

RIGHT NUMBER: 29-11182

NAME AND ADDRESS: M KIP HARTVIGSEN
137 MILL HOLLOW RD
REXBURG ID 83440

LOIS H MORRILL
1118 10TH ST
OGDEN UT 84404

RICHARD N HARTVIGSEN
1023 E MILLSTREAM WAY
BOUNTIFUL UT 84010

REED & DORIS HARTVIGSEN FAMILY TRUST
649 E CENTER ST
BOUNTIFUL UT 84010

BONNIE H SIMMONS
3005 E CHAUCER PL
SALT LAKE CITY UT 84108

SOURCE: ASPEN CREEK

TRIBUTARY: MARSH CREEK

QUANTITY: 0.27 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.50 CFS. COMBINED RIGHT NOS.: 29-02174,
29-02176, 29-11182

PRIORITY DATE: 04/01/1916

POINT OF DIVERSION:

T12S R37E S27 SWSESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
PLACE OF USE:	IRRIGATION	04/01 10/31	0.270 CFS

IRRIGATION Within BANNOCK County

T12S R37E S27	SWNW	11.0	T12S R37E S27	NESW	6.0
T12S R37E S27	NWSW	16.0	T12S R37E S27	SESW	4.0
T12S R37E S28	SENE	28.0	T12S R37E S28	NESE	13.0

78 ACRES TOTAL

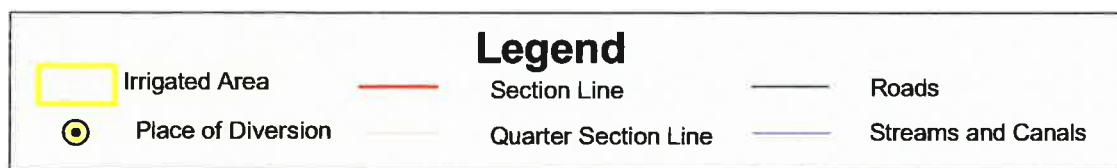
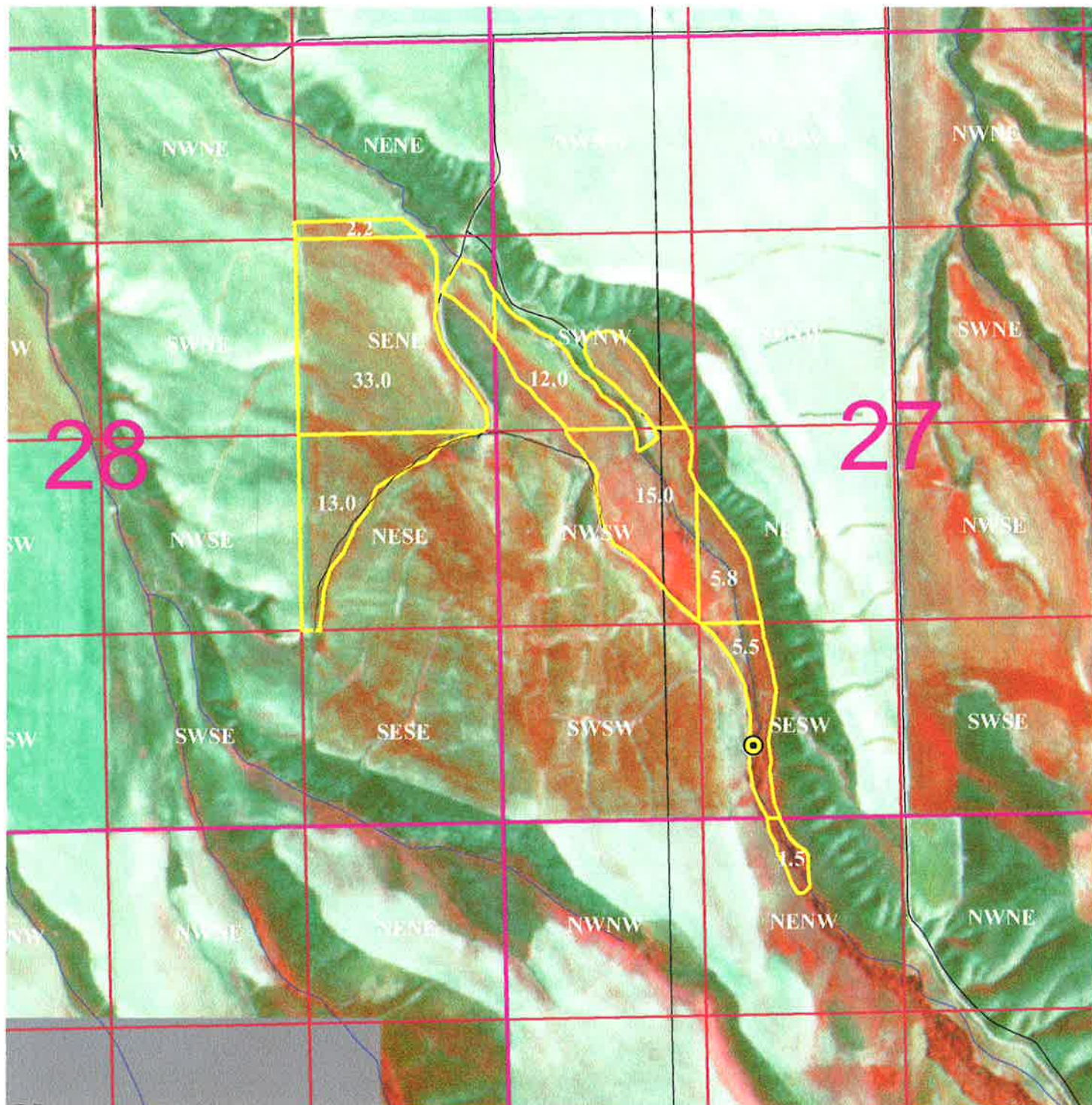
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-02174, 29-02176, 29-11182

