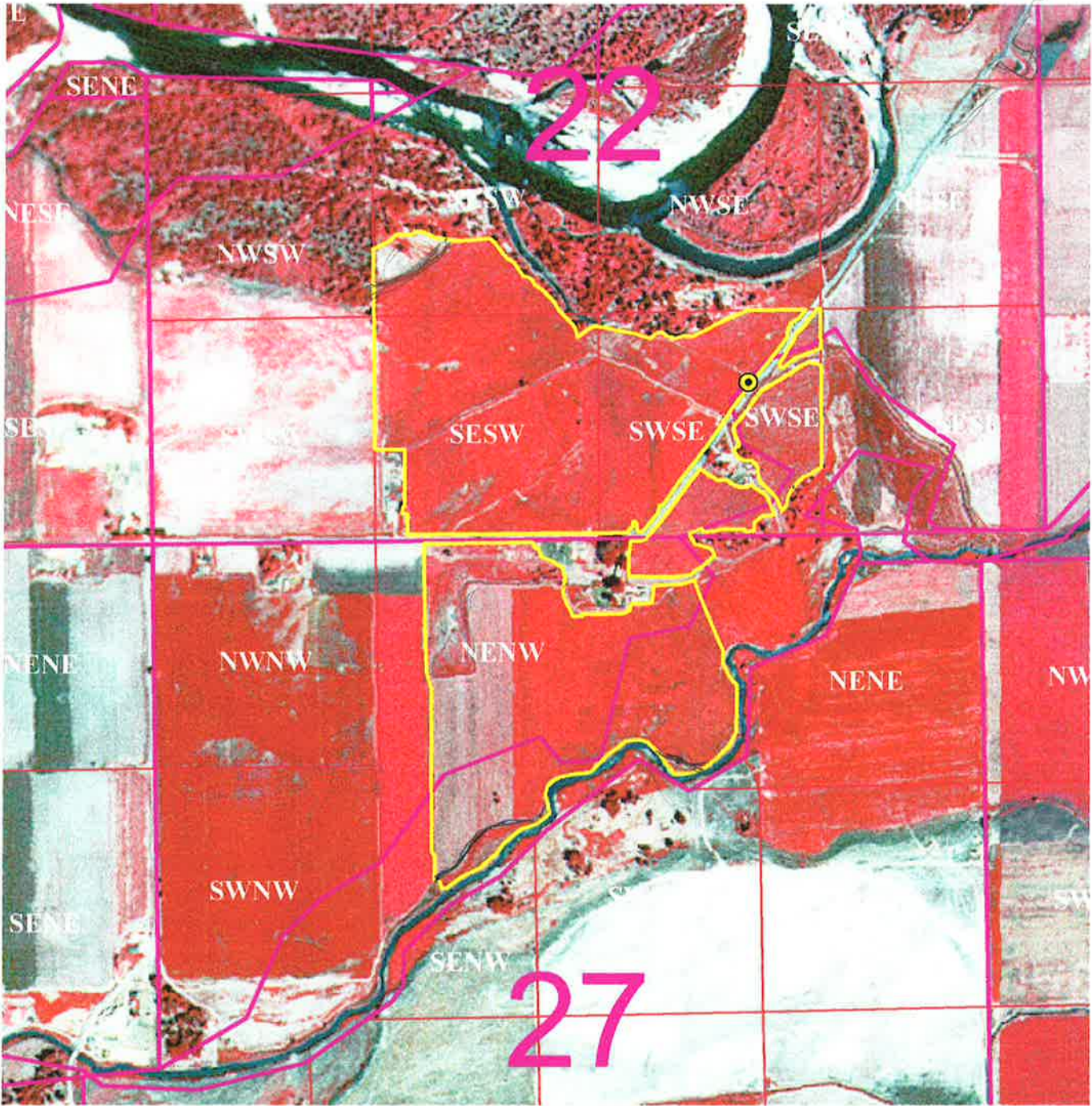
Point(s) of Diversion: T3S, R34E:
Sec. 22, SWSE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: February 2004

