

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-110B

NAME AND ADDRESS:

A PAUL HATCH JR
1009 STALKER RD
BANCROFT ID 83217

AUDREY H HATCH
1009 STALKER RD
BANCROFT ID 83217

SOURCE: Source: Tributary:
TOPONCE CREEK PORTNEUF RIVER

QUANTITY: 0.580 CFS ~~0.960 CFS~~
0.000 AFY

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T06S R38E S34 NWNWSE Within CARIBOU County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/15 07/01	<u>0.580 CFS</u> 0.960 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
T07S R39E S07 SENE 22.0
T07S R39E S07 NESE 8.7
T07S R39E S08 SWNW 4.5
T07S R39E S08 NWSW 8.7
T07S R39E S08 SWSW 4.1

48 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 29-10215, 29-13472, & 29-110B.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 29 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 34 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

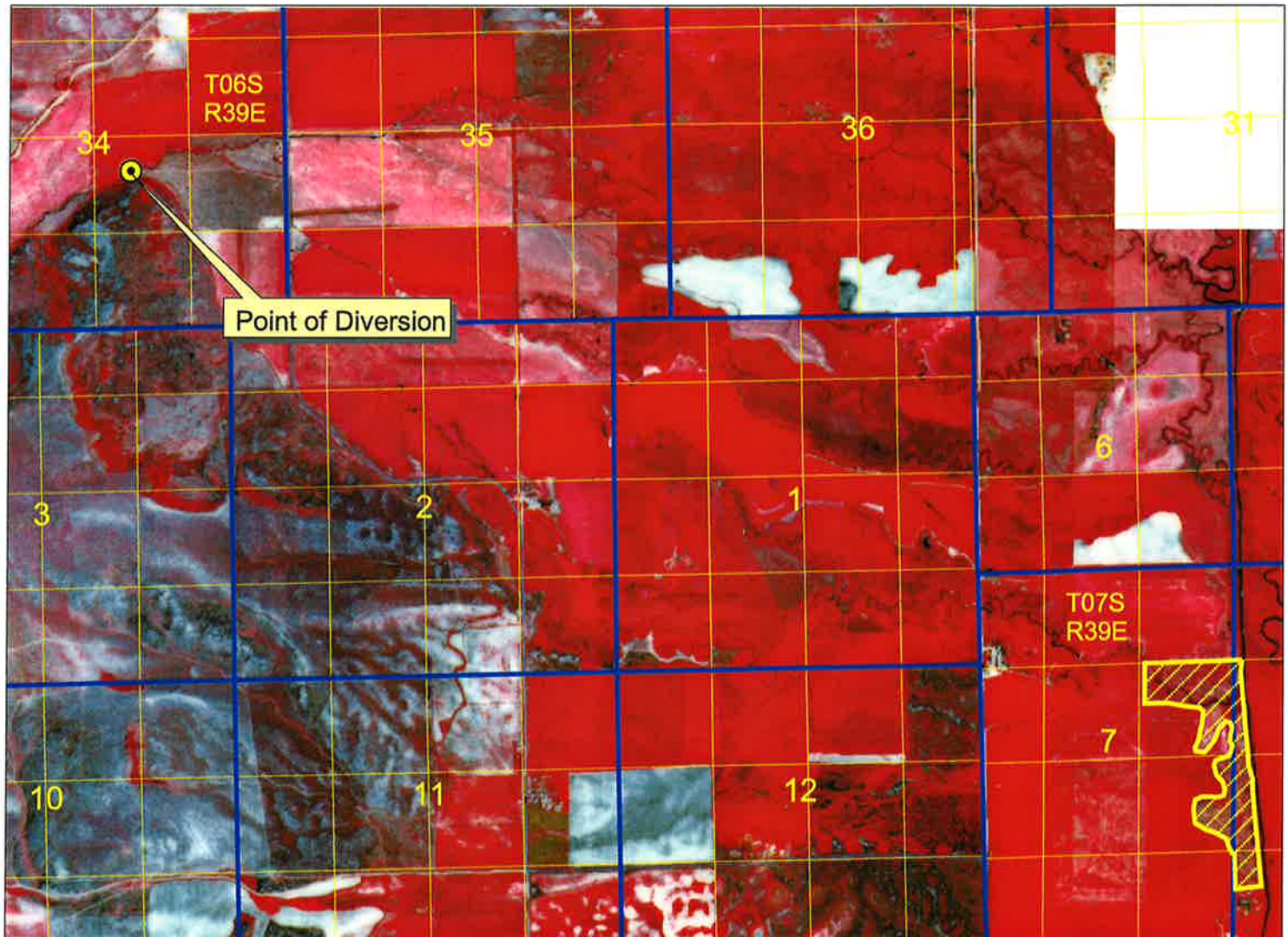
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



