

02/05/2002

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

RIGHT NUMBER: 29-100

NAME AND ADDRESS: JERRY W HATCH
850 W ELVA
IDAHO FALLS ID 83402

SOURCE: TOPONCE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.58 CFS

PRIORITY DATE: 06/18/1902

POINT OF DIVERSION:

T06S R38E S34 NWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.580 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] AND AFTER [SEPTEMBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R38E S34 NESE 29.0

29 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

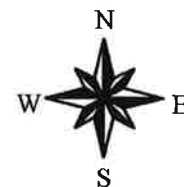
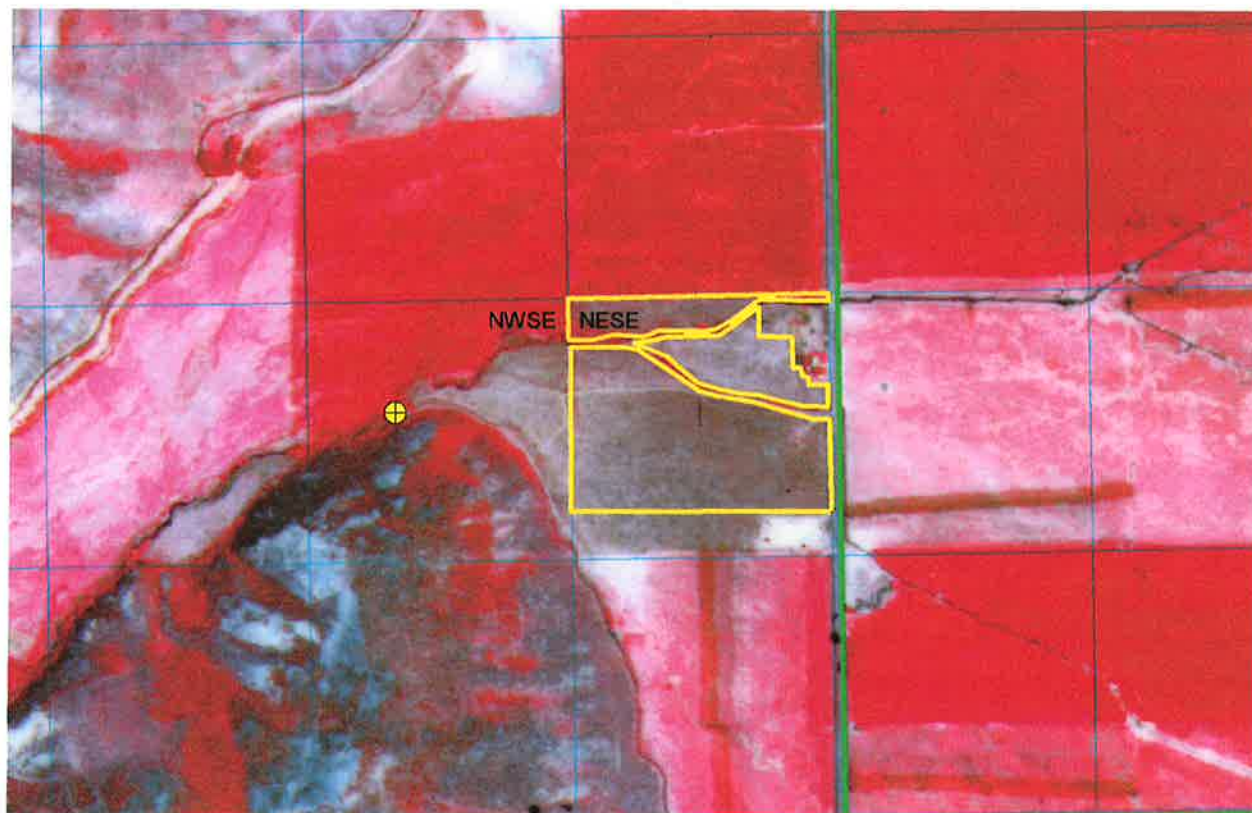


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s) 29-100



LEGEND

- Point of Diversion
- Place of Use
- Sections
- Quater-Quaters

Place of Use: T6S, R38E
Sec. 34 NESE

Point of Diversion: T6S, R38E
Sec. 34 NWSE

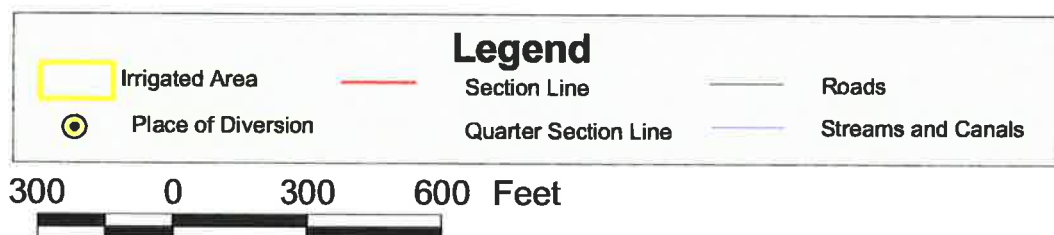
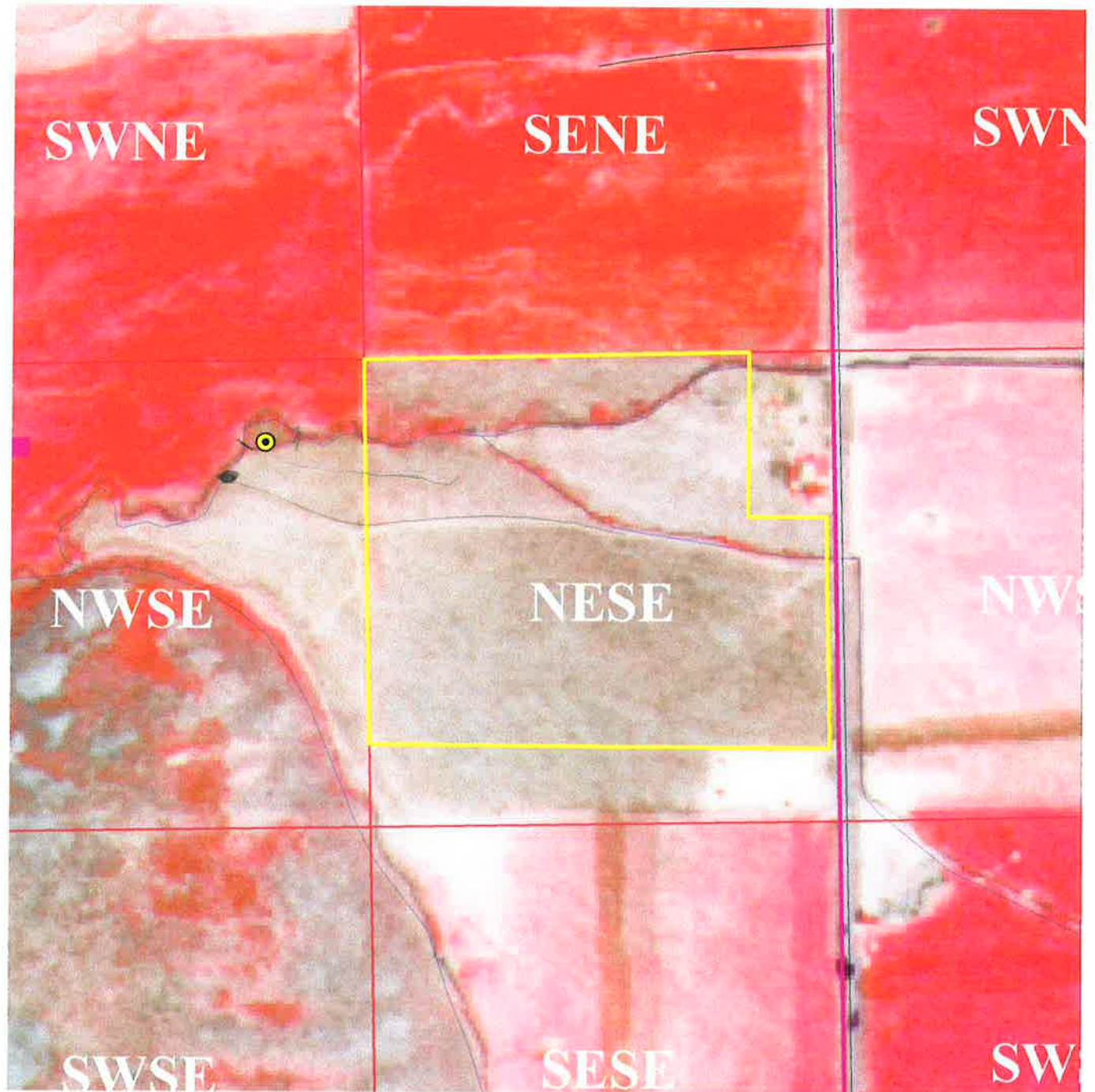
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. Bird
Date: February 2002

