

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: A29-04302
Date Received: 1/16/1990
Receipt No: E011744
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLIN S. BASTIAN 208-766-2566
Address: RT. 1
MALAD, ID 83252

OR

Name: LYNN S. BASTIAN 208-254-3193
Address: 1463 EAST ARIMO ROAD
ARIMO, ID 83214

2. Date of Priority: JUN 01, 1955

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	37E	30	NW	SW		5	BANNOCK
			SW	SW		8	BANNOCK
		31	NW	NW		1	BANNOCK

5. Description of diverting works:
DIVERSION DAMS PUMPS TO MAINLINE FOR SPRINKLER & FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/30	6.720		

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

8. Total consumptive use is 368.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-04302

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Date: 01/16/90

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A2904302



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	36E	25	NE		SE		IRR	2.0
			SE		SE		IRR	11.0
							Section Acres	13.0
		36	NE		NE		IRR	26.0
			NW		NE		IRR	21.0
			SW		NE		IRR	19.0
			SE		NE		IRR	35.0
			NE		SE		IRR	38.0
			NW		SE		IRR	37.0
							Section Acres	176.0
	37E	30	NE		NW		IRR	30.0
			NW		NW	1	IRR	2.0
			SW		NW	4	IRR	16.0
			NW		SW	6	IRR	6.0
			SW		SW	7	IRR	15.0
			SW		SW	8	IRR	38.0
							Section Acres	107.0
		31	NW		NW	1	IRR	26.0
			NW		NW	2	IRR	15.0
			SW		NW	3	IRR	10.0
			SW		NW	4	IRR	1.0
			NW		SW	5	IRR	4.0
			NW		SW	6	IRR	14.0
			SW		SW	7	IRR	2.0
							Section Acres	72.0
							Total Acres	368.0

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:
NONE

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 Individuals:

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

Signature of Claimant(s): *Merlin Bastian* Date: Jan 16 - 90
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16 day
of Jan 1990

Betty J. Thompson
Notary Public

Seal

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

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
A29-04302	10S 37E	30		NW	SW	5		BANNOCK		
A29-04302	10S 37E	30		SW	SW	8		BANNOCK		
A29-04302	10S 37E	31		NW	NW	1		BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-04049 NONE
A29-10961
A29-11463

WR RECORDS IN SAME 40 ACRE TRACT

29-04049
29-07889A
29-07889B

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

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
29-04302	10S 37E	30		SW	SW	8		BANNOCK		
29-04302	10S 37E	30		NW	SW	5		BANNOCK		
29-04302	10S 37E	31		NW	NW	1		BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

29-04049
29-07889A
29-07889B

A29-04049 NONE
A29-10961
A29-11463

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

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 "C" 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 "C" 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()

I. 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
10S	37E	30		NW	SW	5		BANNOCK		
10S	37E	30		SW	SW	8		BANNOCK		
10S	37E	31		NW	NW	1		BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

