

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: A29-04210
Date Received: 1/15/1990
Receipt No: M005521
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. RANSOM HATCH 208-648-7857
Address: 1424 N. HATCH LOOP
BANCROFT, ID 83217

2. Date of Priority: APR 02, 1883

3. Source: MOSES CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
07S	39E	12	NW	SE	NE		CARIBOU

5. Description of diverting works:
DIVERSION FROM MOSES CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 75 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07S	39E	13	NW	NW		IRR	40.0
			SW	NW		IRR	40.0

Section Acres 80.0

A29-04210

Page 1

Date: 01/15/90
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NOV 13 1992

A2904210



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	39E	14	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	80.0
						Total Acres	160.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
29-04211

14. Remarks:
THE SOURCE IS THE STREAM THAT FLOWS FROM MOSES CANYON.

15. Basis of Claim: STATUTORY CLAIM

(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.

NOV 13 1992

UUU

A29-04210

T75
R39E



Log for claim A29-04210

Spatial Dynamics BTD

6/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s39e	13	NWNW	40	37	
07s39e	13	SWNW	40	38	
07s39e	14	NENE	40	38	
07s39e	14	SENE	40	40	
Totals:			160	153	

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 J. Ransom Hatch
(Name of Claimant)

Bancroft, Id. (Mailing Address) Telephone No. 648-7857
(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) April 2, 1883

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)
Moses Creek 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.)	(Both dates inclusive) (Mo., Day)	
Quantity <u>1.0cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u> To <u>11/1</u>		
Quantity <u>.03cfs</u>	Use <u>Stock</u>	Period of Use From <u>1/1</u> To <u>12/31</u>		
Quantity _____	Use _____	Period of Use From _____ To _____		
Quantity _____	Use _____	Period of Use From _____ To _____		
Quantity <u>1.03cfs</u>	TOTAL QUANTITY USED.			

(4) 1.03cfs
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 12 Twp. 7S Rge. 39E B.M., County of Caribou
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 from channel to ditch to sprinkler system and flood irrigation

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	39E	14	40			40													80
		13					40	40											80