SCANNED

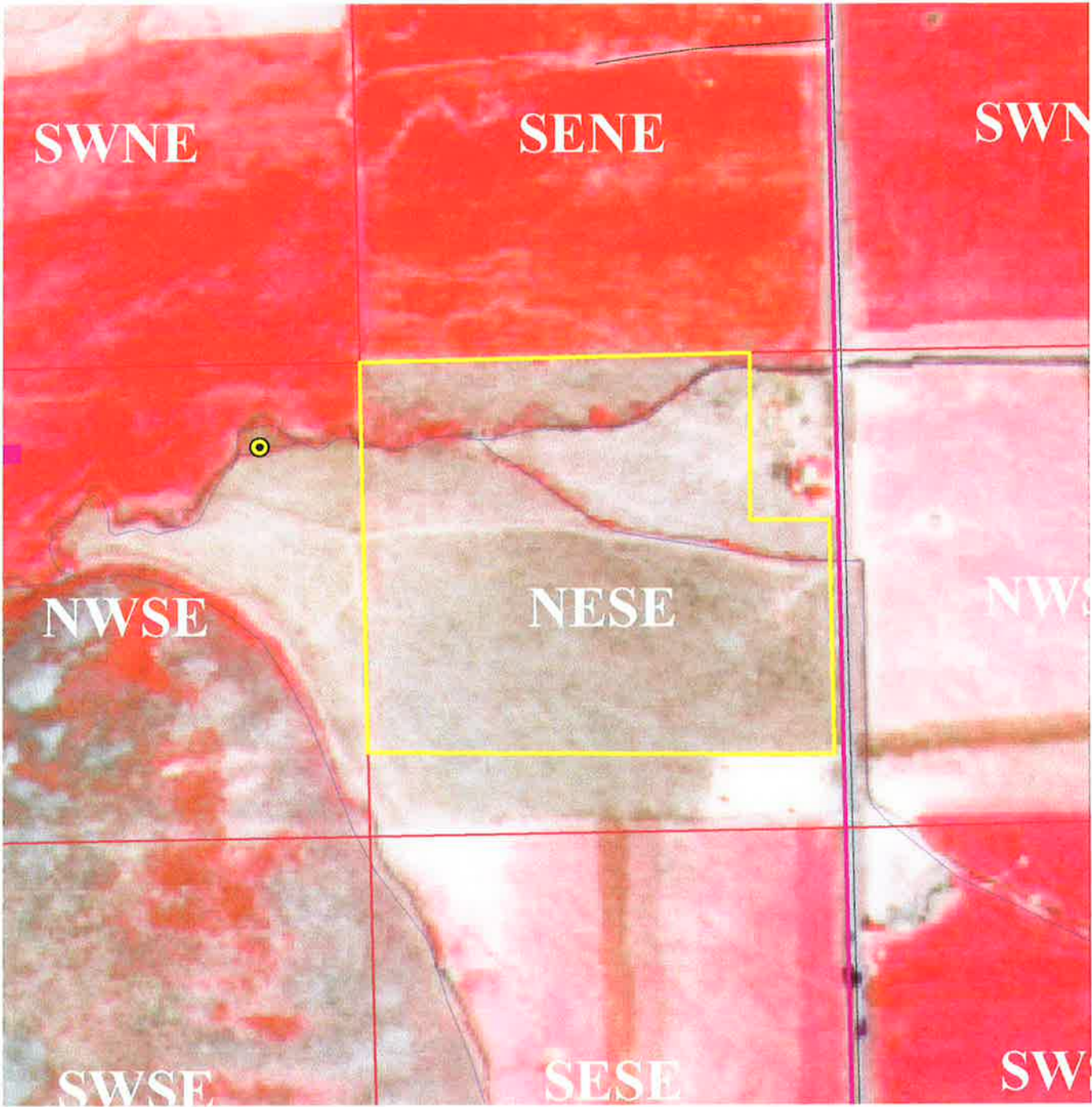
JUN 24 2005

PROFILED

Township , 6S38E



Township , 6S38E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

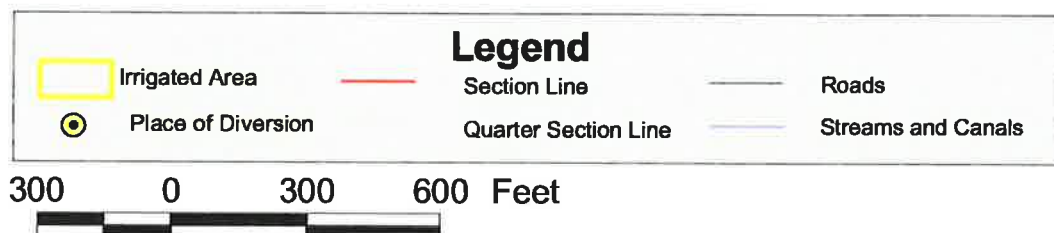
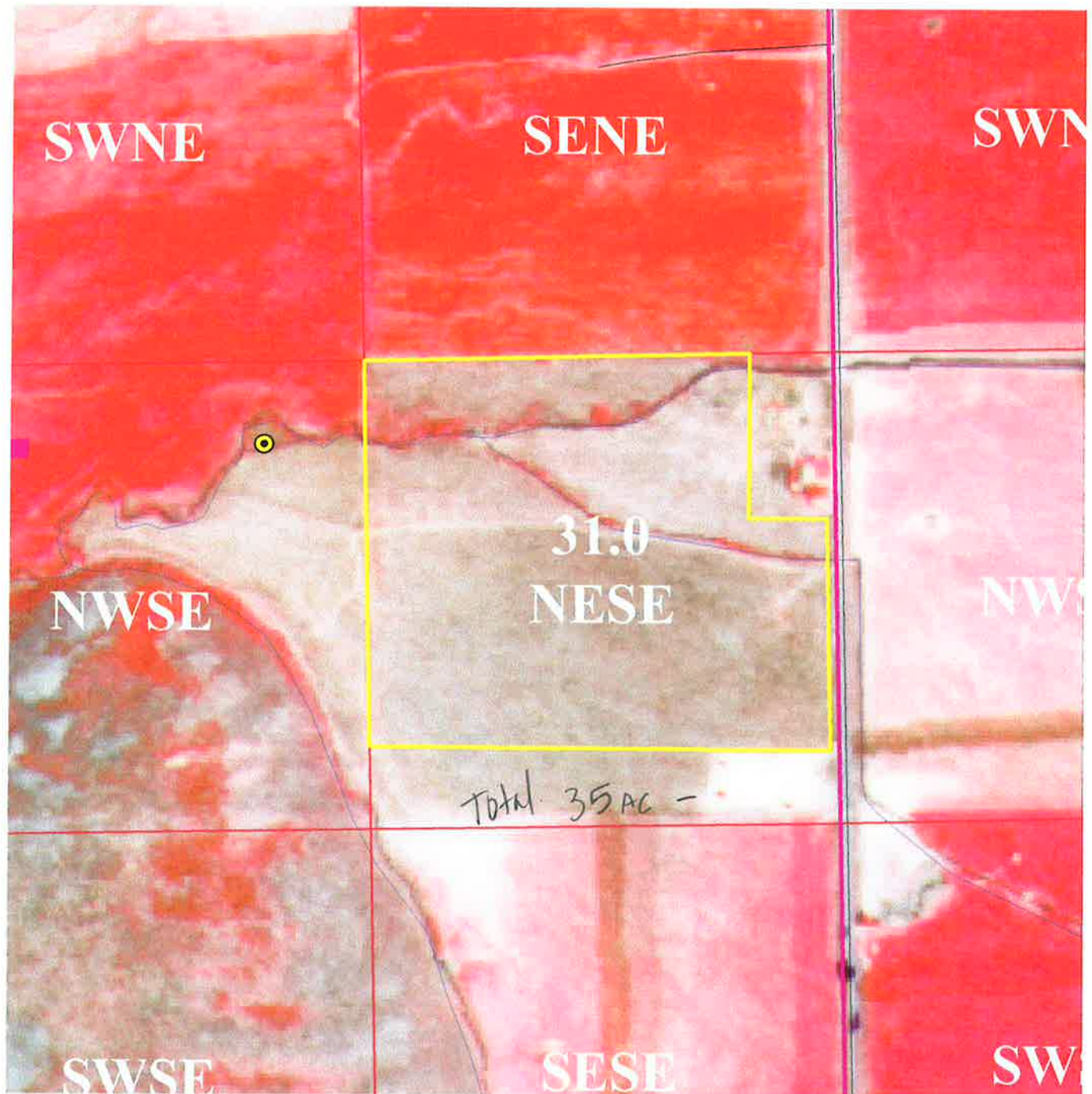
 Roads

 Streams and Canals

Legend



Township , 6S38E



Bird, Cindy

From: Carlsen, Ernie
Sent: Tuesday, February 05, 2002 7:56 AM
To: Bird, Cindy
Subject: RE: recommendation for 29-10196

Cindy,

I suggest you renumber 29-10196 to 29-100.

