

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: 39576Ident. Number A29-4353Date Received 4/30/90Receipt Number E013817

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) E. Jay Hartvigsen Phone (801) 295-7207Mailing Address 1045 E. Claremont Dr., Bountiful, UT Zip 840102. Date of Priority (Only one (1) per claim) April 1, 19153. Source of water supply (a) Mud Springwhich is tributary to (b) Aspen Creek

4. a. Location of existing point of diversion is: Township 12S Range 37E Section 35,
_____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: NE¹/₄ of SE¹/₄ of Section 34, T. 12S, R. 37E.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Drain tile in spring and seep areas collects water to a 1000 gallon tank. The
water is then piped to the domestic and irrigation uses.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1/1 to 12/31 amount .04 or _____

For Irrigation purposes from 4/1 to 10/31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household served

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	37E	34			1	1													2
12S	37E	34				D													

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes x No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (x)

14. Remarks:

This source was filed on by Nels Lundgren, predecessor-in-interest, in 1915 pursuant to Permit #11836. Although the water was used, "Proof of beneficial use" was not submitted and this permit lapsed. However, use has been continuous, open, and notorious since 1915 as against all other users of water from Aspen Creek and the streams tributary thereto. Aspen Creek is known locally also as Quaking Aspen Creek.

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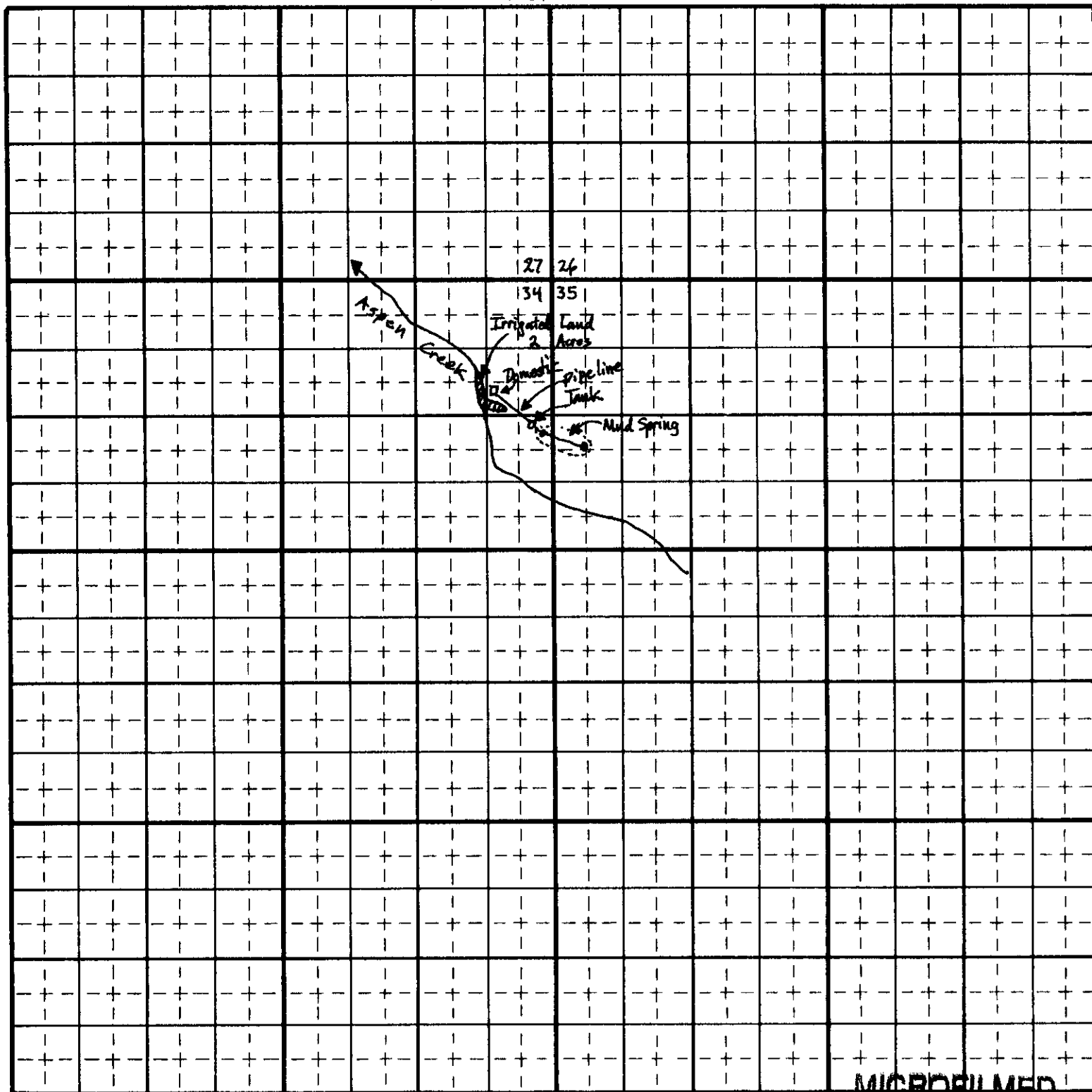
Last Name Hartvigsen Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T. 12S R. 37E



Last Name Hartvigsen Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-4353
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 None

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) E. Jay Hartvigsen Date April 27, 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 27th day of April 19 90

SEAL

Notary Public Alma Skerata

Residing at Bountiful, Utah

My Commission Expires 3-5-91

Please Print Name

17. Notice of Appearance: Wheatley & Ranquist, Harold A. Ranquist and
Notice is hereby given that ☒ David B. Hartvigsen will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature by: David B. Hartvigsen

Address 60 East South Temple, Suite 1225, Salt Lake City, UT 84111

Date April 27, 1990

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NOV 13 1992

Last Name Hartvigsen Ident. Number _____

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