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

A. ROOT WATER RIGHT NUMBERS: A29-04302

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	36E	25	NE	SE		BASTIAN, LYNN S	A29-04302 / 2.0	29-04302 / 2.0	37.0		
			NE	SE		BASTIAN, MERLIN S		29-07889A / 5.0			
10S	36E	25	SE	SE		BASTIAN, LYNN S	A29-04302 / 11.0	29-04302 / 11.0	31.0		
			SE	SE		BASTIAN, MERLIN S	A29-10152 /	- /			
			SE	SE		BASTIAN, LYNN S	29-10152 /	- /			
			SE	SE		BASTIAN, MERLIN S		29-07889A / 28.0			
10S	36E	36	NE	NE		BASTIAN, LYNN S	A29-04302 / 26.0	29-04302 / 26.0	26.0		26.0
			NE	NE		MARSH CENTER IRRIGATION CO	A29-10663 / 20.0	- /			
			NE	NE		MARSH CENTER IRRIGATION CO	A29-10664 / 20.0	- /			
			NE	NE		MARSH CENTER IRRIGATION CO	A29-10665 / 20.0	- /			
			NE	NE		BASTIAN, MERLIN S	29-10147 /	- /			
			NE	NE		BASTIAN, MERLIN S	A29-10147 /	- /			
			NE	NE		BASTIAN, MERLIN S	A29-10148 /	- /			
			NE	NE		MARSH CENTER IRRIGATION CO	A29-12058 / 20.0	- /			
			NE	NE		BASTIAN, MERLIN S	29-10148 /	- /			
			NE	NE		MARSH CENTER IRRIGATION CO	A29-00430 / 20.0	- /			
			NE	NE		MARSH CENTER IRRIGATION CO	A29-02560A / 10.0	- /			
			NE	NE		MARSH CENTER IRRIGATION CO.		29-02560 / 10.0			
10S	36E	36	NW	NE		BASTIAN, LYNN S	A29-04302 / 21.0	29-04302 / 21.0	18.0		
			NW	NE		BASTIAN, MERLIN S	A29-10149 /	- /			
			NW	NE		MARSH CENTER IRRIGATION CO	A29-10663 / 18.0	- /			
			NW	NE		MARSH CENTER IRRIGATION CO	A29-10664 / 18.0	- /			
			NW	NE		MARSH CENTER IRRIGATION CO	A29-10665 / 18.0	- /			
			NW	NE		MARSH CENTER IRRIGATION CO	A29-12058 / 18.0	- /			
			NW	NE		BASTIAN, MERLIN S	29-10149 /	- /			
			NW	NE		MARSH CENTER IRRIGATION CO	A29-00430 / 18.0	- /			
10S	36E	36	SW	NE		BASTIAN, LYNN S	A29-04302 / 19.0	29-04302 / 19.0	41.0		
			SW	NE		MARSH CENTER IRRIGATION CO	A29-02239 / 38.0	29-02239 / 40.0			
			SW	NE		MARSH CENTER IRRIGATION CO	A29-10663 / 38.0	- /			
			SW	NE		MARSH CENTER IRRIGATION CO	A29-10664 / 38.0	- /			
			SW	NE		MARSH CENTER IRRIGATION CO	A29-10665 / 38.0	- /			
			SW	NE		MARSH CENTER IRRIGATION CO	A29-12058 / 38.0	- /			
			SW	NE		MARSH CENTER IRRIGATION CO	A29-00430 / 38.0	- /			
			SW	NE		MARSH CENTER IRRIGATION CO	A29-02560A / 30.0	- /			
			SW	NE		MARSH CENTER IRRIGATION CO.		29-02560 / 30.0			
			SW	NE		MEADOWBROOK RANCH		29-08020 / 20.0			
10S	36E	36	SE	NE		BASTIAN, LYNN S	A29-04302 / 35.0	29-04302 / 35.0	39.0		
			SE	NE		MARSH CENTER IRRIGATION CO	A29-02239 / 40.0	29-02239 / 40.0			
			SE	NE		MARSH CENTER IRRIGATION CO	A29-10663 / 40.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NE		MARSH CENTER IRRIGATION CO	A29-10664 / 40.0	- /			
			SE	NE		MARSH CENTER IRRIGATION CO	A29-10665 / 40.0	- /			
			SE	NE		MARSH CENTER IRRIGATION CO	A29-12058 / 40.0	- /			
			SE	NE		BASTIAN, MERLIN S	A29-11465 / 20.0	- /			
			SE	NE		MARSH CENTER IRRIGATION CO	A29-00430 / 40.0	- /			
			SE	NE		MARSH CENTER IRRIGATION CO	A29-02560A / 40.0	- /			
			SE	NE		MARSH CENTER IRRIGATION CO.		29-02560 / 40.0			
10S	36E	36	NE	SE		BASTIAN, LYNN S	A29-04302 / 38.0	29-04302 / 38.0	37.0		
			NE	SE		MARSH CENTER IRRIGATION CO	A29-10663 / 40.0	- /			
			NE	SE		MARSH CENTER IRRIGATION CO	A29-10664 / 40.0	- /			
			NE	SE		MARSH CENTER IRRIGATION CO	A29-10665 / 40.0	- /			
			NE	SE		MARSH CENTER IRRIGATION CO	A29-12058 / 40.0	- /			
