

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: A29-10665
Date Received: 5/17/1990
Receipt No: E014601
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARSH CENTER IRRIGATION CO. 208-897-5757
Address: C/O RICHARD BURMESTER
765 WEST HAWKINS ROAD
ARIMO, ID 83214

2. Date of Priority: APR 01, 1891

3. Source: MASON SPRING Trib. to: HAWKINS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	35E	35	NW	SE			BANNOCK

5. Description of diverting works:
HAWKINS RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.330		
IRRIGATION STORAGE	01/01	12/31			238.90
IRRIGATION FROM STORAGE	03/15	11/15			238.90

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

8. Total consumptive use is 160.4 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	35E	21	SE	NE		IRR	20.0

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Date: 05/17/90

MICROFILMED
NOV 16 1992

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		23	SW	NW	IRR	30.0
			NE	SW	IRR	5.0
			NW	SW	IRR	5.0
					Section Acres	40.0
		36	SE	SW	IRR	18.0
			SW	SE	IRR	2.0
					Section Acres	20.0
	36E	21	NE	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	80.0
		25	NW	SW	IRR	15.0
			SW	SW	IRR	37.0
			SE	SW	IRR	10.0
					Section Acres	62.0
		26	NE	SW	IRR	30.0
			NW	SW	IRR	17.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	30.0
			NW	SE	IRR	30.0
			SE	SE	IRR	5.0
					Section Acres	192.0
		28	SW	NE	IRR	40.0
			NE	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
					Section Acres	240.0
		32	SW	NE	IRR	25.0
			SW	NW	IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	35.0
		33	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	15.0
			SW	NW	IRR	37.0
			SE	NW	IRR	40.0
			NE	SW	IRR	37.0
			NW	SW	IRR	36.0
			SW	SW	IRR	22.0
			SE	SW	IRR	15.0
			NW	SE	IRR	40.0
			SW	SE	IRR	23.0
			SE	SE	IRR	32.0
					Section Acres	417.0
		34	SW	NW	IRR	22.0
			SE	NW	IRR	20.0
			NE	SW	IRR	38.0
			NW	SW	IRR	40.0
			SW	SW	IRR	30.0
			SE	SW	IRR	28.5
			NE	SE	IRR	15.0
			NW	SE	IRR	1.7
			SW	SE	IRR	27.3
			SE	SE	IRR	26.8
					Section Acres	249.3
		35	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	20.0
			SW	NW	IRR	27.0
			NW	SW	IRR	16.0
					Section Acres	183.0
		36	NE	NE	IRR	20.0
			NW	NE	IRR	18.0
			SW	NE	IRR	38.0
			SE	NE	IRR	40.0
			NE	NW	IRR	30.0
			NW	NW	IRR	20.0
			SW	NW	IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10S	36E	36	SE	NW		IRR	34.0
			NE	SW		IRR	7.0
			SE	SW		IRR	10.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
						Section Acres	322.0
	37E	31	NW	NW	1	IRR	15.0
			SW	NW	2	IRR	10.0
			NW	SW	3	IRR	12.0
			SW	SW	4	IRR	1.0
						Section Acres	38.0
11S	35E	2	NW	NW		IRR	4.0
						Section Acres	4.0
	36E	3	NE	NE	1	IRR	39.4
			NW	NE	2	IRR	39.1
			SW	NE		IRR	40.0
			SE	NE		IRR	38.3
			NE	NW	3	IRR	38.2
			NW	NW	4	IRR	36.1
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	38.3
			SE	SW		IRR	36.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	37.4
						Section Acres	581.8
		4	NE	NE	1	IRR	38.9
			NW	NE	2	IRR	33.0
			SW	NE		IRR	33.6
			SE	NE		IRR	40.0
			NE	SW		IRR	10.8
			NW	SW		IRR	5.7
			SW	SW		IRR	36.6
			SE	SW		IRR	34.3
			NE	SE		IRR	33.7
			NW	SE		IRR	34.9

