

11/21/2002

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

RIGHT NUMBER: 29-4365
NAME AND ADDRESS: CHERYL HATLEY
13589 S THACKER
ARIMO ID 83214

JACK HATLEY
3417 W ARIMO RD
ARIMO ID 83214

SHELDON HATLEY
13589 S THACKER
ARIMO ID 83214

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS
QUANTITY: 0.040 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
PRIORITY DATE: 06/01/1908
POINT OF DIVERSION:

T10S R36E S5 NWNW Lot 4 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/15 06/10	0.020 CFS

PLACE OF USE: STOCKWATER Within BANNOCK County

T10S R36E S06 NENE

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.

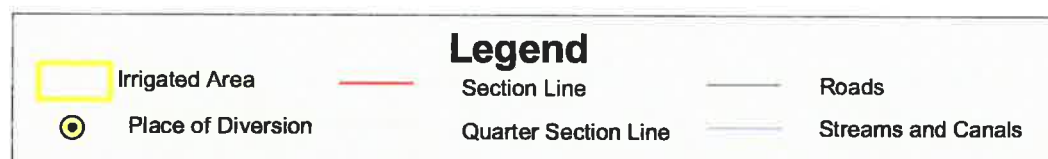
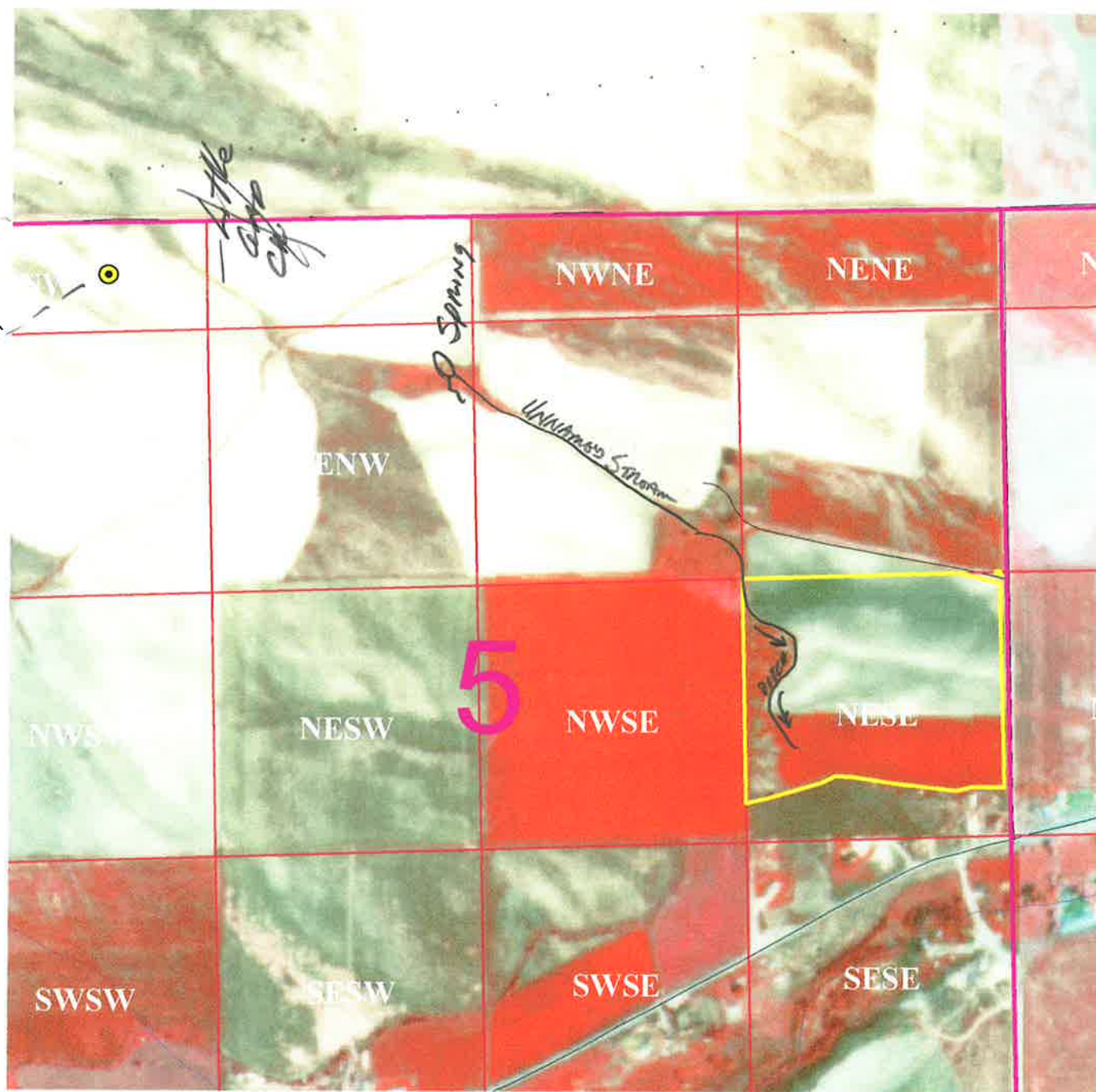
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

