

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-10215

NAME AND ADDRESS:

A PAUL HATCH JR
1009 STALKER RD
BANCROFT ID 83217

AUDREY H HATCH
1009 STALKER RD
BANCROFT ID 83217

SOURCE: Source: Tributary:
TOPONCE CREEK PORTNEUF RIVER

QUANTITY: 0.110 CFS ~~0.960 CFS~~
0.000 AFY

PRIORITY DATE: 06/17/1902
This priority date is more accurately described as 6/17/1902, NOON.

POINT OF DIVERSION:

T06S R38E S34 NWNWSE Within CARIBOU County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/01 07/01	<u>0.110 CFS</u> ~~0.960 CFS~~

PLACE OF USE: IRRIGATION within CARIBOU County
T07S R39E S07 SENE 22.0
T07S R39E S07 NESE 8.7
T07S R39E S08 SWNW 4.5
T07S R39E S08 NWSW 8.7
T07S R39E S08 SWSW 4.1

48 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 29-10215, 29-13472, & 29-110B.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.5 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 14 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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

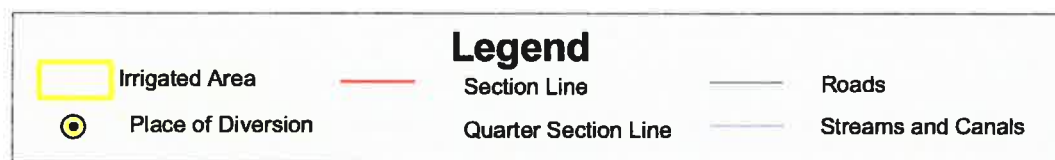
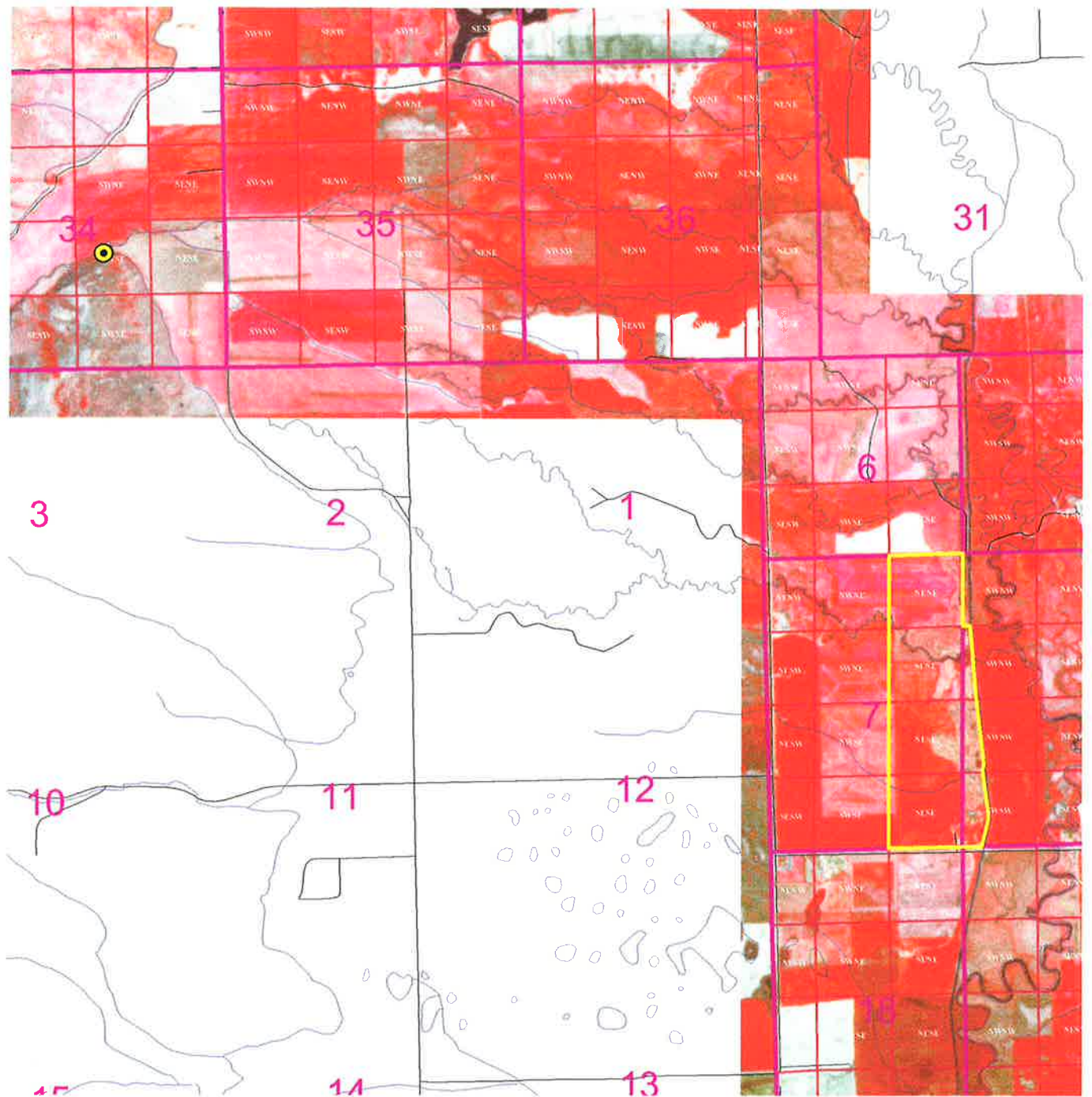
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-0596.