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	4	SW	SE		IRR	14.2
			SE	SE		IRR	29.7
			Section Acres				345.4
		5	SW	SE		IRR	11.4
			SE	SE	7	IRR	6.2
			Section Acres				17.6
		8	NE	NE	1	IRR	33.6
			NW	NE		IRR	36.0
			SW	NE		IRR	21.0
			SE	NE	2	IRR	10.2
			NE	NW		IRR	5.0
			SE	NW		IRR	1.1
			Section Acres				106.9
		9	NE	NE		IRR	4.6
			NW	NE		IRR	26.2
			SW	NE		IRR	27.0
			NE	NW		IRR	29.0
			NW	NW		IRR	33.6
			SE	NW		IRR	22.0
			NE	SW		IRR	22.0
			NW	SE		IRR	37.0
			SW	SE		IRR	2.0
			Section Acres				203.4
		10	NE	NW		IRR	29.6
			NW	NW		IRR	4.0
			Section Acres				33.6
			Total Acres				3191.0

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:

29-02239/02560A/00430/10664/10663/12058

14. Remarks:

THIS RIGHT CONSISTS OF A SPRING AS DESCRIBED IN THE DECREE AS

MICROFILMED
NOV 16 1992

14. Remarks: Continued

MASON SPRING ADJACENT TO THE SAID CHANNEL OF SAID HAWKINS CREEK,
AND SITUATED WITHIN THE BOUNDARIES OF THE LAND IN THE POSSESSION
OF THE SAID DEFENDANT CONNIE HAWKS.

P/D IS HAWKNIS RESERVOIR

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 11/07/1913

MARSH CENTER IRRIGATING CO.

Decree Plaintiff

vs

JAMES H. GUNTER

Decree Defendant

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 Secretary of _____ Title

Marsh center Irrigator Co., that I have signed the foregoing Organization

document in the space below as Secretary of _____ Title

Marsh center Irrigation and that the statements contained in the Organization

foregoing document are true and correct.

Marshall Wheatley
Signature of Authorized Agent

Secretary Marsh center Irrigation
Title and Organization

May 17 1990
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of May 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
REPAIRING AND REPAIRING, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