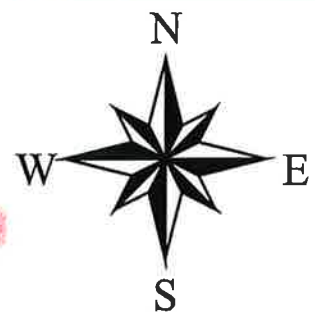
State of Idaho Department of Water Resources Eastern Region

Claim No.: 29-10215, 29-13472 &
29-110B



0.4 0 0.4 0.8 Miles

Irrigated Acres = 48



-  Diversion.shp
-  Place of use.shp
-  Sections
-  QQ

PROFIT
SCANNED
JUN 24 2005

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: January, 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-110B V1

WATER RIGHT NUMBER: 29-110B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	AUDREY H HATCH 1009 STALKER RD BANCROFT, ID 83217 (208)648-7853
Current Owner	A PAUL HATCH JR 1009 STALKER RD BANCROFT, ID 83217 (208)648-7853

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
TOPONCE CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 7/01	0.960 CFS	
	<u>Total Diversion:</u>	0.960 CFS	

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NW1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	39E	7				22.0									8.7				30.7
07S	39E	8						4.5			8.7	4.1							17.3

Total Acres: 48

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-110B V1

1. Place of Use USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
 - Irrigation TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
 29-10215, 29-13472, & 29-110B.

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 29
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/14/2003 3:07:26 PM	rwarnar			Active
Priority Date	1/14/2003 3:22:09 PM	rwarnar			Active
POD	1/14/2003 3:23:08 PM	rwarnar			Active
Source	1/14/2003 3:25:36 PM	rwarnar			Active
POU	1/14/2003 3:57:57 PM	rwarnar			Active
Use	1/14/2003 3:58:57 PM	rwarnar			Active
Season	1/14/2003 3:59:52 PM	rwarnar			Active
Quantity	1/14/2003 4:01:06 PM	rwarnar			Active
Summary			01/14/2003	rwarnar	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/14/2003 3:07:26 PM	rwarnar	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
POD	1/14/2003 3:23:56 PM	rwarnar	Edited point location
Source	1/14/2003 3:25:35 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-110B V1

POU	1/14/2003 3:26:14 PM	rwarner	Edited shape boundary
POU	1/14/2003 3:26:36 PM	rwarner	Edited PLS
Priority Date	1/14/2003 3:22:09 PM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/14/2003 3:23:08 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - GIS analysis
POU	1/14/2003 3:57:57 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - True
Use	1/14/2003 3:58:57 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-110B V1

Season	1/14/2003 3:59:51 PM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/14/2003 4:01:06 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - volume limited to 0.02 cfs/ acres
Summary	1/14/2003 4:05:45 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

Bird, Cindy

From: McHugh, Candice
Sent: Wednesday, January 28, 2004 11:23 AM
To: Carlsen, Ernie
Cc: Bird, Cindy
Subject: RE: Timed priority dates and S08

The only person that could file a late objection would be the claimant and would they be willing to have their quantity adjusted down?

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

From: Carlsen, Ernie
Sent: Wednesday, January 28, 2004 10:51 AM
To: McHugh, Candice
Cc: Bird, Cindy
Subject: RE: Timed priority dates and S08

It would be beneficial if a late objection is submitted on 29-13472, 29-10215 and 29-110B. These are overlapping rights that need to have the quantities adjusted down.

Ernie

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

From: McHugh, Candice
Sent: Wednesday, January 28, 2004 10:17 AM
To: Carlsen, Ernie
Cc: Bird, Cindy
Subject: RE: Timed priority dates and S08

29-112 and 29-113 need nothing changed.

29-10123, 10124, 13483 and 10125 already have objections so we manage those.

That leaves us with the need to add "noon" to 29-13472 and 10215 and to delete S08 on 29-110A, 110B, 114 and 10178.

Candice

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

From: Carlsen, Ernie
Sent: Wednesday, January 28, 2004 8:40 AM
To: McHugh, Candice
Cc: Bird, Cindy
Subject: Timed priority dates and S08

Candice

The attached spread sheet summarizes what I discovered with the extended season of use remark (S08) being place on rights ending July 1, and the timed priority dates for the 1902 rights. Hopefully getting the S08 remark omitted will not be difficult. The issue of getting a new more restrictive remark added may require some one to file a late objection. If you have questions about the spreadsheet please give me a call.

