

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: A29-00492

Date Received: 4/04/1990

Receipt No: MOD 6476

Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK M. HADLEY 208-897-5730
Address:

DOWNEY, ID 83234

AND/OR

Name: JEAN M. HADLEY 208-897-5730

Address: DOWNEY, ID 83234

2. Date of Priority: APR 15, 1917

3. Source: SPRINGS Trib. to: MARSH CREEK

4. Point of Diversion:

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

5. Description of diverting works:
HOT SPRING, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00492

Page 1

Date: 04/04/90

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NOV 13 1992

A2900492



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	12	SW	SW		IRR	5.0
			SE	SW		IRR	3.0
					Section Acres		8.0
		13	NE	NW		IRR	5.0
					Section Acres		5.0
					Total Acres		13.0

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:
A29-11054

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

WILLIAM CO. UNDERWOOD
Decree Plaintiff

vs

ALEXANDER MARSHALL
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 ☒ 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): Jack M. Hadley Date: 4/4/90
Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of April 19 90 Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 29-00492

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.060	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A29-00492	0.060	-		29-00492	0.060
-	A29-00492A	0.060	-		-	
TOTAL CFS		0.120				0.060

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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
A29-00492	12S 37E	12	SE	SW	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A29-00491A	NONE
A29-00492A	
A29-02549	
A29-11054	

WR RECORDS IN SAME 40 ACRE TRACT

29-00491A
29-02491
29-02549

SOURCE: SPRINGS

TRIB: MARSH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-00492	12S 37E	12		SW	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

29-00491A
29-02491
29-02549

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A29-00491A	NONE
A29-00492A	
A29-02549	
A29-11054	

SOURCE: SPRINGS

TRIB: SINKS

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)

NOTES: _____

=====

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

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

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-00492
A29-00492A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	12	SW	SW		HADLEY, JACK M	A29-00492 / 5.0	29-00492 /	33.0		
			SW	SW		DOWNATA RANCH & RECREATION	INCA29-00491A / 40.0	29-00491A /			
			SW	SW		HADLEY, JACK M	A29-11054 / 5.0	- /			
			SW	SW		DOWNATA RANCH & RECREATION	INCA29-00491B /	- /			
			SW	SW		DOWNATA RANCH & RECREATION	INCA29-00492A /	- /			
			SW	SW		DOWNATA RANCH & RECREATION	INCA29-02549 / 2.0	- /			
			SW	SW		UNDERWOOD, WILLIAM C.		11-00015 /			
			SW	SW		MARSHALL, ALEXANDER		11-00016 /			
			SW	SW		DOWNATA HOT SPRINGS INC.		29-02491 /			
12S	37E	12	SE	SW		HADLEY, JACK M	A29-00492 / 3.0	29-00492 /	39.0		
			SE	SW		HADLEY, JACK M	A29-11054 / 3.0	- /			
			SE	SW		DOWNATA RANCH & RECREATION	INCA29-00492A /	- /			
			SE	SW		MARSHALL, ALEXANDER		11-00016 /			
			SE	SW		DOWNATA HOT SPRINGS		29-02549 / 2.0			
12S	37E	13	NE	NW		HADLEY, JACK M	A29-00492 / 5.0	29-00492 /	21.0		
			NE	NW		HADLEY, JACK M	A29-11054 / 5.0	- /			
			NE	NW		DOWNATA RANCH & RECREATION	INCA29-00492A /	- /			
			NE	NW		MARSHALL, ALEXANDER		11-00016 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-00492	13.00	93.00
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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
A29-00492	SPRINGS	HADLEY, JACK M	0.060	0.004		
A29-00491A	HOT SPRINGS	DOWNATA RANCH & RECREATION INC	1.860	0.005		
A29-02549	GROUNDWATER	DOWNATA RANCH & RECREATION INC	0.020	0.010		
A29-11054	SPRINGS	HADLEY, JACK M	0.270	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11054	STOCKWATER	HADLEY, JACK M	FROM 01-01 TO 12-31	0.030 CFS	
A29-11054	DOMESTIC	HADLEY, JACK M	FROM 01-01 TO 12-31	0.040 CFS	
A29-00491B	RECREATION	DOWNATA RANCH & RECREATION INC	FROM 01-01 TO 12-31	0.080 CFS	
A29-00492A	RECREATION	DOWNATA RANCH & RECREATION INC	FROM 01-01 TO 12-31	0.060 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A29-11054

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()

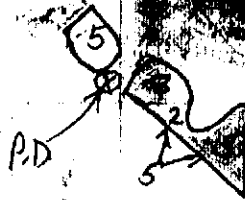
G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

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()

