

WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 69593

In accordance with the approval of Transfer No. 69593, Water Right No. 25-2162B is now described as follows.

Right Holder: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 12444 N 175 E
 RIRIE ID 83443

Or

HAMILTON LAND & LIVESTOCK LTD
 C/O CLETUS HAMILTON
 4850 W 13400 S
 RIVERTON UT 84065

Priority Date: 02/07/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.71 CFS	640.0 AF
			1.71 CFS	640.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 12 Twp 03N Rge 40E	BONNEVILLE County
GROUND WATER	SWNE	Sec. 12 Twp 03N Rge 40E	BONNEVILLE County
GROUND WATER	SWSE	Sec. 12 Twp 03N Rge 40E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12			40.0				40.0	40.0						40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0

Total Acres: 292

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- The total instantaneous diversion of water from all points of diversion under Rights 25-2162B and 25-7067 shall not exceed 4.35 cfs, nor total combined annual volume of 1168.0 af.

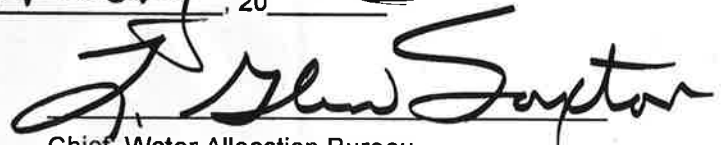
WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 69593

CONDITIONS OF APPROVAL

3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right 25-2162B is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
9. 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.

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 19th day of February, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 25-7067
As Modified by Transfer No. 69593

In accordance with the approval of Transfer No. 69593, Water Right No. 25-7067 is now described as follows.

Right Holder: HAMILTON LAND & LIVESTOCK LTD
 C/O CLARK HAMILTON
 12444 N 175 E
 RIRIE ID 83443

Or

HAMILTON LAND & LIVESTOCK LTD
 C/O CLETUS HAMILTON
 4850 W 13400 S
 RIVERTON UT 84065

Priority Date: 04/21/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.64 CFS	528.0 AF
			2.64 CFS	528.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNE	Sec. 12 Twp 03N	Rge 40E	BONNEVILLE County
GROUND WATER	SWNE	Sec. 12 Twp 03N	Rge 40E	BONNEVILLE County
GROUND WATER	SWSE	Sec. 12 Twp 03N	Rge 40E	BONNEVILLE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12			40.0				40.0	40.0						40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0

Total Acres: 292

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- The total instantaneous diversion of water from all points of diversion under Rights 25-2162B and 25-7067 shall not exceed 4.35 cfs, nor total combined annual volume of 1168.0 af.

WATER RIGHT NO. 25-7067
As Modified by Transfer No. 69593

CONDITIONS OF APPROVAL

3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right 25-7067 is limited to the irrigation of 132.0 acres within the place of use described above in a single irrigation season.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.
9. 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.

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 19th day of February, 2002


Chief, Water Allocation Bureau

50 2/4/2002 # 410 fee

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69593

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant HAMILTON LAND & LIVESTOCK Co Clark Hamilton Phone 538-7725

Post Office address 12444 N. 175 East Rivier, ID 83443

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 We wish to add another well as our well in the SWSE Sec 12 has sanded in severely and cannot produce enough water.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>25-21623</u>	<u>2-07-1957</u>	<u>1.71 cfs</u>	<u>Irrigation</u>	<u>4/21 to 10/31</u>
<u>25-7067</u>	<u>4-21-1975</u>	<u>2.64 cfs</u>	<u>" "</u>	<u>" to "</u>

2. Total amount of water being transferred 4.35 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
		NW	NE	12	3N	40E	Bonneville	NEW
		SW	NE	12	3N	40E		
		SW	SE	12	3N	40E		

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	40E	12			40					40	40					40	33	33	226
		13	33	33															66

Total Acres 292

PART 1

6. General Information:

a. Description of diversion system 3 wells + pumps to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA. 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:
NA.

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

Witness my hand this _____ day of _____, 20 _____.

For the Director

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-7067

Priority Date: 04/21/1975

Origin: Adjudication Claim

Basis: License

Status: Active

Source: GROUND WATER

Trib

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	2.64 CFS	462.0 AFA	
	Total Diversion	2.64 CFS	462.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u> <u>Range</u> <u>Section</u> <u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	03N 40E 12 SWSE		BONNEVILLE
GROUND WATER	03N 40E 12 SWNE		BONNEVILLE

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	40E	12			40.0				40.0	40.0						40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0

Total Acres: 292

Conditions/Remarks:

1. CHANGED OWNERSHIP PER REQUEST/JC/9-13-99 The total instantaneous diversion of water from all points of diversion under Transfer 5550 shall not exceed 4.35 cfs, nor a total combined annual volume of 1102.0 af.
After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
Right 25-07067 is limited to the irrigation of 132.0 acres in the place of use described above in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-7067

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-2162B

Priority Date: 02/07/1957
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

Trib

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	1.71 CFS	640.0 AFA	
	Total Diversion	1.71 CFS	640.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	03N	40E	12	SWNE		BONNEVILLE
GROUND WATER	03N	40E	12	SWSE		BONNEVILLE

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
03N	40E	12			40.0					40.0								40.0	33.0	33.0	226.0
03N	40E	13	33.0	33.0																	66.0

Total Acres: 292

Conditions/Remarks:

- The total instantaneous diversion of water from all points of diversion under Transfer 5550 shall not exceed 4.35 cfs, nor a total combined annual volume of 1102.0 af.
After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
Right 25-02162B is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 25-2162B

