

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: A29-11463
Date Received: 4/18/1990
Receipt No: E013318
Received By: KW

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. BASIAN 208-254-3193
Address: 1463 EAST ARIMO ROAD
ARIMO, ID 83214

2. Date of Priority: JUN 01, 1955

3. Source: SPRINGS Trib. to: PECK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	37E	31	NE	NW	NW		BANNOCK
			SE	NW	NW		BANNOCK

5. Description of diverting works:

DIVERSION DAM OLD CHANNEL OF PECK CREEK COLLECTS SPRINGS FOR IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	1.200		

7. Total Quantity Appropriated is:

1.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A2911463



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	30	SW	SW		IRR	40.0
						Section Acres	40.0
		31	NW	NW		IRR	20.0
						Section Acres	20.0
						Total Acres	60.0

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:
A29-04302

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): *John Dasher* Date: 4/18/90
Date:

State of Idaho)
County of Bonneville) ss.

Subscribed and sworn (or affirmed) before me this 18 day
of April 19 90 *Betty J. Thompson*
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
My Commission Expires RESIDENT AT LEO 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
A29-11463	10S 37E	31	NE	NW	NW			BANNOCK		
A29-11463	10S 37E	31	SE	NW	NW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-04302 NONE

WR RECORDS IN SAME 40 ACRE TRACT
29-04302

SOURCE: SPRINGS

TRIB: PECK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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: _____

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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	31	NE	NW	NW			BANNOCK		
10S	37E	31	SE	NW	NW			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-11463

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	37E	30	SW	SW		BASTIAN, MERLIN S	A29-11463 / 40.0	- /			
			SW	SW	7	BASTIAN, LYNN S	A29-04302 / 15.0	29-04302 / 38.0			
10S	37E	31	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	- /			
			NW	NW	1	BASTIAN, LYNN S	A29-04302 / 26.0	29-04302 / 26.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-11463 60.00

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
A29-11463	SPRINGS	BASTIAN, MERLIN S	1.200	0.020		
A29-00430	HAWKINS CREEK	MARSH CENTER IRRIGATION CO	40.000	0.012		
	HAWKINS CREEK, SOUTH FORK					
A29-04054	PECK CREEK	MEADOWBROOK RANCH	3.800	0.020		
A29-04302	MARSH CREEK	BASTIAN, LYNN S	6.720	0.018		
A29-10663	SPRINGS	MARSH CENTER IRRIGATION CO	0.330			
	SPRINGS					
	SPRINGS					

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-10664	SPRINGS	MARSH CENTER IRRIGATION CO	0.330			
	SPRINGS					
	SPRING					
A29-10665	MASON SPRING	MARSH CENTER IRRIGATION CO	0.330			
A29-12058	COLE SPRING	MARSH CENTER IRRIGATION CO	6.680	0.002		
	HEWITT SPRING					
	SHEEP CREEK					