A29-00492



T 12 S

R 37 E

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Log for claim A29-00492

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	12	SWSW	5	6.2	
12s37e	12	SESW	3	5.7	
12s37e	13	NENW	5	10	
Totals:			13	21.9	

AJ5809NP
No. A29-00492

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 33

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK M HADLEY	04/15/1917	IRRIGATION	04-01 11-01	0.060 CFS	
C	JEAN M HADLEY					
	Downey ID 83234					
	(208) 897-5730					
				TOTAL DIVERSION:	0.060 CFS	
				CONSUMPTIVE USE:		32.50 AFA

Water Source: SPRINGS

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T12S R37E S12 SESWSW

BANNOCK 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	:	SUM
12S	37E	12	:											05	03					:	8.0
12S	37E	13	:							05										:	5.0
																				TOTAL ACRES	13.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: A29-11054

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00491A A29-00492A A29-02549 A29-11054

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00491A A29-02549 A29-11054

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

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

Audit: 04/04/90 MOBILE2 09/16/93 THOMPSON 09/23/93 THOMPSON 06/01/94 COX
03/29/95 POST-STD

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: A29-00492A
Date Received: 4/ 4/1990
Receipt No: E014030
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DOWNATA RANCH & RECREATION INC 208-523-5171
Address: C/O D GARY PETERSON ESQ
HANSEN BEARD LAW FIRM
PO BOX 51718
IDAHO FALLS ID 83405-1718

2. Date of Priority: APR 15, 1917

3. Source: HOT SPRINGS Trib. to: SINKS

4. Point of Diversion:

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

5. Description of diverting works:
HOT SPRING, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
RECREATION	01/01	12/31	0.060		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION, RESORT SWIMMING POOL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	10	NE	NE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	10	NW	NE		IRR	40.0
						Section Acres	80.0
		11	NW	NE		IRR	12.0
			SW	NE		IRR	40.0
			SE	NE		IRR	15.0
			NE	NW		IRR	12.0
			NW	NW		IRR	17.0
			SW	NW		IRR	18.0
			SE	NW		IRR	38.0
			NW	SW		IRR	6.0
			NE	SE		IRR	32.0
			NW	SE		IRR	25.0
						Section Acres	215.0
		12	NE	SW		REC	
			SW	SW		REC	
			SE	SW		REC	
		13	NE	NW		REC	
						Total Acres	295.0

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:

29-04074, -02396, -00491A, -00491B

14. Remarks:

THIS DECREE ORIGINALLY PROVIDED FOR IRRIGATION OF A GARDEN AND ORCHARD IN SW1/4 SW1/4, NE1/4 SW1/4 AND SE1/4 SW1/4 OF S12 AND NE1/4 NW1/4 OF S13. PRESENTLY, THE ENTIRE HOT SPRING IS PIPED TO THE RESORT'S SWIMMING POOL FACILITY WHERE IT IS USED TO FILL THE SWIMMING POOL AND PROVIDE HOT WATER. AFTER THIS RECREATIONAL USE, THE WATER DRAINS INTO WHAT IS KNOWN AS BIG SPRING WHERE IT IS AVAILABLE FOR IRRIGATION UNDER WATER RIGHT NO. 29-04074. EXCESS WATER FROM BIG SPRING FLOWS INTO MARSH CREEK WHERE IT IS AVAILABLE FOR IRRIGATION UNDER WATER RIGHT NO. 29-02396. STOCK-WATERING UNDER 29-00491A OCCURS OUT OF BOTH BIG SPRING AND MARSH CREEK.

15. Basis of Claim: DECREED

Case Number:

MICROFILMED

APR 12 1994

Court :

Decree date: / /

WILLIAM CO. UNDERWOOD
Decree Plaintiff

ALEXANDER MARSHALL
vs Decree Defendant

MICROFILMED

APR 12 1994

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 A29-00492 A
Date Received 5-1-1990
Receipt Number E014030 / 90

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAY 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Downata Ranch & Recreation, Inc. Phone (208) 523-5171
c/o D. Gary Peterson, Esq. - Hansen Beard Law Firm
Mailing Address P. O. Box 51718, Idaho Falls, Idaho Zip 83405-171

2. Date of Priority (Only one (1) per claim) April 15, 1917

3. Source of water supply (a) Hot Springs
which is tributary to (b) Sinks

4. a. Location of existing point of diversion is: Township 12S Range 37E Section 12,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Bannock

Additional points of diversion if any: SE 1/4 SW 1/4 Section 12 (29-00491B)

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____, ..

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Spring box and collection pipe for
distribution to Downata Hot Springs resort swimming pool.

