

12/02/2002

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

RIGHT NUMBER: 29-406

NAME AND ADDRESS: JACK HATLEY
3417 W ARIMO RD
ARIMO ID 83214

CHERYL HATLEY
13589 S THACKER
ARIMO ID 83214

SHELDON HATLEY
13589 S THACKER
ARIMO ID 83214

SOURCE: GARDEN CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 1.000 CFS

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 29-00403, 29-00404, 29-00405,
29-00406, 29-04102, AND 29-04187 SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE.

PRIORITY DATE: 05/01/1904

POINT OF DIVERSION:

T10S R36E S7 SENWNW 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	1.000 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R36E S05	SWNE	31.0	T10S R36E S05	SENE	15.0
T10S R36E S05 Lot 3	NENW	3.3	T10S R36E S05	SENW	24.0
T10S R36E S05	NESE	31.0	T10S R36E S07	NENW	13.0

117.3 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00403, 29-00404,
29-00405, 29-00406, 29-04102, 29-04187.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

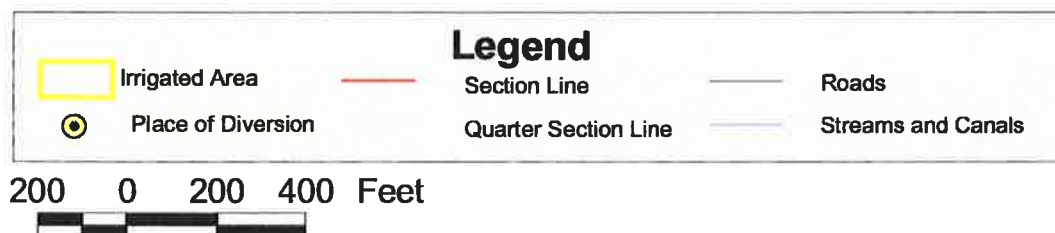
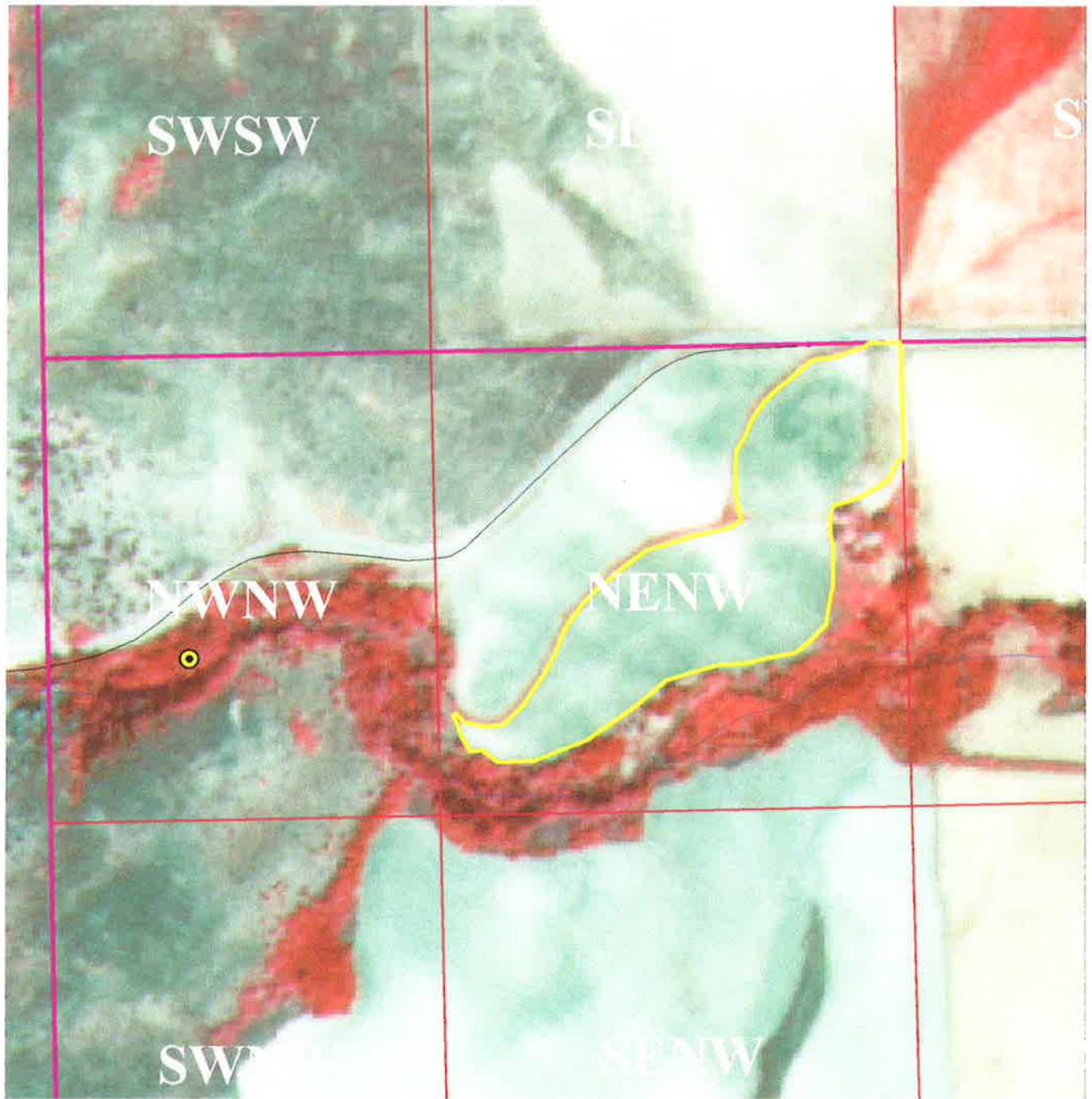
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

