

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82274**

This is to certify that: LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT, ID 83221

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>
27-2129A	WR/DECREED	9/11/1961	1.180 cfs	236.0 af	59.0	126.7	GROUND WATER
27-2129B	WR/DECREED	9/11/1961	1.000 cfs	200.0 af	N/A	50.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
27-37M	WR/DECREED	3/20/1886	1.300 cfs	N/A		62.0	BLACKFOOT RIVER
27-10539	WR/DECREED	6/1/1885	0.600 cfs	N/A		62.0	BLACKFOOT 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>
27-2129A	NO	NO	YES	NO	NO	NO
27-2129B	NO	YES	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>
27-2129A	27-2129A	1.180 cfs	236.0 af	59.0	139.5	N/A	N/A	N/A	N/A	N/A
27-2129B	27-2129B	1.000 cfs	200.0 af	50.0	139.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.180 cfs	436.0 af	109.0	139.5		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 27-2129A

Transfer No. 82274

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82274

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 25th day of May



Water Resources Program Manager



WATER RIGHT NO. 27-2129A**As Modified by Transfer No. 82274**

In accordance with the approval of Transfer No. 82274, Water Right No. 27-2129A is now described as follows:

Right Holder: LAYNE F HAMILTON
839 W RIVERTON RD
BLACKFOOT, ID 83221

Priority Date: 9/11/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.180 cfs

1.180 cfs

Diversion Volume

236.0 af

236.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESWSE

Sec 22 Twp 03S Rge 34E BINGHAM 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	
03S	34E	22									7.5			36.0		1.5	8.0		53.0
											L 3								
03S	34E	22															25.0		25.0
																	L 6		
03S	34E	27		19.0			2.0												21.0
03S	34E	27	1.0	11.0			23.0			5.5									40.5
				L 1			L 1												

Right Acre Limit: 59.0

POU Total Acres: 139.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 59.0 acres within the 139.5 acre place of use authorized by this right in a single irrigation season. The specific 59.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 59.0 acres to be irrigated within the 139.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Use of water under this right may 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. 120.

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WATER RIGHT NO. 27-2129A

As Modified by Transfer No. 82274

CONDITIONS OF APPROVAL

3. 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.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 82274, 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.
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 place of use.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 27-2129B
As Modified by Transfer No. 82274

In accordance with the approval of Transfer No. 82274, Water Right No. 27-2129B is now described as follows:

Right Holder: LAYNE F HAMILTON
 839 W RIVERTON RD
 BLACKFOOT, ID 83221

Priority Date: 9/11/1961

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	1.000 cfs	200.0 af
			1.000 cfs	200.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWSE Sec 22 Twp 03S Rge 34E BINGHAM 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	
03S	34E	22									7.5			36.0		1.5	8.0		53.0
											L 3								
03S	34E	22															25.0		25.0
																	L 6		
03S	34E	27		19.0			2.0												21.0
03S	34E	27	1.0	11.0			23.0			5.5									40.5
				L 1			L 1												

Right Acre Limit: 50.0
 POU Total Acres: 139.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 50.0 acres within the 139.5 acre place of use authorized by this right in a single irrigation season. The specific 50.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 50.0 acres to be irrigated within the 139.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. This right is used in combination with Smith-Maxwell Ditch Company water rights 1-10058 and 27-12108 over all of the authorized acres.

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WATER RIGHT NO. 27-2129B
As Modified by Transfer No. 82274

CONDITIONS OF APPROVAL

3. If the surface water rights appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. Use of water under this right may 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. 120.
5. 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.
6. 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.
7. Prior to the diversion and use of water under Transfer approval 82274, 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. 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 place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 27-37M**As Modified by Transfer No. 82274**

In accordance with the approval of Transfer No. 82274, Water Right No. 27-37M is now described as follows:

Right Holder: WESLEY R HAMILTON OR
ANNETTE F HAMILTON
626 W 225 S
BLACKFOOT, ID 83221

Priority Date: 3/20/1886

Source: BLACKFOOT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
1.300 cfs
1.300 cfs

LOCATION OF POINT(S) OF DIVERSION

BLACKFOOT RIVER L24 (SWNE) Sec 8 Twp 03S Rge 35E BINGHAM 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	
03S	34E	12																7.0	7.0
03S	34E	13	39.0	16.0														55.0	
			L 1	L 1															

POU Total Acres: 62.0

CONDITIONS OF APPROVAL

1. Rights 27-37M and 27-10539 when combined shall not exceed the irrigation of 62 acres.
2. 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.
3. Water is delivered through the Central Ditch.
4. This water right is entitled to the protections of paragraph x.d of water right 27-11375.
5. 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.

