

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: A29-07183
Date Received: 4/26/1990
Receipt No: E013753
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 29, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL, PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.920		714.00

7. Total Quantity Appropriated is:
1.920 C.F.S. (and/or) 714.00 A.F.A.

8. Total consumptive use is 497.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	1	NE	SE		IRR	18.0
			SE	SE		IRR	3.0

A2907183



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	21.0
	37E	6	NE	SW	IRR	35.0
			NW	SW	6 IRR	53.0
			SW	SW	7 IRR	51.0
			SE	SW	IRR	39.0
					Section Acres	178.0
					Total Acres	199.0

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:
29-04111

14. Remarks:

IF AT SOME FUTURE DATE IT IS ESTABLISHED THAT THIS APPROPRIATION REDUCES THE FLOW FROM PECK SPRINGS TO THE EXTENT THAT PRIOR RTS. ON PECK CK. ARE AFFECTED, THIS RT. WILL BECOME SUBJECT TO CONTROL OF THE WATERMASTER OF PECK CK.

15. Basis of Claim: LICENSE

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: _____

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
A29-07183	11S 37E	6		SE	SW			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

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
29-07183	11S 37E	6		SE	SW			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

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		SE	SW			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-07183

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	1	NE	SE		HART, JOHN W	A29-07183 / 18.0	29-07183 / 18.0	24.0		
11S	36E	1	SE	SE		HART, JOHN W	A29-07183 / 3.0	29-07183 / 3.0	5.0		
11S	37E	6	NE	SW		HART, JOHN W	A29-07183 / 35.0	29-07183 / 35.0	33.0		
			NE	SW		HART, JENNIE	A29-04111 / 32.0	29-04111 / 15.0			
11S	37E	6	NW	SW	6	HART, JOHN W	A29-07183 / 53.0	29-07183 / 53.0	54.0		
			NW	SW		BENNETT FARMS	A29-04039 / 2.0	- /			
			NW	SW		HART, JENNIE	A29-04111 / 40.0	29-04111 / 20.0			
11S	37E	6	SW	SW	7	HART, JOHN W	A29-07183 / 51.0	29-07183 / 51.0	56.0		
11S	37E	6	SE	SW		HART, JOHN W	A29-07183 / 39.0	29-07183 / 39.0	31.0		

ADDITIONAL POU FOUND

TOTAL ACRES	A29-07183	199.00	199.00	203.00
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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
A29-07183	GROUNDWATER	HART, JOHN W	1.920	0.009	714.00	3.58
A29-04039	PECK CREEK	BENNETT FARMS	0.780	0.020		
A29-04111	SPRING	HART, JENNIE	2.800	0.016		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-04111

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()

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

N/A()

DATE: _____

149
61
Sec. 29-4111

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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 A29-07183
Date Received 4-26-90
Receipt Number E013753

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John W. Hart Phone (208) 897-5743
Mailing Address 2435 E. Hawkins Downey, Ida Zip 83234

2. Date of Priority (Only one (1) per claim) June 29, 1974

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11S. Range 37E Section 6,
SE 1/4 of SW 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 _____ 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. _____

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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 1.92 or 714.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.92 (cfs) and/or (b) 714.0 (acre feet)

8. Total consumptive use claimed is 2.5 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	36E	1													18			3	21
11S	37E	6									35	646	647	39					178

Total number of acres irrigated 199

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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Last Name Hart Ident No. 29-7183

