

06/12/2003

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

RIGHT NUMBER: 29-604E

NAME AND ADDRESS: DAVID HAHN
1966 W PORTNEUF RD
INKOM ID 83245

NATASHIA HAHN
1966 W PORTNEUF RD
INKOM ID 83245

SOURCE: INDIAN CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.021 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-12528 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.06 CFS.

PRIORITY DATE: 05/31/1908

POINT OF DIVERSION:

T07S R36E S28 SWNNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.021 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

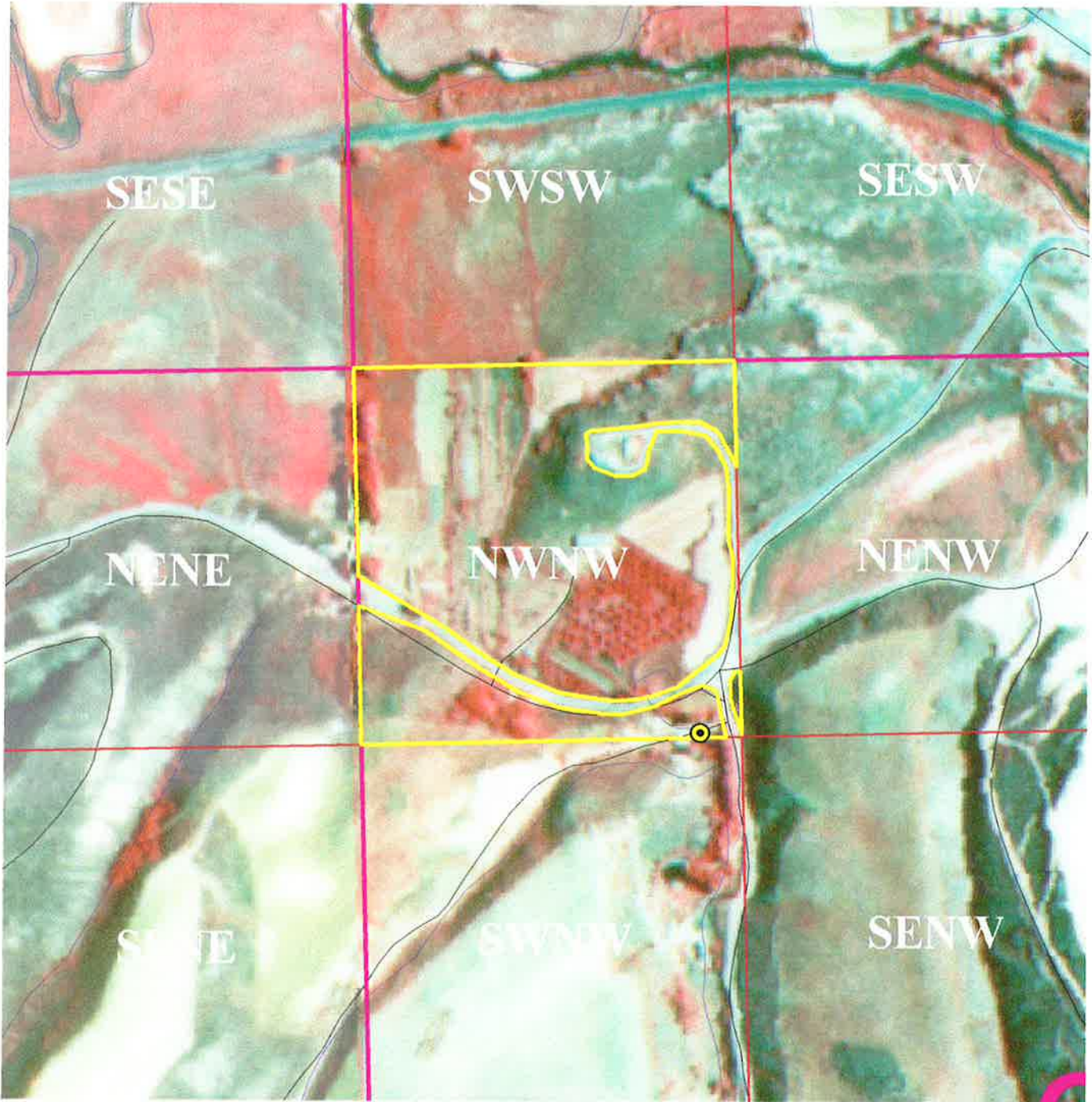
T07S R36E S28 NWNW 1.2

1.2 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



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

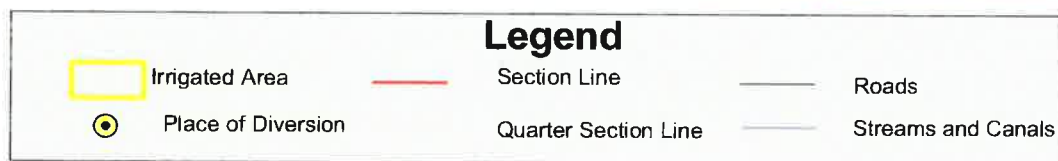
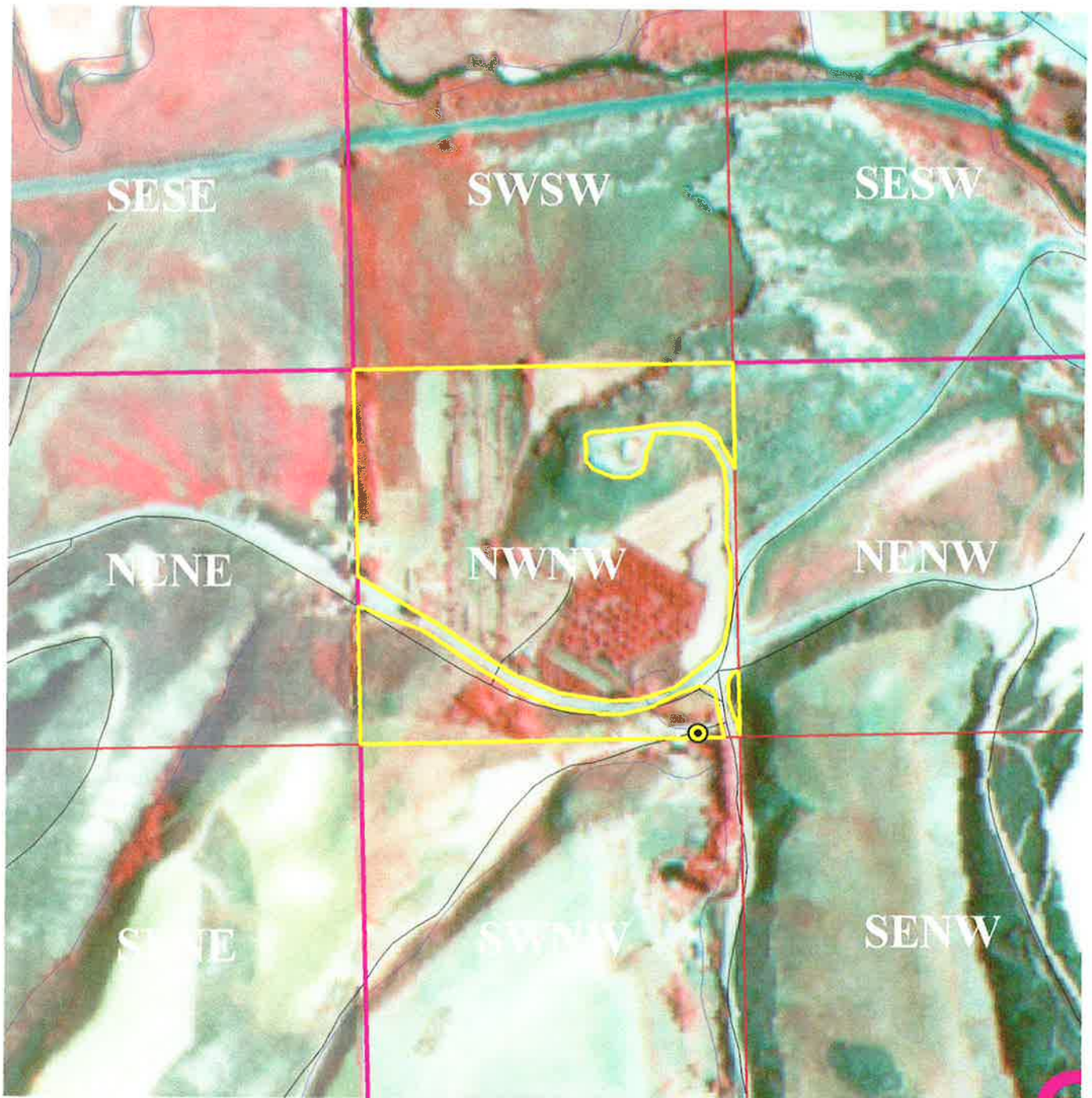
 Streams and Canals

