

06/30/2003

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

RIGHT NUMBER: 29-10663

NAME AND ADDRESS: MARSH CENTER IRRIGATION CO
C/O WM EGAN
1451 W HAWKINS RD
ARIMO ID 83214

SOURCE: HAWKINS CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.330 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 56.0 CFS. COMBINED RIGHT NOS.: 29-13493,
29-13494, 29-10663, 29-10664, 29-10665, 29-12058.

PRIORITY DATE: 04/01/1891

POINT OF DIVERSION:

T10S R36E S31 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.330 CFS

PLACE OF USE:

Large POU

3220.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3220.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13493, 29-13494,
29-10663, 29-10664, 29-10665, 29-12058.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 16.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-13493, 29-13494, 29-10663, 29-10664,
29-10665, 29-12058

03/19/2003

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POINT OF DIVERSION:

T10S R36E S31 NWNWSW Within BANNOCK County Source: HAWKINS CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.330 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T10S R35E S23	SWNW	29.0	T10S R35E S23	NESW	8.8
T10S R35E S23	NWSW	9.1	T10S R36E S21	NESW	40.0
T10S R36E S21	SESW	40.0	T10S R36E S25	NWSW	13.0
T10S R36E S25	SWSW	37.0	T10S R36E S25	SESW	9.3
T10S R36E S26	NESW	29.0	T10S R36E S26	NWSW	16.0
T10S R36E S26	SWSW	39.0	T10S R36E S26	SESW	40.0
T10S R36E S26	NESE	25.0	T10S R36E S26	NWSE	33.0
T10S R36E S26	SESE	6.1	T10S R36E S28	NWNE	1.0
T10S R36E S28	SWNE	40.0	T10S R36E S28	NENW	40.0
T10S R36E S28	SENW	38.0	T10S R36E S28	NESE	39.0
T10S R36E S28	NWSE	39.0	T10S R36E S28	SWSE	37.0
T10S R36E S32	SWNE	20.0	T10S R36E S32	SWNW	9.7
T10S R36E S33	NWNE	41.0	T10S R36E S33	SWNE	41.0
T10S R36E S33	NENW	40.0	T10S R36E S33	NWNW	22.0
T10S R36E S33	SWNW	40.0	T10S R36E S33	SENW	41.0
T10S R36E S33	NESW	41.0	T10S R36E S33	NWSW	39.0
T10S R36E S33	SWSW	20.0	T10S R36E S33	SESW	25.0
T10S R36E S33	NESE	1.8	T10S R36E S33	NWSE	41.0
T10S R36E S33	SWSE	26.0	T10S R36E S33	SESE	40.0
T10S R36E S34	SWNW	23.0	T10S R36E S34	SENW	23.0
T10S R36E S34	NESW	32.0	T10S R36E S34	NWSW	38.0
T10S R36E S34	SWSW	37.0	T10S R36E S34	SESW	29.0
T10S R36E S34	NESE	12.0	T10S R36E S34	NWSE	4.3
T10S R36E S34	SWSE	27.0	T10S R36E S34	SESE	26.0
T10S R36E S35	NWNE	41.0	T10S R36E S35	SWNE	41.0
T10S R36E S35	NENW	41.0	T10S R36E S35	NWNW	22.0

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

T10S R36E S35	SWNW	36.0	T10S R36E S35	NWSW	8.3
T10S R36E S35	SWSW	0.5	T10S R36E S36	NENE	17.0
T10S R36E S36	NWNE	18.0	T10S R36E S36	SWNE	26.0
T10S R36E S36	SENE	41.0	T10S R36E S36	NENW	30.0
T10S R36E S36	NWNW	18.0	T10S R36E S36	SWNW	2.6
T10S R36E S36	SENW	33.0	T10S R36E S36	NESW	8.2
T10S R36E S36	SESW	8.6	T10S R36E S36	NESE	41.0
T10S R36E S36	NWSE	40.0	T10S R36E S36	SWSE	11.0
T10S R37E S31 Lot 1	NWNW	11.0	T10S R37E S31 Lot 2	NWNW	15.0
T10S R37E S31 Lot 3	SWNW	10.0	T10S R37E S31 Lot 4	SWNW	0.5
T10S R37E S31 Lot 6	NWSW	12.0	T11S R36E S03 Lot 1	NENE	42.0
T11S R36E S03 Lot 2	NWNE	42.0	T11S R36E S03	SWNE	40.0
T11S R36E S03	SENE	38.0	T11S R36E S03 Lot 3	NENW	40.0
T11S R36E S03 Lot 4	NWNW	43.0	T11S R36E S03	SWNW	40.0
T11S R36E S03	SENW	40.0	T11S R36E S03	NESW	40.0
T11S R36E S03	NWSW	40.0	T11S R36E S03	SWSW	40.0
T11S R36E S03	SESW	40.0	T11S R36E S03	NESE	39.0
T11S R36E S03	NWSE	40.0	T11S R36E S03	SWSE	39.0
T11S R36E S04 Lot 1	NENE	42.0	T11S R36E S04 Lot 2	NWNE	35.0
T11S R36E S04	SWNE	33.0	T11S R36E S04	SENE	40.0
T11S R36E S04	NESW	11.0	T11S R36E S04	NWSW	5.6
T11S R36E S04	SWSW	38.0	T11S R36E S04	SESW	39.0
T11S R36E S04	NESE	39.0	T11S R36E S04	NWSE	40.0
T11S R36E S04	SWSE	19.0	T11S R36E S04	SESE	31.0
T11S R36E S05	SESW	0.7	T11S R36E S05	SWSE	17.0
T11S R36E S05 Lot 7	SESE	3.5	T11S R36E S08 Lot 1	NENE	32.0
T11S R36E S08	NWNE	39.0	T11S R36E S08	SWNE	16.0
T11S R36E S08 Lot 2	SENE	8.1	T11S R36E S08	NENW	8.2
T11S R36E S08	SENW	0.2	T11S R36E S09	NENE	4.9
T11S R36E S09	NWNE	32.0	T11S R36E S09	SWNE	29.0
T11S R36E S09	NENW	29.0	T11S R36E S09	NWNW	30.0
T11S R36E S09	SENW	22.0	T11S R36E S09	NESW	19.0
T11S R36E S09	NWSE	36.0	T11S R36E S09	SWSE	1.1
T11S R36E S10	NENW	31.0	T11S R36E S10	NWNW	5.1

3220.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3220.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13493, 29-13494, 29-10663, 29-10664, 29-10665, 29-12058.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 16.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Water Right 29-10663

03/19/2003

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

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

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-13493, 29-13494, 29-10663, 29-10664,
29-10665, 29-12058



Hawkins Res.

Canal div.

Marsh Center Irrigation Co.
Place of Use 3173.3 ac.

T10S, R35E

T10S, R36E

T11S, R35E

T11S, R36E

T10S, R36E

T10S, R37E

Allen

03/19/2003

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 1, 2003

Water right number: 29-10663

Mason Center Spring

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:

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

DATE: 3-25-03 SIGNATURE: William A. Egan Pres.
Please print your name: William A. Egan

IDWR Regional Office,

RECEIVED
1-16-04
Bureau of Land Management
Washington, D.C.