A2900492A



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APR 12 1994

7. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 0.06 or

For Recreation purposes from 1-1 to 12-31 amount 0.06 or (nonconsumptive)

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 0.060 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is (see Item 14 below) acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Source of hot water used in resort swimming pool. Swimming pool water then flows into Big Spring where it is used for irrigation and stockwatering as part of water rights No. 29-04074, 29-02396, 29-00491A, and 29-00491B.

10. Description of place of use:

- a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
12S	37E	12									*		R	*					
12S	37E	13					*												
							(SEE REMARKS IN ITEM 14)												
12S	37E	10	40	40															80
12S	37E	11		12	40	15	12	17	18	38	6				32	25			215
																			295 Total

Total number of acres irrigated See water rights

11. In which county (ies) are lands listed above as place of use located? Bannock No. 29-04074 and 29-02396 & remarks below

12. Do you own the property listed above as place of use? Yes X No MICROFILMED

If your answer is No, describe in Remarks below the authority you have to claim this water right.

APR 12 1994

13. Describe any other water rights used at the same place and for the same purposes as described above.

IDWR No. 29-04074, 29-02396, 29-00491A, 29-00491B

or None ()

* 14. Remarks:

This decree right originally provided for irrigation of a garden and orchard in SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 12 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 13. Presently the entire hot spring is piped to the resort's swimming pool facility where it is used to fill the swimming pool and provide hot water. After this recreational use, the water drains into what is known as Big Spring where it is available for irrigation under water right No. 29-04074. Excess water from Big Spring flows into Marsh Creek where it is available for irrigation under water right No. 29-02396. Stockwatering under 29-00491A occurs out of both Big Spring & Marsh Creek.

Last Name Downata Ranch & Recreation, Inc.

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐

Decree X
If applicable provide IDWR Water Right Number 29-00492 A
Court Bannock County Case Number None Decree Date 4-15-1917
Plaintiff vs Defendant William G. Underwood v. Alexander Marshall

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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments None

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am assistant secretary

of Downata Ranch & Recreation, Inc. _____ Title _____, that I have signed the foregoing

document in the space below as assistant secretary of Downata Ranch & Recreation, Inc
_____ Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

D. Gary Peterson
Title and Organization Assistant Secretary - Downata Date 4-26-90
Ranch & Recreation, Inc.

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26th day of April May 19 90

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls, Idaho

My Commission Expires 6-14-1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, D. Gary Peterson will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address Hansen, Beard, Martin & St. Clair, Chartered, P.O. Box 51718, Idaho Falls,
Idaho 83405-1718

