29-485A

Decreed for Bill Hatch.

29-10210	Spring	Stockwater.	0.05.
29-10211	Spring	stockwaten.	0.05.
29-10212	Spring	domestic.	0.04
29-10214	Spring	Stockwater.	0.05.

---

outstanding Claims.

A29-10205.	G.W.	~~Spring~~ Irrigation	1.23.
2348	G.W.	Irrigation.	0.6.
489A.	G.W.	Irrigation.	0.78.
488	G.W.	Irrigation.	0.67
485 ~~5~~ 2	G.W.	Irrigation.	0.22.

MEMORANDUM

DATE: **January 3, 2002**

FROM: **Ernie Carlsen**
TO: **Cindy Bird**
THRU: **Candice McHugh**

RE: **Season of Use for Rights 29-485 through 29-489**

Some time ago you sent me an email seeking advice on how to address the claimed season of use for rights decreed in the case of Hogan vs Hatch dated July 2, 1959. The comments below outline my assessment on how to proceed with a recommendation concerning the season of use.

- Rights 29-485 through 29-489 were decreed with a season of use of June, July, August and September (121 days) for diversion from five wells.
- Rights based on this decree were claimed in the SRBA with a season of use of May 15 to August 15 (91 days). (per email)
- Claimed season of use starts earlier and ends sooner than decreed season of use.
- IDWR's standard season of use for this area is April 1 to October 31.
- Claimed season of use is with in the parameters of IDWR's standard season of use.
- I.C., Sec 42-1425 provides for an accomplished transfer in season of use if change occurred prior to November 19, 1987, and there is no injury to other water rights.
- Chapter 7 of the Claims Review Manual discusses options concerning evaluation and recommendation of the season of use for decreed ground water rights.
- Because the claimed season of use is actually shorter than the decreed season of use, though it is shifted to start 15 days earlier than the decreed season of use, the claimants appear to be asserting just a change and not enlargement of the decreed rights or additional water rights based on beneficial use.
- Where there is just a change in the season of use neither a season of use shoulder remark nor addition beneficial use claim is needed.
- To determine whether to recommend the claimed season of use (with condition code C10) or recommend the decreed season depends on when the change occurred. If prior to November 19, 1987, use C10. The claimant must provide documentation or evidence to support this recommendation. For a change after November 19, 1987, recommend the decreed season of use and suggest the claimant file a transfer to modify the season of use.

-----Original Message-----
From: McHugh, Candice
Sent: Monday, November 19, 2001 8:39 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

Cindy --

I had Lorie fax you some info. Looking at the complaint, I would say that Plaintiff has the exclusive right to the well water during those months because from the complaint it appears that that is all the water that the wells were producing. I hope this clarifies.

The decree could be read to give Hatch use of the water in the other months -- what is he claiming? Otherwise, Hatch would have b/u claims that a junior to Hogan's if they are based on the same wells. We would go with the standard SOU for the area for Hatch's claims and would probably add shoulder remarks to Hogan's (Rondo) -- Ernie what do you think? We need to go with inch/acre unless we do a Hubble and we would consider an enlargement. Ernie, your input?

If you have further questions, let me know.

-----Original Message-----
From: Bird, Cindy
Sent: Thursday, November 15, 2001 11:54 AM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: Decree 29-RAW clarification

Good Morning Candice,

I need a clarification on decree 29-RW a ground water decree between Ernest Hogan and R.C. Hatch. Both Bill Hatch and C. V. Cattle (Rondo Perkins) have claimed the water under this decree. The way I've interrupted the decree is that Hogan (Rondo Perkins) has the right to use the water on his property during the months of June, July, August and September from the 5 wells. But it doesn't say that Hatch can't also use the water. Or is this decree for Hogan (Rondo) and Hatch's claims would fall under b/u claims? Because they weren't licensed. What season of use and diversion rate (inch per acre) would be allowed for Hatch? Hatch has also claimed some additional irrigated acres under his claims. Would we allow the expansion?

thanks
cb

REPORT OF WELL DRILLER
State of Idaho

OCT 30 1967

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name B. A. HATCH
Address HATCH IDAHO

Owner's Permit No. 30584
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐ (explain)

CASING SCHEDULE: Threaded ☐ Welded ☒
12-3/4" Diam. from 0 ft. to 103 ft.
10-3/4" Diam. from 0 ft. to 214 ft.
16 "Diam. from 0 ft. to 44 ft.
" Diam. from ft. to ft.
Thickness of casing: .250 Material:
Steel ☒ concrete ☐ wood ☐ other ☐

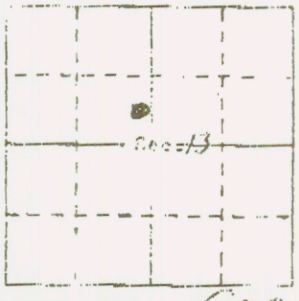
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH (explain)
Size of perforations: 6 " by 1/4 "
160 perforations from 80 ft. to 103 ft.
270 perforations from 103 ft. to 214 ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☐
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐ No. ☒ Size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☐ No ☐ To what depth? ft. Material used in seal:

Did any strata contain unusable water? Yes ☐ No, ☒ Type of water:
Depth of strata ft. Method of sealing strata off:

Surface casing used? Yes ☒ No. ☐
Cemented in place? Yes ☐ No ☒

Locate well in section



LOCATION OF WELL: County CARIBOU
SE¼ NW¼ Sec. 13 T. 7 S. R. 39 E.

