

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that E. Jay Hartvigsen
(Name of Claimant)
984 Millbrook Way, Bountiful, Utah 84010 Telephone No. (801) 295 2456
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1915

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Quaking Aspen Creek tributary to Marsh Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.14</u>	Use	<u>Irrigation</u>	Period of Use From	<u>April 1</u> To <u>Oct 31</u>
Quantity	<u>.03</u>	Use	<u>Stockwatering</u>	Period of Use From	<u>Jan 1</u> To <u>Dec 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .17 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 34 Twp. 12S Rge. 37E B.M., County of Bannock
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Water is diverted by earthen ditch to the lands irrigated and for the watering of livestock

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	37E	34													7				7

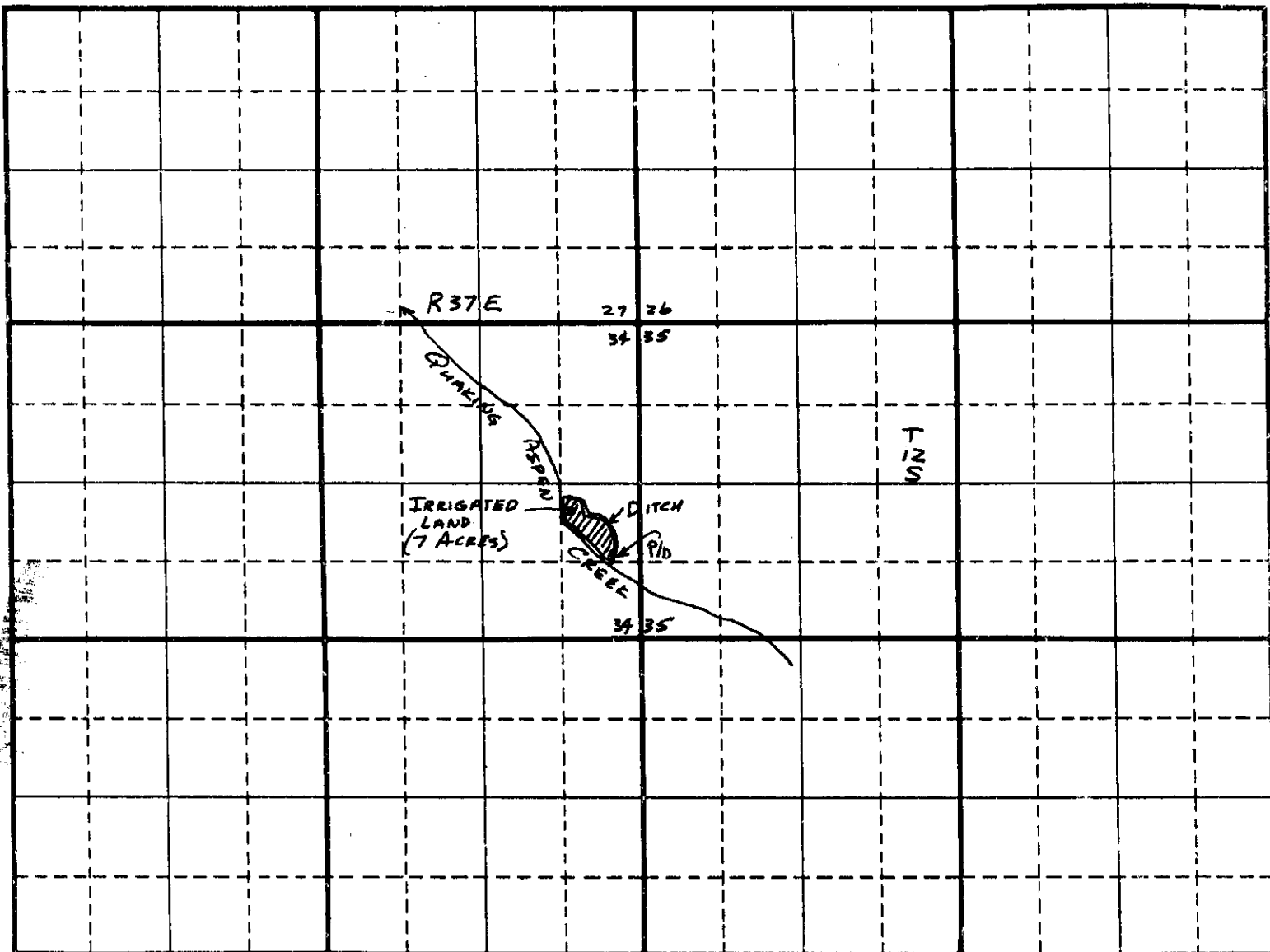
No. of acres 7

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
As a supplemental supply together with water from Mud Spring and an unnamed stream to water 8 horses, 10 milk cows, 10 pigs, and 200 chickens.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks These lands were homesteaded in 1915 and the use of water has been continuous since that date. It has also been open and notorious as against all other users of water from Quaking Aspen Creek and streams to which it is tributary.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of UTAH)
County of DAVIS) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 13 day of May, 19 83

