

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: A25-00002
Date Received: 9/27/1989
Receipt No: E010843
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FORREST MANN 208-357-3777
Address: 257 W. MAPLE
SHELLEY, ID 83274

OR

Name: MATT MANN 208-357-3777
Address: 257 W. MAPLE
SHELLEY, ID 83274

2. Date of Priority: JUN 15, 1885

3. Source: CLARK CREEK Trib. to: GRAYS LAKE OUTLET

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	43E	17	NE	NW	NE		BONNEVILLE
			SW	NW	NE		BONNEVILLE

5. Description of diverting works:
HEADGATE AND OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 387.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER FOR 500 PAIR RANGE CATTLE.

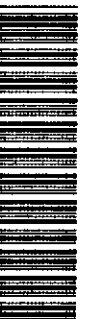
A25-00002

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Date: 09/27/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03S	43E	18	NE		SE		IRR	26.5
			NW		SE		IRR	11.0
			SW		SE		IRR	25.5
			SE		SE		IRR	40.0
							Section Acres	103.0
		19	NE		NE		IRR	35.0
			NW		NE		IRR	17.0
							Section Acres	52.0
							Total Acres	155.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:
DURING PERIOD OF SHORTAGE WATER FROM CLARK CREEK IS SHARED
EQUALLY WITH RIGHT A25-00003 (SEE DECREE FOR ORDER).

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 5/03/1913

JOHN HANNI
Decree Plaintiff

vs

SMART AND WEBSTER LIVESTOCK CO
Decree Defendant

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

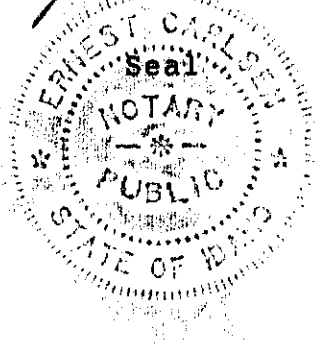
Signature of Claimant(s): Garrett Mann Date: Sept 27/89
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of Sept. 19 89