Size of drilled hole: 12-3/4" Total depth of well: 214 Standing water level below ground: FLOWING Temp. Fahr. " Test delivery: 200 gpm or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:
Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft. above land surface Give flow 0 cfs or 200 gpm. Shutoff pressure:
Controlled by: Valve ☒ Cap ☒ Plug ☐
No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	2	TOP SOIL	
2	5	CLAY	
5	16	FORMATION ROCK	
16	22	GRAVEL LOOSE CLAY	
22	32	FORMATION ROCK	
32	44	GRAVEL & CLAY	
44	50	"	
50	62	"	
62	64	"	
64	71	"	
71	80	" CLAY	
80	92	"	
92	98	"	
98	104	"	
104	115	"	
115	129	"	
129	132	"	YES
132	146	"	
146	157	"	
157	174	"	
174	190	"	YES
190	197	"	
197	214	GRAVEL	YES

Work started: JUNE 11th 1962.
Work finished: JUNE 30th 1962.
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: BERT WESTLAKE
Address: BENNINGTON IDAHO
Signed by: Bert Westlake
License No. 241 Date: OCT 26 1967

Use other side for additional remarks

SE NW Sec 13, T 7 S, R 39 E Oct 26, 1967

10:44pm. 12-3-01

6 wells drilled
2 springs.
Only 4 used.

Ernest Hogan -

3 wells. Ernest.

South of.
2 directly South
1 west 40.

Rondo - little flat.

1 well.
(2 drilled after Ernest was dead).

late 50's. early 1960

EXAM INFORMATION

Exam Date 6/12/01.

Exam Time 9:30 AM.

CLAIM(S) Bill & Dolores Hatch decreed rights.

NAME A29-485, 488, 489A, 1205, 2348

ADDRESS

PHONE (208) 648-7316

DOMESTIC ___ STOCKWATER ___ IRRIGA

OTHER RIGHTS

DIRECTIONS

Bancroft - last Chesterfield Hwy - ≈.8 mi Hatch Loop Rd white picket fence - East side 2774 Hatch Loop Road

B/U claim need for extended season?

8/3/01 Ernie/Don: NO: add a shoulder remark to include the May 15th start date, no end date, on both rights as long as no other party is injuried.

DOGS

DATE 6/4/01 APPOINTMENT Dolores Hatch

11:46 Am - 6/4/01
phone number not in service
Cindy
943-6853

6/12/01

Bill Hatch. (through the summer)

Decrees:

May 15th – Aug. 15th –
May 1 – Sept. 1 – } Season. - Last 18+9 yrs. Carl & Roy have started irrigating.

Wife's home -

Bill & Dolores Hatch have had this home for 35-40 yrs.

Well depth:

- 2 pumps running / 3 lines.
- alfalfa.

5 total { 4 POD's in the SESE section 13.
1 POD SWSE section 13.

SM. irrigation well in the SESE (far right) well has not been used since 1983.

192
83
275
-24
251

Roy has 1983

Ross Hogan - (Mosser 12-13 yrs)

Ernest Hogan

192
80
272

11-27-01 Analysis of decree 29-RW.

Under decree 29-RW. 29-485 – 489

div rate: 1300 gpm * ~~0.002233~~ 0.002675 = ~~2.899 cfs~~ (3.478 cfs)

Inch/ac. = ~~2.899~~ 3.478 / 0.02 = ~~144.95~~ 173.875 Ac. (~~145 Ac.~~) 174 Acres

POU described: (POD of 5 wells)

80	S½ SE	Sec 13.	T7S R39E.
40	SW SW	Sec 18	, 7S 40E.
40	NE NE	Sec 24	7S. 39E.
40	NW NW	Sec 19	7S 40E.
200 Ac.			

145 Ac / 5 QQ = 29 Ac/QQ

CV Cattle 58 acres. 76 Ac claim 18 Ac. over.

Bill Hatch 87 Acres. 192 Ac. claim 25 Ac. over + 105 Ac.

2.89 cfs / 200 Ac. = 0.0145 cfs/ac.

CLAIMED: POU analysis:

38 SW SE, 39 SE SE 35 NE SE, 23 NW SE 32 NW SW, 35 SW SW } Hatch	S½ SE	Sec 13 ; 7S, 39E.	77 Ac. S½ SE
	SW SW	Sec 18 ; 7S, 40E.	35 Ac. SW SW
39 NE NE } CV cattle	NE NE	Sec 24; 7S, 39E	39 Ac. NE NE
37 NW NW	NW NW	Sec 19 ; 7S 40E	37 Ac. NW NW
268 Ac.			188 Ac.

DECREED POU

SOU: June, July, Aug, Sept.

Bill Hatch claimed 80 acres outside the described POU.

If the POU is calculated at 29 acres per 5 described QQ's then Bill Hatch would have 87 acres and C.V. Cattle would have 58 acres.

Then Bill Hatch would need to file an ~~expansion~~ enlargement for 105 acres.

C.V. Cattle would need to file an enlargement for 18 acres.

Summary:

C.V. Cattle 58 ac. decreed - 18 ac. enlargement
diversion rate: 1.16 cfs (58 * 0.02).

Bill Hatch 87 ac. decreed - 105 ac. enlargement
diversion rate: 1.74 cfs (87 * 0.02)

Total diversion: 2.90 cfs (1300 gpm)
@ in/ac irrigate acres equals 145 ac.

ratio of diversion rates:

C.V. Cattle $\frac{58}{145} = 0.40$

Bill Hatch $\frac{87}{145}$ 0.60

W/R	Div. rate	C.V. Cattle (0.4)		Bill Hatch (0.6)	
29-485	0.223	0.089	0.09	0.134	0.13
29-486	0.5575	0.223	.22	0.334	0.34
29-487	0.669	0.268	.27	0.401	0.40
29-488	0.669	0.268	.27	0.401	0.40
29-489	0.7805	0.312	.31	0.468	0.47
			1.16		1.74

recommended diversion rates.