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

12/22/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

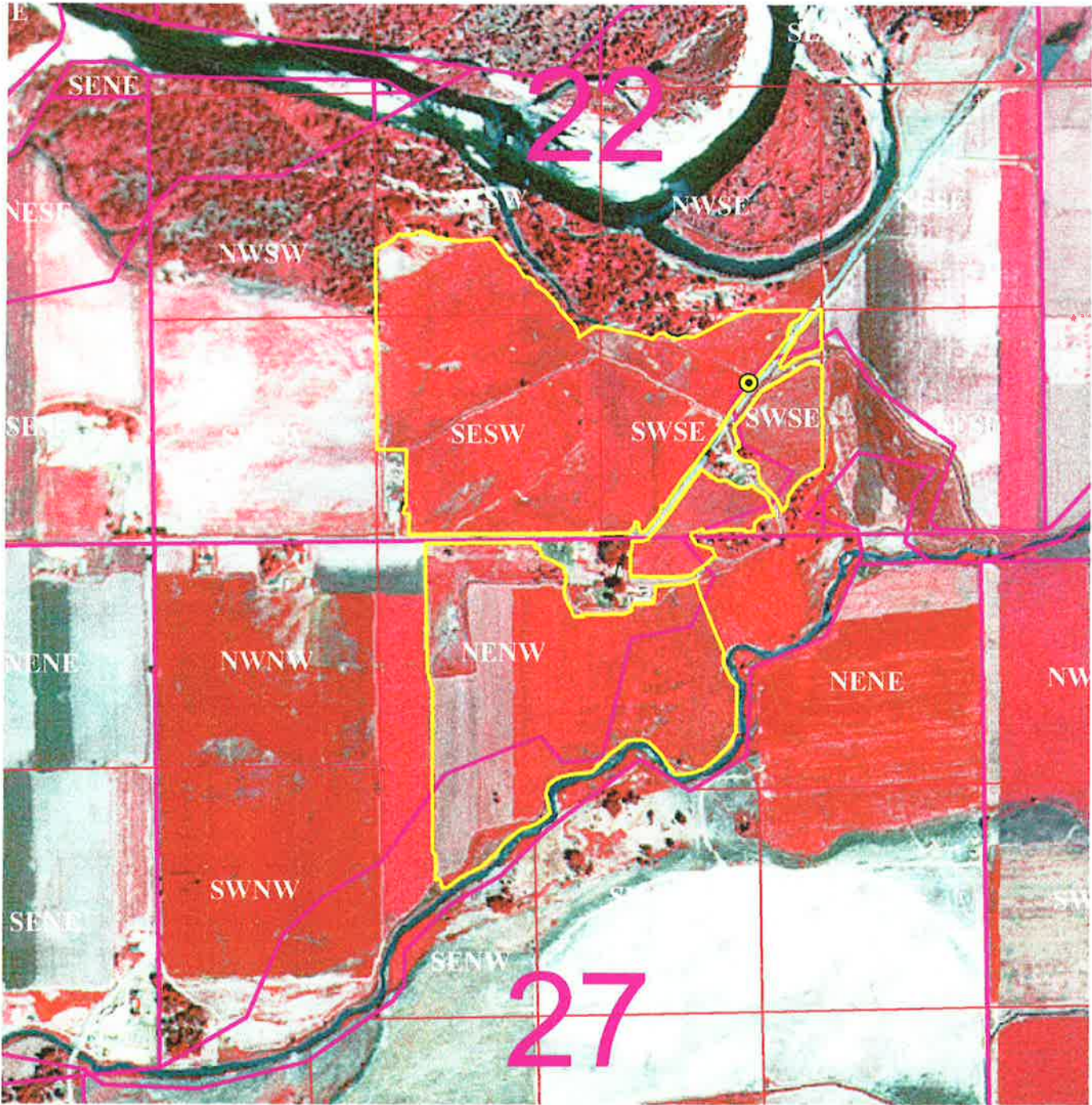
 Streams and Canals

Legend



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

12/22/2000



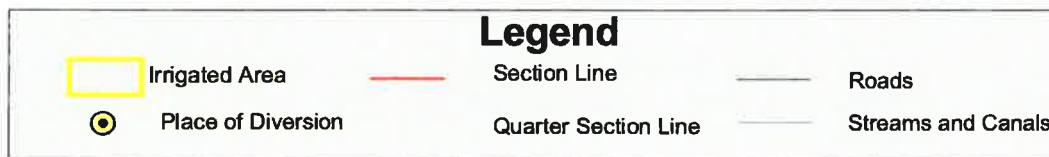
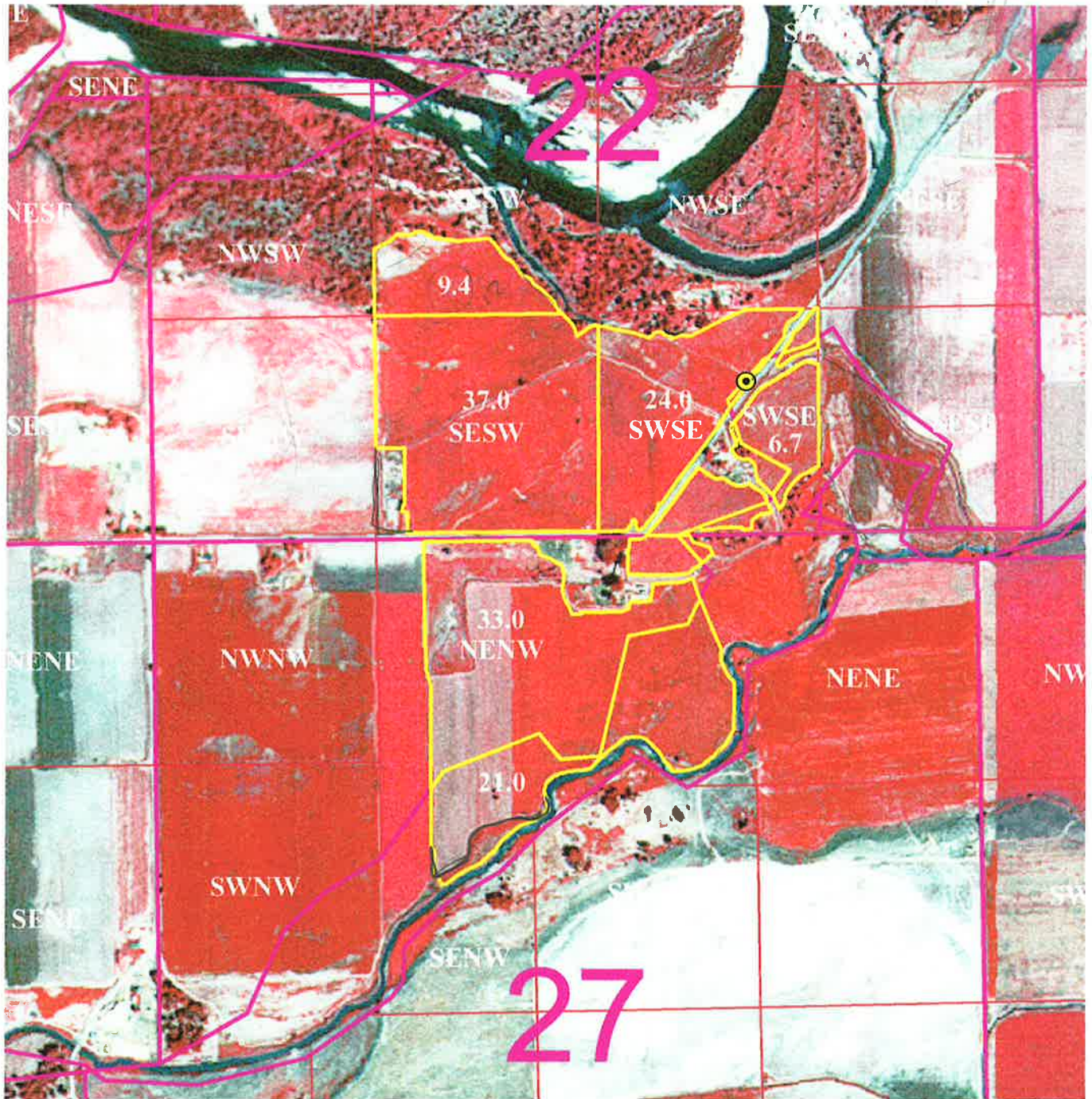
Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



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

12/22/2000



600 0 600 1200 Feet



SPATIAL
DYNAMICS

02/12/2004

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: 27-2129A

LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT ID 83221
Telephone Number: (208) 785-0666

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: July 25 05 SIGNATURE: Layne Hamilton
Please print your name: Layne Hamilton

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



MP
8/8

Notes

2/3/04 Amended claim and sent to Layne for a signature and a \$38.00 amendment fee.

When signed amended claim is returned please remove copy & replace with signed Notice of claim and return to me to complete Paper eCVR.

2/11/04 Layne came in and signed the amended claim and wrote a check for \$38.00. I sent the check and a copy of the amended claim to J.F. attm: Jen & Ernie CB Ready for eCVR.