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

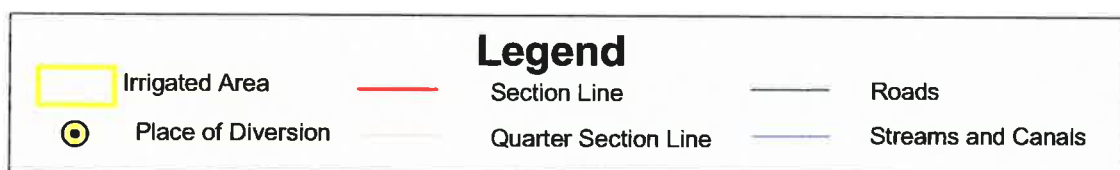
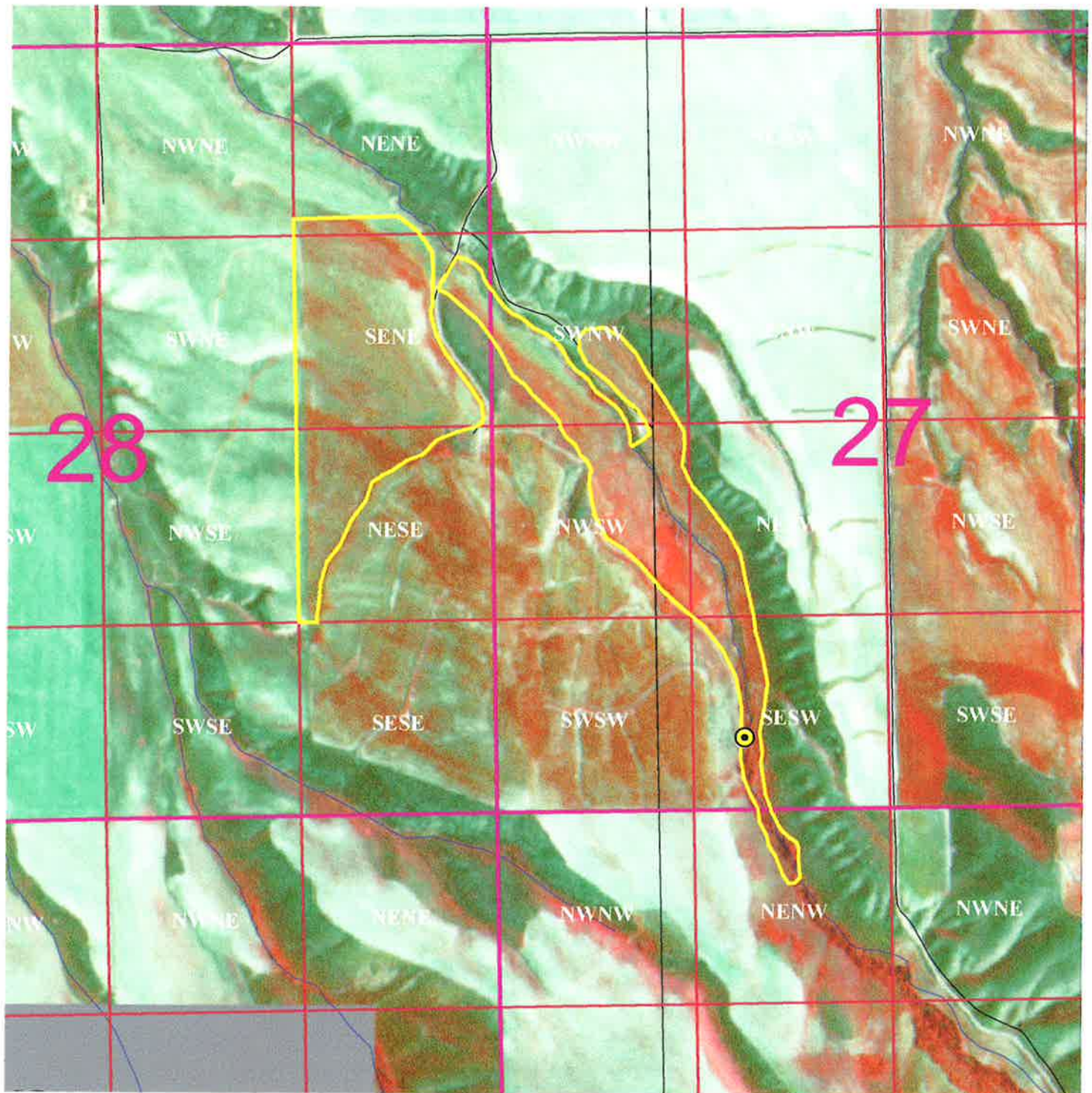
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

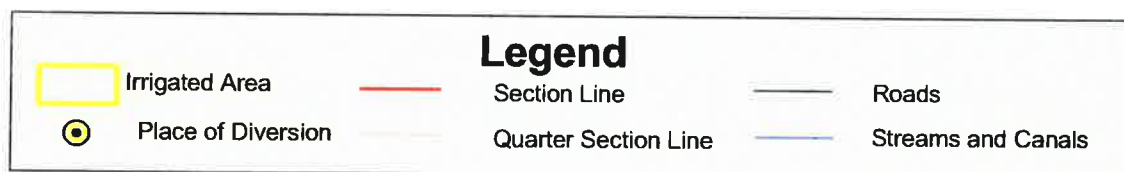
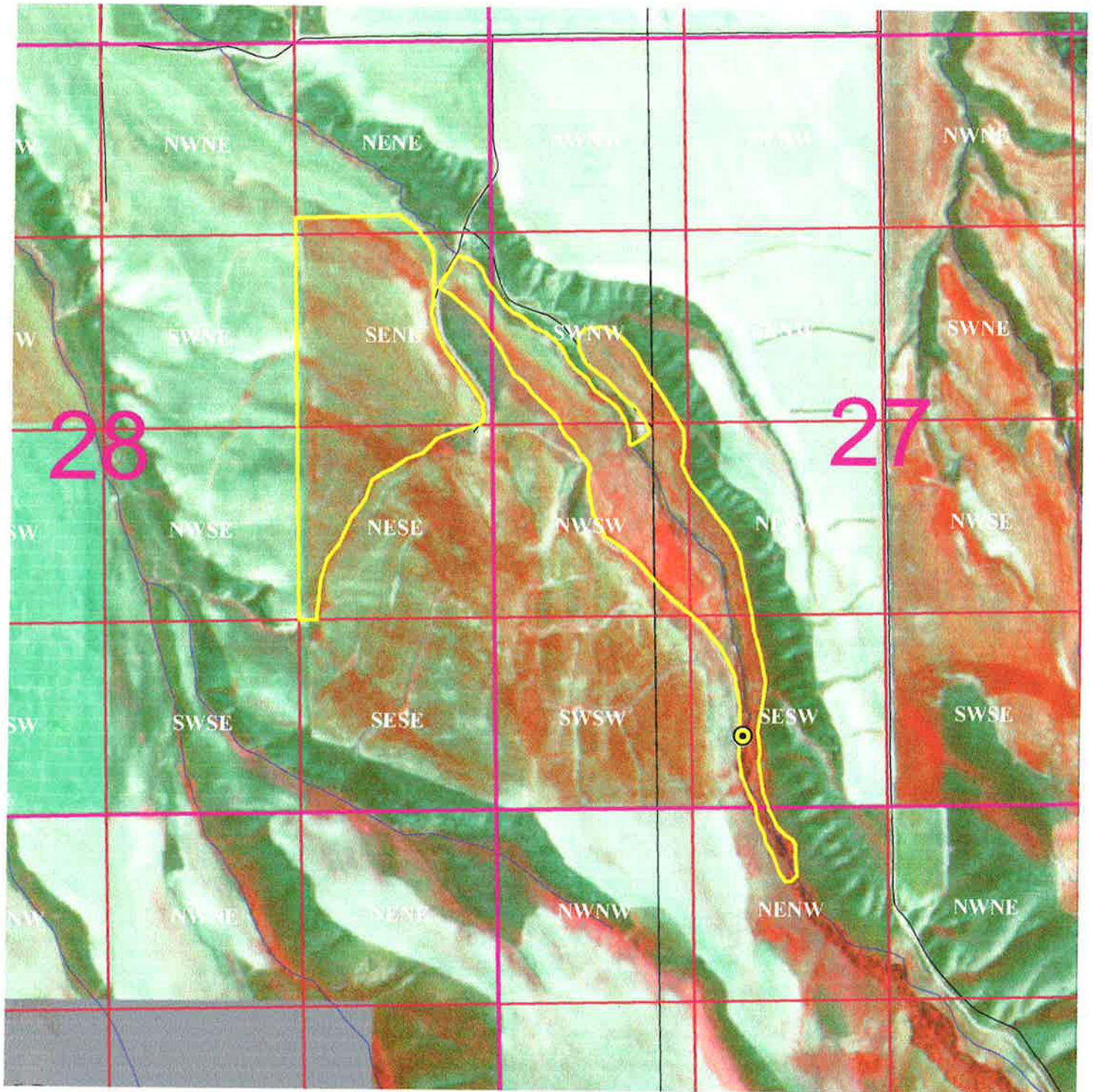
Township , 12S37E