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.

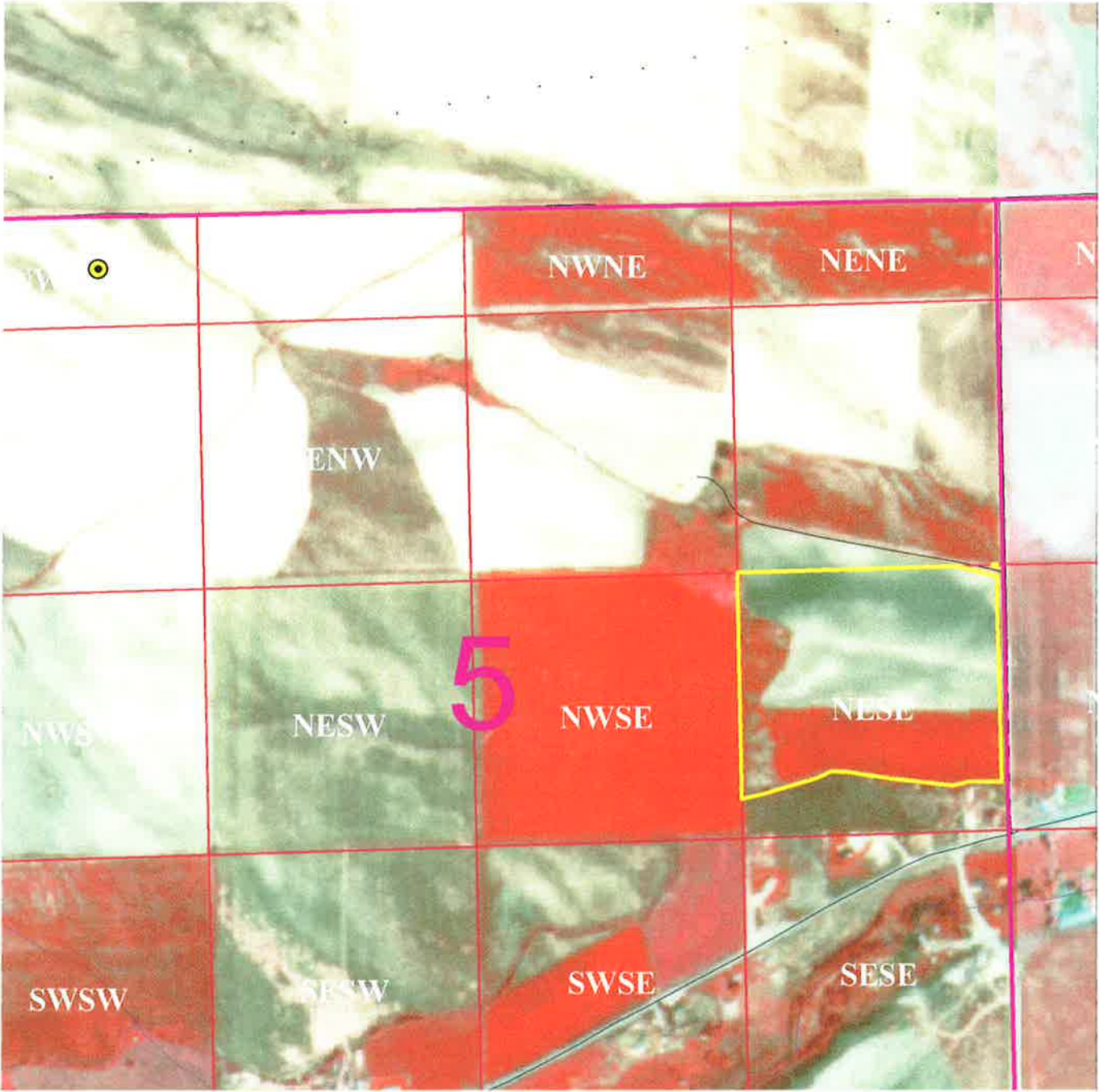
Township , 10S36E



400 0 400 800 Feet

9/23/02 ABN