2-17-04 Email from Jennifer re copy of file. BT



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

February 3, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Layne F. Hamilton
839 West Riverton Road
Blackfoot, ID 83221

Ref: Snake River Basin Adjudication (SRBA)
Notice of Claim 27-2129A

Subject: Amending the Notice of Claim

Dear Layne:

During your recent visit to my office we discussed the changes needed to the above-mentioned claim to correct the place of use. The place of use has been corrected to include all the land that can be irrigated with this source. Understanding that the claim is limited to the irrigation of 89 acres from this source during a single irrigation season and that the balance is irrigated with you canal water. As we discussed since you are able to co-mingle the waters it can be recommended as a permissible place of use. Which allows you the flexibility to make that decision at the management level.

Since this was done prior to November 19, 1987 we can recommend the change under an accomplished transfer in the SRBA. I've enclosed the amended Notice of Claim and a copy of the spatial map with the place of use outlined in yellow and the point of diversion is located with a yellow dot. If this looks correct please sign the Amended Notice of Claim in front of a notary and return it with a \$38.00 amendment fee. If it is not correct please make the appropriate changes on the spatial map and return to me in Soda Springs.

If you have any additional questions, please feel free to contact me at 547-3993.

Respectfully,

Cindy Bird
Adjudication Bureau

Enclosure: Amended Notice of Claim 27-2129A
Spatial Map 27-2129A.

INTER-DEPARTMENT MEMO

TO: 27-2129A

SUBJECT: Amendment needed

FROM: Cindy

DATE: 1-23-04

Please make the corrections noted on the Spatial
map so we can amend the claim

() For your information

✓ - response needed

CB
signature

Notes

Layne Hamilton came in today
6-24-03. He is still working on
getting documentation. Have given him
another 30 days. PB

11-20-03 Phoned Layne told him we need
an ownership change & a copy of the
warranty deed. Sent him an ownership
change form today. PB

11-25-03 met with Layne in Idaho falls,
he signed the ownership change form
but needs to still send the warranty
deed & a map.

1-6-04 Called to remind Layne that we need
a copy of his warranty deed & map. He
asked if he could meet with Cindy on
Jan. 22 at 1:00 p.m. He has several other
items to discuss with her. PB

1-22-04 Recommend as PPLS with an
acre limit of 89 acres the well is
pumped into the Smith-Maxwell ditch
(co-mingled) with shares from Smith
Maxwell to irrigate the entire piece.
Except for the areas marked out on Spatial
Dynamics map. CB

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	A27-02129	A			
	A27-02134				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Walter Hamilton
Blackfoot, Id.
4. New Owner/Claimant(s) Layne E. Hamilton
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 839 W. Riverton Rd
- City, State and ZIP Code Blackfoot, ID 83221
- New Telephone Number (208) 785-0666
5. Date you acquired the property 1987

11/24/03

will send warranty deed & plat or aerial photo CB.

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

For Office Use Only

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

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Layne	Hamilton			785-0666	
Name connector: and	or	and/or				
Current Owner	839 W. Riverton Rd					
Current Owner	Blackfoot, ID	83221				

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:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Reviewer: CB

Date: 1/23/04

Priority Date Data Entry FormClaim Number: A27-2129A

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: license

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

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

license

Reviewer: CBDate: 1/23/04

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source?

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

Yes () No (X)

2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree?

If Yes, go to 3a
If No, go to 4

Yes () No ()

- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use?

If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4

Yes () No ()

- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion?

If Yes, go to 11
If No, go to 4

Yes () No ()

4. Is the basis of claim a decree or license?

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

Yes (X) No ()

5. Does the decree or license have a Priority Date?

If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15

Yes (X) No ()

6. Did the Claimant claim the decreed or licensed Priority Date?

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

Yes (X) No ()

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

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

Yes () No ()

8. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9

Yes () No ()

9. Is the Priority Date claimed after the date a permit is required for the source and the water use?

If Yes, go to 11
If No, go to 12

Yes () No ()

- 10e. Will the license be issued prior to filing the Director's Report?

If Yes, recommend the Priority Date shown on the license, go to 15

Yes () No ()

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?

If Yes, go to 12
If No, disallow with condition P01.

Yes () No ()

12. Does the claim file contain sufficient evidence of Priority Date?

If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13

Yes () No ()

13. Has additional evidence of priority date been submitted?

If Yes, recommend the date supported by the evidence submitted, go to 15

Yes () No ()

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?

If Yes, go to 15
If No, disallow with condition P01.

Yes () No ()

15. Is the basis of claim coded correctly?

If Yes, go to 16
If No, Enter the appropriate basis of claim.

Yes (X) No ()

6. Is a Priority Date remark and/or condition required?

If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Yes () No (X)

license

Priority Date

Claim Number: A 27-21277

Source: _____ Tributary: _____

Source: _____ Tributary: _____

Source: _____ Tributary: _____

 **Use Claimed POD and Source as Recommended POD and Source**

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? None, data base search 27-21284 only

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

licensé

Reviewer: CB

Date: 1/23/04

Point of Diversion

Claim No. 27- 2129A.

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. 27-2129A

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: 127-2129 A☐ 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
Irrigation			89	

Document how the Purpose of Use was verified:

license

for acre limit remark

Transfers Changing Purpose of Use noReviewer: CBDate: 4/23/04

Purpose of Use

Claim No. 27-21294

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: A27-2129A☒ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres 126.7** See
Spatial
Map*

Document how the POU was verified:

license, 1987/88 Napp photography.
link shape.
2/11/04 amended claim. CB

Transfers Changing POU _____

Reviewer: CBDate: 1/23/04

Place of Use

Claim No. 27 - 2129A

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: 127-2129A☐ 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	1.78	3565

Overall Diversion Rate 1.78 Overall Diversion Volume 3565

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

License
Consumptive irrigation Standards

Reviewer: _____

CB

Date: _____

1/23/04

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. 27-2129A

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. 27-2129A

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 rights limit - yes

Summary

Summary Data Entry Form

Claim No.: _____

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

C18

C05

Exp. Cond. Use of this right is combined with water from Smith-Maxwell Ditch Co.

E28 ^{OK} ~~Exp~~ Remark. Use of this right with the water of Smith-Maxwell Ditch Co. shall not provide more than 0.02 cfs per acre.

~~E11~~ ~~Pou~~ Remark. ~~this right is limited to the~~
~~Kob Pou~~ ~~Re~~ ~~irrigation~~ of 89 acres in a single irrigation season.