Ernie

-----Original Message-----

From: Bird, Cindy
Sent: Monday, February 04, 2002 4:35 PM
To: Carlsen, Ernie
Subject: recommendation for 29-10196

Hi Ernie,

Claim 29-10196 was created from the combination of 29-99 and 29-100. 29-99 was not decreed to property owned by the claimant and I didn't find any beneficial use under 29-99 for this claimant. So, this claim would be based on 29-100. Should I make the recommendation under 29-10196 and note that it is based on 29-100 or disallow 29-10196 and make the recommendation under 29-100?

cindy

PROFILED

SCANNED
JUN 24 2005

CLAIM NUMBERS

A29-10196

DATE

9/25/01

AGENT

CB

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	65	38E	34													29			29
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B29-POU.SHP

SHAPE NOS.

B29-POD.SHP

NOS. DESCRIPTION

GPS'D POD UNDER HatchW

recommended under 29-100 = 29 acres, .58 cts

✓ imagery - They sold 5 of the 40 acres originally owned.

DBF TABLES UPDATED

B29-DBPOU.DBF

B29-DBPOD.DBF

JPEG LAYOUT

D:\Data\Cindy\Forms\GIS-LLIST-29-4SEC-4LINES1.doc

PROFILED

SCANNED

JUN 24 2005

NWSE NESE

12/14/01 flight 7-20-1964.
Photo CXP-ZDD-36.

PROTECTED

SCANNED
JUN 24 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 25, 2001

JERRY W HATCH
850 W ELVA
IDAHO FALLS ID 83402

RE: CHANGE IN OWNERSHIP FOR A29-10196

Dear Mr. Hatch:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

SCANNED

JUN 24 2005

POSTED



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 2001

JERRY W HATCH
850 W ELVA
IDAHO FALLS ID 83402

RE: OWNERSHIP CHANGE FOR A29-10196 & CHECK DATED
SEPTEMBER 24, 2001, FOR \$25.00

Dear Mr. Hatch:

Thank you for submitting the above referenced ownership change. Our office will process it as soon as possible.

Upon investigating your water right I discovered that there is no fee required. The filing fee is for claims that are Partially Decreed by the Snake River Basin Adjudication Court. Therefore, I am returning your check for \$25.00.

If you have any questions feel free to contact this office at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure

PROFILED

SCANNED
JUN 24 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK JC 9/25/07
RECEIVED
SEP 24 2001
 Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A29-10196				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

D. WAYNE HATCH (DECEASED)

4. New Owner/Claimant(s)

TERRY W. HATCH
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

850 WEST ELVA

City, State and ZIP Code

IDAHO FALLS, ID 83402

New Telephone Number

208 529-5353

5. Date you acquired the property

2-15-1990

FILED

SCANNED
 JUN 24 2005

February 15, 1990

4:25 P.M.

Microfilm Records

Recorder: Myrna W. Archibald

Deputy: Ruth E. Avery

Fee: \$6.00 D. Harding

WARRANTY DEED
(Reserving Life Estate)

For Value Received

OSBORNE WAYNE HATCH a/k/a WAYNE HATCH and MARCELLE R. HATCH, husband and wife, of Bancroft, Caribou County, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto Jerry Wayne Hatch as his sole and separate property whose mailing address is c/o Wayne Hatch, 3043 Kelly Toponce Road, Bancroft, Caribou County, Idaho 83217 the Grantee, the following described premises, located in Caribou County, State of Idaho, to-wit:

Township 6 South, Range 38 East of the Boise Meridian, the NE1/4 of SE1/4 of Section 34, less the following described property:

Beginning at the Southwest corner of the NE1/4SE1/4, and running thence North 395 feet; thence East 1320 feet; thence South 395 feet; thence West 1320 feet, to the point of beginning; being also described as the South 395 feet of said NE1/4SE1/4. EXCEPT THEREFROM that part thereof lying within the right of way of a County Road which runs along the East side thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever, subject to the Grantors reserving a Life Estate and right to live in and occupy such premises for the remainder of the natural life of each Grantor. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 15th day of February, 1990.

Osborne Wayne Hatch
OSBORNE WAYNE HATCH

Marcelle R. Hatch
MARCELLE R. HATCH

STATE OF IDAHO

138405

County of Caribou

)
:ss
)

On this 15th day of February, 1990, before me, the undersigned Notary Public, personally appeared OSBORNE. WAYNE HATCH and MARCELLE R. HATCH, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Don E. Handley

NOTARY PUBLIC FOR IDAHO

Residing at: Soda Springs, Idaho

Commission expires: July 24, 1991

(SEAL)

WARRANTY DEED
0313h

Page 2

PROFILED

SCANNED
JUN 24 2005

STATE OF IDAHO,
County of CARLETON

ss.

On this 21st

day of April

in the year 1980, before me

a Notary Public in and for said County and State, personally appeared

Candy H. Kelly

known to me to

be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

William B. Kelly
Notary Public.

Residence and P. O. Address Salt Lake City, Utah

Life Time Commission 583274

WARRANTY DEED

104607

TO

Deed

10

STATE OF IDAHO,

County of

ss.

I hereby certify that this instrument was filed for record at the request of

Robert W. Hatch

at 5 minutes past 10

o'clock P. M., this 21 day

of April, A. D. 1980

in my office and duly recorded in Book

of Books at page 71000

ELMER S. BRADY
Notary Public

By Clara C. Hatch
Deputy.

Fee \$ 4.00

Warranty Deed

THIS INDENTURE, Made this 10th day of March
in the year of our Lord One Thousand Nine Hundred and Eighty

Candy H. Kelly, a married woman

of Bancroft, County of Caribou, State of Idaho
the party of the first part, and

Osborne Wayne Hatch and Marcelle R. Hatch, husband and wife,
of Bancroft, County of Caribou, State of Idaho
the parties of the second part:

WITNESSETH: That the said party of the first part, for and in consideration of the sum of
ONE DOLLAR, love and affection for her parents, and as a gift ~~XXXXXX~~
lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties
of the second part, and to their heirs and assigns forever: All th certain lot
piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 6 South, Range 38 East of the Boise Meridian:

Section 34: Beginning at a point which is 395 feet North
of the South east corner of the NE1/4SE1/4 of
said section 34, and running
thence West 242.71 feet; thence North 208.71 feet;
thence East 242.71 feet; thence South 208.71 feet,
to the point of beginning, EXCEPT THEREFROM,
a county road along the East side thereof.

SCANNED

JUN 24 2005

PROFILED

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said parties of the second part, and to their heirs and assigns forever. And the said
party of the first part, and her heirs the said premises in the quiet and peaceable possession
of the said parties of the second part their heirs and assigns against the said party of the
first part, and her heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part have hereunto set her hand and
seal the day and year first above written.
Signed, Sealed and Delivered in the Presence of

_____ } Candy H. Kelly [Seal]

_____ } [Seal]

_____ } [Seal]
_____ } [Seal]

Warranty Deed

THIS INDENTURE, Made this 8th day of March
in the year of our Lord One Thousand Nine Hundred and Seventy-eight, between

Osborne Wayne Hatch and Marcelle R. Hatch, husband and wife,
of Bancroft, County of Caribou, State of Idaho
the parties of the first part, and

Candy H. Kelly, a married woman 571 East Lewis
of Soda Springs, County of Caribou, State of Idaho 83276
the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

ONE DOLLAR, love and affection for their daughter, and as a gift - - - - -
lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt
whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party
of the second part, and to her heirs and assigns forever: All that certain lot
piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, bounded
and more particularly described as follows, to-wit:

Township 6 South, Range 38 East of the Boise Meridian:

Section 34: Beginning at a point which is 395 feet North of the
Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 34,
and running
thence West 242.71 feet; thence North 208.71 feet;
thence East 242.71 feet; thence South 208.71 feet,
to the point of beginning, EXCEPT THEREFROM, a county
road along the East side thereof.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and
the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident
unto the said party of the second part, and to her heirs and assigns forever. And the said
parties of the first part, and their heirs the said premises in the quiet and peaceable possession
of the said party of the second part her heirs and assigns against the said parties of the
first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming
or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seals the day and year first above written.
Signed, Sealed and Delivered in the Presence of

_____ } Osborne Wayne Hatch [Seal]
Marcella R. Hatch [Seal]

_____ } [Seal]
[Seal]

STATE OF IDAHO,
County of Caribou.

