

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: A29-04102
Date Received: 2/26/1990
Receipt No: E012166
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HERMAN KRUEGER TRUST
Address: JACK HATLEY- TRUSTEE
3417 W. ARIMO RD.
ARIMO, ID

208-254-3438

83214

2. Date of Priority: JUN 01, 1877

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	5		SE	NW		BANNOCK

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	5	SW	NE		IRR	10.0

Section Acres 10.0

A29-04102

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Date: 02/26/90

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A2904102

10. Place of Use: Continued

Total Acres 10.0

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:
4187, 0365, 04365.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Trustee of
Title
Herman Krueger Trust that I have signed the foregoing
Organization
document in the space below as Trustee of
Title
Herman Krueger Trust and that the statements contained in the
Organization
foregoing document are true and correct.

Jack Hartley
Signature of Authorized Agent
Trustee of the Trust
Title and Organization
2-26-90
Date

State of Idaho

County of

Bonneville

) SS.
)

Subscribed and sworn (or affirmed) before me this 26th day

of February 19 90

Seal

Anthony S. Oberholser
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/94

Log for claim A29-04102

Spatial Dynamics LTD

6/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	5	SWNE	10	40	Indiscernible
Totals:			10	40	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERMAN KRUEGER TRUST JACK HATLEY TRUSTEE 3417 W ARIMO RD ARIMO ID 83214 (208) 254-3438	06/01/1877	IRRIGATION	04-01 11-01	0.200 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.200 CFS 25.00 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R36E S05 SENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10S	36E	5	:					10												:	10.0
																				TOTAL ACRES	10.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 4187, 0365, 04365.

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

A29-00362 A29-00403 A29-00404 A29-04187

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
Audit:	02/26/90 DCARLSON	07/19/94 THOMPSON	03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Herman W. And/or Josie R. Krueger
(Name of Claimant)
Armo, ID 83214 Telephone No. 254-3544
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1877

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed spring tributary to sinks

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>0.20</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity <u>0.20</u>	TOTAL QUANTITY USED.		

(4) _____
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 5 Twp. 10S Rge. 36E B.M., County of Bannock
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NEX				NWX				SWX				SEX				TOTAL
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
10S	36E	5			10														10

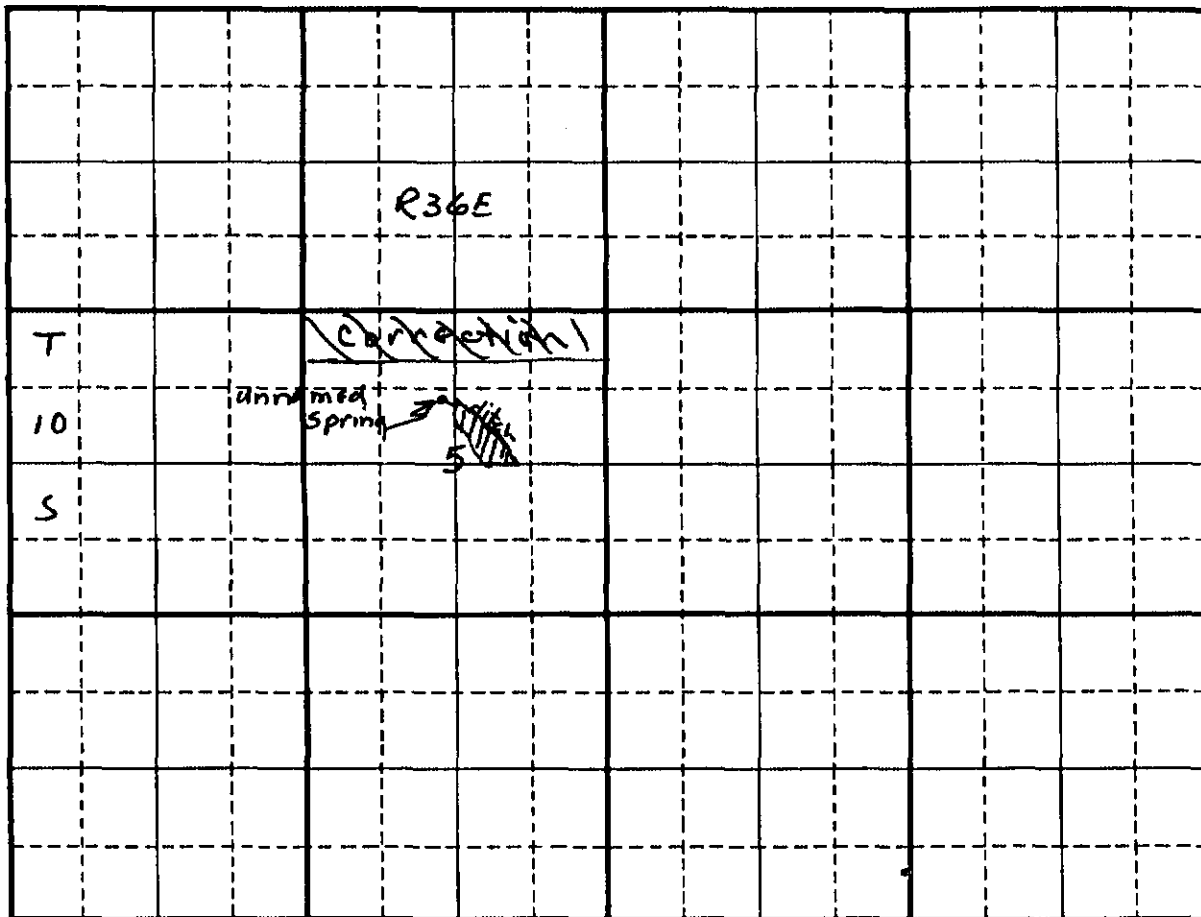
No. of acres 10

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 18th day of June

Herman W. Krueger
(Claimant)

