

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS**

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 13-808  
Date Received: 7/23/2024  
Receipt No: P001078  
Claim Fee: \$162.00  
Received By: CG

**RECEIVED**

JUL 23 2024

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**IDWR/Preston**

**1. Name of Claimant(s)**

DIXON AND MARLENE HAMILTON REVOCABLE TRUST  
15405 N HIGHWAY 34  
THATCHER ID 83283-5825

Phone: (208) 339-0710

**2. Date of Priority:** 4/1/1872

**3. Source:**

SPRING CREEK

**Trib. to:**

BEAR RIVER

**4. Point of Diversion:**

| Township | Range | Section | ¼ of ¼ of ¼ | Lot | County   | Type |
|----------|-------|---------|-------------|-----|----------|------|
| 12S      | 41E   | 18      | SE NW       |     | FRANKLIN |      |

**5. Description of diverting works:**

Water is captured in large tank in ground at spring, that overflows and is captured by a ditch. The ditch then delivers the water to a pond. From the pond the water is ditched to culvert under road. After the culvert the water is ditched to the south where we can use a ditch near the road to move water across the field or the water and can be tarp dammed to flood irrigate the field or we let it run until it hits a pipe that moves the water down the hill to the east where it dumps into another open ditch.

**6. Water is used for the following purposes:**

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/20 | 09/30 | 2.6    |      |        |

**7. Total Quantity Appropriated is:**

2.6 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within FRANKLIN County

| Township | Range | Section | ¼  | of | ¼  | Lot | Acres |
|----------|-------|---------|----|----|----|-----|-------|
| 12S      | 40E   | 13      | NE |    | SE |     | 0.1   |
| 12S      | 40E   | 13      | SW |    | SE |     | 40    |
| 12S      | 40E   | 13      | SE |    | SE |     | 40    |
| 12S      | 40E   | 24      | NE |    | NE |     | 0.1   |
| 12S      | 41E   | 18      | NW |    | SW | 3   | 0.1   |
| 12S      | 41E   | 18      | SW |    | SW | 4   | 24    |
| 12S      | 41E   | 19      | NW |    | NW | 1   | 0.1   |

Total Acres = 110.5

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

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11. Other Water Rights Used:

None.

12. Remarks:

Priority Date Explanation:

This is the date from the decreed water right.

P/D DITCH "C" LEGAL NEAR CENTER SEC. 18, T. 12S, R. 41E. USGS MAP SOURCE NAME SPRING CREEK.

This right is limited to the irrigation of 110.5 acres within the authorized place of use in a single irrigation season.

13. Basis of Claim: Decreed

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_X\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

