

REAL PROPERTY:

TRACT NO. 1:

The Southeast quarter of Section 12, in Township 3 South, Range 33, East of the Boise Meridian, in Bingham County, Idaho. jb

TRACT NO. 2:

The South 20 feet of Lot 8, all of Lots 9, 10, 11, 12, 13 and 14, and the Northerly 16 feet of Lot 15, all in Block 2 of White's Addition to the City of Blackfoot, Bingham County, Idaho, according to the recorded plat thereof.

PERSONAL PROPERTY:

Certain stocks, bonds, funds and other personal property.

That the entire purchase price of all of said property was paid by said deceased and Lucy B. Hahn with their community funds and no part thereof was the separate property or funds of said deceased or said Lucy B. Hahn, and that they held title to all of said property until the death of said deceased as community property and not in any respect as the separate property of either said Herbert Hahn or his said wife, Lucy B. Hahn.

NOW, THEREFORE, on motion of the attorney for said petitioner,

IT IS ORDERED, ADJUDGED AND DECREED That at the times and in the manner hereinabove particularly specified and during coverture of said Herbert Hahn and his surviving widow, Lucy B. Hahn, they purchased with community funds and as community property all of the property above-described which was at all times from the dates of purchase to the date of death of said Herbert Hahn, the community property of said purchasers and that during all of said time were husband and wife and lived together as such. That said deceased and said Lucy B. Hahn duly intermarried on the 22nd day of November, 1928 at American Falls, Idaho, and were at all times residents of Idaho and at the time of his death, said deceased was a resident of the County of Bingham, State of Idaho; that upon the death of said Herbert Hahn, title to all of said described property vested in his surviving widow, Lucy B. Hahn, as survivor of said marital community and under the laws of the State of Idaho.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That due and legal notice of this hearing has been given as required by law and the order of this Court and that the same is established of record in this Court.

DATED and DONE in Open Court this 18th day of October, 1972.

/s/ Eugene L. McCoy

EUGENE L. MCCOY, MAGISTRATE

H. William Furchner

FURCHNER, MARTSCH & BAKER
P. O. BOX 752
BLACKFOOT, IDAHO 83221

TELEPHONE: 208 - 785-2310

ATTORNEYS FOR: Surviving Spouse

STATE OF IDAHO)
COUNTY OF BINGHAM) SS.

I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the Magistrate's Division, District Court of the Seventh Judicial District of Idaho, for Bingham County.

Date Nov 1 1972
GRACE WILLIAMS
Clerk, Dist. Court Magistrate Div.

By Long C. Dule
Deputy Clerk

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM

MAGISTRATE'S DIVISION

ESTATE OF)

HERBERT HAHN,)

CASE NO. 219

Deceased.)

NO. 171577
BINGHAM COUNTY, IDAHO
GRACE WILLIAMS, CLERK

72 OCT 18 AM 10 45
171577

OFFICE OF THE CLERK OF THE DISTRICT COURT
FEE \$2.00
RECORDED AT REQUEST OF

Furchner, Martsch
& Baker
BLACKFOOT

DECREE ESTABLISHING TITLE TO COMMUNITY PROPERTY IN
SURVIVING SPOUSE

On this 18th day of October, 1972 at the Courtroom of this Court at Blackfoot in Bingham County, Idaho, pursuant to notice, the petition of Lucy B. Hahn of Pingree, Idaho, for a decree establishing title to community property of herself and her deceased husband, Herbert Hahn, came on regularly for hearing and it having been proved to the Court that the said Herbert Hahn died intestate at his home at Pingree in Bingham County, Idaho, on the 10th day of July, 1972, and was, at the time of his death and for many years prior thereto, a resident of Bingham County, Idaho; that the said Herbert Hahn and Lucy B. Hahn intermarried on or about the 22nd day of November, 1928 at American Falls, Idaho, and from said date until the date of death of said decedent were husband and wife and lived together as such in Bingham County, Idaho, until the death of said deceased; that during coverture of said Herbert Hahn and said Lucy B. Hahn, they purchased with community funds and as community property the following described property situated in the County of Bingham, State of Idaho, to-wit:

RECEIVED

OCT 16 1968

Department of Reclamation

RECEIVED

OCT 9 1968

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Thursday ~~Friday~~ issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 26th day of Sept., 1968

and the last publication having been made on the

3rd day of Oct., 1968; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 3rd

day of Oct., 1968

Kap Hansen

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

June 1, 1969 Jan. 10, 1972

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Herbert Hamm, Pingree, Idaho, has on September 4, 1968, applied for permit under application No. 35-7043 to divert 0.9 cubic feet per second of water from a subterranean source. Water will be diverted by well and sprinkler system within the SW1/4 SE1/4 Sec. 12, Twp. 3 S., Rge. 33 E., B.M. in Bingham County and is to be used from March 1 to November 30 for irrigation in the W1/2 SE1/4 Sec. 12, Twp. 3 S., Rge. 33 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