	CV cattle	B. Hatch.
29-485	0.09	0.13
29-486	0.22	0.34
29-487	0.27	0.40
29-488	0.27	0.40
29-489	0.31	0.47
	1.16	1.74

Listed POD's

B. Hatch.

1 P/D SWSE Sec. 13. 7S, 39E.

4 P/D SESE

(lic 29-2318 POD NWSE Sec. 13) 0.6 cfs)

CV Cattle.

2 P/D NENE Sec 24; 7S, 3

1 P/D NW NW Sec 19, 7S, 3

(lic. 29-2425 POD NENE Se

Analysis of licenses 29-2348 & 29-2425. (Bill Hatch)

license 29-2348.

POD. NWSE S13 T7S, 39E. - different POD than the 5 wells under decree 29-RW.

POU: NESE 40 AC.
NWSE 40. AC.

div. rate 0.60.

Claimed: POD matches.
div. rate: 0.60 cfs. (match).

(Claimed) POU change:

24	SWNE.
25	SENE.
15	NESE.
16	NWSE.
80 AC.	

When did the change occur?

hogan well #3 7S 39E S.13. SESE

April Koch - Boise Check for well logs. Only one well log was listed in the QQ for the decree 29-RW.

- Mailed letters to both Hales & Perkins to clarify the original wells.

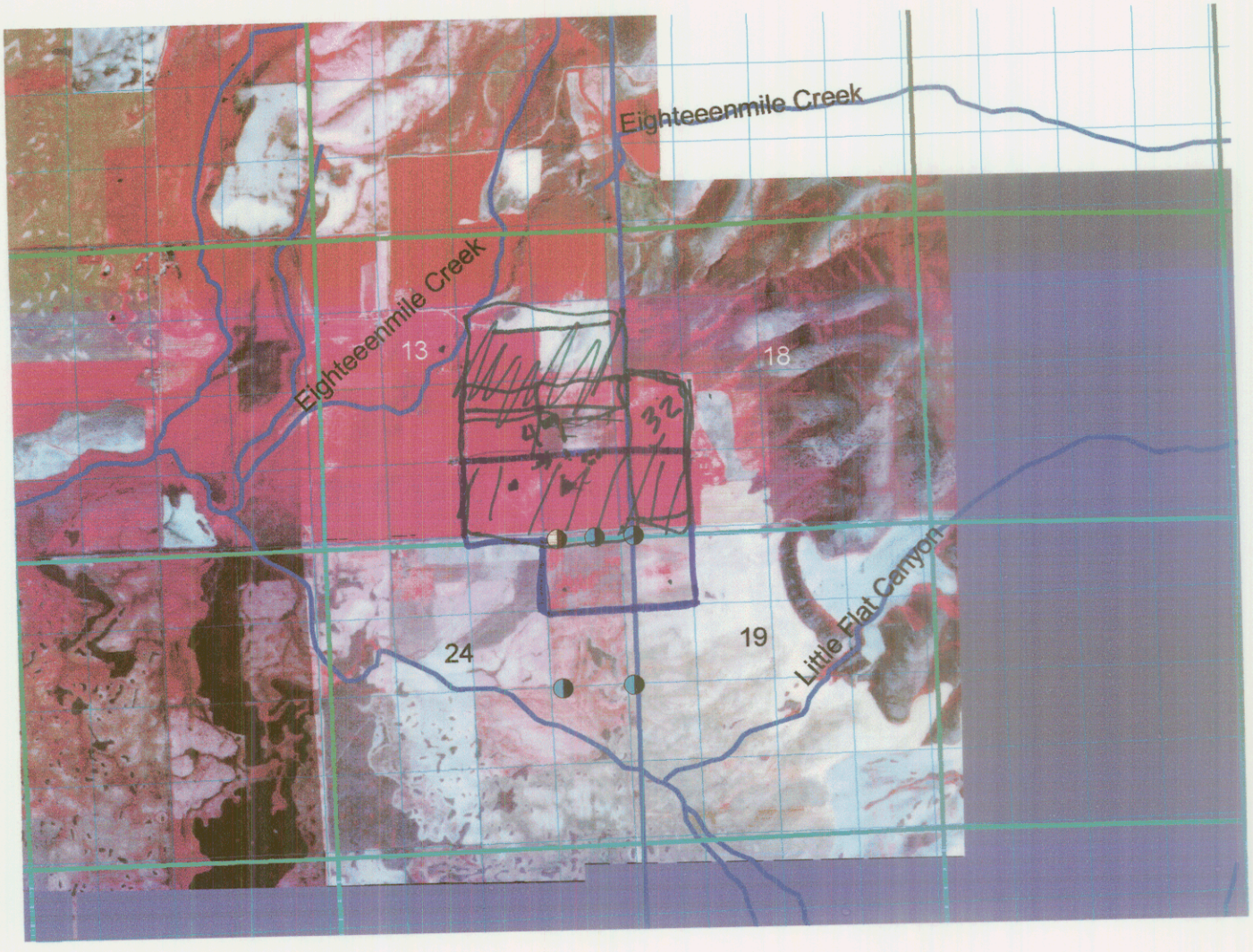
Rondo Perkins.
A29-2425
POU: NENE Sec. 24, 7S, 39E.
Is one of the wells that I visited this well? Is it connected to the 5 wells under decree 29-RW.