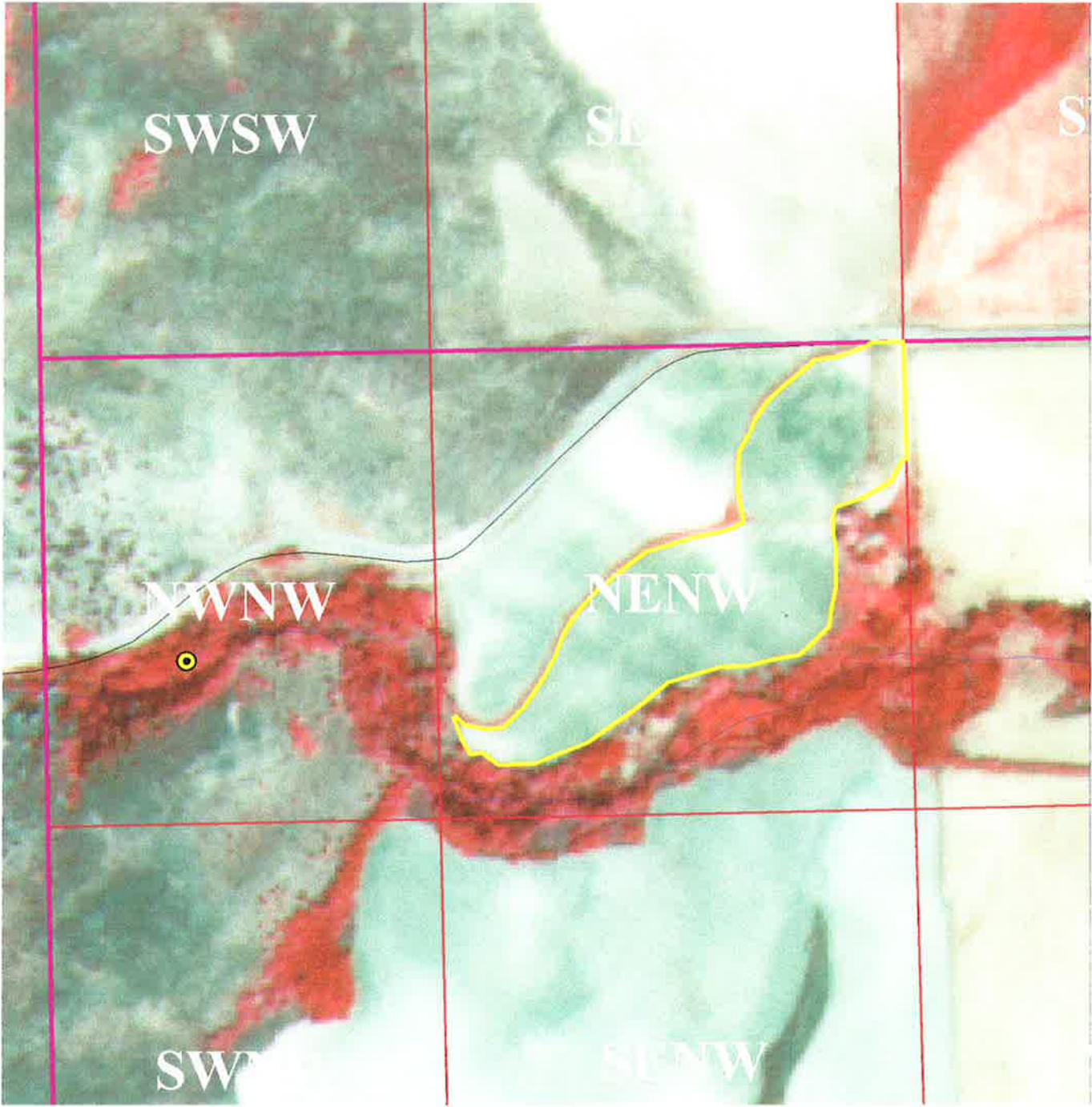
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH GARDEN CREEK IRRIGATION DITCH.