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WATER RIGHT NO. 27-10539**As Modified by Transfer No. 82274**

In accordance with the approval of Transfer No. 82274, Water Right No. 27-10539 is now described as follows:

Right Holder: WESLEY R HAMILTON OR
ANNETTE F HAMILTON
626 W 225 S
BLACKFOOT, ID 83221

Priority Date: 6/1/1885

Source: BLACKFOOT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.600 cfs
0.600 cfs

LOCATION OF POINT(S) OF DIVERSION

BLACKFOOT RIVER

L24 (SWNE)

Sec 8 Twp 03S Rge 35E BINGHAM 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	
03S	34E	12																	7.0
																			7.0
03S	34E	13	39.0	16.0															L 5
			L 1	L 1															55.0

POU Total Acres: 62.0

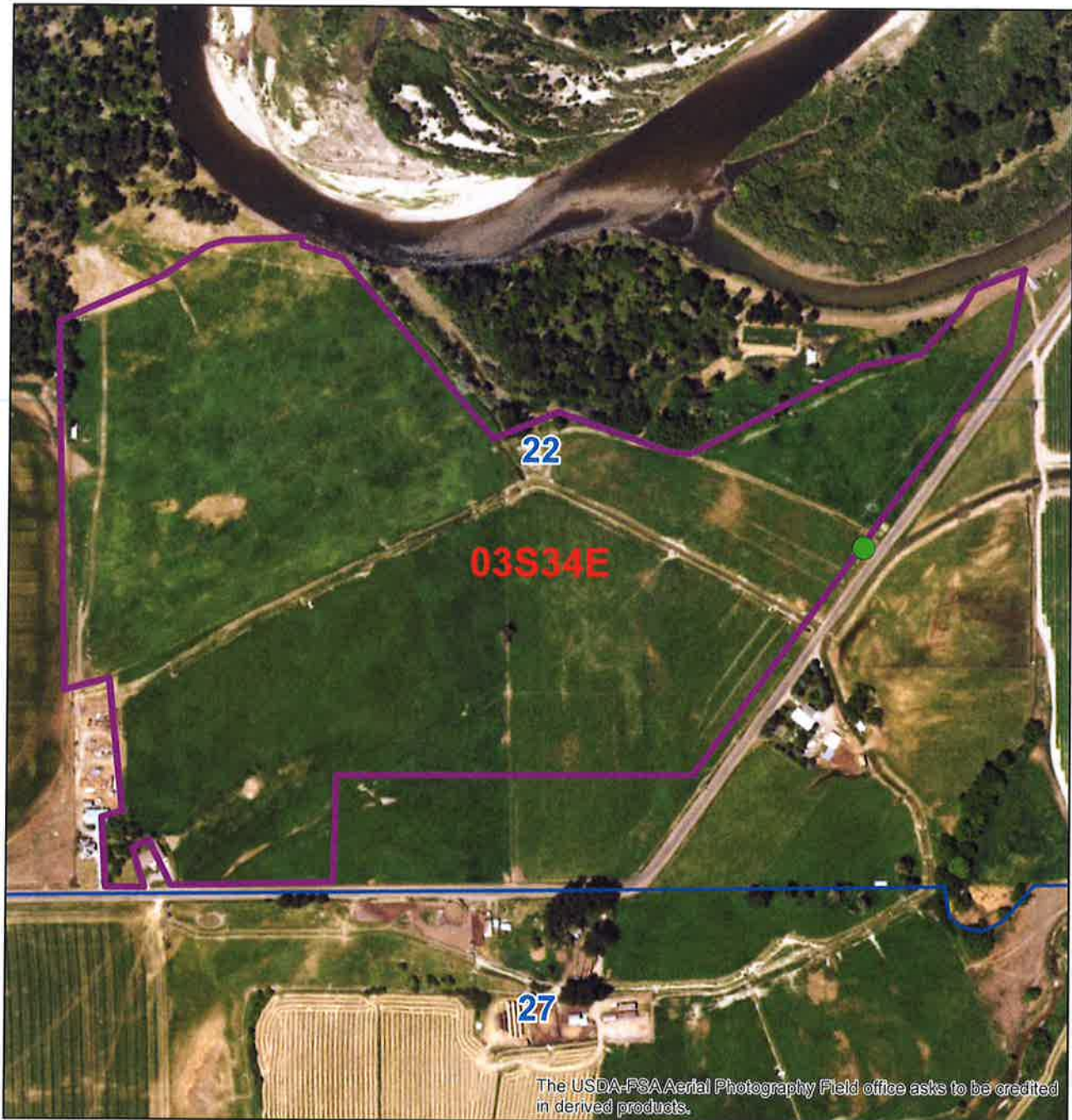
CONDITIONS OF APPROVAL

1. Rights 27-37M and 27-10539 when combined shall not exceed the irrigation of 62.0 acres.
2. 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.
3. This right is split from former right 27-4G.
4. Water is delivered through the Central Ditch.
5. This water right is entitled to the protections of paragraph x.d of water right 27-11375.
6. 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.

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Attachment to Transfer Approval 82274

This map depicts the IRRIGATION 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

0 200 400 800 Feet

1 inch = 430 feet

