

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: A29-02176
Date Received: 4/09/1990
Receipt No: E012986
Received By: *Kun*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REED W. HARTVIGSEN 801-295-0844
Address: 649 EAST CENTER STREET
BOUNTIFUL, UT 84010

OR
Name: VIRGIL B. HARTVIGSEN 801-225-6868
Address: 206 EAST 4735 NORTH
PROVO, UT 84604

2. Date of Priority: APR 02, 1914

3. Source: ASPEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	37E	27	SE	SW			BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH FOR GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.670		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02176

Page 1

Date: 04/09/90

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	28	NE	NE		1RR	2.9
			SE	NE		1RR	26.8
			NE	SE		1RR	10.3
Section Acres							40.0
Total Acres							40.0

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:
29-11182

14. Remarks:
ASPEN CK. KNOWN LOCALLY AS QUAKENASP CK.

15. Basis of Claim: LICENSE
Water Right Number: 10111

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 ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Reed W. Hartwigson Date: 9 April 1990
Date: _____

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 9th day
of Apr 19 90
Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES 6-30-94

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

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COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VIRGIL B HARTVIGSEN TRUST 801-292-4625
Address: 1023 E MILLSTREAM
BOUNTIFUL UT 84010
OR
Name: REED AND DORIS HARTVIGSEN FAMILY TRUST 801-295-0844
Address: 649 E CENTER ST
BOUNTIFUL UT 84010

2. Date of Priority: APR 2, 1914

3. Source: ASPEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
12S	37E	27	SE SW		BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH FOR GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.670		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
NOV 14 1995

10. Place of Use:

Township	Range	Section	1/4 of	1/4	lot	Use	Acres
12S	37E	28	NE	NE		IRR	2.9
			SE	NE		IRR	26.8
			NE	SE		IRR	10.3
						Section Acres	40.0
						Total Acres	40.0

11. Place of use in counties: RANNOCK

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

13. Other Water Rights Used:
29-11182

14. Remarks:
ASPEN CK. KNOWN LOCALLY AS QUAKENASP CK.
*
CHANGE OF OWNERSHIP 6/15/94 SC

15. Basis of Claim: LICENSE
Water Right Number: 10111

MICROFILMED
NOV 14 1996

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02176	12S 37E	27		SE	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A29-02174	29-11808
A29-02177	
A29-11182	
A29-11808	

WR RECORDS IN SAME 40 ACRE TRACT

29-02174
29-02175
29-02177
29-02178
29-02187

SOURCE: ASPEN CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02176	12S 37E	27		SE	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

29-02174
29-02175
29-02177
29-02178
29-02187

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A29-02174	29-11808
A29-02177	
A29-11182	
A29-11808	

SOURCE: ASPEN CREEK

TRIB: MARSH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "CN" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "CN" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
12S	37E	27		SE	SW			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: ASPEN CREEK

TRIB: MARSH CREEK

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A29-02176

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	28	NE	NE		HARTVIGSEN FAMILY TRUST, REED A29-02176	/ 2.9	-	/		
			NE	NE		HARTVIGSEN FAMILY TRUST, REED A29-11182	/ 2.9	-	/		
12S	37E	28	SE	NE		HARTVIGSEN FAMILY TRUST, REED A29-02176	/ 26.8	29-02176	/ 20.0		
			SE	NE		NIELSEN & SENIOR 29-12777	/	-	/		
			SE	NE		MORRILL, LOIS M A29-12777	/	-	/		
			SE	NE		HARTVIGSEN FAMILY TRUST, REED A29-11182	/ 28.8	-	/		
12S	37E	28	NE	SE		HARTVIGSEN FAMILY TRUST, REED A29-02176	/ 10.3	29-02176	/ 10.0		
			NE	SE		HARTVIGSEN FAMILY TRUST, REED A29-11182	/ 12.4	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES A29-02176 40.00 30.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-02176	ASPEV CREEK	HARTVIGSEN FAMILY TRUST, REED	0.670	0.016		
A29-11182	ASPEV CREEK	HARTVIGSEN FAMILY TRUST, REED	0.270	0.003		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
29-12777	DOMESTIC	NIELSEN & SENIOR	FROM 01-01 TO 12-31	0.040 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-12777	DOMESTIC	MORRILL, LOIS W	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-11182