MARCH CONTOR ARING CO. (MCICo.) RECOMMENDATIONS/PROBLEMS
GENERAL RECOMMENDOS.. 29-430, 29-10663, 29-10664, 29-10665
AND 29-12058

29-10663, DECREE UNDER MCICo. vs H. LUNDGREN,
MARCH 24, 1930.

SOURCE: DESCRIBED AS THREE SPRINGS WITH
RESPECTIVE FLOW QUANTITIES TOTALING 0.33 cfs
TRIBUTARY TO HAWKINS CREEK.
PRIORITY DATE: DEFINED BY DECREE AS "DATING FROM
April 1891. IRRIGATION SEASON BY IDWR STANDARDS
IS April 1 TO OCTOBER 31. THEREFORE, April 1,
1891 IS RECOMMENDED.

STORAGE: THE DECREE DOES NOT DISCUSS THE DAM
OR RESERVOIR, NOR DOES IT DISCUSS STORAGE. IT
ONLY DISCUSSES FLOWS OF SPRINGS "... ULTIMATELY FLOW
INTO HAWKINS CREEK."
NOT RECOMMENDED WITH ANY TYPE OF STORAGE,
RATHER, ONLY NATURAL FLOW OF 0.33 cfs FROM
HAWKINS CREEK (TRIB. TO MARSH Ck), PRIORITY April 1,
1891. POINT(S) OF DIVERSION ARE:

T10S, R36E SEC. 31. NWNWSW
- CANAL HEADING -

PLACE OF USE: ULTIMATELY DEFINED AS A "LARGE
PLACE OF USE." A TOTAL OF 3173³ AC,
LIMITED TO 165 AC OF ↗

29-10663
DUPLED

Date: _____

8564

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY
OF BANNOCK.

MARSH CENTER IRRIGATION COMPANY,
a corporation,
Plaintiff,

Vs.

HYRUM LUNDGREN, DONA ESTES, NORTH
AMERICAN MORTGAGE COMPANY, a corporation,
CLAUDE ALLEN, FRANK RIGGS, D. B. WOODLAND,
LEWIS ALLEN, and CLARA ALLEN, his wife,
INTERNATIONAL MORTGAGE BANK, a corpora-
tion, ALBERT SWINGWOOD, HENRY VAN DYKE,
and THE FIRST NATIONAL BANK OF POCATELLO,
a corporation,
Defendants

D E C R E E

THIS CAUSE came on regularly for trial before the Court without a jury, on the 24th day of March, 1930, at Pocatello, Bannock County, Idaho, Jones, Pomeroy & Jones, attorneys at law, appeared for and on behalf of the plaintiff, Merrill & Merrill, attorneys at law, appeared for and on behalf of the defendants and cross-complainants, Hyrum Lundgren, International Mortgage Bank, a corporation, Albert Swingwood, and the defendant, First National Bank of Pocatello, a corporation, and its appearing that the defendants, Dona Estes, North American Mortgage Company, a corporation, Claude Allen, Frank Riggs, D. B. Woodland, Lewis Allen, Clara Allen, and Henry Van Dyke, and each of them, had been duly and regularly served with process in this cause and had failed to appear and answer within the time allowed by law, or at all, and the defaults of each of said defendants so failing to appear had been entered against said defendants, and that the complaint had been dismissed against the defendant, First National Bank of Pocatello, whereupon evidence was introduced for and on behalf of the respective parties upon the issues framed by the complaint of the plaintiff, and the answers and cross-complaints of the defendants and cross-complainants, Hyrum Lundgren, International Mortgage Bank, and Albert Swingwood, and the answers to said cross-complaints. After the introduction of the evidence said cause was argued and briefed by the respective parties and submitted to the Court for decision, and the Court being fully advised in the law and the premises, and having made and filed its findings of fact and conclusions of law constituting the decision of the Court in this cause;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED: That the plaintiff be and it is hereby adjudged and declared to be the owner of the right and entitled to the perpetual use of the waters of three certain springs located and rising near the center of the following described lands of the cross-complainant, Hyrum Lundgren, to-wit:

Lots 3 and 4 of Section 8, the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, all of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 9, Township 10, S. R. 35 E. B. M.

to the extent of four miners inches or $\frac{4}{50}$ th of a cubic foot of water per second of time with a priority dating from April, 1891, which said springs form the headwaters of Quigley Creek and flow from said springs through the channel of Quigley Creek down to and commingle with the waters of Hawkins Creek.

It is further ordered, adjudged and decreed, that the plaintiff be, and it hereby is adjudged and declared to be the owner of the right to the perpetual use of the waters of that certain spring located in the Southerly portion of the Southwest Quarter of the Southwest Quarter, Section 16, Township 10, S. R. 35, E. B. M. in Bannock County, Idaho, and those two certain springs located in the Northerly part of the Northwest Quarter of the Northwest Quarter Section 21, same township and range, to the extent of the entire flow of said springs, consisting of .23 cubic feet of water per second of time, with a priority dating from April 1891, that the plaintiff be declared to be the owner of the right to the perpetual use of the waters in that certain spring located about the center of the Northwest Quarter of the Northwest Quarter Section 21, same township and range, at a point about 206 feet Northwest from Yellow Dog Creek, to the extent of the entire flow of said spring, consisting of one miners inch of water per second of time, with a priority dating from April 1891, which waters are a part of the headwaters of Yellow Dog Creek and contribute to its supply and ultimately flow into Hawkins Creek.

The waters above described are diverted at a point about forty rods Southwest of the Northeast Corner of the Northeast Quarter of the Southeast Quarter of Section 36, Township 10 S. R. 35, E. B. M., and also a point about 30 rods from the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 33, Township 10, S. R. 36 E. B. M. and also at a point about two rods North of the South line of the Northeast Quarter of the Southeast Quarter of Section 26, Township 10 S. R. 36 E. B. M., on to the lands of the stockholders of the plaintiff company.

It is further ordered, adjudged and decreed, that the defendants and/or cross-complainants have not, nor has either or any of them, any right to the use of the above described waters, or any part thereof, or to the use of the waters of any of the springs above mentioned, and that the right to the use of all of said waters is hereby quieted in the plaintiff free from any claim of the defendants, and/or cross-complainants, or either or any of them, whatsoever, and that the defendants and/or cross-complainants, their servants and agents, be and they are hereby forever barred and enjoined from asserting any right to the use of said waters or any part thereof, and from in any manner obstructing or interfering with the flow of said waters, and from in any manner interfering with the free, lawful and complete use of said waters by said plaintiff.

29-10663

Source:

Hawkins Cr. - Tru. Mansuet

Remarks - R.R. Springs -

0.08 cfs

0.23 cfs

0.02 cfs

0.33 cfs

Natural Flow
of Springs to
Hawkins Cr.

PDD - DOES NOT
DESCRIBE PRESENT SITE
OF Hawkins Rus. Dam.

C#3
Priority of Apr. 1891.

Appears a page(s)
are missing

8564

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY
OF BANNOCK.

MARSH CENTER IRRIGATION COMPANY,
a corporation,

Plaintiff,

Vs.

