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Department of Water Resources
Southern RegionDepartment of Water Resources
Southern Region

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Transfer No. 71624

Receipt No. 5027257

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

1. Applicant Information RICHARD HAMMOND

2950B N 3800 E
HANSEN ID 83334
(208)423-9041

And

CONSTANCE BROWN HAMMOND
2950B N 3800 E
HANSEN ID 83334
(208)423-9041

Will this transfer result in an ownership change? _____ Yes ☒ No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
47-7538	AJC/License	0.71	254.7	63.0	81	GROUND WATER
47-16854	AJC/License	0.22	98.4	24.6	81	GROUND WATER
47-16850	AJC/License	0.04	17.6	12.4	81	GROUND WATER
47-16852	AJC/License	0.49	107.6	26.9	81	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
47-7538	NO	NO	YES	NO	NO	NO
47-16854	NO	NO	YES	NO	NO	NO
47-16850	NO	NO	YES	NO	NO	NO
47-16852	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

We have purchased some additional land north of our existing property, and wish to move some of our existing water rights to it. Some land allowed under T70248 will not be irrigated, as it is too rough to properly irrigate.

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
47-7538	0.71 cfs	63.0	75.0	254.7 af
47-16854	0.22 cfs	24.6	75.0	98.4 af
47-16850	0.04 cfs	12.4	75.0	17.6 af
47-16852	0.49 cfs	26.9	75.0	107.6 af
TOTAL	1.20 cfs	75.0	75.0	302.7 af

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Receipt No. _____

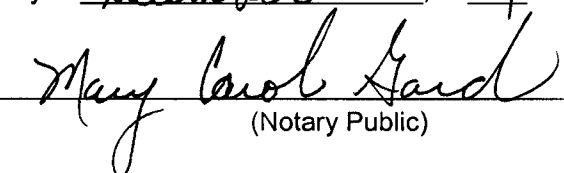
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

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.


(Signature of Applicant)

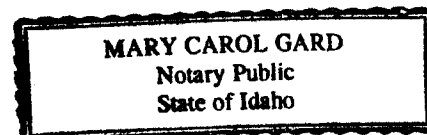
Owners
(Title or Office)

Subscribed and sworn to before me this 28th day of December, 2004.


(Notary Public)

My commission expires _____

**MY COMMISSION EXPIRES
November 6, 2005
BONNIE THIRL NOTARY PUBLIC UNDERWRITERS**



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

Current Water Right No. 47-7538

Priority Date: January 03, 1975
Origin: Adjudication Recommendation
Basis: License
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	03/15 11/15	0.71 CFS	252.0 AFA	
STOCKWATER	01/01 12/31	0.05 CFS	2.7 AFA	
Total Diversion		0.71 CFS	254.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
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	
11S	18E	35									35.0				10.0		19.0	17.0	81.0

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	35									X				X		X	X	

Conditions/Remarks:

- The total instantaneous diversion of water from all points of diversion under rights 47-7538, 47-16850, 47-16852 and 47-16854 when combined shall not exceed 1.20 cfs, a total annual maximum diversion volume of 324 af at the field headgate, and the irrigation of 81 acres.
- This right is limited to the irrigation of 63 acres within the place of use described above in a single irrigation season.

3. 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.
4. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
8. 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?
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

Land will not be irrigated.

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

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

Current Water Right No. 47-16854

Priority Date: August 08, 1954

Origin: Adjudication Recommendation

Basis: License

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	03/15 11/15	0.22 CFS	98.4 AFA	
	Total Diversion	0.22 CFS	98.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
11S	18E	35									35.0			10.0		19.0	17.0		81.0

Conditions/Remarks:

1. The total instantaneous diversion of water from all points of diversion under rights 47-7538, 47-16850, 47-16852 and 47-16854 when combined shall not exceed 1.20 cfs, a total annual maximum diversion volume of 324 af at the field headgate, and the irrigation of 81 acres.
2. Rights 47-16850, 47-16852 and 47-16854 when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 72 af at the field headgate, and the irrigation of 18 acres.
3. This right is limited to the irrigation of 24.6 acres within the place of use described above in a single irrigation season.
4. 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.

