

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: A29-11178
Date Received: 4/ 9/1990
Receipt No: E012956
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LESTER A. HARTVIGSEN TRUST 801-752-7406
Address: LESTER A HARTIVGSEN TRUSTOR
3084 W 3200 N
SMITHFIELD UT 84335

2. Date of Priority: MAY 1, 1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	8	NE	SE			BANNOCK

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.060		

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

8. Total consumptive use is 657.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	8	NE	SE		IRR	5.0

MICROFILMED

APR 14 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
		9	NE	SW	IRR	38.0
			NW	SW	IRR	20.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	178.0
		10	NW	SW	IRR	40.0
			SW	SW	IRR	40.0
					Section Acres	80.0
					Total Acres	263.0

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:

A29-11177

14. Remarks:

THIS RIGHT REPRESENTS A COMBINATION OF 29-00438 & 29-00440
TRANSFER #2523

THE RIGHT WHEN COMBINED WITH A29-11177 SHALL NOT EXCEED 5.6 CFS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

WILLIAM GOODENOUGH
Decree Plaintiff

A. P. MARSO
vs Decree Defendant

MICROFILMED

APR 14 1994

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: A29-11178
Date Received: 4/09/1990
Receipt No: E012956
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LESTER A. HARTVIGSEN 801-752-7406
Address: 3084 WEST 3200 NORTH
SMITHFIELD, UT 84335

2. Date of Priority: MAY 01, 1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	8	NE	SE			BANNOCK

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.060		

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

8. Total consumptive use is 657.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	8	NE	SE		IRR	5.0
Section Acres							5.0

A29-11178

Page 1

Date: 04/09/90

MICROFILMED

NOV 16 1992

A291178



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	9	NE	SW		IRR	38.0
			NW	SW		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	178.0
		10	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	263.0

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:
A29-11177

14. Remarks:
THIS RIGHT REPRESENTS A COMBINATION OF 29-00438 & 29-00440
TRANSFER #2523
THE RIGHT WHEN COMBINED WITH A29-11177 SHALL NOT EXCEED 5.6 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

WILLIAM GOODENOUGH
Decree Plaintiff

A. P. MARSO
Decree Defendant

vs

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): Lester A Hartwegsen Date: 4-9-90

Date: _____

State of Idaho)
County of Bonneville) SS.

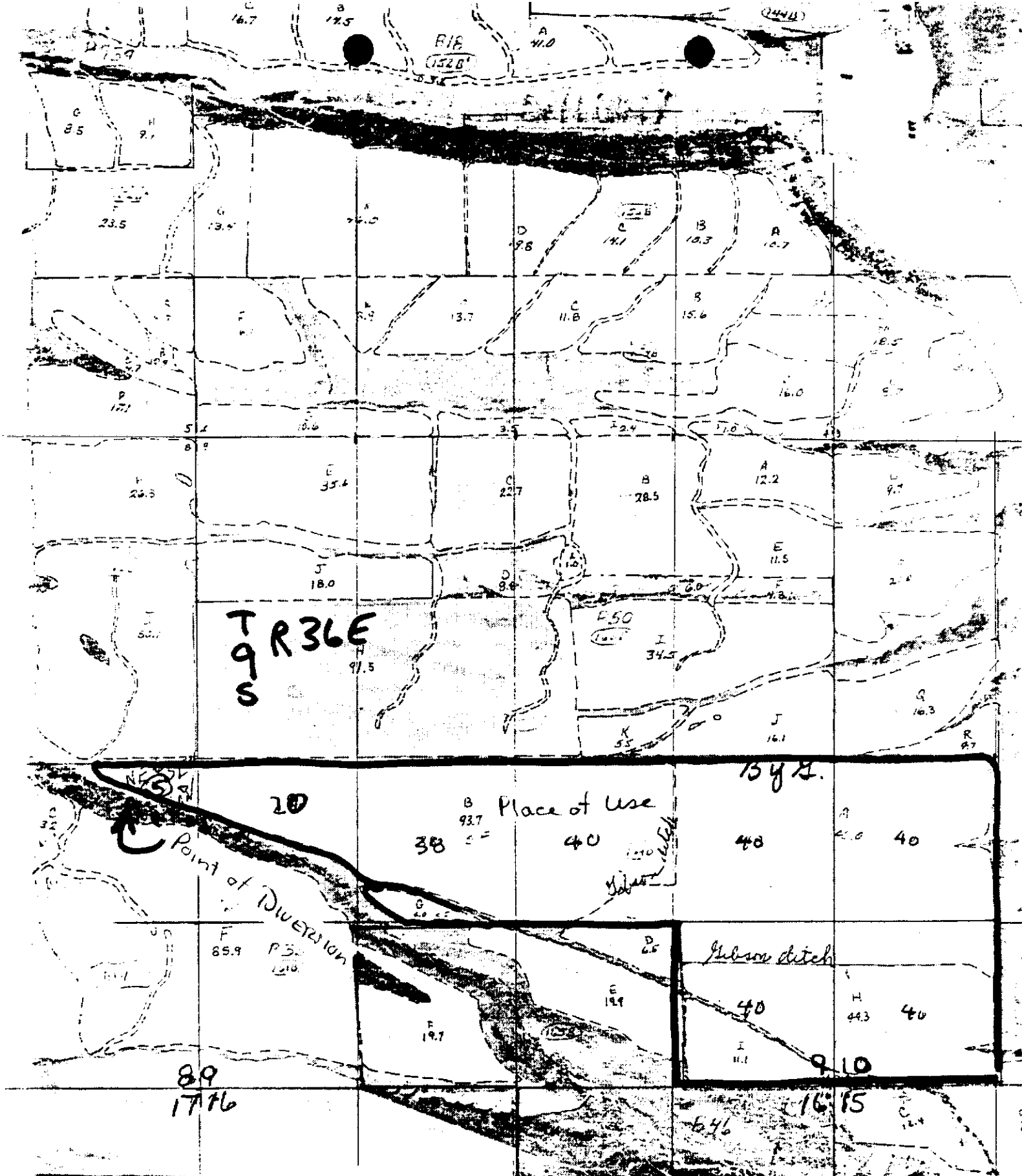
Subscribed and sworn (or affirmed) before me this 9th day