Legend



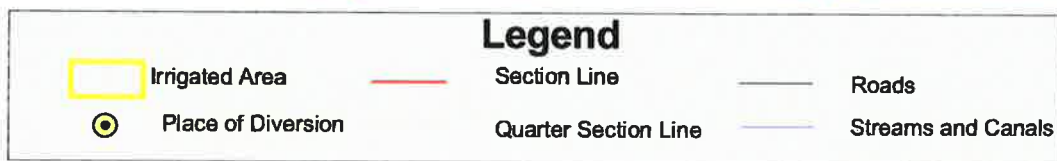
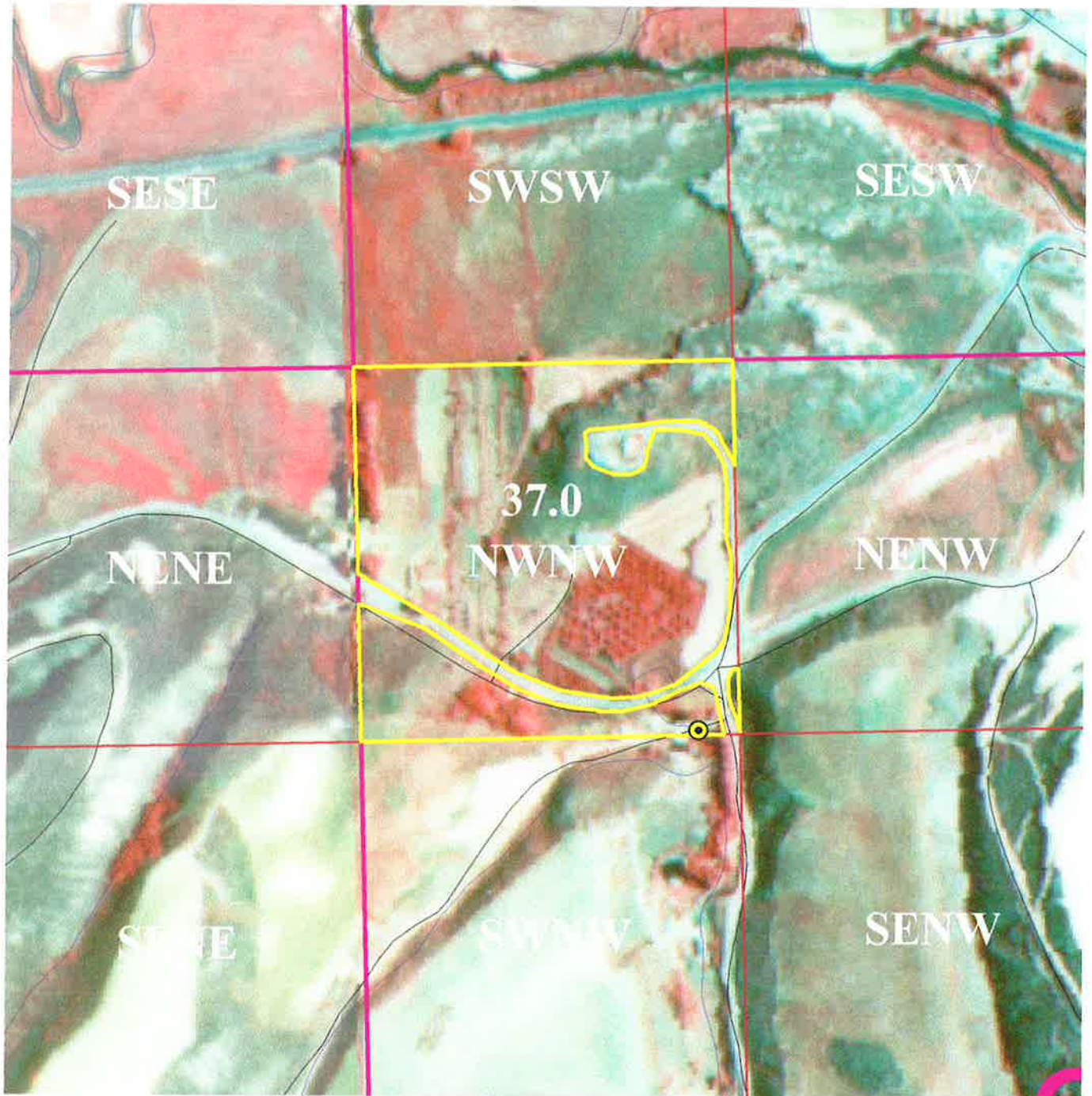
Water Right Claim Number A29-00604E
Township , 7S36E

08/28/2000



Water Right Claim Number A29-00604E
Township , 7S36E

08/28/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-604E V1

WATER RIGHT NUMBER: 29-604E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS WHITWORTH 1966 PORTNEUF RD INKOM, ID 83245 (208)775-4913
Current Owner	DAVID HAHN 1966 W PORTNEUF RD INKOM, ID 83245
Current Owner	NATASHIA HAHN 1966 W PORTNEUF RD INKOM, ID 83245
Original Owner	NATASHIA WHITWORTH 1966 PORTNEUF RD INKOM, ID 83245 (208)775-4913

Priority Date: 05/31/1908

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.021 CFS	
	<u>Total Diversion:</u>	0.021 CFS	

<u>Location of Point(s) of Diversion</u>		
INDIAN CREEK	SW1/4NW1/4NW1/4	Sec. 28, Twp 07S, Rge 36E, B.M.
BANNOCK 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	36E	28						1.2											1.2

Total Acres: 1.2

Conditions of Approval:

1. 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 29-604E V1

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-12528 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.06 CFS.

Comments:

1. csaxton 12/10/2002 POD
Comment: No POD location defined in Decree.
2. csaxton 12/10/2002 From WR file - Priority date:
Comment: PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0603 IS SUPERIOR & PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610. (One day prior to priority for 29-00606 thru 29-00610 csaxton)
3. csaxton 12/10/2002 Diversion Rate Analysis
Comment: See Excel analysis spreadsheet in file and memorandum.
4. csaxton 12/10/2002 Source
Comment: Source claimed as springs. Springs left off of source since springs seem to feed into Indian Creek and there is no apparent diversion directly from springs.
5. csaxton 12/10/2002 C/O
Comment: Change of ownership requested. Information received but not enough to change ownership. Additional information requested but non received at this time.
6. csaxton 5/28/2003 POU
Comment: Per telephone conversation with claimant....claimant stated that back 0.80 acres behind the house continuously irrigated from Indian Creek as recent as last year. Changed recommendation to add that acreage.
7. csaxton 6/12/2003 Diversion Rate
Comment: This right is limited to the max diversion rate listed on partial decreed right 29-12528.

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:
 Water District Number:
 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	12/10/2002 3:12:56 PM	csaxton			Active
Priority Date	12/10/2002 3:13:38 PM	csaxton			Active
POD	12/10/2002 3:13:57 PM	csaxton			Active
Source	12/10/2002 3:15:43 PM	csaxton			Active
POU	12/10/2002 3:16:20 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-604E V1

Use	12/10/2002 3:17:38 PM	csaxton	Active
Season	12/10/2002 3:18:17 PM	csaxton	Active
Quantity	12/10/2002 3:19:12 PM	csaxton	Active
Summary	12/10/2002	csaxton	Active

Verification Log:

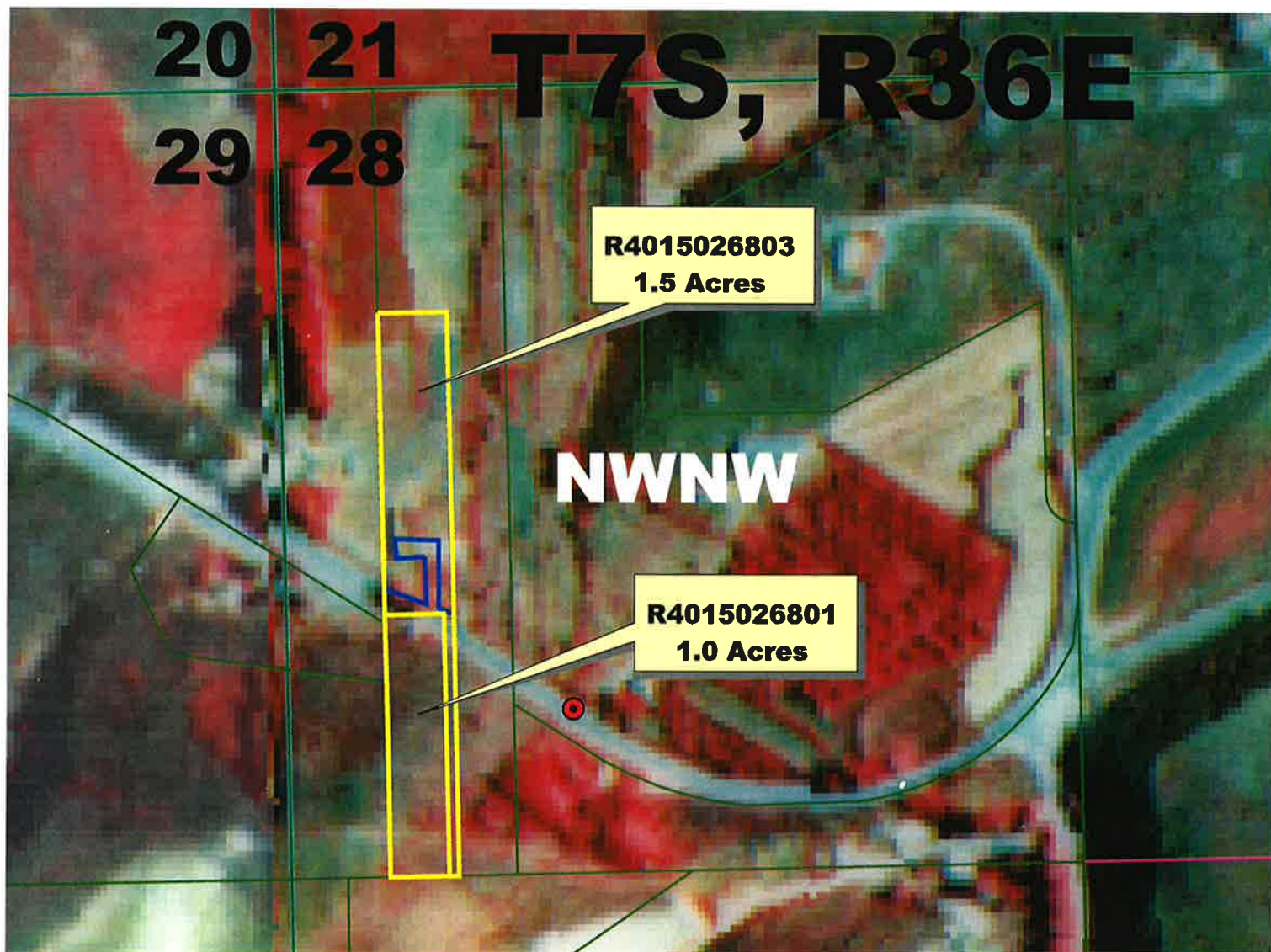
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/10/2002 3:14:47 PM	csaxton	Edited PLS
POU	12/10/2002 3:16:46 PM	csaxton	Edited shape boundary
POU	12/10/2002 3:17:02 PM	csaxton	Edited PLS
POD	12/10/2002 3:14:28 PM	csaxton	Edited point location
Source	12/10/2002 3:15:44 PM	csaxton	(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?
POU	12/10/2002 3:16:21 PM	csaxton	(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?
Contacts	12/10/2002 3:12:57 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 8/27/02
Priority Date	12/10/2002 3:13:39 PM	csaxton	(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? (No) 5. Does the decree or license have a Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/10/2002 3:13:58 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-604E V1

Use	12/10/2002 3:17:40 PM	csaxton	(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?
Season	12/10/2002 3:18:19 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/10/2002 3:19:13 PM	csaxton	(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? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (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?
Summary	12/10/2002 3:43:11 PM	csaxton	(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? (No) 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?
POD	5/22/2003 11:59:21 AM	csaxton	Edited point location
POU	5/28/2003 3:12:40 PM	csaxton	Edited PLS
POU	5/28/2003 3:12:26 PM	csaxton	Edited shape boundary

Tax Lot Porperty boundaries for Natashia Hahn - 29-00604E



Point of Diversion

Recommended Irrigated Acres = 1.2



Bannock Co Tax Lot Data



Your two parcels



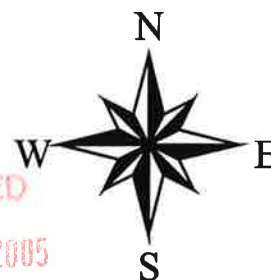
Recommended POU - Partially covered by Tax lot lines



Section Lines



Quarter Quarter Lines



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DEC 14 2005

Prepared By: Craig Saxton
June 2003

Memorandum

Date: June 12, 2003

To: File

From: Craig L. Saxton

Subject: Diversion rate break down splits of decreed right 29-00604 and Source.

Diversion Rate:

This right was divided by calculating the total irrigated acreage within Indian allotment #14 and then proportioning out the water accordingly. The diversion rate per acre for users of 29-00604 came to 0.018 cfs per acre.

One week before the deadline for the directors report for Basin 29 was issued. It was discovered that 29-12528 claimed 0.06 cfs based on 29-00604 and was partially decreed by the SRBA court on 6/24/1998. This right was not originally included in the proportionate split.

Thus, the result would be that the recommendation for split portions for 29-00604 is 0.06 cfs greater than the decreed diversion rate.

However, 29-00604C was recommended as disallowed. Despite that this claim was disallowed, the appropriate diversion rate was included in the proportioning of the right. Otherwise stated, I held out 0.054 cfs for this claim incase proof could be shown that this was a valid water right. At this time, no evidence has been provided.

So:

Total decreed diversion rate for 29-00604 = 0.80 cfs

If all claims were recommended, total recommended diversion rate would = 0.86 cfs

However, since 29-00604C was disallowed, the actual total recommended diversion rate = 0.806.

This right is over recommended by 0.006 cfs. Due to possible rounding error, the fact that this is such a small diversion rate, and the short time line, I did not re-proportion the diversion rate among the users.

If the claimant of 29-00604C files an objection, the diversion rate will have to be re-evaluated for all split portions of 29-00604 and all diversion rate recommendations will most likely need to be reduced.

Source:

IDWR paralegal Vicky Music found that the "decision" in U.S. v. Skeem and it specifically says that Indian creek during high water carries considerable volume of water and is continuous from its source to the Portneuf but that after approximately May 1 it ceases to flow past 1 mile from its source.

Source Recommended as Indian Creek Tributary to the Portneuf River.

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Split history for Decreed Right 29-00603 & 604

WR

Claimed

Recommend

29-00603 0.4	29-00603A Gilbert	29-00603A Gilbert	Deed Silent		Not On Decreed POU Karlson says this is Gilberts Diversion Rate Calc for 14 ac
	0.2 15	0.2 15		0.14 15	
	29-10522 Karlson(?)	29-13122 Karlson	Approx 1/2 " hand written	0.513 35.2	POU 14 & 17 good
	0.2 (603) 0.67 (604) 52.5	0.72 43.1			
29-00604 0.8		29-13123 Burton	Approx 1/2 " hand written	0.049 5.2	POU 17 claimed water from 14 & 17
		0.08 5.2			
		29-13124 Rendace	Approx 1/2 " hand written	0.04 4.2	POU 17 claimed water from 14 & 17
		0.07 4.2			
	29-00604A Wells	29-00604A Wells	Conversation notes say he gets %52 of 604	0.271 15	POU 14 Good
	0.42 21	0.42 21			
	29-00604B Whitworth	29-00604E Hahn	Deed Silent	0.021 1.2	POU 14 Good
	0.07 3.5	0.05 2.5			
	C/O	29-00604F Anderson	Deed Silent	Disallow	Covered by 29-00604C
		0.02 1			
	29-00604C Anderson	29-00604C Anderson	Deed Silent	0.054 3	Disallow Not enough evidence of use so far POU 14 Good
	0.075 3	0.075 3			
	29-00604D Spencer Renumbered	29-13464 Spencer	Deed Silent	0.108 8.8	Referred to 29-13464 POU 14 & 17 CO5
	0.235 12	0.235 12			
	29-00604G Derbidge	29-00604G Derbidge	No Deed in File	0.004 0.2	POU 14 Good
	0.02 0.5	0.02 0.5			
	29-12528 Hahn		Domestid Partial Decreed	0.06 Domestic	Partially Decreed
	0.06 Domestic	0.06 Domestic			

Sum Rec CFS=	1.26
Sum Rec Acre=	87.8

Un-accounted for CFS=	-0.06
Un-accounted for Acres=	N/A

* Both Rights over claimed. Decree doesn't mention duty of water. No claims deeds show deeded water.
 Since 29-00604D is disallowed, actual total recommended diversion rate is 0.806 cfs
 This right is over recommended by 0.006 cfs

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Allotment 14: 29-00604

Allotment 17: 29-00603

Sum CFS & Acreage
for Rights

	1		13
	21		10
	2.9		2.1
	3		3
	0.4		4.2
	15		2.1
	0.2		2.2
	0.8	Not Recommended	5.9
0.8	44.3	0.4	42.5

Per Acre = 0.018059 0.00941176

	Acreage	CFS		Acreage	CFS
29-00603A	1	0.018		13	0.122
29-00604A	15	0.271			
29-00604C	3	0.054			
29-00604D 29-13464 (renumbered)	2.9	0.052		5.9	0.056
29-00604E	1.2	0.022			
		0.021 actual			
29-00604F DISALLOW					
29-00604G	0.2	0.004			
29-13122	21	0.379		14.2	0.134
29-13123				5.2	0.049
29-13124				4.2	0.040
29-12528 Domestic		0.060			
Total Acres	44.3	0.860		42.5	0.400

CFS	Acreage
0.140	14
0.271	15
0.054	3
0.108	8.8
0.022	1.2
0.021 Actual	
0.004	0.2
0.513	35.2
0.049	5.2
0.040	4.2
0.060	Domestic
1.260	86.8

Since 29-00604D is disallowed, actual total recommended diversion rate is 0.806 cfs
This right is over recommended by 0.006 cfs

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Memorandum

Analysis of Decreed rights 29-00603 and 29-00604 (Indian Creek)

This right was over claimed. Deeds do not show ownership of water.