Split or Combined Right Analysis:

Walter Hamilton
27-2129
2.78 cfs

A. Laine Hamilton
1.78

B. Wesley Hamilton
1.0 cfs

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

CB

Date

1/23/04

27-2129A

Bird, Cindy

Please file

From: Crabtree, Jennifer
Sent: Tuesday, February 17, 2004 10:40 AM
To: Bird, Cindy
Subject: Check for 27-2129A (Layne Hamilton)

Hi. I receipted this check and it has receipt number E029531. Since the claim you sent is marked "copy" I assume it is OK to toss since you have the original? Let me know. Thanks, Jen

367459

DEED OF DISTRIBUTION BY
PERSONAL REPRESENTATIVE

This deed, made by Mona V. Hamilton, as Personal Representative of the Estate of Walter Hamilton, deceased, Grantor, to Mona V. Hamilton, Grantee, whose address is 872 West 400 South, Blackfoot, Idaho.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Probate No. 2353, in Bingham County, Idaho; and

WHEREAS, Grantee is entitled to distribution of all of the decedent's interest in the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee the following described real property in Bingham County, Idaho:

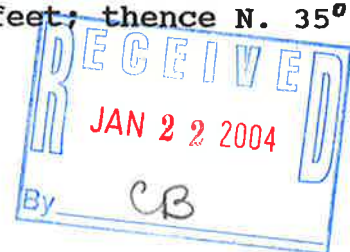
TRACT A:

A portion of Section 27, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point 1,643 feet E. of the N.W. corner of said Section 27, and running thence S. 2,140 feet, more or less, to the North bank of the Blackfoot River; thence in a Northeasterly direction along the said bank of said River following the meanderings thereof to the intersection of said bank of said River with the North line of said Section 27; thence W. along the North line of said Section 27, 2,152 feet, more or less, to the place of beginning; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

TRACT B:

A portion of Section 22, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point 2,504 feet E. of the SW corner of said Section 22, thence N., 1876 feet to the left bank of the Snake River; thence meandering the left bank of Snake River as follows: S. 55°48' E. 590 feet; thence N. 88°12'E. 449 feet; thence N. 61°31' E. 320 feet; thence N. 35°

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE - 1



36'E. 394 feet; thence S. 415 feet, more or less, to County Road; thence S. 35°W. 1950 feet, more or less; thence W. 325 feet, more or less, to the point of beginning; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

TRACT C:

Lots 1, 2, 7, and the NE 1/4 SE 1/4 and the N 1/2 NW 1/4 of the SE 1/4 of Section 22, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, EXCEPTING THEREFROM: Beginning at a point 2,504 feet E. of the SW corner of said Section 22, thence N. 1,876 feet to the left bank of the Snake River; thence meandering the left bank of Snake River as follows: S. 55°48' E. 590 feet; thence N. 88°12' E. 449 feet; thence N. 61°31' E. 320 feet; thence N. 35°36' E. 394 feet; thence leaving the meander line of said Snake River S. 1,180 feet; thence S. 26°42' W. 36 feet; thence S. 59°00' W. 64 feet; thence N. 53°17' W. 146 feet; thence S. 70°05' W. 128 feet; thence S. 40°32' W. 170 feet; thence S. 6°19' W. 280 feet; thence S. 31°18' E. 158 feet; thence N. 78°40' E. 380 feet; thence S. 34°22' W. 320 feet; thence S. 6°36' W. 180 feet; thence W. along the South line of said Section 22, 996 feet to the place of beginning; ALSO EXCEPTING THEREFROM: Beginning at the point of the E 1/4 corner, thence W. 360 feet to the County Road right-of-way; thence Northeasterly along the County Road right-of-way to the Section 22 Section line; thence S. 460 feet to the point of beginning; ALSO EXCEPTING THEREFROM: Mineral rights, mining rights, or easements incidental thereto.

TRACT D:

A portion of Section 22, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point 1,398 feet E. of the SW corner of said Section 22, and running thence N. 2040 feet to the left bank of the Snake River; thence meandering the left bank of Snake River S. 81°03' E. 306 feet; thence N. 86°49' E. 490 feet; thence S. 62°21' E. 354 feet; thence S. 1,876 feet to the South line of said Section 22; thence W. along said Section line 1,106 feet to the place of beginning; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

TRACT E

Township 4 South, Range 39 E.B.M., Bingham County, Idaho
Section 33: Lots 1, 2, N 1/2 S 1/2, N 1/2, EXCEPTING: Beginning at a point that is 1,580 feet E. of the NW corner of said Section 33, thence S. 100 feet; thence E. 200 feet; thence Northeasterly 150 feet, more or less, to a point 250 feet E. of the point of beginning; thence W. 250 feet to the point of beginning, EXCEPTING AND RESERVING TO THE UNITED STATES all phosphate in Lots 1, 2, N 1/2 S 1/2, S 1/2 NE 1/4 and S 1/2 NW 1/4; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

Said tracts subject to:

Taxes and assessments for the year 1987 and thereafter, to roads, easements and rights-of-way, to building and zoning ordinances and use regulations and restrictions and to lines and encumbrances suffered, assumed or occasioned by the buyers.

EXECUTED this 20th day of October, 1987.

Mona Hamilton

MONA V. HAMILTON
Personal Representative of the
Estate of Walter Hamilton

STATE OF IDAHO)
County of Bingham) ss.
)

On this 20th day of October, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared MONA V. HAMILTON, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Walter Hamilton, and acknowledged to me that she executed the same as such Personal Representative.

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

Colin R. Luke
Notary Public for State of Idaho
Residing at Blackfoot, Idaho

My cmn exprs: 8-22-88



367459

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 900 SEP 95

1907 DEC 29 PM 2: 09
T. E. Moss
RECORDED AT THE REQUEST OF
75 E. Judicial Bldg

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE - 3

WARRANTY DEED

For Value Received MONA V. HAMILTON, of the County of Bingham,
State of Idaho,

the grantor , do es hereby grant, bargain, sell and convey unto
Layne and Linda Hamilton, husband and wife, whose current address
is 839 West Riverton Road, Blackfoot, Idaho 83221,

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

SEE ATTACHED SCHEDULE A (2 Pages)

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 they are the owners in fee simple of said premises; that they are free
from all incumbrances except taxes and assessments for the year 1988 and there-
after to roads easements and rights of way to building and zoning ordin-

SCHEDULE A

TRACT A:

A portion of Section 27, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point 1,643 feet E. of the N.W. corner of said Section 27, and running thence S. 2,140 feet, more or less, to the North bank of the Blackfoot River; thence in a Northeasterly direction along the said bank of said River following the meanderings thereof to the intersection of said bank of said River with the North line of said Section 27; thence W. along the North line of said Section 27, 2,152 feet, more or less, to the place of beginning; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

TRACT B:

A portion of Section 22, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point 2,504 feet E. of the SW corner of said Section 22, thence N., 1876 feet to the left bank of the Snake River; thence meandering the left bank of Snake River as follows: S. 55°48' E. 590 feet; thence N. 88°12' E. 449 feet; thence N. 61°31' E. 320 feet; thence N. 35°36' E. 394 feet; thence S. 415 feet, more or less, to County Road; thence S. 35°W. 1950 feet, more or less; thence W. 325 feet, more or less, to the point of beginning; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

TRACT C:

Lots 1, 2, 7, and the NE 1/4 SE 1/4 and the N 1/2 NW 1/4 of the SE 1/4 of Section 22, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, EXCEPTING THEREFROM: Beginning at a point 2,504 feet E. of the SW corner of said Section 22, thence N. 1,876 feet to the left bank of the Snake River; thence meandering the left bank of Snake River as follows: S. 55°48' E. 590 feet; thence N. 88°12' E. 449 feet; thence N. 61°31' E. 320 feet; thence N. 35°36' E. 394 feet; thence leaving the meander line of said Snake River S. 1,180 feet; thence S. 26°42' W. 36 feet; thence S. 59°00' W. 64 feet; thence N. 53°17' W. 146 feet; thence S. 70°05' W. 128 feet; thence S. 40°32' W. 170 feet; thence S. 6°19' W. 280 feet; thence S. 31°18' E. 158 feet; thence N. 78°40' E. 380 feet; thence S. 34°22' W. 320 feet; thence S. 6°36' W. 180 feet; thence W. along the South line of said Section 22, 996 feet to the place of beginning; ALSO EXCEPTING THEREFROM: Beginning at the point of the E 1/4 corner, thence W. 360 feet to the County Road right-of-way; thence Northeasterly along the County Road right-of-way to the Section 22 Section line; thence S. 460 feet to the point of beginning; ALSO EXCEPTING THEREFROM: Mineral rights, mining rights, or easements incidental thereto.

TRACT D:

A portion of Section 22, Township 3 South, Range 34.B.M., Bingham County, Idaho, described as: Beginning at a point 1,398 feet E. of the SW corner of said Section 22, and running thence N. 2040 feet to the left bank of the Snake River; thence meandering the left bank of Snake River S. 81° 03' E. 306 feet; thence N. 86° 49' E. 490 feet; thence S. 62° 21' E. 354 feet; thence S. 1,876 feet to the South line of said Section 22; thence W. along said Section line 1,106 feet to the place of beginning; together with all ditches, ditch rights-of-way, water and water rights thereunto belonging or in anywise appertaining.

Said tracts subject to:

Taxes and assessments for the year 1987 and thereafter, to roads, easements and rights-of-way, to building and zoning ordinances and use regulations and restrictions and to lines and encumbrances suffered, assumed or occasioned by the buyers.

367545

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9.00 DEP *RS*

1987 DEC 31 PM 2:13

T. E. Moss
RECORDED AT THE REQUEST OF
75 E. Judicial Bkft

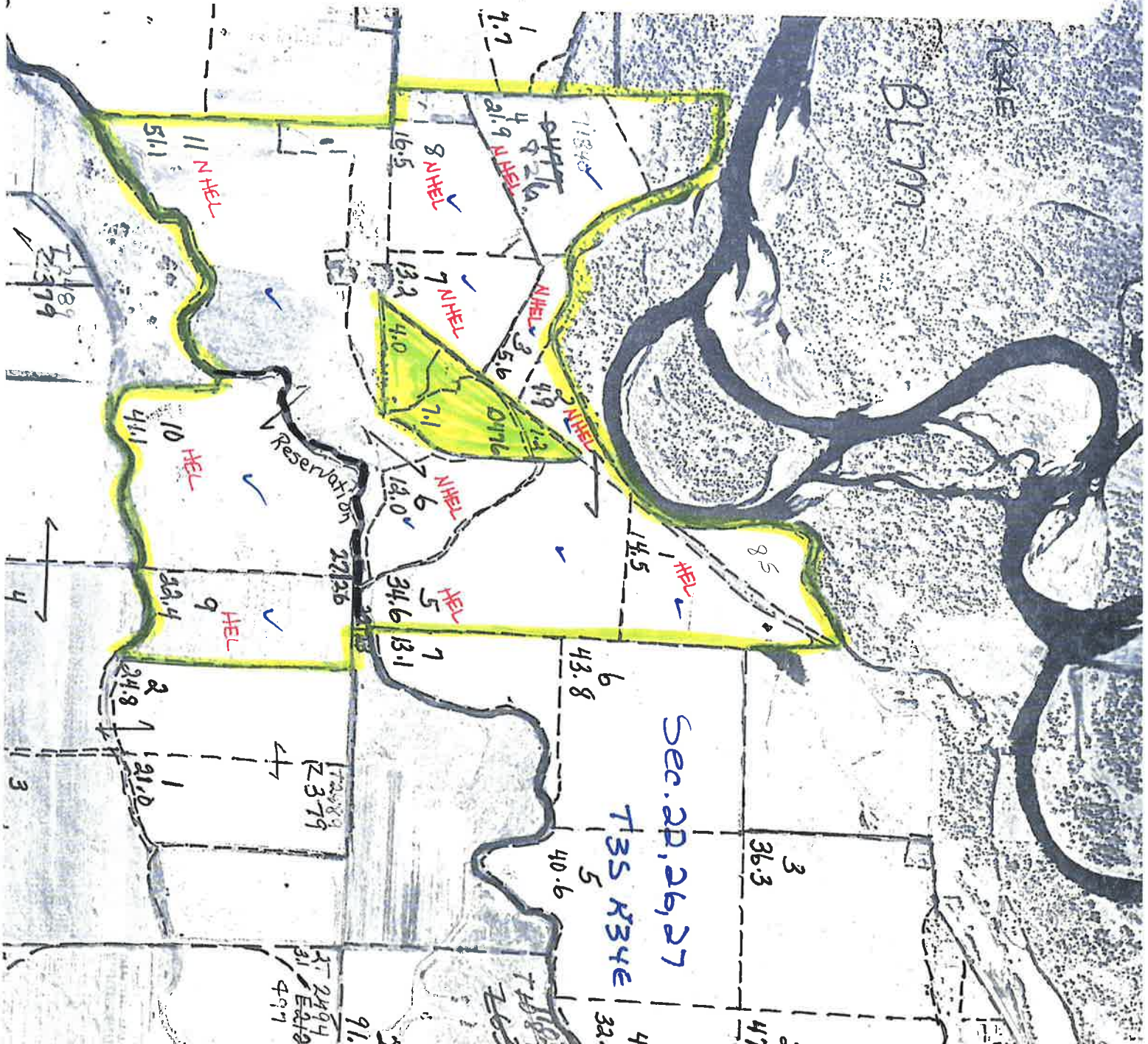
U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SCS - CPA - 16