			NE	SE		MARSH CENTER IRRIGATION CO	A29-00430 / 40.0	- /			
			NE	SE		BASTIAN, MERLIN S	A29-11465 / 40.0	- /			
10S	36E	36	NW	SE		BASTIAN, LYNN S	A29-04302 / 37.0	29-04302 / 37.0	40.0		
			NW	SE		MARSH CENTER IRRIGATION CO	A29-02239 / 40.0	29-02239 / 40.0			
			NW	SE		MARSH CENTER IRRIGATION CO	A29-10663 / 40.0	- /			
			NW	SE		MARSH CENTER IRRIGATION CO	A29-10664 / 40.0	- /			
			NW	SE		MARSH CENTER IRRIGATION CO	A29-10665 / 40.0	- /			
			NW	SE		MARSH CENTER IRRIGATION CO	A29-12058 / 40.0	- /			
			NW	SE		MARSH CENTER IRRIGATION CO	A29-00430 / 40.0	- /			
			NW	SE		BASTIAN, MERLIN S	A29-11465 / 40.0	- /			
			NW	SE		EGAN, WILLIAM A.		29-04463 / 16.0			
10S	37E	30	NE	NW		BASTIAN, LYNN S	A29-04302 / 30.0	29-04302 / 19.0	30.0		
			NE	NW		OLSON, GRANT H	A29-07536 / 15.0	- /			
10S	37E	30	NW	NW	1	BASTIAN, LYNN S	A29-04302 / 2.0	29-04302 / 2.0	8.0		
10S	37E	30	SW	NW	4	BASTIAN, LYNN S	A29-04302 / 16.0	29-04302 / 16.0	24.0		
			SW	NW		COLE, J. ROYAL		29-04049 / 4.0			
			SW	NW		COLE, J. ROYAL		29-04050 / 4.0			
			SW	NW	4	BASTIAN, LYNN S		29-078898 / 4.0			
10S	37E	30	NW	SW	6	BASTIAN, LYNN S	A29-04302 / 6.0	29-04302 / 6.0			
			NW	SW		COLE, J ROYAL	A29-04049 / 36.0	29-04049 / 40.0			
			NW	SW		COLE, J ROYAL	A29-04050 / 36.0	29-04050 / 40.0			
			NW	SW		COLE, J ROYAL	A29-10961 / 36.0	- /			
10S	37E	30	SW	SW	7	BASTIAN, LYNN S	A29-04302 / 15.0	29-04302 / 10.0			
			SW	SW		BASTIAN, MERLIN S	A29-11463 / 40.0	- /			
10S	37E	30	SW	SW	8	BASTIAN, LYNN S	A29-04302 / 38.0	29-04302 / 38.0			
			SW	SW		BASTIAN, MERLIN S	A29-11463 / 40.0	- /			
10S	37E	31	NW	NW	1	BASTIAN, LYNN S	A29-04302 / 26.0	29-04302 / 26.0	40.0		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	NW		BASTIAN, MERLIN S	A29-11463 / 20.0	- /			
			NW	NW	1	MEADOWBROOK RANCH	A29-04054 / 22.0	29-04054 / 12.0			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-10663 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-10664 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-10665 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-12058 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-00430 / 15.0	- /			
10S	37E	31	NW	NW	2	BASTIAN, LYNN S	A29-04302 / 15.0	29-04302 / 10.0	36.0		
			NW	NW		BASTIAN, MERLIN S	A29-11463 / 20.0	- /			
			NW	NW	1	MEADOWBROOK RANCH	A29-04054 / 22.0	29-04054 / 12.0			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-10663 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-10664 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-10665 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-12058 / 15.0	- /			
			NW	NW	1	MARSH CENTER IRRIGATION CO	A29-00430 / 15.0	- /			
10S	37E	31	SW	NW	3	BASTIAN, LYNN S	A29-04302 / 10.0	29-04302 / 8.0	56.0		
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-10663 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-10664 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-10665 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-12058 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-00430 / 10.0	- /			
			SW	NW	3	MEADOWBROOK RANCH	A29-04054 / 7.0	29-04054 / 40.0			
10S	37E	31	SW	NW	4	BASTIAN, LYNN S	A29-04302 / 1.0	- /	27.0		
