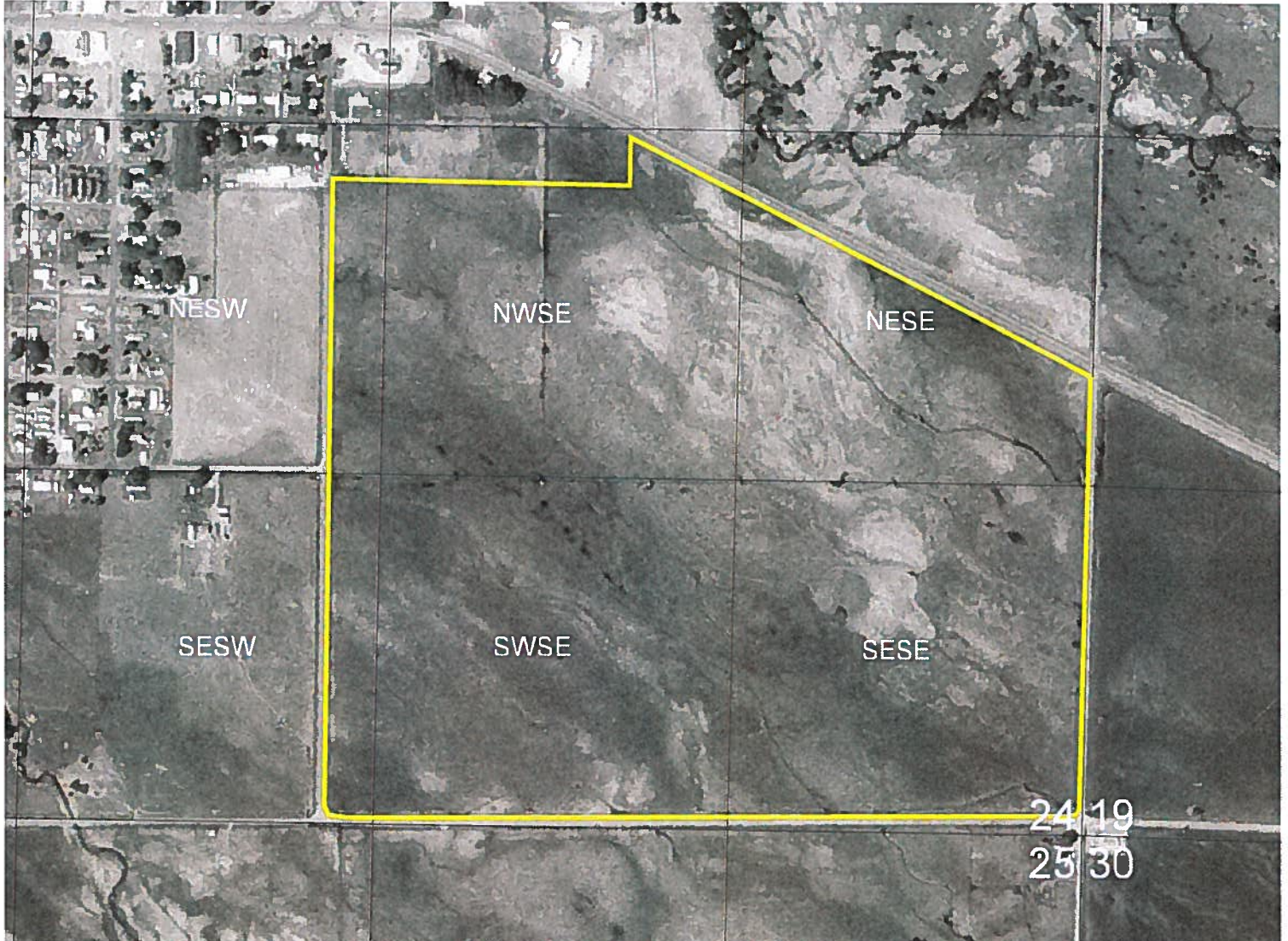


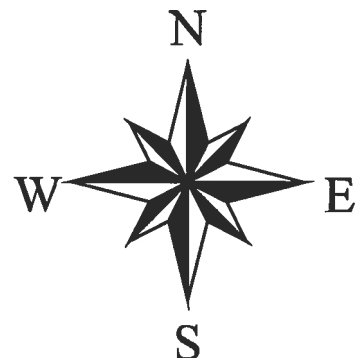
78-12162



600 0 600 1200 1800 Feet

T19N R01E S24

Map prepared by: Carter Fritschle
Date prepared: 06/21/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