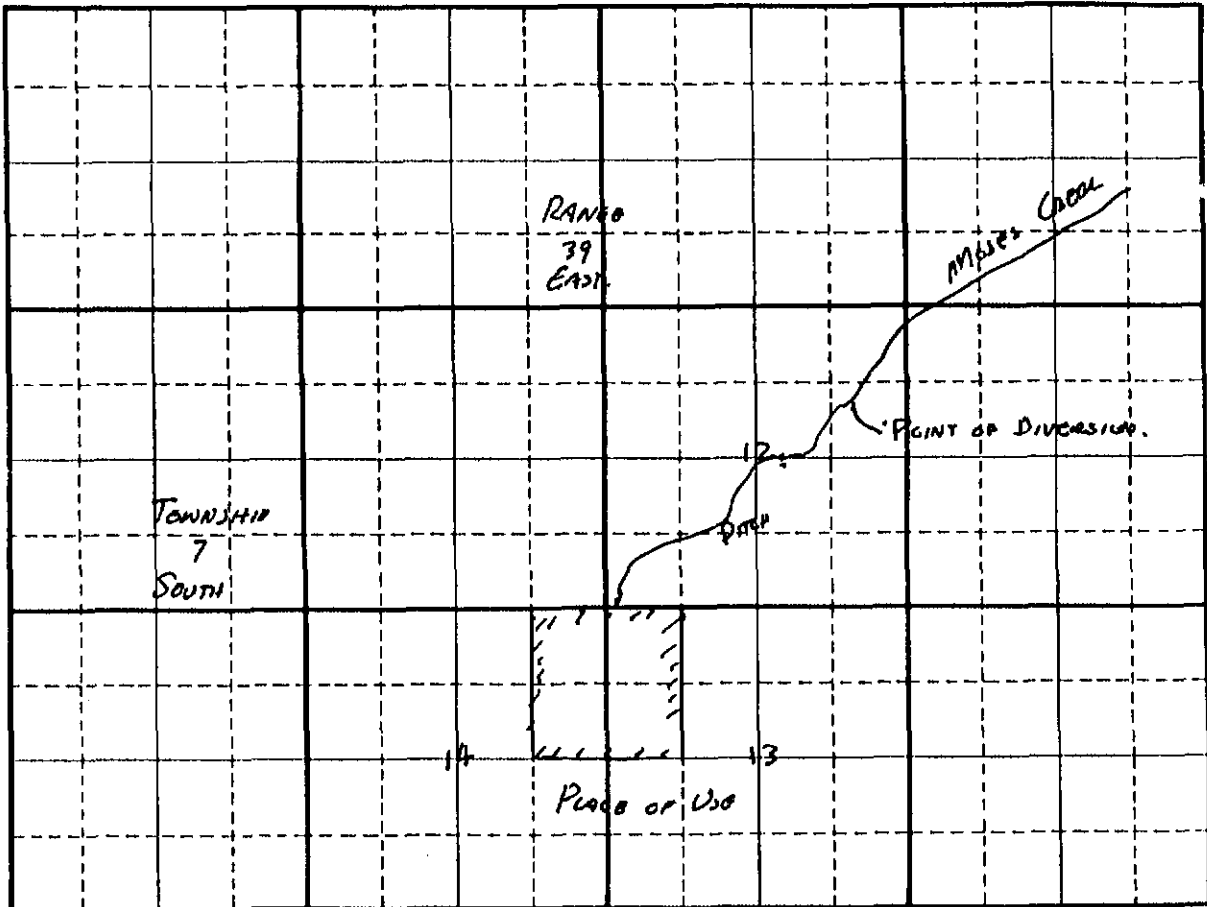
No. of acres 160

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: 10 head horses 65 cattle

(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)
) ss.
County of _____)

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 6th day of November, 1981.

Ransom Hatch
(Claimant)

Notary Public
Residing at Highway 26

My commission expires 7/22/81

FOR DEPARTMENT USE ONLY

Received by SM Date 11-6-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KOV Date 11-9-81
\$20.00 fee received by AS Date 11-6-81 1981
Published in Caribou County Sun
Dates Nov 19 1981 Nov 26, 1981

AJ5809NP
No. A29-04210

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 96

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J RANSOM HATCH 1424 N HATCH LOOP BANCROFT ID 83217 (208) 648-7857	04/02/1883	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	1.000 CFS 0.030 CFS	
TOTAL DIVERSION:					1.030 CFS	
CONSUMPTIVE USE:						400.00 AFA

Water Source: MOSES CREEK

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R39E S12

NWSENE

CARIBOU 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			
07S	39E	13	:					:		40	40		:					:						:	80.0
07S	39E	14	:	40			40	:					:					:						:	80.0
TOTAL ACRES																							160.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CARIBOU

Non-Irrigation Uses: STOCKWATER, 75 RANGE CATTLE

Other Rights: 29-04211

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-04209 A29-04211

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04211

Remarks: GEN THE SOURCE IS THE STREAM THAT FLOWS FROM MOSES CANYON.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/15/90 MOBILE2 07/20/94 THOMPSON 03/29/95 POST-STD

Bancroft Idaho
Jan 26, 1995

Idaho Dept. of Water Resource,
900 N Skyline Dr
Idaho Falls Idaho
83402

RECEIVED

JAN 27 1995

Department of Water Resources
Eastern District Office

Enclose find affidavits of priority dates
for Moses Creek and 18 mile or Big Flat
Creek.

J Ransom Hatch

424-04210
429-04211

MICROFILMED
NOV 13 1995

Bancroft, Idaho
January 25, 1995

Idaho Department of Water Resources
Eastern District Office
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

RECEIVED

JAN 27 1995

Dear Sir;

Department of Water Resources
Eastern District Office

I am submitting three affidavits concerning priority dates of water from Moses Creek and Eighteen (18) Mile or Big Flat Creek on the land listed below:

W 1/2 NW 1/4 Sec 13 Township 7 South Range 39 EBM
E 1/2 NE 1/4 Sec 14 Township 7 South Range 39 EBM

I do state that I have lived near and on this property for seventy-five (75) years and it is common knowledge that William T. Higginson filed on this property for a homestead in 1883. During the process of proving up on this property it was common knowledge Mr. Higginson dug ditches and established an irrigation system and was given a patent on said property in 1889.

