

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: A29-11465
Date Received: 4/18/1990
Receipt No: E013318
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. BASIAN 208-254-3193
Address: 1463 EAST ARIMO ROAD
ARIMO, ID 83214

2. Date of Priority: JUN 01, 1955

3. Source: SPRINGS Trib. to: HAWKINS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	36E	36	NW	SW	NE	R	BANNOCK
			NW	NE	NW		BANNOCK
			NW	NW	SE	R	BANNOCK

5. Description of diverting works:

DIVERSION DAM CHANNEL OF HAWKINS 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	0.500		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A2911465



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	36	SE	NE		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
Section Acres							100.0
Total Acres							100.0

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/ HAWKINS-MARSH VALLEY IRR.CO. SHARES

14. Remarks:

SPRINGS ARE LOCATED WITHIN NESWSW & SWSSEW SEC 36, T10S, R36E &
FLOW INTO HAWKINS CREEK THEN THE WATER IS DIVERTED DOWNSTREAM
WITHIN THE NWSWNE & NWNWSE SEC 36, T10S, R36E.

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.

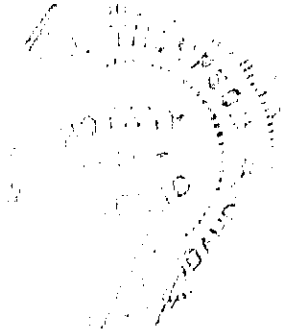
Signature of Claimant(s): *[Signature]* Date: 4/18/90
Date:

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
RESIDING AT EDGEMOOR, 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
A29-11465	10S 36E	36	NW	SW	NE		R	BANNOCK		
A29-11465	10S 36E	36	NW	NE	NW			BANNOCK		
A29-11465	10S 36E	36	NW	NW	SE		R	BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A29-11481 29-11481

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRINGS

TRIB: HAWKINS 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	36E	36	NW	SW	NE		R	BANNOCK		
10S	36E	36	NW	NE	NW			BANNOCK		
10S	36E	36	NW	NW	SE		R	BANNOCK		
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SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

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

A. ROOT WATER RIGHT NUMBERS: A29-11465

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	36E	36	SE	NE		BASTIAN, MERLIN S	A29-11465 / 20.0	- /			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	- /			
			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		MARSH CENTER IRRIGATION CO	A29-00430 / 40.0	- /			
			SE	NE		MARSH CENTER IRRIGATION CO	A29-02560A / 40.0	- /			
			SE	NE		BASTIAN, LYNN S	A29-04302 / 35.0	29-04302 / 35.0			
			SE	NE		MARSH CENTER IRRIGATION CO.		29-02560 / 40.0			
10S	36E	36	NE	SE		BASTIAN, MERLIN S	A29-11465 / 40.0	- /			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, LYNN S	A29-04302 / 38.0	29-04302 / 38.0			
10S	36E	36	NW	SE		BASTIAN, MERLIN S	A29-11465 / 40.0	- /			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, LYNN S	A29-04302 / 37.0	29-04302 / 37.0			
			NW	SE		EGAN, WILLIAM A.		29-04463 / 16.0			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-11465	100.00	116.00
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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
A29-11465	SPRINGS	BASTIAN, MERLIN S	0.500	0.005		
A29-00430	HAWKINS CREEK	MARSH CENTER IRRIGATION CO	40.000	0.012		
A29-02239	HAWKINS CREEK, SOUTH FORK					
A29-02560A	WIREGRASS SPRING	MARSH CENTER IRRIGATION CO	5.800	0.024		
A29-04302	WIREGRASS SPRINGS	MARSH CENTER IRRIGATION CO			24.00	0.11
A29-04302	MARSH CREEK	BASTIAN, LYNN S	6.720	0.018		
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			
A29-12058	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/ HAWKINS-MARSH VALLEY IRR.CO. SHARES

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()

R36E

T
10
S

SPRINGS

REDIVERSIONS

R37E

30

PLACE OF USE

Creek

468b

436

3

NOV 18 1992

A29-11465

Log for claim A29-11465

Spatial Dynamics BTD

7/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	36	SENE	20	20	
10s36e	36	SENW	0	0	
10s36e	36	NESE	40	41	
10s36e	36	NWSE	40	39	
Totals:			100	100	

AJ5809NP
No. A29-11465

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 236

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	0.500 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.500 CFS	250.00 AFA

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

Water Source: SPRINGS

Tributary to: HAWKINS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:	T10S R36E S36	NWNE		BANNOCK County
Point(s) of Re-diversion:	T10S R36E S36	NWSWNE	NWNWSE	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 36E 36					20										40	40	100.0
																	100.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-04302/ HAWKINS-MARSH VALLEY IRR.CO. SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11481 A29-11481

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00430 A29-02239 A29-02560 A29-02560A A29-04302 A29-10663 A29-10664 A29-10665 A29-12058

Conditions of Approval:

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

Remarks: GEN SPRINGS ARE LOCATED WITHIN NESWSW & SWSWSW SEC 36, T10S, R36E &
FLOW INTO HAWKINS CREEK THEN THE WATER IS DIVERTED DOWNSTREAM
WITHIN THE NWSWNE & NWNWSE SEC 36, T10S, R36E.

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

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

AJ5809NP
No. A29-11465

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 237

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

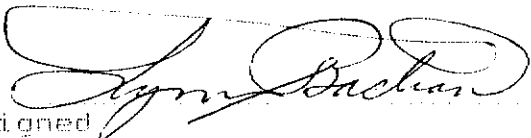
I, Lynn S. Bastian, remember my father Merlon S. Bastian purchased our ranch from George Aslett in the year 1959. The ranch is located north of Hawkins Road and east of Marsh Valley Road in Marsh Valley. The Springs are located within

T10S R37E S31 NENWNW SENWNW

flow into Hawkins Creek then the water is diverted downstream within

T10S R36E S36 NWSWNE NWNWSE.

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


signed
March 30, 1996
dated

STATE OF IDAHO)
COUNTY OF Bannock)

On this 30 day of MARCH, 1996, personally appeared before me, a Notary Public, Lynn Bastian who acknowledged that he executed the foregoing statement.


NOTARY PUBLIC for: Bannock Co
Residing at: Pocatello
My commission expires: 3-26-96

CLERK OF DISTRICT COURT

NOV 14 1996