

02/26/2002

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

RIGHT NUMBER: 29-259A
NAME AND ADDRESS: H GENE LARSEN
PO BOX 158
MC CAMMON ID 83250
TYRA LARSEN
PO BOX 158
MC CAMMON ID 83250

SOURCE: QUINN CREEK TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.22 CFS
PRIORITY DATE: 06/30/1902
POINT OF DIVERSION:

T08S R36E S26 NWSESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.220 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T08S R36E S26 SESE 11.0

11 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.

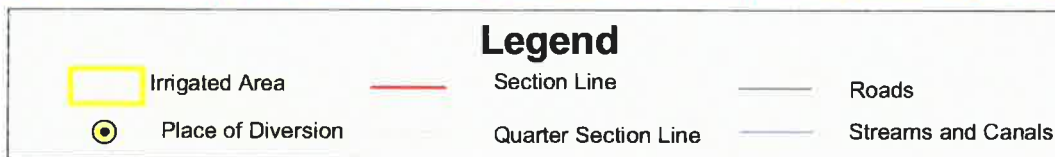
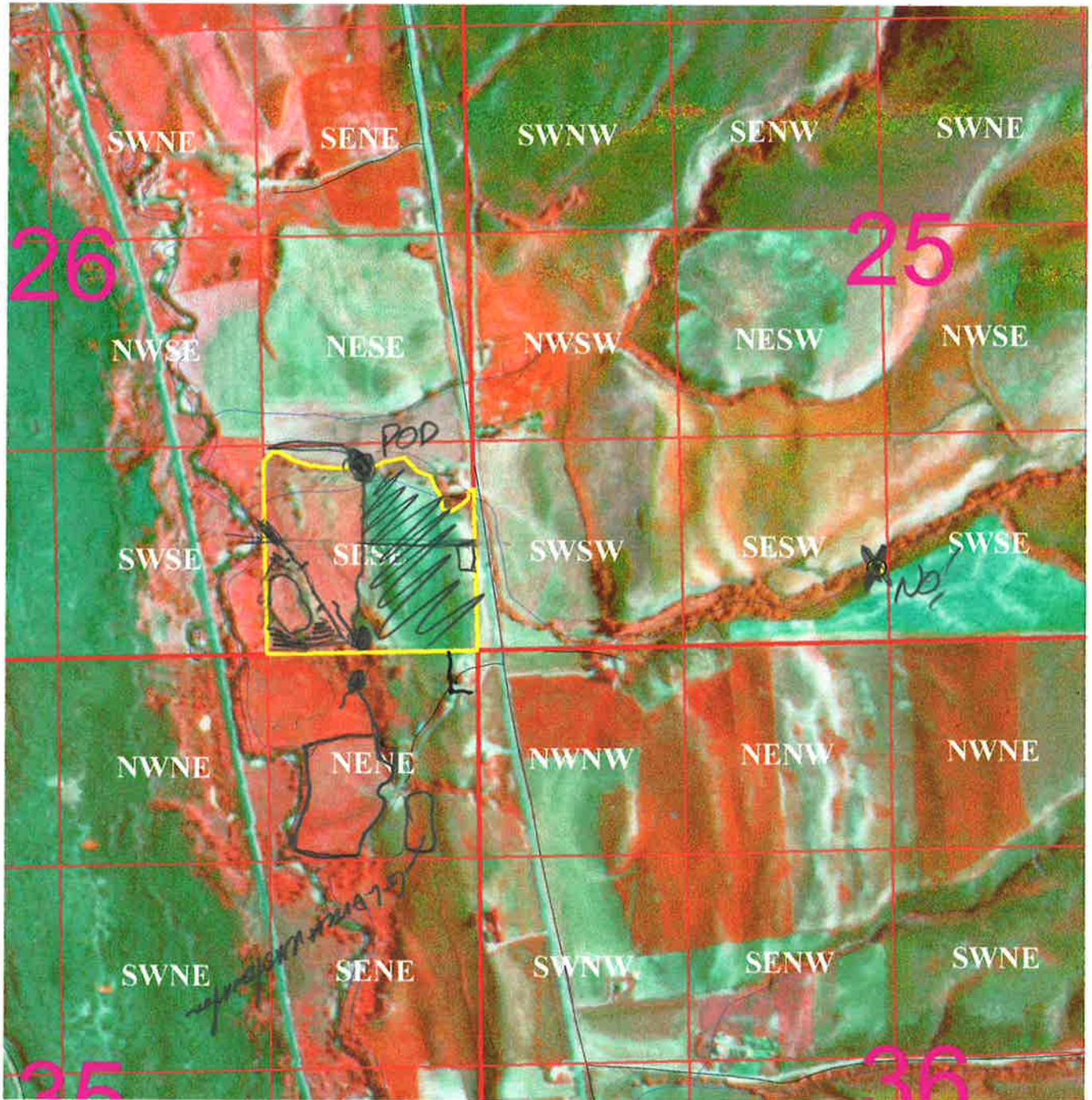
EXPLANATORY MATERIAL: Decreed