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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?
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

Land will not be irrigated.

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

NO

Current Water Right No. 47-16850

Source: GROUND WATER

Source and Point(s) of Diversion:

GROUND WATER SWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S	18E	35									35.0			10.0		19.0	17.0		81.0

Conditions/Remarks:

1. The total instantaneous diversion of water from all points of diversion under Rights 47-7538, 47-16850, 47-16852 and 47-16854 when combined shall not exceed 1.20 cfs, a total annual maximum diversion volume of 324 af at the field headgate, and the irrigation of 81 acres.
2. Rights 47-16850, 47-16852 and 47-16854 when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 72 af at the field headgate, and the irrigation of 18 acres.
3. This right is limited to the irrigation of 12.4 acres within the place of use described above in a single irrigation season.
4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

6. Use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 effect 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?

Transfer No. 71624

Receipt No. _____

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

Current Water Right No. 47-16852

Priority Date: November 06, 1961
Origin: Adjudication Recommendation
Basis: License
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	03/15 11/15	0.49 CFS	107.6 AFA	
	Total Diversion	0.49 CFS	107.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11S 18E 35									35.0			10.0		19.0	17.0		81.0

Conditions/Remarks:

1. The total instantaneous diversion of water from all points of diversion under rights 47-7538, 47-16850, 47-16852 and 47-16854 when combined shall not exceed 1.20 cfs, a total annual maximum diversion volume of 324 af at the field headgate, and the irrigation of 81 acres.
2. Rights 47-16850, 47-16852 and 47-16854 when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 72 af at the field headgate, and the irrigation of 18 acres.
3. This right is limited to the irrigation of 26.9 acres within the place of use described above in a single irrigation season.
4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

6. Use of water with a temperature greater than 85 degrees Fahrenheit is not authorized under this right.
7. 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.
8. 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.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 effect 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?

Proposed Water Right No. 47-7538

Status: Active

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.71 CFS	252.0 AFA	
STOCKWATER	01/01 12/31	0.05 CFS	2.7 AFA	
Total Diversion		0.71 CFS	254.7 AFA	

GROUND WATER SWSWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
County

to Point of Diversion # 1 Existing hot well, limited to 0.71 cfs. 40 hp motor, pump to pond, relift pump
sprinklers
pond, Point of Diversion # 2 Coldwater well drilled in 2003, motor & pump to be installed, mainline to
relift pump to sprinklers

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S	18E	35								18.0				24.0				6.0	
															14.0	13.0			75.0

Total Acres: 75

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 18E 35	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	18.0
								X		X				X	X		

Proposed Water Right No. 47-16854

Source: GROUND WATER

Source and Point(s) of Diversion:

GROUND WATER SWSWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
County

to Point of Diversion # 1 Existing hot well, limited to 0.71 cfs. 40 hp motor, pump to pond, relift pump
sprinklers
pond, Point of Diversion # 2 Coldwater well drilled in 2003, motor & pump to be installed, mainline to
relift pump to sprinklers

PLACE OF USE: IRRIGATION

Total Acres: 75

Transfer No. 71624

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 47-16850

Priority Date: April 03, 1961

Origin: Adjudication
Recommendation

Basis: License

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	03/15 11/15	0.04 CFS	17.6 AFA	
	Total Diversion	0.04 CFS	17.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSWSE	Sec. 35 Twp 11S Rge 18E	TWIN FALLS County
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GROUND WATER	SWSWSE	Sec. 35 Twp 11S Rge 18E	TWIN FALLS County
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Describe the proposed diversion system

Point of Diversion # 1 Existing hot well, limited to 0.71 cfs. 40 hp motor, pump to pond, relift pump to sprinklers