On this 21st

day of

March

in the year 1978, before me

the undersigned

a Notary Public

in and for said County and State, personally appeared

Osborne Wayne Hatch and Marcelle R. Hatch, husband and wife

known to me to

be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first

above written.

Leonard O. Pingford
Notary Public.

Residence and P. O. Address Soda Springs, Idaho.

Commission: Lifetime.

95592
WARRANTY DEED

Osborne Wayne Hatch and Marcelle R.
Hatch, husband and wife,

TO

Candy H. Kelly, a married woman.

Dated March 8, 1978

STATE OF IDAHO,
County of Caribou. } ss.

I hereby certify that this instrument was filed for
record at the request of

Candy H. Kelly
at 5 minutes past 4
o'clock P. M., this 29 day
of March, A. D. 1978

in my office and duly recorded in ~~XXXX~~ the
of ~~XXXX~~ microfilm records.

Elaine S. Johnson
Ex-Officio Recorder.

By *Shanda Peterson*
Deputy.

Fee, \$2.00

REG. PRINTER & SONS, INC., POCAHELLO, IDAHO

Box 104
Soda Springs, Ida

Warranty Deed

THIS INDENTURE, Made this Fifteenth day of October
in the year of our Lord One Thousand Nine Hundred and forty-seven, between Leo Roberts and Elva F. Roberts, husband and wife
of Pocatello, County of Bannock, State of Idaho
the part ies of the first part, and Osborne Wayne Hatch and Marcelle R. Hatch, husband and wife

of Bancroft, County of Bannock, State of Idaho
the part ies of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of five thousand four hundred (\$5,400.00) DOLLARS,
lawful money of the United States of America, to them in hand paid by the said part ies of the second part, the receipt whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part ies
of the second part, and to their heirs and assigns forever: All th at certain lot
piece or parcel of land situate, lying and being in the County of Bannock State of Idaho, bounded
and more particularly described as follows, to-wit:

The Northeast Quarter of the Southeast Quarter of Section Thirty-four, Township Six, South Range 38 E.B.M., excepting therefrom a tract of land containing 22 1/2 acres, more or less, described as:

Beginning at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 34, Township Six South, Range 38 E.B.M., running thence 750 feet North, thence West 80 rods, thence South 750 feet, thence East 80 rods to the place of beginning.

Lots Fifteen and Sixteen (or the South Half of the Southeast Quarter) of Section Twenty-two and the Lots One and Two (or the North Half of the Northeast Quarter of Section Twenty-seven, all in Township Six South, Range Thirty-eight East of the Boise Meridian.

Excepting therefrom the following described tract: Beginning at the Southeast Corner of the North Half of the Northeast Quarter of Said Section Twenty-seven, run thence North along the East line of said subdivision a distance of 15 rods, run thence West parallel with South boundary line of said subdivision a distance of 32 rods, run thence South at right angles a distance of 15 rods to the South boundary line of said subdivision, run thence East along said boundary line 32 rods to the place of beginning of this exception.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefor, appurtenant to said premises or used in connection therewith now and/or at any time during the existence of this mortgage, including (but not limited to) the following:

Waters of Toponce Creek as decreed to the above described lands,

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said part ies of the second part, and to and assigns forever. And the said part ies of the first part, and the said premises in the quiet and peaceable possession of the said part ies of the second part, and assigns against the said part ies of the first part, and and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part ies of the first part have herunto set their hands and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of



Leo Roberts [Seal]
Elva F. Roberts [Seal]
[Seal]
[Seal]

STATE OF IDAHO,
County of Bannock

ss.

On this 29th

day of November

in the year 1947, before me,

Pl. W. Carlson

a Notary Public

in and for said County and State, personally appeared

Leo Roberts and Elva F. Roberts

known to me to

be the person ~~s~~ whose name ~~s~~ are subscribed to the within instrument, and acknowledged to me that ~~t~~ he ~~y~~ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Pl. W. Carlson

My Commission expires June 7, 1948

Notary Public.

Residence Pocatello, Idaho

WARRANTY DEED

256638

Leo Roberts and Elva F. Roberts

Osborne Wayne Hatch and Marcelle R. Hatch

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250119
RECORDED
INDEXED
DEPT. OF REVENUE
COUNTY, IOWA

DEC 12 1946 3 38 PM

Deeds 98 335

STATE OF IOWA
Anna Kleepe
RECORDED

FEE \$ 1.00 DEPUTY

AT REQUEST OF
B J L Co

7296 P. 301

REAL ESTATE AGREEMENT

THIS AGREEMENT, made and entered into the day of April
in the year of our Lord one thousand nine hundred forty-four (19 44)

Between Arnold B. Call and Beatrice V. Call, husband and wife,

of Pocatello , County of Bannock , State of Idaho,

parties of the first part, and Osborne Wayne Hatch and

husband and wife,
of Chesterfield , County of Bannock , State of Idaho,

the parties of the second part.

WITNESSETH, that the parties of the first part, in consideration of the covenants and agreements
on the part of the said parties of the second part, herein after contained, agree to sell and convey
unto the said parties of the second part, and the second parties agree to buy all those certain
lot s, piece s or parcel s of land, situate, lying and being in

County of Bannock , State of Idaho, and bounded and particularly described as follows.

to-wit:

Beginning at the Southeast corner of the Northeast quarter of the
Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section thirty-four (34), Township
six (6) South, Range thirty-eight (38) East of the Boise Meridian;
running thence Seven Hundred Fifty feet (750 ft.) North; thence
West eighty (80) rods; thence South Seven Hundred Fifty (750) feet;
thence East eighty (80) rods to the place of beginning, containing
twenty-two and one-half (22 $\frac{1}{2}$) acres, more or less.

Together with all water, water rights and water privileges
appertaining to the said lands and heretofore used thereon for
the purpose of irrigating the same, and for domestic and stock
purposes; and all dams, ditches, canals and conduits used for
the conversion and conveyance of said water to and upon the said
lands, the said water right being especially the entire interest
in and to the water right heretofore conveyed by deed by
Josiah H. Loveland, Jr., and Nancy A. Loveland, his wife, to
John C. Evans, dated October 11th, 1928, the said waters being
taken from Toponce Creek in Bannock County, Idaho.

for the sum of Twelve Hundred and no/100ths (\$1200.00) ----- DOLLARS
lawful money of the United States, and said part ies of the second part, in consideration of the
premises, agree to pay to the said part ies of the first part
the said sum of Twelve Hundred and no/100ths..... DOLLARS.

as follows, to-wit:

*one dollar (\$1.00) cash upon the signing and delivery
of this agreement also
\$400.00 - cash
\$100.00 on 1st of December 1944 and thereafter till
full amount is paid at 6% interest*

It is agreed that the buildings on said premises shall be kept fully insured against loss by fire, with
loss payable to parties of the first part as present owner, and to parties of the second part as pur-
chaser under contract, as their respective interests may appear; premiums on said policies to be paid
by parties of the second part on and after date hereof ~~xxx~~
And the said parties of the second part agree to all State, City, School and County taxes,
or assessments of whatsoever nature, which are or may become due on the premises above described, on
or after January 1st 1944.

It is agreed between the parties hereto that the parties of the
second part shall not mortgage, sell or dispose of any of the crops
grown on the premises in any year until the annual yearly installment,
together with interest, has been paid.

In the event of a failure to comply with the terms hereof, by the part ies of the second part, the
said part ies of the first part shall be released from obligation in law or equity to cover said property,
and said part ies of the second part shall forfeit all right thereto, and all payments made on said prop-
erty. And the said parties of the first part, on receiving such payment, at the time and in the manner
above mentioned, agree to execute and deliver to the said parties of the second part, or to their
assigns, a good and sufficient warranty deed and abstract to said premises, free from all encumbrances,
except any encumbrances caused or created by the parties of the second
part.

