

07/28/2006

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

RIGHT NUMBER: 75-28D

NAME AND ADDRESS: DAWAYNE HAMILTON
5 DANCE LN
SALMON ID 83467

LINDA HAMILTON
5 DANCE LN
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.100 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S18 NENW 2.50

2.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

In Re SRBA

)

Water Rights: 75-00028D

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer

☒ point of diversion

☐

place of use

☐ period of use

☐

nature of use

☐ split of water right

☐

change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 7, 2008

Ernest Carlson

Signature of IDWR Representative

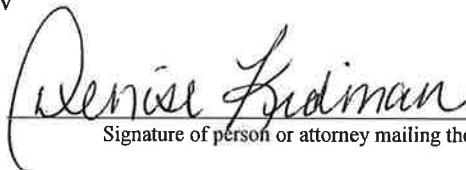
SCANNED

MAR 07 2008

CERTIFICATE OF MAILING

I certify that on March 7, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Dawayne Hamilton
Linda Hamilton
5 Dance Lane
Salmon, Idaho 83467
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

SCANNED

MAR 07 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 14, 2008

Memorandum for File

Re: Wrong Director's Report attached to NCAP

On March 7, 2008, several NCAP's were mailed out but 75-00028D had the incorrect Director's Report (DR) attached to the NCAP. The court called on 3/12/2008 to notify me of the mistake. I faxed the proper DR to the court and had them attach it to the NCAP and disregarded the DR for 75-00037D.

The NCAP was scanned/profiled into the file with the incorrect DR (75-00037D) included. The correct DR was scanned/profiled into the file as a separate document.

The following names have received the correct DR and the mistake has been corrected:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Dawayne Hamilton
Linda Hamilton
5 Dance Lane
Salmon, Idaho 83467

Denise Kidman

Water Resource Agent
Eastern Regional Office
(208) 525-7161
(208) 525-7177 (Fax)

SCANNED
MAR 14 2008



State of Idaho

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EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 5, 2008

Dawayne and Linda Hamilton
5 Dance Lane
Salmon, Idaho 83467

RE: Transfer #74157 for water right(s) 75-00028D and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Hamilton:

On December 5, 2007, the Idaho Department of Water Resources (IDWR) approved Transfer #74157, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Denise Kidman
Water Resource Agent

SCANNED

MAR 17 2008

03/12/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-28D

NAME AND ADDRESS: DAWAYNE HAMILTON
5 DANCE LN
SALMON ID 83467

LINDA HAMILTON
5 DANCE LN
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74157, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.100 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T20N R22E S6 SESE Lot 14 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 NENW 2.50

2.5 ACRES TOTAL

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

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

SCANNED
MAR 12 2008

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

This right does not grant any right-of-way or easement across the land of another.

The right holder shall accomplish the change authorized by transfer 74157 by December 5, 2008.

Water is delivered through the Minzer-Runsten Ditch.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.

Failure of the right holder to comply with the conditions of transfer 74157 is cause for the Director to rescind approval of the transfer.

SCANNED
MAR 12 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

March 12, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Dawayne and Linda Hamilton
5 Dance Lane
Salmon, Idaho 83467

Re: Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Hamilton

Last week I sent a letter to you containing a NCAP and an amended Director's Report to inform you of the approved transfer # 74157. It has come to my attention that I accidentally inserted another customers Director's Report in your envelope. Please disregard that report and I apologize if it caused any hardship. I have enclosed the proper Director's Report with this letter for your records.

Once again, I apologize for the mix-up and if you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Denise Kidman
Water Resource Agent

Enclosure

I have corrected
all the copies that
were sent out.
- District Court
- Boise
- Attorney General
- Dept. of Justice 3-12-08
PK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74157

This is to certify that: DAWAYNE HAMILTON And
 LINDA HAMILTON
 5 DANCE LN
 SALMON ID 83467
 (208)756-4195

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
75-28D	AJC/Decreed	04/01/1894	0.1 cfs	N/A	N/A	2.5	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-28D	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-28D	75-28D	0.1 cfs	N/A	N/A	2.5	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.1 cfs	N/A	N/A	2.5	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of December, 20 07

 Chief, Water Allocation Bureau

WATER RIGHT NO. 75-28D
As Modified by Transfer No. 74157

In accordance with the approval of Transfer No. 74157, Water Right No. 75-28D is now described as follows.

