

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70866

This is to certify that: HAMILTON LAND & LIVESTOCK LTD
C/O CLARK HAMILTON
12444 N 175 E
RIRIE ID 83443
(208)538-7725

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
25-2162B	AJC/License	02/07/1957	1.71 cfs	640 af	160.0	292.0	GROUND WATER
25-7067	AJC/License	04/21/1975	2.64 cfs	528 af	132.0	292.0	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>
25-2162B	NO	YES	NO	NO	NO	NO
25-7067	NO	YES	NO	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>
25-2162B	25-2162B	1.71 cfs	640 af	160.0	292.0		N/A	N/A	N/A	N/A
25-7067	25-7067	2.64 cfs	528 af	132.0	292.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.35 cfs	1168 af	292.0	292.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 70866

In accordance with the approval of Transfer No. 70866, 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

Priority Date: February 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	NWNENE	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	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0	

Total Acres: 292

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. 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.
4. Right 25-2162B is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
5. Right 25-2162A is also diverted through the point of diversion located in the NWNENE, Section 12, T3N, R40E described above.
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.

WATER RIGHT NO. 25-2162B
As Modified by Transfer No. 70866

CONDITIONS OF APPROVAL

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 1st day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 25-7067
As Modified by Transfer No. 70866

In accordance with the approval of Transfer No. 70866, 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

Priority Date: April 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	NWNENE	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	33.0	33.0	226.0
03N	40E	13	33.0	33.0															66.0	

Total Acres: 292

CONDITIONS OF APPROVAL

1. 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.
2. This right is limited to the irrigation of 132.0 acres within the place of use described above in a single irrigation season.
3. After specific notification by the Department, the right holder shall record the quantity of water diverted 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.
4. Right 25-2162A is also diverted through the point of diversion located in the NWNENE, Section 12, T3N, R40E described above.
5. 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.
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.

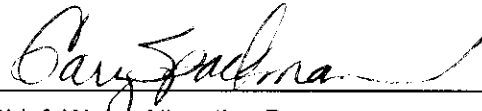
WATER RIGHT NO. 25-7067
As Modified by Transfer No. 70866

CONDITIONS OF APPROVAL

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 1st day of May, 2004



Chief, Water Allocation Bureau