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

Water Right Claim Number A29-00259A

08/09/2000

Township , 8S36E

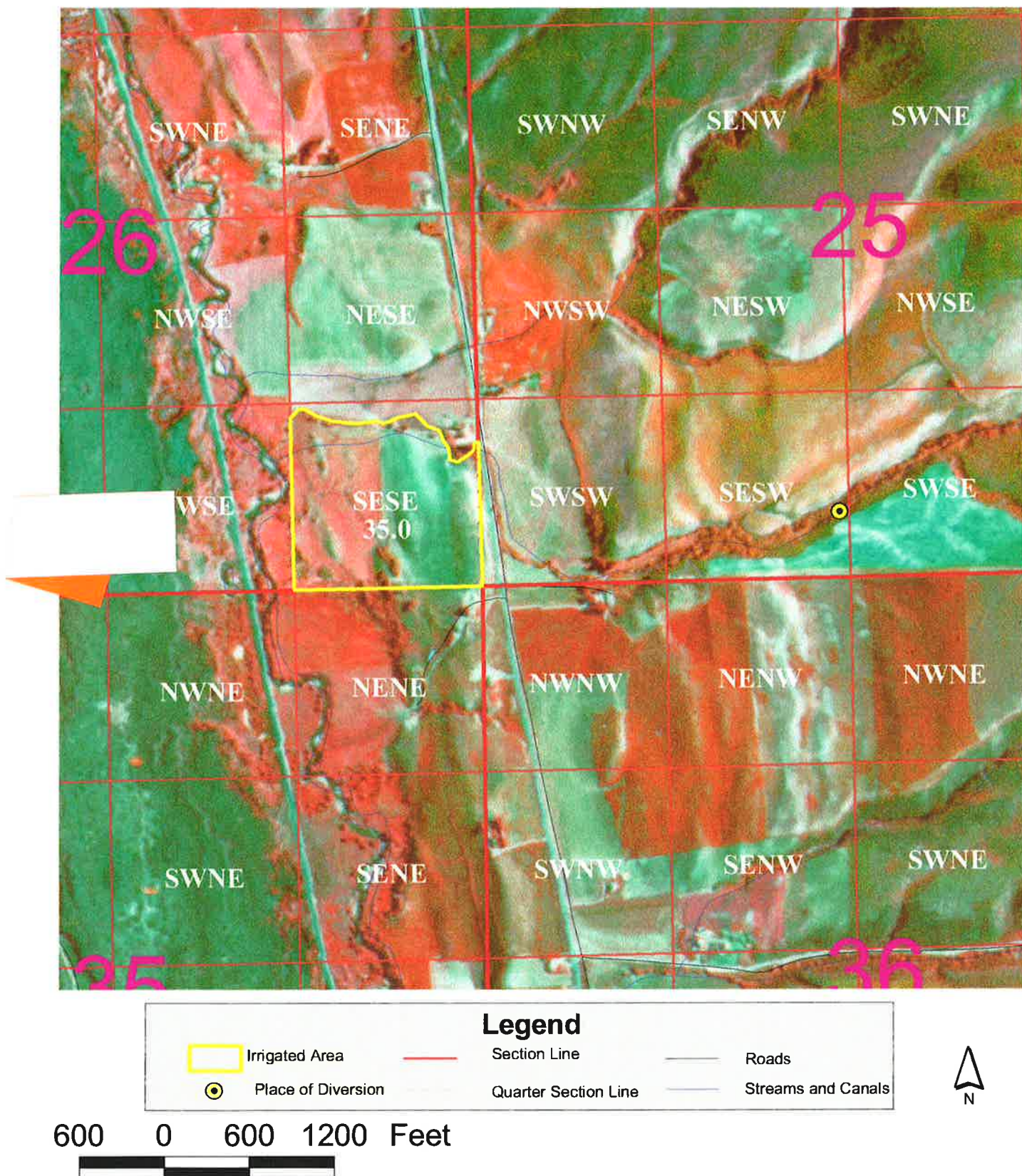


600 0 600 1200 Feet



10/10/01 ASR

Township , 8S36E



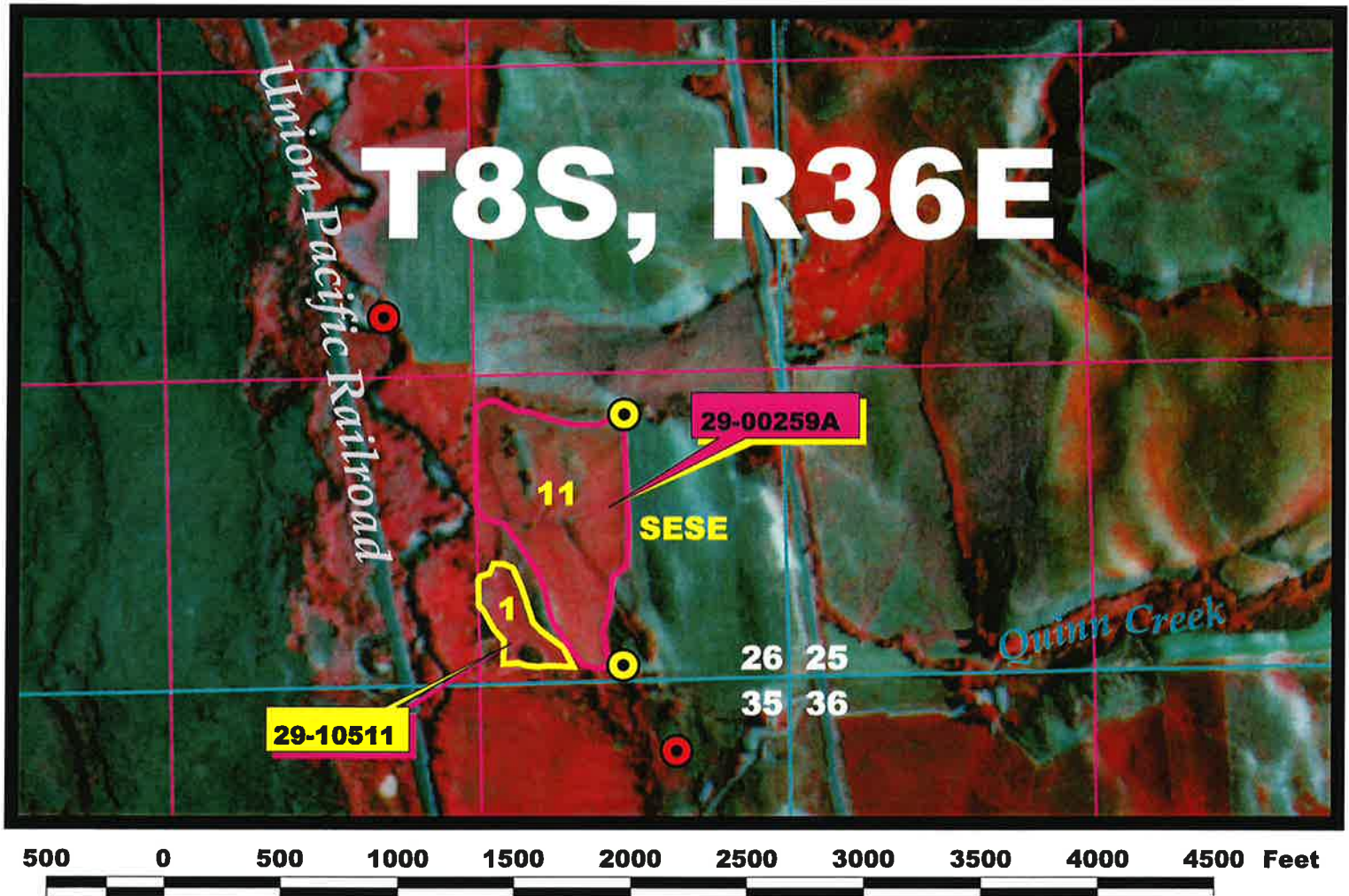


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 29-10511,
29-00259A**



LEGEND

- Place of Use
- Section
- Quarter-Quarter
- Point of Diversion

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Place of Use: T8S, R36E
(parts of) Sec. 26 SESE