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

PAGE: 5
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A29-02176

CHECK DOCUMENTS USED TO VERIFY POL: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ W/AC(____)

REVIEWED BY: _____ DATE: _____

AJ0749NP
No. A29-02'76

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

DATE: 02/13/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REED AND DORIS HARTVIGSEN FAMILY TRUST 649 E CENTER ST BOUNTIFUL UT 84010 (801) 295-0844	04/02/1914	IRRIGATION	04-01 11-01	0.67 CFS	
				TOTAL DIVERSION:	0.67 CFS	
				CONSUMPTIVE USE:		100.00 AFA
C	LOIS W MORRILL 1718 10TH ST OGDEN UT 84404 (801) 392-4112					
C	BONNIE W SIMMONS 3005 E CHAUCER PL SALT LAKE CITY UT 84108 (801) 581-0930					
C	RICHARD W HARTVIGSEN 1023 E MILLSTREAM WAY BOUNTIFUL UT 84010 (801) 299-1771					
C	W KIP HARTVIGSEN 137 MILL HOLLOW RD REXBURG ID 83440 (208) 356-0568					

Water Source: ASPEN CREEK

Tributary to: MARSH CREEK

Stage: LICENSE

Point(s) of Diversion: T12S R37E S27 SESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12S	37E	28	:	02				26	:					10			
TOTAL ACRES																40.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-11182

Remarks: GEN ASPEN CK. KNOWN LOCALLY AS QUAKENASP CK.
CHANGE OF OWNERSHIP 6/15/94 SC
CHANGED OWNERSHIP PER REQUEST./AJ/2-13-98

COPY

AJ0749NP
No. A29-02176

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

DATE: 02/13/98
PAGE: 2

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 29 th	Field Inspection Flag:	Presumption Flag:

COPY

1
125
R31

D/D

129 0810

RECEIVED

Log for claim A79-02176

Spatial Dynamics TWB

5/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12837e	28	NE NE	2	2.2	
12837e	28	SE NE	26	31	
12837e	28	NE SE	10	13	
Totals:			38	46.2	

STATE OF IDAHO

Water License No. 10111

WHEREAS, On the 2nd day of April, A. D. 1914, J. P. Hartvigson,

of Donkey, County of Benneek, State of Idaho, duly made application (No. 10000) to me for a permit to use $\frac{2}{3}$ of 1 cubic foot per second of the waters of

Quakentup Creek

County of Benneek, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 22nd day of April, A. D. 1914, Permit No. 10111 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 22nd day of January, A. D. 1914, and for the application to beneficial use of said water on or before the 22nd day of January, A. D. 1914, and,

WHEREAS, On the 19th day of November, A. D. 1914, J. P. Hartvigson,

has made proof of the completion of adequate works for the diversion of said water, as evidenced by my Certificate No. 10111, containing the completion of works of sufficient capacity for diverting and conveying to the place of intended use $\frac{2}{3}$ of 1 cubic foot per second of said water, with date of priority of April 2, 1914, and

WHEREAS, On the 12th day of February, A. D. 1914, J. P. Hartvigson,

the holder of said permit, duly made proof of the application to beneficial use of $\frac{2}{3}$ of 1 cubic foot per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

J. P. Hartvigson

of Donkey, County of Benneek, State of Idaho, the holder and owner of said Permit No. 10111, a perpetual right, dating from April 2, 1914, to the use of $\frac{2}{3}$ of 1 cubic foot per second of the waters of Quakentup Creek,

In the County of Benneek 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 SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 27, T. 12 S., R. 37 E.B.U.,

and conducted to and upon 40 acres, divided as follows: 10 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and 20 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 28, T. 12 S., R. 37 E.B.U.,

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 8th day of May, A. D. nineteen hundred and fifteen.