11/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-12162

NAME AND ADDRESS: DAN HEARN
PO BOX 383
NEW MEADOWS ID 83654

MARY F HEARN
PO BOX 383
NEW MEADOWS ID 83654

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.570 CFS

PRIORITY DATE: 05/01/1904

POINT OF DIVERSION:

T19N R02E S29 SENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.570 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R01E S24	NESW	5.00	T19N R01E S24	SESW	5.50
T19N R01E S24	NESE	23.00	T19N R01E S24	NWSE	35.00
T19N R01E S24	SWSE	39.00	T19N R01E S24	SESE	38.00

145.5 ACRES TOTAL

This right is limited to the irrigation of 35.6 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 301.5 acres in a single irrigation season.
Combined Right Nos.: 78-182, 78-12162 and 78-12165

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Brundage Water Users Association.

Water is delivered through the Mitchell-Snyder Canal.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

A.

Subcase 78-12162

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dan and Mary Hearn

Address: P.O. Box 383

New Meadows, Idaho 83654

Daytime Phone: 208-347-2247

Name & Address of Attorney, if any:

Scott L. Campbell & Andrew J. Waldera

P.O. Box 829

Boise, Idaho 83701-0829

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Dan and Mary Hearn

Address: P.O. Box 383

New Meadows, Idaho 83654

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: that initially claimed for water right no. 78-206.
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: that identified in the original SRBA claim.
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: that identified in the original SRBA claim.
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** The Department has no legal basis for recommending a point of diversion or quantity of water different than that identified in the original SRBA claim. Likewise, the Department has no legal basis for recommending a place of use different than that identified in the original SRBA claim.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

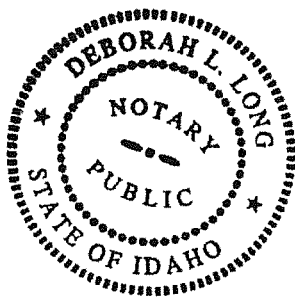
Andrew J. Waldera, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 8, 2007



[Signature]
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/10/07

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on May 8th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

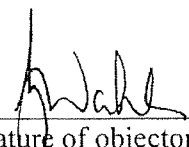
Name: Dan and Mary Hearn
Address: P.O. Box 383
New Meadows, Idaho 83654

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

Contacts Data Entry Form

Claim Number: 78-12162

Owner Type	Full Name	Address	City	State	Zip	Phone
Attorney	MOFFATT THOMAS BARRETT ROCK & FIELDS	SCOTT L CAMPBELL ANGELA D SCHAEER 101 S CAPITOL BLVD 10TH FLOOR PO BOX 829	BOISE	ID	83701-0829	(208)345-2000
Current Owner	DAN HEARN	PO BOX 383	NEW MEADOWS	ID	83654	(208)642-3866
Current Owner	MARY F HEARN	PO BOX 383	NEW MEADOWS	ID	83654	(208)642-3866

Comment for 1: In office exam.

Date of Field Exam: 8-8-05 Time: 11:00 A.M.Accompanied By: ^{Tim}Farrell Phone Number: 347-2241

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

3667 Farrell Rd.
From Highway 55 turn north on Farrell Rd. about
1/2 mile east of New Meadows.

Reviewer: JDDate: 8/9/05

Point of Diversion and Source Data Entry Form

Claim Number 78-12162

Claimed Point of Diversion and Source

T19N R02E S27 SWNWNW Within ADAMS County Source: GOOSE CREEK LITTLE SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