HYRUM LUNDGREN, DONA ESTES, NORTH
AMERICAN MORTGAGE COMPANY, a corporation,
CLAUDE ALLEN, FRANK RIGGS, D. B. WOODLAND,
LEWIS ALLEN, and CLARA ALLEN, his wife,
INTERNATIONAL MORTGAGE BANK, a corpora-
tion, ALBERT SWINGWOOD, HENRY VAN DYKE,
and THE FIRST NATIONAL BANK OF POCATELLO,
a corporation,
Defendants

D E C R E E

24-10663

THIS CAUSE came on regularly for trial before the Court without a jury, on the 24th day of March, 1930, at Pocatello, Bannock County, Idaho, Jones, Pomeroy & Jones, attorneys at law, appeared for and on behalf of the plaintiff, Merrill & Merrill, attorneys at law, appeared for and on behalf of the defendants and cross-complainants, Hyrum Lundgren, International Mortgage Bank, a corporation, Albert Swingwood, and the defendant, First National Bank of Pocatello, a corporation, and its appearing that the defendants, Dona Estes, North American Mortgage Company, a corporation, Claude Allen, Frank Riggs, D. B. Woodland, Lewis Allen, Clara Allen, and Henry Van Dyke, and each of them, had been duly and regularly served with process in this cause and had failed to appear and answer within the time allowed by law, or at all, and the defaults of each of said defendants so failing to appear had been entered against said defendants, and that the complaint had been dismissed against the defendant, First National Bank of Pocatello, whereupon evidence was introduced for and on behalf of the respective parties upon the issues framed by the complaint of the plaintiff, and the answers and cross-complaints of the defendants and cross-complainants, Hyrum Lundgren, International Mortgage Bank, and Albert Swingwood, and the answers to said cross-complaints. After the introduction of the evidence said cause was argued and briefed by the respective parties and submitted to the Court for decision, and the Court being fully advised in the law and the premises, and having made and filed its findings of fact and conclusions of law constituting the decision of the Court in this cause;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED: That the plaintiff be and it is hereby adjudged and declared to be the owner of the right and entitled to the perpetual use of the waters of three certain springs located and rising near the center of the following described lands of the cross-complainant, Hyrum Lundgren, to-wit:

Lots 3 and 4 of Section 8, the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, all of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of
SE $\frac{1}{4}$ Section 9, Township 10, S. R. 35 E. B. M.

to the extent of four miners inches or $\frac{4}{50}$ th of a cubic foot of water per second of time with a priority dating from April, 1891, which said springs form the headwaters of Quigley Creek and flow from said springs through the channel of Quigley Creek down to and commingle with the waters of Hawkins Creek.

It is further ordered, adjudged and decreed, that the plaintiff be, and it hereby is adjudged and declared to be the owner of the right to the perpetual use of the waters of that certain spring located in the Southerly portion of the Southwest Quarter of the Southwest Quarter, Section 16, Township 10, S. R. 35, E. B. M. in Bannock County, Idaho, and those two certain springs located in the Northerly part of the Northwest Quarter of the Northwest Quarter Section 21, same township and range, to the extent of the entire flow of said springs, consisting of .23 cubic feet of water per second of time, with a priority dating from April 1891, that the plaintiff be declared to be the owner of the right to the perpetual use of the waters in that certain spring located about the center of the Northwest Quarter of the Northwest Quarter Section 21, same township and range, at a point about 206 feet Northwesterly from Yellow Dog Creek, to the extent of the entire flow of said spring, consisting of one miners inch of water per second of time, with a priority dating from April 1891, which waters are a part of the headwaters of Yellow Dog Creek and contribute to its supply and ultimately flow into Hawkins Creek.

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It is further ordered, adjudged and decreed, that the defendants and/or cross-complainants have not, nor has either or any of them, any right to the use of the above described waters, or any part thereof, or to the use of the waters of any of the springs above mentioned, and that the right to the use of all of said waters is hereby quieted in the plaintiff free from any claim of the defendants, and/or cross-complainants, or either or any of them, whatsoever, and that the defendants and/or cross-complainants, their servants and agents, be and they are hereby forever barred and enjoined from asserting any right to the use of said waters or any part thereof, and from in any manner obstructing or interfering with the flow of said waters, and from in any manner interfering with the free, lawful and complete use of said waters by said plaintiff.

08
23
02

10.33 ok

← Source: Hawkins Cr

→ P.O.D. Does not during

Present Day Location of
Hawkins Res. Dam.

Appraisals Pg(s) missing.

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: April 1, 1891 Claimed Basis: DISCLOSURE

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:

1891 Confirmed BY MCPCo. vs H. Lundgren, 1930.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The left edge of the paper shows some slight irregularities, possibly from being part of a bound notebook or scanned from a physical document.

Reviewer: _____

Date: _____

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____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

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
105	358	35		NWSE	BANN	SPRING
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:

READ DISC FOR SOURCE(S): CLAIMS (RUGLOV CK, HAWKINS CK
AND YELLOW DOG CK. ALL OWNED

Transfers Changing POD _____

Reviewer: _____

Date: _____

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

See LAND LIST & GRS

Transfers Changing POU _____

Reviewer: _____

Date: _____

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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Div to Stor	1/1	12/31	0.33	
Runng Stor	1/1	12/31		230 ⁹⁰
Runng Fm Stor	4/1	10/31		230 ⁹⁰

Overall Diversion Rate 0.33 Overall Diversion Volume _____

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

CHANGED STORAGE ELEMENTS FROM CLAIMED TO CONFORM
TO USR.

Reviewer: _____

Date: _____

MAY 24 2001

Log for claim A29-10663

Spatial Dynamics LTD

7/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s35e	21	SENE	20	31	Indiscernible
10s35e	23	SWNW	30	29	
10s35e	23	NESW	5	9.1	
10s35e	23	NWSW	5	9.2	
10s35e	36	SESW	18	12	
10s35e	36	SWSE	2	3.3	
10s36e	21	NESW	40	40	
10s36e	21	SESW	40	39	
10s36e	25	NWSW	15	13	
10s36e	25	SWSW	37	37	
10s36e	25	SESW	10	10	
10s36e	26	SESE	5	4.4	
10s36e	26	NESW	30	29	
10s36e	26	NWSW	17	16	
10s36e	26	SWSW	40	39	
10s36e	26	SESW	40	40	
10s36e	26	NESE	30	25	
10s36e	26	NWSE	30	33	
10s36e	28	SWNE	40	39	
10s36e	28	NENW	40	40	
10s36e	28	SENW	40	40	
10s36e	28	NESE	40	39	
10s36e	28	NWSE	40	38	
10s36e	28	SWSE	40	38	
10s36e	32	SWNE	25	20	
10s36e	32	SWNW	10	9.7	
10s36e	33	NWNE	40	41	
10s36e	33	SWNE	40	41	
10s36e	33	NENW	40	40	
10s36e	33	NWNW	15	25	
10s36e	33	SWNW	37	40	
10s36e	33	SENW	40	41	
10s36e	33	NESW	37	41	
10s36e	33	NWSW	36	39	
10s36e	33	SWSW	22	20	
10s36e	33	SESW	15	24	
10s36e	33	NWSE	40	40	
10s36e	33	SWSE	23	25	
10s36e	33	SESE	32	37	
10s36e	34	SWNW	22	23	
10s36e	34	SENW	20	23	
10s36e	34	NESW	38	32	
10s36e	34	NWSW	40	39	
10s36e	34	SWSW	30	33	
10s36e	34	SESW	28	28	
10s36e	34	NESE	15	12	
10s36e	34	NWSE	1	4.3	
10s36e	34	SWSE	27	27	