(853)

Pub.: Sept. 19 and Sept. 26

35-7043

bill sub 10-28-68

August 1, 1973

CERTIFIED MAIL

#24693

Re: Permit No. 35-7043

Herbert Hahn
Pingree,
Idaho 83262

Dear Mr. Hahn:

One of the conditions of approval of your water Permit No. 35-7043 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

35 7043

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7043 Priority Sept. 4, 1968 Amount 0.90 cfs

THIS IS TO CERTIFY, that LUCY B. HAHN
of Pingree, Idaho, has complied with the terms and conditions of Permit
No. 35-7043 issued pursuant to Application for Permit dated September 4, 1968,
and has submitted proof to the Department of Water Resources on October 16, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.45 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>March 1</u> to <u>Nov. 30</u> at <u>0.90</u> cfs and <u>269.5 acre feet or</u> <u>3.5 af per acre</u>			
_____ from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than *0.90 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* 269.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12,
Twp. 3 S, Rge. 33 E, B. M. in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 S	33 E	12														39	38		77

Total number of acres irrigated 77

* Subject to the condition that the maximum rate of diversion and volume per year
shall not exceed 2.45 cfs / 539 af when combined with Licenses No. 35-2565 and
35-7428.

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
February, 19 75.

MICROFILMED

Director

LICENSE ISSUED FOR 90 SEC. FT.
LICENSE PAG. NO. _____

Identification No. 35-7043

Application No. 42814

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

DECREED TO:

Lucy B. Hahn, surviving spouse

1. Name of applicant Herbert Hahn
post office address Pingree, Idaho
2. Source of water supply Drilled well from underground supply which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 3 S
Range 33 E. B.M. Bingham County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. .9 cubic feet per second and/or
b. None acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from March 1 to November 30 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Nothing to be constructed
Will use present sprinkler set-up.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is _____ years.
b. Estimated construction cost is \$ 2000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35-7043

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3 S	33 E	12														38	39		77

Total number of acres to be irrigated 77

c. Describe any other water rights used for the same purposes 60 shares of Rockford Canal Co. stock are for this land but will be sold or abandoned before this 77 inches is used.

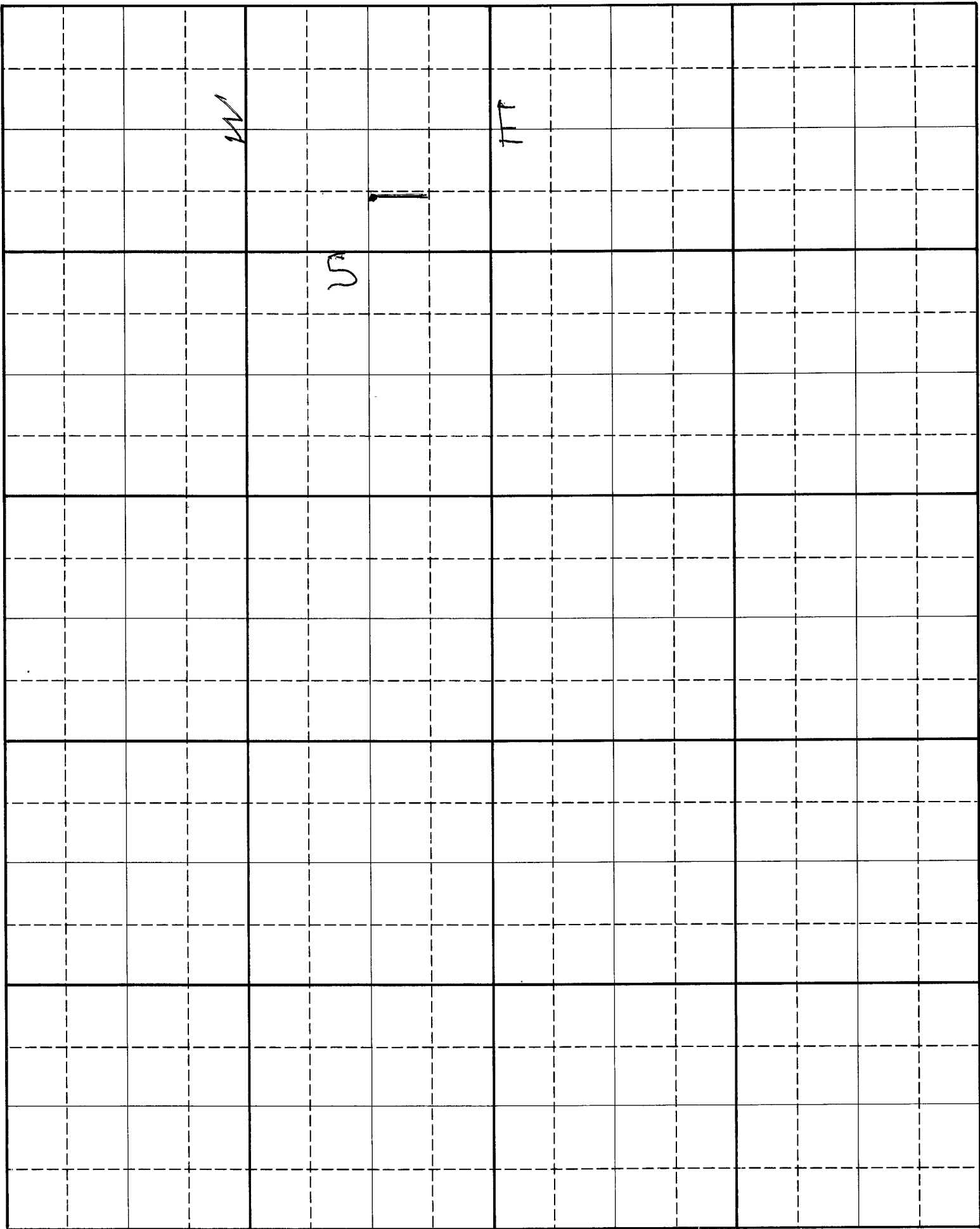
9. a. Who owns the property at the point of diversion Herbert Hahn