Copies: White -State, Yellow-Claimant

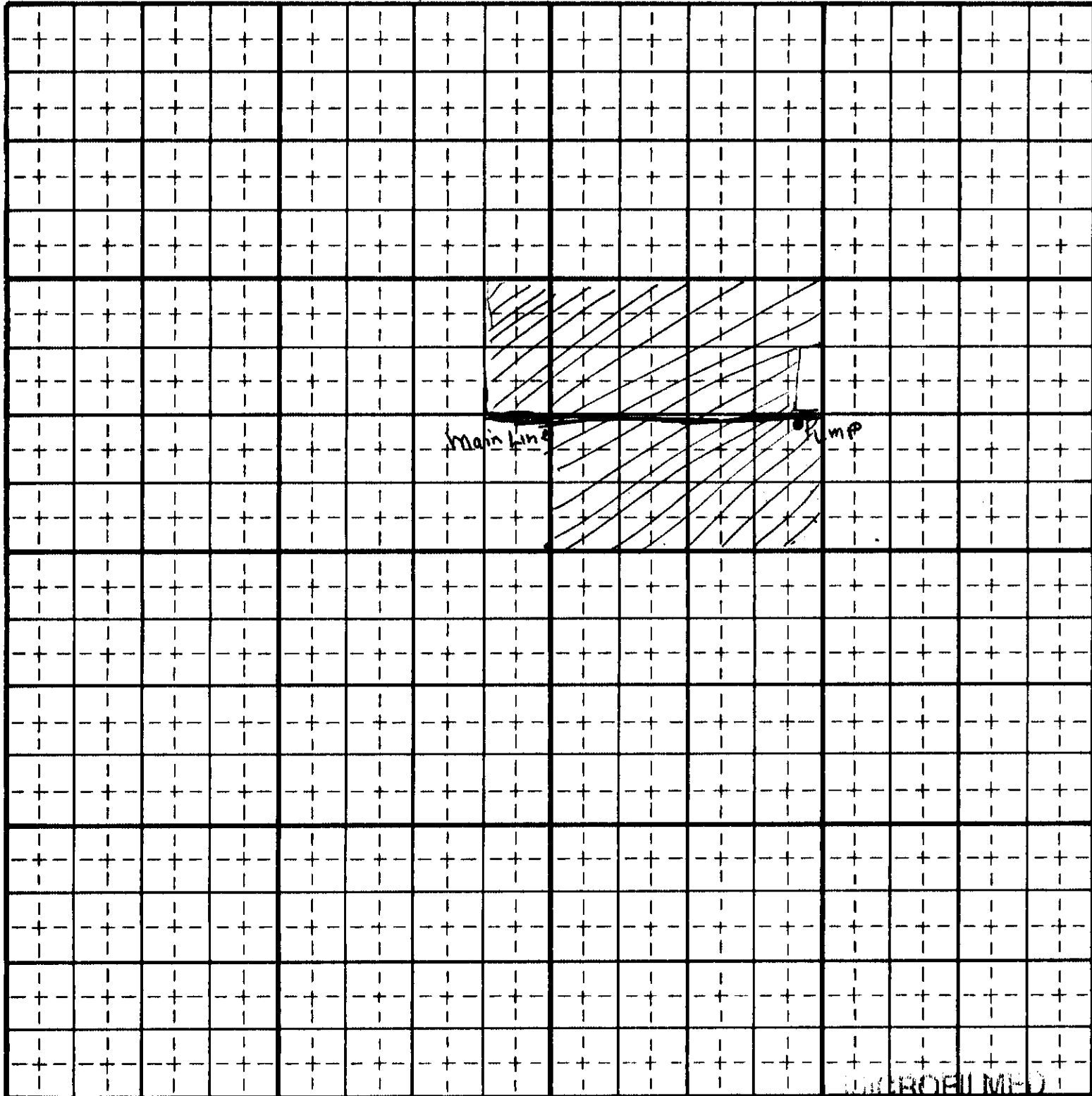
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

R 36 E

R 37 E

T
11
S



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NOV 13 1992

Last Name HART

Ident No. 29-7183

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 29-7183

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) John Hart Date 4-25-90

John William Hart Date 4-26-90

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 _____ of _____

Title

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 [Signature]