Log for claim A29-10663

Spatial Dynamics LTD

7/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	34	SESE	26	26	
10s36e	35	NWNE	40	41	
10s36e	35	SWNE	40	41	
10s36e	35	NENW	40	41	
10s36e	35	NWNW	20	22	
10s36e	35	SWNW	27	37	
10s36e	35	NWSW	16	9	
10s36e	36	NENE	20	16	
10s36e	36	NWNE	18	17	
10s36e	36	SWNE	38	25	Indiscernible
10s36e	36	SENE	40	41	
10s36e	36	NENW	30	31	
10s36e	36	NWNW	20	18	
10s36e	36	SWNW	5	3.1	
10s36e	36	SENW	34	32	
10s36e	36	NESW	7	8.2	
10s36e	36	SESW	10	8.7	
10s36e	36	NESE	40	41	
10s36e	36	NWSE	40	39	
10s36e	36	SWSE	20	11	Indiscernible
10s37e	31	NWNW	15	11	
10s37e	31	NWNW	10	15	
10s37e	31	SWNW	12	11	
10s37e	31	SWNW	1	0.5	
11s35e	2	NWNW	4	13	Indiscernible
11s36e	3	SENE	38	38	
11s36e	3	NENE	39	42	
11s36e	3	NWNE	39	41	
11s36e	3	SWNE	40	40	
11s36e	3	NENW	38	39	
11s36e	3	NWNW	36	42	
11s36e	3	SWNW	40	39	
11s36e	3	SENW	40	39	
11s36e	3	NESW	40	40	
11s36e	3	NWSW	40	38	
11s36e	3	SWSW	38	38	
11s36e	3	SESW	36	39	
11s36e	3	NESE	39	39	
11s36e	3	NWSE	40	40	
11s36e	3	SWSE	37	39	
11s36e	4	NENE	38	42	
11s36e	4	NWNE	33	35	
11s36e	4	SWNE	33	33	
11s36e	4	SENE	40	40	
11s36e	4	NESW	10	11	
11s36e	4	NWSW	5	5.6	
11s36e	4	SWSW	36	38	
11s36e	4	SESW	34	39	

Log for claim A29-10663

Spatial Dynamics BTD

7/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	4	NESE	33	38	
11s36e	4	NWSE	34	40	
11s36e	4	SWSE	14	19	
11s36e	4	SESE	29	31	
11s36e	5	SESW	0	0.4	
11s36e	5	SWSE	11	17	
11s36e	5	SESE	6	3.7	
11s36e	8	NENE	33	32	
11s36e	8	NWNE	36	38	
11s36e	8	SWNE	21	16	
11s36e	8	SENE	10	8.1	
11s36e	8	NENW	5	8.4	
11s36e	8	SENW	1	0.3	
11s36e	9	NENE	4	5.1	
11s36e	9	NWNE	26	32	
11s36e	9	SWNE	27	29	
11s36e	9	NENW	29	29	
11s36e	9	NWNW	33	30	
11s36e	9	SENW	22	22	
11s36e	9	NESW	22	20	
11s36e	9	NWSE	37	36	
11s36e	9	SWSE	2	1.5	
11s36e	10	NENW	29	31	
11s36e	10	NWNW	4	4.9	
Totals:			3177	3245.5	

AJ5809NP
No. A29-10663

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 208

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARSH CENTER IRRIGATION CO C/O RICHARD BURMESTER 765 W HAWKINS RD ARIMO ID 83214 (208) 897-5757	04/01/1891	IRRIGATION IRRIGATION STORAGE IRRIGATION FROM STORAGE	03-15 11-15 01-01 12-31 03-15 11-15	0.330 CFS	238.90 AFA 238.90 AFA
TOTAL DIVERSION:					0.330 CFS	
CONSUMPTIVE USE:						160.40 AFA

Water Source: SPRINGS
SPRINGS
SPRINGS

Tributary to: QUIGLEY CREEK
HAWKINS CREEK
YELLOW DOG CREEK

Stage: DECREED

Point(s) of Diversion: T10S R35E S35 NWSE

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		
10S	35E	21	:				20	:					:					:					:	20.0
10S	35E	23	:					:			30		:	05	05			:					:	40.0
10S	35E	36	:					:					:				18	:			02		:	20.0
10S	36E	21	:					:					:	40			40	:					:	80.0
10S	36E	25	:					:					:		15	37	10	:					:	62.0
10S	36E	26	:					:					:	30	17	40	40	:	30	30		05	:	192.0
10S	36E	28	:			40		:	40			40	:					:	40	40	40		:	240.0
10S	36E	32	:			25		:			10		:					:					:	35.0
10S	36E	33	:		40	40		:	40	15	37	40	:	37	36	22	15	:		40	23	32	:	417.0
10S	36E	34	:					:			22	20	:	38	40	30	28	:	15	01	27	26	:	249.3
10S	36E	35	:		40	40		:	40	20	27		:		16			:					:	183.0
10S	36E	36	:	20	18	38	40	:	30	20	05	34	:	07			10	:	40	40	20		:	322.0
10S	37E	31	:					:		01-15	02-10		:		03-12	04-01		:					:	38.0
11S	35E	2	:					:			04		:					:					:	4.0
11S	36E	3	:	01-39	02-39	40	38	:	03-38	04-36	40	40	:	40	40	38	36	:	39	40	37		:	581.8
11S	36E	4	:	01-38	02-33	33	40	:					:	10	05	36	34	:	33	34	14	29	:	345.4
11S	36E	5	:					:					:					:			11	07-06	:	17.6
11S	36E	8	:	01-33	36	21	02-10	:	05			01	:					:					:	106.9
11S	36E	9	:	04	26	27		:	29	33		22	:	22				:	37	02			:	203.4
11S	36E	10	:					:	29	04			:					:					:	33.6
TOTAL ACRES																							3191.0	

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

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-02239/02560A/00430/10664/10665/12058

AJ5809NP
No. A29-10663

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
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Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00430 A29-10664 A29-10665 A29-12058

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

A29-00430 A29-02239 A29-02560 A29-02560A A29-04013 A29-04054 A29-04302 A29-04463A A29-07153 A29-07271
A29-07276 A29-07432 A29-10664 A29-10665 A29-11452 A29-11465 A29-12058

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29H.

Remarks: GEN THIS RIGHT CONSISTS OF SIX SPRINGS AS DESCRIBED IN THE DECREE AS
FOLLOWS: PERTETUAL USE OF...

