

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: A29-02129
Date Received: 4/13/1989
Receipt No: 606832
Received By: ES

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: AUG 24, 1911

3. Source: SPRINGS Trib. to: JOHNNY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	34E	23	SW	NW	NE	2	BANNOCK
			NW	SW	NE		BANNOCK

5. Description of diverting works:
DITCHES COLLECT WATER 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	0.010		

7. Total Quantity Appropriated is:
0.010 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 OF 50 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

A29-02129

Page 1

Date: 04/13/89

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NOV 13 1992

A2902129

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 & 02110

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 7681

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 Organizations:

I do solemnly swear or affirm that I am President of
Little Rock Lbr. Co., that I have signed the foregoing
Organization
document in the space below as President of
Title
Little Rock Lbr. Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Thomas J. McPherson
Signature of Authorized Agent

President Little Rock Lbr. Co.
Title and Organization

13 April 1989
Date

State of Idaho)
County of Bonneville) SS.

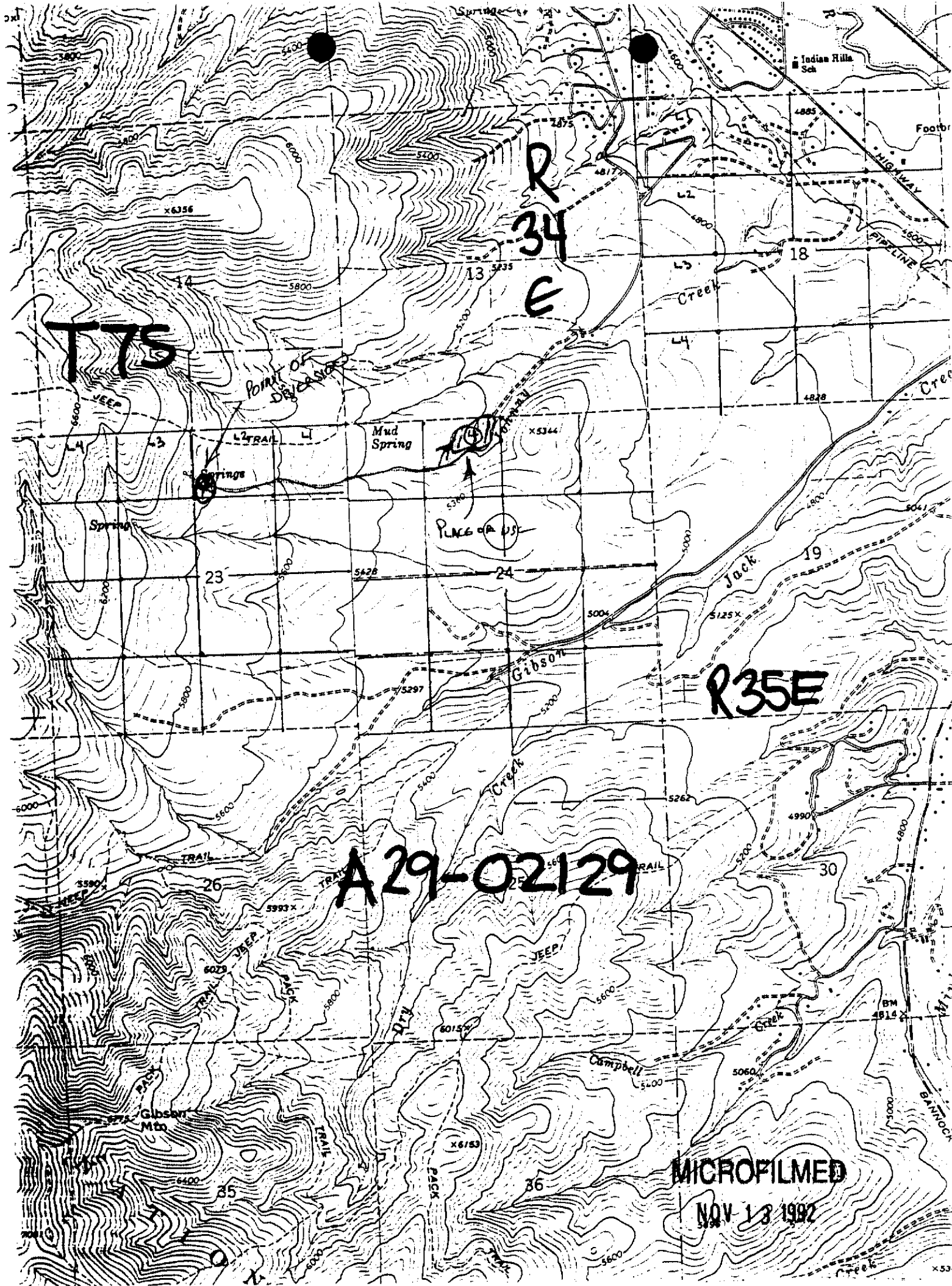
Subscribed and sworn (or affirmed) before me this 13 day
of April 19 89

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994



Log for claim A29-02129

Spatial Dynamics BTD

8/29/00

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

Mud Springs
1/100th second-foot *
Irrigation *
Priority 8/24/11. *

STATE OF IDAHO.

Water License No. 7681.