Township , 12S37E



Township , 12S37E





↑ 0. x 6h



Dave

02/13/2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-11182

M KIP HARTVIGSEN
137 MILL HOLLOW RD
REXBURG ID 83440
Telephone Number: (208) 356-0568

LOIS H MORRILL
1118 10TH ST
OGDEN UT 84404
Telephone Number: (801) 392-4112

RICHARD N HARTVIGSEN
1023 E MILLSTREAM WAY
BOUNTIFUL UT 84010
Telephone Number: (801) 299-1771

REED & DORIS HARTVIGSEN FAMILY TRUST
649 E CENTER ST
BOUNTIFUL UT 84010
Telephone Number: (801) 295-0844

BONNIE H SIMMONS
3005 E CHAUCER PL
SALT LAKE CITY UT 84108
Telephone Number: (801) 581-0930

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APR 17 2003
Department of Water Resources
Eastern Region

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.

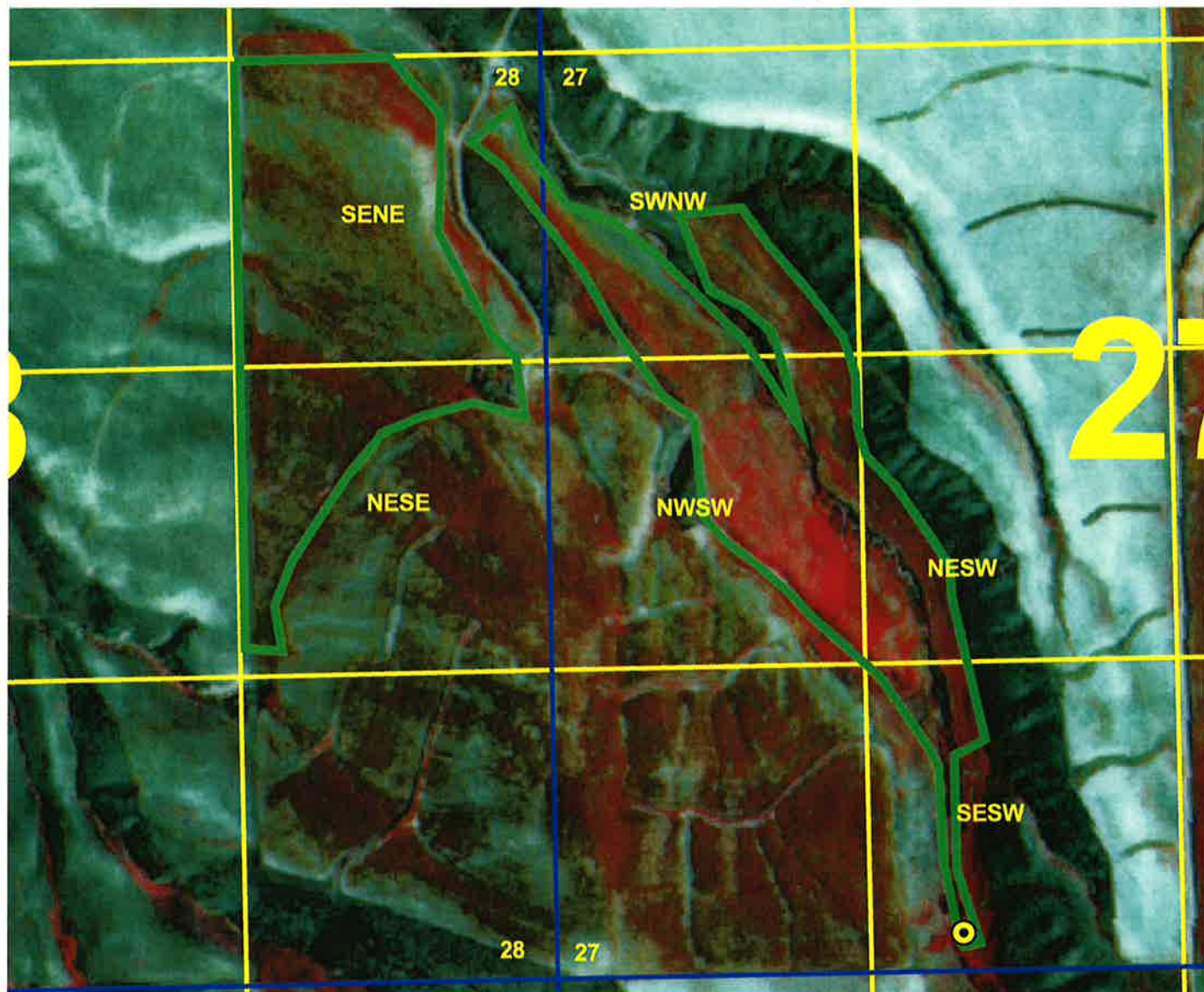
DATE: April 7, 2003 SIGNATURE: M. Kip Hartvigsen
Please print your name: M. Kip Hartvigsen

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

IDAHO DEPARTMENT OF WATER RESOURCES

29-02174, 29-02176, 29-11182

T12S, R37E SEC 27, 28



ACRES IRRIGATED- 78



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

SCANNED

MAY 31 2001

Log for claim A29-11182

Spatial Dynamics TWB

6/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	27	SWNW	8	12	
12s37e	27	NESW	6	5.8	
12s37e	27	NWSW	16	15	
12s37e	27	SESW	3	5.5	
12s37e	28	NENE	2	2.2	
12s37e	28	SENE	28	33	
12s37e	28	NESE	12	13	
Totals:			75	86.5	

pod

N42 20 37.8
W112 07 24.6
5547

2174 1914 20AC
 .56
2176 1914 .67
 40AC

TOP DITCH 5478

N42 21 00.1

W112 07 48.2

N42 21 61.4

up

W112 07 44.3

5478

N42 20 55.2

W112 07 41.6

N42 20 55.0

W112 07 38.3

5500

SPATIAL
DYNAMICS

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REED AND DORIS HARTVIGSEN FAMILY TRUST 649 E CENTER ST BOUNTIFUL UT 84010 (801) 295-0844	01/19/1914	IRRIGATION	04-01 11-01	0.270 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.270 CFS	196.00 AFA
C	LOIS H MORRILL 1118 10TH ST OGDEN UT 84404 (801) 392-4112					
C	BONNIE H SIMMONS 3005 E CHAUCER PL SALT LAKE CITY UT 84108 (801) 581-0930					
C	RICHARD N HARTVIGSEN 1023 E MILLSTREAM WAY BOUNTIFUL UT 84010 (801) 299-1771					
C	M KIP HARTVIGSEN 137 MILL HOLLOW RD REXBURG ID 83440 (208) 356-0568					