Time is the essence of this agreement and in case the parties of the second part should fail, refuse or neglect to pay said parties of the first part the money as is agreed herein to be paid, or to pay taxes, assessments or insurance on the date same shall become due, and for a period of thirty days thereafter, or shall fail to fulfill any of the covenants or agreements on the Purchaser's part to be kept and performed, then and in that event, the parties of the first part may, at the option, forfeit any and all rights of the purchaser in and to said property, and all money paid to the parties of the first part by the purchaser under this agreement shall be retained by the said parties of the first part as liquidated damages for the non-performance of this contract, and as rent for said property; and the purchaser, if then living on the property shall be considered a lessee of the parties of the first part and shall be liable to ejectment under the laws of the State of Idaho, relating to forcible entry and unlawful detainer. And the said parties of the first part, on receiving payment at the time and in the manner above mentioned, agree to execute the escrow deed to deliver to the said parties of the second part, or his heirs and assigns the escrow deed, which shall be a good and sufficient Warranty Deed to said premises, together with abstract showing title free from incumbrances, except incumbrances above mentioned, excepting also, such incumbrances as may be created by the parties of the second part, or through his assigns or heirs. It is understood that the stipulations herein set forth, are to apply and bind the heirs, executors, administrators and assigns of the respective parties thereto.

It is agreed that the covenants herein contained shall apply to and bind the heirs, executors, administrators and assigns of the respective parties hereto, but that no transfer or assignment of this agreement shall be valid without the written consent of the parties of the first part hereto.

I WITNESS WHEREOF, the said parties of these presents have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO, }
COUNTY OF BANNOCK } ss.

On the _____ day of April, in the year 19 44, before me, a Notary Public in and for said State personally appeared Arnold B. Call and Beatrice V. Call, husband and wife, and Osborne Wayne Hatch and _____, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Notary Public

My commission expires

, 19 _____

Residing at _____

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Blackfoot, Idaho,** has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant **Leo Roberts** according to the provisions of the Act of Congress of April 24, 1920, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the **Lots fifteen and sixteen of Section twenty-two and the Lots one and two of Section twenty-seven in Township six south of Range thirty-eight east of the Boise Meridian, Idaho, containing one hundred sixty acres,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, therunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **THIRD**

(SEAL)

day of **JANUARY** In the year of our Lord one thousand nine hundred and **SEVENTEEN** and of the Independence of the

United States the one hundred and **FOURTH**

By the President:

By

Woodrow Wilson
M. C. Lester
L. L. C. Lamm

Secretary.

RECORD OF PATENTS: Patent Number

560026

4-2111

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
WASHINGTON, D. C.

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

Jas. F. Blower
Acting Chief, Patents Division

P. C. D.

MERRILL & MERRILL
COUNSELORS AND ATTORNEYS AT LAW
POCATELLO, IDAHO

A.L.MERRILL
R.D.MERRILL
W.F.MERRILL

March 13, 1957

Mr. Wayne Hatch
Bancroft, Idaho

Dear Mr. Hatch:

You have requested that we attempt to determine, from the abstracts you left with us and information from the water decree, what decreed rights are ahead of or near in time to the rights appurtenant to the property owned by you.

The decreed rights on the property listed in the abstracts left with us are rights number 81 and 82 to Mr. Ben L. Jensen who owned the property prior to you. This decreed right is in the amount of .40 c. f. s. as of June 18, 1902, to be diverted through Jensen Ditch No. 4 from Toponce Creek in the Southwest quarter of the Northeast quarter of Section 34, and .74 c. f. c. under date of June 18, 1902, to be diverted through Jensen Ditch No. 6 from Toponce Creek in the Northwest quarter of the Southeast quarter of Section 34.

As you can see, there are 80 prior amounts decreed and the entire court decree sets up 163 decreed rights. We have at hand the final decree, and perhaps the best procedure would be for you to drop into the office sometime when you are in Pocatello on other business so that we may go over this decree and you can determine what information you need from it.

Sincerely yours,

MERRILL & MERRILL

By



W. F. Merrill

5/11.63 Jals min

WFM:a

MERRILL & MERRILL
COUNSELORS AND ATTORNEYS AT LAW
POCATELLO, IDAHO

A.L.MERRILL
R.D.MERRILL
W.F.MERRILL

April 16, 1957

Mr. Wayne Hatch
Bancroft, Idaho

Dear Mr. Hatch:

When you were in the office last week, you asked that we determine, if possible, who were the original owners of the water rights dated June 17, 1902 and June 18, 1902, which are decreed to the Toponce Canal Company, and whether or not certain described properties were included in the Decree of the Union Grain and Elevator Company and McCammon Ditch.

As to the first question, we find that the original files in this case contain the allegations that the Toponce Canal Company claimed water to irrigate the following described lands in Township 7 South, Range 38:

In Section 1: ~~The South half of the Southeast Quarter~~, in Section 11, the Southeast Quarter, Northwest Quarter, ~~East half of the Southwest Quarter, the Northeast Quarter, the Southeast Quarter~~; in Section 12, the Northeast Quarter, the Northwest Quarter, the Southeast Quarter, and the Southwest Quarter; in Section 13: the Northwest Quarter, the Southwest Quarter, the Southeast Quarter; in Section 14, the Southeast Quarter of the Northwest Quarter, the Southwest Quarter of the Southwest Quarter, the East half of the Southwest Quarter, the Southeast Quarter; in Section 23, the Northwest Quarter, the East Half of the Southwest Quarter, the Northeast Quarter, the Southeast Quarter of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, the North Half of the Southeast Quarter; in Section 24 the Northeast Quarter, the Northwest Quarter, the North Half of the Southwest Quarter, the North Half of the Southeast Quarter.

In Township 7 South, Range 39 East of the Boise Meridian:

In Section 17, the West Half of the Southwest Quarter; in Section 18, Lots 1, 2, 3, and 4, the West Half of the Northeast Quarter, the Southeast Quarter; in Section 19, Lots 1, 2, 3 and 4, the Northeast Quarter, the North Half of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter; in Section 20, the West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter

The allegations continue that on the 17th day of June, 1902 the predecessors in interest of the Toponce Canal Company appropriated 25 cubic feet of the waters of Toponce Creek; that on the 18th day of June, 1902, the predecessors in interest of the Toponce Canal Company appropriated 4 cubic feet; that on the 20th day of

2.

June, -1902, the predecessors in interest of the Toponce Canal Company appropriated an additional 14 cubic feet, and on the 28th of June, 1902, the predecessors in interest of the Toponce Canal appropriated an additional four cubic feet.

There is no allegation and nothing in the file that we could find that would identify the predecessors in interest of the Toponce Canal Company, and we were therefore unable to find from the files of the original action the names of the original owners of these water rights. We will write the State Engineer's Office in Boise to see if they have this information on file.

As to your second question, we have found the following:

A. In Section 11, Township 7 South, Range 38 East of the Boise Meridian:

1. Southwest Quarter of the Northwest Quarter. This is not in the Decree as far as we can find.
2. The Northwest Quarter of the Northeast Quarter. This is in the Decree under the Toponce Canal Company's decreed water for the irrigation of 50 acres.
3. The East Half of the Northeast Quarter. The Decree sets out this portion of land under the Toponce Canal right. This land is irrigated under the priority date of June 17, 1902, and was originally held by John T. Whitworth.

B. In Section 12, Township 7 South, Range 38 East of the Boise Meridian:

1. The West Half of the Northwest Quarter. This is under the Decree to the Toponce Canal Company. Was originally held by John T. Whitworth under date of June 17, 1902.

C. In Section 2, Township 7 South, Range 38 East of the Boise Meridian:

1. South Half of the Southwest Quarter. We cannot find this in the Decree.
2. Southeast Quarter. The Southwest Quarter of the Southeast Quarter is under the decreed rights of the Toponce Canal Company, but no additional portions of this quarter section are found.

We trust that the above will be of some assistance, and we shall advise you as soon as we hear from the State Engineer's Office.