2 - 81

CONSERVATION PLAN MAP

Owner Layne Hamilton Operator Same
County Bingham State Idaho Date _____
Approximate acres 237.8 Approximate scale _____
Cooperating with Central Bingham Soil Conservation District
Plan identification Food Security Act Photo number I-12
Assisted by F. Manwaring USDA Soil Conservation Service



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.

MODIFIED

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 Saylor
Chief, Water Alloc. Bureau

JUN 29 1993



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

Layne Hamilton
839 West Riverton Road
Blackfoot, ID 83221

November 20, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-2129A & A27-2134

Subject: Change in Ownership

Response Date: December 19, 2003

Dear Claimant(s),

I spoke to you on Thursday, November 20th about needing an ownership change. Please find enclosed form 42-248/42-1409(6) Notice of Change in Water Right Ownership. This needs to be completed and returned to us before we can modify our records to reflect your ownership of the property and water right.

We also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by the response date stated above.

If you have any questions not covered by this letter, please feel free to contact me at (208) 547-3993.

Respectfully,

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

Cindy E. Bird
Adjudication Bureau

CEB/PB

Enclosure: Form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"

JUL 16 2001

Log for claim 27-02129A

Spatial Dynamics LTD

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	22	NESW	12	9.4	
03s34e	22	SESW	40	37	
03s34e	22	SWSE	20	24	Indiscernible
03s34e	22	SWSE	0	6.7	
03s34e	27	SENW	7	21	Indiscernible
03s34e	27	NENW	10	33	Indiscernible
Totals:			89	131.1	

AJ5809NP
No. A27-02129A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 71

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAYNE F HAMILTON 839 W RIVERTON RD BLACKFOOT ID 83221 (208) 785-0666	09/11/1961	IRRIGATION	04-01 10-31	1.780 CFS	
TOTAL DIVERSION:					1.780 CFS	
CONSUMPTIVE USE:						267.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03S R34E S22 Lot06(SWSE)

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				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
03S	34E	22	:	:	:	:	:	03-12	:	:	:	:	06-20	:	72.0	
03S	34E	27	:	:	10	:	02-07	:	:	:	:	:	:	:	17.0	
TOTAL ACRES														89.0		

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: 01-10058

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
27-10516 A27-10516

Other Water Rights Listing Overlapping Place(s) of Use:
A01-10058 A27-02123 A27-02129

Remarks: GEN *** RIGHT RESULTS FROM APPROVED TRANSFER NO. 4083, ESV 8/30/93 **

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

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

Audit: 09/02/93 THOMPSON 09/29/94 JTHOMPSO 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

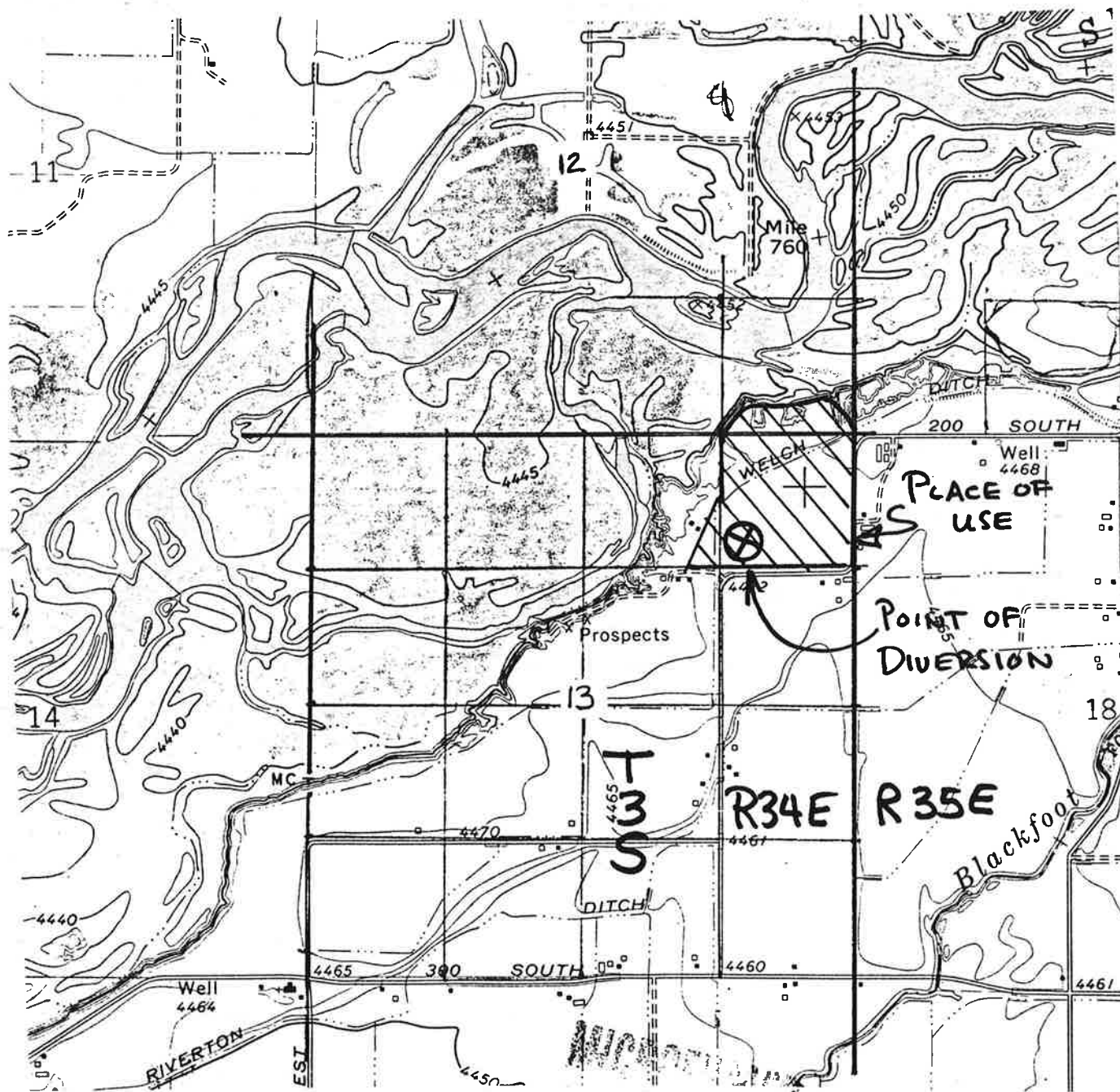
Partial Assignment	27-02129A	Walter Hamilton	1.78
Partial Assignment	27-02129B	Wesley Hamilton Annette Hamilton	1.00