Water Source: ASPEN CREEK

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R37E S27 SESW

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		
12S	37E	27	:					:					:	06	16		03	:					:	34.3
12S	37E	28	:	02			28	:					:					:	12				:	44.1
																						TOTAL ACRES	78.4	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11808 A29-02174 A29-02176 A29-02177 A29-11808

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

AJ5809NP
No. A29-11182

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 173

=====

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02174 A29-02176

Remarks: GEN CHANGE OF OWNERSHIP 6/15/94 SC
CHANGED OWNERSHIP PER REQUEST./AJ/2-13-1998

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

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

Audit: 04/11/90 WILSON 06/15/94 COX 07/06/94 THOMPSON 08/04/94 THOMPSON
03/29/95 POST-STD 02/13/98 AJONES



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 13, 1998

HARTVIGSEN ET AL
649 E CENTER ST
BOUNTIFUL UT 84010

RE: CHANGE IN OWNERSHIP FOR A29-02174, A29-02176,
A29-11182

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Autumn Jones
Records Clerk

Enclosure: Notice(s) of Claim

COPY

RECEIVED

JAN 08 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A29-02174, A29-02176, A29-11182
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant { Virgil B. Hartvigsen Trust OR Reed & Doris Hartvigsen
1023 East Millstream Way Family Trust
4. New Owner/Claimant(s) { Bountiful, Utah 84010 649 East Center Street
New Mailing Address { Name Connector (Check one): [] and ☒ or, [] and/or
Bountiful, Utah 84010
City, State and ZIP Code { [See Attached Sheet]
New Telephone Number { () _____
5. Date you acquired the property March 15, 1993
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. [Not Applicable]
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Richard N. Hartvigsen
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

COPY

**NIELSEN
& SENIOR**
Attorneys & Counselors
Since 1882

Arthur H. Nielsen
Gary A. Weston
Earl Jay Peck
Harold A. Ranquist²⁰
Neil R. Sabin
R. Dennis Ickes⁺
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B. Kent Ludlow
Richard M. Hymas
John K. Mangum
Richard K. Hincks
Noel S. Hyde
Robert P. Faust
J. Craig Smith^{*}
Jay R. Mohlman
David B. Hartvigsen²⁰
Marilynn P. Fineshriber
Steven F. Allred^{*}

Suite 1100, Eagle Gate Plaza & Office Tower
60 East South Temple, Salt Lake City, Utah 84111
Post Office Box 11808, Salt Lake City, Utah 84147
Telephone: (801) 532-1900 - Telecopier: (801) 532-1913

A Professional Corporation

Edwin W. Senior (1862-1925)
Clair M. Senior (1901-1965)

Also Licensed to Practice in

- * Arizona
- * California
- * Colorado
- x Idaho
- † Navajo Bar
- o New Mexico
- Washington, D.C.

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FEB 13 1995

Department of Water Resources
Eastern District Office

February 9, 1995

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FEB 13 1995

Department of Water Resources
Eastern District Office

David Carlson
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: Evidence of Priority for Water Right No. A29-11182

Dear Mr. Carlson:

Enclosed is the requested documentation concerning the priority date of Water Right No. A29-11182. This consists of the homestead patents and initial chain of title for the property irrigated by the subject water in 1914, the warranty deed by which the subject water right was obtained, and an affidavit from Elmer J. Hartvigsen.

By way of summary, Joakim F. Hartvigsen began homesteading part of the subject property in about 1902. He received the patent for that homestead in 1908. At this same time, he purchased two adjacent homestead farms. The first was homesteaded by Warren Barnes, was patented in 1902, and was purchased by Joakim F. Hartvigsen in 1907. The second was homesteaded by Inga Hartvigsen, was patented in 1913, and was purchased by Joakim F. Hartvigsen in 1913. Although Joakim F. Hartvigsen had been using the water for some time on these three farms, he obtained a warranty deed to the subject water on January 19, 1914. Therefore, this is the priority date claimed. The affidavit of Elmer J. Hartvigsen provides additional evidence based on personal knowledge that the water was used by Joakim F. Hartvigsen on the subject property for irrigation purposes in 1914.

If you have any further questions, please contact me at this office.

Very truly yours,

David B. Hartvigsen
David B. Hartvigsen

Enclosures

cc: Reed W. Hartvigsen
Richard N. Hartvigsen

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NOV 14 1999

RECEIVED

FEB 13 1995

Department of Water Resources
Eastern District Office

INSTRUMENT NO: 92843.

(RECORD OF PATENTS)
4-406a-tjr

THE UNITED STATES OF AMERICA

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 4978

Application 6510

WHEREAS, There has been deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of JOAKIM F. HARTVIGSEN has been established and duly consummated, in conformity with law, for the

southwest quarter of the southwest quarter of Section twenty-seven and the southeast quarter of the northeast quarter and the east half of the southeast quarter of Section twenty-eight in Township twelve south of Range thirty-seven east of the Boise Meridian, Idaho, containing one hundred sixty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said Joakim F. Hartvigsen the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said Joakim F. Hartvigsen, and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

(SEAL) GIVEN under my hand, at the City of Washington, the seventh day of May, in the year of our Lord one thousand nine hundred and eight and of the Independence of the United States the one hundred and thirty-second.

By the President: Theodore Roosevelt.

By A. S. Stump, Assistant Secretary.

1041524

S. V. Froud Wit

Acting Recorder of the General Land Office.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C. MAY 24 1922

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

(SEAL)

M. P. LeRoy,
Recorder.

Filed for Record at the Request of B T A Co., at 20 minutes past 2 o'clock P. M., this 7 day of June 1922 and recorded in Book 45 of Dadds at page 134. Records of Bannock County, State of Idaho.

R. C. Earley,
Recorder.

Fee \$1.00

By Anna Keefe,
Deputy.

NOV 14 1922

Abstract No. 3834
Instrument No. 27501

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Sheet No. 3

UNITED STATES OF AMERICA FEB 13 1995

P A T E N T .

TO

Department of the Interior
Eastern District Office

Dated; December 15, 1902
Recorded; March 24, 1913
in Book 8 of Patents
page 109

WARREN D. BARNES.

Full payment.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, there has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot Idaho whereby it appears that pursuant to the Act of Congress approved May 20th, 1862, To secure Homesteads to Actual Settlers on the Public Domain and the Acts supplemental thereto, the claim of Warren D. Barnes has been established and duly consummated in conformity to law, for the North west Quarter of Section 27 Township 12 South of Range 37 East of Boise Meridian in Idaho, containing 160 acres. according to the Official Plat of the Survey of the said lands, returned to the General Land Office by the Surveyor General.

Now Know Ye, That there is therefore, granted by the United States, unto the said Warren D. Barnes, the tract of land above described; To Have and To Hold, the said tract of Land with the appurtenances thereof unto the said Warren D. Barnes, and to his heirs and assigns forever.

Signed; T. Roosevelt, President, F.M. McKean, Secretary
C.H. Brush Recorder of the General Land Office.

General Land Office Seal affixed.

