

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: A29-02110
Date Received: 4/13/1989
Receipt No: 6006832
Received By: EE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LITTLE RED HEN, INC. 208-232-1847
Address: C/O THOMAS J. MCDEVITT, PRES.
P.O. BOX 4260
POCATELLO, ID 83205

2. Date of Priority: DEC 06, 1910

3. Source: SPRING Trib. to: JOHNNY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	34E	24	SW	SW	NW		BANNOCK

5. Description of diverting works:
SPRING FLOW COLLECTED INTO DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 50 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	34E	24	NE	NW		IRR	4.0
Section Acres							4.0

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Date: 04/13/89

MICROFILMED
NOV 13 1982

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: BANNOCK

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

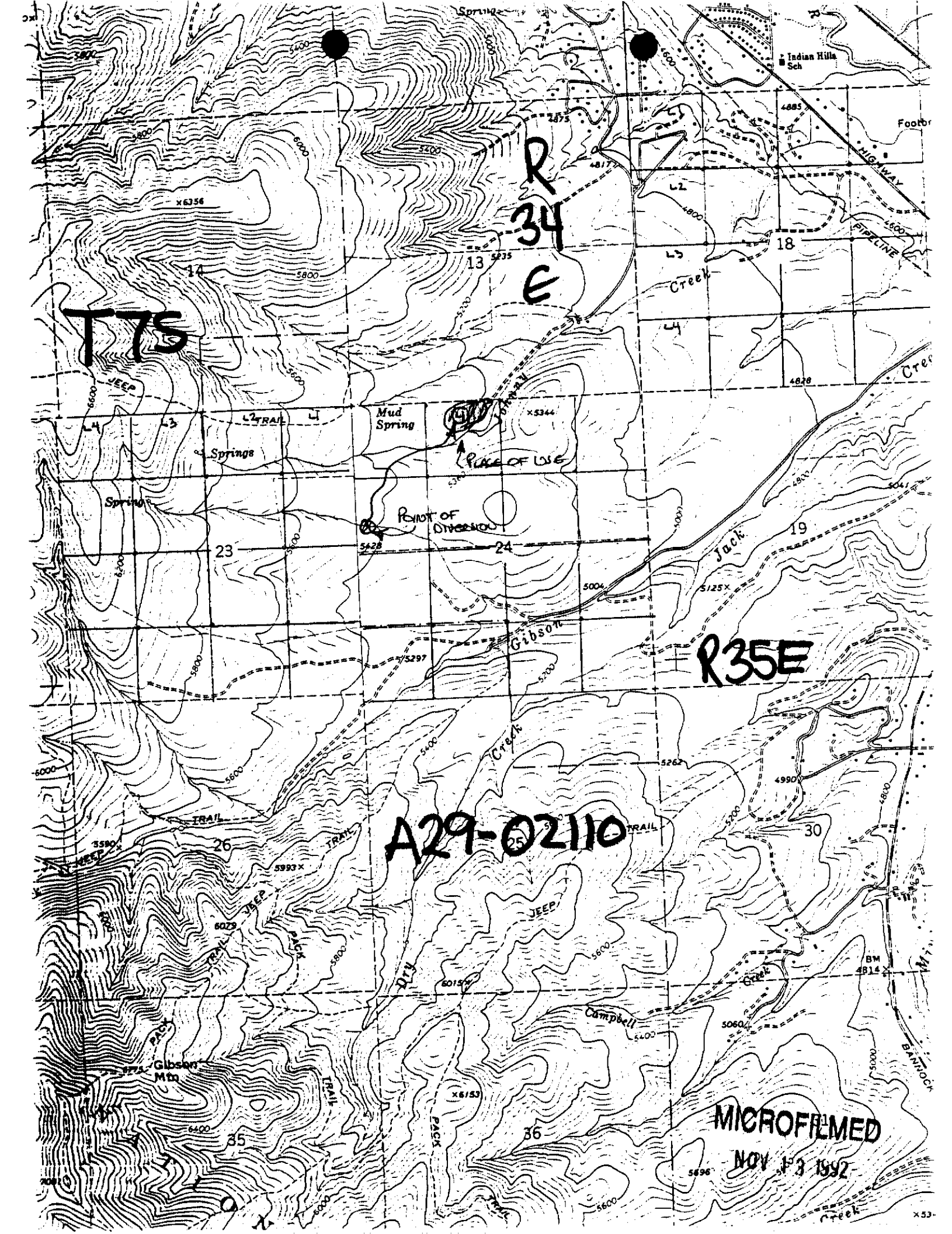
13. Other Water Rights Used:
29-02142, 02129

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 7010

(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.