Right Holder: DAWAYNE HAMILTON And
 LINDA HAMILTON
 5 DANCE LN
 SALMON ID 83467

Priority Date: April 01, 1894

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.10 CFS
			0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L14 (SESE) Sec. 6 Twp 20N Rge 22E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
21N	22E	18	NE	NW	SW	SE	2.5
			NE	NW	SW	SE	2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

- EXP 005 1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.
- EXP 243 2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
- EXP 1859 3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- EXP 004 4. This right does not grant any right-of-way or easement across the land of another.
- EXP FOM 5. Water is delivered through the Runsten Mintzer Ditch.
- Source 029 6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

WATER RIGHT NO. 75-28D
As Modified by Transfer No. 74157

CONDITIONS OF APPROVAL

- Exp 107 ✓ X 7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval: *by December 5, 2008* 74157
- Exp 108 ✓ X 8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. 74157
- C18 ✓ X 9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 5th day of December, 20 07



Chief, Water Allocation Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-28D

1. ☐ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015026

Township 20 N Range 22 E Section 6 1/4 NW 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Concrete structure w/ adjustable headgate

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

- ☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Water Delivered through the Minzer - Runsten
Ditch (S14).

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 07-04-06

FIELD EXAMINER: Asher Barton

Print Name

Asher Barton
Signature

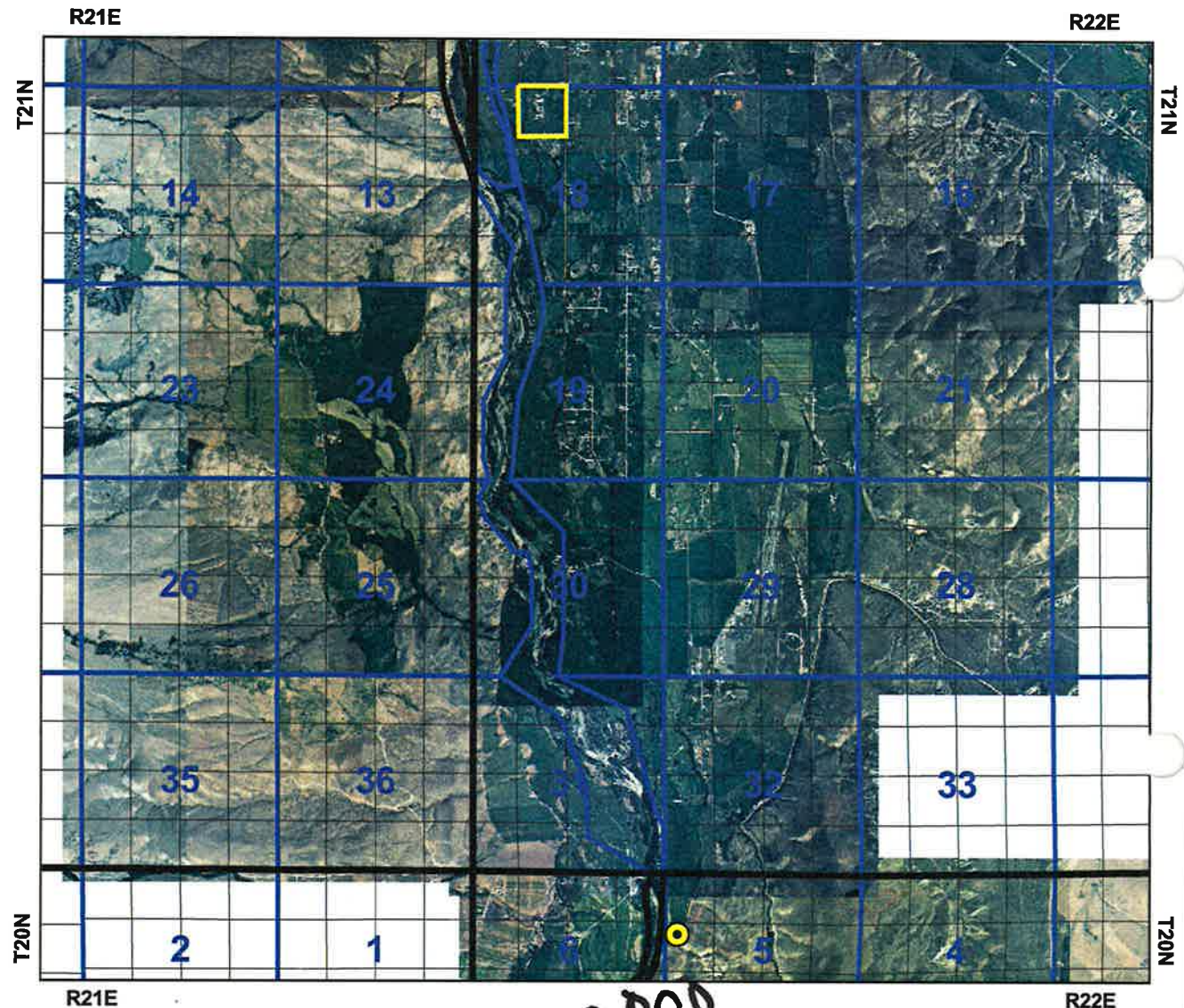
75-28D





75-28D

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



0 2 4 Miles

**Prepared by D. Favreau
On Tuesday, May 2, 2006
1987/88 Aerial Photography**

SCANNED

OCT 03 2001

DECEMBER 4, 1993

DAWAYNE HAMILTON
RT 1 BOX 39G
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-00028D

Dear Mr. Hamilton:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

MICROFILMED
APR 18 1994

Bill Allen Escrow

P.O. BOX 1227
SALMON, IDAHO 83467

533 MAIN STREET
TELEPHONE 208/756-2714

November 30 1993

RECEIVED

DEC 02 1993

Department of Water Resources
Eastern District Office

Idaho Department of Water
150 Shoup Ave.
Idaho Falls, ID 83401

Re: Lukens to Hamilton
Change of Water Right Ownership

Gentlemen:

Enclosed please find an application for New Property Owner Notice of Change of Water Right Ownership wherein James R. Lukens is transferring his water right to the new owners of his former property, Dawayne and Linda Hamilton. Also enclosed is a copy of the recorded Warranty Deed.