b. Who owns the land to be irrigated or place of use Herbert Hahn

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The land described in this application is also covered by license # G27811. This application is for additional water to replace Rockford Canal water to be transferred or abandoned before this permit is used.

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Herbert Hahn
(Applicant)

35-7043

Received by df Date 9-4-68 Time 4:00pm
Preliminary check by Wdw Fee \$ 20.00 9-5-68
Receipted by ef Date 9-5-68
Publication prepared by WJ Date 9-13-68
Published in Blackfoot News
Publication dates 9-30 & 10-3-68
Publication approved WJ Date 9-25-68
Priority reduced to _____ Reason _____

Protests filed by: WJ

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJ R.H. M. Dwyer **APPROVED**

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7042, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 31st day of October 19 68.

Josh A. Bannett
Deputy State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

RECEIVED
SEP 25 1973

Department of Water Administration

State of Idaho)

County of Bingham

Permit No. 35-7043

Herbert Hahn of RR1 box 113 Pingree
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 35-7043.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Oct 1, 19 73.

That he has heretofore performed the following work described under said permit:

well drilled mainline and
laterals and in operation

Costing \$ 12,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: We have been unable
to get a water meter we've had
one ordered from Carg. Surver Inc. of
Blackfoot for ninety days, but they
have been unable to get one

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to July 1, 19 74.

Lucy B Hahn
(signature) *

Subscribed and sworn before me this 24th day of September, 19 73.

seal

My commission expires

Jan 31, 1974

L. William Seedorf
(notary public)
Notary Public for Idaho
Res. Blackfoot, Idaho

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No.
35-7043 to October 1, 1974.

Witness my hand this 24 day of September, 19 73.

R. Keith Higgins
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

35 7043

H. William Furchner

FURCHNER, MARTSCH & BAKER

P. O. BOX 752

BLACKFOOT, IDAHO 83221

TELEPHONE: 208 - 785-2310

ATTORNEYS FOR: Surviving Spouse

Nov. 1 72
Lucy B. Hahn

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM

MAGISTRATE'S DIVISION

ESTATE OF)

HERBERT HAHN,)

CASE NO. 219

Deceased.)

72 OCT 18 AM 10 05
 171577

OFFICE OF THE CLERK
 FEE \$2.00
 RECEIVED IN REQUEST OF
 FURCHNER, MARTSCH
 & BAKER
 BIKET

DECREE ESTABLISHING TITLE TO COMMUNITY PROPERTY IN
SURVIVING SPOUSE

On this 18th day of October, 1972 at the Courtroom of this Court at Blackfoot in Bingham County, Idaho, pursuant to notice, the petition of Lucy B. Hahn of Pingree, Idaho, for a decree establishing title to community property of herself and her deceased husband, Herbert Hahn, came on regularly for hearing and it having been proved to the Court that the said Herbert Hahn died intestate at his home at Pingree in Bingham County, Idaho, on the 10th day of July, 1972, and was, at the time of his death and for many years prior thereto, a resident of Bingham County, Idaho; that the said Herbert Hahn and Lucy B. Hahn intermarried on or about the 22nd day of November, 1928 at American Falls, Idaho, and from said date until the date of death of said decedent were husband and wife and lived together as such in Bingham County, Idaho, until the death of said deceased; that during coverture of said Herbert Hahn and said Lucy B. Hahn, they purchased with community funds and as community property the following described property situated in the County of Bingham, State of Idaho, to-wit:

REAL PROPERTY:

TRACT NO. 1:

The Southeast quarter of Section 12, in Township 3 South, Range 33, East of the Boise Meridian, in Bingham County, Idaho. 36

TRACT NO. 2:

The South 20 feet of Lot 8, all of Lots 9, 10, 11, 12, 13 and 14, and the Northerly 16 feet of Lot 15, all in Block 2 of White's Addition to the City of Blackfoot, Bingham County, Idaho, according to the recorded plat thereof.