* Rondo might need to also claim a portion of the w/r's under decree 29-RW. If the rights are potentially split since they are connected. Or the diversion rate will reflect the irrigated acres.

e-mailed Ernie | Candice to front net.

76 acre * 0.02 = 1.52 cfs.
lic. 29-2425 = 0.33 cfs.
portions of 29-485-489 = 1.16
1.49 cfs.

Decree 29-RW



2000 0 2000 Feet

about 80

- Rondo perkins pod.shp
- Drigby stock spring.shp
- Waypoint-cest.shp
- More chesterfield.shp
- Feeder canal.shp
- Majrds.shp
- Twn-Rge
- Sections
- QQ
- Hydro100.shp

N
W E
S

NOV-28-01 WED 11:12 AM

Well Log Form 1
SM-3/63

RECEIVED
SEP 1 1962
Department of Reclamation

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-238

Permit No. 4 Well No. _____ County Bingham

Owner Ernest Hogan

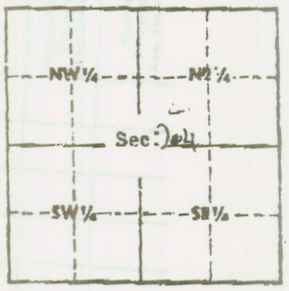
Address Bancroft Idaho

Driller C. R. Lowe

Address R. # 1 Bancroft Idaho

Well location _____ ¼ _____ ¼ Sec. 24 T. 7 N(S) R. 39 E(W)

Locate well in section



Size of drilled hole 16"

Total depth of well 295'

Give depth to standing water from the ground 5' Water temp. _____ °Fahr.

Test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet. Pump? _____ Bail? _____

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control wo[rks] _____ (TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per lineal foot _____

Thickness of casing ¼ Casing material Steel (STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casi[ng] 280' 16" (CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casi[ng]	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
16	Surf.	280'	280'	
				used

Number and size of perforations [illegible] located 270' feet to 10' feet from ground

Date of commencement of well Oct 19 1961 Date of completion of well Jan 9 1962

[illegible] - 39E - [illegible] - 24

NOV-28-01 WED 11:13 AM

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Yes or No	Casing Perforated Yes or No
0	23	[illegible]		
23	31	[illegible]		
31	40	[illegible]		
40	52	[illegible]		
52	59	[illegible]		
59	62	[illegible]		
62	89	[illegible]		
89	103	[illegible]		
103	110	[illegible]		
110	130	[illegible]		
130	139	[illegible]		
139	157	[illegible]		
157	165	[illegible]		
165	192	[illegible]		
192	204	[illegible]		
204	220	[illegible]		
220	226	[illegible]		
226	230	[illegible]		
230	250	[illegible]		
250	254	[illegible]		
254	262	[illegible]		
262	266	[illegible]		
266	272	[illegible]		
272	295	[illegible]		
		If more space is required use Sheet No. 2		

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed C. L. Williams

By

License No. 4

Dated 1/12, 1953

Well Driller's Helper

RECEIVED
OCT 30 1967

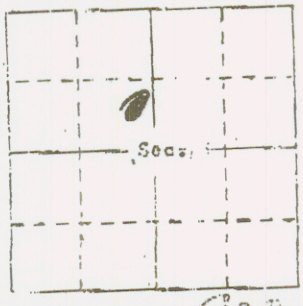
REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name Roy Hogan
Address Shatch Idaho

Owner's Permit No. 625048
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
16 "Diam. from 0 ft. to 51 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .250 Material:
Steel ☒ concrete ☐ wood ☐ other ☐
PERFORATED? Yes ☒ No ☐ Type of perforator used: (explain)
Size of perforations: 6 " by 24 "
54 perforations from 24 ft. to 51 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☐
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Was gravel packed? Yes ☐ No ☐ size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☐ No ☐ To what depth? ft. Material used in seal
Did any strata contain unusable water? Yes ☐ No ☒ Type of water: Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No ☐
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County CARIBOU
SE ¼ NW ¼ Sec. 13 T. 7 S R. 39 E

Size of drilled hole: 16" Total depth of well: 97 Standing water level below ground: Temp. Fahr. ° Test delivery: 500 gpm or cfs Pump? ☒ Bail ☐
Size of pump and motor used to make test: 12" TURBINE TRACTOR
Length of time of test: Hrs. Min.
Drawdown: 50 ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	7	TOP SOIL	
7	21	GRAVEL & CLAY	
21	43	"	
43	47	" LOST "	
47	56	CINDERS	
56	92	BROKEN LAVA	
92	96	CLAY	
96	97	GRAVEL	

Work started: May 1954
Work finished: October 6 1954
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: BERT WESTLAKE
Address: BENNINGTON IDAHO
Signed by: Bert Westlake
License No. 66 Date: Oct 31 1967

Use other side for additional remarks

SENW Sec 13 T7S, R39E

Oct 26, 1967

OCT 30 1967

Department of Reclamation

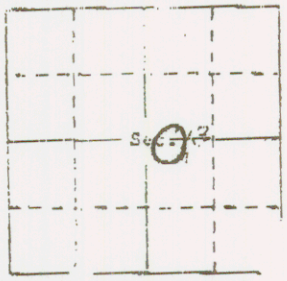
REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name ERNEST HOGAN
Address RAIL [illegible]

