

09/04/2002

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

RIGHT NUMBER: 29-2395
NAME AND ADDRESS: LAUREL H TAYLOR
PO BOX 5321
CHUBBUCK ID 83202

DAVID J HART
PO BOX 5321
CHUBBUCK ID 83202

ROBERT E HART
PO BOX 5321
CHUBBUCK ID 83202

JAMES W HART
PO BOX 5321
CHUBBUCK ID 83202

HARRY R HARTWIGSEN
PO BOX 5321
CHUBBUCK ID 83202

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 2.82 CFS
1,148.0 AFY

PRIORITY DATE: 02/28/1958

POINT OF DIVERSION:
T06S R34E S1 SENESW 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	2.820 CFS 1,148.00 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R34E S01	NESW	40.0	T06S R34E S01	NWSW	39.0
T06S R34E S01	SWSW	39.0	T06S R34E S01	SESW	38.0
T06S R34E S01	NWSE	15.0	T06S R34E S02	NESE	25.0
T06S R34E S02	NWSE	32.0	T06S R34E S02	SWSE	31.0
T06S R34E S02	SESE	28.0			

287 ACRES TOTAL

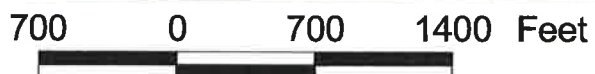
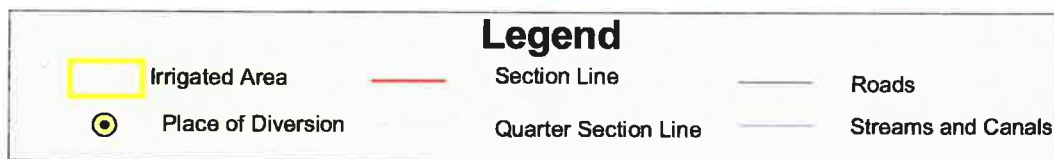
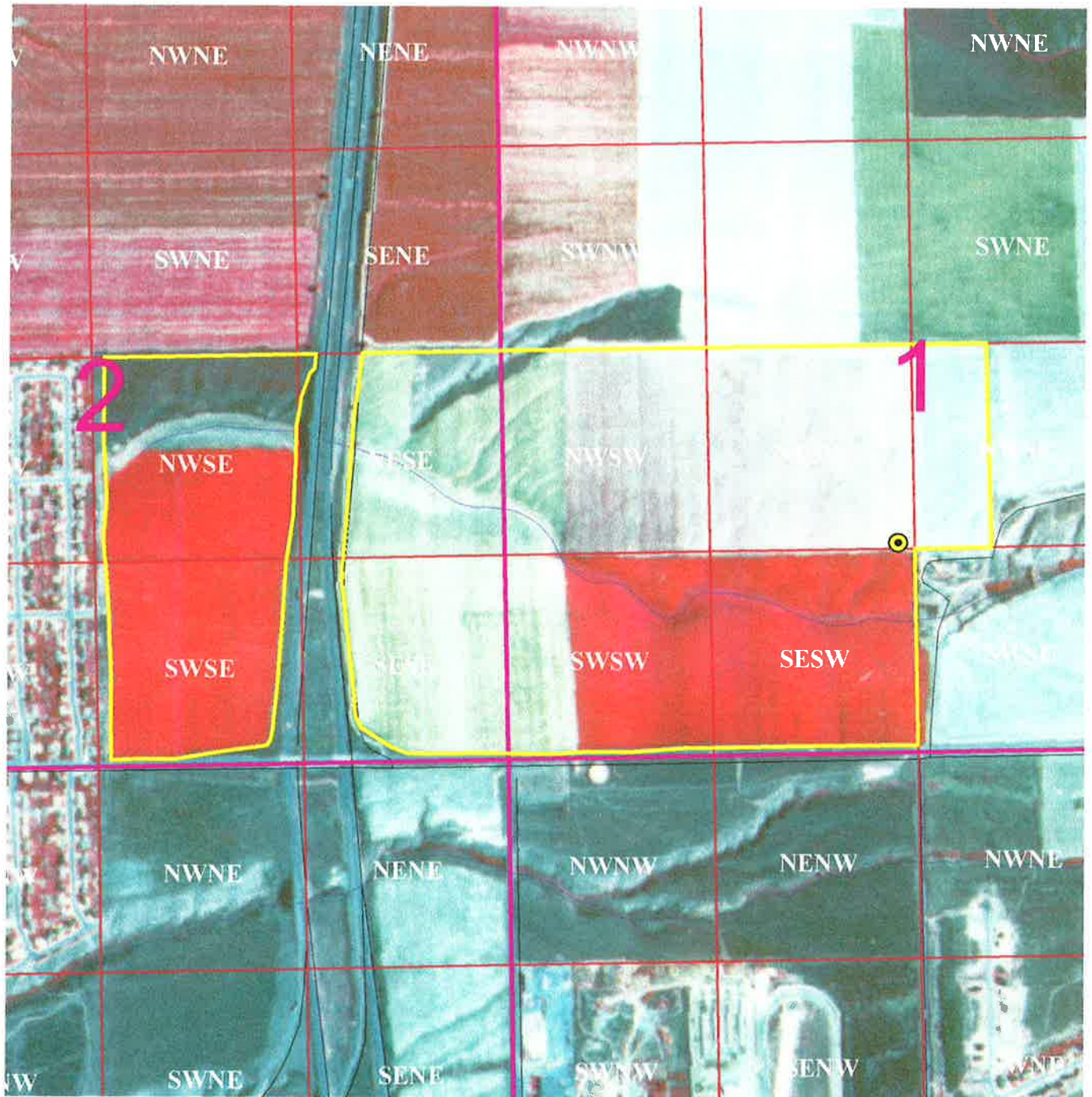
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

