

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

1

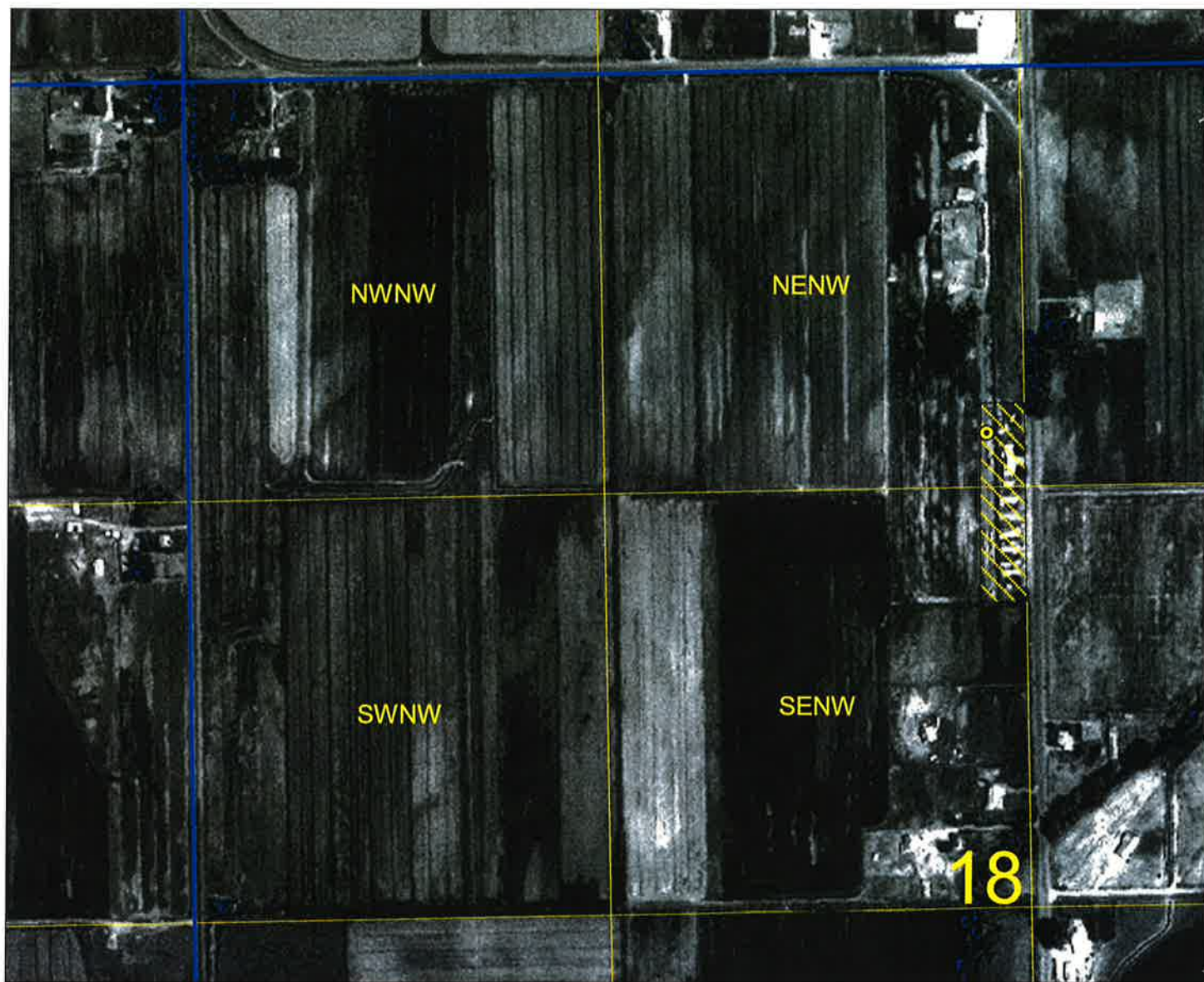


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-04165



1320 0 1320 Feet



- ⊙ Point of Diversion
- Place of Use
- Sections
- QQ

SCANNED
AUG 17 2004

PROFILED

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: April 2004

Water Right Claim Number 25-04165
Township, 1N38E

12/04/2000

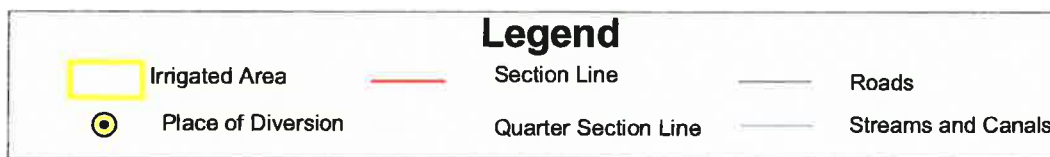


SPATIAL
DYNAMICS



Water Right Claim Number 25-04165
Township , 1N38E

12/04/2000



400 0 400 800 1200 Feet

Spatial
DYNAMICS



August 18, 2003

Max Hahn
8478 S 1st E
Idaho Falls, ID 83404

Re: Water Right Adjudication Claim(s) A25-04165

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

To help IDWR correctly address the land trade you recently noted on the aerial photo, I would like to review the details and dates of that trade.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

Water Resources
Field Services
208 663 4667



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 4165

POD ID 171083

Folder No. A2504165

Claim Status In Use

IDTMEAST 659229

IDTMNORTH 259692

GPSID A0011985

Diversion Description

WELL, PUMP, TANK & LINES. POD located in back yard (hidden by a wooden wishing well structure). Note: Claimant said all neighbors were digging new wells (starting to pump sand).

Assumptions

0 pressure head, and 120 foot elevation head.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)

Phase-I (Ready to Go to Field)

Phase-II (Site Visit - Data Missing)

Phase-III (Complete w/issues)

Linked

Photos\25-4165-001.JPG

Photos\25-4165-003.JPG

Photos

Photos\25-4165-002.JPG

Photos\25-4165-004.JPG

GPS Accuracy (ft)

16 Feet

Date (M/D/Y)

07-23-02

Time

10:55

Flow Rate (CFS)

0.21

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

☐ Less than half full

☐ Half full

☐ More than half full

☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 4

Pressure Head (psi) 0

Elevation Head (ft) 120

Motor Mfg 1" Electrolet Killark

Motor Serial #

Pump Type Submersible

Pump Mfg Clayton Park & Co.

Pump Serial# Pat. 2267680

New Contact Information ☐

New Contact Comments

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FOLDER NO.

A2504165

A25-04165 Summary