19 79

William W. King
Notary Public
Residing at Idaho Falls, Idaho

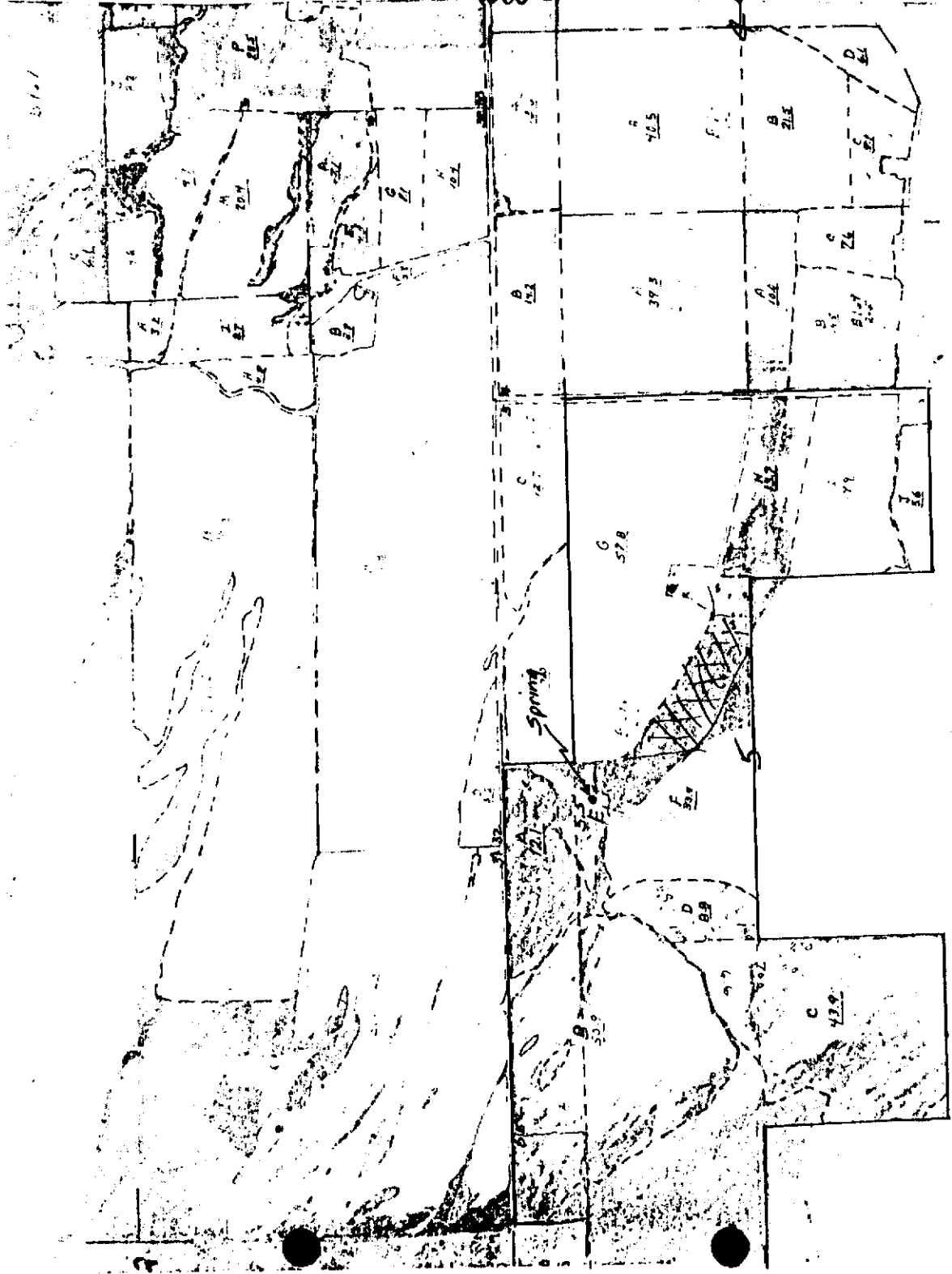
My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by dh Date 6-18-79 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 6/18/79 \$20.00 fee received by dh Date 6-18-79 #11940
Published in Idaho State Journal
Dates June 28 & July 5, 1979 & July 12, 1979

11/11/1911

TWP 10 S. R 36 E.



WYKSON

March 27, 1995

To: Department of Water Resources

From: Jack Hatley

Re: Evidence of Priority #A29-04102, #A29-04187 & #A29-04365

Dear Sirs:

My parents, Herman & Josie Krueger have been farming on the above referenced property since 1942 when they had purchased the property.

At that time, they purchased the water rights from Mr. Watson. The water rights for #A29-04102 have been used since June 1, 1877. Water rights for #A29-04365 have been used since June 1, 1908 and #A29-04187 have been used since May 4, 1910.

The neighbors to our property can attest and support the priority dates.

Sincerely yours,

Jack Hatley

We can attest to the Department of Water Resources that Herman & Josie Krueger and Jack Hatley have used the above referenced water since 1942 and that to our knowledge they have all given rights to the water.

Leland Armstrong
Geed Capell
Hary Krueger
Jack Hatley

RECEIVED
NOV 13 1995