Residing at 206 Falls Dr

My Commission Expires 22 Aug 1994

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 _____

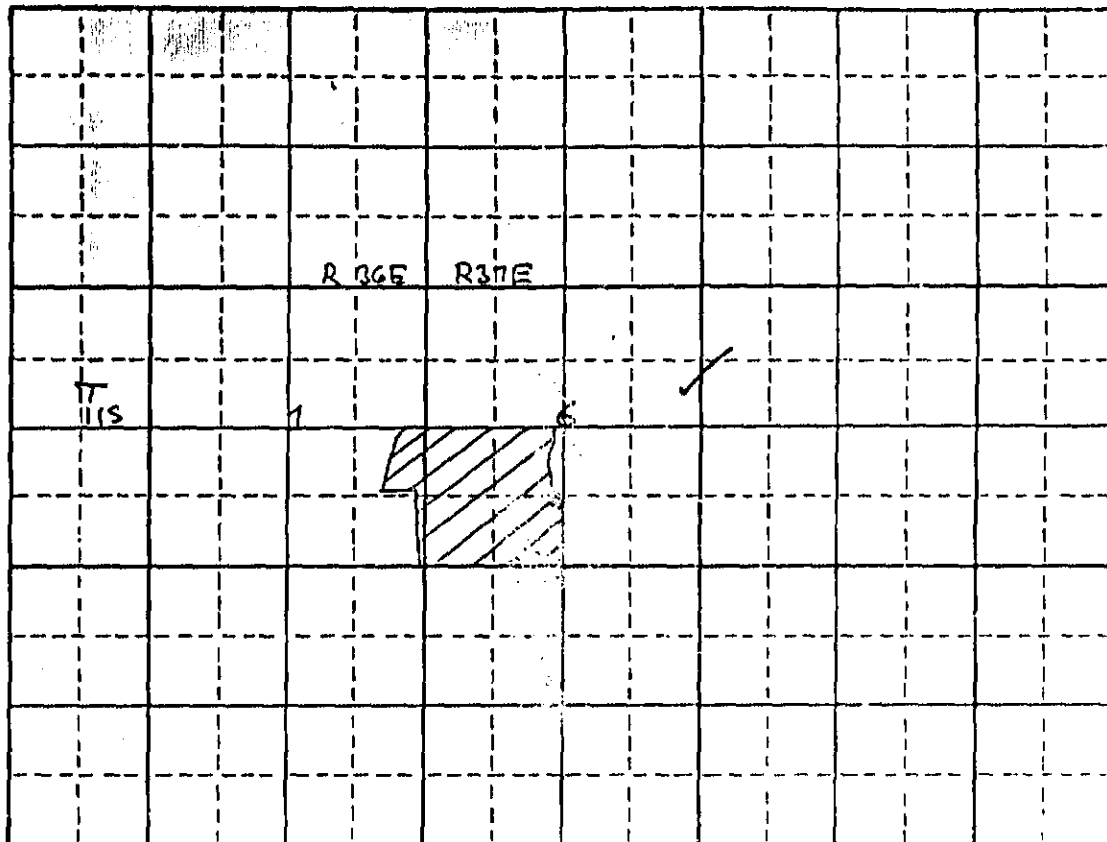
Date _____

MICROFILMED

NOV 13 1992

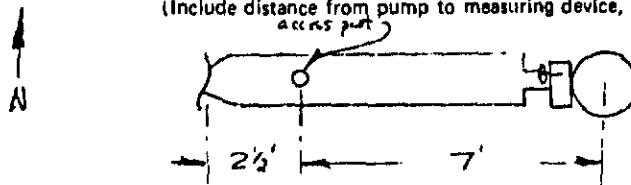
Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 SW 1/4 Sect. 6 T11S R37E

Place(s) of Use ☒

TWP.	ROE.	SEC.	NE 1/4				NW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	36E	1									18			3	21 ✓
11S	37E	6								35				8	20 ✓
															178 ✓

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Total - 204 ✓

Examiner's Signature

Checked by

Approved by

[Signature]
[Signature]
K. Walker

Date 1-6-84

Date 15 Nov 1984

Date 6-25-86

NOV 9' 1984

Department of Water Resources 83

Permit No. _____

CONTACT WITH PERMIT HOLDER

☐ Appointment letter mailed:

DATE _____

INITIALS

REMARKS

- ☐ Telephone call made
(List Telephone No. used)
- ☐ Appointment scheduled for
(Date, time, location)

EXAMINATION

Date 8-03-83 Accompanied by John Hart Total Q measured 1.92 cfs ✓

Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source

Methods of measurement pot sauge Meets permit requirements?

