

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: A74-00716
Date Received: / /
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: EUNICE HARTVIGSON
Address: C/O Z R HARTVIGSON
RT 1 BOX 29
SALMON ID

83467

2. Date of Priority: JUN 1, 1895

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	23E	14		NW	NW		LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.560		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	23E	3	SW	NE		IRR	14.0
			NW	SE		IRR	14.0
			SW	SE		IRR	13.0
			SE	SE		IRR	13.0

10. Place of Use: Continued

Section Acres 52.0

Total Acres 52.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
MULKEY SLOUGH.

14. Remarks:
DIV. L-16.
THIS CLAIM WAS AMENDED TO REFLECT TRANSFER #4733. 5-7-96 GJT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED

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: 74-00716

DATE RECEIVED:

RECEIPT NO: X999999/90

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: EUNICE HARTVIGSON
ADDRESS: RT. 1 BOX 29
SALMON, ID 83467

2. DATE OF PRIORITY: JUN 01, 1895

3. SOURCE: LEMHI RIVER

TRIB. TO: SALMON RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
20N	23E	11	SW	SW	SW		LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	1.560		

7. TOTAL QUANTITY APPROPRIATED IS:
1.560 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
20N	23E	3	SW	NE		IRR	8.0
			NW	SE		IRR	14.0
			SW	SE		IRR	17.0
			SE	SE		IRR	13.0

SECTION ACRES 52.0

74-00716

PAGE 1

DATE: 02/08/90

DEC 14 1992

RECEIVED
JUN 1 1990
Department of Natural Resources
Eastern District Office

A7400716



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10. PLACE OF USE: CONTINUED

TOTAL ACRES 52.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:
MULKEY SLOUGH.

14. REMARKS:
DIV. L-16.

15. BASIS OF CLAIM: DECREE
CASE NUMBER:
COURT :
DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

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DEC 14 1992

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: 0

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): _____ DATE: _____

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM Zenas R. Hartvigson OF
Eunice E. Hartvigson Co. Living Trust, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION TITLE
DOCUMENT IN THE SPACE BELOW AS a trustee OF
TITLE
Eunice E. Hartvigson Co. Living Trust AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Zenas R. Hartvigson
SIGNATURE OF AUTHORIZED AGENT

Trustee, Eunice E. Hartvigson Co.
TITLE AND ORGANIZATION

April 9, 1990
DATE

STATE OF Colorado)
~~WYO~~)
COUNTY OF Sumner) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 9th DAY

OF April 1990

Marlene Cummings
NOTARY PUBLIC

SEAL

RESIDING AT 1250 14th Street

MY COMMISSION EXPIRES 05-23-90
DATE: 02/01/90 1988

MAY 8, 1996

EUNICE HARTVIGSON
C/O Z R HARTVIGSON
RT 1 BOX 29
SALMON ID 83467

RE: TRANSFER

Dear Ms. Hartvigson:

Our office has received notice of your approved transfer #4733 of water right #74-00716. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Sr. Water Resource Agent
Adjudications Bureau

GJT:sc

RECORDED
NOV 15 1996

E-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4733
WATER RIGHT NO. 74-00716

RECEIVED

APR 17 1996

Department of Water Resources
Eastern District Office

This is to certify that: **EUNICE HARTVIGSON**
C/O Z R HARTVIGSON
746 KING ST
DENVER CO 80204

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	* 1.56 CFS	182.0 AF

SOURCE

LEMHI RIVER

TRIBUTARY OF

SALMON RIVER

Priority: 06/01/1895

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 14, Township 20N, Range 23E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
20N	23E	3	SWNE 8	NWSE 14	SWSE 17	52
			SESE 13			52

Total number of acres irrigated:

52

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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NOV 15 1990

TRANSFER NO. 4733
WATER RIGHT NO. 74-00716

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. A portion of Right No. 74-00716, 0.52 cfs, is limited to use for conveyance losses in delivery of this right.

Dated this 9th day of April, 19 96

J. Glen Saxton
Chief, Water Alloc. Bureau

RECORDED

NOV 15 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RECEIVED

MAY 14 1990

Department of Water Resources
Eastern District Office

May 14, 1990

Zenas R. Hartvigson
746 King Street
Denver, CO 80204

Dear Ms. Hartvigson:

The information provided is sufficient except the Department must have the original notices bearing the notary seal. Return the originals along with the Affidavit of Trusts to the IDWR by June 14, 1990. If the notices are not returned by then, each notice will be subject to an additional late fee of \$50.00.

Respectfully submitted,

Ernest Carlsen

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:bb

Enclosure

*attached... when I did not
send these in I did not
notice I'd switched my
file copy of the originals
3 R 7/18/90*

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DEC 14 1992

April 16, 1990

RECEIVED

APR 16 1990

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources

Eastern Division

150 Shoup Avenue, Suite 15

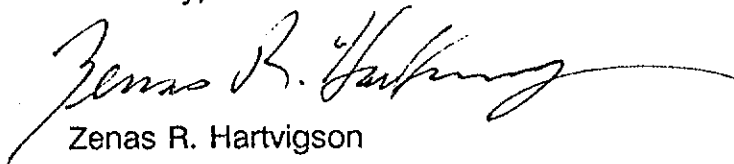
Idaho Falls, ID 83401

Gentlemen:

Attached are the signed forms for the four water rights for Eunice E. Hartvigson, of Route 1, Box 29, Salmon, ID 83467. Also attached is a copy of the *Affidavit of Trust* for the Eunice E. Hartvigson Trust showing that I have authority to sign these water right forms. According to the phone conversations I have had with your staff, these are all that are needed to complete the filing for water rights for this property.

Please acknowledge receipt of this materials and confirm whether they are all that is needed. Thank you.

Sincerely,



Zenas R. Hartvigson

746 King Street

Denver, CO 80204

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DEC 14 1992

Eunice E. Hartvigson, of the County of Denver, State of Colorado, and also of Salmon, Idaho, being first duly sworn upon oath deposes and says that the following is a list of the names and addresses of the presently qualified and acting Trustees under Trust Agreement of the Eunice E. Hartvigson Trust, which was executed on May 19, 1983, by and between Eunice E. Hartvigson as Settlor and Eunice E. Hartvigson, Zenas R. Hartvigson and Sharon C. Hartvigson as Trustees, to-wit:

Eunice E. Hartvigson, 746 King, Denver, Colorado
and Rte. 1, Box 29, Salmon, Idaho 83467

Zenas R. Hartvigson, 746 King, Denver, Colorado

Sharon C. Hartvigson, 746 King, Denver, Colorado

Any one Trustee named herein may convey, encumber, lease, or otherwise deal with the trust property. The Trustees of said Trust are granted all those powers contained in the Colorado Fiduciaries' Powers Act. The Trust is in full force and effect on the date hereof. This Affidavit is made pursuant to C.R.S. 1973 Section 38-30-166.

Eunice E. Hartvigson
Eunice E. Hartvigson

Subscribed and sworn to before me this 8th day of June, 1983 by Eunice E. Hartvigson.

WITNESS my hand and official seal.

My commission expires: January 8, 1986

My address is: 3201 S. Harvard St. Denver, Co

Brenda J. Beck
Notary Public

NO LATE FEE IF RECEIVED
BY June 14, 1990 BB

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