MICROFILMED
NOV 13 1992



Log for claim A29-02110

Spatial Dynamics BTD

8/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s34e	24	NENW	4	11	Indiscernible
Totals:			4	11	

S T A T E O F I D A H O .

Water License No. 7010.

WHEREAS, On the 6th day of December, A. D. 1910, LEO HURST, of Pocatello, County of Bannock, State of Idaho, duly made application (No. 10008) to me for a permit to use 1/50th of one cubic foot per second of the waters of an UNNAMED SPRING, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 21st day of January, A. D. 1911, Permit No. 7010 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 21st day of January, A. D. 1912, and for the application to beneficial use of said water on or before the 21st day of January, A. D. 1912, and,

WHEREAS, On the 23rd day of December, A. D. 1911, LEO HURST, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 7010, dated September 21st, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of water, with date of priority of December 6th, 1910, and,

WHEREAS, On the 23rd day of December, A. D. 1911, LEO HURST, the holder of said permit, duly made proof of the application to beneficial use of 1/50th of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to LEO HURST, of Pocatello, County of Bannock, State of Idaho, the holder and owner of said Permit No. 7010, a perpetual right, dating from December 6th, 1910, to the use of 1/50th of one cubic foot per second of the waters of an UNNAMED SPRING, in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point about 225 feet from the West line of the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, Township 7 South, Range 34, East of the Boise Meridian, and conducted to and upon 4 acres in the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, Township 7 South, Range 34, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 21st day of September, A. D. Nineteen hundred and twelve.

A. E. Robinson,

(SEAL)

State Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Leo Hurst.

Postoffice address: Pocatello.

County: Bannock, State: Idaho.

2. The quantity of water claimed is 1/50 of one cubic foot per second.

3. Source of water supply: A spring located in S.7.½ N.E.¼ Sec. 23 Twp. 7 S., R. 34 E
County of Bannock.

4. Location of point of diversion: Abt 225 feet from the west line of the SW4 NW4 Sec 24, Twp
7 S. R. 34 E.B.M.

5. To be used for:

I. Irrigation and Domestic use:

(a) Amount of land to be irrigated: one acre.

(b) In the following legal subdivisions : NE4 NW4 Sec 24 Twp 7 S R. 34 E.B.Mer.

6. Estimated cost of works: \$25.00

7. Description of works for diversion:

I. Kind of works: dam and ditch.

II. Dimensions of works:

(a) Height of dam 2½ feet, length of dam at top 8 feet, length of dam at bottom 2 feet,
Material used in construction: earth and stone.

(d) Conduit ditch, width at bottom 1 foot, width at water line 1½ feet, depth of water
2/12 foot. Average grade per mile is 150 feet. Length of conduit is one-half mile ,
and it crosses the following quarter sections: Part of SE4 NE4 Sec 23 & SW4 NW4
and Part of NE4 NW4 of section 24 Twp 7 S R. 34 E.B.Mer. to land described in 5 I (b)
above which is the point of intended use.

8. Time required for the completion of the construction of such work is 1 year.

9. Time required for the complete application of the water to the proposed use is no additional
years.

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

Leo Hurst,

Applicant

By Junior Real Estate Co. Agent

Remarks: The spring from which the water comes that I desire to apply for is located near the
west line of the SW4 NW4 Sec 23 Twp 7 S. R. 34 E.B.Mer. From said spring the water runs down
a natural channel across said SW4 NW4 Sec 23 thence across the SE4 NE4 Sec. 23, same township and
range in an easterly direction until it reaches a point 225 feet from the west boundary line of

7911
S74 of N74 of Sec 24 same township and range, at which point I desire to divert said water, conducting it through the ditch described above to the land described in 5 I above which is the place of intended use.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7010

Date of first receipt of application 9.00 a.m. December 6, 1910.