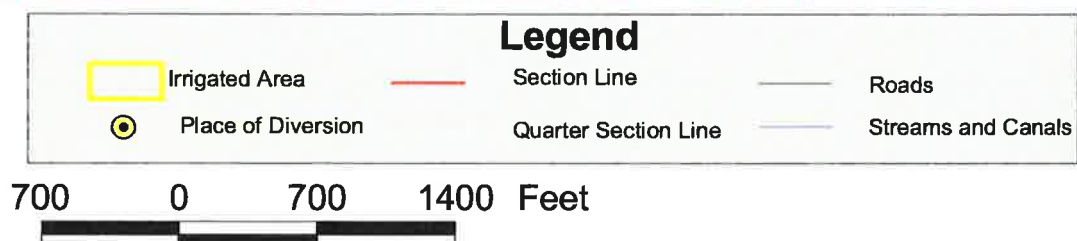
EXPLANATORY MATERIAL: License

Water Right Claim Number A29-02395
Township , 6S34E

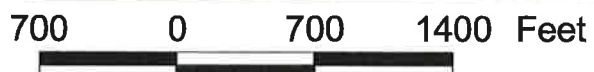
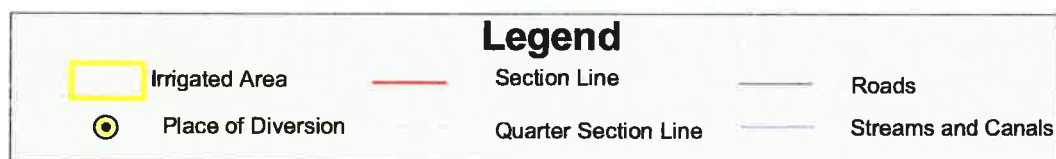