Township , 10S36E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

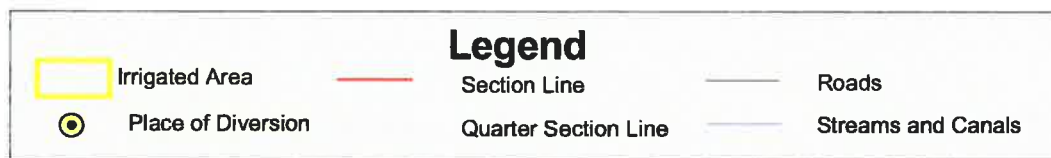
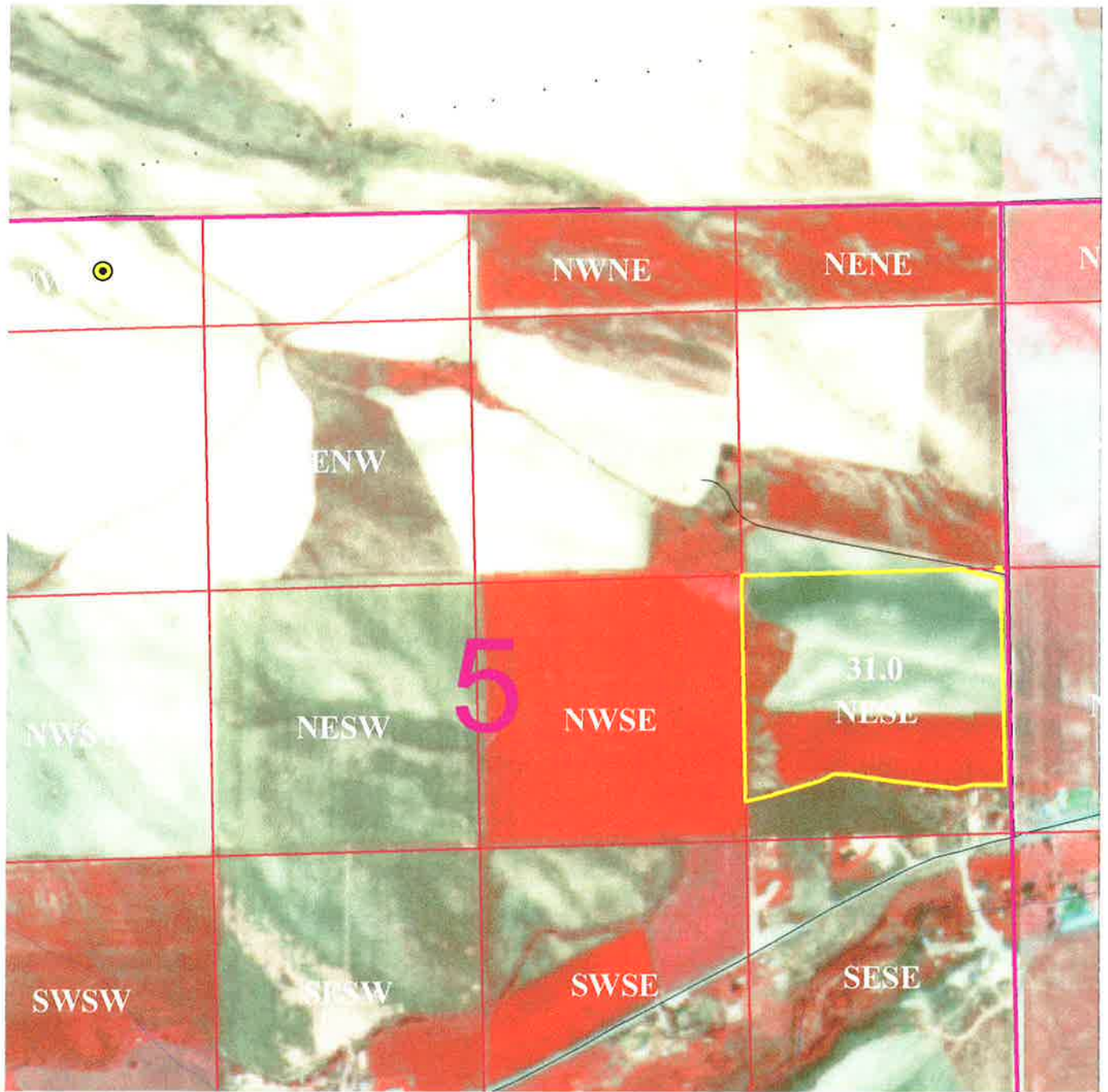
 Roads