Township , 10S36E



Township , 10S36E



 Irrigated Area

 Place of Diversion

Legend

 Section Line

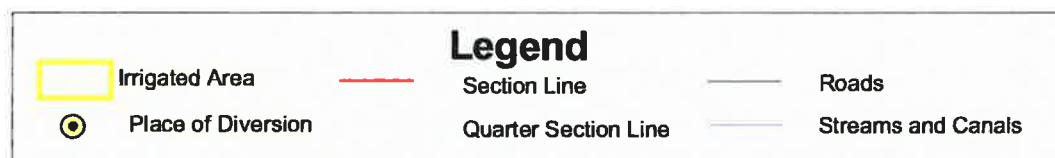
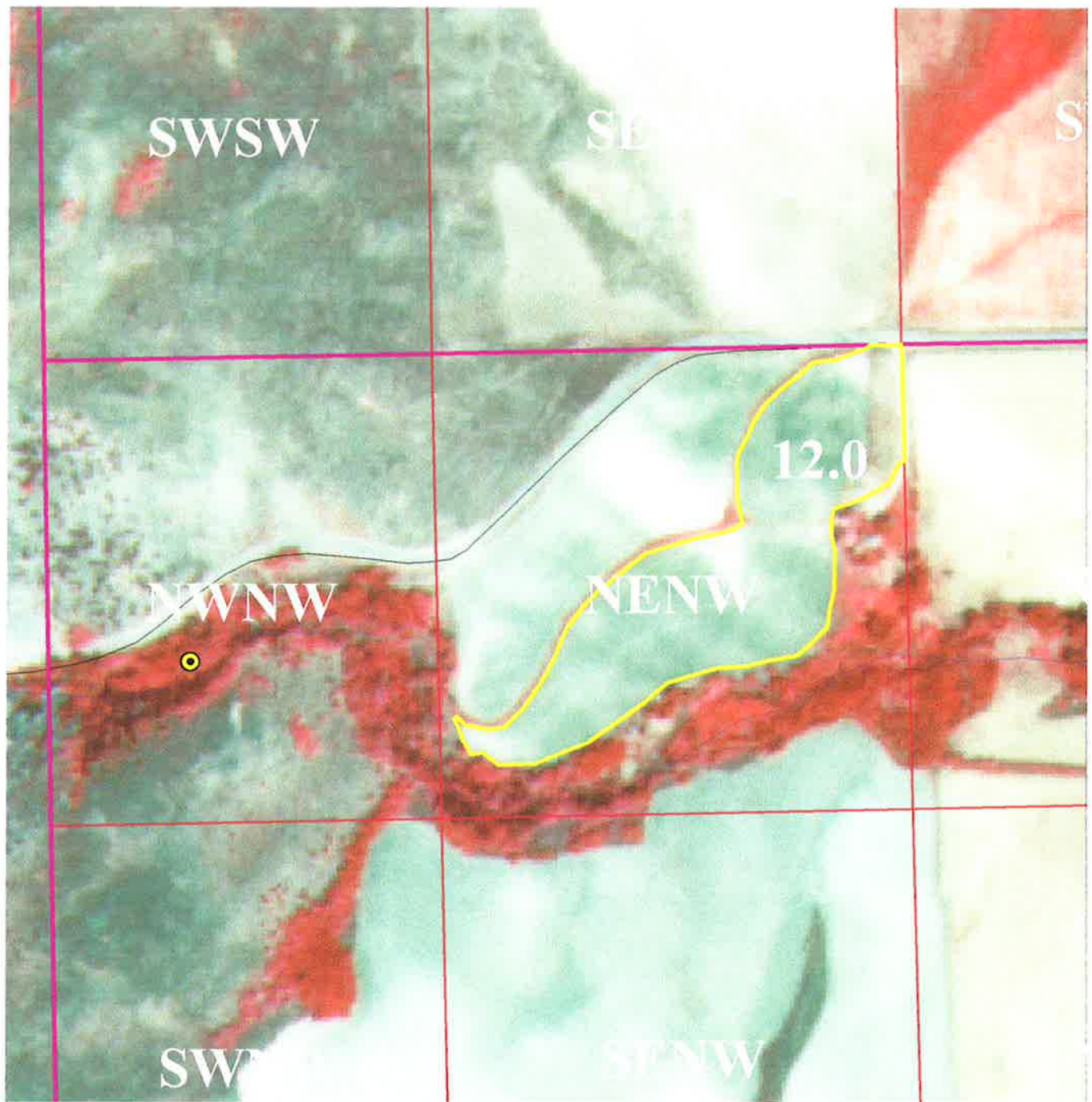
 Quarter Section Line