9/19/03

- 1) Ownership - appears to be correct
- 2) POD - See layout. GPS 659,197E 259,728N
Waypoint 4165. Site tag A0011985.
Note that site tag was on original well ~
10 meters east & 6 meters south of
current well. Current well drilled
Summer 2002.
- 3) POU. See layout. Claimant's sketch on
layout references a land trade. Interview
revealed that neither traded parcel
was irrigated by this WR but by
Idaho Irrigation Canal shares.
- 4) Water use. Current use is for 6 mobile
homes and two permanent homes, with
all the rest of the area irrigated lawn.
Original use was for 12 mobile homes
on the same area. I propose
0.13 cfs / 4.8 gfa for domestic from
Field Examiner's Handbook + 0.03 cfs / 3.5 gfa
per acre of irrigation as determined by GIS.

Photos - 1 of POD, 2 of 3 of POU.

A25-04165 Summary p2

5) Evidence of Priority. Claimant said he had talked to several tenants / neighbors who could establish a date that they remembered the water use being in place, but none could establish a starting date. None were willing to sign any kind of affidavit. He introduced me to one of these people, Eunice Beasterfield, who has lived at the park ~~for~~ since 1958. I questioned her carefully and I'm convinced her mind is clear / her recollection reliable. She confirmed that the trailer park was as large then as it is now / the well served the two homes and the trailer park.

Claimant says there is another neighbor who is on vacation who may be willing/able to provide an affidavit.

I propose a priority of 12/31/1958 based on my interview w/ Ms. Beasterfield until better information is available.

Byron A. Conton

A25-04165 field Note 9/18/03

Mrs. Eunice Beasterfield -

Moved here in 1958, trailer park
was the same size as it is now -
2 homes, 12 trailers. Now trailers
are larger, fewer trailers, park is
same size.

9/18/03

GPS tag A0011985 (was on old well,
replaced last summer) 0659197E
0259728N

Way point 4165

Trade - North pasture traded for west
lawn area, irrigated from Idaho
Frr. Lawns all ir. from well
2 homes - 6 trailers.

Max Hahn Contact information

8/19/03 529-4325 8:56 ~~no answer~~
msg left on machine

8/20/03 2:45 PM
Mr. Hahn called - out of town till
Sept 4th - I will call back

9/5/03 529-4325 8:56
Msg w/ Mrs. Hahn.