Sincerely,

J. Ransom Hatch

J. Ransom Hatch

State of Idaho

County of Idaho

On this 25th day of January in the year 1995
before me personally appeared J. Ransom Hatch known to
me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my
official seal, the day and year in thus certificate first above
written.

Agnes K. Koles
Natalie
8/26/99

MICROFILMED

Expiration date
NOV 13 1999

AFFIDAVIT

This is to certify J. Ransom Hatch has used continually the water from Moses Creek and Eighteen Mile or Big Flat Creek on the land described herein since purchasing said land in June 9, 1947.

W½ NW¼ Section 13 Township 7South Range 39 EBM

E½ BE¼ township 7South Range 39 EBM

Sec. 14

Date 1/23/95

Signed J. Ransom Hatch

State Of; Idaho

County of Idaho

On this 23rd day of January in the year 1995 before me personally appeared J. Ransom Hatch known to me to be the person person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the day and year in thus certificate first above written.

RECEIVED
JAN 27 1995
Department of Water Resources
Eastern District Office

Agnes Z. Knowles
Notary
8/26/99 Expiration Date
MICROFILM
NOV 13 1990

AFFIDAVIT

This is to certify that the undersigned knows that sixty hours (60 hrs.) per week of Moses creek and two days or (48hrs) per week of the north ditch of Eighteen mile or Big Flat creek water right belongs to the land described herein.

The undersigned further states that he has used continue the above amounts of water on the land described herein for 45 years.

Land description.

W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 13 - Township 7 South , Range 39 E.B.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14. Township 7 South , Range 39 E.B.M.

Date. 10-1-47

Signed. George Higginson

STATE OF IDAHO
County of Bannock

On this 1st day of Oct in the year 1947 before me personally appeared George Higginson known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

Charles W. Shanklin
Notary Public
Banerov Ida

RECEIVED

JAN 27 1995

Department of Water Resources
Eastern District Office

MICROFILM

NOV 13 1990

AFFIDAVIT

POOR ORIGINAL

This is to certify that the undersigned knows that sixty hours (60 hrs.) per week of Mosses creek and two days or (48 hrs) per week of the north ditch of Eighteen mile or Big Flat creek water right belongs to the land described herein.

Land description.

W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec.13 Township 7 South Range 39 E.B.M.

E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec14 Township 7 South Range 39 E.B.M.

Date Oct 1, 1947

Signed Ellis Higginson

STATE OF IDAHO
County of Benewah

On this 1st day of Oct in the year 1947 before me personally appeared Ellis Higginson known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

RECEIVED

JAN 27 1948

Charles W. Varnhollen
Notary Public
Benewah County

on

Not



(4-405.)

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 730

APPLICATION 2057

of the LAND OFFICE at

Whereas There has been deposited in the GENERAL LAND OFFICE of the United States a CERTIFICATE OF THE REGISTER whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of William S. Higginson

has been established and duly consummated, in conformity to law, for the East half of the North East quarter of section fourteen and the West half of the North West quarter of section thirteen in township seven South of range thirty nine East of Boise Meridian in Idaho Territory containing one hundred and sixty acres

according to the OFFICIAL PLAT of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the SURVEYOR GENERAL:

Now know ye, That there is, therefore, granted by the United States unto the said William S. Higginson

the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said William S. Higginson and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof I, Benjamin Harrison, President of the United States of America, have caused these letters to be made Patent, and the seal of the GENERAL LAND OFFICE to be hereunto affixed.

Given under my hand, at the CITY OF WASHINGTON, the twelfth day of March, in the year of our Lord one thousand eight hundred and eighty nine, and of the Independence of the United States the one hundred and thirtieth.

By the President:

Benjamin Harrison

By

M. M. Keane

Secretary.

Bohew Race

Recorder of the General Land Office.

RECORDED, Vol 2 Page 205
(11384-7 NE) 6-371

RECEIVED
NOV 13 1889

JAN 27 1895

Department of Water Resources
Eastern District Office

J. Ransom Hatch
1424 Hatch Loop

Boancup Idaho 83217