 Roads

 Streams and Canals



Township , 10S36E



200 0 200 400 Feet



02/08/2003

NOTICE OF ERROR
REPLY

RECEIVED

APR 16 2003

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-406

JACK HATLEY
3417 W ARIMO RD
ARIMO ID 83214
Telephone Number: (208) 254-3438

CHERYL HATLEY
13589 S THACKER
ARIMO ID 83214
Telephone Number: (208) 254-9168

SHELDON HATLEY
13589 S THACKER
ARIMO ID 83214
Telephone Number: (208) 254-9168

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-1-03 SIGNATURE: Sheldon Hatley
Please print your name: Sheldon Hatley

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
NOV 04 2005



NOV 04 2005

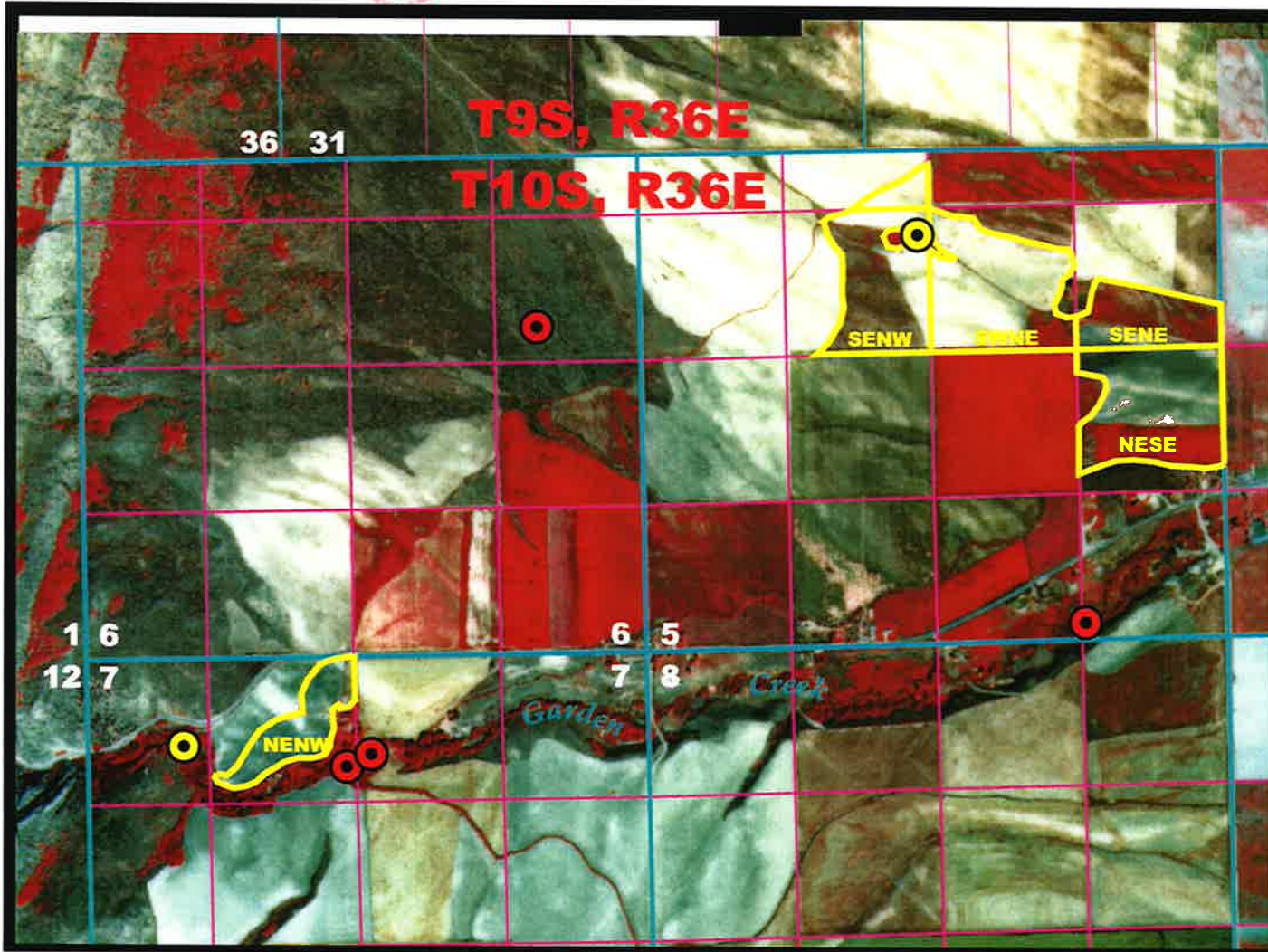
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NOV 04 2005

State of Idaho

Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 Feet

Water Right(s):

29-00403, 29-00404,
29-00405, 29-00406,
29-04102, 29-04187

Place of Use: (parts of) T10S, R36E
Sec. 5 E2NW, S2NE, NESE,
Sec. 7 NENW

Point(s) of Diversion: T10S, R36E
Sec. 7 SENWNW (Garden Creek),
Sec. 5 NESENW (Spring),
T9S, R35E, Sec. 36 NESE
(Lt Gap Ck- not shown)



LEGEND

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

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

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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, 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
_____	<u>29-00405</u>	_____	_____	_____	_____
_____	<u>29-00406</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Attachments:

1. JACK'S LAST WILL
2. WARRANTY DEED

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) are 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)

JACK HATLEY

4. New Owner/Claimant(s)

JACK HATLEY AND SHELDON HATLEY

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

