

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: **A29-04111**
Date Received: 4/26/1990
Receipt No: E013753
Received By: _____

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

1. Name: JOHN WILLIAM HART 208-897-5743
Address: 2435 E. HAWKINS
DOWNEY ID 83234

OR

Name: JENNIE HART 208-897-5743
Address: 2435 E. HAWKINS
DOWNEY ID 83234

2. Date of Priority: JUN 1, 1930

3. Source: UNNAMED SPRING Trib. to: PECK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	6	NW	SE			BANNOCK

5. Description of diverting works:
DITCH/ PUMP TO MAINLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	31	SW	SW		IRR	12

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A2904111



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	31	SE	SW		IRR	5.3
Section Acres							17.3
11S	37E	6	NW	NE		IRR	10.0
			NE	NW		IRR	27.0
			SW	NW		IRR	15.0
			SE	NW		IRR	29.0
			NE	SW		IRR	32.0
			NW	SW		IRR	40.0
Section Acres							153.0
Total Acres							170.3

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: _____

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): _____ Date: _____
 _____ Date: _____

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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
A29-04111	11S 37E	6		NW	SE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD							WR RECORDS IN SAME 40 ACRE TRACT			
A PREFIX A29-04112							R PREFIX 29-04039 29-04112			

SOURCE: SPRING

TRIB: PECK 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
29-04111	11S 37E	6		NW	SE			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD							AJ CLAIMS IN SAME 40 ACRE TRACT			
29-04039 29-04112							A PREFIX A29-04112 R PREFIX NONE			

SOURCE: SPRING

TRIB: PECK CREEK

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
11S	37E	6		NW	SE			BANNOCK		
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___

SOURCE: SPRING

TRIB: PECK CREEK

REVIEWED BY: _____ DATE: _____

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

A. ROOT WATER RIGHT NUMBERS: A29-04111

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	37E	31	SW	SW		HART, JENNIE	A29-04111 / 12.0	29-04111 / 13.0			
			SW	SW		HART, JOHN WILLIAM	A29-04109 / 20.0	29-04109 / 20.0			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-10663 / 1.0	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-10664 / 1.0	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-10665 / 1.0	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-12058 / 1.0	- /			
			SW	SW	4	CROWDER, GARY	A29-11885 /	- /			
			SW	SW	4	CROWDER, ESTHER	29-11885 /	- /			
			SW	SW	4	MARSH CENTER IRRIGATION CO	A29-00430 / 1.0	- /			
			SW	SW	7	BASTIAN, LYNN S	A29-04302 / 2.0	29-04302 / 2.0			
			SW	SW	6	MANNING, LEON WALLACE		29-04054 / 4.0			
10S	37E	31	SE	SW		HART, JENNIE	A29-04111 / 5.3	29-04111 / 5.0	24.0		
			SE	SW		MEADOWBROOK RANCH	A29-04054 / 7.0	29-04054 / 25.0			
11S	37E	6	NW	NE		HART, JENNIE	A29-04111 / 10.0	29-04111 / 10.0			
			NW	NE		GILBERT, ERVIN	A29-04324 / 25.0	29-04324 / 25.0			
			NW	NE		GILBERT, ELLIS E	A29-11198 /	- /			
			NW	NE		GILBERT, ELLIS E	29-11198 /	- /			
11S	37E	6	NE	NW		HART, JENNIE	A29-04111 / 27.0	29-04111 / 27.0			
			NE	NW		HART, JOHN WILLIAM	A29-04109 / 18.0	29-04109 / 18.0			
			NE	NW		HART, JOHN WILLIAM	A29-04110 / 26.0	29-04110 / 26.0			
11S	37E	6	SW	NW		HART, JENNIE	A29-04111 / 15.0	29-04111 / 15.0			
11S	37E	6	SE	NW		HART, JENNIE	A29-04111 / 29.0	29-04111 / 29.0	37.0		
11S	37E	6	NE	SW		HART, JENNIE	A29-04111 / 32.0	29-04111 / 15.0	33.0		
			NE	SW		HART, JOHN W	A29-07183 / 35.0	29-07183 / 35.0			
11S	37E	6	NW	SW		HART, JENNIE	A29-04111 / 40.0	29-04111 / 20.0			
			NW	SW		BENNETT FARMS	A29-04039 / 2.0	- /			
			NW	SW	6	HART, JOHN W	A29-07183 / 53.0	29-07183 / 53.0			
ADDITIONAL POU FOUND											
TOTAL ACRES							A29-04111	170.30	134.00	94.00	