Owner's Permit No. [illegible]
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐
Water is to be used for: IRRIGATION
METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐ (explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
12¼" Diam. from 0 ft. to 54.6 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: .250 Material:
Steel ☒ Concrete ☐ wood ☐ other ☐
PERFORATED? Yes ☒ No ☐ Type of perforator used: TORCH (explain)
Size of perforations: 6 " by .75 "
15 perforations from 20 ft. to 23 ft.
20 perforations from 37 ft. to 42 ft.
25 perforations from 48 ft. to 54 ft.
perforations from ft. to ft.
WAS SCREEN INSTALLED? Yes ☐ No ☐
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.
CONSTRUCTION: Well gravel packed? Yes ☐ No. ☐ size of gravel Gravel placed from ft. to ft. Surface seal provided? Yes ☐ No ☐ To what depth? ft. Material used in seal:
Did any strata contain unusable water? Yes ☐
No. ☒ Type of water:
Depth of strata ft. Method of sealing strata off:
Surface casing used? Yes ☐ No ☐
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County CAN
NW ¼ SE ¼ Sec. 13 T. 7 S. R. 39 E.

Size of drilled hole: 12 Total depth of well: 56 6" Standing water level below ground: Temp. Fahr. ° Test delivery: 30 gpm or cfs Pump? ☐ Bail ☒
Size of pump and motor used to make test:
Length of time of test: Hrs. Min.
Drawdown: 0 ft. Artesian pressure: ft. above land surface Give flow cfs or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐ No control ☐ Does well leak around casing? Yes ☐ No ☐

DEPTH FROM FEET	DEPTH TO FEET	MATERIAL	WATER YES OR NO
0	3	TOP SOIL	
3	9	WHITE CLAY	
9	21	CONGLOMERATE	
21	22	GRAVEL	YES
22	38	YELLOW "	
38	47	GRAVEL "	YES
47	49	YELLOW "	
49	54	GRAVEL & LOOSE ROCK	
54	56	SOLID LAVA	

Start - Sept 1953
End - OCT 1953

Work started: [illegible] 19[illegible]
Work finished: [illegible] 19[illegible]

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: BERT WESTLAKE
Address: REXBURG IDAHO
Signed by: Bert Westlake
License No. 66 Date: Oct 26 1967

Use other side for additional remarks

Oct 26, 1967

NWSE Sec 13, T7S, R39E

USGS

No well in NWSE

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec. _____, 19___
Well No. _____
Permit No. _____
(DO NOT FILL IN)

Owner Ransom Hatch Address Hatch, Idaho

Driller Bert A. Nordale Address Pennington, Idaho Lic. No. 66

Location of Well: NW¼ NW¼ Sec. 13, T. 7 S R 39 E Canyon County,

and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ ¼ _____ ¼ Sec. _____

Size of Drilled Hole 8" Total depth of Well 208

Give depth of standing water from surface _____ Water Temp. _____ °Farenheit

On pumping test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make the test _____

Length of time pumped during test was _____ hr., _____ minutes.

If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____

If flowing well, describe control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Domestic Weight of casing per linear foot _____

Thickness of casing _____ Casing material _____
E.G., PIPE, CONCRETE, WOOD.

Diameter, length and location of casing _____
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER: CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)

Number and size of perforations _____ located _____ feet to _____ feet from surface of ground.

Other perforations _____

Date of commencement of well _____ Date of completion of well _____

Type of well rig Star Portable tool

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" — SCALS, GROUTING, ETC.

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

75 – 39E ..... 13 NWNW #165

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	43	Clay				
43	46	Gravel + water				
46	50	Clay Clay				
50	51	Gravel + water				
51	65	Clay				
65	78	Gravel Gravel				
78	83	Clay Clay				
83	85	Gravel Gravel				
85	104	Clay Clay				
104	108	Gravel Gravel				
108	111	Clay Clay				
111	115	Gravel Gravel & Clay				
115	118	Clay Clay				
118	123	Gravel Gravel				
123	126	Clay Clay				
126	139	Gravel Gravel				
139	170	Clay Clay				
170	171	Gravel Gravel				
171	—	If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed.....

By.....

License No. GG

Dated..... 19

OCT 19 1987
Department of Water Resources

SHEET NO. 2

Well Driller Pete L. Westlake

Well Location Hatch, Idaho

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
171	190	Clay				
190	208	Clay & some gravel				

75-39C — — — 15 NNNL 05

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. RECEIVED
Rec. [illegible]
Well No. Department of Reclamation
Permit No.
(DO NOT FILL IN)

Owner Hogan well #3 18" hole. Driller Cushman & Johnson
Address Bancroft Idaho Address Blackfoot Idaho Lic. No. 16
Location of Well: SE¼ SE¼ Sec. 13 T. 7 N/S R. 39 E/W Caribou County.
and feet N/S, and feet E/W from corner of ¼ ¼ Sec.
Water will be used for Irrigation Total depth of well 167 Feet.
Size of drilled hole 18" Weight of casing per linear foot 60 lbs.
Thickness of casing 5/16" Casing material Steel
e.g., pipe, concrete, wood.
Diameter, length and location of casing 51 Feet 18" W/ 43 Feet 7". OF 16" 43' 10" OF 10"
(Casing 12" in diameter and under give inside diameter; casing over 12" in diameter give outside diameter.)