Township , 7S39E



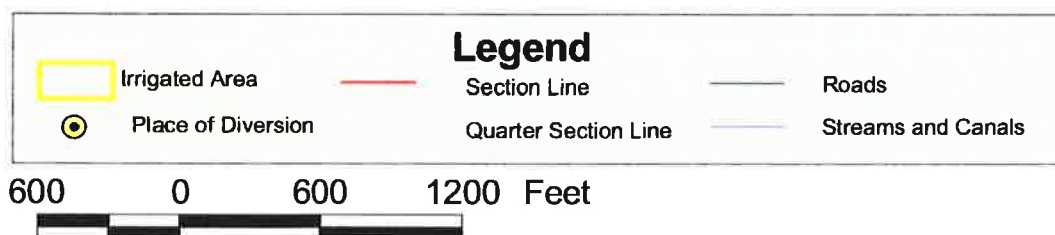
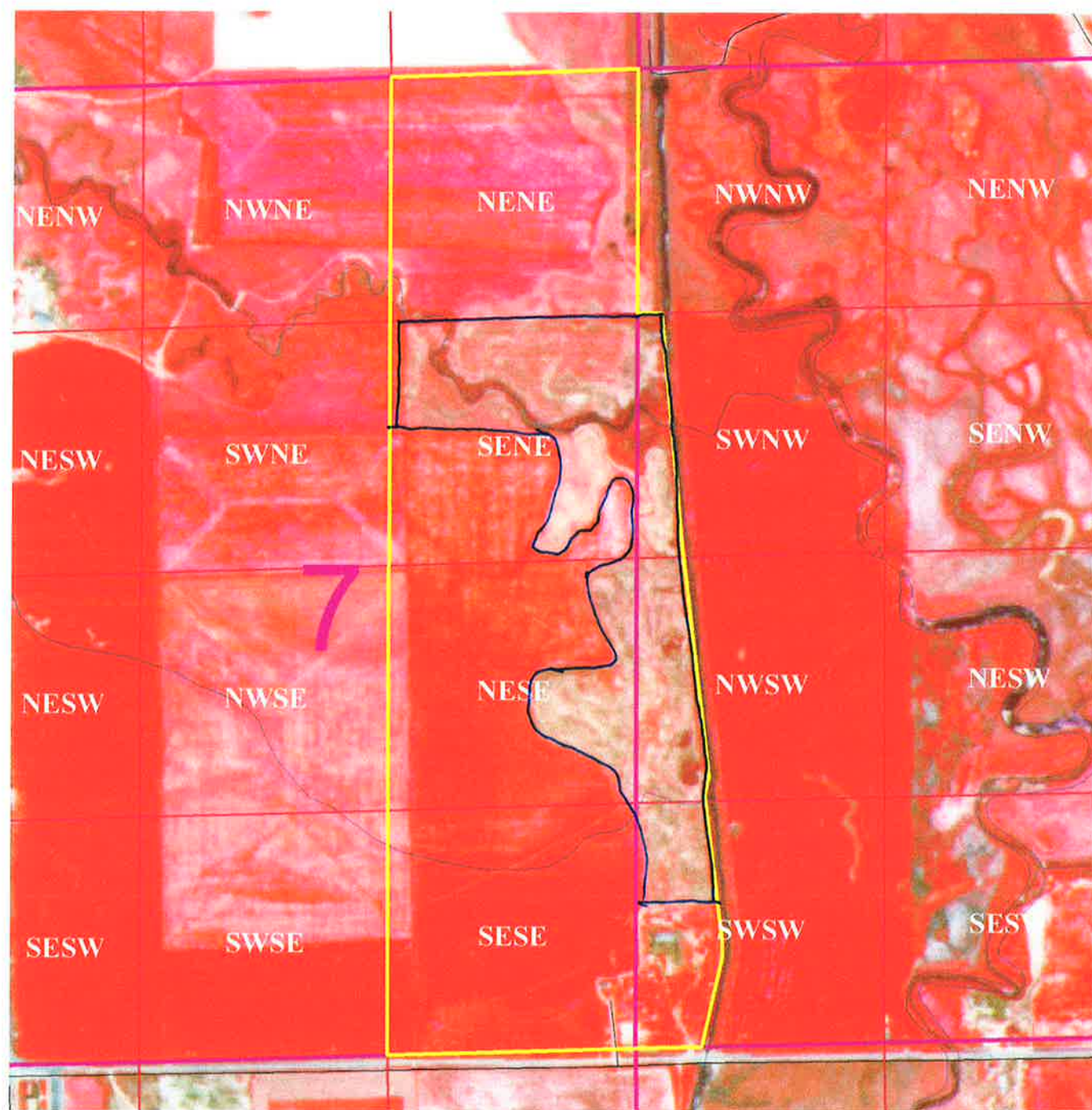
2000 0 2000 4000 Feet