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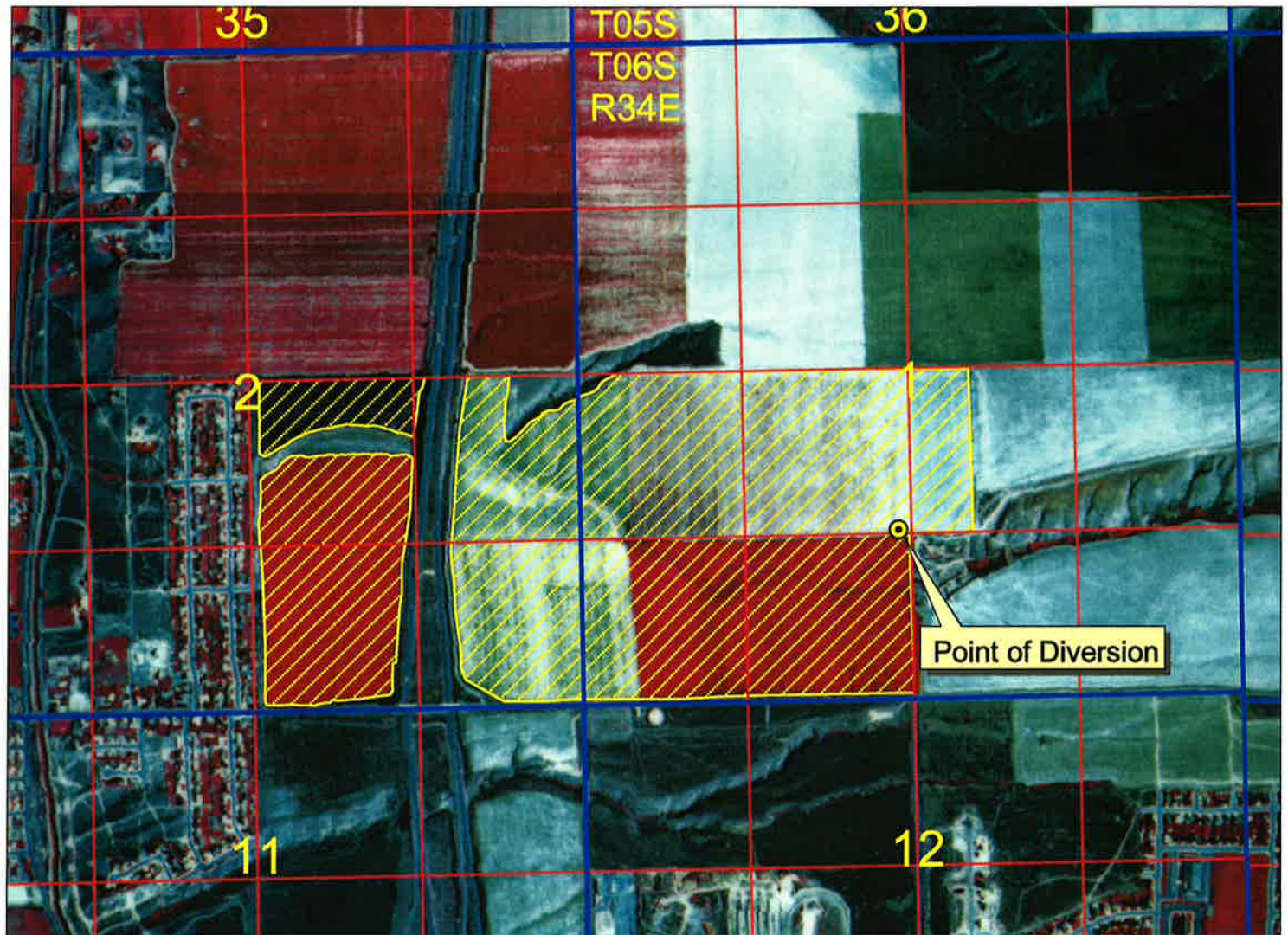
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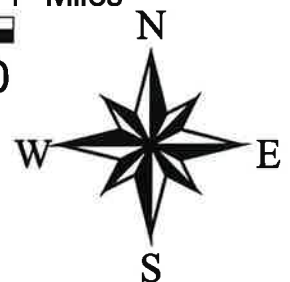
State of Idaho
Department of Water Resources
Eastern Region