Date 4/26/90

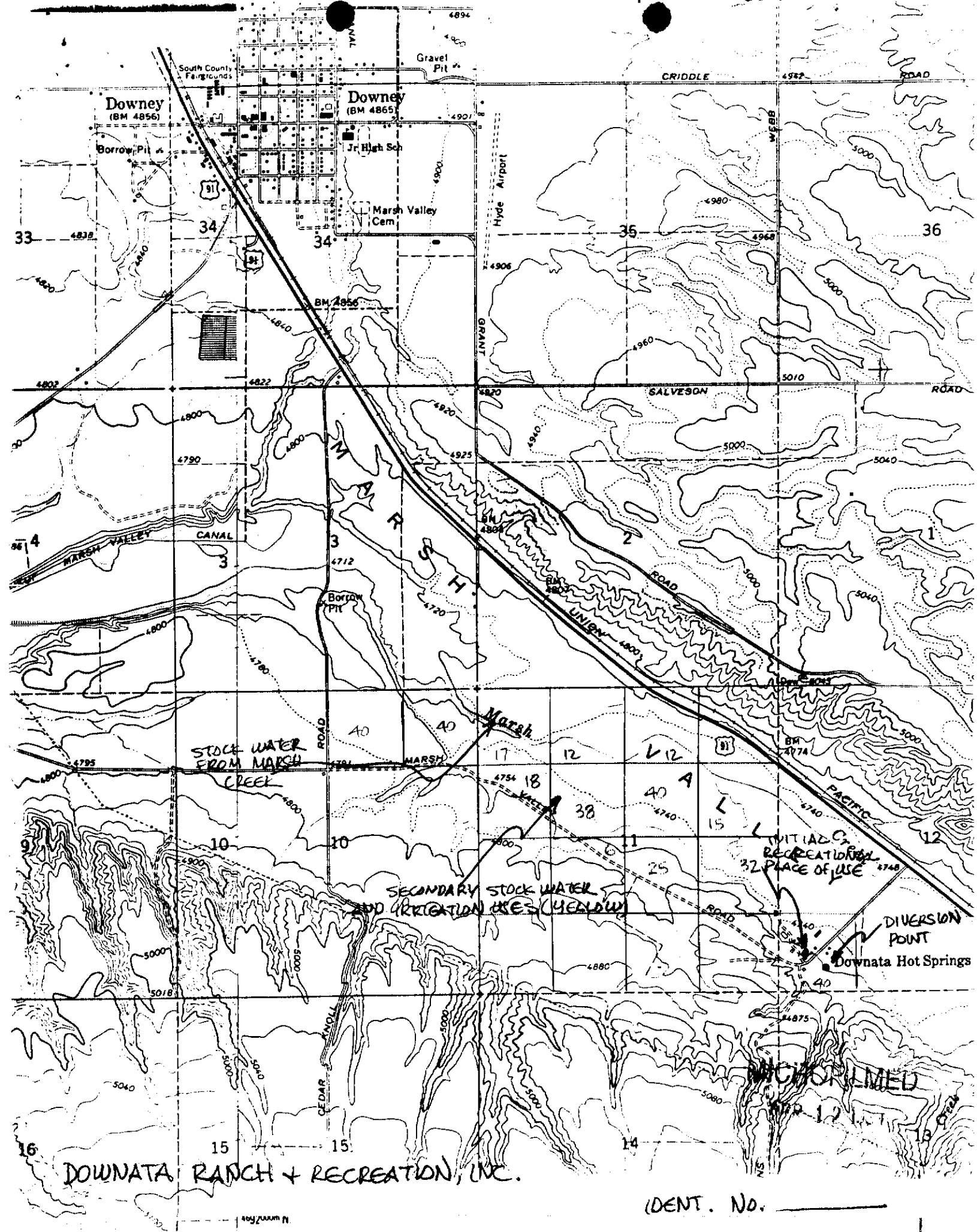
MICROFILMED

APR 12 1994

Last Name Downata Ranch Ident. Number _____
& Recreation, Inc.

Copies White-State, Yellow-Claimant

T. 12 S. R. 37 E. B.M.



IDENT. NO. _____

Log for claim A29-00492A

Spatial Dynamics TWB

5/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	10	NENE	40	40	
12s37e	10	NWNE	40	40	
12s37e	11	NWNE	12	11	
12s37e	11	SWNE	40	40	
12s37e	11	SENE	15	14	
12s37e	11	NENW	12	9.1	
12s37e	11	NWNW	17	17	
12s37e	11	SWNW	18	16	
12s37e	11	SENW	38	38	
12s37e	11	NESW	6	4.7	
12s37e	11	NESE	32	38	
12s37e	11	NWSE	25	25	
Totals:			295	292.8	

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOWNATA RANCH & RECREATION INC C/O D GARY PETERSON ESQ HANSEN BEARD LAW FIRM PO BOX 51718 IDAHO FALLS ID 834051718 (208) 523-5171	04/15/1917	IRRIGATION RECREATION	04-01 11-01 01-01 12-31	0.060 CFS 0.060 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.060 CFS	32.50 AFA

Water Source: HOT SPRINGS

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion: T12S R37E S12 SESWSW

BANNOCK 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	SUM
12S 37E 10	40		40														80.0
12S 37E 11			12		40		15		12		17		18		38		215.0
											06				32	25	295.0

Place of use Legal Description for: RECREATION

	NE				NW				SW				SE				
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
12S 37E 12																	
12S 37E 13																	

POU County: BANNOCK

Non-Irrigation Uses: RECREATION, RESORT SWIMMING POOL

Other Rights: 29-04074, -02396, -00491A, -00491B

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00491A A29-00492 A29-02549 A29-11054

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00491A A29-00491B A29-00492 A29-02396 A29-02549 A29-04074 A29-11054

Remarks: GEN THIS DECREE ORIGINALLY PROVIDED FOR IRRIGATION OF A GARDEN AND ORCHARD IN SW1/4 SW1/4, NE1/4 SW1/4 AND SE1/4 SW1/4 OF S12 AND NE1/4 NW1/4 OF S13. PRESENTLY, THE ENTIRE HOT SPRING IS PIPED TO THE RESORT'S SWIMMING POOL FACILITY WHERE IT IS USED TO FILL THE SWIMMING POOL AND PROVIDE HOT WATER. AFTER THIS RECREATIONAL USE, THE WATER DRAINS INTO WHAT IS KNOWN AS BIG SPRING WHERE IT IS AVAILABLE FOR IRRIGATION UNDER WATER RIGHT NO. 29-04074. EXCESS WATER FROM BIG SPRING FLOWS INTO MARMSH CREEK WHERE IT IS

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Remarks: AVAILABLE FOR IRRIGATION UNDER WATER RIGHT NO. 29-02396. STOCK-
WATERING UNDER 29-00491A OCCURS OUT OF BOTH BIG SPRING AND MARSH
CREEK.

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

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

Audit: 09/27/93 THOMPSON 03/29/95 POST-STD