J. H. Smith,

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: J. P. Hartvigsen

Postoffice address: Pomeroy

County: Blaine

State: Idaho

1. If applicant is a corporation, give:

(a) Date and place of incorporation

(b) The amount of capital stock

(c) The amount paid in

(d) Names and addresses of directors

II. The financial resources of the applicant are: (a) Cash on hand

(b) Treasury stock

(c) Bonds to be issued

(d) Other resources

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

3. Source of water supply: Quakenbush Creek

4. Location of point of diversion: $13\frac{1}{2}$ of $34\frac{1}{2}$ Sec. 27, T. 12 S., R. 27 E., B. 11.

County of Blaine

5. To be used for irrigation and domestic purposes.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 40 acres.
(b) In the following legal subdivisions: 10 acres in $13\frac{1}{2}$ of $34\frac{1}{2}$ Sec. 27, 10 acres in $13\frac{1}{2}$ of the $34\frac{1}{2}$ Sec. 28 and 20 acres in the $13\frac{1}{2}$ of the $34\frac{1}{2}$ Sec. 28, all in T. 12 S., R. 27 E., B. 11.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$60.00

7. Description of works for diversion:

I. Kind of works: Ditch

II. Dimensions of works:

(a) Height of dam: 0 feet, length of dam at top: 0 feet,

length of dam at bottom: 0 feet, Material used in construction: 0

(b) Capacity of reservoir: none acre feet (c) Size of headgate, width: 0 feet,

Height: 0 feet (d) Conduit: ditch width at bottom: 2 feet,

width at water line: $1\frac{1}{2}$ feet, depth of water: $1\frac{1}{2}$ feet; diameter of pipe:

0 inches; average grade per mile is: 20 feet. Length of conduit is: $2\frac{1}{4}$ miles, and it crosses the following quarter sections: $13\frac{1}{2}$ of Sec. 27 and the $13\frac{1}{2}$ of Sec. 28, T. 12 S., R. 27 E., B. 11.

8. The time required for the completion of the construction of such work is: $2\frac{1}{4}$ years.

9. Time required for the complete application of the water to the proposed use is: no 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

J. P. Hartvigsen

Applicant

Date of first receipt at office of the Engineer J. D. A. H. April 2, 1914

Returned to applicant for correction April 8, 1914.

Corrected application received April 11, 1914.

APPROVAL OF STATE ENGINEER

The number of this permit is 10111

Recorded in Book 24 Page 10111 Approved April 23, 1914.

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 approve the same, subject to the following limitations and conditions.

Bond in the sum of _____ to be filed on or before _____

Work to begin on or before June 21, 1914 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 September 7, 1914.

The whole of said work to be completed on or before January 22, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 22, 1915.

Witness my hand this 23rd day of April, 1914.

F. J. KING

State Engineer.

Remarks: The ditch in question is a party ditch which accords for its large size. Part of the work specified on the project has been completed and water has been used on a part for two years. The entire ditch is on the land of the applicant.

Proof of Completion of Works made November 19, 1914.

Certificate of Completion of Work issued December 16, 1914.

PERMIT NO. 10111

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that J. F. Hartvigsen of Downey, County of Blaine, and State of Idaho, the holder of Permit No. 10111, issued upon Application No. 15002, bearing date of priority of April 2, 1914, authorizing the diversion of $2\frac{1}{2}$ of 1 second foot of the waters of Quakenep Creek, County of Blaine, 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 $2\frac{1}{2}$ of 1 second-foot of the waters of Quakenep Creek; that the point of diversion of said waters is at a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, Tp. 12 S. R. 37 E.B.H., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 27, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28 and 20 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 28, all in Tp. 12 S. R. 37 E.B. H., containing 40 acres.