44° 57.535 N, 116° 13.867 W

This headgate also serves Abshire - Moore, Jennings,
and Cal White

Reviewer: JD _____

Date: 8/8/05 _____

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-12162

06/21/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-206A	Claim	19N	01E	24	NE	SE		IRRIGATION	10/10	JENNIFER ELD
78-12161	Claim	19N	01E	24	NE	SE		IRRIGATION	16/16	LARRY L JOHNSON
78-12162	Claim	19N	01E	24	NE	SE		IRRIGATION	24/132	DAN HEARN
78-12164	Claim	19N	01E	24	NE	SE		IRRIGATION	16/308	PEGGY L JOHNSON
78-12165	Claim	19N	01E	24	NE	SE		IRRIGATION	24/292	DAN HEARN
78-206	Water Right	19N	01E	24	NE	SE		IRRIGATION		JOHN H ABSHIRE
78-2085	Claim	19N	01E	24	NE	SE		IRRIGATION FROM STORAGE	40/6042.8	BRUNDAGE WATER USERS ASSN INC
78-4075	Claim	19N	01E	24	NW	SE		IRRIGATION	1/5	DONALD G CARLOCK
78-12162	Claim	19N	01E	24	NW	SE		IRRIGATION	28/132	DAN HEARN
78-12165	Claim	19N	01E	24	NW	SE		IRRIGATION	28/292	DAN HEARN
78-206	Water Right	19N	01E	24	NW	SE		IRRIGATION		JOHN H ABSHIRE
78-2085	Claim	19N	01E	24	NW	SE		IRRIGATION FROM STORAGE	28/6042.8	BRUNDAGE WATER USERS ASSN INC
78-12162	Claim	19N	01E	24	SW	SE		IRRIGATION	40/132	DAN HEARN
78-12165	Claim	19N	01E	24	SW	SE		IRRIGATION	40/292	DAN HEARN
78-206	Water Right	19N	01E	24	SW	SE		IRRIGATION		JOHN H ABSHIRE
78-2085	Claim	19N	01E	24	SW	SE		IRRIGATION FROM STORAGE	40/6042.8	BRUNDAGE WATER USERS ASSN INC
78-12162	Claim	19N	01E	24	SE	SE		IRRIGATION	40/132	DAN HEARN
78-12165	Claim	19N	01E	24	SE	SE		IRRIGATION	40/292	DAN HEARN
78-206	Water Right	19N	01E	24	SE	SE		IRRIGATION		JOHN H ABSHIRE
78-2085	Claim	19N	01E	24	SE	SE		IRRIGATION FROM STORAGE	40/6042.8	BRUNDAGE WATER USERS ASSN INC

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 78-12162
Date Received: 5/19/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAN HEARN
PO BOX 383
NEW MEADOWS ID USA 83654

Phone: (208) 642-3866

MARY F HEARN
PO BOX 383
NEW MEADOWS ID USA 83654

Phone: (208) 642-3866

2. Date of Priority: 05/01/1904

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	02E	27	SW NW NW	ADAMS	

5. Description of diverting works:

CONCRETE DIVERSION DAM- GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.571	

7. Total Quantity Appropriated is:
0.571 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	01E	24	NW	SE	IRRIGATION	28
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			NE	SE	IRRIGATION	24
					Section Acres	132
					Total Acres	132

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 78-206. DB 4/16/2002

Looks like claimant filed incorrect. Perhaps NESE should have had 28 acres claimed & 40 in the NWSE instead of the way it was claimed.

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 23 2001

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
78-00182	78-00182	No fee			
78-10192	78-10192	No fee			
78-00206	78-00206	No fee			

RECEIVED

OCT 26 2001

WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Larry L. and Peggy L. Johnson
Rt. 6 Box 37, Caldwell, ID 83605
4. New Owner/Claimant(s) Dan and Mary Hearn
 Name Connector (Check one): [] and, [] or, [] and/or
 New Mailing Address P. O. Box 383
 City, State and ZIP Code New Meadows, ID 83654
 New Telephone Number (208) 642-3866
5. Date you acquired the property December 1, 1991

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) *Dan Hean*
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by *AJ* Date *10/23* Fee *15.00 (\$25-) EACH*
 Receipted by *AJ* Date *10/23* Receipt No. *COST 1256*
 Processed by _____ AJ Date _____ WR _____ Date _____

*No fees required. Refund request sent to
S.O. 10/31/01 - *DJ**

78-206 .64cfs = .004cfs
148 acres

78-12161

Johnson

NESE

16

NWSE

0

SWSE

0

SESE

0

16

.069cfs

78-12162

Hearn

24

28

40

40

132

.571cfs

*

Comments looks like claimant filed incorrect.
Perhaps NESE should have had 28 acres claimed
+ 40 in the NWSE ~~or~~ instead of way it was
claimed

5-19-88

WARRANTY DEED

For Value Received PEGGY L. JOHNSON and LARRY L. JOHNSON, wife & husband

the grantor s, do hereby grant, bargain, sell and convey unto

DAN HEARN and MARY F. HEARN, husband and wife

the grantee s, whose current address is 934 Hillside Terrace, Rio Vista, Ca. 94571

the following described premises, in Adams County, Idaho, to-wit:

SEE EXHIBIT "A" attached hereto

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that the y the owner s in fee simple of said premises; that they are free from all incumbrances except for all easements of record, rights of way, matters visible, and all matters of record and title.

and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated: December 1, 1991

Peggy L. Johnson
Peggy L. Johnson

Larry L. Johnson
Larry L. Johnson

STATE OF IDAHO
COUNTY OF Ada
On this 26th day of November, in the year 1991, before me, a Notary Public, personally appeared PEGGY L. JOHNSON & LARRY L. JOHNSON known or identified to me to be the person whose name s are subscribed to the within instrument, and acknowledged to me that t he y executed the same.

Dan A. Campbell
Notary Public
Residing at 1000 W. 1st St., Idaho.
Commission expires: 5-23-1994

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow
at 40 minutes past 11 o'clock A M.,
this 2 day of December,
19 91, in my office, and duly recorded in Book 44M
of Deeds at page 024

Michael Fisk

Ex-Officio Recorder

By [Signature] Deputy.

Fees \$ 6.00

Mail to:

Indexed

INSTRUMENT NO.

81300

EXHIBIT "A"

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 25: NE1/4

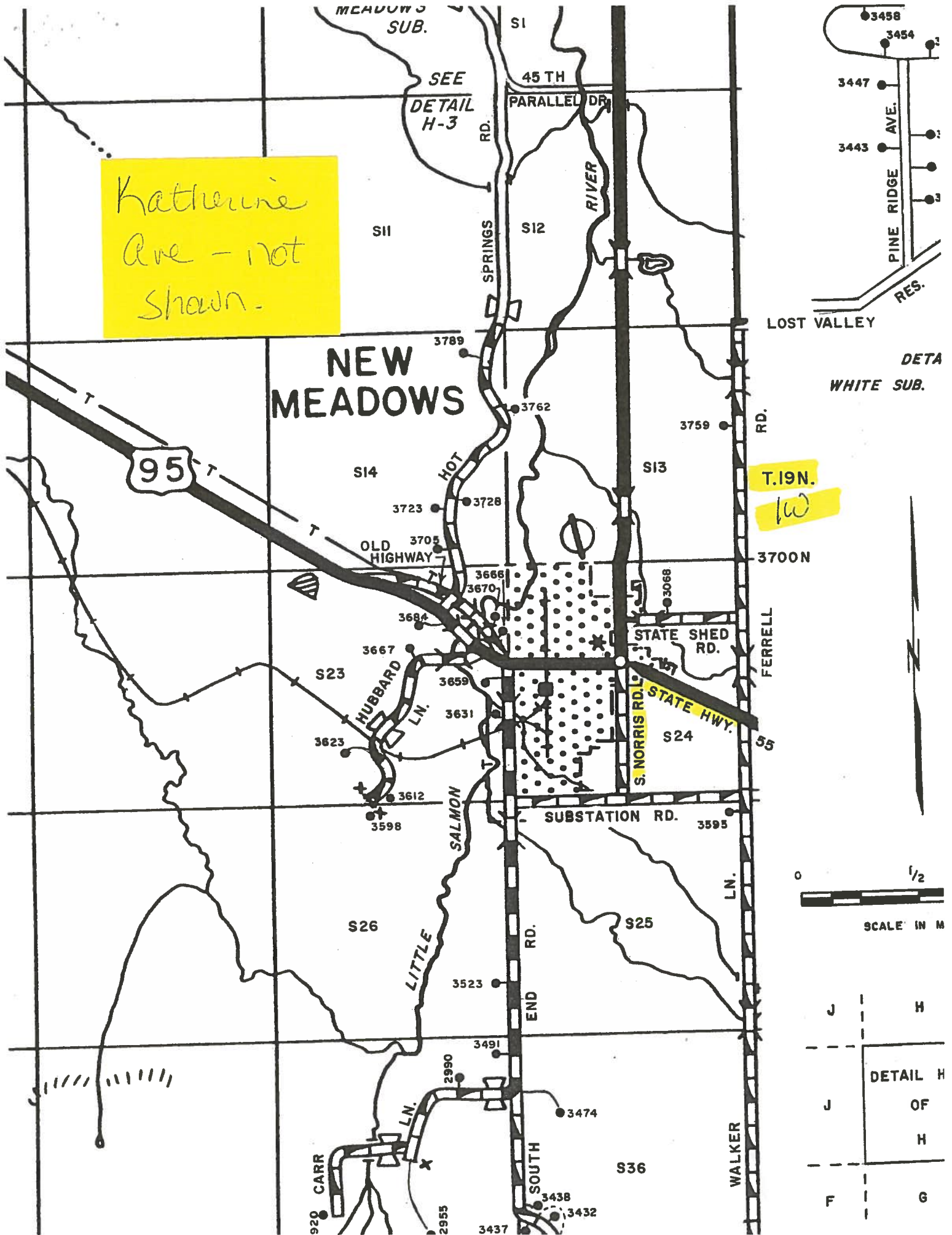
Section 24: All that part of the SE1/4 of Section 24, situated on the Southerly side of the right of way of Idaho State Highway 55 (formerly State Highway 15), and a strip of land, 106 feet in width, off of and along the entire East side of the SW1/4 of said Section 24, all in Township 19 North, Range 1 East, B.M.