PERSONAL PROPERTY:

Certain stocks, bonds, funds and other personal property.

That the entire purchase price of all of said property was paid by said deceased and Lucy B. Hahn with their community funds and no part thereof was the separate property or funds of said deceased or said Lucy B. Hahn, and that they held title to all of said property until the death of said deceased as community property and not in any respect as the separate property of either said Herbert Hahn or his said wife, Lucy B. Hahn.

NOW, THEREFORE, on motion of the attorney for said petitioner,

IT IS ORDERED, ADJUDGED AND DECREED That at the times and in the manner hereinabove particularly specified and during coverture of said Herbert Hahn and his surviving widow, Lucy B. Hahn, they purchased with community funds and as community property all of the property above-described which was at all times from the dates of purchase to the date of death of said Herbert Hahn, the community property of said purchasers and that during all of said time were husband and wife and lived together as such. That said deceased and said Lucy B. Hahn duly intermarried on the 22nd day of November, 1928 at American Falls, Idaho, and were at all times residents of Idaho and at the time of his death, said deceased was a resident of the County of Bingham, State of Idaho; that upon the death of said Herbert Hahn, title to all of said described property vested in his surviving widow, Lucy B. Hahn, as survivor of said marital community and under the laws of the State of Idaho.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That due and legal notice of this hearing has been given as required by law and the order of this Court and that the same is established of record in this Court.

DATED and DONE in Open Court this 18th day of October, 1972.

/s/ Eugene L. McCoy

EUGENE L. MCCOY, MAGISTRATE

NOTICE OF DIVERSION
OF WATER

Notice is hereby given that Herbert H. Higgins, Idaho, has on September 4, 1968, applied for permit under application No. 35-7043 to divert 0.9 cubic feet per second of water from the Subirrigation source. Water will be diverted by well and sprinkler system within the SW 1/4 Sec. 12, Twp. 3 S., Rge. 3 E., B.M. in Bingham County and used from March 1 to March 30 for irrigation of the SE 1/4 Sec. 12, Twp. 3 S., Rge. 3 E., B.M.

Any person who has this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

KEITH HIGGINS
State Reclamation Engineer

(053)

Sept. 19 and Sept. 20

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Thursday

~~XXXX~~ issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 26th day of Sept., 1968

and the last publication having been made on the

3rd day of Oct., 1968; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 3rd

day of Oct., 1968

Kap Haysen

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires

June 1, 1969. Jan. 10, 1972

35-7043

will date 10 28 68

February 11, 1975

Re: Permit Nos. 35-7043 & 35-7428

Ms. Lucy B. Hahn
Route 1, Box 113
Pingree, Idaho 83262

Dear Ms. Hahn:

Enclosed are copies of the water licenses issued on the above referenced permits.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

MICROFILMED

January 27, 1975

Re: Permits No. 35-7043
35-7428

Mrs. Lucy B. Hahn
Route 1 - Box 113
Pingree, Idaho 83262

Dear Mrs. Hahn:

A representative of this Department has made an examination of the works covered by the above referenced permits and has found the following:

Permit 35-7043

Quantity of water diverted: 2.45 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 0.90 cfs

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 3 S, Rge. 33 E, B.M.

Beneficial use: Irrigation of 77 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, Twp. 3 S, Rge. 33 E, B.M.

Priority date established: Sept. 4, 1968

Permit 35-7428

Quantity of water diverted: 2.45 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 cfs

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 3 S, Rge. 33 E, B.M.

MICROFILMED

Page 2
Mrs. Lucy B. Hahn
Re: 35-7043 & 35-7428
January 27, 1975

Permit 35-7428 (con'd.)

Beneficial use: Irrigation of 154 acres within the SE $\frac{1}{4}$, Sec. 12,
Twp. 3 S, Rge. 33 E, B. M.