80.1

147.9

45.4

17

33.3

6.0

4.8

35.2

30.4

28.5

27.3

26.8

38.1

83.6

20.9

34.3

TIOS
TIS

38.2

36

37.6

38.2

38.3

34.0

4.0

4.0

10 164.2 4.0

38.3

R36E

143.4

8 90.2

9 73.1

11 1.0

33.1

4.0

4.0

4.0

3.0

8 181.4

29.7

35.3

36

37.4

10 25.5

TIS

15 89.1

4 3 9 10 4.0

3.6

20.6

13 236.9

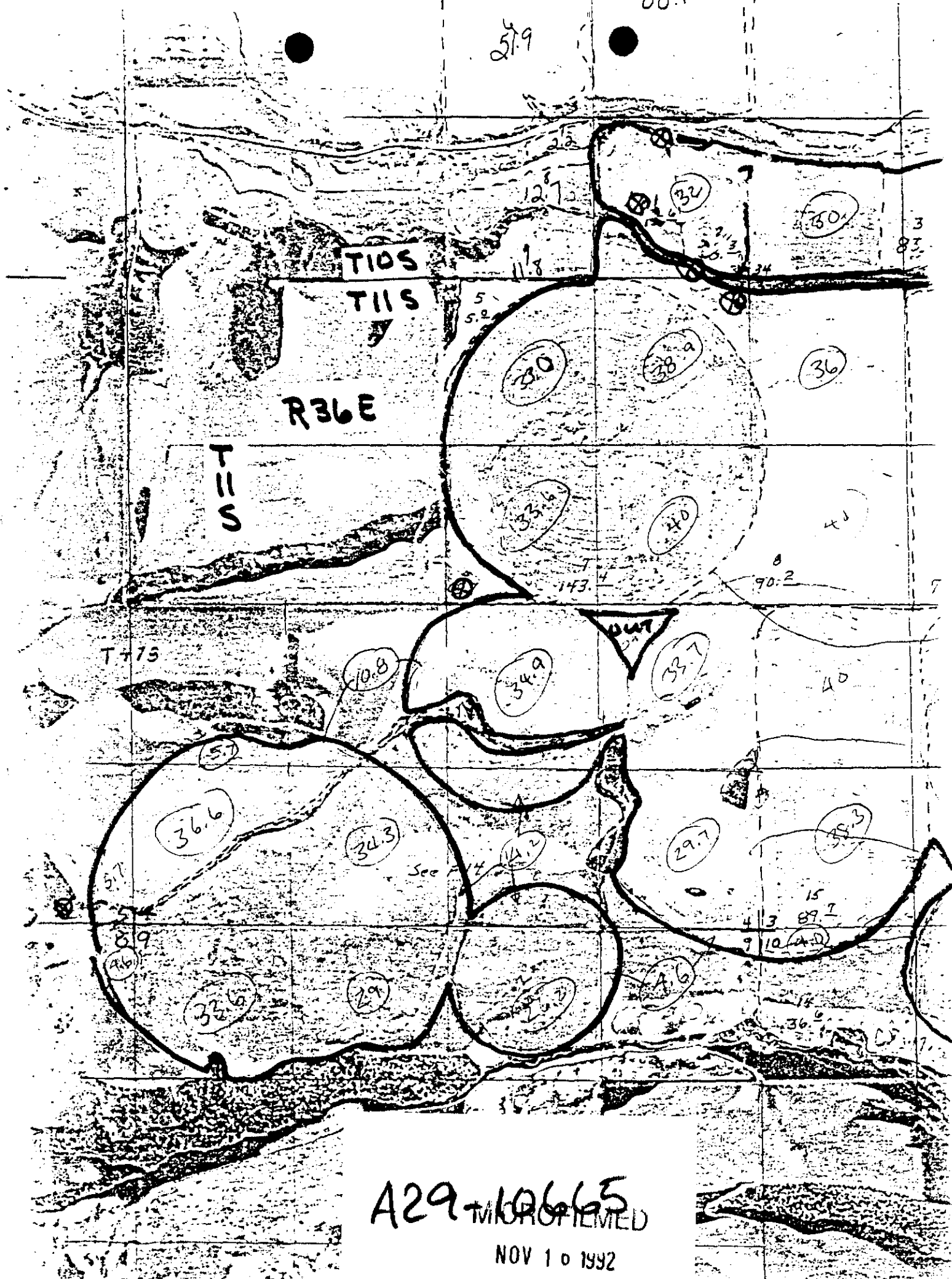
MICROFILMED