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-10663 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-10664 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-10665 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-12058 / 10.0	- /			
			SW	NW	2	MARSH CENTER IRRIGATION CO	A29-00430 / 10.0	- /			
			SW	NW	3	MEADOWBROOK RANCH	A29-04054 / 7.0	29-04054 / 40.0			
			SW	NW	3	BASTIAN, MERLIN S.		29-04302 / 8.0			
10S	37E	31	NW	SW	5	BASTIAN, LYNN S	A29-04302 / 4.0	29-04302 / 2.0			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-10663 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-10664 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-10665 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-12058 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-00430 / 12.0	- /			
			NW	SW	5	MEADOWBROOK RANCH	A29-04054 / 39.0	29-04054 / 38.0			
10S	37E	31	NW	SW	6	BASTIAN, LYNN S	A29-04302 / 14.0	29-04302 / 9.0			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-10663 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-10664 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-10665 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-12058 / 12.0	- /			
			NW	SW	3	MARSH CENTER IRRIGATION CO	A29-00430 / 12.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SW	5	MEADOWBROOK RANCH	A29-04054 / 39.0	29-04054 / 38.0			
10S	37E	31	SW	SW	7	BASTIAN, LYNN S	A29-04302 / 2.0	29-04302 / 2.0			
			SW	SW		HART, JOHN WILLIAM	A29-04109 / 20.0	29-04109 / 20.0			
			SW	SW		HART, JENNIE	A29-04111 / 12.0	29-04111 / 13.0			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-10663 / 1.0	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-10664 / 1.0	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-10665 / 1.0	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-12058 / 1.0	- /			
			SW	SW	4	CROWDER, GARY	A29-11885 /	- /			
			SW	SW	4	CROWDER, ESTHER	29-11885 /	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-00430 / 1.0	- /			
			SW	SW	6	MANNING, LEON WALLACE		29-04054 / 4.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-04302	368.00	337.00	490.00
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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
A29-04302	MARSH CREEK	BASTIAN, LYNN S	6.720	0.018		
A29-00430	HAWKINS CREEK	MARSH CENTER IRRIGATION CO	40.000	0.012		
	HAWKINS CREEK, SOUTH FORK					
A29-02239	WIREGRASS SPRING	MARSH CENTER IRRIGATION CO	5.800	0.024		
A29-02560A	WIREGRASS SPRINGS	MARSH CENTER IRRIGATION CO			24.00	0.11
A29-04049	MARSH CREEK	COLE, J ROYAL	1.980	0.020		
A29-04050	PECK CREEK	COLE, J ROYAL	3.550	0.023		
A29-04054	PECK CREEK	MEADOWBROOK RANCH	3.800	0.020		
A29-04109	PECK CREEK	HART, JOHN WILLIAM	0.800	0.020		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-04111	SPRING	HART, JENNIE	2.800	0.016		
A29-07536	MARSH CREEK	OLSON, GRANT H	1.700	0.020		
A29-10663	SPRINGS	MARSH CENTER IRRIGATION CO	0.330			
	SPRINGS					
A29-10664	SPRINGS	MARSH CENTER IRRIGATION CO	0.330			
	SPRINGS					
	SPRING					
A29-10665	MASON SPRING	MARSH CENTER IRRIGATION CO	0.330			
A29-10961	SPRING	COLE, J ROYAL	0.200	0.002		
A29-11463	SPRINGS	BASTIAN, MERLIN S	1.200	0.020		
A29-11465	SPRINGS	BASTIAN, MERLIN S	0.500	0.005		
A29-12058	COLE SPRING	MARSH CENTER IRRIGATION CO	6.680	0.002		
	HEWITT SPRING					
	SHEEP CREEK					

