

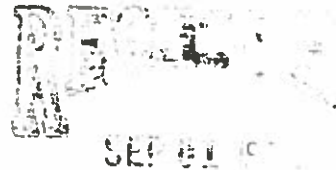
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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 A36-07510
Date Received 9-1-88
Receipt Number C002442

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW



DEC 10 1996

Please type or print clearly

1. Name of Claimant (s) Earl M. Hardy Department of Water Resources Phone (208) 342-0090
Mailing Address 1301 Vista Avenue, Boise, Idaho Zip 83705

2. Date of Priority (Only one (1) per claim) November 7, 1974

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

4. a. Location of existing point of diversion is: Township 8 South Range 14 E Section 27,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

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. Well, pump and pivot sprinkler

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from March 15 to Nov. 15 amount 1.72 or 344

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.72 (cfs) and/or (b) 344 (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	
8S	14E	27	34	34	9	9													86

Total number of acres irrigated _____

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

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 ()

14. Remarks:

Copy of assignment of License from Robert W. and Merlene M. Stacey made on August 13, 1985

Last Name _____ Ident No. _____

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Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile

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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☒ License ☐ Permit

Decree

If applicable provide IDWR Water Right Number 36-7510

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 one

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

Signature of Claimant (s) Earl M. Hardy Date September 1, 1988

Earl M. Hardy 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 Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day of September 19 88

SEAL

Notary Public Mary Anne Johnson

Residing at Boise, Idaho

My Commission Expires 1-11-92

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 _____

Last Name _____ Ident. Number _____

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1988

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OCT 19 1988

Copies Made - State Year - Claimant

State of Idaho
Department of Water Resources

ASSIGNMENT OF ~~PERMIT~~ LICENSE

I, Robert W. Stacey, hereby assign to Earl M. Hardy and LaVane Hardy,
husband and wife,
of 1301 Vista Avenue, Boise, Idaho 83705
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 36-7510
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 11th day of August, 19 85.

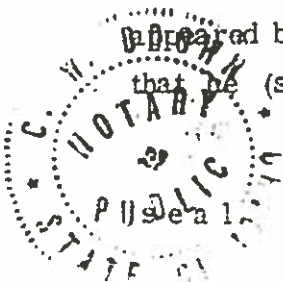
Robert W. Stacey
Permit Holder

LaVane R. Stacey
Spouse of Permit Holder

State of Idaho)
County of Boise) ss.

On this 13th day of August, 19 85, personally

appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



C. W. Brown
Notary Public residing at
Wendell, Idaho

My commission expires:
8-15-86

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OCT 19 1984

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: A36-07510
Date Received: 9/01/1988
Receipt No: C002442
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EARL M. HARDY
Address: 1301 VISTA AVENUE
BOISE, ID 83705
208-342-0900

2. Date of Priority: NOV 07, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	27	SW	NE			GOODING

5. Description of diverting works:
WELL, PUMP, MOTOR & PIVOT SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

7. Total Quantity Appropriated is:
1.720 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
08S	14E	27	NE	NE		IRR	34.0
			NW	NE		IRR	34.0
			SW	NE		IRR	9.0
			SE	NE		IRR	9.0

Section Acres 86.0

A36-07510

Page 1

Date: 10/04/88

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1004

10. Place of Use: Continued

Total Acres 86.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NOT CHECKED

14. Remarks:
COPY OF ASSIGNMENT OF LICENSE FROM ROBERT W. AND MERLENE M.
STACEY MADE ON AUGUST 13, 1985.

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

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 _____

Post-It Fax Note 7671		Date	10	# of pages	2
To Kelly Christensen		From	Dan Steenson		
Co/Dept.		Co.	Ringart Clark		
Phone # 736-3037		Phone #			
Fax #		Fax #			

**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

Subcase No.: 36-07510

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Date: 12-10-97

Daniel Steenson
Daniel Steenson, Atty for claimant

Kelly L. Christensen
IDWR Concurrence

Approved as to form:
Attorney for IDWR

Peter R. Anderson

COPY

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07510

NAME AND ADDRESS: EARL M HARDY
1301 VISTA AVE
BOISE ID 83705

SOURCE: GROUNDWATER

QUANTITY: 1.1 CFS
1196 CFS
220.0 AFY
20810 AFY

PRIORITY DATE: 11/07/1974

POINT OF DIVERSION: T08S R14E S27 NESWNE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	1.1 CFS
		04/01 10/31	1196 CFS
			22010 AFY

PLACE OF USE:	IRRIGATION	Within GOODING County
	T08S R14E S27	NENE 23 NWNE 32
		NENE 20
	<u>55 ACRES TOTAL</u>	
	<u>32 ACRES TOTAL</u>	

CONSUMPTIVE USE: 119610 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

COPY

AKC

IDaho DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: DEC-10-1997
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07510

NAME AND ADDRESS: EARL M HARDY
1301 VISTA AVE
BOISE ID 83705

SOURCE: GROUNDWATER

QUANTITY:

<u>1.1</u>	<u>CFS</u>
<u>7194</u>	<u>APY</u>
<u>220.0</u>	<u>APY</u>
<u>22919</u>	<u>APY</u>

PRIORITY DATE: 11/07/1974

POINT OF DIVERSION: 7085 R14E S27 NESWNE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>11/07/74</u> <u>08/91</u> <u>10/71</u>	<u>1.1</u> <u>CFS</u> <u>7194</u> <u>APY</u> <u>22919</u> <u>APY</u>

PLACE OF USE:	IRRIGATION	Within GOODING County
	7085 R14E S27	<u>NENE 23</u> <u>NENE 32</u>
	<u>12 ACRES TOTAL</u>	
	<u>92 ACRES 7074K</u>	