E. Jay Hartington
(Claimant)
Julius A. Holmstrom
Notary Public
Residing at Mountain View

My commission expires April 5, 1987

FOR DEPARTMENT USE ONLY

Received by KW Date 5-18-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KW Date 5-23-83 claimant by: _____
\$30.00 fee received by (K) Date 5-22-83 #26782

24

IN THE MATTER OF:)
)

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claim(s) have been filed
on water right(s) created by diversion
and beneficial use.

29-4363

WEAVER, REBECCA L.
RT. 1, BOX 76, DOWNEY, ID 83234
Source: SPRING trib. to PECK CREEK
UNNAMED STREAM trib. to PECK
CREEK

Priority Date: 04-14-1913
Diversion Pt: SWNE Sec 05 T 11S R 37E
Use: IRRIGATION (0.14 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWNE Sec 05 T 11S R 37E FOR 7
ACRES

29-4362

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to COTTON-
WOOD CREEK
UNNAMED STREAM trib. to COTTON-
WOOD CREEK

Priority Date: 03-01-1929
Diversion Pt: NENE Sec 12 T 11S R 38E
Use: STOCKWATER (0.31 CFS)
DOMESTIC (0.04 CFS)
In: NENE Sec 12 T 11S R 38E

29-4361

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: COTTONWOOD CREEK
Priority Date: 03-01-1929
Diversion Pt: NENE Sec 01 T 11S R 38E
Use: STOCKWATER (0.31 CFS)
In: NENE Sec 01 T 11S R 38E

29-4360

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to DEMPSEY
CREEK
Priority Date: 03-01-1929
Diversion Pt: NWSE NESW Sec 01 T 11S
R 38E

Use: STOCKWATER (0.31 CFS)
In: NESW NWSE Sec 01 T 11S R 38E

29-4359

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to PORTNEUF
RIVER
DEMPSEY CREEK trib. to PORT-
NEUF RIVER

Priority Date: 03-01-1929
Diversion Pt: NENW NWNW Sec 12 T
11S R 38E SESE NESW Sec 01 T 11S R
38E

Use: STOCKWATER (0.31 CFS)
In: NENW NWNW Sec 12 T 11S R 38E
NENW NWNW SENW NESW Sec
01 T 11S R 38E

29-4358

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to COTTON-
WOOD CREEK

Priority Date: 03-01-1929
Diversion Pt: SWNE NWSW SWNW
SENE Sec 12 T 11S R 38E
Use: STOCKWATER (0.31 CFS)
In: SWNE SENE SWNW SENW NWSW
Sec 12 T 11S R 38E

29-4357

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to COTTON-
WOOD CREEK
WALKER CREEK trib. to COTTON-
WOOD CREEK

Priority Date: 03-01-1929
Diversion Pt: SWSW Sec 12 T 11S R 38E
Use: STOCKWATER (0.31 CFS)
In: SWSW Sec 12 T 11S R 38E

29-4356

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to DEMPSEY
CREEK

Priority Date: 03-01-1929
Diversion Pt: SWNW SENW Sec 01 T
11S R 38E

Use: STOCKWATER (0.31 CFS)
In: SWNW SENW Sec 01 T 11S R 38E

29-4355

RENCHER, JOHN U.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to DEMPSEY
CREEK

Priority Date: 03-01-1929
Diversion Pt: NWSW NESW SWNW
ENW Sec 01 T 11S R 38E

Use: STOCKWATER (0.31 CFS)
In: SWNW SENW NESW NWSW Sec 01
T 11S R 38E

being first duly sworn on oath deposes and says: That

was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

June 2, 1983

June 9, 1983

June 16, 1983

June 23, 1983

June 30, 1983

That said paper has been continuously and un-
in said County for a period of seventy-eight weeks
of said notice or advertisement and is a newspaper
of the laws of Idaho.