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-10152	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
29-10152	STOCKWATER	BASTIAN, LYNN S	FROM 01-01 TO 12-31	0.160 CFS	
29-10147	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
A29-10147	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
A29-10148	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
A29-10148	DOMESTIC	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.040 CFS	
29-10148	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
29-10148	DOMESTIC	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.040 CFS	
A29-10149	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
A29-10149	DOMESTIC	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.040 CFS	
29-10149	STOCKWATER	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.160 CFS	
29-10149	DOMESTIC	BASTIAN, MERLIN S	FROM 01-01 TO 12-31	0.040 CFS	
A29-11885	DOMESTIC	CROWDER, GARY	FROM 01-01 TO 12-31	0.040 CFS	
A29-11885	STOCKWATER	CROWDER, GARY	FROM 01-01 TO 12-31	0.020 CFS	
29-11885	DOMESTIC	CROWDER, ESTHER	FROM 01-01 TO 12-31	0.040 CFS	
29-11885	STOCKWATER	CROWDER, ESTHER	FROM 01-01 TO 12-31	0.020 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Log for claim A29-04302

Spatial Dynamics LTD

6/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	25	NESE	2	2.3	
10s36e	25	SESE	11	9.3	
10s36e	36	NENE	26	19	
10s36e	36	NWNE	21	17	
10s36e	36	SWNE	19	25	
10s36e	36	SENE	35	41	
10s36e	36	NESE	38	41	
10s36e	36	NWSE	37	39	
10s37e	30	NENW	30	24	
10s37e	30	NWNW	2	0.6	
10s37e	30	SWNW	16	10	
10s37e	30	NESW	0	0	
10s37e	30	NWSW	6	7.9	
10s37e	30	SWSW	38	41	
10s37e	30	SWSW	15	16	
10s37e	30	SESW	0	0	
10s37e	31	SWSW	2	0	
10s37e	31	NWNW	26	26	
10s37e	31	NWNW	15	15	
10s37e	31	SWNW	1	0.5	
10s37e	31	SWNW	10	11	
10s37e	31	NWSW	4	0.2	
10s37e	31	NWSW	14	13	
Totals:			368	358.8	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 04/27/00
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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYNN S BASTIAN 1463 E ARIMO RD ARIMO ID 83214 (208) 254-3193	06/01/1955	IRRIGATION	03-01 11-30	6.720 CFS	
				TOTAL DIVERSION:	6.720 CFS	
				CONSUMPTIVE USE:		368.00 AFA
C	MERLIN S BASTIAN RT 1 MALAD ID 83252 (208) 766-2566					

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R37E S30 Lot05(NWSW) Lot08(SWSW)
S31 Lot01(NWNW)BANNOCK County
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	
10S	36E 25													02			11	13.0
10S	36E 36	26		21		19		35						38	37			176.0
10S	37E 30																	107.0
10S	37E 30																	
10S	37E 31																	72.0
10S	37E 31																	
																	TOTAL ACRES	368.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-04049 A29-11463Other Water Rights Listing Overlapping Place(s) of Use:
A29-00430 A29-02239 A29-02560 A29-02560A A29-04054 A29-07536 A29-10663 A29-10664 A29-10665 A29-11465
A29-12058

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-04302

IDAHO DEPARTMENT OF WATER RESOURCES
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DATE: 04/27/00
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Audit: 01/16/90 WILSON 07/20/94 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, 1993. 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 Merlin S. Rastjan

(Name of Claimant)

Rt. 1, Malad, ID 83252

(Mailing Address)

Telephone No. 766-2566

(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 1, 1955

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)

Marsh Creek tributary to Portneuf River

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>6.72 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>3-1</u>	To <u>11-30</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 6.72 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot 8 SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30 Twp. 10S Rge. 37E B.M., County of Bannock

Additional points of diversion: (Lot 5) NWSW, Sec. 30 and (Lot 1) NWNW, Sec. 31, T. 10S R. 37E.

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. Dams, pump and pipeline

- (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	25													2			11	13
		36	26	21	19	35									38	37			176
10S	37E	30					19	2	16		6	38							81
							L1	L4			L6	L8							
		30										10							10
												L7							
		31					26	8		9	2								45
							L1	L3			L6	L7							
10S	37E	31					10				2								12
							L2				L5								

