

## IDAHO DEPARTMENT OF WATER RESOURCES

10/31/2018

## Proof Report

Water Right 29-2176

*After Split*

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                 |
|-------------------|-------------------------------------------------------------------------------------------------------------------------|
| Attorney          | HAROLD A RANQUIST<br>NIELSEN & SENIOR<br>60 E SOUTH TEMPLE STE 1100<br>SALT LAKE CITY, UT 84111<br>(801) 532-1900       |
| Attorney          | DAVID B HARTVIGSEN<br>SMITH HARTVIGSEN PLLC<br>60 E SOUTH TEMPLE STE 1150<br>SALT LAKE CITY, UT 84111<br>(801) 413-1600 |
| Current Owner     | RICHARD N HARTVIGSEN<br>1023 E MILLSTREAM WAY<br>BOUNTIFUL, UT 84010<br>(801) 299-1771                                  |
| Current Owner     | REED & DORIS HARTVIGSEN FAMILY TRUST<br>649 E CENTER ST<br>BOUNTIFUL, UT 84010<br>(801) 295-0844                        |
| Current Owner     | BONNIE H SIMMONS<br>3005 E CHAUCER PL<br>SALT LAKE CITY, UT 84108<br>(801) 581-0930                                     |
| Current Owner     | LOIS H MORRILL<br>1118 10TH ST<br>OGDEN, UT 84404<br>(801) 392-4112                                                     |
| Current Owner     | M KIP HARTVIGSEN<br>137 MILL HOLLOW RD<br>REXBURG, ID 83440<br>(208) 356-0568                                           |

**Priority Date:** 4/2/1914**Basis:** Decreed**Status:** Active**Source**  
ASPEN CREEK**Tributary**  
MARSH CREEK

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                  | 10/31     | 0.140 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.140 CFS             |               |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

10/31/2018

**Source and Point(s) of Diversion**

ASPEN CREEK

SWSESW

Sec. 27, Twp 12S, Rge 37E, BANNOCK County

**Place Of Use**

IRRIGATION within BANNOCK County

|     |     |     | NE |    |    |    | NW |    |     |    | SW  |     |    |     | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|-----|----|-----|-----|----|-----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW  | SE | NE  | NW  | SW | SE  | NE | NW | SW | SE |        |
| 12S | 37E | 27  |    |    |    |    |    |    | 5.0 |    | 3.0 | 4.0 |    | 4.0 |    |    |    |    | 16.0   |

Right Acre Limit: 8.2

POU Total Acres: 16.0

**Conditions of Approval:**

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.30 CFS. COMBINED RIGHT NOS.: 29-02174, 29-02176, 29-11182
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 16 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02174, 29-02176, 29-11182
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

**Comments:**

2. j barg 10/30/2018 Ownership Change  
water right 29-2176 was split into 29-2176 & 29-14279

State of Idaho  
Department of Water Resources  
**Water Right License**  
*29-2176*



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.1 0.2 0.4 Miles



**IDAHO DEPARTMENT OF WATER RESOURCES**  
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10/30/2018

**Water Right 29-2176**

*Before Split*

| <u>Owner Type</u> | <u>Name and Address</u>                                                                          |
|-------------------|--------------------------------------------------------------------------------------------------|
| Current Owner     | BONNIE H SIMMONS<br>3005 E CHAUCER PL<br>SALT LAKE CITY, UT 84108<br>(801) 581-0930              |
| Current Owner     | M KIP HARTVIGSEN<br>137 MILL HOLLOW RD<br>REXBURG, ID 83440<br>(208) 356-0568                    |
| Current Owner     | RICHARD N HARTVIGSEN<br>1023 E MILLSTREAM WAY<br>BOUNTIFUL, UT 84010<br>(801) 299-1771           |
| Current Owner     | REED & DORIS HARTVIGSEN FAMILY TRUST<br>649 E CENTER ST<br>BOUNTIFUL, UT 84010<br>(801) 295-0844 |
| Current Owner     | LOIS H MORRILL<br>1118 10TH ST<br>OGDEN, UT 84404<br>(801) 392-4112                              |

**Priority Date:** 4/2/1914

**Basis:** Decreed

**Status:** Active

**Source**  
ASPEN CREEK

**Tributary**  
MARSH CREEK

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                         | 10/31     | 0.670 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 0.670 CFS             |               |

**Source and Point(s) of Diversion**

ASPEN CREEK                      SWSESW                      Sec. 27, Twp 12S, Rge 37E,   BANNOCK County