WHEREAS, On the 24th day of August, A. D. 1911, LEO HUFST, of Pocatello, County of Bannock, State of Idaho, duly made application (No. 11232) to me for a permit to use 1/10th of one cubic foot per second of the waters of MUD SPRINGS, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 9th day of September, A. D. 1911, Permit No. 7681 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 9th day of March, A. D. 1912, and for the application to beneficial use of said water on or before the 9th day of March, A. D. 1912, and,

WHEREAS, On the 29th day of February, A. D. 1912, LEO HUFST, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/100 of one cubic foot per second of said waters, as evidenced by my Certificate No. 7681, dated September 21st, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/100th of one cubic foot per second of water, with date of priority of August 24th, 1911; and,

WHEREAS, On the 29th day of February, A. D. 1912, LEO HUFST, the holder of said permit, duly made proof of the application to beneficial use of 1/100 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 HUFST, of Pocatello, County of Bannock, State of Idaho, the holder and owner of said permit No. 7681, a perpetual right, dating from August 24th, 1911, to the use of 1/100 of one cubic foot per second of the waters of MUD SPRINGS, 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 in Lot 2, and in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 27, 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.

No. 11232.

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 1/10 cubic foot per second.

3. Source of water supply: Mud Springs.

4. Location of point of diversion: Lot 2 and SW4 NE4 Sec. 23, T. 7 S. R. 34 E. B. M.

County of Bannock.

5. To be used for: Domestic and Irrigation.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 3 acres.

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

6. Estimated cost of works: \$20.00

7. Description of works for diversion:

I. Kind of works: ditch.

II. Dimensions of works:

(d) Conduit ditch, width at bottom 2/ 3 foot, width at water line 5/6 foot, depth of water 1/ 2 foot. Length of conduit is 1 mile and it crosses the following quarter sections: NE4 Sec. 23 and NW4 Sec. 24 Twp. 7 S. R. 34 E. B. M.

8. The time required for the completion of the construction of such work is 1/ 2 year.

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

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 Company...Agent.
Pocatello, Idaho.

Remarks: The water herein applied for will be diverted through my ditch from point of diversion to a point near the SE corner SW4 NE4 Sec. 23, T. 7 S. R. 34 E. B. M. from where it will follow a natural channel in a north easterly direction to a point about 300 foot west of the western boundry line of the SW4 NW4 Sec. 24, above Twp. & Range, from which point it will be carried in another ditch to the place of intended use as mentioned herein.

The springs applied for are located upon land in Government ownership.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7681.

Date of first receipt at office of State Engineer: 9.00 a.m. August 24, 1911.

Returned to applicant for correction: August 25, 1911.

Corrected application received: September 1, 1911.

Recorded in Book 24 Page 7681 Approved September 9, 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 approve the same, subject to the following limitations and conditions:

Work to begin on or before November 8, 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 December 9, 1911.

The whole of said work to be completed on or before March 9, 1912.

Beneficial use of water appropriated in accordance herewith, to be made on or before March 9, 1912.

Witness my hand this ninth day of September, 1911.

A. E. Robinson,
State Engineer.

Both notices received December 6, 1911, fixing February 29, 1912, as date, and Pocatello, Idaho, as place of proof.

Deposition blanks mailed January 25, 1912, to Wm. H. Jackson, Jr.

Publication Notice mailed January 25, 1912, to the Tribune Company, Ltd.

Depositions, affidavit and fees received March 4, 1912.

Report of E. P. Havenor received September 16, 1912.

Certificate and License issued Sept. 21, 1912.

License issued for 1/100 second-foot.

Permit No. 7681.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that LEO HUEST, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 7681, issued upon Application No. 11822, bearing date of priority of August 24th, 1911, authorizing the diversion of 1/10th of 1 second foot of the waters of MUD SPRINGS, 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 1/100 of 1 second-foot of the waters of Mud Springs; that the point of diversion of said waters is at a point in Lot 2, and in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 23, 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 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), 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 ^{1/100} ~~1/10~~ second feet

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *Lee Hurst 7681*
2. State source of water supply: *Mud Springs*
3. Location of point of diversion: *Between Sec 23 and Sec 24 T. 34 N. R. 31 E. B. 1 M.*
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 1/2 ft. furrow*
 - (b) Width at water line: *1 1/2 ft. ditch for steep*
 - (c) Depth of water: *2 1/2 ft. grade*
 - (d) Grade per mile: *120 ft. a mile*
 - (e) Capacity of ditch: *1000 cu. ft. second feet.*
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *Yes, fully*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *Sec 24 T. 34 N. R. 31 E. B. 1 M. 1 acre under this permit and 4 acres*
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:

RECEIVED

SEP 16 1912

OFFICE OF STATE ENGINEER

STATE OF IDAHO,

County of *Sanjack* } ss.

H. P. Hannon, 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*

Robert M. Turrell

Notary Public.

7681

B/2

of Applicant *Acad. H. 1* # 7681

SEC. SEC. SEC. SEC. SEC. SEC. SEC.
SEC. SEC. SEC. SEC. SEC. SEC. SEC.
SEC. SEC. SEC. SEC. SEC. SEC. SEC.

T 7 5 T 3 4 E B M

Lot 4 Lot 3 Lot 2 Lot 1
*Mud Sp. 95% Natural
Fossiliferous Ditch*
SEC. 23 *Natural Channel*
SEC. 24 *Land to be Irrigated.*

RECEIVED

SEP 16 1912

OFFICE OF STATE ENGINEER

RECEIVED

JUL 30 1912

OFFICE OF STATE ENGINEER

7681
6/4

AJ5809NP
No. A29-02129

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 111

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OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE         VOLUME
-----
C  LITTLE RED HEN INC          08/24/1911  IRRIGATION    03-15 11-15    0.010 CFS
C/O THOMAS J MCDEVITT PRES
PO BOX 4260
POCATELLO ID 83205
(208) 232-1847

                                TOTAL DIVERSION: 0.010 CFS
                                CONSUMPTIVE USE: 12.00 AFA
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Water Source: SPRINGS

Tributary to: JOHNNY CREEK

Stage: LICENSE

Point(s) of Diversion: T07S R34E S23 Lot02(SWNWNE) NWSWNE 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 OF 50 RANGE CATTLE

Other Rights: 29-02142 & 02110

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02110 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