 Streams and Canals

Legend



Township , 10S36E



400 0 400 800 Feet



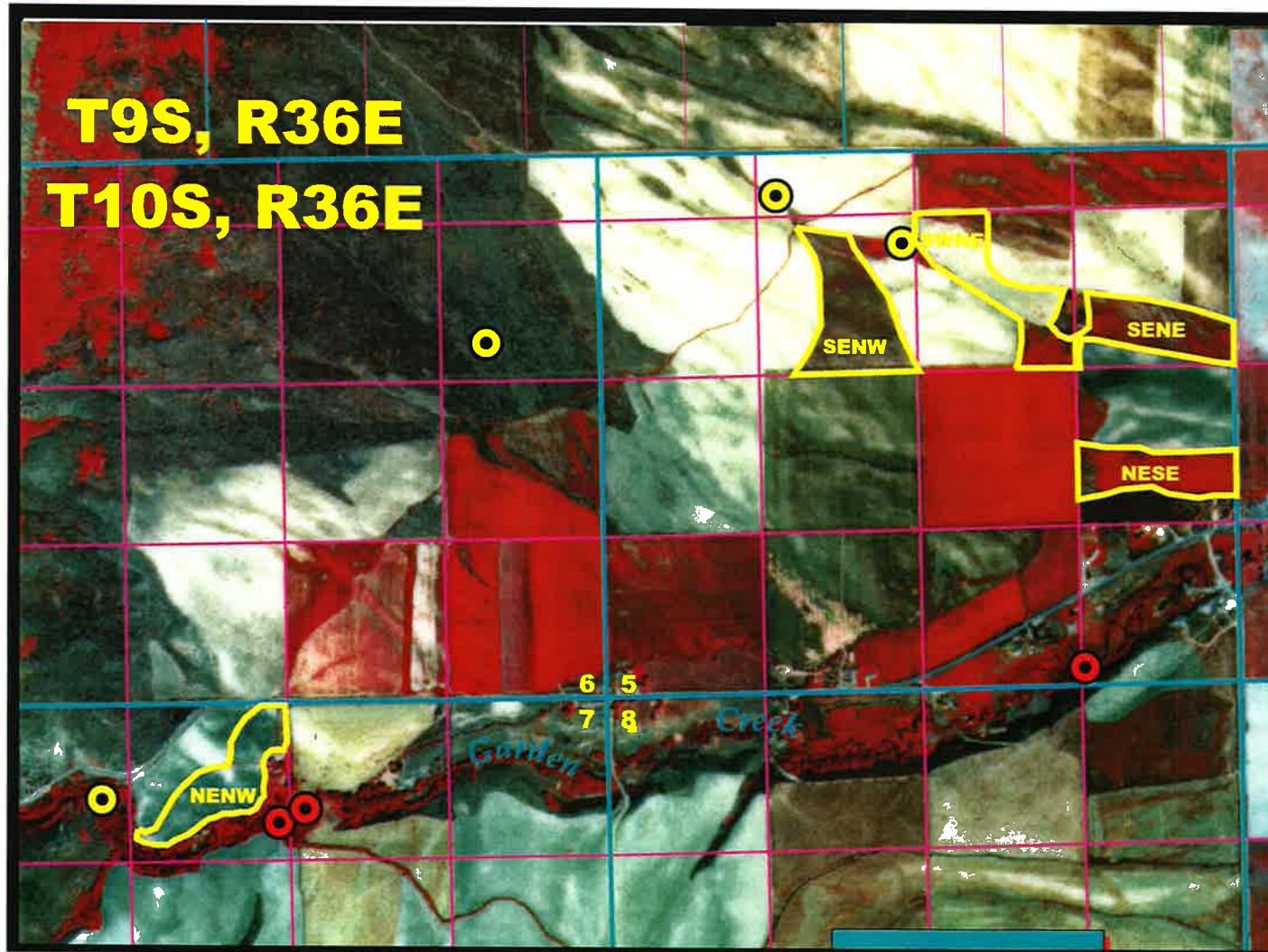


SCANNED
MAR 30 2006

State of Idaho

Department of Water Resources

Eastern Region



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 8000 8500 Feet

Water Right(s):

