



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 22, 2019

HAMILTON LAND & LIVESTOCK
1193 E SUNSET DUNES WAY
DRAPER UT 84020-5676

Re: Transfer No: 83661

Water Right No(s): 31-160B , 31-161B , 31-2299, 31-2415, 31-4011C , 31-7131,
31-7320

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SUPPORT DATA
IN FILE # 31-160B

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Cefalo', written in a cursive style.

James Cefalo
Regional Manager

Enclosure

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

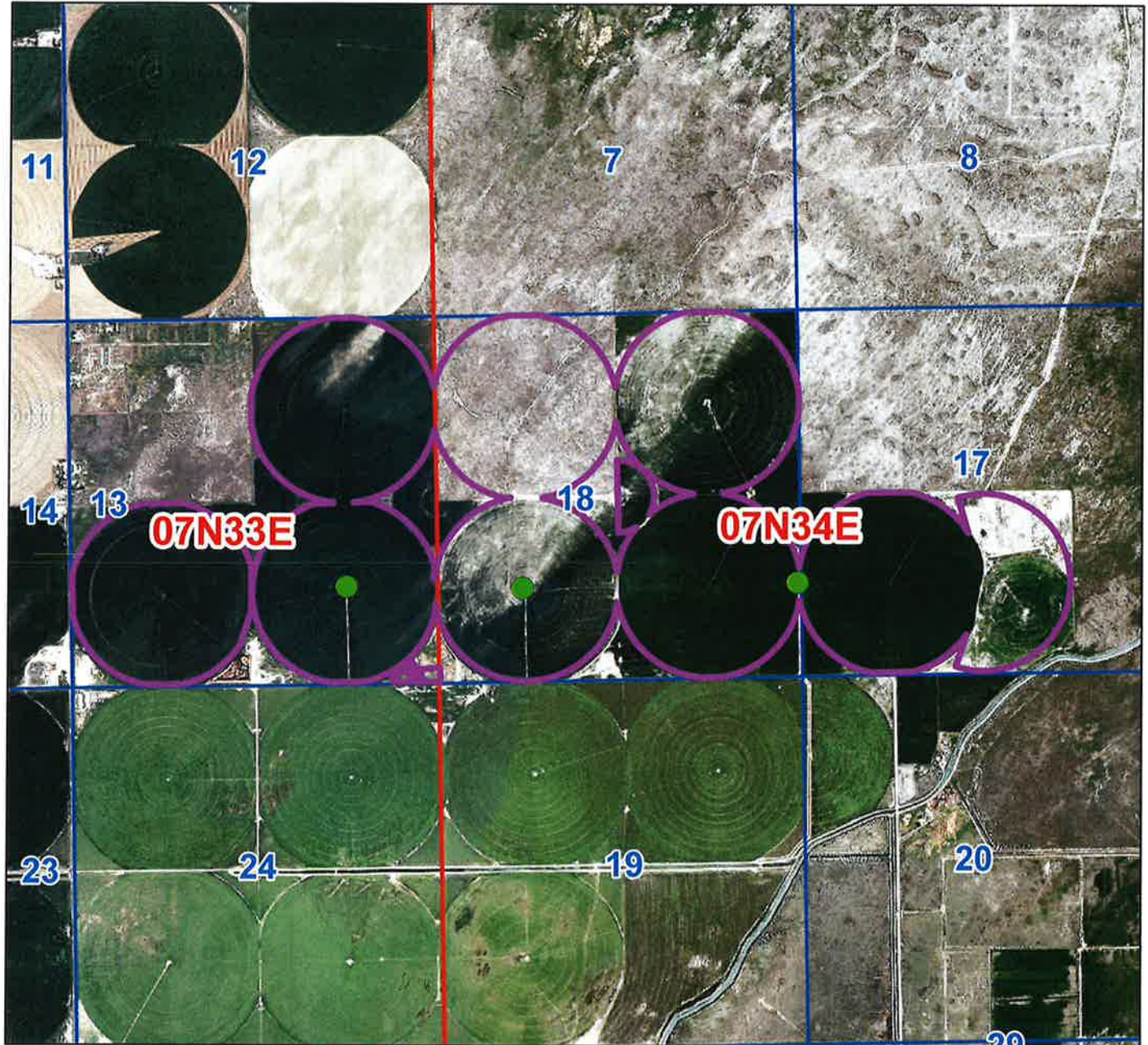
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Attachment to Transfer Approval 83661