How right was divided and recommended to respective claimants:

29-00603 was decreed to Indian allotment NO:17

29-00604 was decreed to Indian allotment NO: 14

POU that would be recommended for respective claims was calculated. Diversion rate was then proportioned out equally to users with POU within the Decreed POU.

If claimant claimed water decreed for allotment 14 and they only had a POU in allotment 17, the proportionate amount of recommended diversion rate was only taken from allotment 14 since there is no evidence of accomplished transfer.

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WR

AJ

29-00603

0.4 cfs

combined

A) Gilbert

0.20

15 ac

29-10522

0.20 (603)

0.67 (604)

52.5 ac

C/O

29-13122 (Harrison)

0.72

43.1

29-13123 (Burton)

0.08

5.2

29-13124 (Rendace)

0.07

4.2

A) Wells

0.42

21 AC

B) Whitworth

0.07

3.5 ac

C/O

E) Whitworth

0.05

2.5

F) Anderson

0.02

1.0

29-00604

0.8 cfs

C) Anderson, Ray

0.075

3 AC

D) Spencer

0.235

12 AC

G) Desbridge

0.02

0.5

E of CFS For 603 = Parent

E of CFS for 604 = 1.49 cfs

This right is overclaimed

By 0.69 cfs

DEC 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-12528

WATER RIGHT NUMBER: 29-12528

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATASHIA WHITWORTH 1966 PORTNEUF RD INKOM, ID 83245 (208)775-4516

Priority Date: 05/31/1908

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

INDIAN CREEK	SW1/4NW1/4NW1/4	Sec. 28, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

STOCKWATER

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	36E	28						X											

DOMESTIC

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	36E	28						X											

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 29-12528

Remarks:

1. Explanatory STOCKWATER, 2 HORSES, 80 CALVES, 80 PIGS RP R4015026500

Comments:

1. SSHERMAN 1/29/1998 DATA ENTRY
Comment: DELETED THE 'S' AFTER THE ZIP CODE

Dates and Other Information:

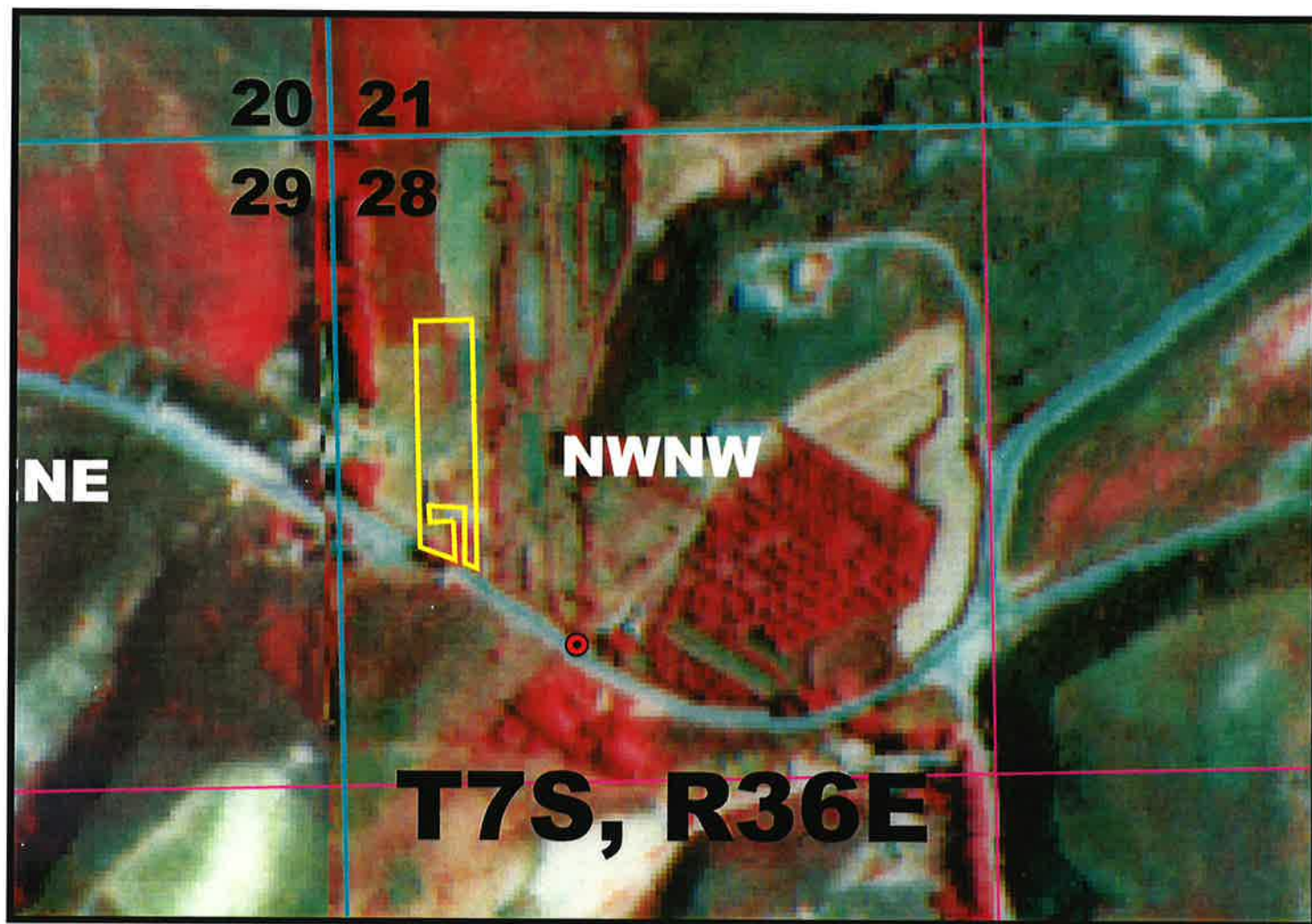
Licensed Date:
Decreed Date: 6/24/1998
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



STATE OF IDAHO

Department of Water Resources
Eastern Region

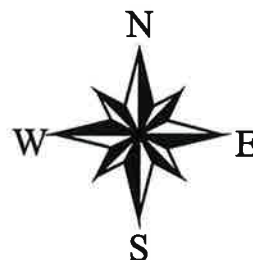
Water Right(s): 29-00604E



0 1320 Feet

Total Irrigated Acres: 1.2

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: May 2003

Craig

02/18/2003

NOTICE OF ERROR
REPLY

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: 29-604E

THOMAS WHITWORTH
1966 PORTNEUF RD
INKOM ID 83245

Telephone Number: ~~(208) 775-4913~~

NATASHIA WHITWORTH Hahn
1966 PORTNEUF RD
INKOM ID 83245
Telephone Number: ~~(208) 775-4913~~ 208 775-4400