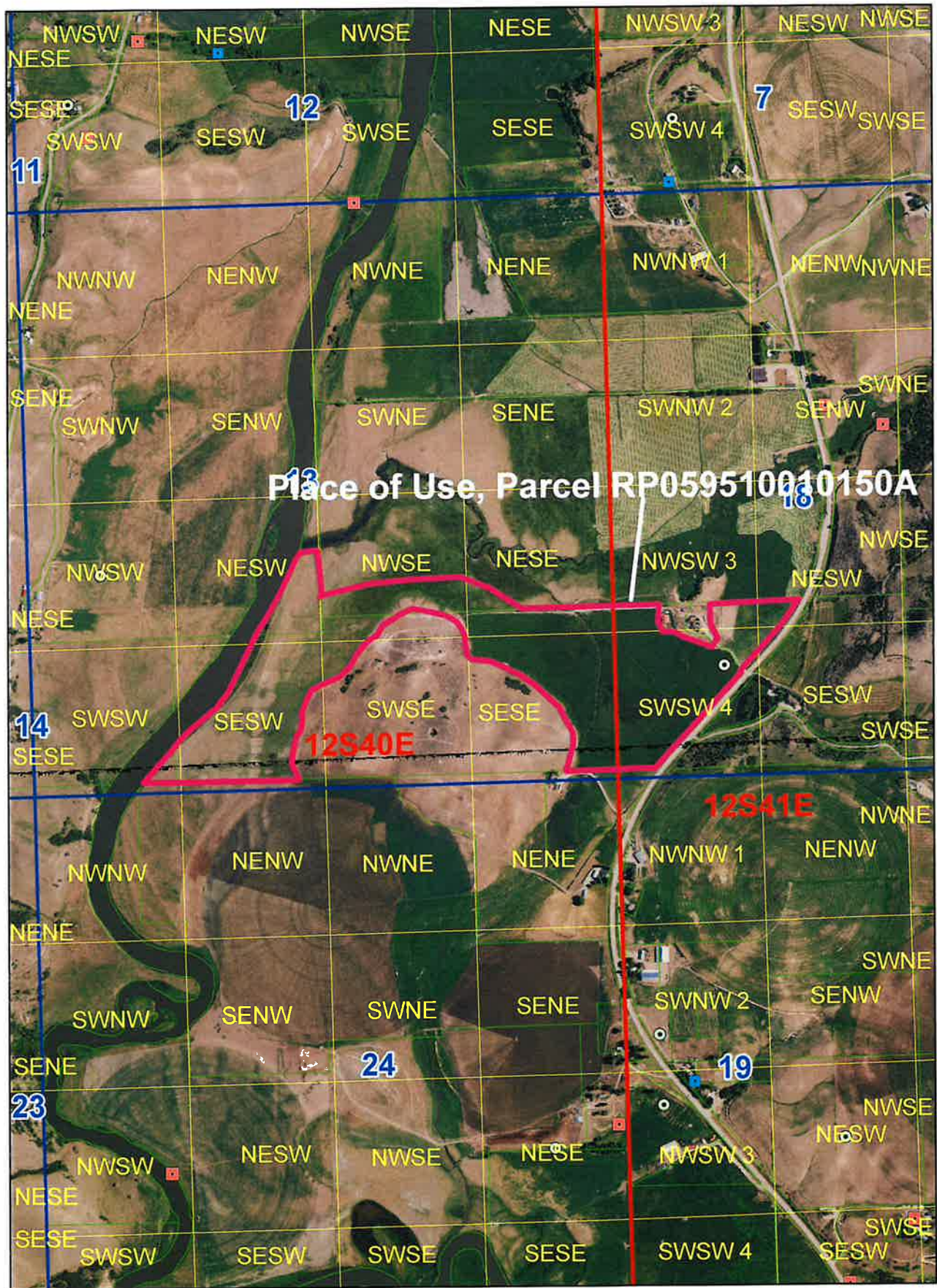
Trustee of Trust  
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dixon Hamilton Date 07/23/24

Printed Name of Authorized Agent Dixon Hamilton

## BRBA Claim 13-808



Place of Use, Parcel RP059510010150A

12S40E

12S41E

POU Place of Use

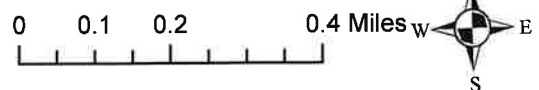
0      0.1      0.2

0.4 Miles <sub>w</sub>

Place of Use, Parcel RP059510010150A

12S40E

### POD Point of Diversion



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

8/30/2023

**Water Right 13-808**

|                          |                                                                                                |
|--------------------------|------------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                                 |
| Current Owner            | DIXON AND MARLENE HAMILTON<br>REVOCABLE TRUST<br>15405 N HIGHWAY 34<br>THATCHER, ID 83283-5825 |

**Priority Date:** 4/1/1872  
**Basis:** Decreed  
**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| SPRING CREEK         | BEAR RIVER              |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 04/20                         | 09/30            | 2.600 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 2.600 CFS                    |                      |

**Source and Point(s) of Diversion:**

|              |       |                                            |
|--------------|-------|--------------------------------------------|
| SPRING CREEK | SE NW | Sec. 18, Twp 12S, Rge 41E, FRANKLIN County |
| SPRING CREEK | SW NE | Sec. 18, Twp 12S, Rge 41E, FRANKLIN County |

**Place of Use:**  
IRRIGATION within FRANKLIN County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |         |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|---------|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW      | SE | NE | NW | SW | SE |        |
| 12S | 40E | 13  |    |    |    |    |    |    |    |    |    |    |         |    |    |    | X  | X  |        |
| 12S | 41E | 18  |    |    |    |    |    |    |    |    |    |    | X<br>L4 | X  |    |    |    |    |        |

Right Acre Limit: 110.50

**Conditions of Approval:**

1. X27 This right is limited to the irrigation of 110.5 acres within the authorized place of use in a single irrigation season.
2. P/D DITCH "C" LEGAL NEAR CENTER SEC. 18, T. 12S, R. 41E. USGS MAP SOURCE NAME SPRING CREEK.