EXCEPTING from the above described land a tract of land in the NE1/2SW1/4, NW1/4SE1/4, SW1/4NE1/4, Section 24, T.19N., Range 1 East, B.M., further described as follows:

BEGINNING at an iron pin at the intersection of Norris Avenue and Katherine Avenue as shown on the Plat of the of New Meadows Townsite, County of Adams, State of Idaho, dated March 1940; thence South 0 degrees 48' East 40.00 feet; thence North 89 degrees 12' East 40.00 feet to the REAL POINT OF BEGINNING, which is the intersection of the right of way of these two streets;
thence North 89 degrees 12' East for a distance of 390.00 feet to the Eastern right of way of Truesdale Avenue;
thence North 0 degrees 48' West along the right of way of Truesdale Avenue a distance of 130.00 feet;
thence North 89 degrees 12' East for a distance of 395.32 feet to the Southern right of way of Idaho Highway 55 (formerly State Highway 15);
thence South 64 degrees 45' East along the right of way of Highway 55 (formerly State Highway 15) for a distance of 238.96 feet;
thence South 0 degrees 48' East for a distance of 195.06 feet;
thence South 89 degrees 12' West for a distance of 1000.00 feet;
thence North 0 degrees 48' West along the Eastern right of way of Norris Avenue for a distance of 170.00 feet to the POINT OF BEGINNING.

Cannot find Katherine Ave on map in order to
run M + b.

Katherine
Ave - not
shown.



24

241 ACRES

25



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 14, 2002

Larry or Peggy Johnson
Rt 6 Box 37
Caldwell, ID 83605

Dean or Mary Hearn
PO Box 383
New Meadows, ID 83654

Re: Water rights 78-12161-2 and 78-12164-5

Recently our department processed a change of ownership on the above mentioned rights. Subsequently Mr. and Mrs. Johnson notified the department in writing that all property was sold to Mr. and Mrs. Hearn. When we process a change of ownership, we use the warranty deed to determine proper ownership, but also we must use the claim we have on file. It appears that when these claims were originally filed, they may have been filed incorrectly. The NESE was filed on for 40 acres and the NWSE for 28 acres, see attached map.

The easiest way to reflect correct ownership is to have the Johnson's amend their original claims to reflect the correct acreage. In doing so, if this places all of the acres within the property purchased by Hearn, there would be no need for this split of water rights.

Please contact this office to resolve this matter.

Sincerely,

Sue Bock
Sr. Water Resource Agent.

Enclosure: map, profile reports.

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: ⁷⁸⁻¹²¹⁶² ~~A78-00206~~
Date Received: 5/19/1988
Receipt No: 2000799

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PEGGY L. JOHNSON 208-459-1721
Address: RT. 6 BOX 37
CALDWELL, ID 83605

AND/OR

Name: LARRY L. JOHNSON 208-459-1721
Address: RT. 6 BOX 37
CALDWELL, ID 83605

2. Date of Priority: MAY 01, 1904

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	27	SW	NW	NW		ADAMS

5. Description of diverting works:
CONCRETE DIVERSION DAM- GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	0.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	24	NE	SE		IRR	40.0
			NW	SE		IRR	28.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	148.0
						Total Acres	148.0

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A78-10192

14. Remarks:
THIS WATER IN THE YOAKUM-ABSHIRE CANAL.

15. Basis of Claim: DECREED
Water Right Number:
Case Number:
Court :
Decree date:

HENRY T. CLAY ET. AL.
Decree Plaintiff

vs

T. A. CLARK ET. AL.
Decree Defendant

SCANNED

~~MICROFILMED~~
OCT 05 1992

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): Peggy L. Johnson Date: May 19, 1988
Date: _____

State of Idaho)
County of Ada) SS.

