

50

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02060
Date Received: 3/13/1990
Receipt No: E012318
Received By: De

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HERMAN D. LARSEN 208-254-3418
Address: 4754 S. OLD HWY 91
MC CAMMON, ID 83250

2. Date of Priority: JUN 22, 1907

3. Source: QUINN CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	25		NE	SE		BANNOCK

5. Description of diverting works:
HEADGATES/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.510		

7. Total Quantity Appropriated is:
0.510 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	25	NW	SE		IRR	16.0
			SW	SE		IRR	10.0
Section Acres							26.0

A29-02060

Page 1

Date: 03/13/90

MICROFILMED

NOV 13 1992

A2902060



10. Place of Use: Continued

Total Acres 26.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-00258

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 2898

16. 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 Snake River Basin Adjudication." (b.) I/We do X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Herman D. Lareau Date: Mar. 13, 1990
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of March 19 90 Herman D. Lareau
Notary Public

Seal

Residing at Heier, Id
My Commission Expires 2/26/96

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/26/01 12:07:32
Page 1

Water Right Number - 29-02199

Prefix Translation: WATER RIGHT

Old (D) Number - 11638

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HALLEN

JOHN

1 -
2 -
3 -
City- MC CAMMON
Phone -

State- ID Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/31/1915 15 EASTERN L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRING

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
08S 36E 25 NW NE (5) BANNOCK

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 0.400
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400 0.0

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 36E 25 SE NW 20.0 01 IRRIGATION (5) BANNOCK
Total Acres: 20.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

03/26/01 12:07:32
Page 2

Prefix Translation: WATER RIGHT

+ - - Audit Fields - 03/26/85 05/22/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/14/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

Water Right Number - 29-02060

Prefix Translation: WATER RIGHT

Old (D) Number - 2898

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HALLEN

JOHN

1 -
2 -
3 -

City- MC CAMMON

State- ID Zip- 83250

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/22/1907 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
QUINN CREEK PORTNEUF RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 36E 25 NE SE (5) BANNOCK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.510

43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.510 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S 36E 25 NW SE 16.0 01 IRRIGATION

(5) BANNOCK

08S 36E 25 SW SE 10.0 01 IRRIGATION

(5) BANNOCK

Total Acres: 26.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN AC. IRR.=25.5.
LICENSE INCORRECTLY DESCRIBES SOURCE AS TWO MILE CK.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

03/26/01 12:06:50
Page 2

Prefix Translation: WATER RIGHT

+ Conditions of Approval +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

-----Comments-----
No Comments Found

+ - - Audit Fields - 04/08/85 05/22/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 29
Licensed Date	- 08/14/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

AJ0749NP
No. A29-02060

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/06/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	QUINN CREEK RANCH LTD LIABILITY PARTNERSHIP PO BOX 4519 POCATELLO ID 83205 (208) 232-1746	06/22/1907	IRRIGATION <i>Domestic</i>	03-15 11-15	0.51 CFS	0.51 CFS
TOTAL DIVERSION:					0.51 CFS	

Water Source: QUINN CREEK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion:

T08S R36E S25 NESE

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE															
T	R	S	NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
08S	36E	25																																	
																												16	10	26.0					
																												TOTAL ACRES		26.0					

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-00258

Remarks: GEN *CHANGED OWNERSHIP PER REQUEST/JH/4-6-98*

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag:

- ① LICENSOD AS TWO MILE CR - WR DATA BASE SHOWS "INCORRECTLY LICENSOD AS TWO MILE CR"
- ② Domestic Use, AS LICENSOD, NOT CLAIMED

October 15, 1970

Mr. Edmund D. Larson
Post Office Box # 130
Route # 1
P.O. Box # 130 - 63250

Per Water License No. 29-2199
29-2069

Dear Mr. Larson:

In regard to your request of October 14, 1970, we have researched our files, and find two licensed water rights appurtenant to lands in Section 25, Township 8 S, Range 36 E. There are two licenses in the name of John Hallen. One is numbered 29-2199, licensed in the amount of 0.4 c.f.s., with a priority date of 8-31-35. The source of water under this license is an unnamed spring, located in the NW 1/4 of Section 25, Township 8 S, Range 36 E.

The other license is numbered 29-2069, and is licensed in the amount of 0.51 c.f.s., for irrigation purposes, with a priority date of 9-22-70. The source of water supply under this license is from Two Mile Creek, located within the NE 1/4, Section 25, Township 8 S, Range 36 E. There are the only two water rights in Section 25, of Township 8 S, Range 36 E, that have been recorded with this Department.

If we may be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Marion Gray
Appropriation Director

Enclosure

10/15/70

118

Log for claim A29-02060

Spatial Dynamics AMH

8/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	25	NWSE	16	38	Permissible place of use?
08s36e	25	SWSE	10	11	
Totals:			26	49	

DATE: 05/22/00
PAGE: 111

Audit: 03/13/90 DCARLSON 06/02/94 COX 03/29/95 POST-STD 04/06/98 JHOAGLAN

S T A T E O F I D A H O

Water License No. 2898.