Water Right Claim Number A29-10215

06/16/2000

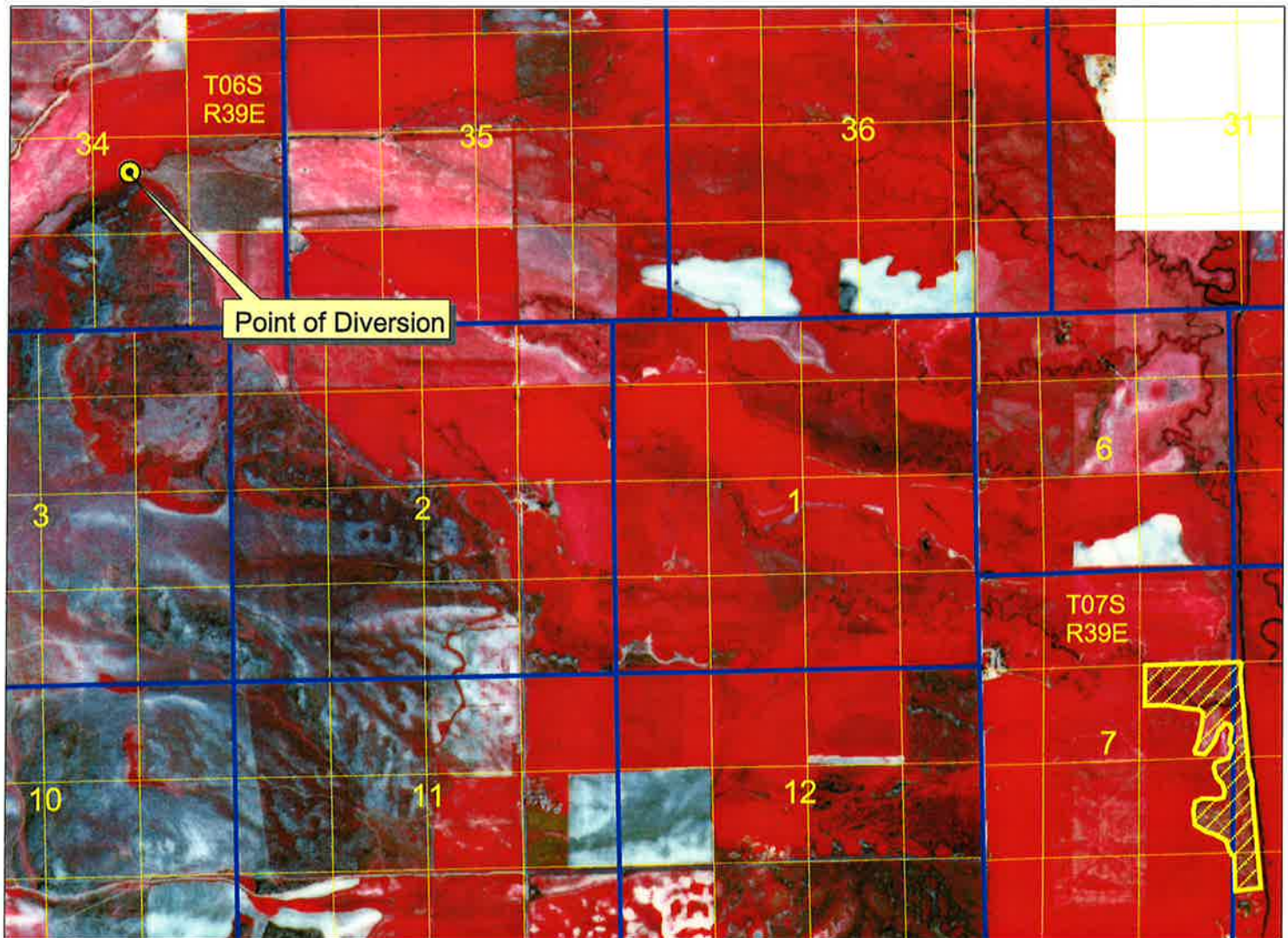
Township , 7S39E





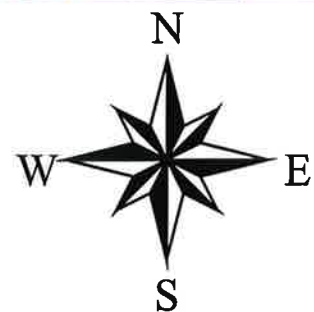
State of Idaho Department of Water Resources Eastern Region

Claim No.: 29-10215, 29-13472 &
29-110B



0.4 0 0.4 0.8 Miles

Irrigated Acres = 48



- Diversion.shp**
- Place of use.shp**
- Sections**
- QQ**

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: January, 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10215 V1

WATER RIGHT NUMBER: 29-10215 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	AUDREY H HATCH 1009 STALKER RD BANCROFT, ID 83217 (208)648-7853
Current Owner	A PAUL HATCH JR 1009 STALKER RD BANCROFT, ID 83217 (208)648-7853

Priority Date: 06/17/1902

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 7/01	0.960 CFS	
	<u>Total Diversion:</u>	0.960 CFS	

Location of Point(s) of Diversion

TOPONCE CREEK	NW1/4NW1/4SE1/4	Sec. 34, Twp 06S, Rge 38E, B.M.
CARIBOU 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	39E	7				22.0									8.7				30.7
07S	39E	8						4.5			8.7	4.1							17.3

Total Acres: 48

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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 29-10215 V1

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10215, 29-13472, & 29-110B.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 14 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-0596.

