

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: A29-11443
Date Received: 5/ 5/1994
Receipt No: E013305
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALPH D HECKARD 208-233-5012
Address: 238 OAKWOOD DR
POCATELLO ID 83204

2. Date of Priority: DEC 31, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	34E	27	NW	NW			BANNOCK

5. Description of diverting works:
WELL, 120' DEEP, 8" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	05/01	09/30	0.090		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	27	NW	NW		IRR	3.00

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: _____

RECEIVED
MAY 14 1994

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

NOV 14 1996

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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:

Ident. Number

Date Received

Receipt Number

39576
A29-11443

4-18-90

E013305

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 18 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) RALPH D HECKARD Phone (208) 233-5012
Mailing Address 238 OAKWOOD DRIVE Zip 83204

2. Date of Priority (Only one (1) per claim) 1910 (year) Pocatello ID

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

4. a. Location of existing point of diversion is: Township 6 Range 34 East Section 27
_____ 1/4 of _____ 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 _____

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.

Well - 120 feet depth 8" casing

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A2911443



(acre feet)

For domestic purposes from 1-1 to 12-31 amount 0.04 cfs or _____

For stockwater purposes from 1-1 to 12-31 amount 0.02 cfs or _____

For irrigation purposes from 5-1 to 9-30 amount 0.09 cfs

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.15 cfs (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.) one household

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.

[illegible]

Total number of acres irrigated 3 ACRES

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 X 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:

Last Name Heckard Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Last Name

Heckard

Ident No.

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 _____

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 3 - "Exhibit A" + 2 maps

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

Signature of Claimant (or [Signature])

Date 4-16-90

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 _____ 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 Bannock) SS.

Subscribed and sworn (or affirmed) before me this 17th day of April 19 90

SEAL

Notary Public [Signature]

Residing at Pocatello Idaho

My Commission Expires July 10, 1991

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 _____

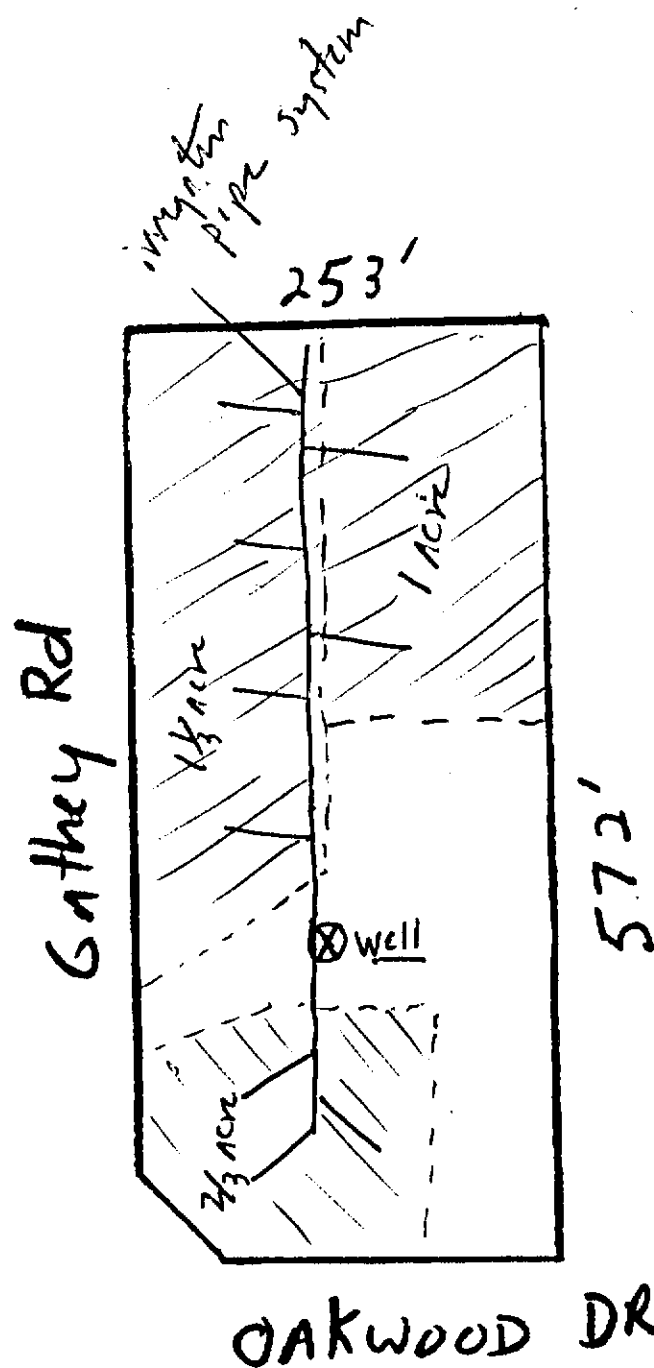
Date _____

RECORDED

NOV 14 1990

Last Name Heckard Ident. Number _____

Copies White-State, Yellow-Claimant



irrigation AREA = 3 acres

Heckard

RECORDED
NOV 14 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 20, 2001

29-11443
RALPH D HECKARD
238 OAKWOOD DR
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