Please transfer this water right to the new owners of the property.

Thank you.

BILL ALLEN

BA/ea
Encls/

MICROFILMED

APR 18 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: 10/20/93

DEC 02 1993

LEGAL DESCRIPTION OF PROPERTY: Township 21N Range 22
Section 18, NE 1/4 of NW 1/4 of 1/4 Govt. Lot E, BM Department of Water Resources
Lot , Block , Subdivision/Townsite , Eastern District Office
If you have additional legal descriptions, please attach separate sheet.

☐ 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: A75-000281

☐ Name and Address of Former Owner/Claimant(s)(Seller): JAMES R. LUKENS
231 Canyon DR, Pocatello, ID 83204

☐ New Owner/Claimant (Purchaser): Dawayne Hamilton and Linda Hamilton

☐ New Mailing Address: Rt 1 Box 39G
Salmon, Id 83467

☐ New Telephone Number: (208) 756 4195

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes^X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(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): Dawayne Hamilton Date 11-30-93
Linda Hamilton Date 11-30-93

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ 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 18 1994

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

WARRANTY DEED

For Value Received JAMES R. LUKENS, an unmarried man,

the grantor , do hereby grant, bargain, sell and convey unto

DAWAYNE HAMILTON AND LINDA HAMILTON,
husband and wife,

whose current address is Box 2220, May, Idaho 83253

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

See Exhibit "A" attached hereto

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
his heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee , that he is the owner in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 20 1993

James R. Lukens
JAMES R. LUKENS

STATE OF IDAHO, COUNTY OF Lemhi--ss

On this 20th day of October 19 93,
before me, a notary public in and for said State, personally
appeared

JAMES R. LUKENS

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

Residing at Salmon, Idaho
Comm. Expires 2/19/93

State of Idaho) ss No 220325
County of Lemhi

This instrument was filed for record at
the request of American Land Title
at 1:57 o'clock PM Oct 22 19 93
and duly filed and indexed in the
records of Lemhi County

Alberta Wiedertick
Ex-Officio Recorder
By *Hanson Stevens* Deputy
Fee: 6.00

MICROFILMED
APR 18 1994

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE NE1/4NW1/4, SECTION 18,
TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY,
IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18,
FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 18 BEARS S. 0°
 $06' 09''$ E., A DISTANCE OF 611.75 FEET ON A BEARING OF N. 89°
 $51' 53''$ W., TO THE REAL POINT OF BEGINNING.