Priority date established: June 21, 1974

If you do not concur with these findings please contact us within 10 days, otherwise
water licenses will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Lucy B. Hahn
Post office address Route #1, Box 113, Pingree, Idaho 83262
Person to contact
Phone 6684-4894

2. Source of water supply: Groundwater [X] Surface water []
Tributary to
(name spring, stream, etc.)

3. Water will be used for the following purposes:
Amount .9 c.f.s. for irrigation
AF/Annum (nature of use)
Period of Use: from Mar. 1 to Nov. 30
(mo.-day) inclusive (mo.-day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo.-day) inclusive (mo.-day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo.-day) inclusive (mo.-day)
Other uses:

Permit No. 35-7043
Examination for b/u

4. Total amount to be appropriated:
Max Rate of Diversion .9 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:
Township 3S N/S, Range 33E E/W, B.M., Section 12, Subdivision SW 1/4 SE 1/4, Bingham County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4, County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4, County
Other Points of Diversions:

Description of diverting works: 75 hp electric motor and turbine pump with eight 3" sprinkler laterals with nozzles 5/36" diameter; mainline is 10" reduced to 8" reduce to 6" pipe.

Measuring device required: yes [X] no []

6. Lands to be irrigated or place of use.

Table with 19 columns: TWP., RANGE, SEC., NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTALS. Row 1 contains data for Township 3S, Range 33E, Section 12, with a total of 77 acres.

T
3
S

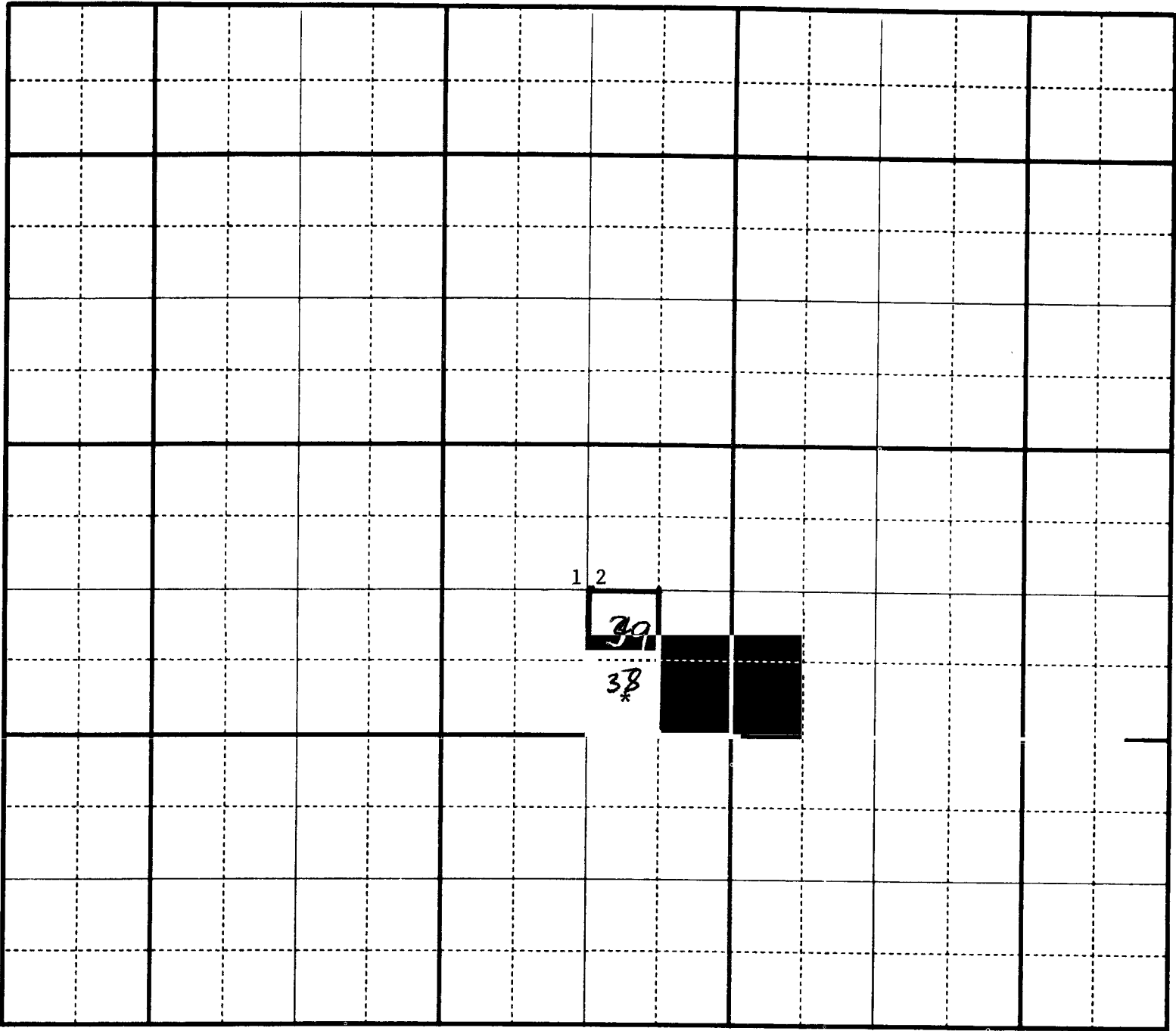
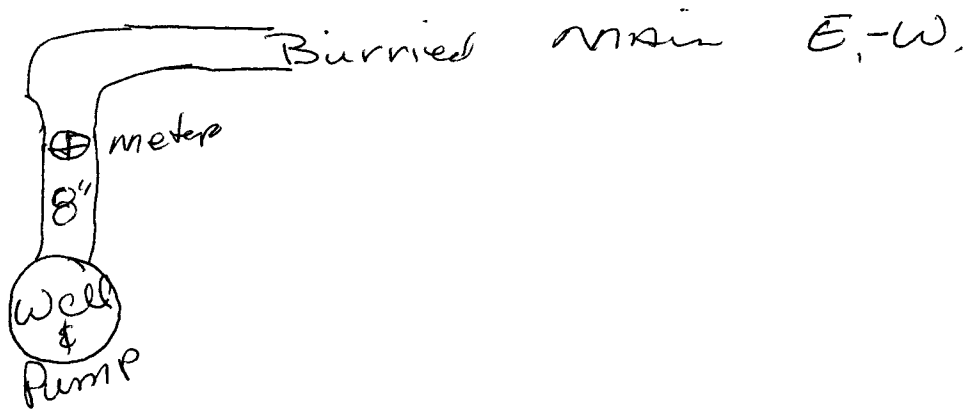
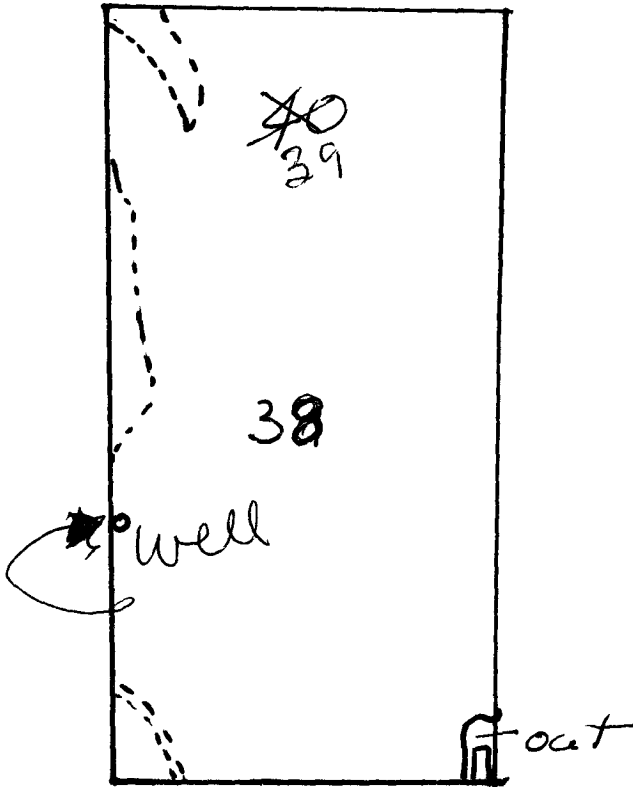