Witness my hand this 16th day of December, A. D. 1914.

Herbert Wing,

Acting State Engineer of the State of Idaho.

License issued for $2\frac{1}{2}$ second foot

(S. J. King)

REPORT OF ENGINEER

1. State name of applicant and number of permit: *J. H. Hartwigson No. 10111*
2. State source of water supply: *Quakehasp Creek*
3. Location of point of diversion: *S.E. 1/4 SW 1/4 sec 27 T.P. 12 S. R. 37 F.B.M.*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Completed & O.K.*
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: *2 feet*
 - (b) Width at water line: *3 1/2 "*
 - (c) Depth of water: *1 1/2 feet*
 - (d) Grade per mile: *20 feet*
 - (e) Capacity of ditch: *2/3 of 1 second feet*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *yes it has and is used continually.*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *10 acres in NW 1/4 of SW 1/4 sec 27*
10 acres in NE 1/4 of the SE 1/4 sec 28 & 20 acres in
the SE 1/4 of the NE 1/4 sec 28 all in T. 12.
S. R. 37, F.B.M.
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

STATE OF IDAHO,

County of *Bannock* ss.

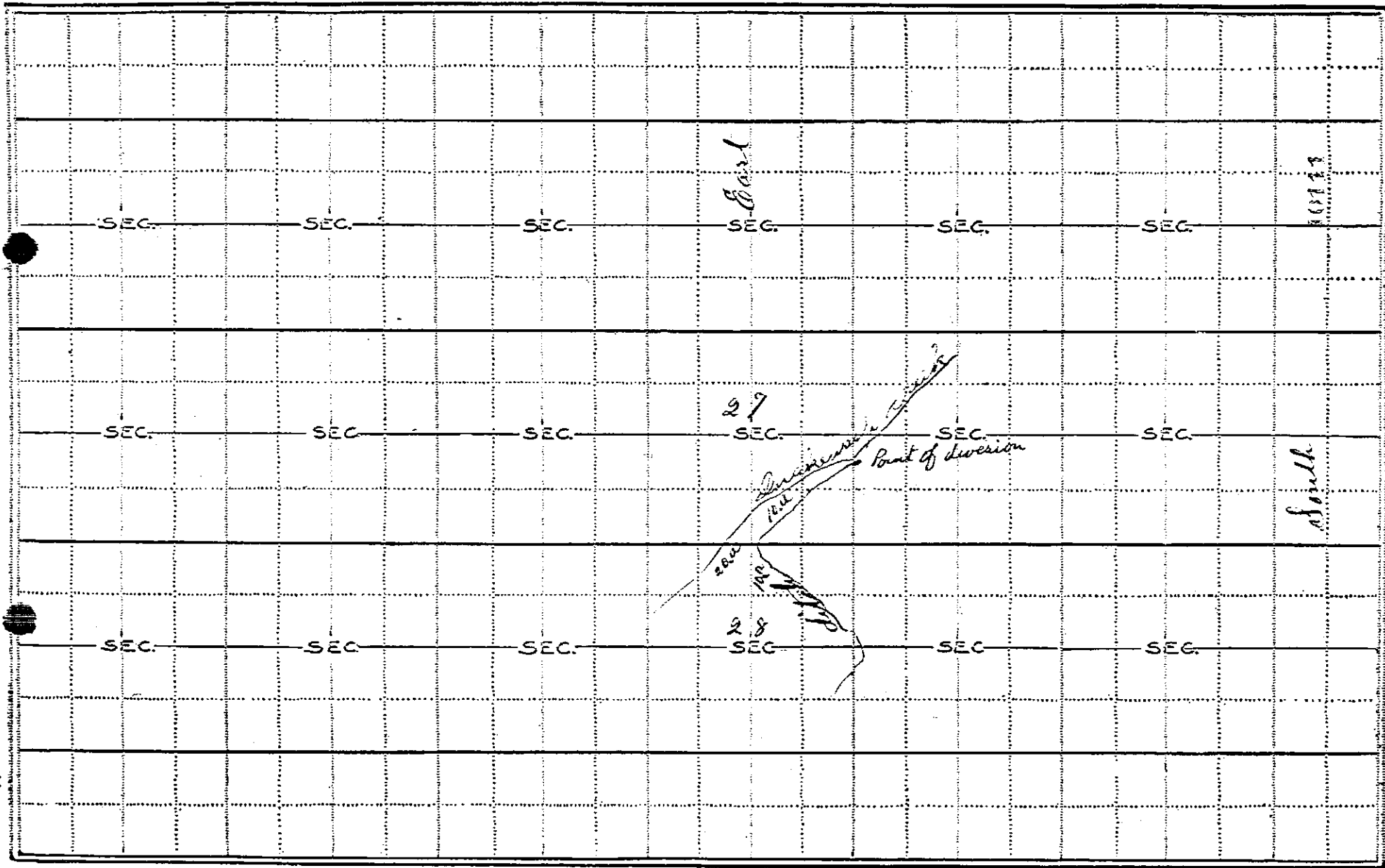
George Webb, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *17th* day of *April* 191*5*