WHEREAS, On the 22nd day of June A.D., 1907, JOHN HALLEN of McCammon, County of Bannock, State of Idaho, duly made application (No. 4064) to me for a permit to use 1.3 cubic feet per second of the surplus waters of Two Mile Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 3rd day of August A.D. 1907, Permit No. 2898, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 3rd day of February A.D. 1909, and for the application to beneficial use of said water on or before the 3rd day of February, A.D. 1911, and,

WHEREAS, On the 17th day of November A.D. 1908, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1.3 cubic feet per second of said waters, as evidenced by my certificate No. 2898, dated November 30, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.3 cubic feet per second of water, with date of priority of June 22, 1907, and,

WHEREAS, On the 17th day of November, A.D. 1908, proof was duly made of the application to beneficial use of .51 of 1 cubic feet per second, of said water.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN HALLEN, of McCammon, Idaho, the holder and owner of said Permit 2898, a perpetual right, dating from June 22, 1907, to the use of .51 of 1 cubic foot per second of the surplus waters of Two Mile Creek, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the northeast corner of southeast quarter of section 25, township 8 south, range 36 E, 36 E.R.M. and conducted to ends upon ^{NE 1/4} (15.5 acres in the northwest quarter of southeast quarter, and 10 acres in the southwest quarter of southeast quarter of section 25, township 8 south, range 36 east of the Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the state of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations, which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral, from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS MY HAND, and the seal of my office at Boise, Idaho, this 30th day of November
A.D. Nineteen Hundred and eight.

Jas. Stephenson, Jr.
State Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: John Hallen

Postoffice address: McCammon.

County : Bannock State: Idaho

2. The quantity of water claimed is $1 \frac{3}{10}$ cubic feet per second.

3. Source of water supply: Surplus waters of Two Mile Creek.

County of Bannock.

4. Location of point of diversion: Near N.E. corner SE4. Sec. 25. Tp. 8 S.R. 36 E.B.M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 80 acres.

(b) In the following legal subdivisions: W2 SE4 Sec. 25. Tp. 8 S.R. 36 E.

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: Dam & ditch.

II. Dimensions of works:

(a) Height of dam 5 feet, length of dam at top 15 feet. length of dam at bottom 10 feet. Material used in construction: Earth & stone.

(c) Size of headgate: Width 3 feet. height 4 feet.

(d) Conduit: Ditch, width at bottom 3 feet, width at water line 4 feet. depth of water $\frac{1}{2}$ foot. Average grade per mile is 25 feet. Length of ditch is $\frac{1}{2}$ mile, and it crosses the following quarter sections: N2 SE4 Sec. 25. Tp. 8 S.R. 36 E. to land described in 5 1 (b) above, which is the point of intended use.

8. Time required for the completion of the construction of such work is one & one-half ^(1 1/2) years .

9. Time required for the complete application of the water to the proposed use is two (2) additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

John Hallen,

Applicant.

By. Fred G. Caldwell....Agent.

APPROVAL OF STATE ENGINEER.

The number of this permit is 2898.

Date of first receipt of application 9.00. a.m June 22, 1907.

Returned to applicant for correction: June 22, 1907.

Corrected application received June 29, 1907.

Recorded in Book 8, Page 2898 Approved August 3, 1907.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the state of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before October 2, 1907, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 3, 1908.

The whole of said work to be completed on or before February 3, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to February 3, 1911.

Witness my hand this 3 day of August, 1907.

Jas. Stephenson, Jr.

State Engineer.

Blank notice for proof of completion and beneficial use mailed applicant, October 9, 1908.

Notices received, fixing November 17, 1908, as date and McCammon as place of proof.

Notice for publication mailed McCammon Banner, October 15, 1908.

Deposition blanks mailed applicant; October 15, 1908.

Edgar E. Jacobs, authorized to make examination of works.

His report received October 26, 1908.

Depositions received November 20, 1908.

Affidavit and fees received November 20, 1908.

and Water license
Certificate of completion of works, issued November 30, 1908.

Permit No. 2898.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that JOHN HALLEN, of McCammon, County of Bannock, and State of Idaho, the holder of Permit No. 2898, issued upon Application No. 4064, bearing date of priority of June 22, 1907, authorizing the diversion of 1.3 second feet of the surplus waters of Two Mile Creek, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.3 second feet of the surplus waters of Two Mile Creek, that the point of Diversion of said waters is at a point in the northeast corner of southeast quarter of section 25, township 8 south, range 35 east of the Boise, meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The west half of southeast quarter of section 25, township 8 south, range 36 east of the Boise Meridian.

Witness my hand this 30th day of November, A.D. 1908

Jas. Stephenson, Jr.

State Engineer.

License Issued for 54
100 second feet
0.396



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 6, 1998

QUINN CREEK RANCH LTD LIABILITY PARTNERSHIP
PO BOX 4519
POCATELLO ID 83205

RE: CHANGE IN OWNERSHIP FOR A29-00258, A29-02060

Dear Sirs:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: ~~A29-10512~~/A29-10513/A29-00258/A29-00259/A29-00260 02060
 Adjudication Claim No(s).: _____

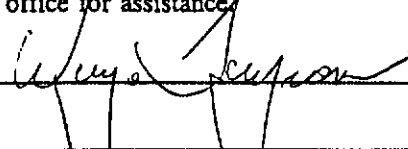
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Herman D. and Nola Larsen
4754 S. Old Highway 91, McCammon, ID 83250

4. New Owner/Claimant(s) Quinn Creek Ranch Limited Liability Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P. O. Box 4519
 City, State and ZIP Code Pocatello, ID 83205
 New Telephone Number (208) 232-1746

5. Date you acquired the property April 6, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. See attached explanation and attached Agreement
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..