David Hahn
1966 Portneuf Rd.
Idaho Id. 83245
208.775-4400

ownership
change
submitted
4-24-03

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

NONE, OTHER THAN CHANGE OF NAME

2. Describe the changes you wish to make in the proposed recommendation:

NONE

3. Give a brief explanation as to why you disagree with these portions:

NONE

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

DATE: 4-18-03 SIGNATURE: David M. Hahn

Please print your name: DAVID M. HAHN

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

RECEIVED

MAY 07 2003

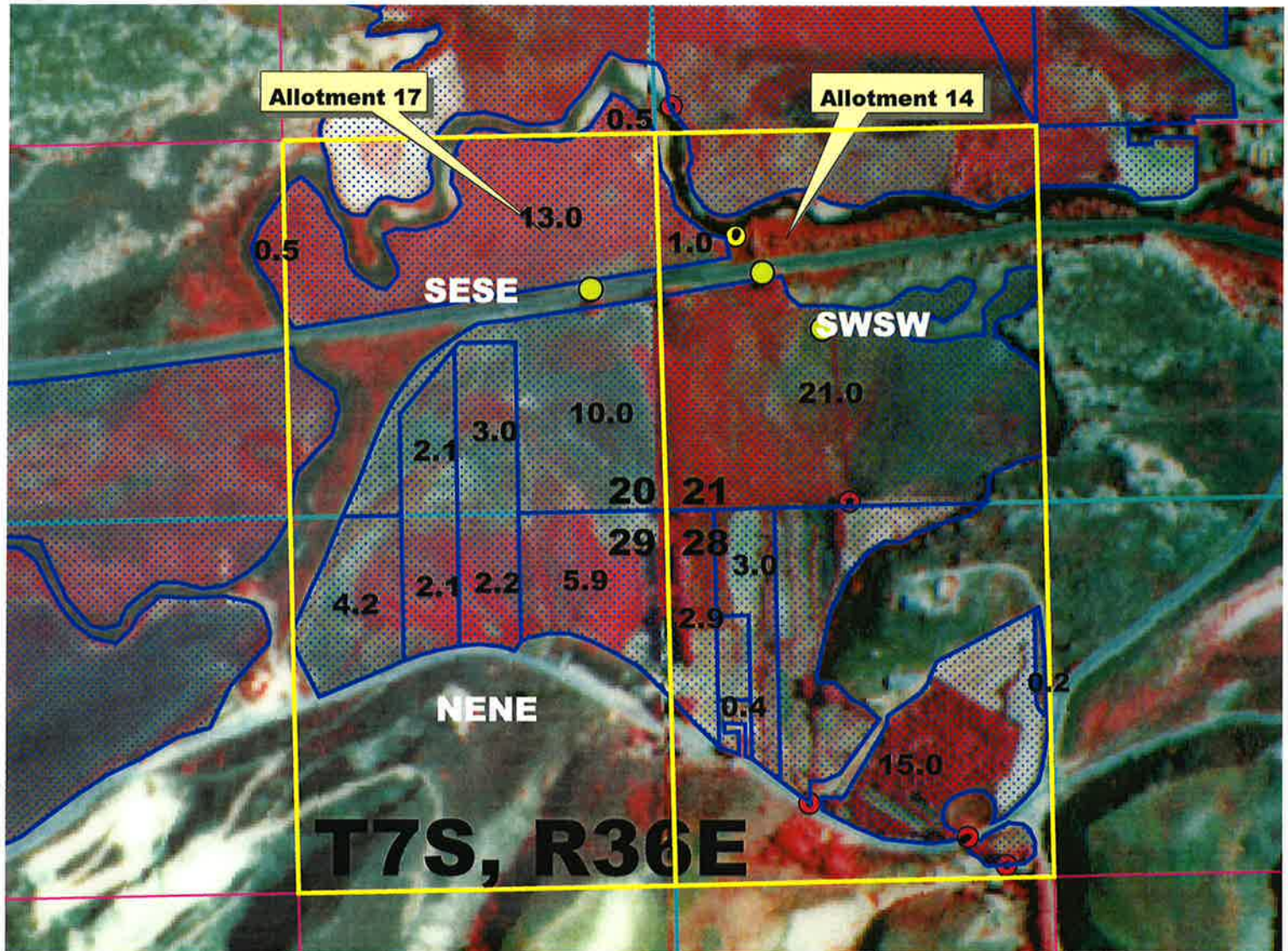
WATER RESOURCES
WESTERN REGION

PROFILED

SCANNED

DEC 14 2005

Recommended POU map for splits of 29-00603 and 29-00604



Point of Diversion - N/A

Total Acres:



City of Pocatello Tax Lot Data



Recommended POU



Indian Allotment Boundary N/A

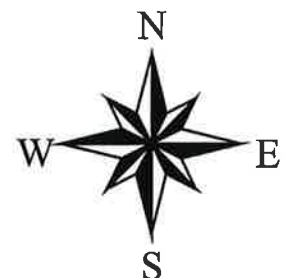


Section Lines



Quarter Quarter Lines

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Prepared By: Craig Saxton
April 2003

8-26-02: 29-12528 - PO'd - D+S Indian OK
29-10730 - PO'd - D+S Well.

: Acreage Claimed is Excessive

: Claimed POB within the Claimed POB.

8-27-02: Left CP Form. Natasha Remarried and now is Helen.
FE

: Water used to Flood Irrigate yard

: POB in current location Historically
1) Headgate
2) Headgate

5-28-03: Conversation with Tasha she said that they have
continuously irrigated 0.8 acres behind the house.
This seems reasonable so changes made in Rec
to represent 1.2 ac of irr total.

6-2-03: Natasha Hahn called and is still not satisfied
with her WR Recommendations. She said Tax lot data
is wrong and she uses springs to irrigate property (hill)
south of the West Portneut Rd. I am sending
another map that shows Tax lot data

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DEC 14 2005

SCANNED
DEC 14 2005

PROFE

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 07 2003

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

RECEIVED

SEP 09 2002

WATER RESOURCES
WESTERN REGIONdelay
4-30-03

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
	29-00604 E				
PD'd 29-12528					
PD'd 29-10730					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*

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)

4. New Owner/Claimant(s)

NATASHIA & DAVID HAHN

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1966 W. PARTHELF RD.

City, State and ZIP Code

INKOM, ID. 83245

New Telephone Number

(208) 775-4400

5. Date you acquired the property

JULY 16, 2001

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APR 24 2003

Department of Water Resources
Eastern Region

DEC 14 2005

Michael B. Neilsen
LOVELESS, NEILSEN & LOVELESS
Attorneys at Law
365 Roosevelt - P.O. Box 4835
Pocatello, ID 83205-4835
Telephone: (208) 232-1893
FAX: (208) 233-6400

FILED
LARRY W. CHAN
CLERK OF THE DISTRICT COURT
BANNOCK COUNTY, IDAHO

97 OCT 31 AM 9:29

BY Tal
DEPUTY

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK
MAGISTRATE DIVISION

NATASHIA LYNN WHITWORTH,	)	
	)	CV-DR-97-000422
Plaintiff,	)	
	)	
v.	)	DECREE OF DIVORCE
	)	
THOMAS MARVIN WHITWORTH,	)	
	)	
Defendant.	)	
	)	

The above-entitled cause having come on regularly this day before the Honorable Dan C. McDougall, the Plaintiff appearing by and through his/her attorney, Michael B. Neilsen, and the Defendant having failed to appear;

The Court having found Plaintiff's Complaint on file herein, and that Plaintiff has been a bona fide resident of the state of Idaho for a period of more than six weeks prior to the filing thereof, and

After having examined the evidence offered from Plaintiff and having read her affidavit herein and being fully advised in the premises, the Court finds the Plaintiff is entitled to a divorce upon the grounds of irreconcilable differences.

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DEC 14 2005 APR 24 2003

Now, therefore, it is ORDERED, ADJUDGED AND DECREED as follows:

I

That the bonds of matrimony heretofore existing between said parties be, and the same are, absolutely dissolved and the parties are, and each of them is, hereby restored to the status of a single person.

II

That there have been five (5) children born as issue of this marriage, namely:

Kymberly Diane Whitworth	DOB: August 6, 1978
Wade Larry Whitworth	DOB: September 16, 1980
Michelle Dawn Whitworth	DOB: January 1, 1986
Chelsea Nichole Whitworth	DOB: November 30, 1987
Shauna Marie Whitworth	DOB: May 9, 1990

That the parties should be awarded joint legal custody of said children, with Plaintiff having primary physical custody and defendant having rights of visitation at reasonable times as the parties shall hereafter agree.

Each party should be subject to the terms and conditions set forth in the Parental Conduct Agreement contained in Appendix "A" attached hereto and incorporated herein by reference. The parties shall share equally the cost of transportation when exchanging the children with the parent receiving the children being responsible to pick up the children.

III

The Defendant is employed and capable of paying child support for the minor children. Defendant should be required to pay child support for the minor children in the amount of \$300 per month which is commensurate with the Idaho Child Support Guidelines after allowing for an offset for Defendant's equity in the community residence. In the event no offset for said property is agreed or allowed, Defendant should be required to pay support in accordance with the Idaho Child Support Guidelines and the income, or potential income of the parties. Defendant's support should be paid through the Clerk of the Court or Bannock County, State of Idaho and be subject to the automatic income withholding provisions of Idaho Code. Said support should continue until such time as the children reach the age of eighteen or are emancipated, whichever occurs first.

IV

That the parties have accumulated certain personal community property during the course of the marriage in the form of household furniture, appliances, personal belongings and miscellaneous items which have been equitably divided between the parties and should be confirmed as their sole and separate property as divided. As part of this division, Plaintiff will receive the 1988 Pontiac Bonneville and defendant will receive the 1972 Chevrolet Pick-up, 1970 Toyota and 1969 Suburban.

V

The parties agree to divide the Railroad Retirement pursuant to Idaho Community Property Law in conjunction with Federal Law (45 U.S.C. Section 231, et seq.). Neither party is of retirement age at this time. The benefits should be awarded as follows:

Natashia Lynn Whitworth is awarded, and the Railroad Retirement Board is directed to pay, any interest in the portion of Thomas Marvin Whitworth's benefits under the Railroad Retirement Act (45 U.S.C. Section 231, et seq.) which may be divided as provided by Section 14 of that Act (45 U.S.C. Section 231m). Natashia Lynn Whitworth's share should be computed by multiplying the divisible portion of Thomas Marvin Whitworth's monthly benefit by a fraction, the numerator of which is the number of years Thomas Marvin Whitworth worked for a railroad employer during the period of the marriage, and the denominator of which should be Thomas Marvin Whitworth's total number of years employed by a railroad employer at retirement, and then dividing the product by two. Date of Marriage: February 4, 1978

VI

That during the marriage, the parties have accumulated certain real properties which should be awarded as follows:

TO PLAINTIFF:

The community residence and acreage located at 1966 Portneuf Road, Inkom, Idaho, more particularly described as: The West 115.5 feet of the East 148.5 feet of the West 313.5 feet

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Department of Water Resources
Eastern Region

NW 1/4, NW 1/4, Section 28, Township 7 South,
Range 36 East of the Boise Meridian, Bannock
County, State of Idaho

TO DEFENDANT:

Two acres on Sorrell Road, Bannock County, State of Idaho
Each party should be required to execute a quit claim deed to the
respective properties effecting this division.