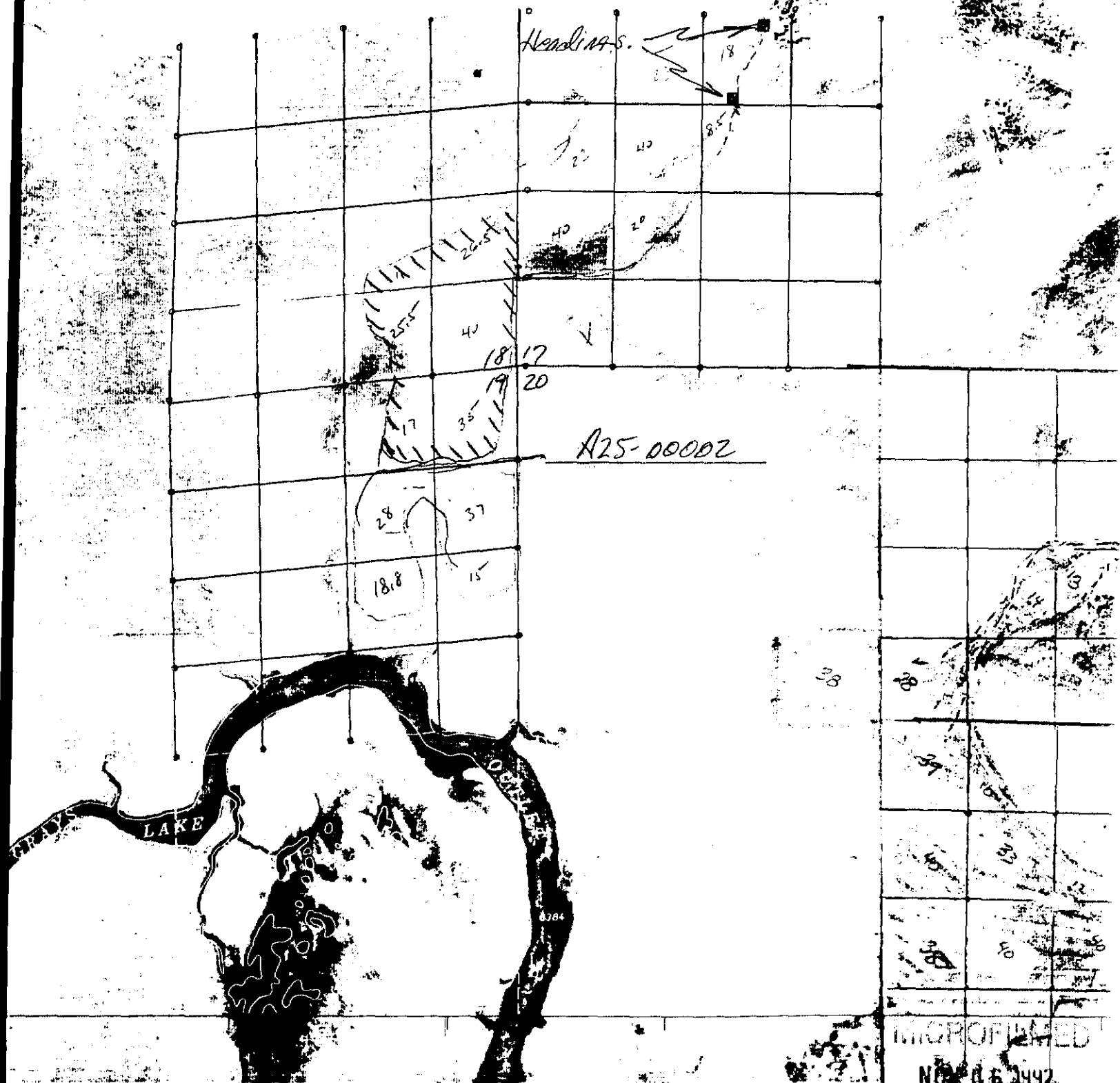
Ernest Carlsen
Notary Public



Residing at Alto Falls, ID

My Commission Expires 6-14-1994

Twp 3S. RGE 43E.

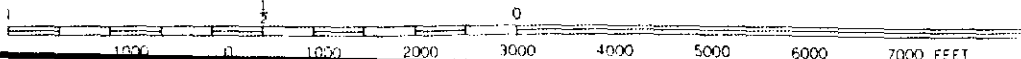


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SCALE 1:24000



Log for claim 25-00002

Spatial Dynamics CAT

10/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s43e	18	NWSE	11	41	Indiscernible
03s43e	18	SESE	25	41	Indiscernible
03s43e	18	SWSE	40	42	Indiscernible
03s43e	18	NESE	26	41	Indiscernible
03s43e	19	NENE	35	41	Indiscernible
03s43e	19	NWNE	17	41	Indiscernible
Totals:			154	247	

AJ5809NP
No. A25-00002

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FORREST MANN	06/15/1885	IRRIGATION	04-01 11-01	4.000 CFS	
C	MATT MANN					
	257 W MAPLE					
	SHELLEY ID 83274			TOTAL DIVERSION:	4.000 CFS	
	(208) 357-3777			CONSUMPTIVE USE:		387.50 AFA

Water Source: CLARK CREEK

Tributary to: GRAYS LAKE OUTLET

Stage: DECREED

Point(s) of Diversion: T03S R43E S17 NENWNE SWNWNE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM	
03S	43E	18	:								:								:	26	11	25	40	: 103.0
03S	43E	19	:	35		17					:								:					: 52.0
TOTAL ACRES																						155.0		

POU County: BONNEVILLE

Non-Irrigation Uses: INCIDENTAL STOCKWATER FOR 500 PAIR RANGE CATTLE.