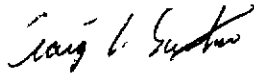
For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 22, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,



Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-11433

Log for claim A29-11443

Spatial Dynamics LTD

9/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	27	NWNW	3	1.9	
06s34e	27	SWNW	0	0.9	
Totals:			3	2.8	

AJ5809NP
No. A29-11443

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 171

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RALPH D HECKARD 238 OAKWOOD DR POCATELLO ID 83204 (208) 233-5012	12/31/1910	IRRIGATION STOCKWATER DOMESTIC	05-01 09-30 01-01 12-31 01-01 12-31	0.090 CFS 0.020 CFS 0.040 CFS	
TOTAL DIVERSION:					0.150 CFS	
CONSUMPTIVE USE:						9.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R34E S27 NWNW

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	Lt	Ac	Lt	Ac	:	---
06S	34E	27	:					:		03			:					:							:	3.0
TOTAL ACRES																							:	3.0		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10016 29-12171 A29-10016 A29-12171

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 05/05/94 TAYLOR 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Heckard

CLAIM IDENT. NO.

A29-11443

DATE RECEIVED

4-18-93

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A *
4. Is the legal description of the p.d. sufficient? ☐ YES ☒ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A *
- Is the consumptive use correct? ☐ YES ☒ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☒ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: HTDate: 5-4-94

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by: HT

Sent to claimant by:

Date:

Date: 5-5-94

Date:

Checked by: 100114

Date:

Comments: #2 12-31-1910; #4 & #10 T65.R34E, Sec. 27 NW NW

Exhibit A

Beginning at the North 1/16 corner on the West line of Section 27, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho; thence North along the said West line 208.71 feet; thence East parallel to the North 1/16 line of the said Section 27 a distance of 626.13 feet; thence South parallel to the West line of the said Section 27, a distance of 208.71 feet to the said North 1/16 line; thence West 626.13 feet to the point of beginning.

ALSO commencing at the North 1/16 corner of the West line of Section 27, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho; thence North along the said West line 208.71 feet to the point of beginning; thence East parallel to the North 1/16 line of the said Section 27 a distance of 626.13 feet; thence North parallel to the West line of the said Section 27 a distance of 139.14 feet; thence West parallel to the aforesaid North 1/16 line, 626.13 feet to the West line of the said Section 27; thence South 139.14 feet to the point of beginning.

ALSO commencing at the North 1/16 corner on the West line of Section 27, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho; thence North along the West line of said Section, 347.85 feet to the point of beginning of this survey; thence East parallel to the North 1/16 line of said Section 27, a distance of 626.13 feet; thence North parallel to the West line of said Section 27 a distance of 70 feet; thence West parallel to the aforesaid North 1/16 line, 626.13 feet to the West line of said Section 27; thence South along said West line 70 feet to the point of beginning of this survey.

EXCEPTING THEREFROM: Commencing at the North 1/16 corner on the West line of Section 27; thence North $88^{\circ}27'$ East on the North line of West Pocatello Townsite, 252.78 feet to the place of beginning of this survey; thence South $1^{\circ}33'$ East 140.45 feet to the South line of Block 13, said West Pocatello Townsite; thence North $88^{\circ}27'$ East on the South line of said Block 13 a distance of 250 feet; thence North $1^{\circ}33'$ West 140.45 feet, more or less, to the North line of said Block 13; thence North $0^{\circ}08'$ West 208.71 feet; thence North $88^{\circ}27'$ East 124.35 feet; thence North $0^{\circ}08'$ West 209.14 feet; thence South $88^{\circ}27'$ West 385.65 feet; thence South $1^{\circ}33'$ East 417.85 feet, more or less, to the place of beginning of this survey.

ALSO EXCEPTING THEREFROM: Beginning at the North 1/16 corner on the West line of Section 27, Township 6 South, Range 34 East of Boise Meridian; Bannock County, Idaho; thence North $88^{\circ}27'$ East along the North 1/16 line of said Section 27 a distance of 501.78 feet to the true point of beginning; thence continuing North $88^{\circ}27'$ East 124.35 feet; thence North $0^{\circ}08'$ West parallel to the West line of said Section 27 a distance of 208.71 feet; thence South $88^{\circ}27'$ West 124.35 feet; thence South $0^{\circ}08'$ East 208.71 feet to the true point of beginning.

RECORDED

NOV 14 1936

Heckard