

Moffatt Thomas

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Re: Dan & Mary Hearn
Water Right No. 78-12128**Date:** December 7, 2006
File No.: 18943.0**Number of pages being transmitted including the cover page: 2**
Please call fax operator at (208) 345-2000 if all pages are not received.

	Name	Organization	Fax No.	Voice No.
To:	Sally Sherman	Idaho Department of Water Resources	287-6700	287-4800

Message:

Sally,

Pursuant to our conversation, I have attached the revised page 2 of the claim for water right no. 78-12128.

Please call me if you have any questions. Thank you.

Scott

PLEASE DELIVER IMMEDIATELY

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately notify us by telephone to arrange for return of the original document to us. Thank you.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.0 (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	
19N	1E	25	40	40	40	40													160
		24													40	28	40	40	148

Total number of acres irrigated 30811. In which county (ies) are lands listed above as place of use located? Adams12. 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.

78-00182, 78-00206, and 78-10192or None (☐)

14. Remarks:

Claimant's predecessor was decreed water "to be diverted through the 'Mitchell Ditch,' for all of the water which now is or shall by them hereafter to be diverted into the 'Mitchell Ditch' from that portion of said 'Campbell Swamp' which lies north of the north bank of the 'Dryden East and West Drain' and north of the line thereof extended in its same course and direction;". That right was decreed in the case of Carey v. Dryden, Adams County Case No. 923, May 19, 1932. The water was used on the above-described place of use by claimant's immediate predecessor (at the least) and claimant. Place of use may have changed since decree. Claimant is claiming the current place of use under the "accomplished transfer" statute. (I.C. § 42-1425)

Last Name Dan and Mary F. Hearn Ident No. 78-12128