Point(s) of Diversion: T8S, R36E
Sec. 26 SWSESE (29-10511)
Sec. 26 NWSESE (29-00259A)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: February 2002

29-00259A DECREE - SEE 29B ZWEIGART VS LAMB

I. 29-259 SPLIT BY ADJUD. INTO A & B.
SEE ATTACHOO SPLIT HISTORY.

II. 259A CLAIMS 0.42 cfs ON 27^{ac} = 0.0156 cfs/ac

a. FIELD EXAM / GIS SHOWS ONLY 11^{ac} - RECOMMENDED

b. 11^{ac} @ 0.02 cfs/ac = 0.22 cfs - SO RECOMMENDED

III. PERIOD OF USE UNDERINDED BY WR DECREE.

a. RECOMMEND 4/1 TO 10/31 PER DEPT. STD.

1. CLAIMS 3/15 TO 11/15, OUTSIDE STANDARD SEASON.

IV. CLAIMS USE(S) AS:

a. Irrigation @ 0.42

Domestic @ 0.04 (NON-ADD)

Stockwater @ 0.04 (NON-ADD) NOT DECREED
AS SUCH USE.

1. RECOMMEND AS: Irrig @ 0.22 (11^{ac} @ 0.02)

NO DOMESTIC USE NOTED

STOCK WATER NOT DECREED

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-259

WATER RIGHT NUMBER: 29-259

Owner Type Name and Address
 Current Owner A COOPER

Priority Date: 06/30/1902

Basis: Decreed

Status: Active

Source Tributary
 QUINN CREEK PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.000 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion
 QUINN CREEK

DOES NOT REFERENCE STOCKWATER
 AS A USE,

Place of UseIRRIGATION Within BANNOCK County

T08S R36E S23 SWSE ?
 T08S R36E S26 SWNE

T08S R36E S26 NWNE ?
 T08S R36E S26 NWNW

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General P/D & P/U INCOMPLETE. SOURCE ALSO KNOWN AS TWO MILE CK.

Comments:Dates and Other Information:

29-00259
 1.0 cfs

~ 50 ac @
 0.02 cfs/ac

Re: 342-202 IC

A 29-00259A H. LARSEN

0.42 cfs ON 27 AC OVERCLAIMED BY 6⁰ AC. @ 0.02/ac

A 29-00259B QUINN CK RANCH

0.58 cfs ON 37 AC OVERCLAIMED BY 8⁰ AC. @ 0.02/ac

$\Sigma_{AC} = 64 \text{ ac w/ } 1.0 \text{ cfs} = 0.0156 \text{ cfs/ac}$ OK

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NO!
 Two Miles is South
 1/2 mile.

? USED 64⁰ AC TOTAL
 AS CLAIMED BY A/B.

T8S, R36E

Union Pacific Railroad

29-00259A

SESE

11

1

29-10511

26 25

35 36

Quinn Creek

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

MAR 04 2002

Department of Water Resources
Eastern Region

1. Water Right Number(s) A29-00299A, 10511, 10512 CDW
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE**, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION**.
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Herman Larsen
4. New Owner/Claimant(s) H GENE LARSEN
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address PO BOX 158
City, State and ZIP Code MACAMMON, ID 83428 83450
New Telephone Number () -
5. Date you acquired the property 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) H. Gene Larsen Date 3/1/02
Sybil Larsen Date 3/1/02
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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JUL 13 2005

4/17, 19 97

QUITCLAIM DEED

97006108

For Value Received, Herman D. Larsen, acting through his attorney-in-fact, H. Gene Larsen and Nola Larsen, husband and wife, herein the Grantors, do hereby convey to H. Gene Larsen and Tyra Larsen, husband and wife, herein the Grantees, whose current address is PO Box 158, McCammon, Idaho, 83250, the following described Real Property:
SE 1/4 SE 1/4 Section 26, Township 8 South, Range 36 EBM Bannock County, Idaho.