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00003

Remarks: GEN DURING PERIOD OF SHORTAGE WATER FROM CLARK CREEK IS SHARED
EQUALLY WITH RIGHT A25-00003 (SEE DECREE FOR ORDER).

Dates: Exam Made Date: Verified Date: 03/05/1985 Objection Filed Date:

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

Audit: 09/27/89 CARLSEN 03/29/95 POST-STD

Continuation of Abstract of Title

No. 19- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF
IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE.

John Hanni, Plaintiff,

-vs-

DECREE.

Smart and Webster Live Stock
Company, Limited, a corporation,
Defendant.

THIS CASE COMING ON FOR HEARING Before the court this day, and the parties hereto having expressly waived in writing in open court Findings of Fact and Conclusions of Law on the part of the court in this cause, and it being further stipulated and agreed in writing in open court by the parties hereto that the plaintiff and defendant are the owners, and in possession of the lands described in their respective pleadings in this cause, and that all of said lands of both plaintiff and defendant are arid in character, and require the use of water thereon for irrigation in order to produce profitable crops, and that the plaintiff and defendant and their predecessors in interest, respectively, did on June 15th, 1885, appropriate two hundred (200) inches, or four cubic feet per second of time, each, of the waters of Clark Creek, in the County of Bonneville, and State of Idaho, to be used upon their respective tracts of land set up in their respective pleadings in this cause, and that by means of dams and ditches of sufficient size and capacity said water was by them on said day appropriated, diverted and used upon their respective lands in the amount above aused, to wit, two hundred (200) miners inches, or four cubic feet of water per second of time, each, and that each of said parties and their predecessors in interest have continued to so use said amount of water, continuously, upon said lands for irrigation and domestic purposes, and that said water is necessary for such purposes;

And it being further mutually stipulated and agreed in writing and in open Court that the court enter a decree in favor of the parties hereto for two hundred (200) miners inches or four cubic feet of water per second of time of the waters of Clark Creek for use on the said respective lands as of the 15th day of June, 1885, and in case at any time during any irrigating season there is not sufficient water in said creek to supply both claims of plaintiff and defendant in full, then each of the parties hereto shall divide the waters actually flowing in said creek equally;

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED that the plaintiff herein do have and there is hereby decreed to John Hanni for use upon the following described lands, to wit, the Northeast quarter of the Southeast quarter, the West half of the Southeast quarter, of Section 18, and the Northwest quarter of the Northeast quarter of Section 19, township three, south of Range 45 East of Boise Meridian, two hundred (200) inches, or four cubic feet of water per second of time, of the waters of Clark Creek, in the County of Bonneville, and State of Idaho, as of the 15th day of June, 1885, and

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IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that the defendant herein do have and there is hereby decreed to the Smart and Webster Live Stock Company, limited, a corporation, for use upon the following described lands, to wit, the West half of the Northeast quarter, the West half of the Southeast quarter, the North half of the Southwest quarter, the South half of the Northwest quarter, and the Northeast quarter of the Northwest quarter of Section 17, township three south of Range 43 East of Boise Meridian, in the County of Bonneville and State of Idaho, two hundred (200) miners inches or four cubic feet of water per second of time, of the waters of Clark creek, in the County of Bonneville, and State of Idaho, as of the 15th day of June, 1885.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in case at any time there is not sufficient water during the irrigating season to supply the plaintiff herein with two hundred (200) inches or four cubic feet of water per second of time, and the defendant herein with two hundred (200) inches or four cubic feet of water per second of time, then the plaintiff and defendant herein shall divide the waters actually flowing in said creek equally, and shall have an equal right to the use of said waters and in equal amounts.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the water herein decreed shall be appurtenant to the respective lands to which it is herein decreed.

Done in open court and dated this 30th day of May, 1913, at Idaho Falls, in the County of Bonneville, and State of Idaho.

James G. Gwinn, District Judge.

Filed May 31, 1913.

FEB 20

E. A. O.

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