NOV 14 1900

Abstract No. 3834
Instrument No. 27561

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FEB 13 1907

Sheet No. 6

WARREN D. BARNES AND HIS WIFE
MARTHA WEBB BARNES
GRANTORS

Department of Water Resources
Eastern District Office

WARRANTY DEED

TO
JOHN E. WARE
GRANTEE.

Dated; March 11, 1907

Recorded; March 27, 1907
Book 24 of Deeds
page 565

Cons.....\$1150.00

Grant, Bargain, Sell and Convey, Land in Bannock
County, Idaho.

The Northwest quarter of Section 27 in Township
12 South of Range 37 East of Boise Meridian in Idaho and
containing 160 acres.

Also the following water right as located by the
said Warren D. Barnes of six springs and known as the Cedar
Knoll Springs and flowing to the extent of about five cubic
feet per second and about two miles in an Easterly direction
from the above described land the general course of
these waters is in a Westerly direction the said water
being Recorded in the Records of Bannock County, May
4th., 1899 in Book 1 water Locations page 638 .

Signed; Warren D. Barnes, Martha Webb Barnes.

Witness; Thomas H. Phillips.

Acknowledged; March 15th., 1907, Warren D. Barnes
before Thomas H. Phillips a Notary Public in and for Davis
County, State of Utah, Notarial Seal affixed. March
15th., 1907, before Thomas H. Phillips a Notary Public
appeared Martha Webb Barnes known as a married woman, and
upon examination without the hearing of her husband I made
her acquainted with the contents of the instrument and she
acknowledged to me that she executed the same My commission
expires January 6th., 1911.

MICROFILMED
MAY 14 1966

Instrument No. 10502

THIS INDENTURE, Made the 21 day of March, in the year of our Lord one thousand eight hundred and six, between John E. Ware and his wife Lucy Ware, of Downey, Bannock County of Idaho, the parties of the first part, and J. F. Hartvigson, of Downey, Bannock County of Idaho, the party of the second part,

WITNESSETH: That the said part 1st of the first part, for and in consideration of the sum of One Thousand, and fifty (1050.00) Dollars, lawful money of the United States of America, to them in hand paid by the said part 2nd of the second part, the receipt whereof is hereby acknowledged, do hereby by these presents grant, bargain, sell and convey and confirm unto the said part 2nd of the second part and to his heirs and assigns forever: All that certain lot, piece or parcel of land, situate, lying and being in the County of Bannock, and State of Idaho, bounded and more particularly described as follows, to wit: the North west quarter of Section twenty seven in township, twelve north of range thirty seven East of Boise Meridian in Idaho, and containing One hundred and sixty acres. Also the following water right as located by the said J. F. Hartvigson of Six Springs and known as the Cedar-Kiolla Springs and flowing to the extent of about five cubic feet per second and about two miles in an easterly direction from the above described land the general course of these waters is in a westerly direction the said water being recorded in the records of Bannock Co. Idaho May 14 1893 in Book 1 water Location page 633

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the rents, issues and profits thereto.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges therunto incident, unto the said part 2nd of the second part and to his heirs and assigns forever. And the said part 1st of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part 2nd of the second part, his heirs and assigns against the said part 1st of the first part, and their heirs, and against all and every person or persons whomsoever lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend.

IN WITNESS WHEREOF, the said part 1st of the first part has hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of
J. F. Hartvigson
John E. Ware (Seal)
Lucy Ware (Seal)

STATE OF IDAHO
County of Bannock
Before me, William Lauremann, Notary Public, in and for said County, personally appeared John E. Ware, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, and on this 21 day of March in the year 1907, before me, the officer above described, personally appeared Lucy Ware, known to me to be the person whose name is subscribed to the within instrument described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same and that she does not wish to retract such declaration.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(L.S.) William Lauremann, Notary Public.
My Commission Expires December 11th., 1910;

Recorded at the request of Downey State Bank this 19th day of Nov. 1910. At 9:15 A. M. E. O. Gallat, Recorder
Fee \$1.40 By Marie Jones, Deputy

RECEIVED

FEB 13 1995

Blackfoot 05988.

4-1003.

Department of Water Resources
Eastern District Office

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Inga Hartvigsen, formerly Inga Eilertsen, has been established and duly consummated, in conformity to law, for the north half of the southwest quarter and the southeast quarter of the southwest quarter of Section twenty-seven in Township twelve south of Range thirty-seven east of the Boise Meridian, Idaho, containing one hundred twenty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the THIRD

day of JUNE In the year of our Lord one thousand

nine hundred and THIRTEEN and of the Independence of the

United States the one hundred and THIRTY-SEVENTH.

By the President: Woodrow Wilson

By M. C. Le Roy, Secretary,

Recorder of the General Land Office.

RECORDED: Patent Number

333917

Jan 19, 1914

This Indenture, Made this 19th day of January

in the year of our Lord one thousand nine hundred and Fourteen, between

John J. Barnes and wife, Hannah E. Barnes,
of the County of Bannock

State of Idaho the parties of the first part, and

J. E. Hartvigsen
of the County of Bannock

State of Idaho the parties of the second part,

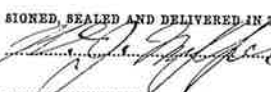
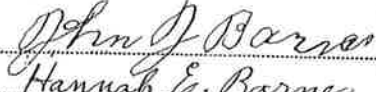
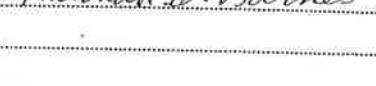
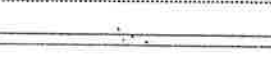
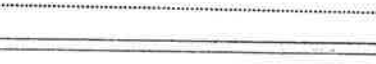
Witnesseth, That the said parties of the first part, for and in consideration of the sum of One and No/100 DOLLARS, lawfull money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Bannock County State of Idaho, to wit: One twelveth of all the waters of Quickenaspen hallow in Twp. 12 South, Range 37, East Boise Meridian, about seven miles South of Downey, Idaho, being all the intrest of John J. Barnes in said water.

Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

To Have and to Hold, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

In Witness Whereof, The said parties of the first part have hereunto set my hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

 } 
 } 
 } 
 } 

This Indenture, Made the Eighth day of September in the year of our Lord One Thousand Nine Hundred and Thirteen between Inga Hartvigsen, formerly Inga Eilertson and Hyrum Hartvigsen, her husband of Downey, County of Benneock State of Idaho the parties of the first part, and

Jonkla P. Hartvigsen

of Downey County of Benneock State of Idaho, the party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One-----no/100---and other valuable considerations ----- Dollars,

lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the county of Benneock, State of Idaho, bounded and more particularly described as follows, to-wit:

The north half of the southwest quarter and the southeast quarter of the southwest quarter of Section twenty-seven in Township twelve south of Range thirty-seven east of the Boise Meridian, in Idaho, containing one hundred twenty acres.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered in the Presence of

[Signature]

Inga Hartvigsen [SEAL]

Hyrum Hartvigsen

[SEAL]

STATE OF IDAHO,

County of Bannock ss.

NOV 14 1903

On this 10 day of September in the year 1903, before me, R. H. Palmer, a Notary Public in and for said County, personally appeared Byrum Hardvigen & Inga Hardvigen his wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

R. H. Palmer
Notary Public

Warranty Deed

TO

Dated _____ 19__

STATE OF IDAHO,

County of Bannock ss.