VII

During the course of the marriage, the parties have
incurred certain debts which should be divided between the parties
as follows:

TO PLAINTIFF:

Debt to Plaintiff's parents	\$15,000.00
Student loan	6,700.00
Bannock County Solid Waste	200.00
Property taxes on residence	1,200.00

TO DEFENDANT:

Cement on house	\$800.00
Bisharats	90.00
Property taxes on Sorrell Property	

VIII

That each party shall be required to obtain and maintain
health insurance on the minor children as is, or may become,
available to them through their place of employment at little or no
cost to them. That the parties should be required to share any
medical, dental, orthodontic, mental health, or other related
expenses of the minor children which are not covered by any such
insurance on an equal basis.

IX

Plaintiff should be entitled to claim the children for income tax purposes.

X

That defendant should be required to obtain and maintain an insurance policy upon his life in an amount not less than \$25,000 payable to Plaintiff in trust for the minor children.

XI

That this Decree of Divorce is effective upon entry by the Court this 30 day of October, 1997.



Honorable Dan C. McDougall
Magistrate Judge

2-1

97020405

QUITCLAIM DEED

THIS INDENTURE, made this 12 day of November, in the year of our Lord, One Thousand Nine Hundred and Ninety-seven, between Thomas Marvin Whitworth, of Bannock County, State of Idaho, the party of the first part; and Natashaia Lynn Whitworth, of Bannock County, State of Idaho, the party of the second part.

1966 Portneuf Rd, Inkom Id. 83245

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND 00/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, lawful money of the United States of America, to his in hand paid by the party of the second part, the receipt of which is hereby acknowledged, does by these presents, demise, release and forever quitclaim unto said party of the second part, and to her heirs and assigns, all that certain lot, piece, or parcel of land situated, lying and being in the County of Bannock, State of Idaho, known as 1966 Portneuf Road, Inkom, Idaho, bounded and more particularly described as follows, to-wit:

The West 115.5 feet of the East 148.5 feet of the West 313.5 feet NW 1/4, NW 1/4, Section 28, Township 7 South, Range 36 East of the Boise Meridian, Bannock County, State of Idaho as the same appears on the official plat thereof, filed in the office of the County Recorder of said county.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

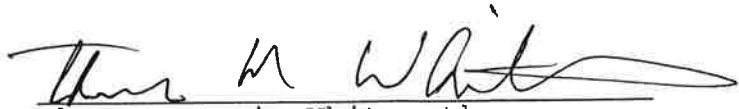
TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances unto the said party of the second

2-2

97020405

part, and to his/her heirs and assigns forever.

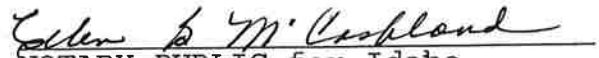
IN WITNESS WHEREOF, the said party of the first part has hereunto set his/her hand and seal the day and year first above written.


Thomas Marvin Whitworth

STATE OF IDAHO)
County of Bannock) :ss

On this 12 day of November, 1997, before me, the undersigned Notary Public in and for said County and State, personally appeared Thomas Marvin Whitworth known or identified 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 affixed my seal the day, month and year first in this Certificate written.


NOTARY PUBLIC for Idaho
Residence: Locatello
Commission expires: 2/13/03

No. 97020405

Recorded at request of:

~~97 NOV 25 PM 3 44~~
Date: Datashia Lynn Whitworth
Official Record Book 700

Bannock County Recorder
Fee 6.00 Deputy HC

NOTARY SEAL

SCANNED
DEC 14 2005

QUITCLAIM DEED

For Value Received zero \$0.00

20113618

Natashia Hahn

do hereby convey, release, remise and forever quit claim

unto Natashia Hahn and David Hahn

the following described premises, to-wit:

1966 Portnau Rd Inkorn Id. or
The west 115.5 feet of the east 148.5 east
of the west 313.5 feet NW 1/4, NW 1/4, section 28
township 7 South range 36 East of the Boise
meridian Bannock County State of Idaho
as the same appears on the official plat
thereof filed in the office of the County
recorder of said County

together with their appurtenances.

Dated: July 16 2001

Natashia Hahn

STATE OF IDAHO, COUNTY OF

On this 16th day of July, 2001,
before me, a notary public in and for said State, personally
appeared Natashia Hahn

MELANIE JOHNSON
NOTARY PUBLIC
STATE OF IDAHO

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

Melanie Johnson

Notary Public
Idaho

Residing at Pocatello
Comm. Expires 10-25-05

S

tl

at

tl

tl

of

-

Bj

Fj

Mail to:

20113618
NO
RECORDED AT REQUEST OF
Natashia Hahn
2001 JUL 16 PM 1 50
OFFICIAL BOOK NO 788
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 3.00 DEBIT M

SCANNED

DEC 14 2005

Use typewriter and/or black ink. (Use typewriter and/or black ink.)

Vital Statistics
P.O. Box 83720
Boise, Idaho 83720-0036

STATE OF IDAHO

State File No. _____

County of BANNOCK Marriage License County File No. 20020875

KNOW ALL PERSONS BY THIS CERTIFICATE: That any regularly ordained minister of the Gospel, authorized by the rites and usages of the church or denomination of Christians, Hebrews, or religious body of which said minister is a member, or any judge or magistrate, or competent officer to whom this may come, not knowing of any lawful impediments thereto, is hereby authorized and empowered to solemnize the rites of Matrimony between:

GROOM				AND				BRIDE			
1. Full name <u>DAVID M. NAHN</u>				9. Full name <u>NATASHIA LYNN WHITWORTH</u>							
2. Address <u>INKOM BANNOCK IDAHO</u>				10. Address <u>INKOM BANNOCK IDAHO</u>							
3. Age <u>43</u> City <u>WHITE</u> 4. Race <u>X</u> 5. Single <u>X</u> 6. Widowed <u></u> 7. Divorced <u>X</u>				11. Age <u>38</u> City <u>WHITE</u> 12. Race <u></u> 13. Single <u></u> 14. Widowed <u></u> 15. Divorced <u>X</u>							
8. Birthplace: City <u>MILWAUKEE</u> State <u>WI</u>				16. Maiden Name if previously married <u>DAFFIN</u>							
DOB <u>2-15-57</u>				17. Birthplace: City <u>CHERRY POINT</u> State <u>NC</u>							
				DOB <u>12-1-61</u>							

And to certify the same to said parties, or either of them under the signature and seal, of said minister or official capacity, and thereupon is required to deliver the original to the parties so married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at POCATELLO BANNOCK County, Idaho, this 27TH day of NOVEMBER, A.D. 2000

LARRY W. GHAN
Lanna Kay Recorder
Deputy

Marriage Certificate

I, Martell V. Gunter, a Mayor residing in the city of McCammon, in the county of Bannock, in the state of Idaho, do certify that, in accordance with the authority on me conferred by the above license, I did on this 1st day of December in the year A.D. 2000 in the city of McCammon in the county of Bannock, in the state of Idaho, solemnize the rites of matrimony between David M. Nahn of INKOM in the county of Bannock, of the state of Idaho and Natashia Lynn Whitworth of INKOM, in the county of Bannock of the state of Idaho, in the presence of Wade Whitworth and Kymberly Whitworth.
WITNESS my hand at the county aforesaid, this 1st day of December, A.D. 2000.
In the presence of Wade Whitworth and Kymberly Whitworth.
Official's Signature Martell V. Gunter
Official's Mailing Address Box 312
McCammon, Id 83250

Date Received 12-28-00 by County Recorder LARRY W. GHAN Recorded Page Data Received by State Registrar

STATE OF IDAHO }
County of Bannock }

I hereby certify that the foregoing is a full true and correct copy of an instrument as the same now remains on file and of record in my office.

WITNESS my hand and official seal hereto affixed

this 5 day of Dec, a.d. 20 02

LARRY W. GHAN, CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER

By Deputy M. L. Linn

NO 20020875
RECORDED AT REQUEST OF

2000 DEC 28 AM 10 31

BOOK NO 772
COUNTY IDAHO
CLERK OF DISTRICT COURT
RECORDED
30

SCANNED

DEC 14 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 9, 2002

DAVID HAHN
TASHIA HAHN
1966 PORTNEUF RD
INKOM ID 83245

RE: Notice of Change in Water Right Ownership for Snake River Basin Adjudication (SRBA)
claim 29-00604E.

Dear Mr. and Mrs. Hahn:

The Idaho Dept. of Water Resources received your completed Notice of Change in Water Right Ownership form on September 9, 2002. However, some information needed to process the Change of Ownership was missing.

The name on claim 29-00604E is Natashaia and Thomas Whitworth. You provided a deed from Natashaia Hahn to Natashaia and David Hahn. However, I need the deed, divorce decree, marriage license, or other document showing that Natashaia's last name has changed and that Thomas Whitworth has no interest in the property. I am returning the submitted Change of Ownership form to be resubmitted with the additional requested data.