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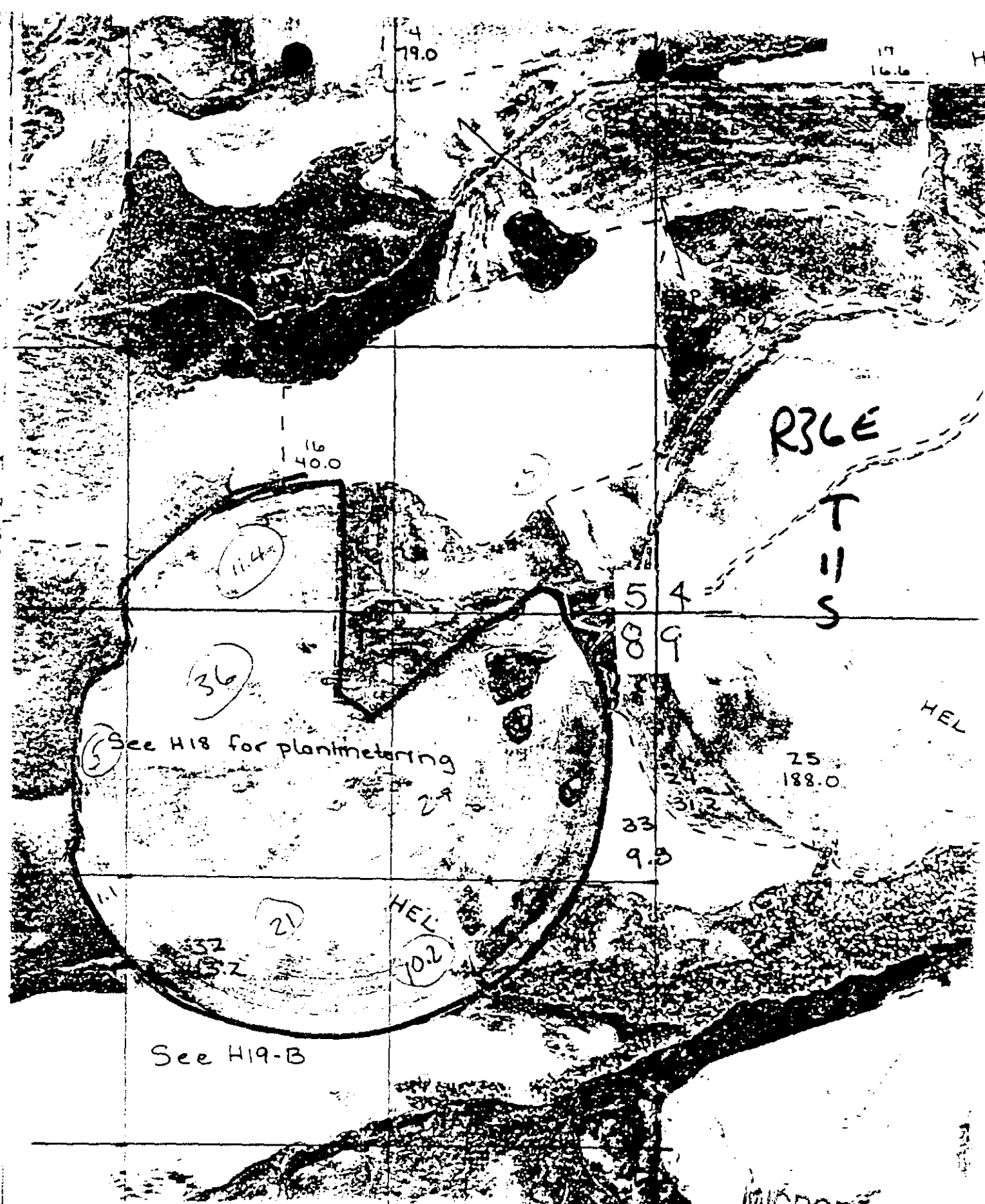
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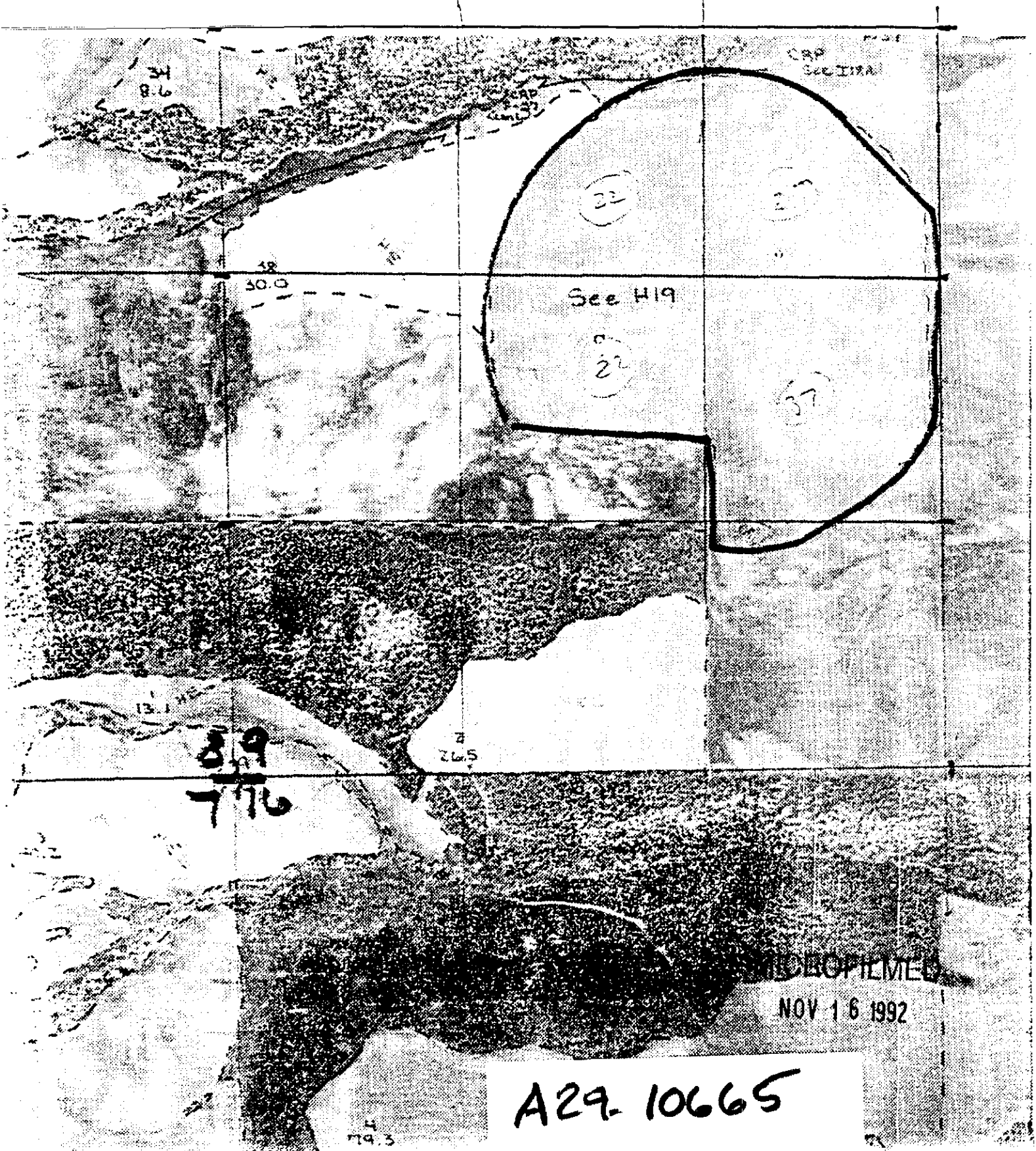