Number and size of perforations 16-- [illegible] located 21 feet to 45 feet
from surface of ground.
Other perforations: 10" perforated 8X5 Every 8" 4 Rows
If flowing well, give flow in c.f.s. or g.p.m. NO and shut in pressure
If non-flowing well, give depth of standing water from surface 16 Feet
If flowing well, describe control works NO
(Type and size of valve, etc.)
On pumping test delivery was no test g.p.m. or c.f.s. Drawdown was feet
Length of time pumped during check was no hr. min. Water temp. [illegible] ° Fahrenheit.
Date of commencement of well Aug 19 1954 Date of completion of well Sept. 1 1954
Type of well rig [illegible] 28-4 Bucyrus-Erie

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	"Remarks" — Seals, Grouting, Etc.
18	0	51	51 + Shoe	
16	71	114	10# 43' 10"	
10	122	165	43' 7"	

GENERAL INFORMATION — Pumping Test, Quality of Water, Etc.

7S - 39 E 13 SE SE

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time hrs.	Drilling Time Min.	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	5	clay				
5	17	Gravel	12	~~12~~		
17	21	gravel + clay (First water)				
21	28	Loose Rock				
28	45	Gravel + Rock (some water)				
45	50	clay				
50	54 1/2	mach lava				
54 1/2	58 1/2	soft Lava				
58 1/2	62	sand + Gravel				
62	73	mach lava				
73	78	Hard Lava + crevices				
78	92	Black Lava				
92	95	SOFT Lava				
95	98	SOFT Lava with clay				
98	101 3	Hard Black lava				
101	105	clay				
105	116	Clay + Gravel	5			
116	121 3	Clay + Gravel				

If more space is required use Sheet No. 2

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Fuhrman & Johnson

By Guy Fuhrman & Ty E. Fuhrman

License No. 16

Dated , 19

Subscribed and sworn before me this day of , 19

Notary Public

My commission expires

Residing at

NOTARIZATION NOT NECESSARY
UNDER NEW LAW

SHEET NO. 2

SEP 23 1954
Department of Reclamation

Well Driller

Well Location

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing formation Ans. Yes or No	Casing Perforated Ans. Yes or No
121	149	Clay				
149	156	Gravel				
156	167	clay				

Bird, Cindy

From: Carlsen, Ernie
Sent: Wednesday, January 02, 2002 4:38 PM
To: Bird, Cindy
Cc: McHugh, Candice; Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

Cindy,

You have asked a number of questions concerning this decree and hopefully I can help with the majority of them. First you had a question concerning the season of use on Mr. Hatches claims. I prepared the attached memo entitled Bill Hatch (reviewed by Candice) to address the SOU issue. Claims by CV Cattle are not involved since they reflect the decreed season of use.



Bill Hatch.doc

The nature of the decree identifies a specific well (by number not location) and rate of diversion for each right. But all five rights have the same ppu of five 1/41/4s. Based on the claimed places of use there are 188 acres irrigated with in the decreed pou. At present we can not identify the original five wells since there are now eight wells between the two claimants being claimed as points of diversion.

As I understand it, ownership of the decreed place of use is divided between Bill Hatch and CV Cattle Inc. Bill Hatch owns 3/5s and CV Cattle owns 2/5s. For the decreed rights, Mr. Hatch has claimed all the diversion rate for each of the five decreed rights (29-485, 29-488, 29-489A, 29-10205 {combined 29-486 and 29-487}) for a total of 2.90 cfs. His claims have a ppu of 192 acres including 112 acres (three 1/41/4s) of the decreed place of use. For the decreed rights CV Cattle Inc claimed a total diversion rate of 2.01 cfs (29-486B, 0.56 cfs; 29-487B, 0.67 cfs; 29-489B, 0.78 cfs). Its claims have a pou of 76 acres, both 1/41/4s are part of the original decreed place of use.

Unless the claimants can provide some sort of documentation describing ownership of the water rights, my suggestion is to divide each right so the claimants get a proportionate share based on the number of acres they currently own of the original place of use (roughly 3/5s {112 acres} and 2/5s {76 acres}). Each claim would have a C03 and C05 condition.

Concerning Mr. Hatch if there is no perfected water right appurtenant to the 80 acres he claimed that is not part of the decreed place of use then he has a few options. The least attractive is to simply limit irrigation within the 192 acres to 112 acres. If the additional land was placed under irrigation prior to March 25, 1963, he can file a beneficial use claim and provide the necessary documentation to support the earlier priority date and any additional diversion rate. This is complicated by the fact that 29-2348 was licensed to 80 acres in the N1/2SE1/4 Section 13. He is claiming an accomplished change in place of use for this license to eliminate any overlap between it and the decreed rights. For there to be a beneficial use right on the N1/2SE1/4 Section 13 the accomplished change in place of use for 29-2348 would have to predate March 25, 1963 (possible but not likely). Lastly if the accomplished change in place of use for 29-2348 did not predate March 25, 1963 and irrigation of the 80 acres started after that date, but prior to November 19, 1987, he can file an enlargement claim for the additional 80 acres (with not additional diversion rate).

To split the rights CV Cattle will need to file additional claims. I would not charge them a late fee but would request a claim fee.

29-485. (0.22 cfs)
This claim appears to be only claimed by Bill Hatch.

Rondo Perkins / C.V. Cattle doesn't appear to have claimed this right?

11-15-01 I emailed Candice for an explanation / clarification on this decree.

Is the system connected?
Field exam tuesday 11-26-01 with Rondo Perkins indicates that the system is connected. all of the wells are connected.

SOU: June, July, Aug & Sept.

Bird, Cindy

From: McHugh, Candice
Sent: Tuesday, November 27, 2001 2:28 PM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

I'm going to defer to Ernie on how to determine the number of acres per QQ. Enlargement claims appear appropriate though.