29-403, 29-404,
29-405, 29-406,
29-4102, 29-4187,
29-4365

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

Point(s) of Diversion: T9S, R35E
Sec. 36 SWNESE (Lt Gap Ck),
T10S, R36E Sec. 5 NENW(L3) (Rrdiv),
NESENW (Spg), Sec. 6 SWSENE (Spg),
Sec. 7 SENENW (Garden Ck)



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

02/08/2003

RECEIVED

APR 16 2003

NOTICE OF ERROR
REPLY

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: 29-4365

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

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

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
MAR 30 2006

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. 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>29-00403</u>					
<u>29-00404</u>					
<u>29-00402</u>					
<u>29-04365</u>					
<u>29-04181</u>					

Attachments:

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

1. JACK'S LAST WILL
2. WARRANTY DEED

- 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)

HERMAN KRUEGER TRUST - JACK HATLEY TRUSTEE
3417 W. ARIMO RD ARIMO ID 83214

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

ARIMO ID 83214

New Telephone Number

208 254-9168

5. Date you acquired the property

PROFILED

SCANNED
MAR 30 2000

Contacts Data Entry Form

29-4365 BUSTAT. 243

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

Current Owner	<u>HERMAN KENIGER TRUST</u>					
---------------	-----------------------------	--	--	--	--	--

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

Current Owner	<u>JACK HATLEY - TRUSTEE</u>					
---------------	------------------------------	--	--	--	--	--

Current Owner	_____					
---------------	-------	--	--	--	--	--

Representing Attorney:	_____	Phone Number:	_____			
------------------------	-------	---------------	-------	--	--	--

Accompanied By:	<u>JACK & SHORDON (SON)</u>	Phone Number:	_____			
-----------------	---------------------------------	---------------	-------	--	--	--

Relationship to Claimant:	_____					
---------------------------	-------	--	--	--	--	--

Date of Field Exam:	_____	Time:	_____			
---------------------	-------	-------	-------	--	--	--

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

9/25/02 PG. w/ Jack & Shordon - VISITED POD'S. SOURCES & POD'S

* INTERPID ENG. COULD NOT FIND A STREAM OR DIVERSION WORKS -

MEASURES RECD. - NO! < 0.20 cfs.

Reviewer: _____

Date: _____

PROFILED

SCANNED
MAR 30 2006

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 6/08/1908 Claimed Basis: BU

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:

AFFIDAVIT SIGNED BY NEIGHBORS ATTEST to CLAIMED
PRIORITY DATE -

Reviewer: _____

Date: _____

SCANNED

MAR 30 2006

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. 5,____,____,____. County: Benn

lot 4

Source: Unnamed Stream Tributary: Sinks

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
<u>10S</u>	<u>36E</u>	<u>6</u>		<u>SWNEB</u>	<u>Benn</u>	<u>Unnamed Stream</u>

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? _____

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

Claims stock & Pump. = Both USDO-?

INTROBIO KING COULD NOT LOCATE POD. CLAIMANT POINTED
ON Quad map OR HIS RECOLLECTION OF LOCATION (BY A
LONG TREE/Bush) THIS APPROXIMATES TO SWNEB SEC 6
NOT SEC. 5 - Recommended Sec. 6 POD

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCANNED

MAR 30 2003

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	5	NESE		BANN		12	IRRIG.
			"				0	Stock

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
10S	36E	6	SENE		BANN		0	Stock

Total Acres _____

Document how the POU was verified:

Claims 002 for stock as Purpose - DOES NOT CLAIM
A POU FOR 32 CATTLE. ⇒ Same

Transfers Changing POU _____

Reviewer: _____

Date: _____

SCANNED

MAR 30 2006



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Spring for stock water.

Assumptions

No visible signs of flow to measure or assume.

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.