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: M005565

Date:
Time: 01/23/90
09:11:30

Received
From:

HATCH, WAYNE OR MARCELLE

Type of Payment

Program Acct Class

Amount

ADJUDICATION FEE

0410162 9337 6490

\$104.00

Total

\$104.00

CHECK 1027

WR/NO: A29-10195 A29-10196

Idaho Department of Water Resources

Region: MOBILE I

Signature: A. Baumhoff



State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

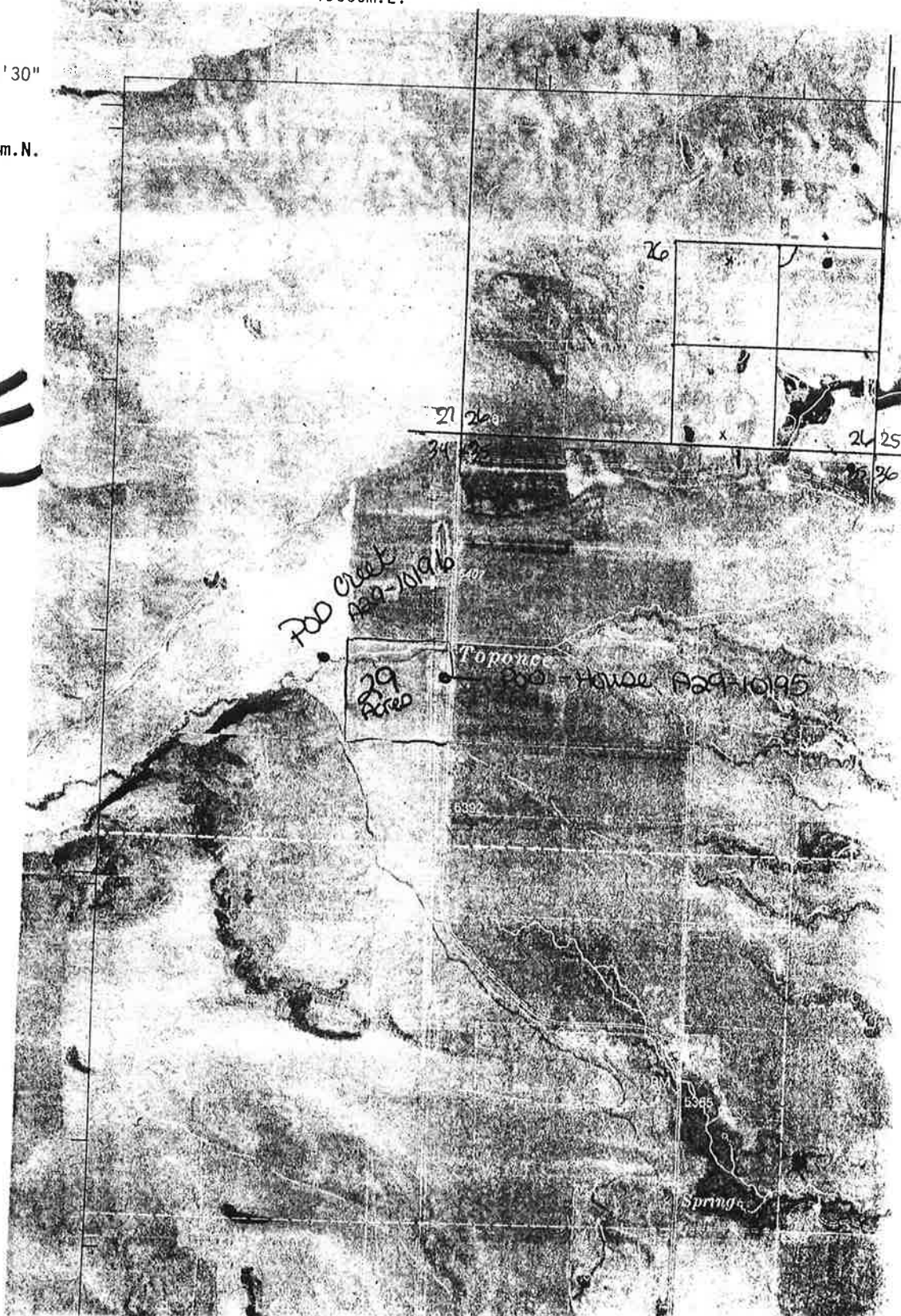
112°00' 419000m.E.

42°52'30"

47 47000m.N.

R38E

T6S
T7S



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: A29-10195
Date Received: 1/23/1990
Receipt No: MOSS65
Received By: B

COPY

FOR YOUR FILES
DO NOT RETURN
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSBORNE WAYNE HATCH
Address: 3043 KELLY TOPONCE RD.
BANCROFT, ID 83217 208-648-7712

OR

Name: MARCELLE R. HATCH
Address: 3043 KELLY TOPONCE RD.
BANCROFT, ID 83217 208-648-7712

2. Date of Priority: JUN 17, 1902

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	38E	34	NE	NE	SE		CARIBOU

5. Description of diverting works:
WELL 40' DEEP, 6" CASING, 1/2HP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOUSEHOLD; S/ 5 HEAD HORSES OR CATTLE

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: A29-10196
Date Received: 1/23/1990
Receipt No: MOSS65
Received By: B

COPY

FOR YOUR FILES
DO NOT RETURN
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSBORNE WAYNE HATCH
Address: 3043 KELLY TOPONCE RD.
BANCROFT, ID 83217 208-648-7712
OR
Name: MARCELLE R. HATCH
Address: 3043 KELLY TOPONCE RD.
BANCROFT, ID 83217 208-648-7712

2. Date of Priority: JUN 18, 1902

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	38E	34	NE	NW	SE		CARIBOU

5. Description of diverting works:
METAL HEADGATE, INTO OPEN DITCHES TO FLOOD IRRIGATION

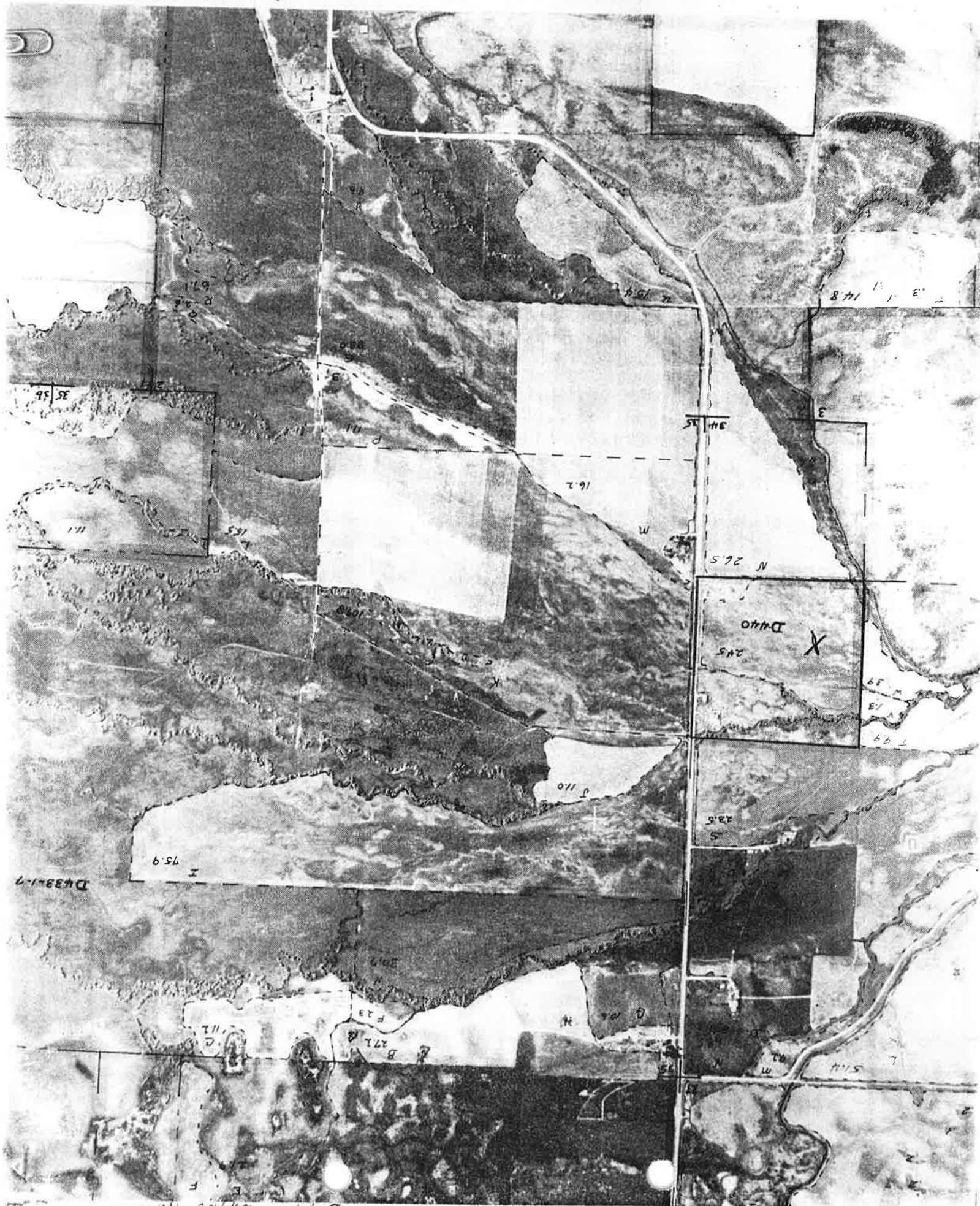
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	1.140		

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

8. Total consumptive use is 72.5 Acre Feet Per Annum.

9. Non-irrigation uses:



9/14/01 Claim 29-10796 is a combination of
decreed rights 29-99 & 100.
It appears that decree 29-99 was
decreed on the Chambers property.
29-100 however was decreed on the Hatch
property.