Comments: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: OR
 Water District Number: 29
 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	1/13/2003 9:51:18 AM	rwarner			Active
Priority Date	1/13/2003 9:53:25 AM	rwarner			Active
POD	1/14/2003 2:22:29 PM	rwarner			Active
Source	1/14/2003 2:22:48 PM	rwarner			Active
POU	1/14/2003 2:24:21 PM	rwarner			Active
Use	1/14/2003 2:24:38 PM	rwarner			Active
Season	1/14/2003 2:25:41 PM	rwarner			Active
Quantity	1/14/2003 2:27:47 PM	rwarner			Active
Summary			01/14/2003	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/13/2003 11:03:26 AM	rwarner	Edited shape boundary
POU	1/13/2003 4:23:42 PM	rwarner	Edited shape boundary
POU	1/14/2003 2:21:06 PM	rwarner	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10215 V1

POD	1/14/2003 2:22:29 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - GIS and file analysis
Source	1/14/2003 2:22:48 PM	rwarnar	(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?
POD	1/14/2003 2:23:30 PM	rwarnar	Edited point location
POU	1/14/2003 2:24:21 PM	rwarnar	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - GIS analysis
Use	1/14/2003 2:24:38 PM	rwarnar	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10215 V1

Season	1/14/2003 2:25:41 PM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/14/2003 2:27:47 PM	rwarnar	(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? (Yes) 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? Description for Question 10 - 48 acresv x 0.02 cfs = 0.96 cfs
Summary	1/14/2003 2:31:23 PM	rwarnar	(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? (Yes) 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?
Contacts	1/13/2003 9:51:18 AM	rwarnar	(No) 1. Do you want to schedule an appointment?

Comment for 1: desktop review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10215 V1

Priority Date	1/13/2003 9:53:25 AM	rwarner	(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? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	1/14/2003 2:20:41 PM	rwarner	Edited shape boundary

in Lot 4, the Southwest quarter of the Southeast quarter the Southeast quarter of the Southeast quarter, Section 18; Lots 1 and 2, the Northwest quarter of the Northwest quarter, the Northeast quarter of the Northeast quarter, Section 19, Township 7 South, Range 39 East.

86. NIPPER, THOMAS J.

29-0107 1902 June 17. (noon) 2.5 c.f.s.

Tr-1036 } rt-entered
Tr-2402 }

Said water to be diverted through Gooch Ditch, which diverts from Toponce Creek in the Northwest quarter of the Southeast quarter, Section 34, Township 6 South, Range 38 East. From the South quarter corner of Section 34, the point of diversion bears North, 14 degrees and 45 minutes East 2137 feet for the irrigation of 170 acres of land described as follows: 29 acres in Lot 2; 40 acres in the Southwest quarter of the Northeast quarter; 28 acres in Lot 3; 40 acres in the Northwest quarter of the Southeast quarter; 33 acres in the Northeast quarter of the Southeast quarter, Section 18, Township 7 South, Range 39 East.

87. PURVIS & WILLIAM F.

29-0108 1902 June 17 (noon) 3.5 c.f.s.

29-0596 1902 June 17 (noon)
up to July 1

each year. 1.4 c.f.s.

29-10215 0.11
0.28 cfs. 1.5 ac. 5.5 ac

Said water to be diverted through the said Gooch Ditch, last above described, for the irrigation of 245 acres of land in the Southeast quarter, and part of the Southeast quarter of the Northeast quarter, Section 7; and part of the East half of the Northeast quarter, Section 18, Township 7 South, Range 39 East.