Water Right: 29-02395



0.5 0 0.5 1 Miles

1:16000



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

PROFILED
SCANNED
FEB 02 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: September 2002

SCANNED

MAY 10 2001

Log for claim A29-02395

Spatial Dynamics BTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	1	NESW	32	40	Indiscernible
06s34e	1	NWSW	40	40	
06s34e	1	SWSW	40	39	
06s34e	1	SESW	40	39	
06s34e	1	NWSE	14	15	
06s34e	2	NESE	24	30	
06s34e	2	NWSE	38	37	
06s34e	2	SWSE	28	31	
06s34e	2	SESE	31	29	
Totals:			287	300	

AJ5809NP
No. A29-02395

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 55

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRY R HARTWIGSEN	02/28/1958	IRRIGATION	04-01 11-01	2.820 CFS	
C	LAUREL H TAYLOR					
	PO BOX 5321					
	CHUBBUCK ID 83202					
	(208) 237-2050					
				TOTAL DIVERSION:	2.820 CFS	
				CONSUMPTIVE USE:		627.50 AFA

C ROBERT E HART
C DAVID J HART
C JAMES W HART
PO BOX 5321
CHUBBUCK ID 83202

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R34E S01

SENE SW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
06S	34E	1	:					:					:	32	40	40	40	:		14			:	166.0
06S	34E	2	:					:					:					:	24	38	28	31	:	121.0
																					TOTAL ACRES			287.0

POU County: BANNOCK

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: C

Audit: 03/15/90 CARLSEN 06/30/94 COX 03/29/95 POST-STD

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 12 1906

Department of Reclamation

Harry Hart

Rt. #2 North, Box 184
Pocatello, Idaho

Permit No. G-27274

Examination for Completion of Works & Beneficial Use

County.....Bannock

Sec. 1 T. 6S R. 34 E. B. M.

Quantity: 4.6 c. i. s.

Source: Well

P. D.: NE 1/4, Sec. 1, T. 6 S., R. 34 E.

Use: Irrigation

Filed: Feb. 7, 1906

Due: /

Extension:

Protest:

Completion of Works:

Other Rights:

Driller - Cushman & Johnson

27274

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27274

REPORT ON PROOF OF Completion of Works & Beneficial Use

Harry Hart, Rt. #2 North, Box 184, Pocatello, Idaho

1788223

State of Idaho License and Certificate of Water Right

Water License No. G-27274

Amount 2.82 c.f.s.

Water District No.

Priority February 28, 1958

THIS IS TO CERTIFY that HARRY HART
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 28, 1958; that Permit No. G-27274
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.82 second feet, was issued thereunder on September 25, 1963, showing that said works
were completed on the 19th day of April, 1962; and that on the 19th
day of April, 1962,

HARRY HART

of Pocatello, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
a well, a tributary of Subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27274 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7722, on the 25 day of September, 1963;
The right hereby confirmed dates from February 28, 1958;

The Point of Diversion is located
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, Tp. 6 S., R. 34E, B. M. County Bannock

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.82 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6S	34E	1	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	25
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
		2	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	14
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	38
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	28
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	32
			Total number of acres to be irrigated:		287

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
25th day of September, 1963.

(SEAL)

.....RALPH W. THOMAS.....
Deputy State Reclamation Engineer.

4-22-274
29-2395

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35199
Permit No. G- 27274
District No.