Thanks,

Candice

-----Original Message-----
From: Bird, Cindy
Sent: Tuesday, November 27, 2001 10:08 AM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

Candice,
I think we will have to consider an enlargement because at the decreed diversion rate allows for 145 irrigated acres. Bill Hatch is claiming 192 irrigated acres and C.V. Cattle is claiming 76 acres, or 268 acres. The decree describes 5 QQ's for the POU. Can it be broken down to 29 acres per QQ? This would allow me to figure out how much each claimant would get and who needs to file what for an enlargement.

Happy Holidays
Cindy

-----Original Message-----
From: McHugh, Candice
Sent: Monday, November 19, 2001 8:39 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

Cindy --

I had Lorie fax you some info. Looking at the complaint, I would say that Plaintiff has the exclusive right to the well water during those months because from the complaint it appears that that is all the water that the wells were producing. I hope this clarifies.

The decree could be read to give Hatch use of the water in the other months -- what is he claiming? Otherwise, Hatch would have b/u claims that a junior to Hogan's if they are based on the same wells.
We would go with the standard SOU for the area for Hatch's claims and would probably add shoulder remarks to Hogan's (Rondo) -- Ernie what do you think? We need to go with inch/acre unless we do a Hubble and we would consider an enlargement. Ernie, your input?

If you have further questions, let me know.

-----Original Message-----
From: Bird, Cindy
Sent: Thursday, November 15, 2001 11:54 AM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: Decree 29-RAW clarification

Good Morning Candice,

I need a clarification on decree 29-RW a ground water decree between Ernest Hogan and R.C. Hatch. Both Bill Hatch and C. V. Cattle (Rondo Perkins) have claimed the water under this decree. The way I've interrupted the decree is that Hogan (Rondo Perkins) has the right to use the water on his property during the months of June, July, August and September from the 5 wells. But it doesn't say that Hatch can't also use the water. Or is this decree for Hogan (Rondo) and Hatch's claims would fall under b/u claims? Because they weren't licensed. What season of use and diversion rate (inch per acre) would be allowed for Hatch? Hatch has also claimed some additional irrigated acres under his claims. Would we allow the expansion?

thanks
cb

Rondo Perkins, Bill Hatch claims

Bird, Cindy

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Sent: Monday, November 19, 2001 8:39 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: Decree 29-RAW clarification

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thanks
cb

- additional land claimed by Bill Hatch will need an enlargement claim
license 29-2348 allows irrigation of 80 Ac. diff. QQ's than Decree.
- additional land claimed by C.V. Cattle?
lic. 29-2425 allows for irrigation of 76 Ac. in the same QQ's. (0.6 cfs).

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX Transmittal Cover Sheet

Number of pages including this one: 6

Date: 11/19/01

To: Cindy Bird

Fax No.: 208 547 3939

From: Candice McHugh

Fax. No.: 208 327 5400

Phone No.: 208 327 5404

Subject: _____

In Addition: There is now a way to research water rights over the Internet. The system is a graphical or text query system and can be accessed from the IDWR home page:

http://www.idwr.state.id.us

From that link, select "Snake River Basin Adjudication" toward the lower left hand of the screen. Then select "Map" or "Text" on the next page.

"**TEXT**" lets you search water rights via Name, Legal, Source, etc.

Enter in the information you know. Information can be entered under more than one tab. After you have completed entering your information. select "Search"

"**MAP**" allows you to search water rights graphically.

Use the tools on the Left side of the screen to Zoom in and out. To find out what each button does, hold the cursor over the button for a second. To the Right side of the screen are different layers that can be turned on or off. As you zoom in to your place in question, different layers will appear on the right side of the screen.

A HELP function is available within the application or you can call 1-800-451-4129 or (208)327-7906 for help.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CARIBOU

ERNEST HOGAN,

Plaintiff,

-vs-

R. O. HATCH; LeROY HOGAN; GEORGE N. CARTER, State Reclamation Engineer of the State of Idaho; ALL UNKNOWN OWNERS OR CLAIMANTS OF ANY INTEREST IN THE FOLLOWING DESCRIBED WATER RIGHT, to-wit:

1,300 gallons per minute from five (5) wells located in and irrigating the S½ of the SE¼ of Section 13, Township 7 South, Range 39 E.B.M. The SW¼ of the SW¼ of Section 18, Township 7 South, Range 40 E.B.M. The NE¼ of the NE¼ of Section 24, Township 7 South, Range 39 E.B.M. and the NW¼ of the NW¼ of Section 19, Township 7 South, Range 40 E.B.M., all being in the County of Caribou, State of Idaho, said water rights originating on 100 gallons per minute in May of 1952, and 550 gallons per minute in June of 1953, 300 gallons per minute from June 1954, and 350 gallons per minute in June 1955,

Defendants.

COPY

COMPLAINT (CIVIL)

Comes now the plaintiff in the above entitled action and for cause of action against the defendants complains and alleges as follows:

I.

That at all times mentioned in the complaint plaintiff, Ernest Hogan, was, and now is, a resident of the County of Caribou, State of Idaho.

II.

That at all times mentioned herein the plaintiff was, and is, the owner of: the S½ of the SE¼ of Section 13, Township 7 South, Range 36 E.B.M. The SW¼ of the SW¼ of Section 18, Township 7 South, Range 40 E.B.M. The NE¼ of the NE¼ of Section 24, Township 7 South, Range 39 E.B.M. And the NW¼ of the NW¼ of Section 19, Township 7 South, Range 40 E.B.M., all being in the County of Caribou, State of Idaho.

LAW OFFICE
CALLIS A. CALDWELL
ATTORNEY AT LAW
POCATELLO, IDAHO

MICROFILMED
MAY 16 1996

III.