9/11/03 529-4325 13:20
msg on machine suggestly evening apt,
disun evidence of priority need.

9/12/03 Cell phone 390 4363
Appointment Thursday 9/18/03 w 7 pm
Mr. Hahn will try to get statement
from tenant / neighbors.

SCANNED

JUL 1 2000

Log for claim 25-04165

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n38e	18	NENW	1	2.9	POD Placement?
01n38e	18	SEnw	1	1.1	
Totals:			2	4	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MAX HAHN	06/19/1959	IRRIGATION	04-01 11-01	0.040 CFS	
C	KAY HAHN		DOMESTIC	01-01 12-31	0.180 CFS	
	8478 S 1ST EAST					
	IDAHO FALLS ID 83404					
	(208) 529-4325					
				TOTAL DIVERSION:	0.220 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T01N R38E S18 NENW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
01N	38E	18	:	01			:	01			:				:	2.0
															TOTAL ACRES	2.0

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
01N	38E	18	:	D			:				:				:	

POU County: BONNEVILLE

Non-Irrigation Uses: D/12 TRAILERS, 2 HOMES

Other Rights: IDAHO IRRIG. DIST. 4 SHARES

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0007520 A01-0007620 A01-0031220 A01-0036820 A01-0036920 A01-0037020 A25-0022420

Dates: Exam Made Date: Verified Date: 03/12/1985 Objection Filed Date:

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

Audit: 08/17/89 SCHULD 03/29/95 POST-STD

4165
May 6, 1991

MAX HAHN
8478 S 1 STREET
IDAHO FALLS ID 83404

RE: **Evidence of Priority**

Dear Mr. Hahn:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority date by **June 6, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED

NOV 1 U 1992

Max Hahn

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04165
MAX HAHN
KAY HAHN
8478 S 1ST EAST
IDAHO FALLS ID 83404

MICROFILMED
NOV 10 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)08/17/89 08:46:45
Page 1

Water Right Number - 25-04165

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

HAHN

MAX

1 - RT. 3, BOX 188

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83401

Phone -

HAHN

KAY

1 - RT. 3, BOX 188

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83401

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/19/1959 15 S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01N 38E 18 NE NW (19) BONNEVILLE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 04/01 11/01 0.040
43 - DOMESTIC 01/01 12/31 0.180+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.220+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County01N 38E 18 NE NW 1.0 01 IRRIGATION (19) BONNEVILLE
01N 38E 18 SE NW 1.0 01 IRRIGATION (19) BONNEVILLE

Total Acres: 2.0

+ - - Diversion Means - WELL, PUMP, TANK & LINES

+ - - Non-Irrigation Use - D/12 TRAILERS, 2 HOMES

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

DO NOT FILM

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

08/17/89 08:46:45
Page 2

Water right number - 25-04165

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/12/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

DO NOT FILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Max or Kay Hahn (Name of Claimant)

Rt 3 Box 188, Idaho Falls Idaho 83401 Telephone No. 529-4325
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 6-19-1959

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater

tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>0.18 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>0.04 af</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.22 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18 Twp. 1N Rge. 38E B.M., County of Bonneville

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well, pump, pressure tank with distribution lines to 12 trailers

change. Well, pump, pressure tank with air bladder and 10 to 12 tanks, and two domestic homes. (14 domestic units - Total)

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic Usage 12 - Trailers
2 - Domestic homes

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

JUL 30 2001

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: A25-04165
Date Received: 8/17/1989
Receipt No: M003920
Received By: BHS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX HAHN 208-529-4325
Address: 8478 S 1ST EAST
IDAHO FALLS, ID 83404
AND/OR
Name: KAY HAHN 208-529-4325
Address: 8478 S 1ST EAST
IDAHO FALLS, ID 83404

A2504165



2. Date of Priority: JUN 19, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	38E	18	NE	NW			BONNEVILLE

5. Description of diverting works:
WELL, PUMP, TANK & LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
DOMESTIC	01/01	12/31	0.180		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/12 TRAILERS, 2 HOMES

A25-04165

Page 1

Date: 08/17/89

MICROFILMED
NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	38E	18			DOMEST	
			NE	NW	IRR	1.0
			NE	NW	DOMEST	
			SE	NW	IRR	1.0
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
IDAHO IRRI. DIST. 4 SHARES

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 2

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): X [Signature] Date: X 8-17-89
Date: _____

State of Idaho
County of Donnerville SS.

Subscribed and sworn (or affirmed) before me this 17 day
of August 19 89 [Signature]
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995