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
A29-04111	SPRING	HART, JENNIE	2.800	0.016		
A29-00430	HAWKINS CREEK	MARSH CENTER IRRIGATION CO	40.000	0.012		
	HAWKINS CREEK, SOUTH FORK					
A29-04039	PECK CREEK	BENNETT FARMS	0.780	0.020		
A29-04054	PECK CREEK	MEADOWBROOK RANCH	3.800	0.020		
A29-04109	PECK CREEK	HART, JOHN WILLIAM	0.800	0.020		
A29-04110	SPRINGS	HART, JOHN WILLIAM	0.940	0.036		
A29-04302	MARSH CREEK	BASTIAN, LYNN S	6.720	0.018		
A29-04324	UNNAMED STREAM	GILBERT, ERVIN	0.500	0.020		
A29-07183	GROUNDWATER	HART, JOHN W	1.920	0.009	714.00	3.58
A29-10663	SPRINGS	MARSH CENTER IRRIGATION CO	0.330			
	SPRINGS					
	SPRINGS					
A29-10664	SPRINGS	MARSH CENTER IRRIGATION CO	0.330			
	SPRINGS					
	SPRING					
A29-10665	MASON SPRING	MARSH CENTER IRRIGATION CO	0.330			
A29-12058	COLE SPRING	MARSH CENTER IRRIGATION CO	6.680	0.002		
	HEWITT SPRING					
	SHEEP CREEK					

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11885	DOMESTIC	CROWDER, GARY	FROM 01-01 TO 12-31	0.040 CFS	
A29-11885	STOCKWATER	CROWDER, GARY	FROM 01-01 TO 12-31	0.020 CFS	
29-11885	DOMESTIC	CROWDER, ESTHER	FROM 01-01 TO 12-31	0.040 CFS	
29-11885	STOCKWATER	CROWDER, ESTHER	FROM 01-01 TO 12-31	0.020 CFS	
A29-11198	STOCKWATER	GILBERT, ELLIS E	FROM 01-01 TO 12-31	0.020 CFS	
A29-11198	DOMESTIC	GILBERT, ELLIS E	FROM 01-01 TO 12-31	0.040 CFS	
29-11198	STOCKWATER	GILBERT, ELLIS E	FROM 01-01 TO 12-31	0.020 CFS	
29-11198	DOMESTIC	GILBERT, ELLIS E	FROM 01-01 TO 12-31	0.040 CFS	

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 129-0411Date Received 4-26-90Receipt Number E013753NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John William Hart & for Jennie Hart Phone (208) 897-5743
Mailing Address 2435 E. Hawkins Downey, Ida Zip 83234
2. Date of Priority (Only one (1) per claim) June 1, 1930
3. Source of water supply (a) Unnamed Spring
which is tributary to (b) Peck Creek
4. a. Location of existing point of diversion is: Township 11S Range 37E Section 6,
NW 1/4 of SE 1/4 of 1/4, Govt. Lot, _____ B.M., County of Bannock
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township 10S Range 37E Section 31, SW 1/4 of SW 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. Open Ditch, Pump Main
line

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from Apr 1 to Nov 1 amount 2.80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.80 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
11S	37E	6		10			27		15	29	40	110							117.3
10S	37E	31											12	53					18.1