I hereby certify that this instrument was filed for record at the request of

Deputy State Clerk

at 31 minutes past 11

o'clock A. M., this 16th

day of Sept A. D. 1903

at my office and duly recorded in

Book 15 of Deeds at page 260

Deputy

Ex-Officio Recorder.

By Deputy Deputy.

Filed 100

STATE OF IDAHO, }
County of Bannock, } ss.

On this 19th, day of January, 1914, in the
year 1914, before me W. J. Nuffer
a Notary Public in and for said County, personally appeared
John J. Barnes and wife, Hannah E. Barnes

known to me to be the person.s whose names are subscribed to the within instrument,
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and
year in this certificate first above written.


Notary Public.

My commission expires Aug. 6th, 1916.

No. _____
WARRANTY DEED

John J. Barnes and wife,

Hannah E. Barnes.

— TO —

J. F. Hartvigsen

Dated Jan. 19th, 1914

State of Idaho, }
County of Bannock, } ss.

I hereby certify that this instrument was filed for
record at the request of

at _____ minutes past _____ o'clock _____ M., this

day of _____ A. D. 19____

in my office, and duly recorded in Book _____ of
_____ at page _____

Ex-Officio Recorder.

By _____ Deputy.

Fees, \$ _____

by _____ Statesman Shop, Boise, Idaho.

FIFTH JUDICIAL DISTRICT COURT, 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 39756

Water Right Number A29-11182

AFFIDAVIT OF ELMER J. HARTVIGSEN

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

ELMER J. HARTVIGSEN, being first duly sworn, deposes and says that:

1. I have personal knowledge of the facts set forth herein and could competently testify to the same.

2. I was born on October 21, 1905 and resided with my family on the family farm seven miles south of Downey, Idaho from 1905 to 1920. This farm was homesteaded by my father, Joakim F. Hartvigsen.

3. From my earliest recollections as a child, beginning at around age five or six, my father farmed the fields described as the place of use for the Notice of Claim in the above-captioned case for Water Right No. A29-11182.

4. The ditch that my father used to irrigate said fields is the same ditch that exists there today. For many years, the ditch served two other farms to the west of my father's farm but now it serves only the fields described in said Notice of Claim.

NOV 14 1990

5. The water users on the ditch established a rotation schedule for the water. From my earliest recollections as a child, my father's turn was for a couple of days in each rotation cycle.

6. I specifically recall that we were irrigating the subject fields with water from this ditch on the day that we received word that *World War I* had begun. I was sitting along side the ditch near our home talking with some neighbors when we heard this news. This would have been in the summer of 1914. I remember that the fields were planted in alfalfa and that we were irrigating them at that time from the ditch.

7. I do not recall the specific date that my father acquired Water Right No. A29-11182 but I do remember that he used the water for some time under an oral agreement before he formally purchased the water right.

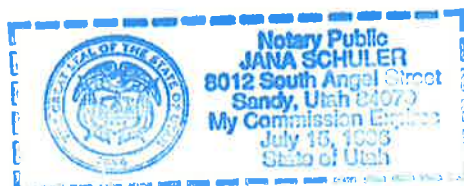
8. To the best of my knowledge, the priority date of January 19, 1914 as listed in the Notice of Claim for Water Right No. A29-11182 is consistent with my recollection of that time period.

9. I have no ownership or other financial interest in Water Right No. A29-11182 or the property serviced thereby.

DATED this 8th day of February, 1995.


Elmer J. Hartvigsen

SUBSCRIBED AND SWORN TO before me this 8th day of February,
1995.




NOTARY PUBLIC



JUNE 16, 1994

NIELSEN & SENIOR
60 E SOUTH TEMPLE, SUITE 100
SALT LAKE CITY UT 84111

RE: CHANGE OF OWNERSHIP FOR A29-11808, A29-02174, A29-02176
AND A29-11182

Dear Mr. David B Hartvigsen:

The request for Change of Ownership concerning your Notices of Claim in the above reference have been processed and copies of the Notices are enclosed.

Your letter also indicated that you now represent three (3) claimants in the Snake River Basin Adjudication (SRBA). Because we do not have records of any counsel representing the claimants, IDWR needs confirmation from the claimants. Blank forms are enclosed for your convenience. We will need one signed by E Jay Hartvigsen and one signed by a representative of the Reed and Doris Hartvigsen Trust.

We have also enclosed a "Change of Address" form that when completed will allow us to change the address on E Jay Hartvigsen's claims.

The department apologizes for any inconvenience and if you have any questions please do not hesitate to contact this office.

Respectfully submitted,

Gregory J. Taylor
Senior Resource Agent, Adjudication

GJT:sc

Enclosure

NOV 14 1994

**NIELSEN
& SENIOR**
Attorneys & Counselors
Since 1882

RECEIVED
JUN 15 1994

**Department of Water Resources
Eastern District Office**
A Professional Corporation

Edwin W. Senior (1862-1925)
Clair M. Senior (1901-1965)

Of Counsel
Raymond T. Senior
Milton J. Morris

Also Licensed to Practice in
© Arizona
* California
+ Colorado
X Idaho
† Navajo Bar
O New Mexico
• Washington, D.C.

Arthur H. Nielsen
Gary A. Weston
Earl Jay Peck
Harold A. Ranquist^o
Neil R. Sabin
R. Dennis Ickes⁺
Harold C. Verhaaren
Mark H. Anderson^{*}
B. Kent Ludlow
Richard M. Hymas
John K. Mangum
Richard K. Hincks
Noel S. Hyde
Robert P. Faust
J. Craig Smith[•]
Jay R. Mohlman
David B. Hartvigsen⁺
Marilynn P. Fineshriber
Steven F. Allred^o
Patricia L. LaTulippe

Suite 1100, Eagle Gate Plaza & Office Tower
60 East South Temple, Salt Lake City, Utah 84111
Post Office Box 11808, Salt Lake City, Utah 84147
Telephone: (801) 532-1900 — Telecopier (801) 532-1913

June 13, 1994

Department of Water Resources
State of Idaho
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: Address Changes and Ownership Changes

Dear Sirs:

This letter is to inform the Department of Water Resources of certain address and ownership changes with respect to the following water rights:

1. With respect to Water Right Nos. 29-4352, 29-4353, and 29-4354, Mr. E. Jay Hartvigsen has moved from 1045 E. Claremont Dr., Bountiful, Utah to Downey, Idaho. His new mailing address is:

P.O. Box 267
Downey, Idaho 83234

2. With respect to Water Right Nos. 29-02174, 29-02176, 29-11182, and 29-11808, Mr. Reed W. Hartvigsen has established a living trust in connection with some estate planning and has transferred all of his interest in the above water rights and the land associated therewith to his new living trust. Enclosed are two completed change of ownership forms with copies of the quit claim deed to the trust attached. As a result of this change, the joint owners of Water Right Nos. 29-02174, 29-02176, and 29-11182 are:

The Reed and Doris Hartvigsen Family Trust OR The Virgil B. Hartvigsen Trust
and the sole owner of Water Right No. 29-11808 is:

The Reed and Doris Hartvigsen Family Trust.