In addition, I am afraid when I met with David on 8/27/02 I neglected to mention the two partially decreed rights 29-10730 and 29-12528 (enclosed). Being partially decreed means that the rights have been perfected and no further action needs to be taken.

29-10730 is for domestic use from your well. 29-12528 is for domestic use from Indian creek. Since these two rights have been partially decreed by the SRBA court, there is a \$25 filing fee per right to change the ownership on the right.

Please return the Notice of Change In Water Right ownership form with the requested information and a \$50 dollar filing fee as soon as possible.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

RECEIVED

APR 24 2003

Department of Water Resources
Eastern Region

RECEIVED

SEP 09 2002

WATER RESOURCES
WESTERN REGION

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.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. Indicate just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, 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
	29-00604 E				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*

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)

4. New Owner/Claimant(s)

NATASHIA & DAVID HAHN

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1966 W. PARTHELF RD.

City, State and ZIP Code

INKOM, ID. 83245

New Telephone Number

(208) 775-4400

5. Date you acquired the property

JULY 16, 2001

SCANNED

DEC 14 2005

QUITCLAIM DEED

For Value Received zero \$0.00

20113618

Natashia Hahn

do hereby convey, release, remise and forever quit claim

unto Natashia Hahn and David Hahn

the following described premises, to-wit:

1966 Portnau Rd Inkorn Id. or
The west 115.5 feet of the east 148.5 east
of the west 313.5 feet NW 1/4, NW 1/4, section 28
township 7 South range 36 East of the Boise
meridian Bannock County State of Idaho
as the same appears on the official plat
thereof filed in the office of the county
recorder of said county

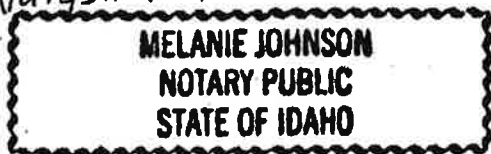
together with their appurtenances.

Dated: July 16 2001

Natashia Hahn

STATE OF IDAHO, COUNTY OF

On this 16th day of July, 1901,
before me, a notary public in and for said State, personally
appeared Natashia Hahn



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

Melanie Johnson

Notary Public
Idaho

Residing at Pocatello

Comm. Expires 10-25-05

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Fj

Mail to:

20113618

RECORDED AT REQUEST OF
Natashia Hahn

2001 JUL 16 PM 1 58

OFFICIAL BOOK NO 288

BANNOCK COUNTY IDAHO

LARRY W. CHAN RECORDER

FEE 3 RECEIVED

SCANNED

DEC 14 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-604E V1

WATER RIGHT NUMBER: 29-604E V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS WHITWORTH 1966 PORTNEUF RD INKOM, ID 83245 (208)775-4913
Current Owner	NATASHIA WHITWORTH 1966 PORTNEUF RD INKOM, ID 83245 (208)775-4913

Priority Date: 05/31/1908

Basis: Decreed

Status: Active

Source

INDIAN CREEK

Tributary~~SINKS~~ Portneuf RiverBeneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.007 CFS

Annual VolumeTotal Diversion: 0.007 CFSLocation of Point(s) of Diversion

INDIAN CREEK

SW1/4NW1/4NW1/4

Sec. 28, Twp 07S, Rge 36E, B.M.

BANNOCK 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	36E	28																	.4

Total Acres: 0.4

Conditions of Approval:

1. 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 29-604E V1

Comments:

1. csaxton 12/10/2002 POD

Comment: ~~USGS quad shows that natural stream channel of Indian Creek stops on Wells property. Historically the POD went to Portneuf river. Recommend POD on Wells property for all users for rights downstream of wells property, or north of Portneuf RD. No POD location defined in Decree.~~

2. csaxton 12/10/2002 From WR file - Priority date:

Comment: PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0603 IS SUPERIOR & PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610. (One day prior to priority for 29-00606 thru 29-00610 csaxton)

3. csaxton 12/10/2002 Diversion Rate Analysis

Comment: See Excel analysis spreadsheet in file and memorandum.

4. csaxton 12/10/2002 Source

Comment: Source claimed as springs. Springs left off of source since springs seem to feed into Indian Creek and there is no apparent diversion directly from springs.

5. csaxton 12/10/2002 C/O

Comment: Change of ownership requested. Information received but not enough to change ownership. Additional information requested but non received at this time.

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:

Water District Number:

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	12/10/2002 3:12:56 PM	csaxton			Active
Priority Date	12/10/2002 3:13:38 PM	csaxton			Active
POD	12/10/2002 3:13:57 PM	csaxton			Active
Source	12/10/2002 3:15:43 PM	csaxton			Active
POU	12/10/2002 3:16:20 PM	csaxton			Active
Use	12/10/2002 3:17:38 PM	csaxton			Active
Season	12/10/2002 3:18:17 PM	csaxton			Active
Quantity	12/10/2002 3:19:12 PM	csaxton			Active
Summary			12/10/2002	csaxton	Active

29-00604E

POD

Field Exam: 8/27/02



Looking at headgate where water diverts from the main ditch system to the claimed POU (csaxton).



Looking W at headgate. Flow is to the right of the picture (csaxton)

PROFILE

SC 11111
DEC 1 2005

^E
29-00604D

POU

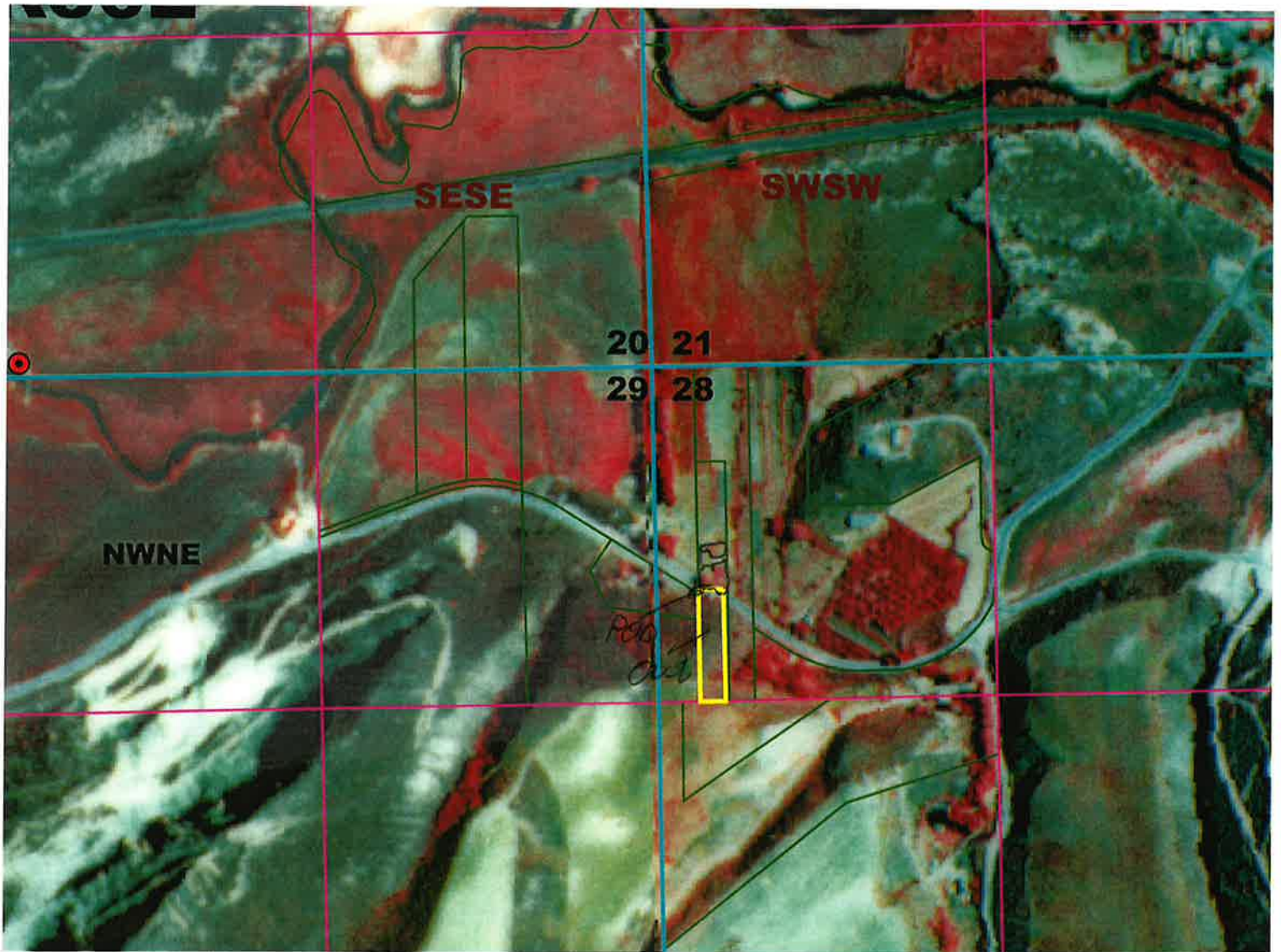
Field Exam: 8/27/02



Looking North at the claimed POU (csaxton).