5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Documentation of Ownership of the Current Place of Use

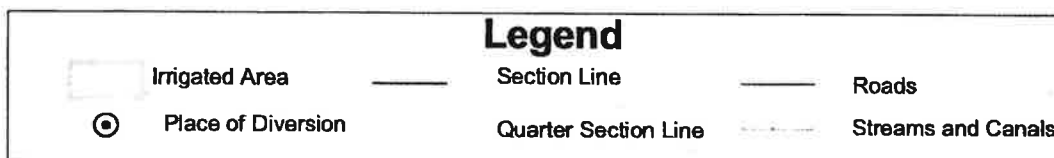
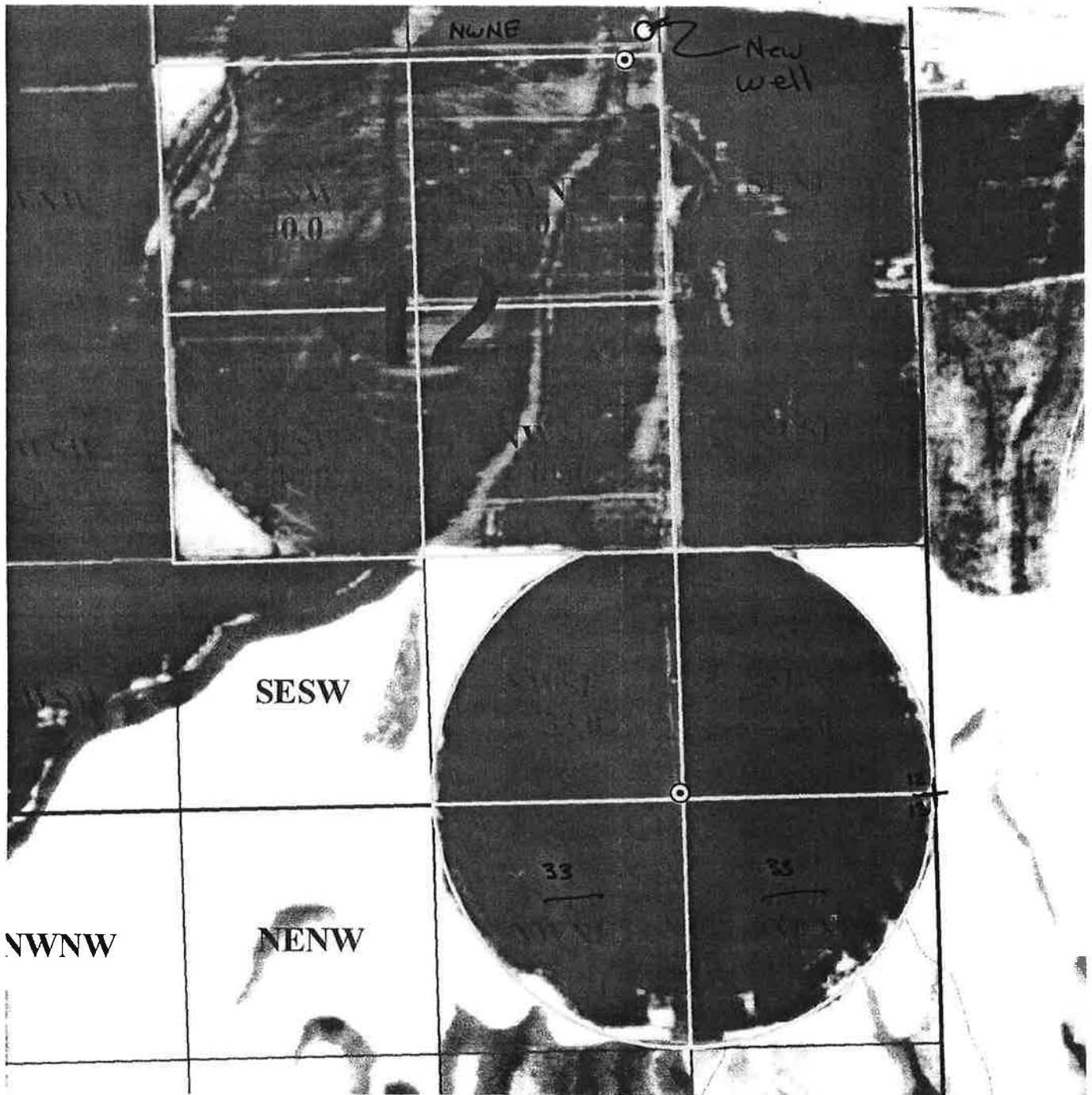
Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Water Right Claim Number 25-07067
Township, 3N40E

12/05/2000



Spatial
DYNAMICS



PART 3

CHANGES IN NATURE OF USE

New Nature of Use

Amount(cfs/af-ft)

Hours/days/year

Period of Use

to

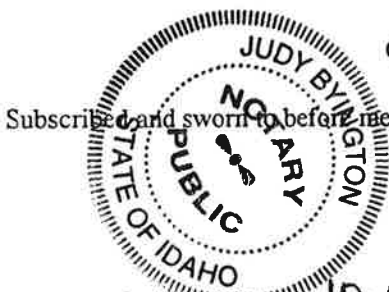
to

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.



Charles M. Hamilton
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of December, 20 01.

Judy Byington
(Notary Public)

My commission expires 10-4-2002

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by KW 12-4-01 Fee \$410.00

Received by HWT # B027310 Date _____

Published in Post Register Copies of protest forwarded by _____

Pub. Dates Dec 20 & 27, 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____