of Apr 19 90

Betty J Thompson
Notary Public

Seal

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



A29-11178 MICROFILMED
NOV 16 1992

263ac

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11177

NAME AND ADDRESS: LESTER A HARTVIGSEN TRUST
LESTER A HARTVIGSEN TRUSTOR
3084 W 3200 N
SMITHFIELD, UT 84335

SOURCE: GOODENOUGH CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 3 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.6 CFS. COMBINED RIGHT NOS.:
29-11177, 29-11178.

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T09S R36E S8 NESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	3.00 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R36E S10	NWSW	40	T09S R36E S10	SWSW	40
T09S R36E S8	NESE	4	T09S R36E S9	NESW	39
T09S R36E S9	NWSW	20	T09S R36E S9	NESE	40
T09S R36E S9	NWSE	40	T09S R36E S9	SESE	40

263 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 263 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-11177, 29-11178

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-00437, 29-
00439.

WR5809NP
No. 29-00438

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/30/01
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	B. Y. GREEN	05/01/1901	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	1.530 CFS	
TOTAL DIVERSION:					1.530 CFS	

Water Source: LITTLE COTTONWOOD CREEK
GOODENOUGH CREEK

Tributary to: MARSH CREEK
MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T09S R36E S08

NESE

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		
09S	36E	10	:					:					:					:						
09S	36E	15	:		1			:					:					:						

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

Pou County: BANNOCK

Dates:	App. Received:	Priority Date:	05/01/1901
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/22/88 CONVERT 02/06/98 CLEARFLD

WR5809NP
No. 29-00440

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/30/01
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JARED GREEN, JR.	05/01/1901	IRRIGATION	00/00 00/00	1.530 CFS	
C	NELLIE BARRON GREEN		DOMESTIC	00/00 00/00		
TOTAL DIVERSION:					1.530 CFS	

Water Source: LITTLE COTTONWOOD CREEK
GOODENOUGH CREEK

Tributary to: MARSH CREEK
MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T09S R36E S08

NESE

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
09S	36E 10	: 01-I		05-I		06-I		02-I		:				:				

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

Pou County: BANNOCK

Dates:	App. Received:	Priority Date:	05/01/1901
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/22/88 CONVERT 02/06/98 CLEARFLD

Log for claim A29-11178

Spatial Dynamics BTD

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	8	NESE	5	5.6	
09s36e	9	NESW	38	37	
09s36e	9	NWSW	20	18	
09s36e	9	NESE	40	40	
09s36e	9	NWSE	40	40	
09s36e	9	SESE	40	40	
09s36e	10	NWSW	40	40	
09s36e	10	SWSW	40	40	
Totals:			263	260.6	