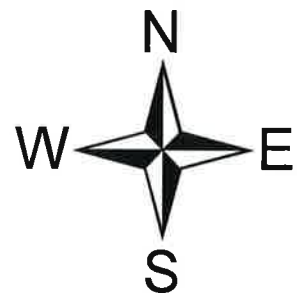
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections

0 1,450 2,900 5,800 Feet



Date: 10/22/2019

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83661**

This is to certify that: **HAMILTON LAND & LIVESTOCK**
1193 E SUNSET DUNES WAY
DRAPER, UT 84020-5676

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
31-160B	WR/DECREED	4/1/1936	0.750 cfs	136.5 af	39.0	1104.0	GROUND WATER
31-161B	WR/DECREED	4/1/1936	2.030 cfs	406.0 af	116.0	1104.0	GROUND WATER
31-2299	WR/DECREED	1/4/1951	3.140 cfs	770.0 af	220.0	1104.0	GROUND WATER
31-2415	WR/DECREED	12/26/1964	2.550 cfs	1082.0 af	456.0	1104.0	GROUND WATER
31-4011C	WR/DECREED	9/1/1956	1.750 cfs	742.8 af	392.0	1104.0	GROUND WATER
31-7131	WR/DECREED	7/30/1974	4.820 cfs	1372.0 af	392.0	1104.0	GROUND WATER
31-7320	WR/DECREED	12/18/1984	5.120 cfs	896.0 af	256.0	1104.0	GROUND WATER

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>
31-160B	NO	NO	YES	NO	NO	NO
31-161B	NO	NO	YES	NO	NO	NO
31-2299	NO	NO	YES	NO	NO	NO
31-2415	NO	NO	YES	NO	NO	NO
31-4011C	NO	NO	YES	NO	NO	NO
31-7131	NO	NO	YES	NO	NO	NO
31-7320	NO	NO	YES	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>
31-160B	31-160B	0.750 cfs	136.5 af	39.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-161B	31-161B	2.030 cfs	406.0 af	116.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-2299	31-2299	3.140 cfs	770.0 af	220.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-2415	31-2415	2.550 cfs	1082.0 af	456.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-4011C	31-4011C	1.750 cfs	742.8 af	392.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-7131	31-7131	4.820 cfs	1372.0 af	392.0	1104.0	N/A	N/A	N/A	N/A	N/A
31-7320	31-7320	5.120 cfs	896.0 af	256.0	1104.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		15.980 cfs	3864.0 af	1104.0	1104.0		N/A	N/A	N/A	N/A

Transfer No. 83661

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83661

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 22nd day of October, 2019.



Eastern Regional Manager



WATER RIGHT NO. 31-160B
As Modified by Transfer No. 83661

In accordance with the approval of Transfer No. 83661, Water Right No. 31-160B is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
 1193 E SUNSET DUNES WAY
 DRAPER, UT 84020-5676

Priority Date: 4/1/1936

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.750 cfs	136.5 af
			0.750 cfs	136.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0	37.0	32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 39.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
3. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.

Transfer No. 83661

WATER RIGHT NO. 31-160B
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415, and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. 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. 110.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-161B
As Modified by Transfer No. 83661

In accordance with the approval of Transfer No. 83661, Water Right No. 31-161B is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
 1193 E SUNSET DUNES WAY
 DRAPER, UT 84020-5676

Priority Date: 4/1/1936

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 2.030 cfs
 2.030 cfs

Diversion Volume
 406.0 af
 406.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0		32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 116.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 116.0 acres within the authorized place of use described above in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
3. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgates and the irrigation of 1104.0 acres.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.

Transfer No. 83661

WATER RIGHT NO. 31-161B
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. 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. 110.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 83661

In accordance with the approval of Transfer No. 83661, Water Right No. 31-4011C is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
 1193 E SUNSET DUNES WAY
 DRAPER, UT 84020-5676

Priority Date: 9/1/1956

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 1.750 cfs
 1.750 cfs

Diversion Volume
 742.8 af
 742.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0	37.0	32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 392.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 392.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C and 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
4. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.

Transfer No. 83661

WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. Rights 31-160A, 31-161A, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.
7. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SW/NESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
8. 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. 110.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
11. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
12. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-7131**As Modified by Transfer No. 83661**

In accordance with the approval of Transfer No. 83661, Water Right No. 31-7131 is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
1193 E SUNSET DUNES WAY
DRAPER, UT 84020-5676

Priority Date: 7/30/1974

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 11/01

Diversion Rate
4.820 cfs
4.820 cfs

Diversion Volume
1372.0 af
1372.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0	37.0	32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 392.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 392.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined shall not exceed a total diversion rate of 16.32 cfs.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.