13589 S. Thacker

City, State and ZIP Code

Arvin ID 83214

New Telephone Number

²⁰⁸ () 254-9168

5. Date you acquired the property

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NOV 04 2005

PROTECTED

Contacts Data Entry Form

29-406

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner	JACK HATLEY					
---------------	-------------	--	--	--	--	--

Name connector: and ____, or ____, and/or ____

Current Owner						
---------------	--	--	--	--	--	--

Current Owner						
---------------	--	--	--	--	--	--

Representing Attorney: _____ Phone Number: _____

Accompanied By: SHEDDON (SON) & JACK Phone Number: cell 241-0410 SHEDDON'S

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Cannon Ch. Prop. vs Wolverton, old 15 Sept 1906
11/20/02 C/O TO ADD SHEDDON AS OWNER w/ JACK
SEE JACK'S LAST WILL,

Also see 29-405 overlapAs indicated - POD, POH, conveyance, Q

Reviewer: _____

Date: _____

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Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: 1 May 1904 Water Right Basis: DISPERSEDClaimed Priority Date: " Claimed Basis: "Recommended Priority Date: " Recommended Basis: "☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Claimed Priority matches Decree

Reviewer: _____

Date: SCANNED

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NOV 04 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 10S, R 36E, Sec. 7,____, NW, NW. County: BannSource: GARDEN CK Tributary: MARSH CK

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? 405

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT ADDRESSED BY DUEBOS

Transfers Changing POD _____

Reviewer: _____

Date: _____

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NOV 04 2005

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10S	36E	7	NE	NW	Barn		14 ⁰⁰	Trag.