Subscribed and sworn to before me this

day of June, 1983

POOR QUALITY ORIGINAL

29-4354

HARTVIGSEN, E. JAY
984 MILLBROOK WAY, BOUNTIFUL,
UT 84010

Source: QUAKING ASPEN CREEK
trib. to MARSH CREEK
Priority Date: 04-01-1915

Diversion Pt: NESE Sec 34 T 12S R 37E
Use: IRRIGATION (0.14 CFS)
STOCKWATER (0.03 CFS)
In: NESE Sec 34 T 12S R 37E FOR 7
ACRES

29-4352

HARTVIGSEN, E. JAY
984 MILLBROOK WAY, BOUNTIFUL,
UT 84010

Source: UNNAMED STREAM trib. to
QUAKING ASPEN CREEK
Priority Date: 04-01-1915

Diversion Pt: SESE Sec 34 T 12S R 37E
Use: IRRIGATION (0.12 CFS)
STOCKWATER (0.03 CFS)
In: NESE NWSE Sec 34 T 12S R 37E
FOR 6 ACRES

Note

29-4353

Res: HARTVIGSEN, E. JAY
984 MILLBROOK WAY, BOUNTIFUL,
UT 84010

Source: MUD SPRING trib. to QUAK-
ING ASPEN CREEK
Priority Date: 04-01-1915

Diversion Pt: NWSW Sec 35 T 12S R 37E
NESE Sec 34 T 12S R 37E
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SWNE SENE Sec 34 T 12S R 37E
FOR 2 ACRES

18-4226

RENCHER JOHN L.
214 E. 600 S., FARMINGTON, UT 84025
Source: SPRING trib. to COTTON-
WOOD CREEK

FOX CANYON, RIGHT FORK trib. to
COTTONWOOD CREEK
Priority Date: 03-01-1929

Diversion Pt: NWSE NWNE SWNE
SWSE Sec 05 T 11S R 38E
Use: STOCKWATER (0.31 CFS)
DOMESTIC (0.04 CFS)

In: NWNE SWNE NWSE SWSE Sec 05 T
11S R 38E NWNE SWNE SENE NESE
SESE Sec 08 T 11S R 39E

29-4350

BLANCHARD, HOWARD W. &/or
MARY D.
HCR-1, BOX 50, ARIMO, ID 83214

Source: GROUNDWATER
Priority Date: 10-10-1944
Diversion Pt: NENW Sec 10 T 10S R 36E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENW Sec 10 T 10S R 36E

29-4351

OLSON, SPENCER
ARIMO, ID 83214
Source: SPRINGS trib. to MARSH
CREEK

Priority Date: 04-01-1884
Diversion Pt: NWNE Sec 18 T 10S R 37E
Use: IRRIGATION (0.30 CFS)
STOCKWATER (0.10 CFS)

In: SWSE Sec 07 T 10S R 37E NWNE Sec
18 T 10S R 37E FOR 29 ACRES

Exceptions to a claim may be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.

S/KEN DUNN, Dir.
June 2, 9, 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 20, 1983

RECEIVED

E. JAY HARTVIGSEN
984 MILLBROOK WAY
BOUNTIFUL

UT 84010

RE: Claim No. 29-4354

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

June 1, 1983

RE: Claims to Water Rights No. 29-4355 RENCHER
29-4356 "
29-4359 "
29-4360 "
29-4363 WEAVER
29-4351 OLSON
29-4354 HARTVIGSEN

Thomas Bloxham, Watermaster
Water District 29
Downey, Idaho 83234

Dear Mr. Bloxham:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith Carlson

Right Number

29 4354

Applicant

E. Jay Hartvigsen

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.
- ☒ *WD #29*

June 20, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By *Ernest Carlson*

Date *June 24, 1983*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

RC

Date

7/12/83

RECEIVED
JUL 12 1983

Department of Water Resources

29-4354

HARTVIGSEN, E. JAY

984 MILLBROOK WAY, BOUNTIFUL, UT 84010

Source: QUAKING ASPEN CREEK trib. to MARSH CREEK

Priority Date: 04/01/1915

Diversion Pt: NESE Sec 34 T 12S R 37E

Use: IRRIGATION (0.14 CFS)
STOCKWATER (0.03 CFS)

In: NESE Sec 34 T 12S R 37E FOR 7 ACRES

108 29-4354
109 HARTVIGSEN, E. JAY
110 984 MILLBROOK WAY, BOUNTIFUL,
111 UT 84010
112 Source: QUAKING ASPEN CREEK
113 trib. to MARSH CREEK
114 Priority Date: 04-01-1915
115 Diversion Pt: NESE Sec 34 T 12S R 37E
116 Use: IRRIGATION (0.14 CFS)
117 STOCKWATER (0.03 CFS)
118 In: NESE Sec 34 T 12S R 37E FOR 7
119 ACRES