MICROFILMED
NOV 14 1994

June 13, 1994
Page -2-

3. Finally, there has been an address change with respect to counsel of record for each of the foregoing water rights. This change is as follows:

Formerly: David B. Hartvigsen and Harold A. Ranquist
WHEATLEY & RANQUIST
60 E. South Temple, Suite 1225
Salt Lake Utah, 84111
(801) 237-1700

Presently: David B. Hartvigsen and Harold A. Ranquist
NIELSEN & SENIOR
60 E. South Temple, Suite 1100
Salt Lake Utah, 84111
(801) 532-1900

Please make these changes on your records. If you have any questions concerning any of these changes, please call me. Thank you.

Very truly yours,



David B. Hartvigsen

DBH:st

Enclosures

RECORDED

NOV 14 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 15 1994

Department of Water Resources
Eastern District Office

DATE OF CLOSING: May 25, 1994

LEGAL DESCRIPTION OF PROPERTY: Township 15 South Range 37 East
Sections 27 & 28, 1/4 of 1/4 of 1/4 of Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet. see Attached Deed.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: A29-02174, A29-02176, A29-11182 OK
- [] Name and Address of Former Owner/Claimant(s)(Seller): Reed W. Hartvigsen OR Virgil B. Hartvigsen Trust
649 E. Center Street 1023 E. Millstream
Bountiful, Utah 84010 Bountiful, Utah 84010
- [] New Owner/Claimant (Purchaser): Reed and Doris Hartvigsen
Family Trust OR Virgil B. Hartvigsen Trust
- [] New Mailing Address: 649 E. Center Street 1023 E. Millstream
Bountiful, Utah 84010 Bountiful, Utah 84010
- [] New Telephone Number: (801) 295 - 0844 (801) 292 - 4625
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Quit Claim Deed to Trust

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Reed W Hartvigsen, Trustee Date 10 June 1994
Doris B Hartvigsen, Trustee Date 10 June 1994
- [] Signature of Former Owner/Claimant(s): Reed W Hartvigsen Date 10 June 1994
Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:

Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data-Entry
Date: By:

Claim Numbers of Split, if any:

MICROFILMED
NOV 14 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Return after recording to:
Reed W. Hartvigsen
649 East Center Street
Bountiful, Utah 84010

QUIT CLAIM DEED SAGE HOLLOW FARM

REED WARD HARTVIGSEN and DORIS HARWOOD HARTVIGSEN, Grantors, hereby quit claim to REED WARD HARTVIGSEN and DORIS HARWOOD HARTVIGSEN, Trustees of the REED AND DORIS HARTVIGSEN FAMILY TRUST, dated May 25, 1994, Grantees, for valuable consideration, all of Grantors' interest in following described real property in Bannock County, State of Idaho, commonly known as the Sage Hollow Farm and more particularly described as follows:

the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 12 South, Range 37 East, Boise Meridian, containing 80 acres more or less; and

the tract beginning at the Northwest corner of Section 27, Township 15 South, Range 37 East, Boise Meridian; thence East along the section line 2640 feet, South 5280 feet, West 1320 feet, North 1320 feet, East 240 feet, North 12°30' West 350 feet, North 43°30' West 569 feet, North 25°10' West 683 feet, North 43°29' West 1744.54 feet, East 400 feet, North 1320 feet along west line of said section to the point of beginning, containing 236.59 acres more or less.

Together with all improvements, water rights, and other appurtenances thereto.

WITNESS the hands of said Grantors this 25th day of May, 1994.

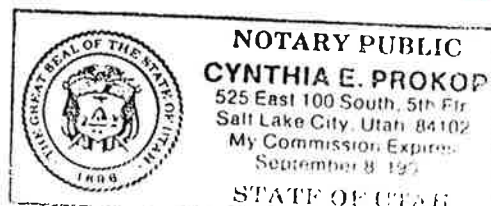
Reed Ward Hartvigsen
Reed Ward Hartvigsen

Doris Harwood Hartvigsen
Doris Harwood Hartvigsen

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN to before me this 25th day of May, 1994.

Cynthia E. Prokop
Notary Public



MACROFILMED

NOV 14 1996

SCANNED

MAY 31 2001

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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: A29-11182
Date Received: 4/09/1990
Receipt No: E012986
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REED W. HARTVIGSEN 801-295-0844
Address: 649 CENTER STREET
BOUNTIFUL, UT 84010
OR
Name: VIRGIL B. HARTVIGSEN 801-225-6866
Address: 206 EAST 4735 NORTH
PROVO, UT 84604

A2911182



2. Date of Priority: JAN 19, 1914

3. Source: ASPEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	37E	27	SE	SW			BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.270		

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

8. Total consumptive use is 196.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A 29-11182

Page 1

Date: 04/09/90

MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	37E	27	SW		NW		IRR	8.5
			NE		SW		IRR	6.2
			NW		SW		IRR	16.6
			SE		SW		IRR	3.0
			Section Acres					34.3
		28	NE		NE		IRR	2.9
			SE		NE		IRR	28.8
			NE		SE		IRR	12.4
			Section Acres					44.1
			Total Acres					78.4

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-

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Bred W Hartwigson Date: 9 April 1990
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Apr 19 90

Seal

Betty J Thompson
Notary Public
BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

8/28

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: A29-11182
Date Received: 4/ 9/1990
Receipt No: E012986
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: VIRGIL B HARTVIGSEN TRUST 801-292-4625
Address: 1023 E MILLSTREAM
BOUNTIFUL UT 84010
OR
Name: REED AND DORIS HARTVIGSEN FAMILY TRUST 801-295-0844
Address: 649 E CENTER ST
BOUNTIFUL UT 84010

2. Date of Priority: JAN 19, 1914

3. Source: ASPEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	37E	27	SE	SW			BANNOCK

5. Description of diverting works:
HEADGATE TO DITCH TO GRAVITY IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.270		

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

8. Total consumptive use is 196.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	37E	27	SW		NW		IRR	8.5
			NE		SW		IRR	6.2
			NW		SW		IRR	16.6
			SE		SW		IRR	3.0
							Section Acres	34.3
		28	NE		NE		IRR	2.9
			SE		NE		IRR	28.8
			NE		SE		IRR	12.4
							Section Acres	44.1
							Total Acres	78.4

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-

14. Remarks:
CHANGE OF OWNERSHIP 6/15/94 SC

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

NOV 14 1996

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-11182	12S 37E	27		SE	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A29-02174 29-11808

A29-02176

A29-02177

A29-11808

WR RECORDS IN SAME 40 ACRE TRACT

29-02174

29-02175

29-02176

29-02177

29-02178

29-02187

SOURCE: ASPEN CREEK

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

128
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78

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 12S	RGE. 37E	SEC. 27	1/4	1/4 SE	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-11182