Together with an easement which is 10 feet either side of the midpoint of an existing pipeline, which transports water to the Real Property, from a spring lying on the southeasterly boundary of Servient estate, which is described as:
S1/2 Section 25 T8S R36E and NE1/4 SE1/4 Section 26 T8S R36E. in Bannock County, Idaho.

The easement is for the purpose of repairing, maintaining or replacing the pipeline, which conveys water for domestic and domestic stock purposes as described in water permit No. A29-10512, a copy of which is attached hereto. If the Grantees abandon the water right or easement, then the rights and the easement shall become the property of the owner of the Servient estate. They shall be deemed abandoned if the Grantees cease using them and finds an alternate source of water, e.g. a well, or otherwise acts in a manner inconsistent with their continued use.

There is also conveyed one-tenth of all the permitted and adjudicated water rights for the Servient estate. That is one-tenth of those rights described in Exhibits B1 through B5, attached hereto and incorporated herein (there is no Exhibit A).

The conveyance includes all rights appurtenant thereto and is subject to all encumbrances of any type or nature.

Nola Larsen
NOLA LARSEN
Date: 4/16/97

Herman D. Larsen by H. Gene Larsen
HERMAN D. LARSEN, through his attorney-in-
fact, H. GENE LARSEN Date: 4/16/97 attorney in fact

The Power of Attorney being recorded in Bannock County, Idaho as Instrument No. 95005147.

STATE OF IDAHO, COUNTY OF BANNOCK

On this 16th day of APRIL, 19 97,
before me, a notary public in and for said State, personally
appeared NOLA LARSEN

public in and for said State, personally
whose names subscribed to the within

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

Stephanie Wright
Notary Public
, Idaho

Residing at POCATELLO
Comm. Expires 4-25-2000



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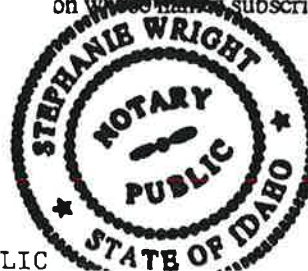
STATE OF IDAHO, COUNTY OF BANNOCK

On this 16th day of APRIL, 19 97
before me, the undersigned personally appeared

Notary public in and for said State, personally
on whose names subscribed to the within

H. GENE LARSEN
known to me to be the same person whose name is subscribed
to the within instrument as the attorney-in-fact of
HERMAN D. LARSEN
and who acknowledged to me that he subscribed the name of the
said thereto as principal, and his own name as attorney-in-fact.

Stephanie Wright NOTARY PUBLIC



SCANNED
JUL 13 2005

3-1

93005147

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

This instrument is intended to constitute a General Power of Attorney.

1. Appointment of Attorney-in-Fact: That I, Herman D. Larsen, also known as Herman D. Larson of McCammon, Idaho, hereby appoint H. Gene Larsen, also known as H. Gene Larson of McCammon, Idaho, my Attorney-in-Fact to act as set out herein.

2. Scope of Authority: To act in my name, place and stead, in any way in which I myself could act, if I were personally present, with respect to the following matters, to the extent that I am permitted by law to act through an agent:

To ask, demand, sue for, recover, collect, receive, and hold or possess and sign, endorse, execute, acknowledge or deliver such instruments in writing as may be necessary in regard to all sums of money, debts, dues, bonds, notes, checks, drafts, accounts, deposits, devises, interests, dividends, stock certificates, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, documents of title, choses in action, personal and real property and all rights and demands whatsoever as are now, or shall hereafter become due, owing, payable, owned, or belonging to me or in which I have or may acquire an interest, and to have all lawful means and legal remedies in my name for the collection and recovery thereof.

To pay and discharge all debts and demands due and payable by me unto any person or persons whatsoever.

To execute all releases, deeds of trust, mark as paid in full any notes pertaining thereto.

To take any other actions my Attorney-in-Fact believes reasonable for the purpose of releasing real property to the purchasers thereof.