F. E. Tydeman
Attorney At Law
Dietrich Building
Pocatello, Idaho

1. Name of Applicant: HARRY HART
Postoffice address: ^{RH-77, C. & 184} Pocatello Creek Rd./ Pocatello County: Bannock State: Idaho
2. Quantity of water claimed: 4.0 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 4.0 or Idaho
Miners' inches 200 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: A drilled well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1
Twp. 6 S. , Rge. 34 E. , B.M., County of Bannock
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well and sprinkler system
8. Estimated cost of works: \$ 42,600.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Ownership to be vested in Harry Hart.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

/s/ Harry Hart
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 28, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-27274

Recorded in Book 96 Page 27274 Approved March 21, 1958

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 21, 1960

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 21, 1963

Witness my hand this 21st day of March, 1958

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st day of March, 1958.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG
Secretary of State.

By /s/ ROBERT E. SMYLLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
6 S.	34 E.	1			40 40 40 40		160
6 S.	34 E.	2				40 40 40 40	160
Application for Amendment LAND LIST Permit No. G-27274							
Comes now Harry Hart, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-27274, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:							
NE ¹ / ₄ SE ¹ / ₄ , SW ¹ / ₄ , Sec. 1; SE ¹ / ₄ , Sec. 2, T. 6 S., R. 34 E., B.M., making a total of 287 acres.							
That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.							
Signed at Pocatello Idaho this 20 day of September, 1963.							
/s/ Harry Hart							
Date of receipt at office of Department of Reclamation: September 23, 1963							
APPROVAL OF STATE RECLAMATION ENGINEER							
I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27274. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.							

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: September 24, 1963

CERTIFICATE OF COMPLETION OF WORKS
Permit No. G-27274

TO ALL WHOM IT MAY CONCERN:

This is to certify that HARRY HART of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. G-27274, issued upon Application No. G-35199 bearing date of priority of February 28, 1958, authorizing the diversion of 4.0 second feet of waters of a well County of Bannock, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.82 second feet of the waters of a well tributary of subterranean flow; that the point of diversion of said waters NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 1, T. 6 S., R. 34 E., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 287 acres in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1; SE $\frac{1}{4}$, Sec. 2, T. 6 S., R. 34 E., B. M.

Witness my hand this 25th day of September, A. D. 1963

RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: April 19, 1962

LICENSE ISSUED FOR 2.82 SEC. FT.
Page 7722

MAY 10 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: A29-02395
Date Received: 3/15/1990
Receipt No: 8012382
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	LAUREL H. TAYLOR	208-237-2050
Address:	P.O. BOX 5321	
	CHUBBUCK, ID	83202
AND/OR		
Name:	HARRY R. HARTWIGSEN	208-237-2050
Address:	P.O. BOX 5321	
	CHUBBUCK, ID	83202
AND/OR		
Name:	ROBERT E. HART	
Address:	P.O. BOX 5321	
	CHUBBUCK, ID	83202
AND/OR		
Name:	DAVID J. HART	
Address:	P.O. BOX 5321	
	CHUBBUCK, ID	83202
AND/OR		
Name:	JAMES W. HART	
Address:	P.O. BOX 5321	
	CHUBBUCK, ID	83202

A2902395



2. Date of Priority: FEB 28, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	1	SE	NE	SW		BANNOCK

5. Description of diverting works:
WELL, 939' DEEP, BOWELS AT 450', PUMPS AND SPRINKLER SYSTEM.

A29-02395

Page 1

Date: 03/15/90

MICROFILMED

NOV 13 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.820		

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

A.F.A.

8. Total consumptive use is 627.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	34E	1	NE		SW		IRR	32.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	14.0
							Section Acres	166.0
		2	NE		SE		IRR	24.0
			NW		SE		IRR	38.0
			SW		SE		IRR	28.0
			SE		SE		IRR	31.0
							Section Acres	121.0
							Total Acres	287.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 27274

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): Harry R. Horthrup Date: Mar. 15, 1990