Point of Diversion # 2 Coldwater well drilled in 2003, motor & pump to be installed, mainline to pond, relift pump 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	
11S 18E 35								18.0	24.0			6.0			14.0	13.0	75.0

Total Acres: 75

Proposed Water Right No. 47-16852

Status: Active

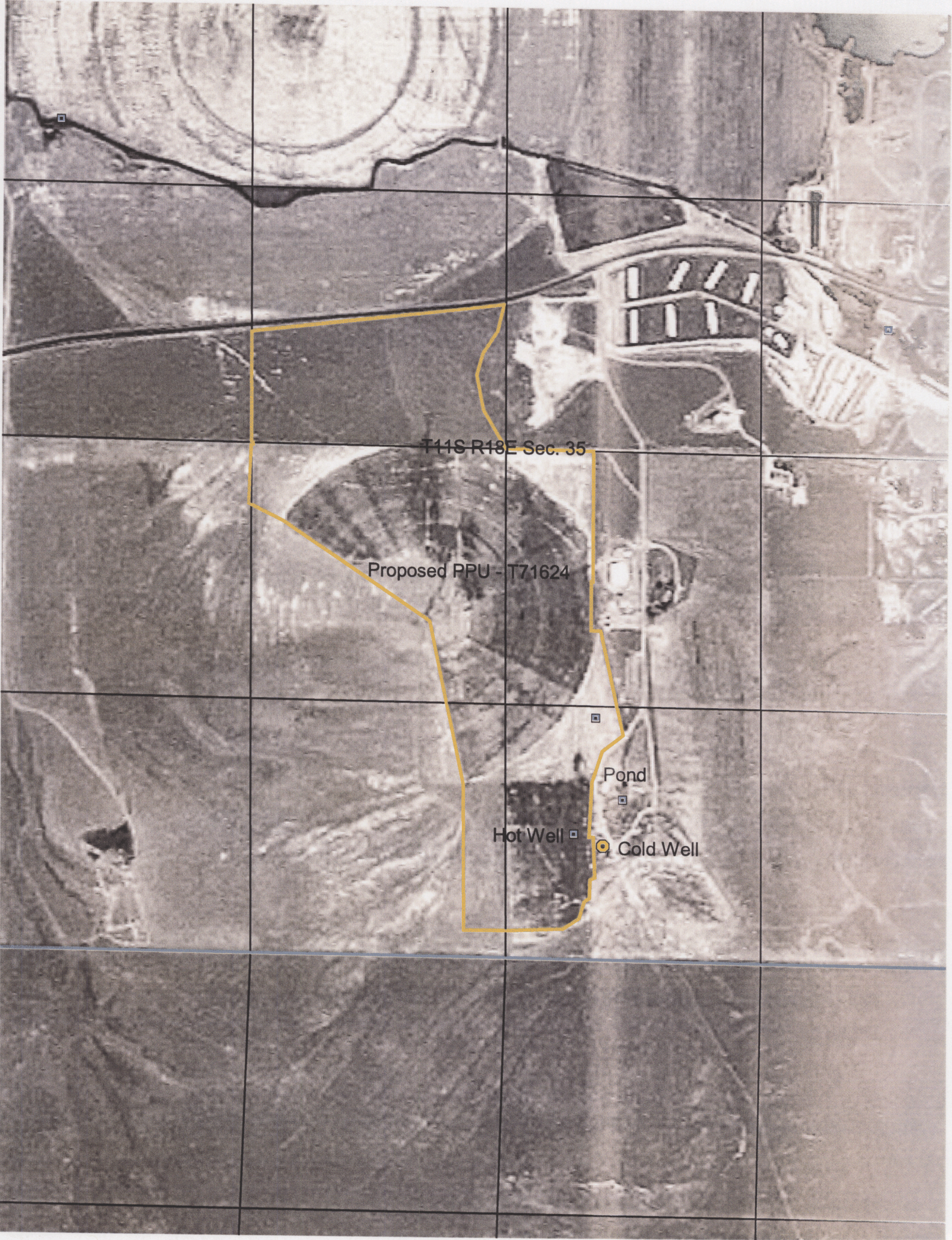
<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.49 CFS	107.6 AFA	
	Total Diversion	0.49 CFS	107.6 AFA	