AJ5809NP
No. A29-11178

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 224

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LESTER A HARTVIGSEN TRUST LESTER A HARTVIGSEN TRUSTOR 3084 W 3200 N SMITHFIELD UT 84335 (801) 752-7406	05/01/1901	IRRIGATION	03-15 11-15	3.060 CFS	
TOTAL DIVERSION:					3.060 CFS	
CONSUMPTIVE USE:						657.50 AFA

Water Source: GOODENOUGH CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T09S R36E S08 NESE

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			
09S	36E	8	:					:					:					:	05					:	5.0
09S	36E	9	:					:					:	38	20			:	40	40		40	:	178.0	
09S	36E	10	:					:					:		40	40		:					:	80.0	
TOTAL ACRES																							263.0		

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-11177

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00435 A29-00436 A29-11177

Other Water Rights Listing Overlapping Place(s) of Use:
A29-11177

Remarks: GEN THIS RIGHT REPRESENTS A COMBINATION OF 29-00438 & 29-00440
TRANSFER #2523
THE RIGHT WHEN COMBINED WITH A29-11177 SHALL NOT EXCEED 5.6 CFS.

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

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

Audit: 04/11/90 WILSON 04/07/93 THOMPSON 08/04/94 THOMPSON 03/29/95 POST-STD

AJ5809NP
No. A29-11178

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 224

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LESTER A HARTVIGSEN TRUST LESTER A HARTVIGSEN TRUSTOR 3084 W 3200 N SMITHFIELD UT 84335 (801) 752-7406	05/01/1901	IRRIGATION	03-15 11-15	3.060 CFS	
					TOTAL DIVERSION:	3.060 CFS
					CONSUMPTIVE USE:	657.50 AFA

Water Source: GOODENOUGH CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T09S R36E S08 NESE

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		
09S	36E	8	:															05			:	5.0	
09S	36E	9	:									38	20				40	40		40	:	178.0	
09S	36E	10	:										40	40							:	80.0	
																			TOTAL ACRES			:	263.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-11177

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00435 A29-00436 A29-11177

Other Water Rights Listing Overlapping Place(s) of Use:
A29-11177

Remarks: GEN THIS RIGHT REPRESENTS A COMBINATION OF 29-00438 & 29-00440
TRANSFER #2523
THE RIGHT WHEN COMBINED WITH A29-11177 SHALL NOT EXCEED 5.6 CFS.

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

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

Audit: 04/11/90 WILSON 04/07/93 THOMPSON 08/04/94 THOMPSON 03/29/95 POST-STD

APRIL 7, 1993

LESTER A HARTVIGSEN
3084 W 3200 N
SMITHFIELD UT 84335

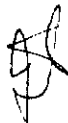
RE: LESTER A HARTVIGSEN NOTICES A29-11177 AND -11178

Dear Mr. Hartvigsen:

At your request of June 10, 1992, the above mentioned Notices of Claim have been changed to read the "Lester A Hartvigsen Trust", with you as Trustor (copies enclosed)

If I can be of further assistance, please call 525-7161.

Respectfully,



Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

MICROFILMED

APR 14 1994

WARRANTY DEED

LESTER A. HARTVIGSEN, GRANTOR HEREBY WARRANTS AND CONVEYS TO THE LESTER A. HARTVIGSEN TRUST, LESTER A. HARTVIGSEN AS TRUSTOR AND LESTER A. HARTVIGSEN AND JAMES L. HARTVIGSEN AND KIM R. HARTVIGSEN TRUSTEES AND ANY OTHER SUCCESSOR TRUSTEES PURSUANT TO A DECLARATION OF TRUST MADE BY LESTER A. HARTVIGSEN. DATED THE 5 DAY OF JUNE 1992.

FOR THE SUM OF TEN (10.00) DOLLARS AND OTHER VALUABLE CONSIDERATIONS THE FOLLOWING DESCRIBED WATER RIGHTS FOR TRACTS OF LAND SITUATE IN SECTIONS 8, 9, AND 10 ALL IN TOWNSHIP NINE SOUTH, RANGE THIRTY SIX EAST OF THE BOISE MERIDIAN. TO WIT:

29-0437, 29-0438, 29-0439, 29-0440

ALONG WITH LIMITATIONS AND CONDITIONS 29-2015 AND 29-2365

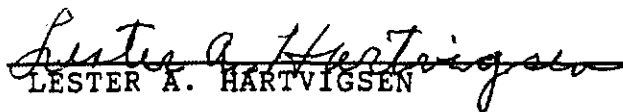
ALSO FURTHER IDENTIFIED IN PROCEEDINGS IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS.