Not to scale

A29-10665

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T
11
S R36E





4702

4711

32° 30"

4710

T
10
S

4709

4708

4707

470600m N

42° 30'

42° 15'

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NOV 16 1992

T
I
T

A29-10665



17' 30"

'93

'92

'91

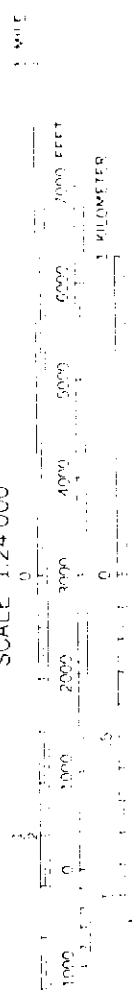
20'

'90

450,000 FEET

'88

SCALE 1:24,000



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A29-10665

Logical Survey
 Forest Service
 1:78,000-scale
 August 7, 1976
 Grid ticks: Idaho coordinate
 system; Mercator
 inverse; Mercator grid ticks,
 meridian datum
 by scanning techniques
 or mismatched images;
 positions for map point

Log for claim A29-10665

Spatial Dynamics BTB

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s35e	21	SENE	20	31	Indiscernible
10s35e	23	SWNW	30	29	
10s35e	23	NESW	5	9.1	
10s35e	23	NWSW	5	9.2	
10s35e	36	SESW	18	12	
10s35e	36	SWSE	2	3.3	
10s36e	21	NESW	40	40	
10s36e	21	SESW	40	39	
10s36e	25	NWSW	15	13	
10s36e	25	SWSW	37	37	
10s36e	25	SESW	10	10	
10s36e	26	NESW	30	29	
10s36e	26	NWSW	17	16	
10s36e	26	SWSW	40	39	
10s36e	26	SESW	40	40	
10s36e	26	NESE	30	25	
10s36e	26	NWSE	30	33	
10s36e	26	SESE	5	5.2	
10s36e	28	SWNE	40	39	
10s36e	28	NENW	40	40	
10s36e	28	SENW	40	40	
10s36e	28	NESE	40	39	
10s36e	28	NWSE	40	38	
10s36e	28	SWSE	40	38	
10s36e	32	SWNE	25	20	
10s36e	32	SWNW	10	9.7	
10s36e	33	NWNE	40	41	
10s36e	33	SWNE	40	41	
10s36e	33	NENW	40	40	
10s36e	33	NWNW	15	25	Indiscernible
10s36e	33	SWNW	37	40	
10s36e	33	SENW	40	41	
10s36e	33	NESW	37	41	
10s36e	33	NWSW	36	39	
10s36e	33	SWSW	22	20	
10s36e	33	SESW	15	24	
10s36e	33	NWSE	40	40	
10s36e	33	SWSE	23	25	
10s36e	33	SESE	32	37	
10s36e	34	SWNW	22	23	
10s36e	34	SENW	20	23	
10s36e	34	NESW	38	32	
10s36e	34	NWSW	40	39	
10s36e	34	SWSW	30	33	
10s36e	34	SESW	28	28	
10s36e	34	NESE	15	12	
10s36e	34	NWSE	1	4.3	
10s36e	34	SWSE	27	27	

Log for claim A29-10665

Spatial Dynamics LTD

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	34	SESE	26	26	
10s36e	35	NWNE	40	41	
10s36e	35	SWNE	40	41	
10s36e	35	NENW	40	41	
10s36e	35	NWNW	20	22	
10s36e	35	SWNW	27	37	Indiscernible
10s36e	35	NWSW	16	9	
10s36e	36	NENE	20	16	
10s36e	36	NWNE	18	17	
10s36e	36	SWNE	38	25	
10s36e	36	SENE	40	41	
10s36e	36	NENW	30	31	
10s36e	36	NWNW	20	18	
10s36e	36	SWNW	5	3.1	
10s36e	36	SENW	34	32	
10s36e	36	NESW	7	8.2	
10s36e	36	SESW	10	8.7	
10s36e	36	NESE	40	41	
10s36e	36	NWSE	40	39	
10s36e	36	SWSE	20	11	
10s37e	31	NWNW	10	15	
10s37e	31	NWNW	15	11	
10s37e	31	SWNW	1	0.5	
10s37e	31	SWNW	12	11	
10s37e	31	NWSW	0	13	
11s35e	2	NWNW	4	13	Indiscernible
11s36e	3	SENE	38	38	
11s36e	3	NENE	39	42	
11s36e	3	NWNE	39	41	
11s36e	3	SWNE	40	40	
11s36e	3	NENW	38	39	
11s36e	3	NWNW	36	42	
11s36e	3	SWNW	40	39	
11s36e	3	SENW	40	39	
11s36e	3	NESW	40	40	
11s36e	3	NWSW	40	38	
11s36e	3	SWSW	38	38	
11s36e	3	SESW	36	39	
11s36e	3	NESE	39	39	
11s36e	3	NWSE	40	40	
11s36e	3	SWSE	37	39	
11s36e	4	NENE	38	42	
11s36e	4	NWNE	33	35	
11s36e	4	SWNE	33	33	
11s36e	4	SENE	40	40	
11s36e	4	NESW	10	11	
11s36e	4	NWSW	5	5.6	
11s36e	4	SWSW	36	38	