GROUND WATER SWSWSE Sec. 35 Twp 11S Rge 18E TWIN FALLS
County

to Point of Diversion # 1 Existing hot well, limited to 0.71 cfs. 40 hp motor, pump to pond, relift pump
sprinklers
pond, Point of Diversion # 2 Coldwater well drilled in 2003, motor & pump to be installed, mainline to
relift pump to sprinklers

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	Totals
11S	18E	35								18.0				24.0				6.0	
																14.0	13.0		75.0

Total Acres: 75



T11S R18E Sec. 35

Proposed RPU - T71624

Pond

Hot Well

Cold Well

Case No. 50839SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Twin Falls County, Idaho

Recorded for:
TITLEFACT

04:45pm Apr. 23, 2004
2004-008691

No. of Pages: 2 Fee: \$6.00
KRISTINA GLASCOCK
County Clerk
Deputy: CN

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED **WESTERN STOCK GROWERS ASSOCIATION, an unincorporated association**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **RICHARD HAMMOND and CONSTANCE BROWN-HAMMOND, husband and wife**, hereinafter called Grantee, whose address is: 25 Nielsen Lane, Hansen, Idaho, the following described premises in Twin Falls County, Idaho; to-wit: 83334

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 35: A parcel of land located in the NW¼ of said Section 35, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 35, from which the West one-quarter corner of said Section 35 bears South 00°12'57" West 2639.06 feet;

THENCE South 00°12'57" West along the West boundary of the NW¼ of said Section 35 for a distance of 2219.76 feet to a point in the center of a county road known as the Foothills Road and being the TRUE POINT OF BEGINNING;

THENCE North 76°34'04" East along the center of the Foothills Road for a distance of 164.98 feet to the point of curvature of a non-tangent curve right;

THENCE northeasterly along the center of the Foothills Road and on the arc of the non-tangent curve right for a distance of 373.62 feet, said arc having a radius of 2807.96 feet and a long chord bearing and distance of North 80°22'47" East 373.34 feet;

THENCE North 84°11'29" East along the center of the Foothills Road for a distance of 259.64 feet;

THENCE North 84°26'43" East along the center of the Foothills Road for a distance of 1602.40 feet to the point of curvature of a non-tangent curve right;

THENCE northeasterly along the center of the Foothills Road and on the arc of the non-tangent curve right for a distance of 234.47 feet to a point on the East boundary of the NW¼ of said Section 35, said arc having a radius of 1539.33 feet and a long chord bearing and distance of North 80°04'54" East 234.24 feet;

THENCE leaving the center of the Foothills Road on a bearing of South 00°09'57" East along the East boundary of the NW¼ of said Section 35 for a distance of 767.79 feet to the Southeast corner of the NW¼ of said Section 35;

THENCE North 89°25'47" West along the South boundary of the NW¼ of said Section 35 for a distance of 2616.41 feet to the West one-quarter corner of said Section 35;

THENCE North 00°12'57" East along the West boundary of the NW¼ of said Section 35 for a distance of 419.30 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: A 25.0-foot-wide county road easement along the northerly boundary of the before-described parcel.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 22, 2004

WESTERN STOCK GROWERS ASSOCIATION

BY: Jeffery Williams
JEFFERY WILLIAMS

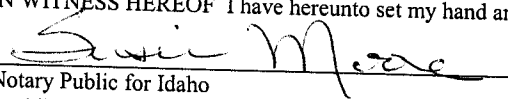
BY: Sharie Helman
SHARIE HELMAN

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 23rd day of April, 2004, before me, a Notary Public in and for said State, personally appeared **JEFFERY WILLIAMS and SHARIE HELMAN dba WESTERN STOCK GROWERS ASSOCIATION, an unincorporated association**, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2008