Measurement calculations:

Line #1 - 24 psi, 1/64 N, 32b = 5.11 gpm x 32b = 163.5 gpm	
Line #2 - 26 psi, 1/64 N, 32b = 5.25 gpm x 32b = 168 gpm	
Line #3 - 41 psi, 1/64 N, 32b = 5.61 gpm x 32b = 179.52 gpm	
Line #4 - 45 psi, 1/64 N, 32b = 5.91 gpm x 32b = 189.12 gpm	$V = 204 \text{ ac} \times 3.5 \times 14$ $= 714 \text{ afg}$
Line #5 - 34 psi, 1/64 N, 32b = 5.11 gpm x 32b = 163.5 gpm	$V = 1.91 \text{ ds} \times 1.5835 \times 214 \text{ Df. r}$ $= 810.7 \text{ afg}$
Total 865.64 gpm or 1.92 cfs	$V = 1.92 \times 1.9835 \times 214 = 815.0$

[illegible]

System Description well pump thru mainline to 5 handlines

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE	Q (cfs)	V (afu)	FROM	TO
Immigation ✓	1.92 ✓	714 ✓	4-1 ✓	11-1 ✓
Total	1.92 ✓	714 ✓		

Remarks 16 (3.5) 29-2065 Port. River ✓ use R30

P/D overlap per VAX: none.

Log for claim A29-07183

Spatial Dynamics TWB

5/31/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	1	NESE	18	22	
11s36e	1	SESE	3	9.7	
11s37e	6	NESW	35	32	
11s37e	6	NWSW	53	54	
11s37e	6	SWSW	51	53	
11s37e	6	SESW	39	40	
Totals:			199	210.7	

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. Priority June 29, 1974 Amount 1.92 cfs
(Late Proof)

THIS IS TO CERTIFY, that John W. Hart
of Downey, Idaho, has complied with the terms and conditions of Permit
No. 29-7183 issued pursuant to Application for Permit dated April 10, 1974,
and has submitted proof to the Department of Water Resources on October 3, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.92 cfs of water from a groundwater source,
tributary to , and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.92</u> cfs and	<u>714.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.92 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
714.0 acre feet per year, said waters to be diverted within the SE1SW1 Section 6,
Twp 11S, Rge 37E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	36E	1													18			3	21
11S	37E	6									35	GL 6 53	GL 7 51	39					178

Total number of acres irrigated 199

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CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

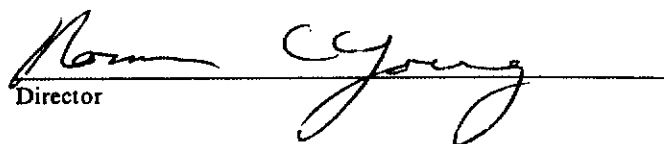
c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

If at some future date it is established that this appropriation reduces the flow from Peck Springs to the extent that prior rights on Peck Creek are affected, this right will become subject to the control of the watermaster on Peck Creek.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of SEPTEMBER, 19 86.

Acting for the Director



MICROFILMED

Identification No. 29 7183

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant John W. Hart
post office address Route #2, Downey, Idaho 83234 PH: 897-5743
2. Source of water supply ground water which is a tributary of - - -
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 6 Township 11S
Range 37E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 5.0 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 5.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, mainline and portable lateral

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 55 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years.
b. Estimated construction cost is \$ 10,000.00.
8. Description of proposed uses:
a. If water is not for irrigation: N.A.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	36E	1													40			30	70
11S	37E	6									40	54	55	40					189

Total number of acres to be irrigated 259

c. Describe any other water rights used for the same purposes as described above.