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A29-04302

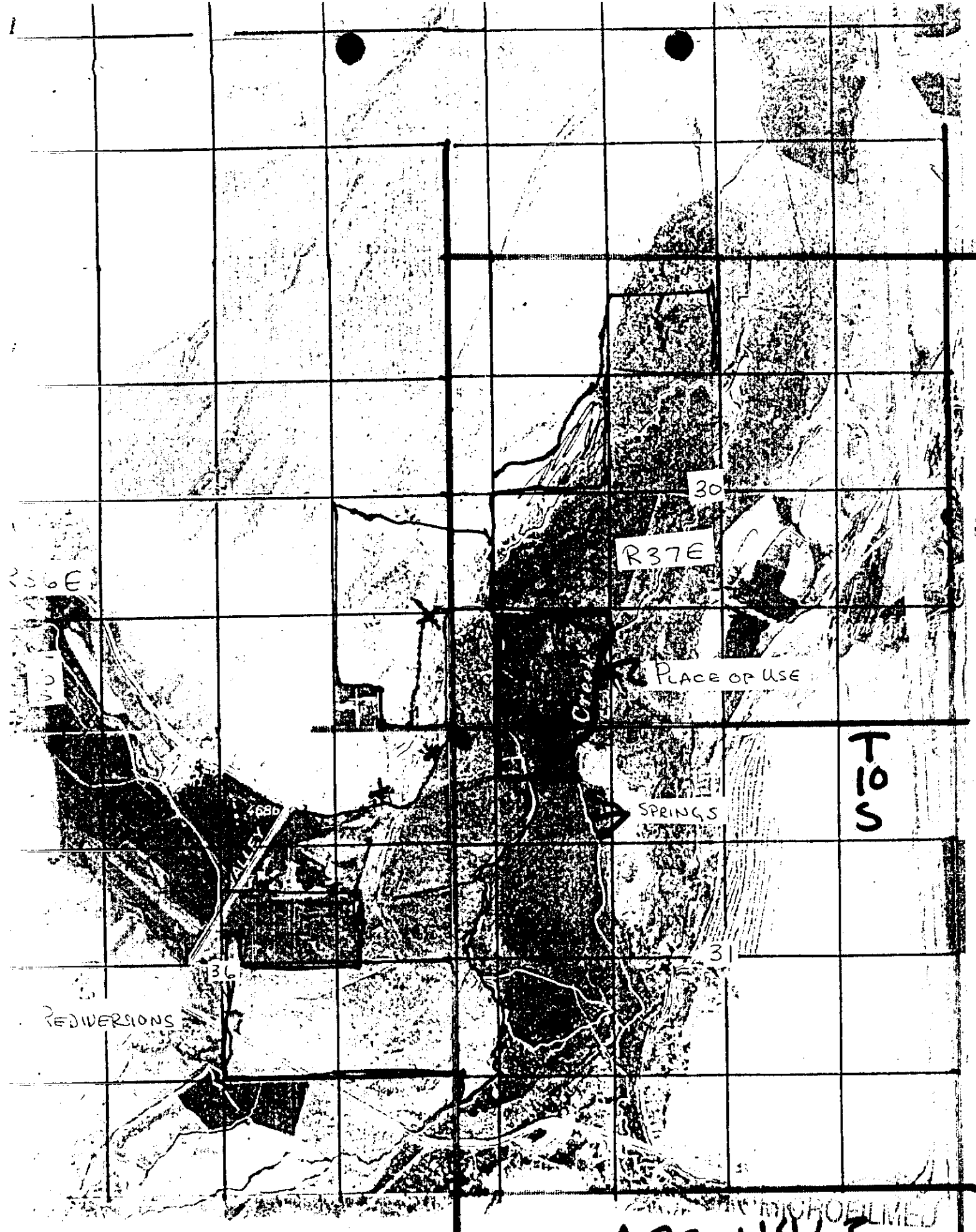
E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()



A29-11463
NOV 18 1992

Log for claim A29-11463

Spatial Dynamics BTD

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s37e	30	NESW	0	0	
10s37e	30	SWSW	40	38	
10s37e	31	NWNW	20	14	
Totals:			60	52	

AJ5809NP
No. A29-11463

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 235

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERLIN S BASTIAN RT 1 MALAD ID 83252 (208) 766-2566	06/01/1955	IRRIGATION	01-01 12-31	1.200 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	1.200 CFS	150.00 AFA

C LYNN S BASTIAN
1463 E ARIMO RD
ARIMO ID 83214
(208) 254-3193

Water Source: SPRINGS

Tributary to: PECK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R37E S31 NENWNW SENWNW 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	37E	30	:																	:	40.0
10S	37E	31	:							20										:	20.0
																			TOTAL ACRES	:	60.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-04302

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-04302

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/18/90 WILSON 09/07/94 JTHOMPSO 03/29/95 POST-STD

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 Springs at the location commonly referred to as point of the hill,

The point of diversion being:

T10S R37E S31 (NENWNW) (SENWNW)

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

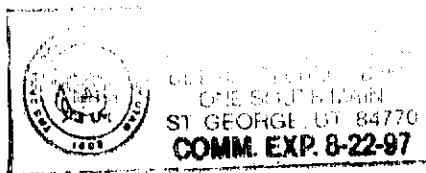
I attest to the fact that this is a true statement.

J. Royal Cole
signed

3-29-1995
dated

STATE OF ~~IDAHO~~ Utah
COUNTY OF ~~Washington~~

On this 29 day of March, 1995, personally appeared before me, a Notary Public, J. Royal Cole who acknowledged that he executed the foregoing statement.



Judi J. Stilson
NOTARY PUBLIC for: Utah
Residing at: St. George
My commission expires: 8-22-97

NOV 14 1996