88. ELDREDGE, J.A.

29-0109 1902 June 17 (noon) 2.0 c.f.s.

Said water to be diverted through the said Gooch Ditch, last above described, for the irrigation of 50 acres of land (tracts K & L), Lots 3 and 4, Section 7; 50 acres in part of Lots 1 and 2, and tract in the Southwest quarter of the Northeast quarter, Section 7, Township 7 South, Range 39 East.

89. PURVIS, JOSEPH

29-0110 & William F.
1886 June 1. 4.2 c.f.s.

Up to July 1 of each
irrigation season

TOPONCE CREEK, SOUTH FORK, A DAM. The point of diversion is located in the Southwest quarter of the Northwest quarter, Section 8, Township 7 South, Range 39 East. From the Northeast corner of Section 17, Township 7 South, Range 39 East, said dam bears south 1920 feet, for the irrigation of 210 acres of land in the legal subdivisions described as follows: A tract in the Southeast quarter of the Northeast quarter, Section 7; the West half of the Southwest quarter, the Southwest quarter of the Northwest quarter, Section 8; tract in the Northwest quarter, Section 17.

29787

AJ5809NP
No. A29-10215

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 141

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AUDREY H HATCH	06/17/1902	IRRIGATION	04-01 07-01	0.960 CFS	
C	A PAUL HATCH JR 1009 STALKER RD BANCROFT ID 83217 (208) 648-7853				0.960 CFS	120.00 AFA
				TOTAL DIVERSION:		
				CONSUMPTIVE USE:		

Water Source: TOPONCE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T06S R38E S34

NWNWSE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
07S	39E	7	:	10				04										12		07	:	33.0
07S	39E	8	:							02				05	08						:	15.0
																				TOTAL ACRES	:	48.0

POU County: CARIBOU

Other Rights: A29-001108, A29-00108

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

A29-00103 A29-00108 A29-00110B A29-10089 A29-10243 A29-10322 X29-10222

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

A29-00026 A29-00108 A29-00110 A29-00110B A29-00115 A29-02481 A29-07457

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

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 01/23/90 MOBILE2 08/01/94 THOMPSON 03/29/95 POST-STD 11/01/95 CFRITSCH

MAY 7 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: A29-10215
Date Received: 1/23/1990
Receipt No: M005575
Received By: ROB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. PAUL HATCH, JR. 208-648-7853
Address: 1009 STALKER ROAD
BANCROFT, ID 83217
OR
Name: AUDREY H. HATCH 208-648-7853
Address: 1009 STALKER ROAD
BANCROFT, ID 83217

A2910215



2. Date of Priority: JUN 17, 1902
3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
06S	38E	34	NW		NW		SE		CARIBOU

5. Description of diverting works:
CEMENT HEADGATE, DITCH, FLOOD IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	0.960		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-10215

Page 1

Date: 01/23/90

MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	39E	7	NE		NE		IRR	10.0
			SE		NE		IRR	4.0
			NE		SE		IRR	12.0
			SE		SE		IRR	7.0
			Section Acres					33.0
		8	SW		NW		IRR	2.0
			NW		SW ✓		IRR	5.0
			SW		SW ✓		IRR	8.0
			Section Acres					15.0
			Total Acres					48.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

~~A29-02481 (PARTIAL OVERLAP)~~, A29-00110B, A29-00108

14. Remarks:

P.H. Jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.

Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *a Paul Hatch Jr* Date: *1/23/90*

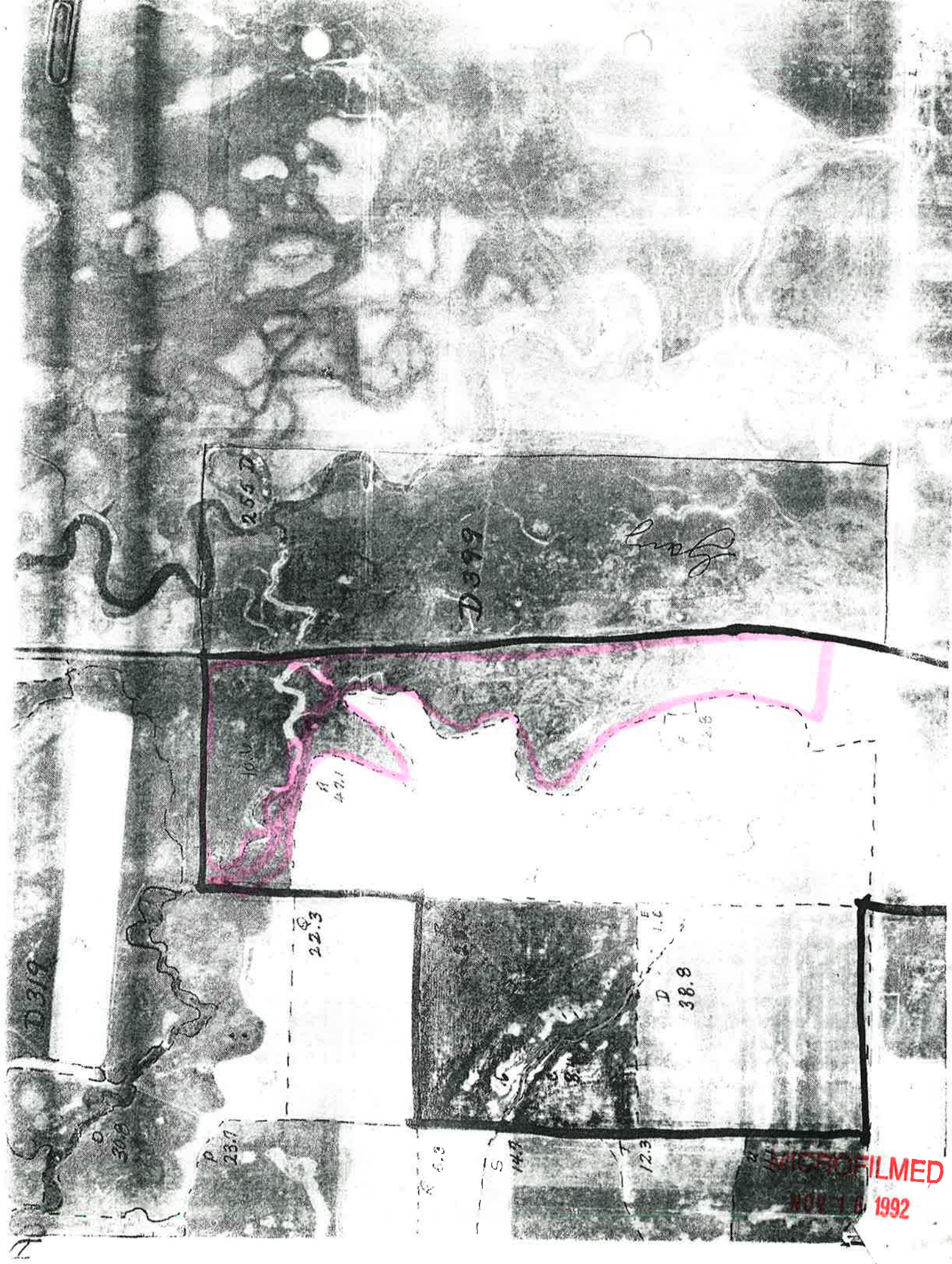
Date: _____

State of Idaho)
County of *Caribou*) SS.

Subscribed and sworn (or affirmed) before me this *23rd* day
of *January* 19 *90*
Helen Harrington
Notary Public

Seal

Residing at *Helen Harrington, Notary Public*
Residing at Boise, Idaho
My Commission Expires *December 1, 1994*



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NOV 10 1992

47000m. N.

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NOV 16 1992