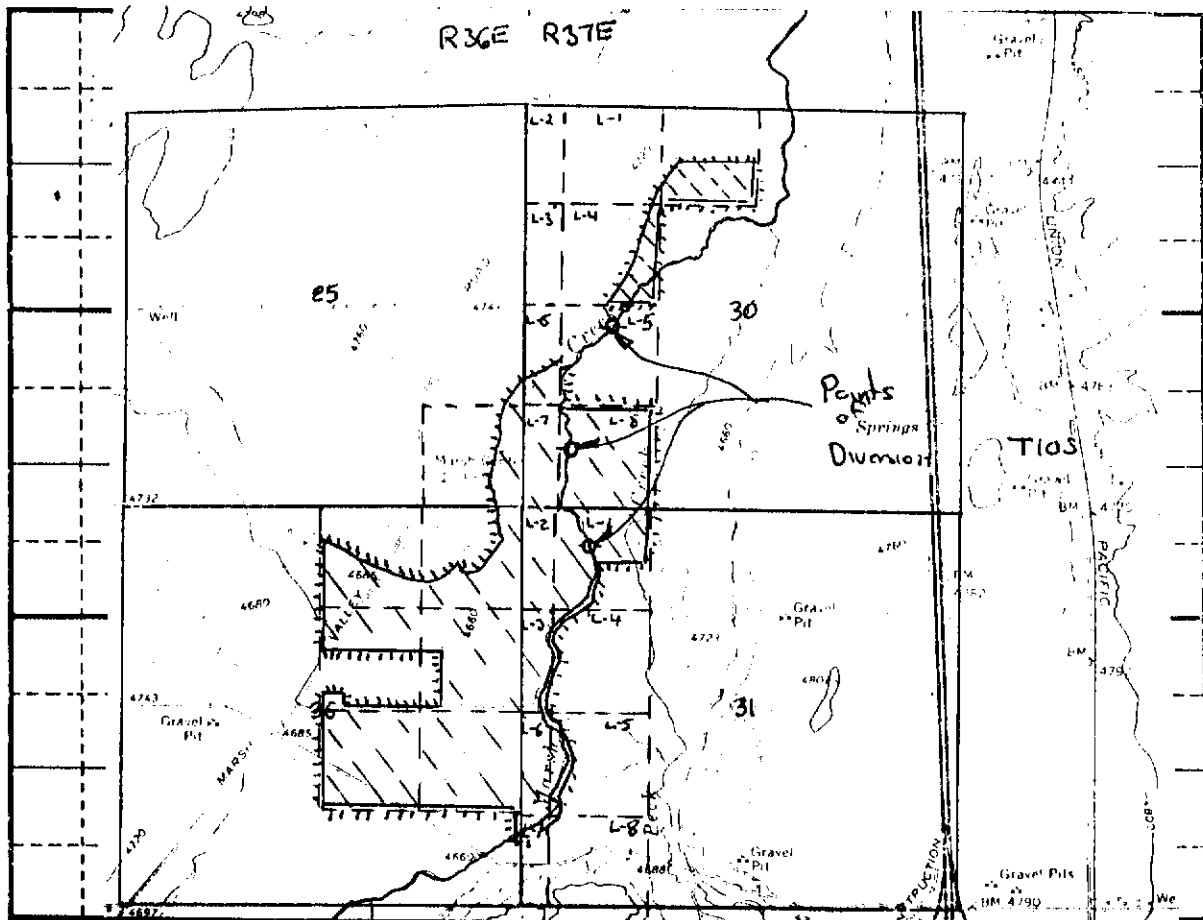
No. of acres 337

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

Blaine 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

22

day of

February

19

83

Mertin Bastian
(Claimant)

Notary Public

Residing at

Malad, Idaho

My commission expires

4/1

Ass'd by HWT (CW) 3-04-83 FOR DEPARTMENT USE ONLY

Received by

CW

Date

2-24-83

Exception filed by:

Forwarded to

Date

Prelim. check by

KW

Date

2-25-83

#25472

claimant by:

Published in

Idaho State Journal

Dates

3/17 & 3/24/83

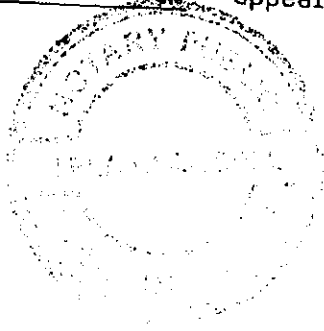
March 30, 1995

To Whom It May Concern

This Statement is To Tell you that in 1959, I Khalil Scott of Scott Lumber - Malad Idaho did weld on a pipe line for Martin Bastian. This pipe was for pumping the water from Marsh Creek up the Hill for irrigation.

Khalil Scott

Khalil Scott appeared before me and is the above signed person on this document.



Lela Blaudel of Malad City, Idaho

This day 30th March 1995
commission expires 1-17-99

MICROFILMED

NOV 13 1990

I, J. Royal Cole of Arimo, Idaho, remember in 1926 when I was a young man of 16 years of age, that George Morrison, running the ranch of Tom Woodland, was diverting water from the Marsh Creek to water his meadows. The point of diversion being:

T10S R37E S30 Lot05(NWSW) Lot 08(SWSW)
S31 Lot01(NWNW)

I have been a life long neighbor to this ranch which is now owned by Merion S. Bastian and Lynn S. Bastian.

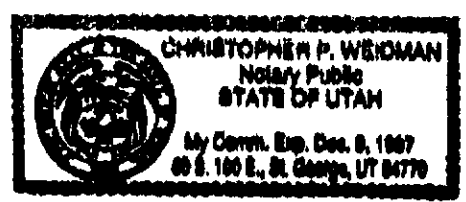
I attest to the fact that this is a true statement.

Royal Cole
signed

3-21-95
dated

UTAH
STATE OF ~~IDAHO~~ }
COUNTY OF *WASHINGTON* }

On this *27th* day of *March*, 1995, personally appeared before me, a Notary Public, *Royal Cole* who acknowledged that he executed the foregoing statement.



Christopher Wendman
NOTARY PUBLIC for: *UTAH*
Residing at: *St. George*
My commission expires: *12/9/97*

MICROFILMED
NOV 13 1996