1. ...WATERS OF THREE CERTAIN SPRINGS LOCATED & RISING NEAR
THE CENTER OF LOT 3(NESE),LOT 4(SESE),SEC 8; SENW, SW1/4, NWSE,
SEC 9,T10S,R35E. SPRINGS FORM THE HEADWATERRS OF QUIGLEY CREEK &
FLOW DOWN TO HAWKINS CREEK.(0.08 CFS)
2. ...WATERS OF THAT CERTAIN SPRING LOCATED IN THE SOUTHERLY
PORTION OF SWSW SEC 16, & THOSE TWO CERTAIN SPRINGS IN THE
NORTHERLY PART OF NWNW SEC 21, T10S, R35E, TO THE EXTENT OF THE
ENTIRE FOLW OF SAID SPRINGS, CONSISTING OF 0.23 CFS
3. ...WATERS IN THAT CERTAIN SPRING LOCATED ABOUT IN THE
CENTER OF THE NWNW SEC 21, T10S, R35E, AT A POINT 206 FT. NORTH-
WESTERLY FROM YELLOW DOG CREEK. (0.02 CFS) ...WHICH WATERS ARE A
PART OF THE HEADWATERS OF YELLOW DOG CREEK

*
THIS RIGHT IN COMBINATION WITH 29-00430/10664/10665 SHALL NOT
EXCEED THE CAPACITY OF HAWKINS RESERVOIR OF 1500 AF.

*
P/D IS HAWKINS RESERVOIR DAM

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

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

Audit: 05/18/90 WILSON 08/03/94 THOMPSON 03/29/95 POST-STD 04/13/00 CVANDERM

MAY 24 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: A29-10663
Date Received: 5/17/1990
Receipt No: E014601
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARSH CENTER IRRIGATION CO. 208-897-5757
Address: C/O RICHARD BURMESTER
765 WEST HAWKINS ROAD
ARIMO, ID 83214

2. Date of Priority: APR 01, 1891

3. Source: SPRINGS Trib. to: QUIGLEY CREEK
SPRINGS HAWKINS CREEK
SPRINGS YELLOW DOG CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	35E	35	NW	SE			BANNOCK

5. Description of diverting works:
HAWKINS RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	03/15	11/15	0.330	
IRRIGATION STORAGE	01/01	12/31		238.90
IRRIGATION FROM STORAGE	03/15	11/15		238.90

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

8. Total consumptive use is 160.4 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-10663

Page 1

Date: 05/17/90

12058

MICROFILMED
NOV 16 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	35E	21	SE	NE		IRR	20.0
			Section Acres				20.0
		23	SW	NW		IRR	30.0
			NE	SW		IRR	5.0
			NW	SW		IRR	5.0
			Section Acres				40.0
		36	SE	SW		IRR	18.0
			SW	SE		IRR	2.0
			Section Acres				20.0
	36E	21	NE	SW		IRR	40.0
			SE	SW		IRR	40.0
			Section Acres				80.0
		25	NW	SW		IRR	15.0
			SW	SW		IRR	37.0
			SE	SW		IRR	10.0
			Section Acres				62.0
		26	NE	SW		IRR	30.0
			NW	SW		IRR	17.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	30.0
			NW	SE		IRR	30.0
			SE	SE		IRR	5.0
			Section Acres				192.0
		28	SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			Section Acres				240.0
		32	SW	NE		IRR	25.0
			SW	NW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						35.0
		33	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	15.0
			SW	NW	IRR	37.0
			SE	NW	IRR	40.0
			NE	SW	IRR	37.0
			NW	SW	IRR	36.0
			SW	SW	IRR	22.0
			SE	SW	IRR	15.0
			NW	SE	IRR	40.0
			SW	SE	IRR	23.0
			SE	SE	IRR	32.0
Section Acres						417.0
		34	SW	NW	IRR	22.0
			SE	NW	IRR	20.0
			NE	SW	IRR	38.0
			NW	SW	IRR	40.0
			SW	SW	IRR	30.0
			SE	SW	IRR	28.5
			NE	SE	IRR	15.0
			NW	SE	IRR	1.7
			SW	SE	IRR	27.3
			SE	SE	IRR	26.8
Section Acres						249.3
		35	NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	20.0
			SW	NW	IRR	27.0
			NW	SW	IRR	16.0
Section Acres						183.0
		36	NE	NE	IRR	20.0
			NW	NE	IRR	18.0
			SW	NE	IRR	38.0
			SE	NE	IRR	40.0
			NE	NW	IRR	30.0
			NW	NW	IRR	20.0
			SW	NW	IRR	5.0

MICROFILMED
NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres			
10S	36E	36	SE	NW		IRR	34.0			
			NE	SW		IRR	7.0			
			SE	SW		IRR	10.0			
			NE	SE		IRR	40.0			
			NW	SE		IRR	40.0			
			SW	SE		IRR	20.0			
						Section Acres	322.0			
11S	37E	31	NW	NW	1	IRR	15.0			
			SW	NW	2	IRR	10.0			
			NW	SW	3	IRR	12.0			
			SW	SW	4	IRR	1.0			
							Section Acres	38.0		
	36E	2	NW	NW		IRR	4.0			
									Section Acres	4.0
			NE	NE	1	IRR	39.4			
			NW	NE	2	IRR	39.1			
			SW	NE		IRR	40.0			
			SE	NE		IRR	38.3			
			NE	NW	3	IRR	38.2			
NW			NW	4	IRR	36.1				
SW			NW		IRR	40.0				
SE			NW		IRR	40.0				
NE			SW		IRR	40.0				
NW			SW		IRR	40.0				
SW			SW		IRR	38.3				
SE			SW		IRR	36.0				
NE			SE		IRR	39.0				
NW			SE		IRR	40.0				
SW			SE		IRR	37.4				
						Section Acres	581.8			
4			NE	NE	1	IRR	38.9			
			NW	NE	2	IRR	33.0			
	SW	NE		IRR	33.6					
	SE	NE		IRR	40.0					
	NE	SW		IRR	10.8					
	NW	SW		IRR	5.7					
	SW	SW		IRR	36.6					
	SE	SW		IRR	34.3					
	NE	SE		IRR	33.7					
	NW	SE		IRR	34.9					

MICROFILMED
NOV 16 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	4	SW	SE		IRR	14.2
			SE	SE		IRR	29.7
			Section Acres				345.4
		5	SW	SE		IRR	11.4
			SE	SE	7	IRR	6.2
			Section Acres				17.6
		8	NE	NE	1	IRR	33.6
			NW	NE		IRR	36.0
			SW	NE		IRR	21.0
			SE	NE	2	IRR	10.2
			NE	NW		IRR	5.0
			SE	NW		IRR	1.1
			Section Acres				106.9
		9	NE	NE		IRR	4.6
			NW	NE		IRR	26.2
			SW	NE		IRR	27.0
			NE	NW		IRR	29.0
			NW	NW		IRR	33.6
			SE	NW		IRR	22.0
			NE	SW		IRR	22.0
			NW	SE		IRR	37.0
			SW	SE		IRR	2.0
			Section Acres				203.4
		10	NE	NW		IRR	29.6
			NW	NW		IRR	4.0
			Section Acres				33.6
			Total Acres				3191.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

29-02239/02560A/00430/10664/10665/12058

14. Remarks:

THIS RIGHT CONSISTS OF SIX SPRINGS AS DESCRIBED IN THE DECREE AS

14. Remarks: Continued

FOLLOWS: PERTETUAL USE OF...