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

DIPLOMA POOL IS E²NW SEC. 7 T10S R36E
$$1^{\circ} \text{ cfs} \div 14 \text{ ac} = 0.0714 \text{ cfs/ac}$$

842-220.202 BOTH LOTS 0.02 cfs/ac

PPU ALL PLOTS - SEE GPS LAYOUT - Limiting Remarks

Transfers Changing POU _____

Reviewer: _____

Date: _____

NOV 04 2005

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Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tranig</i>	<i>Nov</i>	<i>Spec.</i>		

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tranig</i>	<i>4/1</i>	<i>11/1</i>	<i>1.2</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Tranig</i>	<i>4/1</i>	<i>10/31</i>		
	<i>DOPT</i>	<i>STD</i>		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

DIV. RATE TOO HIGH FOR 14² AC @ 0.07 cfs/AC
CONVEY LOSS ?

Reviewer: _____

Date: _____

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NOV 04 2005

Log for claim A29-00406

Spatial Dynamics LTD

6/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	7	NENW	14	12	
Totals:			14	12	

AJ5809NP
No. A29-00406

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 36

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK HATLEY 3417 W ARIMO RD ARIMO ID 83214 (208) 254-3438	05/01/1904	IRRIGATION	04-01 11-01	1.000 CFS	
				TOTAL DIVERSION:	1.000 CFS	

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R36E S07

NWNW

BANNOCK 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
10S	36E	7	:								14									:	14.0
																				TOTAL ACRES	14.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-0405.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-11703	A29-00362	A29-00363	A29-00385	A29-00393	A29-00394	A29-00401	A29-00402	A29-00403	A29-00404
A29-00405	A29-00407	A29-00408	A29-00411	A29-00412	A29-11431	A29-11703			

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

A29-00405

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 02/26/90 DCARLSON 05/31/94 COX 03/29/95 POST-STD

SCANNED
MAY 22 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: A29-00406
Date Received: 2/26/1990
Receipt No: EG12166
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK HATLEY 208-254-3438
Address: 3417 W. ARIMO RD.
ARIMO, ID 83214

2. Date of Priority: MAY 01, 1904

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	7	NW	NW			BANNOCK

5. Description of diverting works:
DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	7	NE	NW		IRR	14.0
Section Acres							14.0

A29-00406

Page 1

Date: 02/26/90

MICROFILMED
NOV 13 1992

A2900406



10. Place of Use: Continued

Total Acres 14.0

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:
29-0405.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GARDEN CREEK IRRIGATION CO.
Decree Plaintiff

vs

THOMAS E. WOLVERTON, 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): *Jack Watley* Date: 2-26-90
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26th day

of February 19 90

Seal

Anthony S. Obenah
Notary Public

Residing at *Shosh Falls*

My Commission Expires 9/12/1994

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T10S R36E S 7																		
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
2900051	PORTNEUF R :			I	I	:	I	I	I	:	I			I	:	I	I	:
2900405	GARDEN CRE :					:	I			:	I				:			:
A2900405	GARDEN CRE :					:	14			:					:			14
2900406	GARDEN CRE :					:	I			:	I				:			:
A2900406	GARDEN CRE :					:	14			:					:			14
2900411	GARDEN CRE :	I				:				:					:			:
2900412	GARDEN CRE :	I				:				:					:			:
2900413	GARDEN CRE :	I				:				:					:			:
2900414	GARDEN CRE :			I	I	:				:					:			:
A2900414	GARDEN CRE :			24	04	:				:					:			28
2900415	GARDEN CRE :			I	I	:				:					:			:
A2900415	GARDEN CRE :			24	04	:				:					:			28
2900416	GARDEN CRE :			I	I	:				:					:			:
A2900416	GARDEN CRE :			24	04	:				:					:			28
--86 MAP--	C5Q-BB 90 :	10		04		:				:					:			14



STINGER

ROAD

ROAD

THACKER

Gap

Garden

CURNS

CEDAR

MICROFILMED
NOV 13 1992

MICROFILMED
NOV 13 1992

29-00405
406