Returned to applicant for correction December 6, 1910.

Corrected application received January 3, 1911.

Recorded in Book 21 Page 7010 Approved January 21, 1911.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before March 22, 1911, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 21, 1911.

The whole of said work to be completed on or before January 21, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to January 21, 1912.

Witness my hand this twenty-first day of January, 1911.

D. G. Martin

State Engineer.

Both Notices received Oct. 19, 1911, fixing December 23, 1911, as date, and Pocatello, Idaho, as place of proof.

Deposition blanks mailed November 18, 1911, to Wm. H. Jackson, Jr.

Publication Notice mailed November 18, 1911 to the Tribune Company, Pocatello, Idaho.

Depositions and affidavit received December 27, 1911.

Fees received February 15, 1912.

W. F. Havenor authorized June 11th, 1912, to make the required examination.

Report received September 16, 1912.

Certificate issued September 21, 1912.

Permit No. 7010.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that LEO HURST, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 7010, issued upon Application No. 10009, bearing date of priority of December 6th, 1910, authorizing the diversion of 1/50th of 1 second foot of the waters of an UNNAMED SPRING, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 1/50th of 1 second-foot of the waters of an Unnamed Spring; that the point of diversion of said waters is at a point about 225 feet from the West line of the Southwest quarter of the Northwest quarter (SW₁ NE₁), Section 24, Township 7 South, Range 34, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast quarter of the Northwest quarter (NE₁ NE₁), Section 24, Township 7 South, Range 34, East of the Boise Meridian.

Witness my hand this 21st day of September, A. D. 1912.

A. E. Robinson,

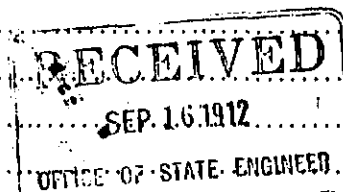
State Engineer.

License issued for 2' 100 second feet
Aug. 1912

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *7010 - Leo Hurst*
2. State source of water supply: *Unmineral spring*
3. Location of point of diversion: *Abund 225 west of the west line of Sec 21 T1N R31E B1M in Sec 116 Sec 23*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *Yes*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *1 foot* } *One plain furrow*
 - (b) Width at water line: *1 1/2 ft* } *widened according*
 - (c) Depth of water: *1/2 to 3'* } *to formation and*
 - (d) Grade per mile: *13.5 ft or more* } *grade*
 - (e) Capacity of ditch: *one or more* } *second feet*
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *Yes, completely*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *NE 1/4 Sec 116 21 T1N R31E*
1 acre under this permit and "1/68"
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks:

*W. P. Haveron*

STATE OF IDAHO,

County of *Damascus* } ss.

W. P. Haveron, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *14th* day of *September*, 191*2*.

My Commission Expires *Apr. 16th 1914**7010**Robert M. Terrell*
Notary Public.

Name of Applicant *Lee, J. H.* 7010

SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
<i>T 13 T 34 E, B. M.</i>				<i>Handwritten</i>		RECEIVED SEP 16 1912 OFFICE OF STATE ENGINEER	
<i>1.55 of Spring</i>		<i>Handwritten</i>		RECEIVED JUL 30 1912 OFFICE OF STATE ENGINEER		7010 <i>B/Z</i>	
SEC.		SEC.		SEC.		SEC.	
SEC.		SEC.		SEC.		SEC.	
SEC.		SEC.		SEC.		SEC.	

AJ5809WP
No. A29-02110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 109

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITTLE RED HEN INC C/O THOMAS J MCDEVITT PRES PO BOX 4260 POCATELLO ID 83205 (208) 232-1847	12/06/1910	IRRIGATION	03-15 11-15	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	
CONSUMPTIVE USE:						12.00 AFA

Water Source: SPRING

Tributary to: JOHNNY CREEK

Stage: LICENSE

Point(s) of Diversion: T07S R34E S24 SWSWNW BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																					
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
-----																																-----	-----
07S 34E 24 :																																04 :	4.0
																																TOTAL ACRES	4.0

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 50 HEAD RANGE CATTLE

Other Rights: 29-02142, 02129

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02129 A29-02142

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

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

Audit: 04/13/89 VERNER 06/02/94 COX 03/29/95 POST-STD