1. ...WATERS OF THREE CERTAIN SPRINGS LOCATED & RISING NEAR THE CENTER OF LOT 3(NESE), LOT 4(SESE), SEC 8; SENW, SW1/4, NWSE, SEC 9, T10S, R35E. SPRINGS FORM THE HEADWATERRS OF QUIGLEY CREEK & FLOW DOWN TO HAWKINS CREEK. (0.08 CFS)

2. ...WATERS OF THAT CERTAIN SPRING LOCATED IN THE SOUTHERLY PORTION OF SWSW SEC 16, & THOSE TWO CERTAIN SPRINGS IN THE NORTHERLY PART OF NWNW SEC 21, T10S, R35E, TO THE EXTENT OF THE ENTIRE FOLW OF SAID SPRINGS, CONSISTING OF 0.23 CFS

3. ...WATERS IN THAT CERTAIN SPRING LOCATED ABOUT IN THE CENTER OF THE NWNW SEC 21, T10S, R35E, AT A POINT 206 FT. NORTH-WESTERLY FROM YELLOW DOG CREEK. (0.02 CFS) ...WHICH WATERS ARE A PART OF THE HEADWATERS OF YELLOW DOG CREEK

THIS RIGHT IN COMBINATION WITH 29-00430/10664/10665 SHALL NOT EXCEED THE CAPACITY OF HAWKINS RESERVOIR OF 1500 AF.

P/D IS HAWKINS RESERVOIR DAM

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/24/1930

MARSH CENTER IRRIGATION CO.
Decree Plaintiff

HYRUM LUNDGREN
Decree Defendant

vs

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 Secretary of
Marsh Center Irrigation Co., that I have signed the foregoing
document in the space below as Secretary of
Marsh Center Irrigation Co. and that the statements contained in the
foregoing document are true and correct.

Marshall Wheatley
Signature of Authorized Agent
Secretary Marsh Center Irrigation Co.
Title and Organization
May 17 1990
Date

State of Idaho)
County of Bonneville) SS.

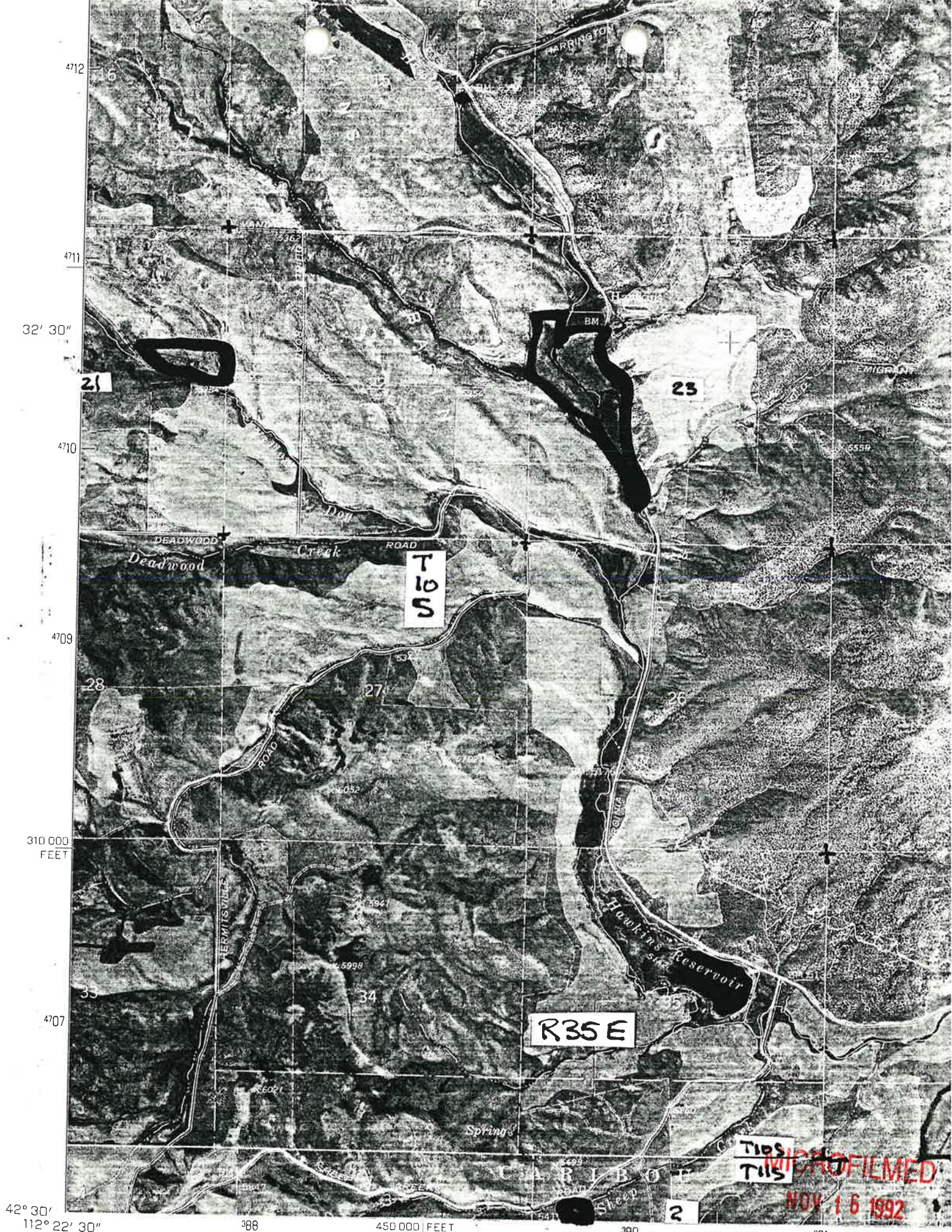
Subscribed and sworn (or affirmed) before me this 17th day
of May 19 90