SCANNED

MAY 31 2001

Log for claim A29-04365

Spatial Dynamics BTD

6/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	5	NESE	1	31	Indiscernible/POD Placement?
Totals:			1	31	

AJ5809NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 137

PAGE: 137

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERMAN KRUEGER TRUST JACK HATLEY TRUSTEE 3417 W ARIMO RD ARIMO ID 83214 (208) 254-3438	06/01/1908	IRRIGATION STOCKWATER	04-01 06-30 03-15 06-10	0.020 CFS 0.020 CFS	
				TOTAL DIVERSION:	0.040 CFS	

Water Source: UNNAMED STREAM

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R36E S05 Lot04(NWNW)

BANNOCK County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE															
T	R	S	: Lt	Ac	NENE	NWNE	SWNE	SENE	: Lt	Ac	NENW	NWNW	SWNW	SENW	: Lt	Ac	NESW	NWSW	SWSW	SESW	: Lt	Ac	NESE	NWSE	SWSE	SESE	: Lt	Ac		
10S	36E	5	:	---		---		---	:	---		---		---	:	---		---		---	:	---		---		---		---	:	SUM
			:						:						:						:	01						:	1.0	
																										TOTAL ACRES	1.0			

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: S/32 HEAD CATTLE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00362 A29-00403 A29-00404 A29-04187

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

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

Audit: 02/26/90 DCARLSON 07/20/94 THOMPSON 03/29/95 POST-STD

(7) If you are claiming water as a member of an organization, list name of organization: _____

March 27, 1995

To: Department of Water Resources

From: Jack Hatley

Re: Evidence of Priority #A29-04102, #A29-04187 & #A29-04365

Dear Sirs:

My parents, Herman & Josie Krueger have been farming on the above referenced property since 1942 when they had purchased the property.

At that time, they purchased the water rights from Mr. Watson. The water rights for #A29-04102 have been used since June 1, 1877. Water rights for #A29-04365 have been used since June 1, 1908 and #A29-04187 have been used since May 4, 1910.

The neighbors to our property can attest and support the priority dates.

Sincerely yours,

Jack Hatley

We can attest to the Department of Water Resources that Herman & Josie Krueger and Jack Hatley have used the above referenced water since 1942 and that to our knowledge they have all given rights to the water.

Helen Krueger
Geed Capell
Hary Krueger
Jack Hatley

MICROFILMED
NOV 13 1995

Original A29-04102

SCANNED

MAY 31 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: A29-04365
Date Received: 2/26/1990
Receipt No: EO 12116
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HERMAN KRUEGER TRUST
Address: JACK HATLEY- TRUSTEE
3417 W. ARIMO RD.
ARIMO, ID

208-254-3438

83214

2. Date of Priority: JUN 01, 1908

3. Source: UNNAMED STREAM

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	5	NW	NW		4	BANNOCK

5. Description of diverting works:
CATTLE DRINK DIRECTLY FROM STREAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	06/30	0.020		
STOCKWATER	03/15	06/10	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/32 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	5	NE	SE		IRR	1.0

Section Acres 1.0

A29-04365

Page 1

Date: 02/26/90

A2904365



MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Total Acres 1.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Trustee of
Title
Herman Krueger Trust, that I have signed the foregoing
Organization
document in the space below as Trustee of
Title
Herman Krueger Trust and that the statements contained in the
Organization
foregoing document are true and correct.

Jack Hattley
Signature of Authorized Agent

Trustee of the Trust
Title and Organization

2-26-90
Date

State of Idaho)
County of Bonner) SS.

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

of February 19 90

Seal

Anthony S. Chambers
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994

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

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Pring	4/1	6/30	0.02	
Stock	3/15	6/10	0.02	

Overall Diversion Rate 0.04 Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
~~Pring~~	~~4/1~~	~~6/30~~	~~0.02~~	
~~Stock~~	~~3/15~~	~~6/10~~	~~0.02~~	

Overall Diversion Rate 0.02 Overall Diversion Volume _____

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

MEASURES NOT RECD ≤ 0.20 cfs NO INTERMITTENT MEASURES

* DISALLOWED IRRIGATION - ITS INCONCEIVABLE THAT 1" OF WATER WDN FLOWING TO GARDEN CH PRING DITCH AND ON TO FIELD HEADGATE WOULD BE MEASURABLE. THIS A DISTANCE (ROUGHLY) 3782' ±.

Reviewer: _____

Date: _____

SCANNED

MAR 30 2006