**Place Of Use**

IRRIGATION within BANNOCK County

|     |     |     | NE |    |    |      | NW |    |      |    | SW  |      |    |     | SE   |    |    |    | Totals |
|-----|-----|-----|----|----|----|------|----|----|------|----|-----|------|----|-----|------|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE   | NE | NW | SW   | SE | NE  | NW   | SW | SE  | NE   | NW | SW | SE |        |
| 12S | 37E | 27  |    |    |    |      |    |    | 11.0 |    | 6.0 | 16.0 |    | 4.0 |      |    |    |    | 37.0   |
| 12S | 37E | 28  |    |    |    | 28.0 |    |    |      |    |     |      |    |     | 13.0 |    |    |    | 41.0   |

Right Acre Limit: 40.0

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

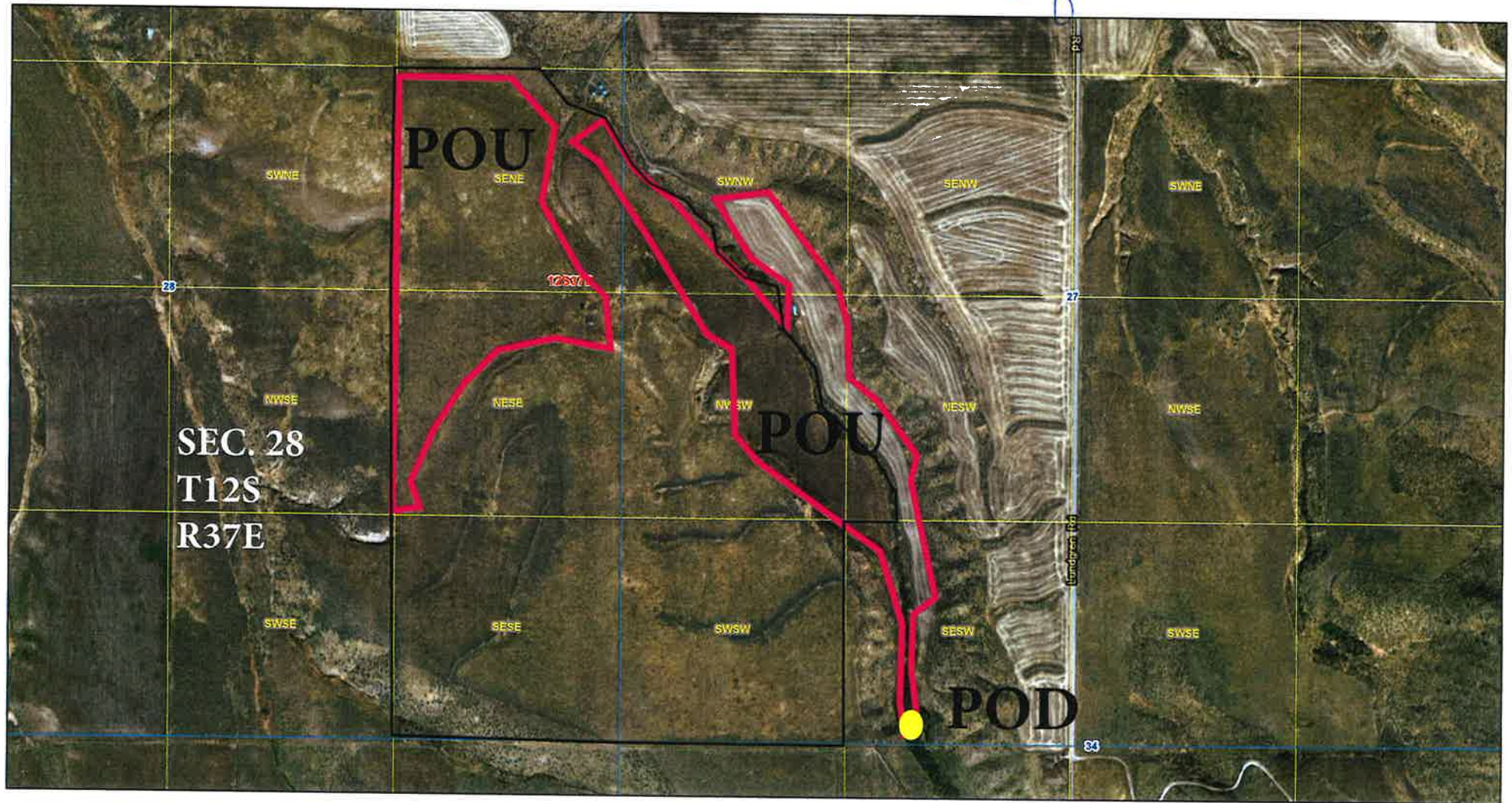
10/30/2018

POU Total Acres: 78.0

**Conditions of Approval:**

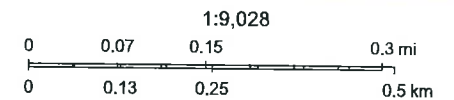
1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. E52 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
5. E56 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

# 29-2176 POD & POU Map *Before Split*



6/8/2018, 2:18:25 PM

● ALL WR DIVERSIONS



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