My Commission Expires *Jan. 28, 1919*

Notary Public.

10111



AJ58094P
No. A29-02176

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REED AND DORIS HARTVIGSEN FAMILY TRUST 649 E CENTER ST BOUNTIFUL UT 84010 (801) 295-0844	04/02/1914	IRRIGATION	04-01 11-01	0.670 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.670 CFS	100.00 AFA
C	LOIS W MORRILL 1118 10TH ST OGDEN UT 84404 (801) 392-4112					
C	BONNIE W SIMMONS 3005 E CHAUCER PL SALT LAKE CITY UT 84108 (801) 581-0930					
C	RICHARD W HARTVIGSEN 1023 E MILLSTREAM WAY BOUNTIFUL UT 84010 (801) 299-1771					
C	W KIP HARTVIGSEN 137 MILL HOLLOW RD REXBURG ID 83440 (208) 356-0568					

Water Source: ASPEN CREEK

Tributary to: MARSH CREEK

Stage: LICENSE

Point(s) of Diversion: T12S R37E S27 SESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S	:	NE	NW	SE	:	NE	NW	SE	:	NE	NW	SE	:	SUM	
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
T2S	R37E	S28	:	02			:	26			:			10		:	
															TOTAL ACRES	:	40.0
																:	40.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-11182

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11808 A29-02174 A29-02177 A29-11182 A29-11808

Other Water Rights Listing Overlapping Place(s) of Use:
A29-11182

AJ5809NP
No. A29-02176

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 45

Remarks: GEN ASPEN CK. KNOWN LOCALLY AS QUAKENASP CK.
CHANGE OF OWNERSHIP 6/15/94 SC
CHANGED OWNERSHIP PER REQUEST./AJ/2-13-98

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29th Field Inspection Flag:
Presumption Flag:

Audit: 04/11/90 WILSON 06/02/94 COX 06/15/94 COX 07/06/94 THOMPSON
03/29/95 POST-STD 02/13/98 AJONES



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

February 13, 1998

HARTVIGSEN ET AL
649 E CENTER ST
BOUNTIFUL, UT 84010

RE: CHANGE IN OWNERSHIP FOR A29-02174, A29-02176,
A29-11182

Dear Claimant:

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,

Autumn Jones
Records Clerk

Enclosure: Notice(s) of Claim

COPY

JAN 08 1998

Department of Water Resources

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).: A29-02174, A29-02176, A29-11182
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 { Virgil B. Hartvigsen Trust OR Reed & Doris Hartvigsen
1023 East Millstream Way Family Trust
 4. New Owner/Claimant(s) { Bountiful, Utah 84010 649 East Center Street
New Mailing Address { Name Connector (Check one): ☐ and ☒ or, ☐ and/or
Bountiful, Utah 84010
City, State and ZIP Code { [See Attached Sheet]
New Telephone Number { () _____
 5. Date you acquired the property March 15, 1993
 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. [Not Applicable]
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) Richard N. Hartvigsen
(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..