<< File: B29SeasonEndsJuly1.xls >>

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From: Carlsen, Ernie
Sent: Wednesday, January 28, 2004 10:51 AM
To: McHugh, Candice
Cc: Bird, Cindy
Subject: RE: Timed priority dates and S08

A. Paul Hatch Jr.
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B29SeasonEndsJuly
1.xls

B29SeasonEndsJuly1

Basin	Sequence	Suffix	Vers	SeasonEndDecree	SeasonEndRecommend	TemplateCode	Decreed Priority	Recommended Priority
29	110	A	1	1-Jul	1-Jul	S08	1-06-1886	
29	110	B	1	1-Jul	1-Jul	S08	1-06-1886	
29	114	A	1	1-Jul	1-Jul	S08	04-15-1886	
29	10123		1		1-Jul	S08		6/17/1902 noon
	** 116			1-Jul			6/17/1902 M	(6/17/1902)
	** 117			1-Jul			6/17/1902 M	
	**118			1-Jul			6/17/1902 M	
	** 120			1-Jul			6/17/1902 noon	
29	10124		1		1-Jul	S08		
29	10178		1		1-Jul	S08		6/17/1902
	** 117			1-Jul			6/17/1902 M	
	**118			1-Jul			6/17/1902 M	
	** 119			15-Sep			6/17/1902 M	
	** 120			1-Jul			6/17/1902 noon	
29	13483		1		1-Jul	S08		04-15-1886
	** 114			1-Jul			04-15-1886	
29	10125		1		15-Sep	S08		6/17/1902
	** 109			15-Sep			6/17/1902 noon	(06/17/1902 noon)
	** 119			15-Sep			6/17/1902 M	
29	112		1	1-Jul	1-Jul		4-15-1883	
29	113	A	1	1-Jul	1-Jul		4-15-1885	
29	13472		1		15-Sep	S08		6/17/1902
	** 108			15-Sep			6/17/1902 noon	(06/17/1902 noon)
29	10215		1		1-Jul			6/17/1902
	** 596			1-Jul			6/17/1902 noon	(06/17/1902 noon)

Red S08 need to be omitted

Red priorities appear to be wrong suggest changing to green priority

Blue indicates decreed rights used as basis for recommended 10,000 numbers

4/23/02 29-110 was decreed in SENE Sec. 7, W $\frac{1}{2}$ SW and
SWNW Sec. 8, T7S, R39E.

Water wasn't decreed in the NENE (10 acres), SE claimed
(19 acres)

Section 8: claimed 2 acres SWNW
5 acres NWSW
8 acres SWSW

— Only 19 of the 48 acres claimed were decreed.

Change in POU?

When did Change occur?

Check imagery for POU.

Pod change? Decreed SWNW Sec. 8 T7S, R39E.
claimed NWNWSE Sec 34 6S, 38E.

10'2 29-110 is undecreed?

29-110A 29- 0.5B d/s,

SCANNED

JUN 24 2005

PROFIT

MAY - 4 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: A29-00110B

Date Received: 1/23/1990

Receipt No: M005575

Received By: RRF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. PAUL HATCH, JR. 208-648-7853
Address: 1009 STALKER ROAD
BANCROFT, ID 83217

OR

Name: AUDREY H. HATCH 208-648-7853
Address: 1009 STALKER ROAD
BANCROFT, ID 83217

2. Date of Priority: JUN 01, 1886

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

4. Point of Diversion:

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

5. Description of diverting works:
CEMENT HEADGATE, DITCH, FLOOD IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	0.960		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A2900110B



MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	39E	7	NE NE		IRR	10.0
		<i>29-110</i>	SE NE		IRR	4.0 ✓
		<i>29-108</i>	NE SE		IRR	12.0 ✓
			SE SE		IRR	7.0 ✓
Section Acres						33.0
		8	SW NW		IRR	2.0
		<i>29-110</i>	NW SW		IRR	5.0
		<i>29-110</i>	SW SW		IRR	8.0
Section Acres						15.0
Total Acres						48.0

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:
A29-10215, A29-00108

14. Remarks:

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 _____ 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): A Paul Hatch Date: 1/23/90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of January 19 90

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

D319

30.8

23.7

22.3

10.6

255 D

A
47.1

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14.7

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D
38.8

D399

Long

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26