POD: The claimed POD matches the decreed
POD on 29-100.

9/14/01

4:28 pm. - Field exam.

Spm.

- Sold 5 Acres. about 20 years ago. to
Dave Tingey. Then he sold it to the
County.
- Before that they owned 40 acres. They
should have 35 acres.

9/17/01 2:07 pm. Jerry Hatch dropped information off at the Idaho Falls
office. Much of the information doesn't pertain to
the property now owned by the Hatchs. The attorneys
letter refers to water rights 29-81 & 82.

9/25/01

The No. referenced in the attorneys letter was
for the Memorandum Decision for the Union Grain &
Elevator decree.

PROFILED

SCANNED
JUN 24 2005

CONVERSATION MEMORANDUM

EMPLOYEE: Gindy Bird

FILE: A29-10196

RE: Recommending decreed right

DATE: 9/25/01 2:45 pm

NAME OF PARTY: Jerry Hatch 529-5757. (WK)

I went through the documents he brought and the right numbers that the attorney refers to are from the memorandum Decision. They changed in the decree.

I'm recommending this right under 29-100. because it was decreed on the Hatch's property for 37 Acres. The Hatch's now own 35 acres.

- Jerry would like to see some water coming down the ditch for his 1902 claim.

I suggested he go to the water district meeting, the first Saturday in March. (I think it's Saturday)

Page ____ of ____

PROFILED

SCANNED

JUN 24 2005

EXAM INFORMATION

Exam Date

9/14/01

Exam Time

5pm

CLAIM(S)

A29-10196

NAME

Wayne Hatch

ADDRESS

PHONE ()

648-7712

HOME

WORK

CELL

DOMESTIC

STOCKWATER

IRRIGATION

☒ OTHER

OTHER RIGHTS

DIRECTIONS

DOGS

DATE

9/14/01

APPOINTMENT

Jerry Wayne Hatch

SCANNED

JUN 24 2005

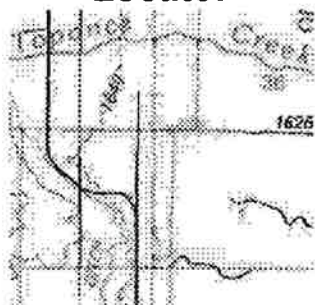
PROFILED

[MSN Home](#)[Hotmail](#)[Web Search](#)[Shopping](#)[Money](#)[People & Chat](#)[Contr](#)**msn**

Free car insurance eQuote.



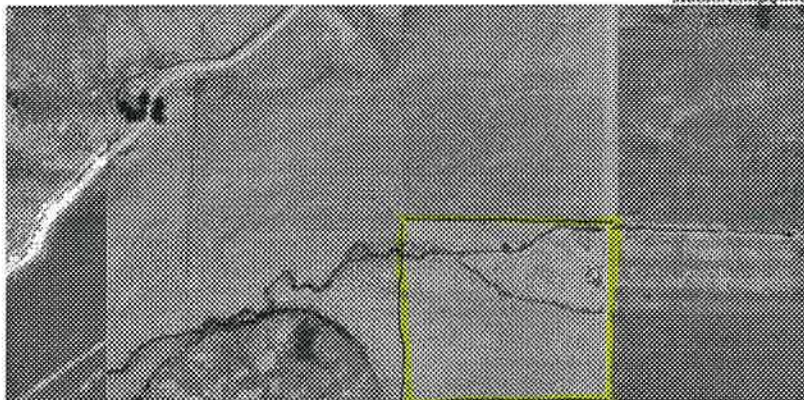
COM

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4m

**USGS**

schools for a changing world



0 0.5Km

0 0.25Mi

Other Imagery:[USGS Topo Map](#)[01 Jul 1980](#)**HomeAdvisor Links:**[Homes for sale in 83217](#)[Schools, Crime and](#)[Demographics for 83217](#)

Image courtesy of the US Geological Survey.

OrigMetaTag = '4211109NW' Center Lon,Lat= -111.98409,42.85516 Running Time 13
ms Time 9/24/2001 10:36:39 AM to 9/24/2001 10:36:39 AM[Buy](#)[Finance](#)[Sell](#)[Rent](#)[Move](#)[Garden](#)[Food](#)[Decorate](#)[Improve](#)**msn**[Return to HomeAdvisor](#)**Other Links:**[Autos](#)
[Personal Finance](#)
[Small Business](#)
[Chat](#)
[MSN Explorer](#)
[More...](#)**Special Features:**[eShop: great stores, great deals](#)
[Are your friends online?](#)
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[More...](#)

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PROFILED

SCANNED
JUN 24 2005

ambers
9-12863

80. JENSEN, PARLEY P. .21 c.f.s.
29 0098 1905. May 19. (10.5 inches)

Said water to be diverted through Jensen Ditch No. 3, diverts from Toponce Creek, in the Northwest quarter of the Southeast quarter of Section 34, Township 6 South, Range 38 East. From the Southwest quarter corner of Section 34, the point of diversion bears North 8 degrees and 5 minutes East, 2220 feet, for the irrigation of 10.5 acres of land in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East.

atch claimed both
-10/96

81. JENSEN, BEN D. .40 c.f.s.
29 0098 1902 June 18

Said water to be diverted through the Jensen Ditch No. 4, which diverts from Toponce Creek, in the Southwest quarter, of the Northeast quarter, Section 34, Township 6 South, Range 38 East. From the North Quarter corner of Section 34, The point of diversion bears South 13 degrees and 10 minutes East, 2692 feet, for the irrigation of 20 acres of land in the Southwest quarter of the Northeast quarter; the Southeast quarter of the Northeast quarter; the Northeast quarter of the Southeast quarter of Section 34, Township 6 South, Range 38 East.

POD: SW NE

chambers

20 SWNE
SE NE
NESE
SEC. 34

82. JENSEN, BEN D. .74 c.f.s.
29 0100 1902 June 18

Said water to be diverted through the Jensen Ditch No. 6 which diverts from Toponce Creek in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North 26 degrees and 30 minutes East, 2532 feet, for the irrigation of 37 acres of land located in the Northeast quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East.

NW SW: POD.

Hatch

37 NESE
sect 34

83. JENSEN, BEN D. .20 c.f.s.
29 0101 1902 June 18

Said water to be diverted through Jensen Private Ditch (named on the map of the State Engineer as "North Fork of Toponce"), which diverts in the Southeast quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East, from the East quarter corner of Section 34, Township 6 South, Range 38 East, the point of diversion bears North 76 degrees West, 1130 feet, for the irrigation of 10 acres of land in the Southeast quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East.

Hatch

chambers
not claimed yet

10- SENE
sect 34

84. BRANCHAM, GEORGE 1.23 c.f.s.
29 0102 1902 June 18

Said water to be diverted through the Brangham Ditch. The point of diversion is located in the Northeast quarter of the Northeast quarter, Section 34, Township 6 South, Range 38 East. From the Northeast corner of Section 34, the Point of diversion bears South 5 degrees and 50 minutes West, 1328 feet, for the irrigation of 61.7 acres of land in the Northwest quarter of the Northeast quarter, the North half of the Northwest quarter, Section 35, Township 6 South, Range 38 East.