UNRECORDED

JUN 29 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



JUN 29 1993

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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<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)

LETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO

My commission expires _____
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 #E018424

Published in Morning News 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 _____



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
											L3						L6		
		27		29			31			7									67
				L1						L2									

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)

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
				L1															

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)

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
											L3						L6		
		27					10			7									17
										L2									

Total acres 89



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4083

Department of Water **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	10
		13	37	3															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 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 1/4 SE 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:		

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 2129 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 , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: **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** ~~cubic feet per second~~ inches ~~or gallons per minute~~ of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	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
																			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

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 SW 1/4 of Section 22
T. 3 S R. 34 E County of Bingham

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

CHRYSLER INDUSTRIAL NATURAL GAS MOTOR
STEWART E STEVENSON PUMP DRIVE
LAUNE 3 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):

E 1/4 SW 1/4, S 1/4 SE 1/4, Sec. 22; N 1/4 NE 1/4, E 1/4 NW 1/4, 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 12, WALTER HAMILTON PRESENT

SPARKING METER USED 1 RUN 17 Sec.

OR - 5.88 cfs.

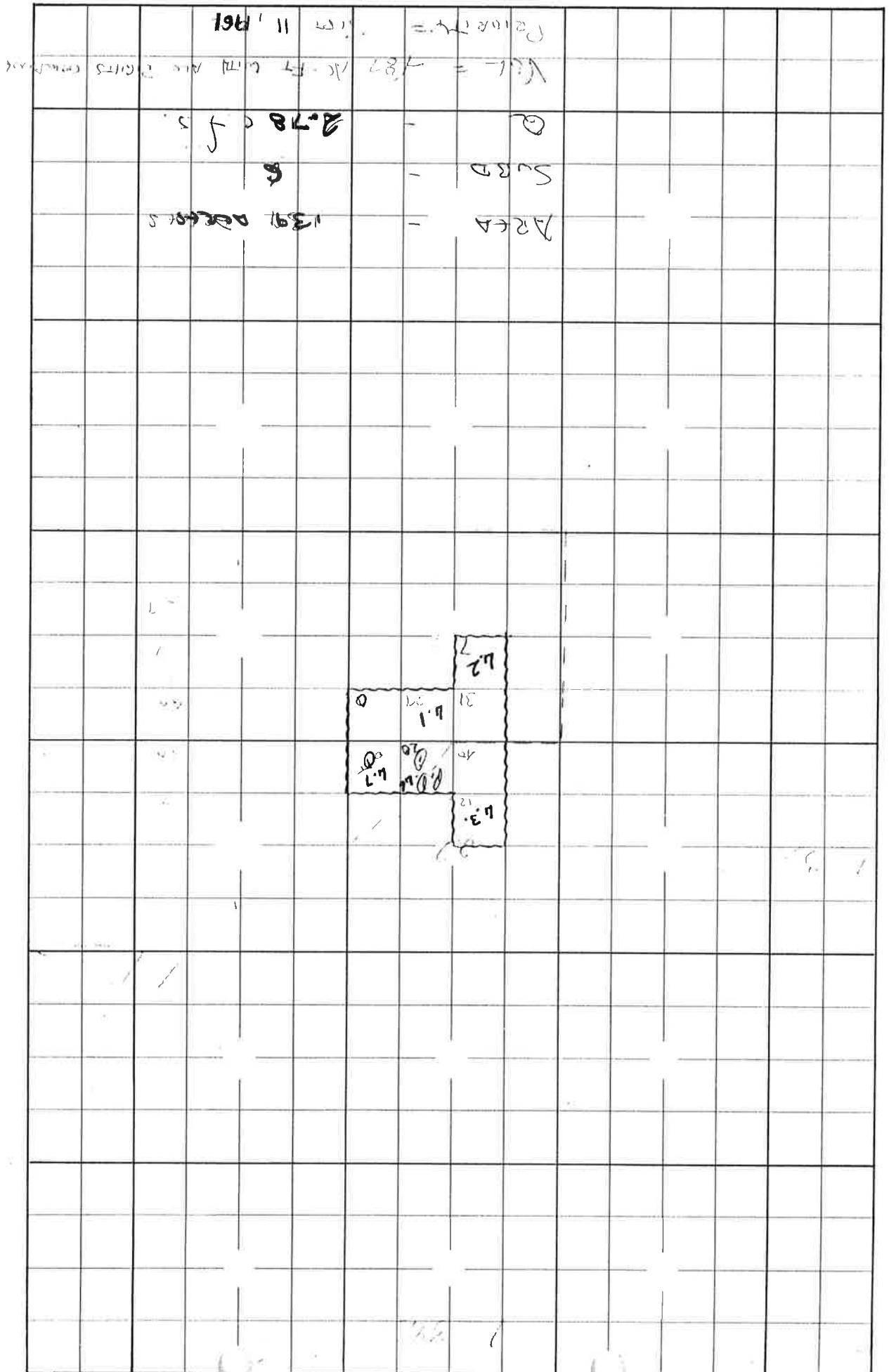
IRRIGATION REQUIREMENT = 3.520 cfs / acre / season