Seal

Betty J. Thompson
Notary Public

Residing at _____
My Commission Expires _____

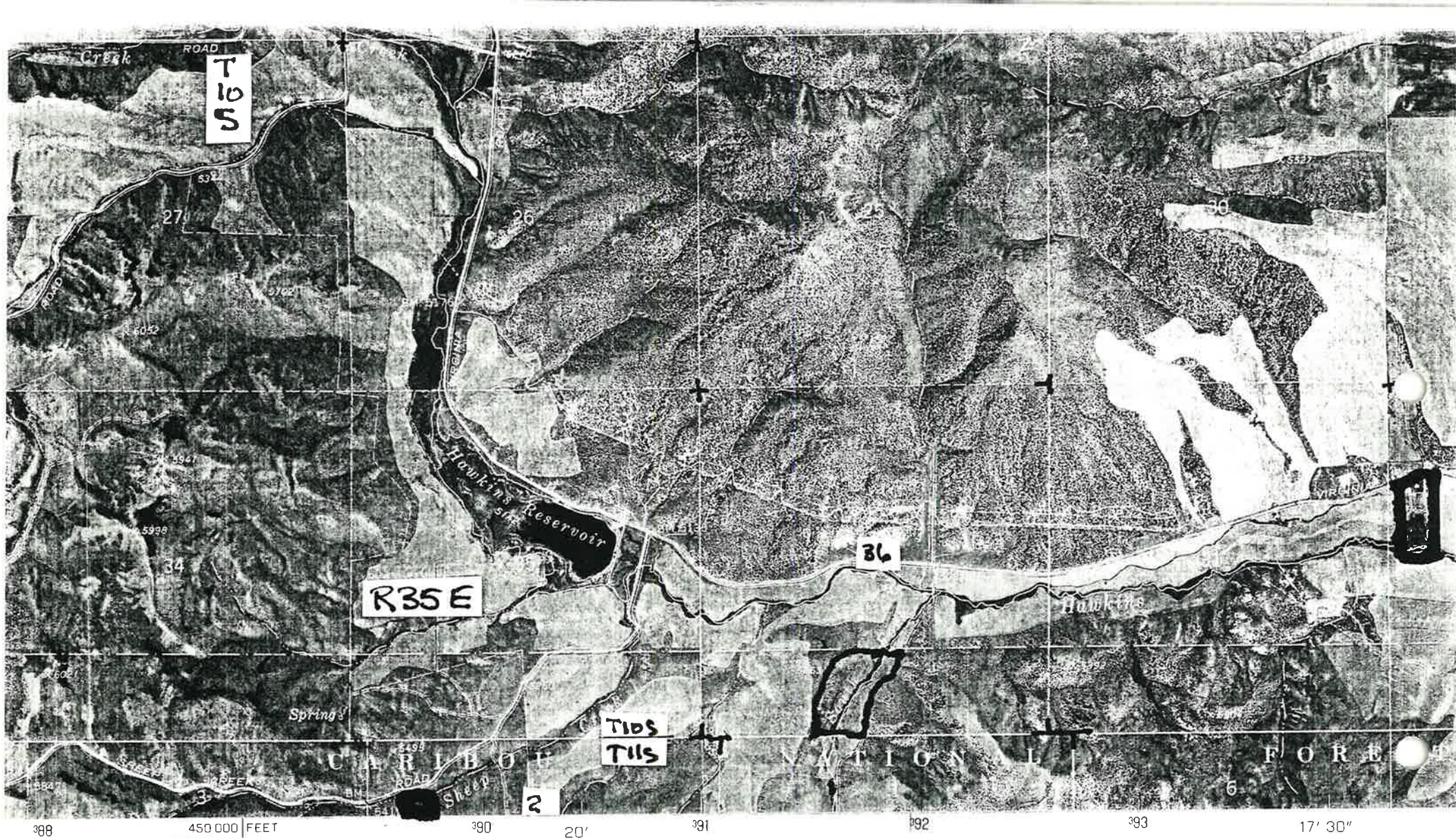
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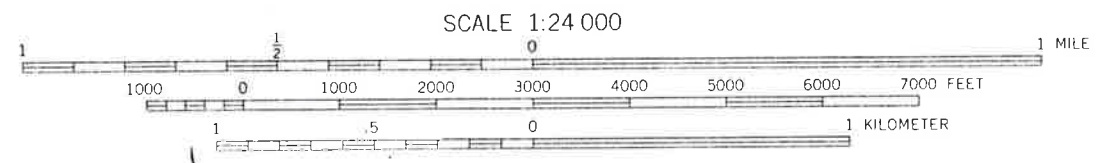
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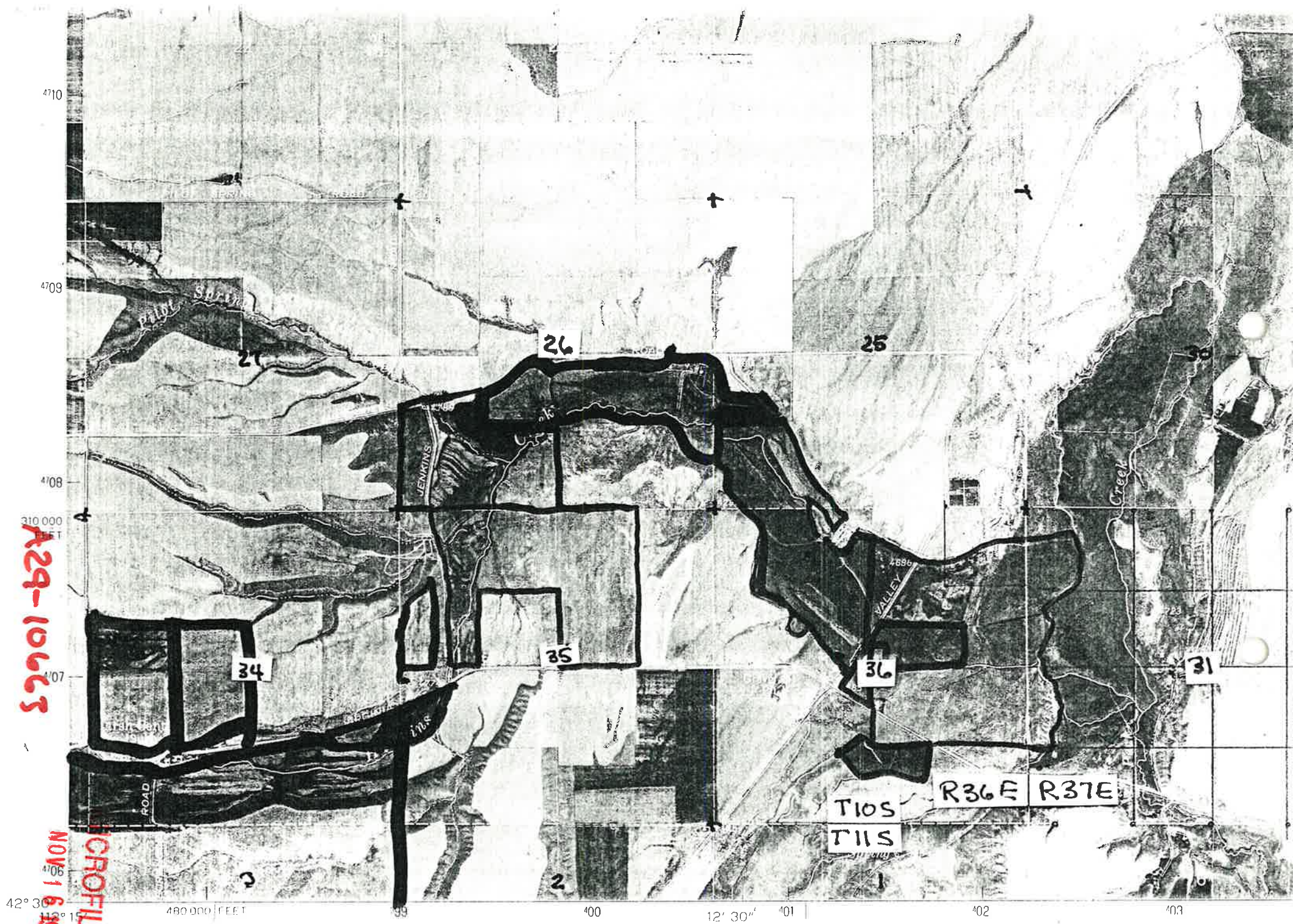