SCANNED
DEC 14 2005

29-00604E - Whitworth



Point of Diversion



Claimed Place of Use



Claimant Property Boundary



Bannock Co Tax Lot Data



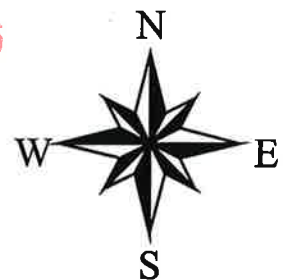
Section Lines



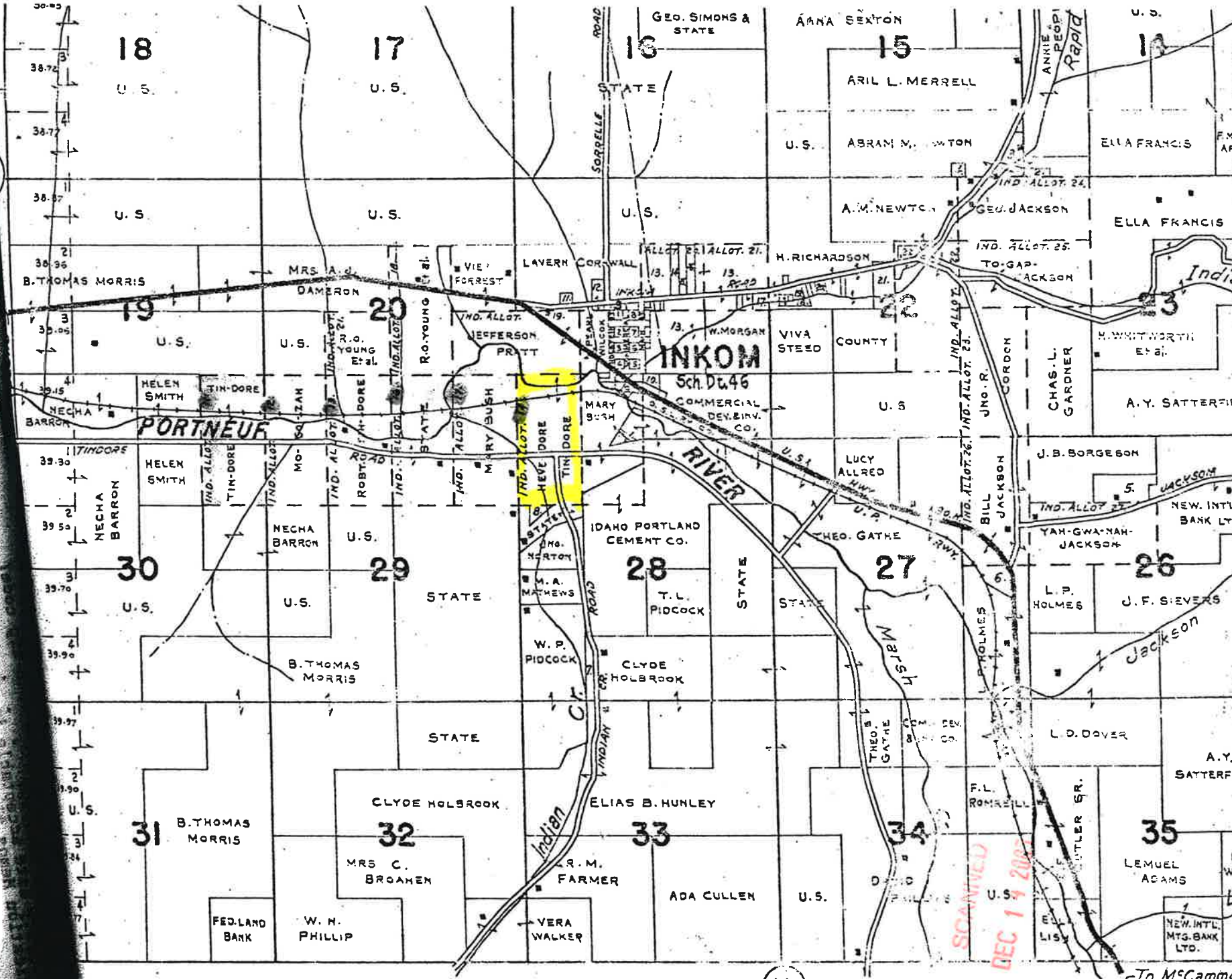
Quarter Quarter Lines

Property Acreage: 1.0

SCANNED
DEC 14 2005



Prepared By: Craig Saxton
August 2002



SCANNED

JUN 11 2001

Log for claim A29-00604E

Spatial Dynamics LTD

8/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	28	NWNW	2.5	37	Indiscernible
Totals:			2.5	37	

AJ5809NP
No. A29-00604E

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 91

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS WHITWORTH	05/31/1908	IRRIGATION	04-01 11-01	0.050 CFS	
C	NATASHIA WHITWORTH					
	1966 PORTNEUF RD			TOTAL DIVERSION:	0.050 CFS	
	INKOM ID 83245			CONSUMPTIVE USE:		6.20 AFA
	(208) 775-4913					

Water Source: INDIAN CREEK
SPRINGS

Tributary to: SINKS
INDIAN CREEK

Stage: DECREED

Point(s) of Diversion: T07S R36E S28 SWNWNW 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	Lt	Ac	SUM
07S	36E	28	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	2.5
																				TOTAL ACRES	2.5	

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATER

Other Rights: NONE

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

29-10730 29-11208 29-11354 29-12528 A29-00604A A29-00604C A29-00604D A29-00604F A29-00604G A29-10522
A29-11208 A29-11354 A29-12524 A29-12528

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

A29-00604A A29-00604B A29-00604C A29-00604D A29-00604F A29-00604G

Remarks: GEN P/D & P/U NOT LISTED IN DECREE.
P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD
IN TRUST BY U.S. FOR HEVEDORE TINDORE.
PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR &
PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.
SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND
ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.
*****CHANGE IN OWNERSHIP*****
NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF
A29-00604B, PAID FOR UNDER E014855. EMC 08-24-92

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

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

AJ5809NP
No. A29-00604E

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 92

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Audit: 08/25/92 CARLSEN 06/01/94 COX 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 29-604E
Date Received: 6/18/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NATASHIA HAHN Phone: (208) 775-4400

1966 W PORTNEUF RH
INKOM ID USA 83245

DAVID HAHN Phone: (208) 775-4400

1966 W PORTNEUF RH
INKOM ID USA 83245

2. Date of Priority: 05/31/1908

3. Source: INDIAN CREEK , SPRINGS Trib. to: SINKS , INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	28	SW NW NW	BANNOCK	
07S	36E	28	SW NW NW	BANNOCK	

5. Description of diverting works:

HEADGATES IN STREAM TO DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.05	

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

PRO

SCANNED
DEC 14 2005

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	28	NW	NW	IRRIGATION	2.5
Section Acres						2.5
Total Acres						2.5

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:

14. Remarks:

Changed ownership per claimant request (csaxton 5/22/03).

P/D & P/U NOT LISTED IN DECREE.

P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD IN TRUST BY U.S. FOR HEVEDORE TINDORE.

PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR & PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.

SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.

*****CHANGE IN OWNERSHIP***** NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF A29-00604B, PAID FOR UNDER E014855. EMC 08-24-92

15. Basis of Claim: Decreed

SCANNED
DEC 14 2005

JUN 11 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: A29-00604E
Date Received: 6/18/1990
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~THOMAS WHITWORTH~~ *N/A* 208-775-4913
Address: 1966 PORTNEUF RD. 775-4400
INKOM ID 83245
AND
Name: NATASHIA WHITWORTH *Hahn* 208-775-4913
Address: 1966 PORTNEUF RD.
INKOM ID 83245

A2900604E



2. Date of Priority: MAY 31, 1908
3. Source: INDIAN CREEK SPRINGS Trib. to: SINKS INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	36E	28	SW	NW	NW		BANNOCK

5. Description of diverting works:
HEADGATES IN STREAM TO DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.050		
		11-01			

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

8. Total consumptive use is 6.2 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTIAL STOCKWATER

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	28	NW NW		IRR	2.5
Section Acres						2.5
Total Acres						2.5

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:
NONE

14. Remarks:

P/D & P/U NOT LISTED IN DECREE.
P/U WITHIN ALLOTMENT NO. 14 OF FORT HALL INDIAN RESERVATION HELD
IN TRUST BY U.S. FOR HEVEDORE TINDORE.
PRIORITY DATE NOT GIVEN IN DECREE, BUT RT. 29-0604 IS SUPERIOR &
PRIOR TO DEFENDANTS RTS. 29-0606 THRU 29-0610.
SOURCES ARE INDIAN CK., TRIB. SINKS: ALL SPRINGS ARISING IN AND
ADJACENT TO THE BED OR CHANNEL OF INDIAN CREEK.
*****CHANGE IN OWNERSHIP*****
NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF
A29-00604B, PAID FOR UNDER E014855. EMC 08-24-92

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UNITED STATES OF AMERICA, ET.
Decree Plaintiff

C. S. SKEEM, 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: _____

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NOV 13 1992

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 _____

MICROFILMED
NOV 13 1992