Diagram of System





12+7
13 '18

MICROFILMED

DATE OF EXAM MAY 22, 1974

ACREAGE
Found ~~77~~ 77
Recommended ~~77~~ 77

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = _____ c.f.s. V = 273 AF/Ann. from Apr 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.45 cts Method of measurement IN Line Meter

Total Q recommended .9 cts Meter No. MO559392 Type BADGER Condition Good

Total V recommended _____

Recommended Amendments:

P.D. _____
Place of Use Possible
Other _____
None ☒

MEASUREMENT CALCULATION:

$$Q = \frac{1100 \text{ gal/min}}{448.8} = 2.45 \text{ cts}$$

$$V = 78 \text{ Ac} \times 3.5 \text{ Af/Ac} = 273 \text{ Af/Ann}$$

SYSTEM DESCRIPTION:

GE TRI CLAD MOTOR 75 Hp Ser # BGT 224523
Layne & Bowler Pump Ser # 44789

7 1/4 mile hand lines 32002/line 5/32" MAIN Line Runs E-W

REMARKS:

Entire
The SE 1/4 Sect 12 T3S R33E is being
Irrigated by This well Applicant has made
A new filing.
Land & System Shown by Jack Billings Renton
35-2565 covers same ground .64 cts

Examiner's Signature W.R. Rhoads Date MAY 28, 74

Checked by LO Kuhn Date Sept 8, 1974

Approved by _____ Date _____

October 18, 1973

Re: Permit No. 35-7043

Lucy B. Hahn
Route #1, Box 113
Pingree, Idaho 83262

Dear Ms. Hahn:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

cc: Furchner, Martsch & Baker
H. William Furchner

35 7043

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder LUCY B. HAHN
b) Post Office Address Route 1, Box 113, Pingree, Idaho 83262
2. Permit Number 35-7043
3. Date of Priority that you are prepared to establish September 4, 1968
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 12
Township 3 South, Range 33 East, Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount .9 cfs for irrigation purposes from March 1 to Nov. 30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .9 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By computation of well driller and equipment distributor

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Not applicable

b) Describe the agreement or understanding by which you take water from the works: _____
Not applicable

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 75 h.p. electric motor and turbine pump with eight 3-inch sprinkler laterals with nozzles 5/36 inches diameter; mainline is 10" reduced to 8" reduced to 6" pipe
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
One 10" Badger water meter
c) Give well drillers name and address and date the well was completed Andy Webb and Richard Webb, Pingree, Idaho. Well commenced April 16, 1959 and completed April 22, 1959 to a depth of 80 feet.

Exam typed 10/18/23 by jc

35 7043

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Not applicable

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

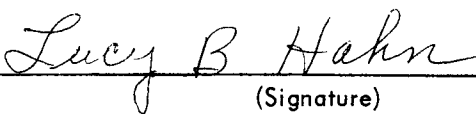
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 So.	33 E	12														38	39		77

Total number of acres irrigated 77

10. Remarks: All canal irrigation water has been abandoned and is non-deliverable since the canal has been removed.

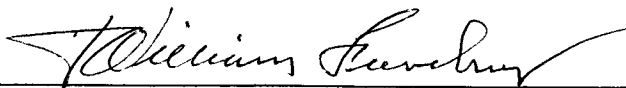
The above information is a true statement of the extent to which the above numbered permit has been developed.

October 15, 1973
(Date)


(Signature)

State of IDAHO)
County of Bingham) ss.

On this 15th day of October, 19 73, personally appeared before me the signer(x) of the above instrument, who duly acknowledged to me that he (she) (~~they~~) executed the same.


Notary Public residing at Blackfoot, Idaho

My commission expires January 31, 1974

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

October 15, 1973

H. WILLIAM FURCHNER
JAMES L. MARTSCH
—
DWIGHT E. BAKER

AREA CODE 208
785-2310
—
P. O. BOX 752

Department of Water Administration
State of Idaho
State House - Annex 2
Boise, Idaho 83707

Re: Permit No. 35-7043
Lucy B. Hahn
Route 1, Box 113
Pingree, Idaho 83262

Gentlemen:

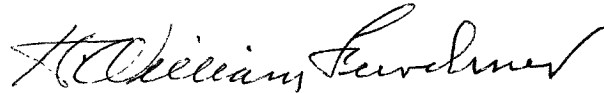
Since your extension of time for filing final proof in the above matter, Mrs. Hahn has succeeded in obtaining a water meter and has the same installed.

We have, therefore, prepared and enclose herewith her Proof of Application of Water to Beneficial Use.

When the field examination has been completed and the final license is issued, please forward the same to us for Mrs. Hahn.

Very truly yours,

FURCHNER, MARTSCH & BAKER



H. William Furchner

Encl:
HWF:fb

35 7043

September 27, 1973

Re: Permit No. 35-7043

Mrs. Lucy B. Hahn
Route #1, Box 113
Pingree, Idaho 83262

Dear Mrs. Hahn:

Enclosed you will find a copy of the approved application for extension in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to October 1, 1974.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enclosure

cc: Furchner, Martsch & Baker
Attn: H. William Furchner
Enclosure

35 7043

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
JAMES L. MARTSCH
—
DWIGHT E. BAKER

AREA CODE 208
785-2310
—
P. O. BOX 752

September 24, 1973

Department of Water Administration
State of Idaho
State House - Annex 2
Boise, Idaho 83707

Re: PERMIT NO. 35-7043
Herbert Hahn
Pingree
Idaho 83262

Gentlemen:

On behalf of Mrs. Lucy B. Hahn, surviving widow of Herbert Hahn, deceased, we enclose herewith Application for Extension of Time for completion of requirements under the above permit, together with a certified copy of the Decree Establishing Title to Community Property in Surviving Spouse.

Mrs. Hahn has ordered the required measuring device from Ag Services, at Blackfoot, Idaho, but to date they have been unable to supply the device and for that reason she requests the extension of time to July 1, 1974.

Very truly yours,

FURCHNER, MARTSCH & BAKER



H. William Furchner

EBC:n
Encls.

35 7043

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 20, 1973

Re: Permit No.'s 35-7043 - Herbert Hahn
35-7049 - Jack Billings & Clarence Parsons

Mr. Jack Billings
Route #1, Box 112
Pingree, Idaho 83262

Dear Mr. Billings:

Pursuant to your letter of September 18, we are enclosing two (2) applications for extension of time forms.