1-10327

andrus

61.7 NWNE
N 1/2 NW
sect 35

SCANNED

JUN 24 2005

RECORDED

PROFILE

SCANNED

MAY - 7 2001

Log for claim A29-10196

Spatial Dynamics LTD

6/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s38e	34	NESE	29	31	
Totals:			29	31	

AJ5809NP
No. A29-10196

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 138

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARCELLE R HATCH	06/18/1902	IRRIGATION	04-15 09-15	1.140 CFS	
C	OSBORNE WAYNE HATCH 3043 KELLY TOPONCE RD BANCROFT ID 83217 (208) 648-7712			TOTAL DIVERSION: CONSUMPTIVE USE:	1.140 CFS	72.50 AFA

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T06S R38E S34

NENWSE

CARIBOU 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
06S	38E	34	:																	:	29.0
																				TOTAL ACRES	29.0

POU County: CARIBOU

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-10089 A29-10222 X29-10222

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00099 A29-00100

Remarks: GEN THIS CLAIM COMBINES DECREED RIGHTS 29-00099 AND 29-00100 AS
BOTH HAVE A PLACE OF USE, POINT OF DIVERSION AND PRIORITY DATE
WHICH ARE THE SAME.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag:

Audit: 01/23/90 BAUMHOFF 08/01/94 THOMPSON 03/29/95 POST-STD

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 29-100
Date Received: 1/23/1990
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

JERRY W HATCH Phone: (208) 529-5353

850 W ELVA
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/18/1902

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	38E	34	NW SE	CARIBOU	

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	09/15	0.74	

7. Total Quantity Appropriated is:
0.74 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED

JUN 24 2005

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	38E	34	NE	SE	IRRIGATION	29
					Section Acres	29
					Total Acres	29

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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.

SCANNED

JUN 24 2005

PROFILED

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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

PROFILED

SCANNED

JUN 24 2005

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

Renumbered to: 29-100

Ident. Number ~~29-10196~~
Date Received: 1/23/1990
Receipt No: M005565
Received By:

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

1. Name of Claimant(s)

JERRY W HATCH Phone: (208) 529-5353

850 W ELVA
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/18/1902

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	38E	34	NE NW SE	CARIBOU	

5. Description of diverting works:

METAL HEADGATE, INTO OPEN DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	9/15	1.14	

7. Total Quantity Appropriated is:
1.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	38E	34	NE SE	IRRIGATION	29

SCANNED

JUN 24 2005

Section Acres 29

PROFFED

Total Acres 29

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM COMBINES DECREED RIGHTS 29-00099 AND 29-00100 AS BOTH HAVE A PLACE OF USE, POINT OF DIVERSION AND PRIORITY DATE WHICH ARE THE SAME

15. Basis of Claim: Decreed

SCANNED
JUN 24 2005

PROFILE

MAY 7 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: A29-10196

Date Received: 1/23/1990

Receipt No: 1005565Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSBORNE WAYNE HATCH 208-648-7712
Address: 3043 KELLY TOPONCE RD.
BANCROFT, ID 83217
OR
Name: MARCELLE R. HATCH 208-648-7712
Address: 3043 KELLY TOPONCE RD.
BANCROFT, ID 83217

2. Date of Priority: JUN 18, 1902

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	38E	34	NE	NW	SE		CARIBOU

5. Description of diverting works:
METAL HEADGATE, INTO OPEN DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	1.140		

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

8. Total consumptive use is 72.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-10196

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Date: 01/23/90

MICROFILMED
NOV 16 1992

A2910196



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	38E	34	NE	SE		IRR	29.0
Section Acres							29.0
Total Acres							29.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES DECREED RIGHTS 29-00099 AND 29-00100 AS BOTH HAVE A PLACE OF USE, POINT OF DIVERSION AND PRIORITY DATE WHICH ARE THE SAME.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

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 Osborne Wayne Hatch Date: 23 Jan 1990

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of January 19 90
Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires My Commission Expires December 7, 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

112°00'

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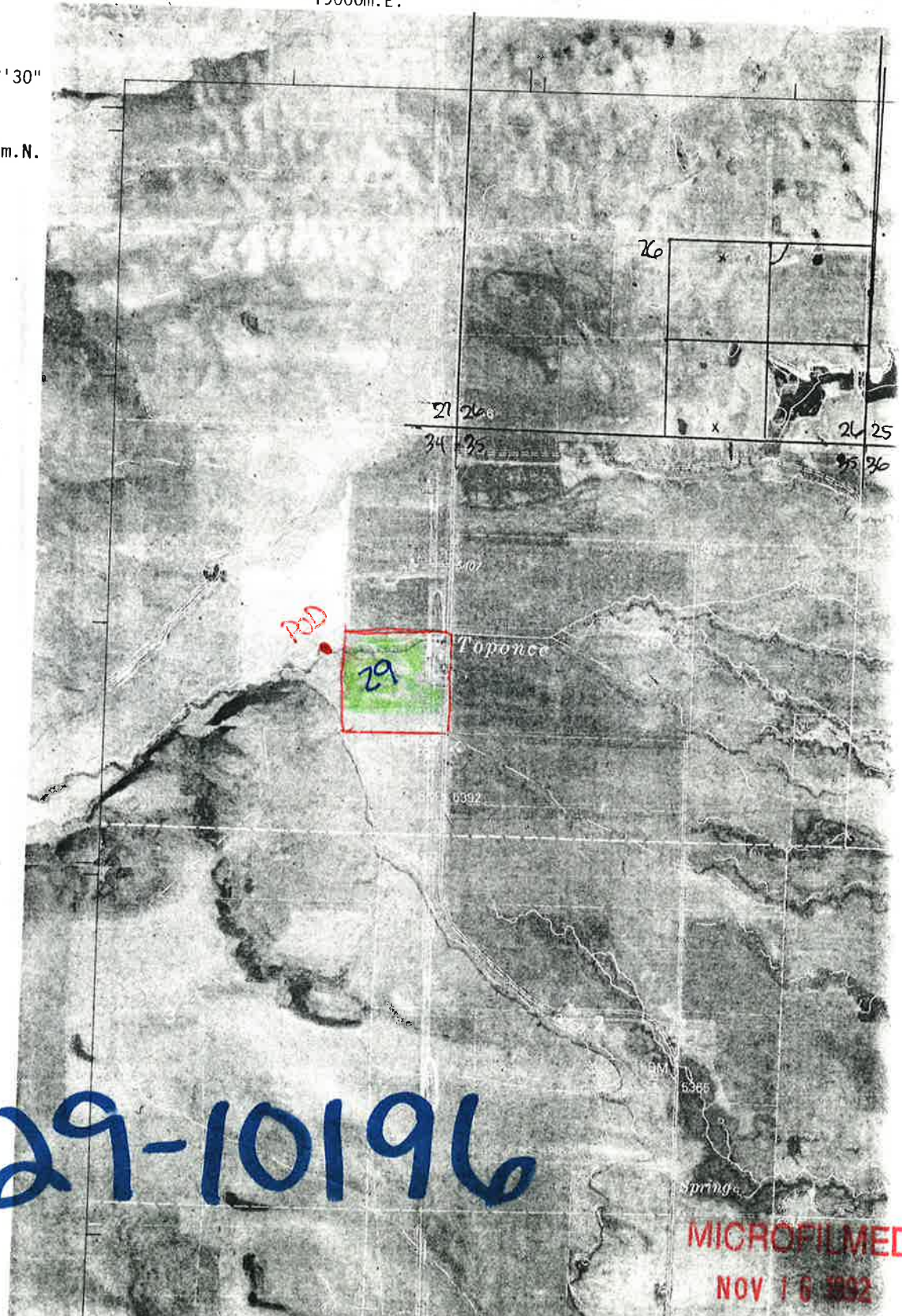
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R38E

T6S
T7S

A29-10196



MICROFILMED
NOV 16 1992

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: A29-00100
Date Received: 1/23/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: COMBINED RIGHT

Address: X, ID

0

2. Date of Priority: JUN 18, 1902

3. Source: TOPONCE CREEK
COMBINED RIGHT

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	38E	34		NW	SE		CARIBOU

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	09/15	0.740		

7. Total Quantity Appropriated is:
0.740 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 of	Lot	Use	Acres
06S	38E	34	NE	SE		IRR	37.0

Section Acres 37.0

A29-00100

Page 1

Date: 01/23/90

MICROFILMED

NOV 13 1992

A2900100



10. Place of Use: Continued

Total Acres 37.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

**** THIS RIGHT HAS BEEN COMBINED WITH 29-00099 AND CLAIMED
AS A29-10196. AB, 1-23-90

15. Basis of 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: _____

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____