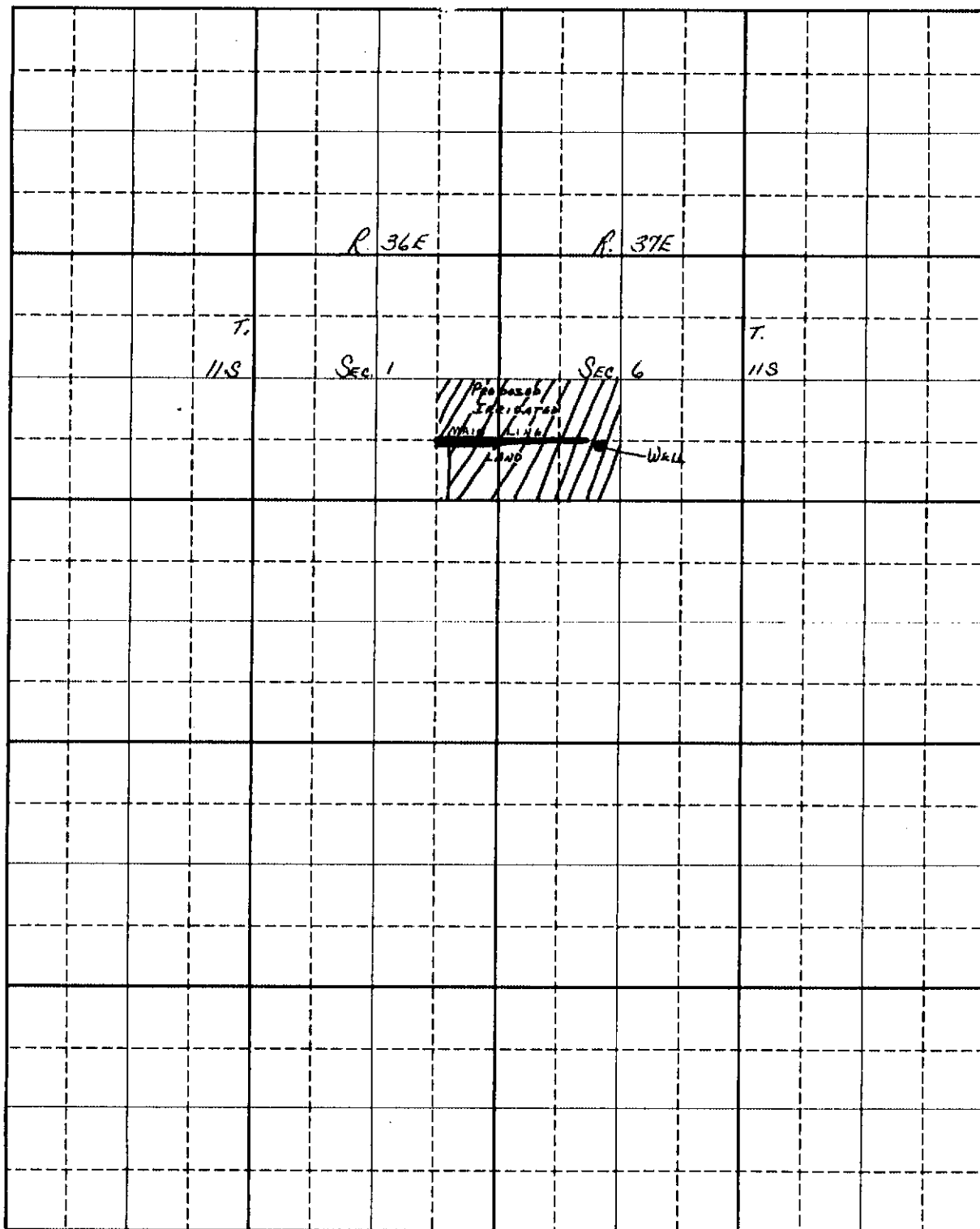
9. a. Who owns the property at the point of diversion John W. & Jennie Hart

b. Who owns the land to be irrigated or place of use John W. & Jennie Hart

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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



Scale: 2 inches equal 1 mile

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

John W. Hart
(Applicant)

Received by MB Date 4-10-74 Time 11:30 A
 Preliminary check by RDC Fee \$ 65.00
 Received by MB Date 4-10-74 # 12829
 Publication prepared by MB Date 4-18-74
 Published in State State Journal
 Publication dates April 25 + May 2, 1974
 Publication approved CB Date 5-03-74
 Priority reduced to _____ Reason _____

Protests filed by: Richard Burmeister, Royal
Cole, Vernal Bailey (Norman
Maynard)
 Copies of protests forwarded by MB 5-29-74
 Hearing held by _____ Date _____
 Recommended for approval denial by RDC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7183, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