Please be advised that these applications for extension must be submitted to the Department on or before the date that proof of beneficial use of water is due. On Permit No. 35-7043 the date for proof is October 1, 1973. On Permit No. 35-7049 it is December 1, 1973.

If you need further assistance concerning these matters, please do not hesitate to contact us..

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enclosures

35 7043

RECEIVED

SEP 19 1973

Department of Water Administration

RT 1 Box 112

Penguin, Idaho 83262

September 18, 1973

Mr Keith Haggren
Department of Water Administration
Boise, Idaho

Dear Sir:

I have been trying all summer to get water meters from Agricultural Services, Inc. of Blackfoot, Idaho, to put on the well owned by Clarence Parnell and me (Jack Bellings) and one owned by Herbert Hahn. As Services has been unable to get any meters, although they have been ordered for many days.

I would like to apply for an extension of time for putting up on these wells until I can get the water meters.

Thank you

Sincerely,

Jack Bellings

RT. 1 Box 112

Penguin, Idaho 83262

35 7043

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

1

INSURED NO.

2

DATE DELIVERED

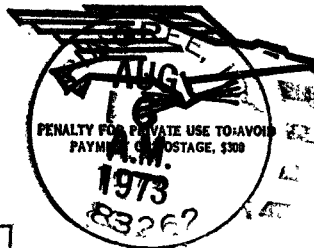
SHOW WHERE DELIVERED (*only if requested*)

3

35 7043

1955-16-71548-11 347-198 GPO

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

**RETURN
TO**

**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

35 7043

August 1, 1973

CERTIFIED MAIL

#24693

Re: Permit No. 35-7043

Herbert Hahn
Pingree,
Idaho 83262

Dear Mr. Hahn:

One of the conditions of approval of your water Permit No. 35-7043 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

35 7043

November 1, 1968

Re: Permit No. 35-7043 - Herbert Hahn

Mr. Herbert Hahn
Pingree,
Idaho 83262

Dear Mr. Hahn:

We enclose a copy of your approved application for permit 35-7043
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 2027 for \$20.
2 informational letters

35-7043

October 14, 1968

Re: Application No. 35-7043
Herbert Hahn

The Blackfoot News
Blackfoot,
Idaho 83221

Gentlemen:

Returned is the affidavit of publication for the above referenced application. Please note that a clipping of the legal notice is not attached to the affidavit. Please complete the affidavit and return it to this department so that we may submit the bill for payment.

Contact the Department of Reclamation if you have further questions.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Affidavit

35-7043

August 1, 1973

CERTIFIED MAIL

#24693

Re: Permit No. 35-7043

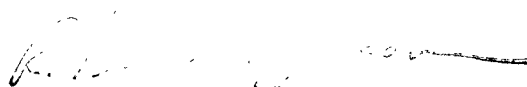
Herbert Hahn
Pingree,
Idaho 83262

Dear Mr. Hahn:

One of the conditions of approval of your water Permit No. 35-7043 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

35 7043

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that ~~Herbert Hahn, Pingree, Idaho,~~ has on ~~September 4, 1968,~~ applied for permit under application No. ~~35-7043~~ to divert ~~0.9~~ cubic feet per second of water from a ~~subterranean~~ source.

Water will be diverted by ~~well~~ and ~~sprinkler~~ system within the ~~SW1/4 SE1/4 Sec. 12, Twp. 3 S., Rge. 33 E., B.M. in Bingham County~~ and is to be used from ~~March 1 to November 30~~ for irrigation in the ~~W1/2 SE1/4 Sec. 12, Twp. 3 S., Rge. 33 E., B.M.~~

sour

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

(853)

Pub.: ~~Sept. 19~~ and ~~Sept. 26~~

35-7043

The seal of the State of Idaho is a circular emblem. It features a central shield with a mountain range, a river, and a rising sun. Above the shield is a laurel wreath. On either side of the shield are two female figures representing Justice and Liberty. The words "GREAT SEAL OF THE STATE OF IDAHO" are inscribed around the perimeter of the seal.

STATE OF IDAHO

September 13, 1968

35-7043

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Herbert Hahn, Pingree, Idaho

_____ has on September 4, 1968
 applied for permit under application No. 35-7043 to divert ~~store~~
0.9 cubic feet per second ~~area feet~~ of water from _____
a subterranean source. Water will be diverted by _____
well and sprinkler system within the _____
SW 1/4 Sec. 12, Twp. 3 E., Rge. 33 E., B.M. in Bingham County
 _____ and is to be used from March 1 to November 30 for irrigation

in the W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 12, Twp. 3 E., Rge. 33 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the The Blackfoot News
on September 26th and October 3rd.

35-7043