Total number of acres irrigated 130.4

11. In which county (ies) are lands listed above as place of use located? Bannock

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

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APR 12 1984

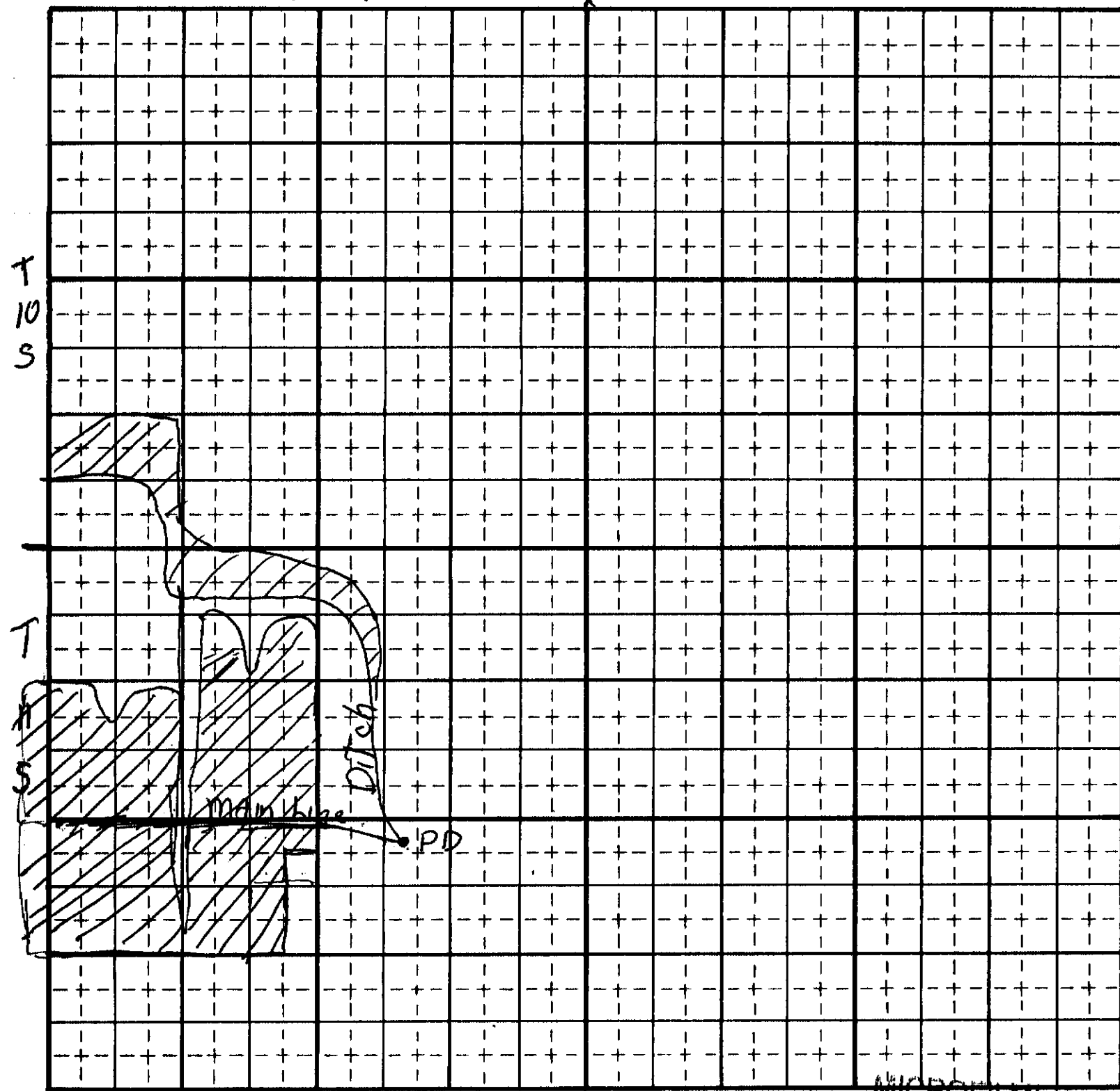
Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

R 37 E



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Last Name

HART

Ident No.

29-4111

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29 4111
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

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 4-26-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____

County of Bonneville

SS.