THENCE S. 0° $08' 31''$ W., 319.90 FEET;
THENCE N. 89° $51' 53''$ W., 340.42 FEET;
THENCE N. 0° $08' 31''$ E., 319.90 FEET;
THENCE S. 89° $51' 53''$ E., 340.42 FEET TO THE REAL POINT OF
BEGINNING. . .

The above conveyance is made free and clear of all other
encumbrances except: Rights of way and easements,
reservations in Federal patents and state deeds, or other
restrictions imposed by law, building and use restrictions of
record, building and zoning regulations and ordinances of any
governmental unit.

MICROFILMED

APR 18 1994

Water Right Number - 75-00028

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FERGUSON

H. V.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
04/01/1894+ - - Region - - - +
15+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
SALMON RIVER+ - - Tributary - - - - - +
SNAKE RIVER+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

21N 22E 24 SE SE (59) LEMHI

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

2.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.400+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County21N 22E 18 NW NE
21N 22E 18 SW NE
21N 22E 18 NE NW01 IRRIGATION
01 IRRIGATION
01 IRRIGATION(59) LEMHI
(59) LEMHI
(59) LEMHI

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 07/15/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 75C
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 06/24/1915	Presumption Flag	-		
				Microfilm Roll Number	

DO NOT FLM

SCANNED

OCT 03 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: A75-00028D
Date Received: 4/25/1990
Receipt No: E013670
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAWAYNE HAMILTON 208-756-4195
Address: RT 1 BOX 39G
SALMON ID 83467

AND

Name: LINDA HAMILTON 208-756-4195
Address: RT 1 BOX 39G
SALMON ID 83467

2. Date of Priority: APR 1, 1894

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	22E	5	NW	SW	NW		LEMHI

5. Description of diverting works:
ROCK WING TO CONCRETE HEADGATE TO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 6.2 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 5 HORSES, CATTLE, SHEEP, GOATS

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	18	NE	NW		IRR	2.5
Section Acres							2.5
Total Acres							2.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

H. V. FERGUSON ET AL
Decree Plaintiff

T. FERGUSON ET AL
vs Decree Defendant

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APR 18 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: A75-00028D
Date Received: 4/24/1990
Receipt No: E013670
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES R. LUKENS 208-756-4130
Address: PO BOX 1071
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	22E	5	NW	SW	NW		LEMHI

5. Description of diverting works:
ROCK WING TO CONCRETE HEADGATE TO DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 6.2 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 5 HORSES, CATTLE, SHEEP, GOATS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	18	NE	NW		IRR	2.5
Section Acres							2.5

10. Place of Use: Continued

Total Acres 2.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

H. V. FERGUSON ET AL
Decree Plaintiff

vs

T. FERGUSON ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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

A75-00028D

Date Received

4-24-90

Receipt Number

EO 13670
OK# 4104 5258

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 24 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) James R. Lukens Phone (208) 756-4130Mailing Address P.O. Box 1071 Salmon Zip 834672. Date of Priority (Only one (1) per claim) April 1, 18943. Source of water supply (a) Salmon River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 20N Range 22E Section 5,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Rock wing to concrete headgate to ditch to flood irrigation.

A7500028D



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DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 0.10 or _____

For Stockwater purposes from 4/1 to 11/1 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 6.25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater: up to five each: horses, cattle, sheep, goats.

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
21N	22E	18					2 1/2												2 1/2

Total number of acres irrigated 2 1/2

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: Flows carried by Minzer-Runsten Ditch

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 7500028

Court _____ Case Number _____ Decree Date 6/24/15

Plaintiff vs Defendant HV Ferguson et al vs T. Ferguson et al

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

Signature of Claimant (s) James R. Lukens Date 4-20-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 20th day of April 19 90

SEAL

Notary Public Deane Kaufman

Residing at Salmon Idaho

My Commission Expires 7-20-95

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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DEC 15 1992

Copies White-State, Yellow-Claimant

LUKENS



St. Charles

8 1/2
Acres

27N

19.5

14.3

1891
1978

16 1/2

Parsos

MICROFILMED

DEC 15 1992