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

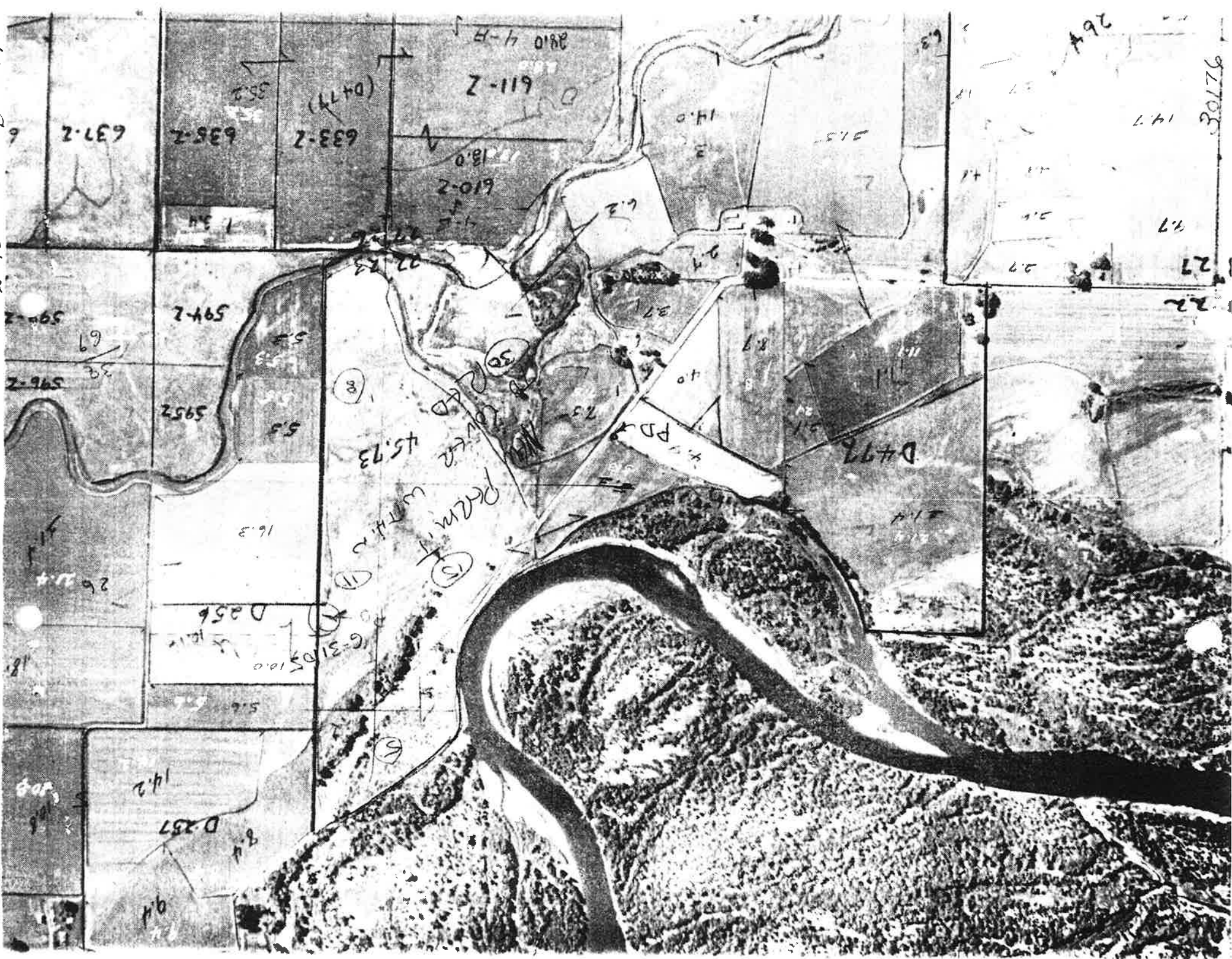
(Signed) Dean Reynolds Examiner.

30176 DWV Plat -

50176



h-15





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,

for Gregory J. Taylor
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

SEPTEMBER 9, 1993

LAYNE F HAMILTON
839 W RIVERTON RD
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. Ind.
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		40
			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

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 27-2129A
Date Received: 5/9/1989
Receipt No: X999999
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

LAYNE F HAMILTON Phone: (208)785-0666

839 W RIVERTON RD
BLACKFOOT ID USA 83221

2. Date of Priority: 09/11/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	34E	22	SW SE	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	1.78	356

7. Total Quantity Appropriated is:
1.78 C.F.S. and/or 356 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03S	34E	22	NE	SW	3	IRRIGATION	7.5
			SE	SW		IRRIGATION	36.6
			SW	SE	6	IRRIGATION	24.2
			SW	SE		IRRIGATION	6.7
						Section Acres	75
03S	34E	27	NW	NE	1	IRRIGATION	33.3
			SE	NW		IRRIGATION	18.4
						Section Acres	51.7
						Total Acres	126.7

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:

14. Remarks:

AMENDED CLAIM TO CORRECT THE POU AND CLARIFY THE POD. 2-3-04 CB.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 89 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

*** RIGHT RESULTS FROM APPROVED TRANSFER NO. 4083, ESV 8/30/93 **

15. Basis of Claim: License

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: 1

For Individuals:

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

Signature of Claimant(s): Layne Hamilton Date: Feb. 11⁰⁴
Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of February, 2004 Cindy E Bird



Notary Public
Residing at Lava Hot Springs
My commission Expires May 1, 2007.

JUL 16 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A27-02129A
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: LAYNE F. HAMILTON 208-785-0666
Address: 839 WEST RIVERTON ROAD
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	22		SW	SE	6	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	1.780		

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

8. Total consumptive use is 267.0 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	22	NE	SW	3	IRR	12.0
			SE	SW		IRR	40.0
			SW	SE	6	IRR	20.0

MICROFILMED

APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
		27	NE	NW	IRR	10.0
			SE	NW	2 IRR	7.0
					Section Acres	17.0
					Total Acres	89.0

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:

*** RIGHT RESULTS FROM APPROVED TRANSFER NO. 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: **A27-02129A**
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: LAYNE F. HAMILTON
Address: 839 WEST RIVERTON ROAD
BLACKFOOT ID 83221

208-785-0666

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 of	Lot	County
03S	34E	22		SW	SE	6	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	1.780		

7. Total Quantity Appropriated is:

1.780 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

267.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	34E	22	NE	SW	3	IRR	12.0
			SE	SW		IRR	40.0
			SW	SE	6	IRR	20.0

MICROFILMED

APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
		27	NE	NW	IRR	10.0
			SE	NW	2 IRR	7.0
					Section Acres	17.0
					Total Acres	89.0

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:

*** RIGHT RESULTS FROM APPROVED TRANSFER NO. 4083, ESV 8/30/93 **

15. Basis of Claim: LICENSE

Water Right Number: 30176

MICROFILMED

APR 12 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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:

A3A27-02129 B

→ 1.78 CFS - 89 ACRES = A Portion
→ 1.0 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):

AUQUETTE 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

Date

☐ Signature of Former
Owner/Claimant(s):

Layne Hamilton

Date SEPT 15 93

Date

(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