

Transfer No. 73144
Receipt No.E032228

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Cletus Hamilton

1. Applicant Information ~~ROSE CREEK CROSSING LLC~~
P O BOX 461196
LEEDS UT 84746
(801)201-7735

AMENDED

Will this transfer result in an ownership change? X Yes No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
32-7081B	WR/License	4.16	1,193.5		341.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
32-7081B	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

Change of Ownership. moving a ground water right from a place of use with medicine lodge creek water rights to another place of use with medicine lodge creek water rights

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
32-7081B	4.16 cfs		250.0	875.0 af
TOTAL	4.16 cfs		250.0	875.0 af

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PART 1

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.

Cliff Hamilton

(Signature of Applicant)

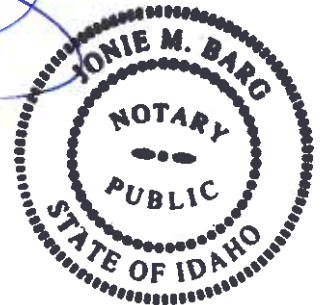
(Title or Office)

Subscribed and sworn to before me this 18th day of April, 2008.

Jonie M. Bargo

(Notary Public)

My commission expires July 24, 2013



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

Current Water Right No. 32-7081B

Priority Date: June 20, 1977
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15 10/15	4.16 CFS	1,193.5 AFA	
Total Diversion		4.16 CFS	1,193.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER L2 (NWNE) Sec. 6 Twp 10N Rge 35E CLARK 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	
10N	35E	5		28.0	34.0		39.0	39.0	39.0	39.0									218.0
				L 2			L 3	L 4											
10N	35E	6	37.0	25.0	37.0	24.0													123.0
			L 1	L 2															

Total Acres: 341

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.2 CFS. COMBINED RIGHT NOS.: 32-00020, 32-00021, 32-00022, 32-00023, 32-00024, 32-00051
- 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 THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 521 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00020, 32-00021, 32-00022, 32-00023, 32-00024, 32-00051

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4. 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.
5. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER RIGHT 32-07081D AND SHALL ONLY DIVERT GROUNDWATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHTS APPURTENANT TO THE PLACE OF USE ARE SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE.
6. RIGHT NO. 32-07081C IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

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

Watered by the existing instream water right without the supplemental ground water right.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
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PART 3A**

Proposed Water Right No. 32-7081B

Priority Date: June 20, 1977

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	4.16 CFS	875.0 AFA	
Total Diversion		4.16 CFS	875.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWNWNW Sec. 17 Twp 10N Rge 35E CLARK County

Describe the proposed diversion system

Point of Diversion # 1 WELL/ PUMP PIPELINE TO SPRINKLERS

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		
10N 35E 18									21.0				21.0	5.0	37.0	37.0	6.0	127.0
10N 35E 19	5.0	37.0	36.0	5.0	20.0			20.0										123.0

Total Acres: 250