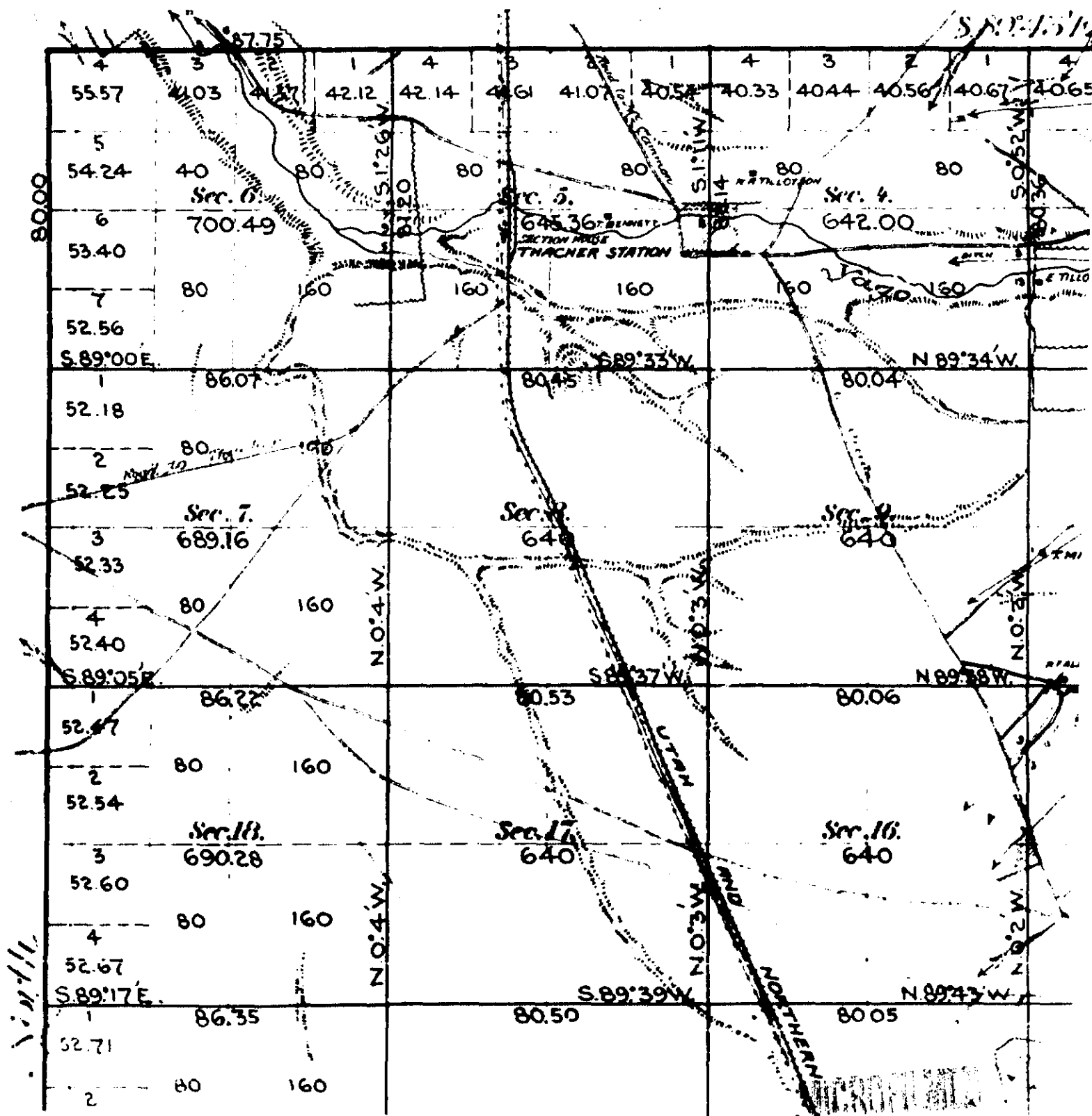
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 79.
- c. Other: Pursuant to Memorandum Decision and Order of this date.

2. Denial of said application is for the following reasons: _____

Witness my hand this 31 day of January, 19 75.