COPY

JUNE 16, 1994

NIELSEN & SENIOR
60 E SOUTH TEMPLE, SUITE 100
SALT LAKE CITY UT 84111

RE: CHANGE OF OWNERSHIP FOR A29-11808, A29-02174, A29-02176
AND A29-11182

Dear Mr. David B Hartvigsen:

The request for Change of Ownership concerning your Notices of Claim in the above reference have been processed and copies of the Notices are enclosed.

Your letter also indicated that you now represent three (3) claimants in the Snake River Basin Adjudication (SRBA). Because we do not have records of any counsel representing the claimants, IDWR needs confirmation from the claimants. Blank forms are enclosed for your convenience. We will need one signed by E Jay Hartvigsen and one signed by a representative of the Reed and Doris Hartvigsen Trust.

We have also enclosed a "Change of Address" form that when completed will allow us to change the address on E Jay Hartvigsen's claims.

The department apologizes for any inconvenience and if you have any questions please do not hesitate to contact this office.

Respectfully submitted,

Gregory J. Taylor
Senior Resource Agent, Adjudication

GJT:sc

Enclosure

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NOV 14 1995

**NIELSEN
& SENIOR**
Attorneys & Counselors
Since 1882

Suite 1100, Eagle Gate Plaza & Office Tower
60 East South Temple, Salt Lake City, Utah 84111
Post Office Box 11808, Salt Lake City, Utah 84147
Telephone: (801) 532-1900 - Telecopier (801) 532-1913

June 13, 1994

Arthur H. Nielsen
Gary A. Weston
Earl Jay Peck
Harold A. RanquistTM
Neil R. Sabin
R. Dennis Ickes[†]
Harold C. Verhaaren
Mark H. Anderson^{*}
B. Kent Ludlow
Richard M. Hymas
John K. Mangum
Richard K. Hincks
Noel S. Hyde
Robert P. Faust
J. Craig Smith^{*}
Jay R. Mohlman
David B. Hartvigsen[†]
Marilynn P. Fineshriber
Steven F. Allred[®]
Patricia L. LaTulippe

RECEIVED
JUN 15 1994

Department of Water Resources
Eastern District Office
A Professional Corporation

Edwin W. Senior (1862-1925)
Clair M. Senior (1901-1965)

Of Counsel
Raymond T. Senior
Milton J. Morris

Also Licensed to Practice in
• Arizona
• California
• Colorado
X Idaho
† Navajo Bar
O New Mexico
• Washington, D.C.

Department of Water Resources
State of Idaho
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: Address Changes and Ownership Changes

Dear Sirs:

This letter is to inform the Department of Water Resources of certain address and ownership changes with respect to the following water rights:

1. With respect to Water Right Nos. 29-4352, 29-4353, and 29-4354, Mr. B. Jay Hartvigsen has moved from 1045 E. Claremont Dr., Bountiful, Utah to Downey, Idaho. His new mailing address is:

P.O. Box 267
Downey, Idaho 83234
2. With respect to Water Right Nos. 29-02174, 29-02176, 29-11182, and 29-11808, Mr. Reed W. Hartvigsen has established a living trust in connection with some estate planning and has transferred all of his interest in the above water rights and the land associated therewith to his new living trust. Enclosed are two completed change of ownership forms with copies of the quit claim deed to the trust attached. As a result of this change, the joint owners of Water Right Nos. 29-02174, 29-02176, and 29-11182 are:

The Reed and Doris Hartvigsen Family Trust OR The Virgil B. Hartvigsen Trust
and the sole owner of Water Right No. 29-11808 is:

The Reed and Doris Hartvigsen Family Trust.