TO WIT:

IDENTIFICATION NUMBER A29-11177 REPRESENTING WATER RIGHTS 29-00437 and 29-00439.

IDENTIFICATION NUMBER A29-11178 REPRESENTING WATER RIGHTS 29-00438 and 29-00440.

WITNESS THIS HAND OF SAID GRANTOR THIS 5 DAY OF JUNE 1992.

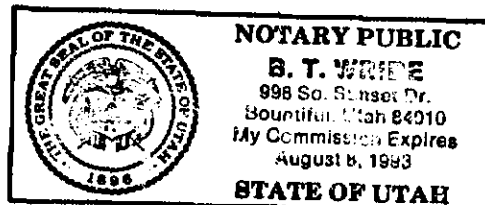

LESTER A. HARTVIGSEN

STATE OF UTAH
COUNTY OF Davis

ON THIS DAY OF 5 JUNE 1992 PERSONALLY APPEARED BEFORE ME LESTER A. HARTVIGSEN THE SIGNER OF THIS WITHIN INSTRUMENT WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.


NOTARY PUBLIC
RESIDING AT

MICROFILMED
APR 14 1994



IN THE MATTER OF:

Application for Transfer
of Water Right Nos.
29-0437, 29-0438,
29-0439 and 29-0440

AFFIDAVIT

State of Idaho
County of _____

LILLIAN H. GIBSON

being first duly sworn,

deposes and says: I sold to Lester Hartvigson all water rights
on Goodenough Creek which are as follows:

29-0437 - Amt. 1.5 cfs Priority: April 1, 1897

29-0438 - Amt. 1.53 cfs Priority: May 1, 1901

29-0439 - Amt. 1.5 cfs Priority: April 1, 1897

29-0440 - Amt. 1.53 cfs Priority: May 1, 1901

I hereby relinquish all right, title and interest in these water
rights to the above mentioned party.

Lillian H. Gibson
(Signature)

Subscribed and sworn to before me this 22 day of May, 1981.

Barry N. Lustin
(Notary Public)

Residing at McCall, ID
My Commission Expires Feb. 1, 1982

RECEIVED

MAY 20 1981

Department of Water Resources
Eastern District Office

FEDERAL LAND BANK ASSOCIATION OF PRESTON

P.O. BOX 386 - 402 NORTH STATE PRESTON, IDAHO 83263

TELEPHONE (208) 853-2148



J.P. GARNER, MANAGER

May 15, 1978

Re: Loan No. 169323 & 131799

Mr. Dick H. Gibson
Route 1
McCarron, Idaho 83250

Dear Mr. Gibson,

Your request that the land bank release their interest in the following water right has been approved:

75 cfs in Goodenough Creek Extinguished by a Decree of May 1, 1897.

In as much as we no longer retain an interest in these water rights you may liquidate them as you see fit.

Sincerely,

Joe S. Kennedy
Joe S. Kennedy,
Ass't Manager

JSK:geb



SERVING FRANKLIN, CARIBOU, ONEIDA, BEAR LAKE & BANNOCK COUNTIES



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

150 Shoup Ave.

3315 Lincoln Road
Boise, Idaho 83701
(208) 645-7165
525-7161

April 21, 1981

RE: Application for Transfer of Water Rights Nos. 29-0437, 29-0438,
29-0439 and 29-0440

Lester Hartvigson
255 West 155 South
Malad, ID 83252

RECEIVED

MAY 26 1981

Department of Water Resources
Eastern District Office

Dear Mr. Hartvigson:

Pursuant to our telephone conversation, enclosed is an affidavit form which will complete the paper work for your application for transfer. Please have Mrs. Gibson sign the form in the presence of a notary and return it to this office as soon as possible.

If you have any questions, please feel free to contact this office.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SMike
Enclosure

*I hope this confirms the transfer
between my being being & Mrs. Gibson being
out of the area. It took some time.
Please act on this receipt of this letter
thanking
Lester Hartvigson*