Richard Higin
 Director

G *f* *F* *e* *E* *d* *D*

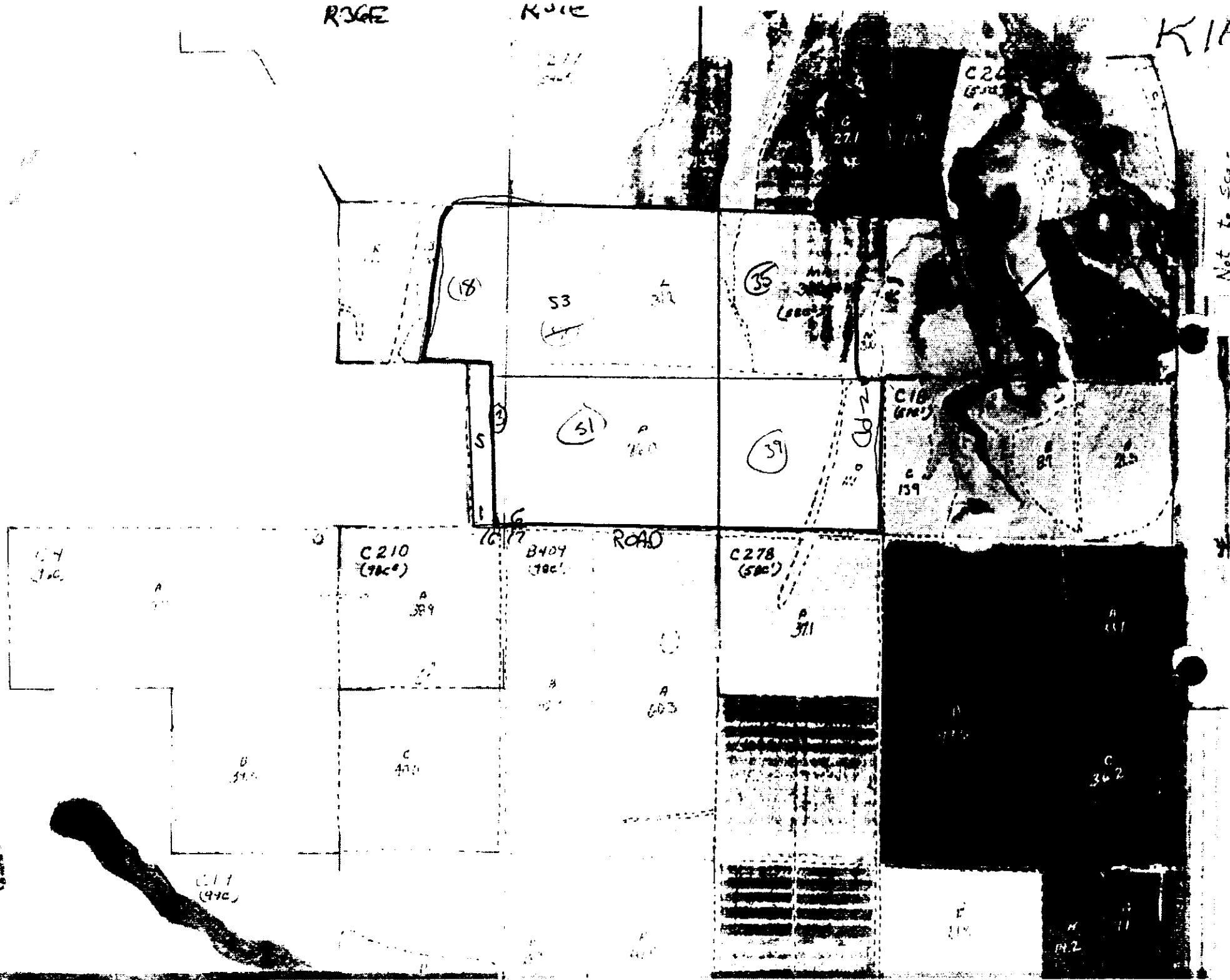


R36E

R31E

K11

24-1183



Not to Scale

AJ5809NP
No. A29-07183

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 138

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN W HART 2435 E HAWKINS DOWNEY ID 83234 (208) 897-5743	06/29/1974	IRRIGATION	04-01 11-01	1.920 CFS	714.00 AFA
					TOTAL DIVERSION:	1.920 CFS
					CONSUMPTIVE USE:	714.00 AFA 497.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T11S R37E S06

SESW

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	: SUM			
---	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:			
11S	36E 1	:		:		:		:		:		:		:		:	18	:		:	03	:	21.0		
11S	37E 6	:		:		:		:		:		:	35	:	06-53	:	07-51	:	39	:		:	178.0		
																					TOTAL ACRES	:	199.0	:	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-04111

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04111

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN IF AT SOME FUTURE DATE IT IS ESTABLISHED THAT THIS APPROPRIATION REDUCES THE FLOW FROM PECK SPRINGS TO THE EXTENT THAT PRIOR RTS. ON PECK CK. ARE AFFECTED, THIS RT. WILL BECOME SUBJECT TO CONTROL OF THE WATERMASTER OF PECK CK.

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

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

Audit: 05/22/90 DCARLSON 07/25/94 THOMPSON 03/29/95 POST-STD