Transfer No. 83661

WATER RIGHT NO. 31-7131
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined shall not exceed a total diversion rate of 5.17 cfs, a total annual maximum diversion volume of 1372.0 af at the field headgate, and the irrigation of 392.0 acres.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. 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. 110.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-7320
As Modified by Transfer No. 83661

In accordance with the approval of Transfer No. 83661, Water Right No. 31-7320 is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
 1193 E SUNSET DUNES WAY
 DRAPER, UT 84020-5676

Priority Date: 12/18/1984

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/15

To
 to 10/15

Diversion Rate
 5.120 cfs
 5.120 cfs

Diversion Volume
 896.0 af
 896.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0	37.0	32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 256.0
 POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 256.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
3. Rights 31-160A, 31-161A, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.
4. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.

Transfer No. 83661

WATER RIGHT NO. 31-7320
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. 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. 110.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. This water right enjoys the benefit of unqualified subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02, 02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37, 02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026.
11. The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than May 9, 2003.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-2299
As Modified by Transfer No. 83661

In accordance with the approval of Transfer No. 83661, Water Right No. 31-2299 is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
 1193 E SUNSET DUNES WAY
 DRAPER, UT 84020-5676

Priority Date: 1/4/1951

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From
 04/01

To
 to 10/31

Diversion Rate
 3.140 cfs
 3.140 cfs

Diversion Volume
 770.0 af
 770.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0	37.0	32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 220.0
 POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 220.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2299 and 31-2415 when combined shall not exceed a total annual maximum diversion volume of 1596.0 af at the field headgate and the irrigation of 456.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-7320, 31-2299 and 31-2415 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate, and the irrigation of 1104.0 acres.
4. Rights 31-160A, 31-161A, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.

WATER RIGHT NO. 31-2299
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415 and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. 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. 110.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 31-2415
As Modified by Transfer No. 83661

In accordance with the approval of Transfer No. 83661, Water Right No. 31-2415 is now described as follows:

Right Holder: HAMILTON LAND & LIVESTOCK
 1193 E SUNSET DUNES WAY
 DRAPER, UT 84020-5676

Priority Date: 12/26/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	2.550 cfs	1082.0 af
			2.550 cfs	1082.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNESE	Sec 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	L3 (SENWSW)	Sec 18 Twp 07N Rge 34E	JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	32.0	32.0	32.5	32.5					33.0	32.0	31.0	31.0	32.5	33.0	32.0	33.0	386.5
07N	34E	17									36.0	33.0	32.0	36.0		29.0	29.0		195.0
07N	34E	18	32.0	33.0	37.0	32.0	32.5	32.0	32.0	32.5	32.0	33.0	31.0	31.0	32.0	37.5	32.0	31.0	522.5

Right Acre Limit: 456.0

POU Total Acres: 1104.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 456.0 acres within the authorized place of use in a single irrigation season.
2. Rights 31-2299 and 31-2415 when combined shall not exceed a total annual maximum diversion volume of 1596.0 af at field headgate and the irrigation of 456.0 acres.
3. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-7320, 31-2299 and 31-2415 when combined shall not exceed a total diversion rate of 15.98 cfs, a total annual maximum diversion volume of 3864.0 af at the field headgate and the irrigation of 1104.0 acres.
4. Rights 31-160A, 31-161S, 31-2299, 31-2415, 31-4011C, 31-4012, 31-7320 and 31-10652 when combined shall not exceed a total diversion rate of 21.73 cfs.

WATER RIGHT NO. 31-2415
As Modified by Transfer No. 83661

CONDITIONS OF APPROVAL

5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012, 31-10652, 31-2299, 31-2415, and 31-7320 when combined shall not exceed a total diversion rate of 26.90 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate.
6. 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. 110.
7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. Prior to the diversion and use of water under Transfer approval 83661, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 83661

Water Right No(s): 31-160B , 31-161B , 31-2299, 31-2415, 31-4011C , 31-7131, 31-7320

**HAMILTON LAND & LIVESTOCK
1193 E SUNSET DUNES WAY
DRAPER UT 84020-5676**



**Christina Henman
Administrative Assistant**