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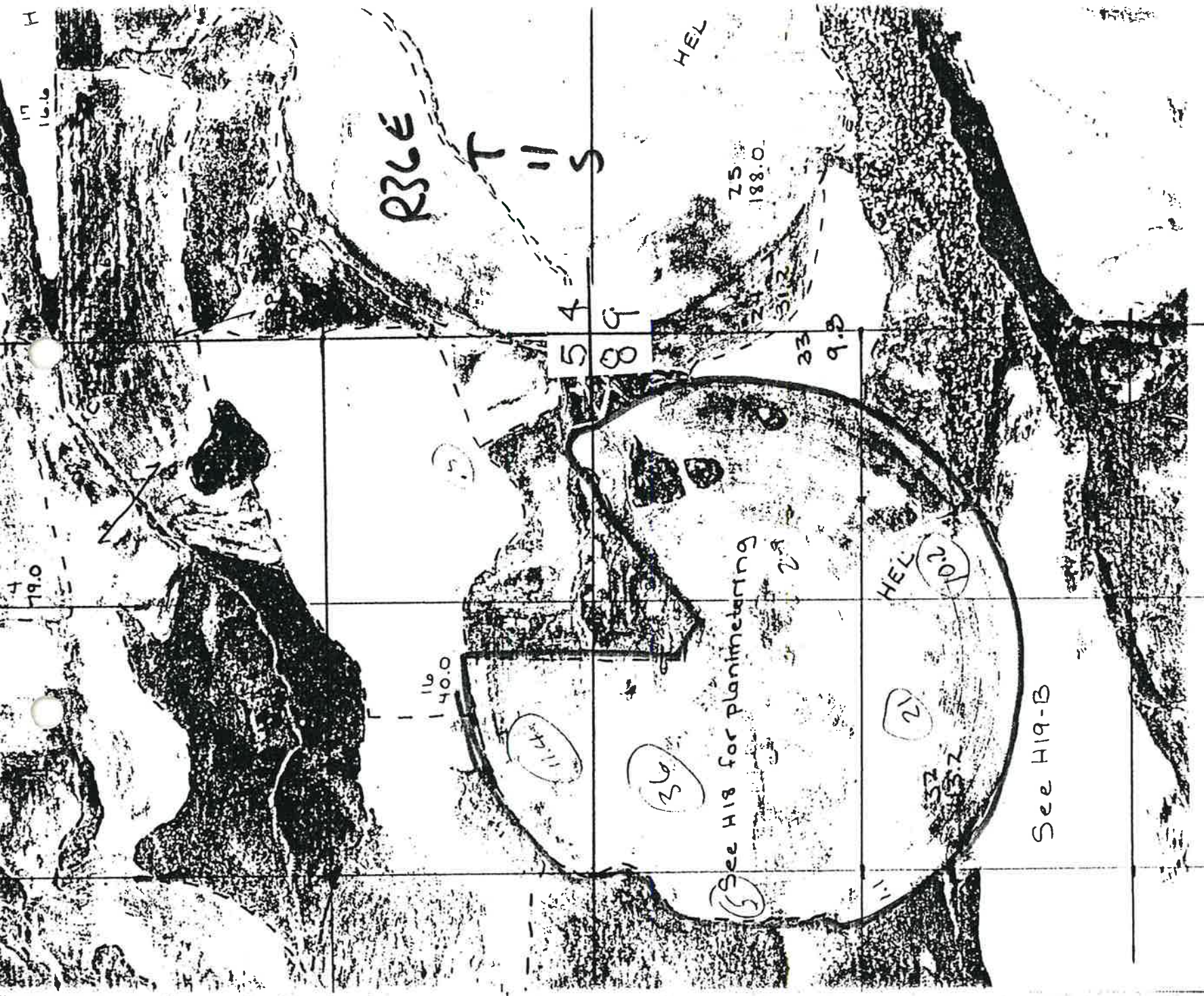
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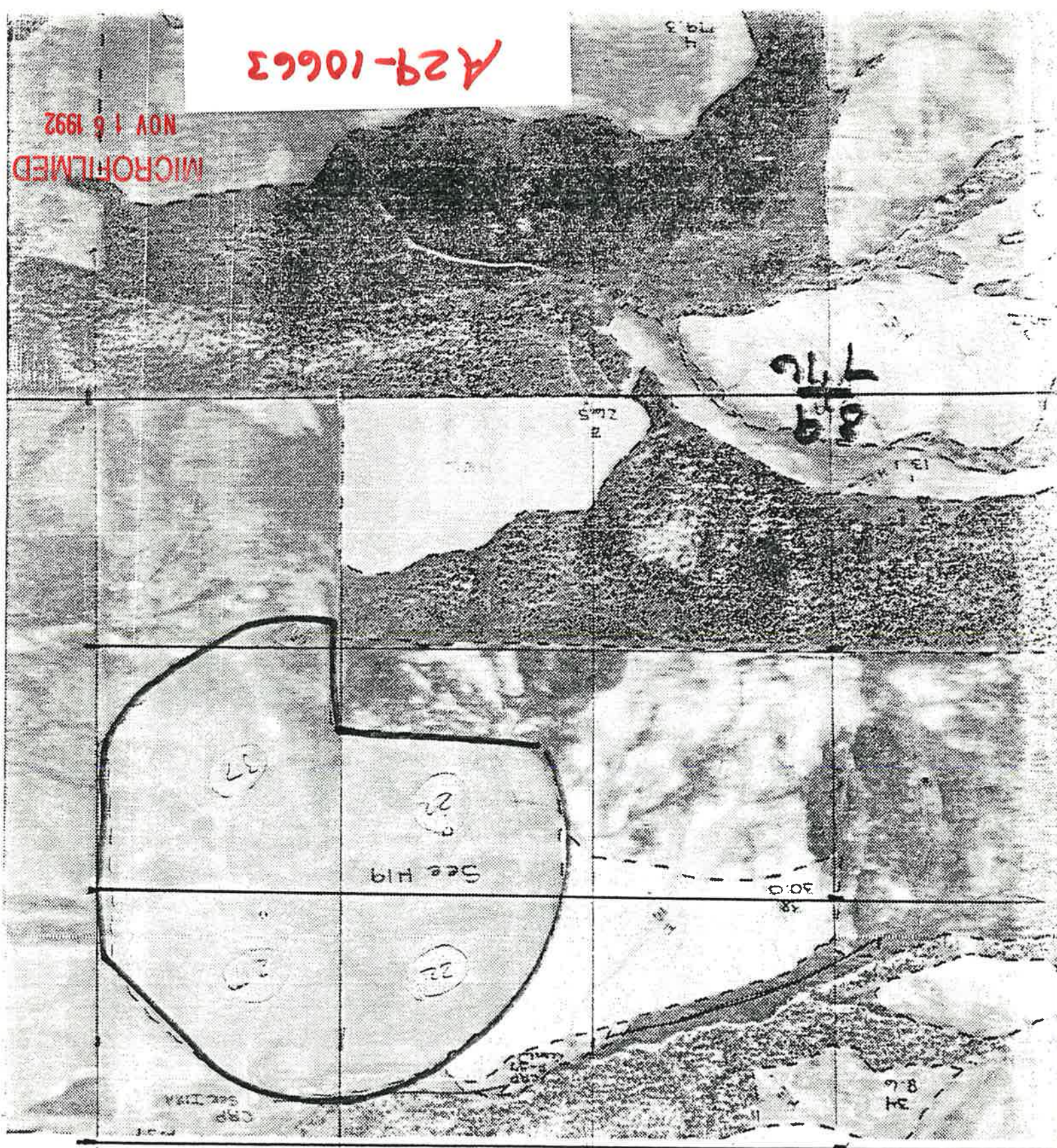


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