That in the early Spring of 1952 the plaintiff drilled and cased a well located and identified in "Exhibit A" as Well No. 1 and said "Exhibit A" being a map attached hereto and made a part hereof. Said well was completed in the early Spring of 1952 and was immediately put to beneficial use in irrigating a portion of the above described property. The well was used for approximately four months each and every year thereafter and produced approximately 100 gallons per minute when in use, all of said water being used on said premises.

IV.

That in the early Spring of 1953 the plaintiff drilled and cased wells located and identified as Well No. 2 and Well No. 3. Said wells were completed in the early Spring of 1953 and were immediately put to beneficial use in irrigating a portion of the above described property. The wells were used for approximately four months each and every year thereafter and Well No. 2 produced 250 gallons per minute when in use, and Well No. 3 produced 300 gallons per minute when in use, all of said water being used on said premises.

V.

That in the early Spring of 1954 the plaintiff drilled and cased a well located and identified as Well No. 4. Said well was completed in the early Spring of 1954 and was immediately put to beneficial use in irrigating a portion of the above described property. The well was used for approximately four months each and every year thereafter and produced 300 gallons per minute when in use, all of said water being used on said premises.

VI.

That in the early Spring of 1955 the plaintiff drilled and cased a well located and identified as Well No. 5. Said well was completed in the early Spring of 1955 and was immediately put to beneficial use in irrigating a portion of the above

LAW OFFICE
CALLIS A. CALDWELL
ATTORNEY AT LAW
POCATELLO, IDAHO

MAY 16 1996

described property. The well was used for approximately four months each and every year thereafter and produced 350 gallons per minute when in use, all of said water being used on said premises.

VII.

That the above described wells have been used to irrigate the above described premises through the use of a sprinkler system.

VIII.

That as each of the above described wells became operative the plaintiff used all of the water obtained therefrom and as above described beneficially for irrigating purposes and all of said water was used on the above described premises.

IX.

That prior to the drilling of the first well the plaintiff had a water right of two days and nights of spring runoff water each spring from an 18 mile creek but that prior to the drilling of the first well said creek diminished to the state that it became of little value for irrigation purposes and has remained in this condition to the present time.

X.

That George W. Carter is the State Reclamation Engineer of the State of Idaho and in serving in such capacity may have some interest in and to the above described waters.

XI.

Plaintiff further alleges that there are certain persons interested in this matter as they too have drilled wells in the immediate vicinity of the wells drilled by the plaintiff and that the names and addresses of said parties are as follows, to-wit: R. O. Hatch, Bancroft, Idaho; LeRoy Hogan, Bancroft, Idaho.

That the interests of the above interested parties do not conflict with the interest claimed herein by plaintiff.

XII.

Plaintiff further alleges that there are certain persons interested in this controversy whose names are unknown to the

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CALLIS A. CALDWELL
ATTORNEY AT LAW
POCATELLO, IDAHO

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plaintiff and who claim some right, title, and interest in and to the above described waters; and all of said unknown persons are made party defendants under the style of "all unknown owners or claimants of any interest in the following described water right".

XIII.

Plaintiff further alleges that he is now and has since June of 1952 appropriated and beneficially used 100 gallons per minute for approximately four months during the summer from Well No. 1.

That he has appropriated and beneficially used 250 gallons per minute for approximately 4 months during the summer from Well No. 2 since June of 1953, and 300 gallons per minute for approximately four months during the summer from Well No. 3 since June of 1953.

That he is now and has since June of 1954 appropriated and beneficially used 300 gallons per minute for approximately four months during the summer from Well No. 4.

That he is now and has since June of 1955 appropriated and beneficially used 350 gallons per minute for approximately four months during the summer from Well No. 5.

That he is the owner of, in possession of, and entitled to the possession of the above described waters and that said right and title be established from June 1952 for 100 gallons per minute, from June 1953 550 gallons per minute, from 1954 for 300 gallons per minute, and from June 1955 for 350 gallons per minute.

XIV.

Plaintiff further alleges that the defendants, and each of them, however designated, have no right, title, or interest in and to the waters above described.

COPY

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ATTORNEY AT LAW
POCATELLO, IDAHO

[illegible]
MAY 16 1996

WHEREFORE, plaintiff prays judgment as follows:

1. That the defendants, and each of them, be required to set forth any claim or right they have in and to the herein described water or any part or portion thereof and that any claim be adjudged and decreed to be without right or foundation.

2. That upon final hearing it be decreed and adjudged that the plaintiff has the right to an ownership of 100 gallons per minute from Well No. 1 from June of 1952 and to be used during the months of June, July, August and September.

3. That upon final hearing it be decreed and adjudged that the plaintiff has the right to and ownership of 250 gallons per minute from Well No. 2 and 300 gallons per minute from Well No. 3 from June of 1953 and to be used during the months of June, July, August and September.

4. That upon final hearing it be decreed and adjudged that the plaintiff has the right to and ownership of 300 gallons per minute from Well No. 4 from June of 1954 and to be used during the months of June, July, August and September.

5. That upon final hearing it be decreed and adjudged that the plaintiff has the right to an ownership of 350 gallons per minute from Well No. 5 from June of 1955 and to be used during the months of June, July, August and September.

6. That title to the said waters be quieted in the plaintiff and against the defendants, and each of them, and against the world.

7. That the plaintiff may have such other and further or different relief as to the Honorable Court may seem meet and equitable in the premises.

/s/ Callis A. Caldwell
Attorney for Plaintiff

LAW OFFICE
CALLIS A. CALDWELL
ATTORNEY AT LAW
POCATELLO, IDAHO

MAY 16 1996