To convey, sell, lease, purchase, acquire and possess any real or personal property whatsoever, including but not limited to my residence, on such terms and

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JUL 13 2005



3-2

93005147

conditions as said Attorney-in-Fact shall deem proper, and in any manner deal with all or part of any real or personal property, including but not limited to my residence, and any other real property whatsoever, or any interest therein which I now own or may hereafter acquire, and to execute and acknowledge any deed or other documents for this purpose.

To act with respect to any and all matters pertaining to any tax return or returns, tax or taxes now or hereafter assessed against me by the United States of America, or by any state, or any political subdivision thereof.

To act in and for me and on my behalf with respect to any records, reports and statements, and to have full power and authority to do and perform all and every act and thing whatsoever necessary and proper to be done in the exercise of any of the rights and powers herein granted, and fully as I might or could do if personally present, with full power of substitution.

3. Interpretation: This instrument is to be construed and interpreted as a General Power of Attorney, and the enumeration of specific items, acts, rights or powers herein does not limit or restrict the general powers herein granted to said Attorney-in-Fact.

4. Duration: This Power of Attorney shall be in full force and effect until revoked in writing. Any person may rely on this Power of Attorney until either the date specified or they receive actual notice that this Power of Attorney has been revoked, whichever occurs first. This provision is for the sole purpose of protecting Third Parties who act in good faith in relying on this Power of Attorney.

5. Disability: This Power of Attorney shall not be affected by my disability, it being my intent that the authority conferred shall be exercisable notwithstanding my later disability or incapacity or uncertainty as to whether I am dead or alive, and shall have the same effect and inure to the benefit of and bind me and my heirs, devisees and personal representatives as if I were alive, competent and not disabled.

DATED: This 16 day of February, 1993.

Herman D. Larsen

HERMAN D. LARSEN, also
known as HERMAN D. LARSON

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JUL 13 2005

3-3

93005147

STATE OF IDAHO)

) : ss

County of Bannock)

On this 10th day of February, 1993, before me, Julie Anderson-Larsen, the undersigned Notary Public in and for said State and County, personally appeared Herman D. Larsen, also known as Herman D. Larson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and seal the day, month and year first in this Certificate written.

Julie Anderson-Larsen
NOTARY PUBLIC FOR IDAHO
Residing at: SPK

(SEAL)

NOTARY SEAL

93005147

NO. RECORDED AT REQUEST OF

H. GENE LARSEN

'93 APR 19 P3:35

OFFICIAL RECORD BOOK NO. 584
BANNOCK COUNTY IDAHO
LARRY L. BARN RECORDER
FEE 9.00 DEPUTY mm

PROFILE

SCANNED
JUL 13 2005

JUN 06 2001

Log for claim A29-00259A

Spatial Dynamics AMH

8/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	26	SESE	27	35	
Totals:			27	35	

To Check Bann. Co. Assessor Plat for split on this
40ac (SESE SEC. 26) Confirms ownership by
H. GORE LANSER



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 6, 1998

H GENE & TYRA LARSEN
PO BOX 158
MC CAMMON ID 83250

RE: CHANGE IN OWNERSHIP FOR A29-00259

Dear Mr. and Mrs. Larsen:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A29-00259A, 0.420 cfs on 27 acres, Larsen
A29-00259B, 0.580 cfs on 37 acres, Quinn Creek LLP

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

JUN 06 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: **A29-00259A**
Date Received: 3/13/1990
Receipt No: X777777
Received By: _____

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

1. Name: H GENE LARSEN
Address: PO BOX 158
MCCAMMON ID 83250

AND/OR

Name: TYRA LARSEN
Address: PO BOX 158
MCCAMMON ID 83250

2. Date of Priority: JUN 30, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	25	SE	SW			BANNOCK

5. Description of diverting works:
HEADGATES/ DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.420		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME S/ UP TO 50 HEAD CATTLE AND 6 HORSES

A2900259A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	26	SE	SE		IRR	27.0
Section Acres							27.0
Total Acres							27.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
10511

14. Remarks:

THEY USE THE SAME DITCH AS 29-00258 AND EXCESS WATER FROM
THAT CLAIM IS USE TO WATER THIS P/U ALSO.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES P. BARRON ET AL
Decree Plaintiff

MILTON QUINN ET AL
vs 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): _____ Date: _____
_____ Date: _____