Date: _____

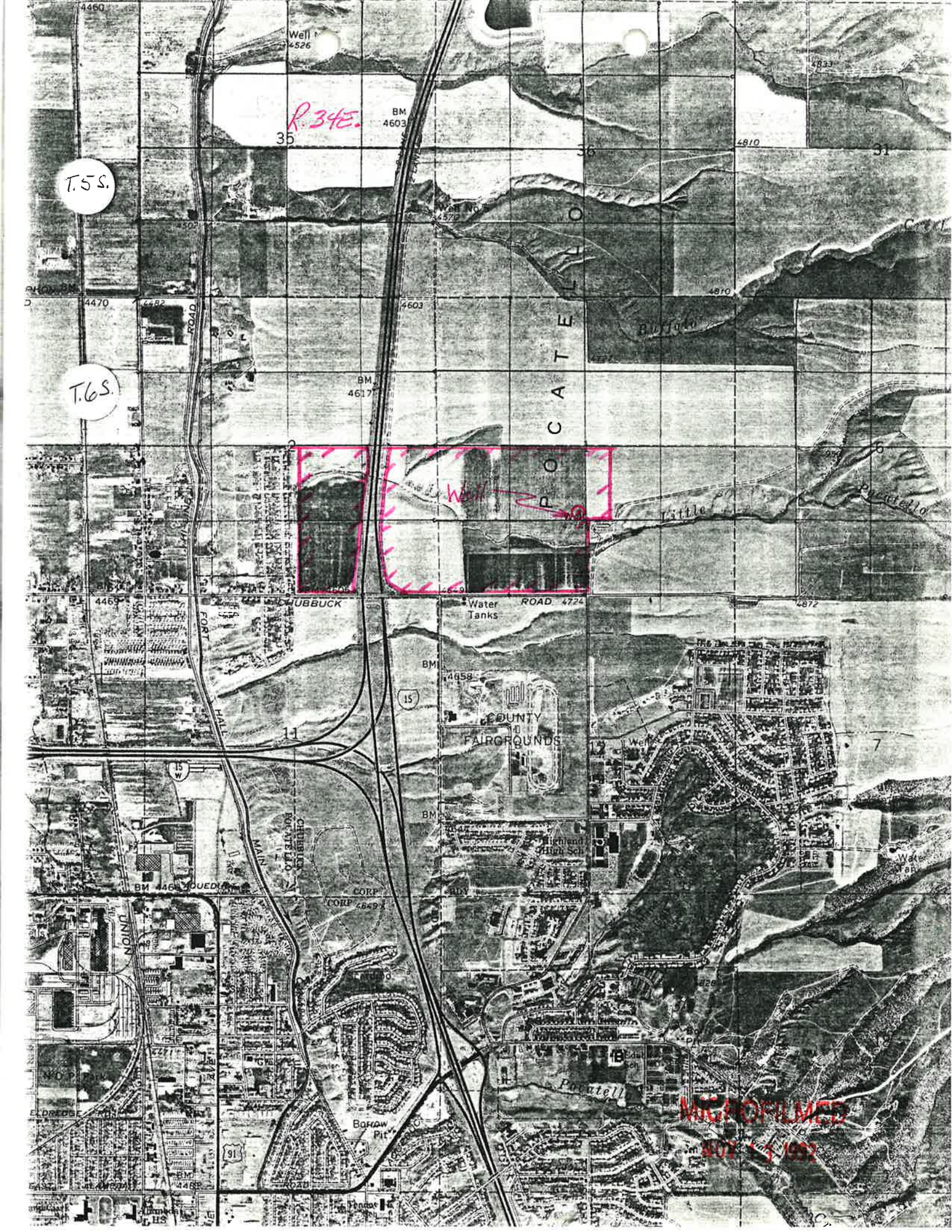
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of March 19 90.

Ernest Carlsen
Notary Public



Residing at Alake Falls, ID
My Commission Expires 6-14-1994



T. 5S.

T. 6S.

R. 34E.



Well

POCATELLO

COUNTY FAIRGROUNDS

HIGH SCHOOL

MICROFILMED
NOV 14 1982