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	27	SW	NW		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 8.5	- /			
			SW	NW		HARTVIGSEN FAMILY TRUST, REED	A29-11808 /	- /			
			SW	NW		HARTVIGSEN, DAVID B	A29-02174 / 3.2	- /			
			SW	NW		HARTVIGSEN, DAVID B	29-11808 /	- /			
12S	37E	27	NE	SW		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 6.2	- /			
			NE	SW		HARTVIGSEN, DAVID B	A29-02174 / 5.0	- /			
12S	37E	27	NW	SW		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 16.6	- /			
			NW	SW		HARTVIGSEN, DAVID B	A29-02174 / 8.8	- /			
12S	37E	27	SE	SW		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 3.0	- /			
			SE	SW		HARTVIGSEN, DAVID B	A29-02174 / 3.0	- /			
12S	37E	28	NE	NE		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 2.9	- /			
			NE	NE		HARTVIGSEN FAMILY TRUST, REED	A29-02176 / 2.9	- /			
12S	37E	28	SE	NE		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 28.8	- /			
			SE	NE		NIELSEN & SENIOR	29-12777 /	- /			
			SE	NE		MORRILL, LOIS H	A29-12777 /	- /			
			SE	NE		HARTVIGSEN FAMILY TRUST, REED	A29-02176 / 26.8	29-02176 / 20.0			
12S	37E	28	NE	SE		HARTVIGSEN FAMILY TRUST, REED	A29-11182 / 12.4	- /			
			NE	SE		HARTVIGSEN FAMILY TRUST, REED	A29-02176 / 10.3	29-02176 / 10.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-11182

78.40

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-11182	ASPEN CREEK	HARTVIGSEN FAMILY TRUST, REED	0.270	0.003		
A29-02174	ASPEN CREEK	HARTVIGSEN, DAVID B	0.560	0.028		
A29-02176	ASPEN CREEK	HARTVIGSEN FAMILY TRUST, REED	0.670	0.016		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11808	DOMESTIC	HARTVIGSEN FAMILY TRUST, REED	FROM 01-01 TO 12-31	0.040 CFS	
29-11808	DOMESTIC	HARTVIGSEN, DAVID B	FROM 01-01 TO 12-31	0.040 CFS	
29-12777	DOMESTIC	NIELSEN & SENIOR	FROM 01-01 TO 12-31	0.040 CFS	
A29-12777	DOMESTIC	MORRILL, LOIS H	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

AJ0749NP
No. A29-11182

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/13/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REED AND DORIS HARTVIGSEN FAMILY TRUST 649 E CENTER ST BOUNTIFUL UT 84010 (801) 295-0844	01/19/1914	IRRIGATION	04-01 11-01	0.27 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.27 CFS	196.00 AFA

C LOIS H MORRILL
1118 10TH ST
OGDEN UT 84404
(801) 392-4112

C BONNIE H SIMMONS
3005 E CHAUCER PL
SALT LAKE CITY UT 84108
(801) 581-0930

C RICHARD N HARTVIGSEN
1023 E MILLSTREAM WAY
BOUNTIFUL UT 84010
(801) 299-1771

C M KIP HARTVIGSEN
137 MILL HOLLOW RD
REXBURG ID 83440
(208) 356-0568

Water Source: ASPEN CREEK

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R37E S27 SESW

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		
12S	37E	27	:					:			08		:	06	16		03	:					:	34.3
12S	37E	28	:	02			28	:					:					:	12				:	44.1
TOTAL ACRES																							78.4	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-

Remarks: GEN CHANGE OF OWNERSHIP 6/15/94 SC
CHANGED OWNERSHIP PER REQUEST./AJ/2-13-1998

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AJ0749NP
No. A29-11182

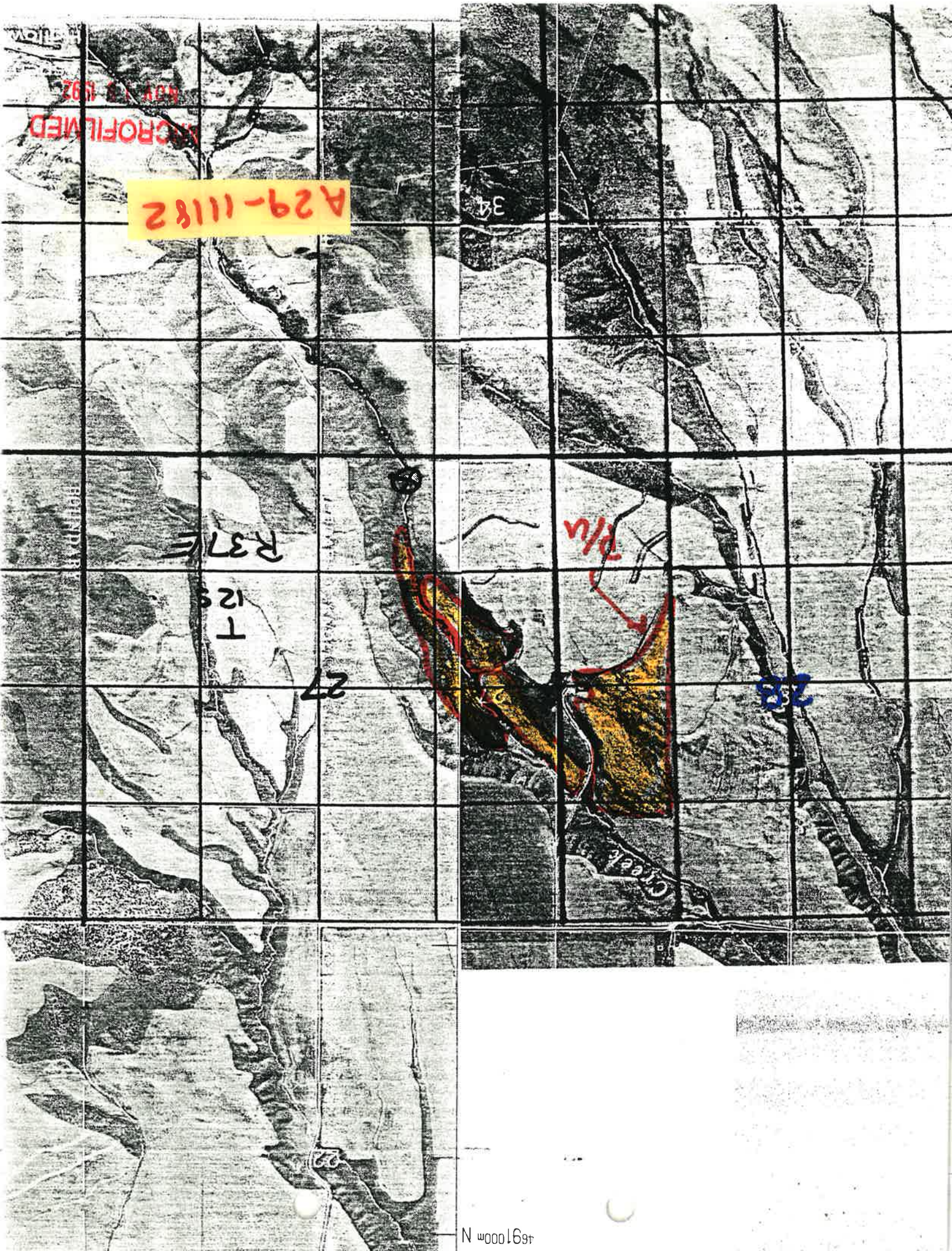
IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/13/98
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Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

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NOV 13 1992

A29-11182

R 37E

T 12S

27

34

p/u

28

Creek