Log for claim A29-10665

Spatial Dynamics BTD

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	4	SESW	34	39	
11s36e	4	NESE	33	38	
11s36e	4	NWSE	34	40	
11s36e	4	SWSE	14	19	
11s36e	4	SESE	29	31	
11s36e	5	SESW	0	0.4	
11s36e	5	SWSE	11	17	
11s36e	5	SESE	6	3.7	
11s36e	8	NENE	33	32	
11s36e	8	NWNE	36	38	
11s36e	8	SWNE	21	16	
11s36e	8	SENE	10	8.1	
11s36e	8	NENW	5	8.4	
11s36e	8	SENW	1	0.3	
11s36e	9	NENE	4	5.1	
11s36e	9	NWNE	26	32	
11s36e	9	SWNE	27	29	
11s36e	9	NENW	29	29	
11s36e	9	NWNW	33	30	
11s36e	9	SENW	22	22	
11s36e	9	NESW	22	20	
11s36e	9	NWSE	37	36	
11s36e	9	SWSE	2	1.5	
11s36e	10	NENW	29	31	
11s36e	10	NWNW	4	4.9	
Totals:			3177	3259.3	

AJ5809NP
No. A29-10665

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARSH CENTER IRRIGATION CO C/O RICHARD BURMESTER 765 W HAWKINS RD ARIMO ID 83214 (208) 897-5757	04/01/1891	IRRIGATION IRRIGATION STORAGE IRRIGATION FROM STORAGE	03-15 11-15 01-01 12-31 03-15 11-15	0.330 CFS	238.90 AFA 238.90 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					0.330 CFS	160.40 AFA

Water Source: MASON SPRING

Tributary to: HAWKINS CREEK

Stage: DECREED

Point(s) of Diversion: T10S R35E S35 NWSE

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							
T	R	S	:	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	SUM							
10S	35E	21	:							20	:																								20.0						
10S	35E	23	:								:				30	:				05	05													40.0							
10S	35E	36	:								:											18	:				02							20.0							
10S	36E	21	:								:								40			40	:											80.0							
10S	36E	25	:								:									15	37	10	:											62.0							
10S	36E	26	:								:								30	17	40	40	:	30	30			05					192.0								
10S	36E	28	:					40			:	40				40	:						:	40	40	40								240.0							
10S	36E	32	:					25			:			10			:						:											35.0							
10S	36E	33	:			40		40			:	40	15	37	40	:	37	36	22	15	:			40	23	32							417.0								
10S	36E	34	:								:			22	20	:	38	40	30	28	:	15	01	27	26								249.3								
10S	36E	35	:			40		40			:	40	20	27		:		16			:												183.0								
10S	36E	36	:	20	18	38	40				:	30	20	05	34	:	07				10	:	40	40	20								322.0								
10S	37E	31	:								:		01-15	02-10		:		03-12	04-01		:												38.0								
11S	35E	2	:								:		04			:						:												4.0							
11S	36E	3	:	01-39	02-39		40	38			:	03-38	04-36	40	40	:	40	40	38	36	:	39	40	37									581.8								
11S	36E	4	:	01-38	02-33		33	40			:					:	10	05	36	34	:	33	34	14	29								345.4								
11S	36E	5	:								:					:					:				11	07-06								17.6							
11S	36E	8	:	01-33		36	21	02-10			:	05			01	:					:												106.9								
11S	36E	9	:	04	26	27					:	29	33		22	:	22				:		37	02									203.4								
11S	36E	10	:								:	29	04			:					:													33.6							
																																			TOTAL ACRES		3191.0				

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

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-02239/02560A/00430/10664/10663/12058

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00430 A29-10663 A29-10664 A29-12058

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

AJ5809NP
No. A29-10665

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

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

A29-00430 A29-02239 A29-02560 A29-02560A A29-04013 A29-04054 A29-04302 A29-04463A A29-07153 A29-07271
A29-07276 A29-07432 A29-10663 A29-10664 A29-11452 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. 29H.

Remarks: GEN THIS RIGHT CONSISTS OF A SPRING AS DESCRIBED IN THE DECREE AS
MASON SPRING ADJACENT TO THE SAID CHANNEL OF SAID HAWKINS CREEK,
AND SITUATED WITHIN THE BOUNDARIES OF THE LAND IN THE POSSESSION
OF THE SAID DEFENDANT CONNIE HAWKS.

P/D IS HAWKNIS RESERVOIR

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

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

Audit: 05/18/90 WILSON 08/03/94 THOMPSON 03/29/95 POST-STD 04/13/00 CVANDERM