Subscribed and sworn (or affirmed) before me this _____

26

day of April

19 90

SEAL

Notary Public _____

Residing at _____

My Commission Expires 22 Aug 1997

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Date _____

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APR 12 1994

Last Name _____

Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim A29-04111

Spatial Dynamics TWB

5/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s37e	31	SWSW	12	21	
10s37e	31	SESW	5	14	
11s37e	6	NWNE	10	21	
11s37e	6	NENW	27	27	
11s37e	6	SWNW	15	19	
11s37e	6	SENW	29	31	
11s37e	6	NESW	32	40	
11s37e	6	NWSW	40	54	
11s37e	6	NWSE	0	0	nwse should be swne in database
Totals:			170	227	

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 John William Hart &/or Jennie Hart

(Name of Claimant)

Rt. #2, Downey, Idaho 83234

(Mailing Address)

Telephone No. 897-5743

(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) June 1, 1930

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)

unnamed spring tributary to Peck 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day) (Mo., Day)	
Quantity	<u>2.80</u>	Use <u>irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 2.80 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 6 Twp. 11S 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. concrete dam and open ditch

- (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	
11S	37E	6		10.2			27.1		15.6	29	15.4	20							117.3
10S	37E	31											12.8	5.3					18.1

No. of acres 135.4

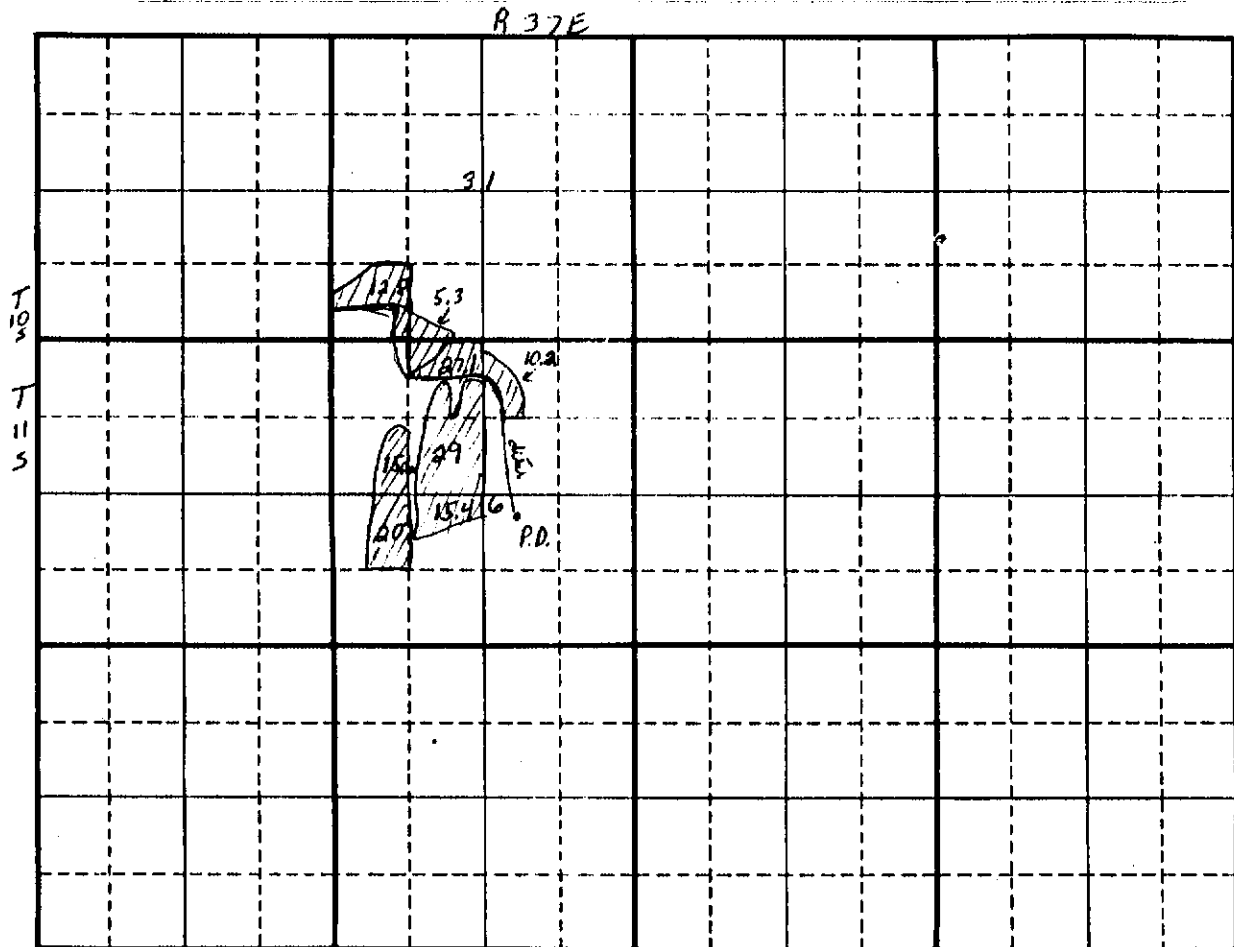
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