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NOV 14 1995

June 13, 1994

Page -2-

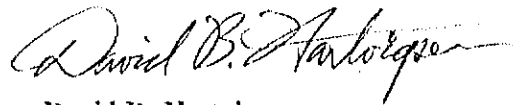
3. Finally, there has been an address change with respect to counsel of record for each of the foregoing water rights. This change is as follows:

Formerly: David B. Hartvigsen and Harold A. Ranquist
WHEATLEY & RANQUIST
60 E. South Temple, Suite 1225
Salt Lake Utah, 84111
(801) 237-1700

Presently: David B. Hartvigsen and Harold A. Ranquist
NIELSEN & SENIOR
60 E. South Temple, Suite 1100
Salt Lake Utah, 84111
(801) 532-1900

Please make these changes on your records. If you have any questions concerning any of these changes, please call me. Thank you.

Very truly yours,



David B. Hartvigsen

DBH:st

Enclosures

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NOV 14 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 15 1994

Department of Water Resources
Eastern District Office

DATE OF CLOSING: May 25, 1994

LEGAL DESCRIPTION OF PROPERTY: Township 15 South Range 37 East
Sections 27 & 28, 1/4 of 1/4 of 1/4, Govt. Lot , BM.

Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

See Attached Deed.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

OK
A29-02174, A29-02176, A29-11182

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Reed W. Hartvigsen OR Virgil B. Hartvigsen Trust

649 E. Center Street 1023 E. Millstream

Bountiful, Utah 84010 Bountiful, Utah 84010

☐ New Owner/Claimant
(Purchaser):

Reed and Doris Hartvigsen OR Virgil B. Hartvigsen Trust

Family Trust

☐ New Mailing Address:

649 E. Center Street 1023 E. Millstream

Bountiful, Utah 84010 Bountiful, Utah 84010

☐ New Telephone Number:

(801) 295 - 0844

(801) 292 - 4625

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

Quit Claim Deed to Trust

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Reed W Hartvigsen, Trustee

Date 10 June 1994

Doris W Hartvigsen, Trustee

Date 10 June 1994

☐ Signature of Former
Owner/Claimant(s):

Reed W Hartvigsen

Date 10 June 1994

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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NOV 14 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Return after recording to:
Reed W. Hartvigsen
649 East Center Street
Bountiful, Utah 84010

QUIT CLAIM DEED

SAGE HOLLOW FARM

REED WARD HARTVIGSEN and DORIS HARWOOD HARTVIGSEN, Grantors, hereby quit claim to REED WARD HARTVIGSEN and DORIS HARWOOD HARTVIGSEN, Trustees of the REED AND DORIS HARTVIGSEN FAMILY TRUST, dated May 25, 1994, Grantees, for valuable consideration, all of Grantors' interest in following described real property in Bannock County, State of Idaho, commonly known as the Sage Hollow Farm and more particularly described as follows:

the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 12 South, Range 37 East, Boise Meridian, containing 80 acres more or less; and

the tract beginning at the Northwest corner of Section 27, Township 15 South, Range 37 East, Boise Meridian; thence East along the section line 2640 feet, South 5280 feet, West 1320 feet, North 1320 feet, East 240 feet, North 12°30' West 350 feet, North 43°30' West 569 feet, North 25°10' West 683 feet, North 43°29' West 1744.54 feet, East 400 feet, North 1320 feet along west line of said section to the point of beginning, containing 236.59 acres more or less.

Together with all improvements, water rights, and other appurtenances thereto.

WITNESS the hands of said Grantors this 25th day of May, 1994.

Reed Ward Hartvigsen
Reed Ward Hartvigsen

Doris Harwood Hartvigsen
Doris Harwood Hartvigsen

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN to before me this 25th day of May, 1994.

Cynthia E. Prokop
Notary Public



MICROFILMED
NOTARY PUBLIC
CYNTHIA E. PROKOP
525 East 100 South, 5th Flr
Salt Lake City, Utah 84102
My Commission Expires
September 8, 1995
STATE OF UTAH