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

of May 19 88

Rene Bellin
Notary Public

Seal

Residing at Caldwell, Id.

My Commission Expires 3/21/94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

April 17, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAN HEARN
MARY F HEARN
PO BOX 383
NEW MEADOWS ID 83654

Re: Original Notice of Claim to a Water Right No. 78-206 & 78-10192

Renumbered Notice of Claim to a Water Right No. 78-12162 & 78-12165

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

The ownership has also been changed on claim number 78-182 and a copy is enclosed.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

cc: Scott L Campbell, Angela D Schaer @ Moffatt, Thomas, Barrett, Rock & Fields

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OCT 23 2001

Department of Water Resources

Scott L. Campbell, ISB No. 2251
Angela D. Schaer, ISB No. 5436
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone: (208) 345-2000
Facsimile: (208) 385-5384
18-943.0

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OCT 26 2001

WATER RESOURCES
WESTERN REGION

Split
78-12161
Johnson
78-12162
Hearn

Attorneys for Claimants Dan and Mary Hearn

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Case No. 78-00206

NOTICE OF APPEARANCE

NOTICE IS HEREBY given that Scott L. Campbell and Angela D. Schaer of the firm of Moffatt, Thomas, Barrett, Rock & Fields, Chtd., hereby enter their appearance as counsel on behalf of Dan and Mary Hearn.

DATED this 22nd day of October 2001.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Angela D. Schaer for
Scott L. Campbell - Of the Firm

By Angela D. Schaer
Angela D. Schaer - Of the Firm
Attorneys for Claimants Dan & Mary Hearn

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22nd day of October 2001, I caused a true and correct copy of the foregoing **NOTICE OF APPEARANCE** to be served by the method indicated below, and addressed to the following:

Director of Idaho Department of Water
Resources
Post Office Box 83720
Boise, Idaho 83720
Fax: (208) 327-5400

☒ U.S. Mail, Postage Prepaid
☒ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Angela D. Schaer
Angela D. Schaer

Boise
Idaho Falls
Pocatello

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OCT 23 2001

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Department of Water Resources

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Morgan W. Richards
Mark A. Ellison
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen

Gerald T. Husch
Scott L. Campbell
Michael G. McPeck
Kirk R. Helvie
Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill

Stephanie A. Balzarini
David P. Gardner
Julian E. Gabiola
Paul C. Swainston
Angela D. Schaer
Casey C. Robertson
Ray J. Chacko
Dean C. Sorensen
Bradley J. Dixon
Keasa L. Hollister
Willis C. Moffatt,
1907-1980

October 22, 2001

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

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OCT 26 2001

WATER RESOURCES
WESTERN REGION

Director
Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83706

Re: Hearn Water Right Claims
MTBR&F File No. 18-943.0

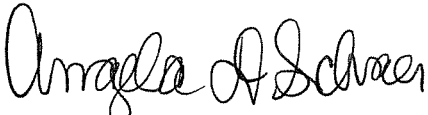
Dear Director:

Please find enclosed the following documents for filing with the Department, as well as a check in the amount of \$75.00 for the appropriate filing fees.

- 1) Notice of Change in Water Right Ownership - Water Right Nos. 78-00182, 78-10192 & 78-00206;
- 2) Case No. 78-00182 Notice of Appearance;
- 3) Case No. 78-10192 Notice of Appearance; and
- 4) Case No. 78-00206 Notice of Appearance.

Please return the "conformed" copies in the envelope provided. Thank you for your attention.

Very truly yours,


Angela D. Schaer

ADS/dll
Enclosures

Idaho Department of Water Resources Receipt

Receipt ID C057256

Payment Amount \$75.00 Date Received 10/23/2001 11:31:32 A Region State Status
Payment Type Check Check Number 158412

Payer MOFFATT THOMAS

Comment CHANGE IN OWNERSHIP - SRBA WR# 78-00182 78-10192 78-00206

Fee Detail

Amount Description Fund FD PCA SO
\$75.00 ADJUDICATION FILING FEE 0337 41503 1155

Signature Line (Dept. Representative)