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(8) Remarks



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 Idaho)

County of Burneville) 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

17th

day of

August

19 79

John W. Hart
(Claimant)

William A. Hart
Notary Public

Residing at Idaho Falls, ID

My commission expires

6/15/81

FOR DEPARTMENT USE ONLY

Received by dh

Date 8-17-79

Exception filed by:

Forwarded to
claimant by:

Date

Prefim. check by cc

Date 4/15/80

13934

\$20.00 fee received by dh

Date 8-17-79

13666

Published in Idaho State Journal

Dates August 30 & Sept 6, 1979

AJ5809NP
No. A29-04111

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 101

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JENNIE HART	06/01/1930	IRRIGATION	04-01 11-01	2.800 CFS	
C	JOHN WILLIAM HART					
	2435 E HAWKINS					
	DOWNNEY ID 83234					
	(208) 897-5743					
				TOTAL DIVERSION:	2.800 CFS	

Water Source: UNNAMED SPRING

Tributary to: PECK CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T11S R37E S06

NWSE

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	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
10S	37E	31	:								:								:						:	17.3
11S	37E	6	:			10					:	27		15	29	:	32	40	:						:	153.0
																							TOTAL ACRES	170.3		

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-04112

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04039 A29-04054 A29-04109 A29-04110 A29-04324 A29-07183

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 06/08/93 DCARLSON 07/19/94 THOMPSON 03/29/95 POST-STD

April 17, 1995

RECEIVED

APR 20 1995

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
Eastern District Office
900 N. Skyline DR.
Idaho Falls, Idaho 83402-1918

Dear Sir:

In 1930, my brother, Herman Reisner, got an easement from LaVere Jushau to put in a ditch from a spring below Wilford Reisner's house to Herman Reisner's farm, a distance of two miles.

Mr. Keefer measured the spring. It was running 3.0CFS. Mr. Keefer surveyed the land for the ditch. My husband, Fred W. Hart, with my brothers, Wilford Reisner and Herman Reisner, began digging the ditch early in the spring with a team of horses, a hand plow and a scraper. They finished the two miles of ditch in 1930. The water was turned in after each section was completed to check to see if the ditch was correctly leveled. When the ditch was completed, the full stream was turned in.

Much later, pipe and a pump took the place of the ditch to more effectively utilize the water.

Freda R Hart
Sincerely,

Freda Hart
2433 E. Hawkins
Downey, Idaho 83234

INDIVIDUAL

STATE OF Idaho)
COUNTY OF Bannock) ss.

On this 19 day of April, in the year 95, before me, a Notary Public in and for said State, personally appeared Freda Hart, known to me to be the person whose name is/are subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Barbara A. Byrnes
Notary Public for _____
Residing at Downey Id
12-22-99

AJ5809NP
No. A29-04111

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JENNIE HART	06/01/1930	IRRIGATION	04-01 11-01	2.80 CFS	
C	JOHN WILLIAM HART					
	2435 E HAWKINS					
	DOMNEY ID 83234			TOTAL DIVERSION:	2.80 CFS	
	(208) 897-5743					

Water Source: UNNAMED SPRING

Tributary to: PECK CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T11S R37E S06 NWSE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
10S	37E	31	:					:					:				12	05	:					:	17.3
11S	37E	6	:		10			:	27		15	29	:	32	40			:					:	153.0	
																						TOTAL ACRES		170.3	

POU County: BANNOCK

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

NOT RECORDED
NOV 13 1995