CONSUMPTIVE USE: 19619 APY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

COPY

PRA

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on 12-11, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

Nicholas B. Spencer
Idaho Dept of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Daniel Steenson
Ringert Clark
P. O. Box 2773
Boise, ID 83701-2773

Becky Hawley
Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R36-07510

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HARDY

EARL M

1 - 1301 VISTA AVE

2 -

3 -

City- BOISE

Phone - 208-342-0900

State- ID Zip- 83705

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/07/1974 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
08S 14E 27 NE SW NE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.100 220.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.100 220.00 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
08S 14E 27 NE NE 23.0 01 IRRIGATION (47) GOODING
08S 14E 27 NW NE 32.0 01 IRRIGATION (47) GOODING

Total Acres: 55.0

+ - - Diversion Means - WELL, PUMP, MOTOR & PIVOT SPRINKLER SYSTEM.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

Prefix Translation: RESEARCH

+ - Decree Date - +
00/00/0000

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C002442	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	- B

EARL HARDY

The photo faced is the Place of
use identified through the GIS process.
Note the attached work-sheet that shows
the recom P/U & the GIS acres. The GIS
place of use is approximately the same
as recommended.

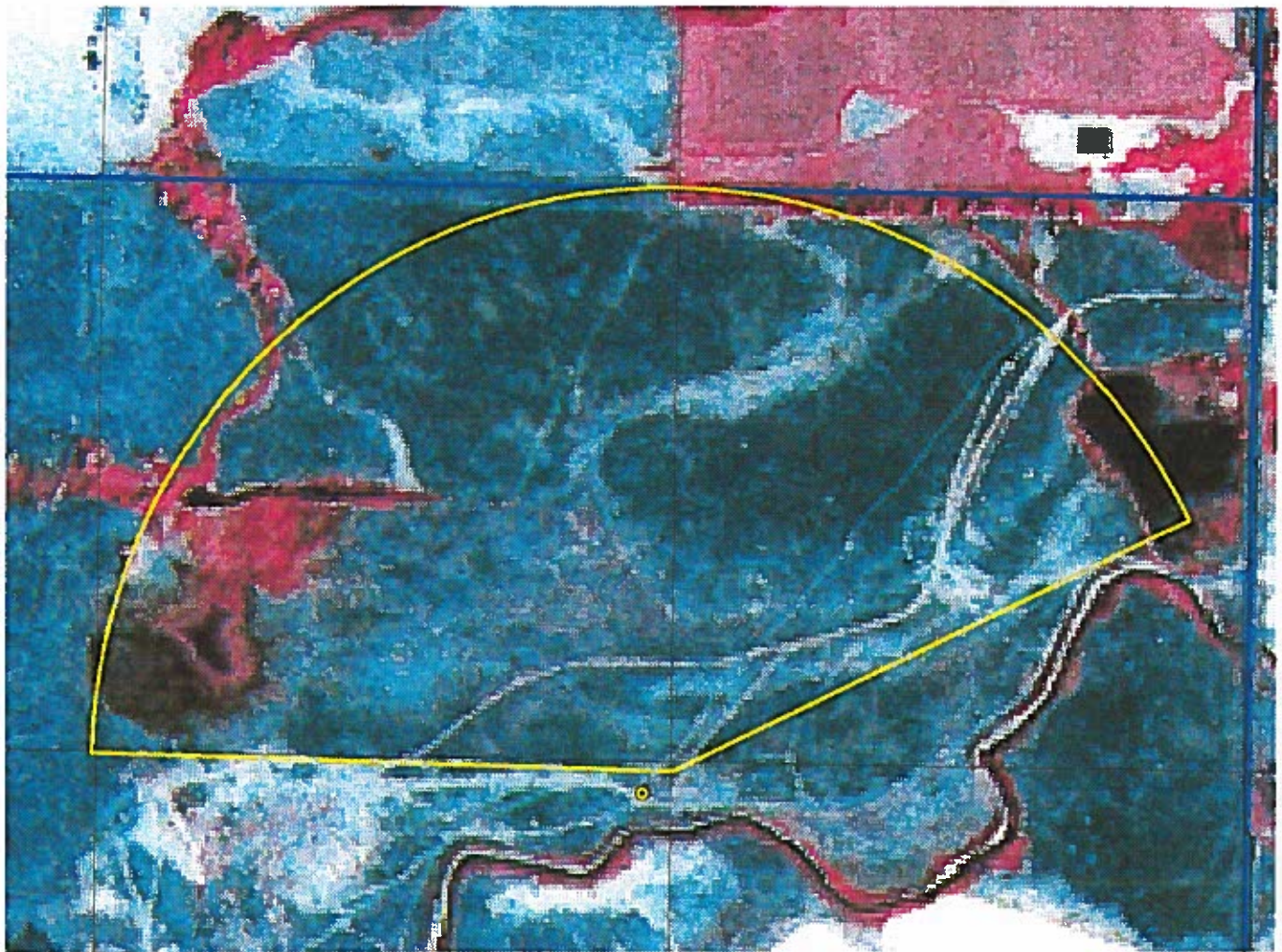
If you have have any Questions
Please give me a call.

Kelly H. Christensen
12-4-97

Don

IDAHO DEPARTMENT OF WATER RESOURCES

36-07510

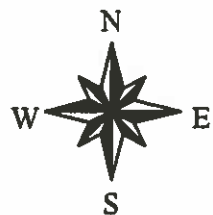


1320

0

1320

TNS 8S, RNG 14E, SEC 27 N1/2NE



⊙ RECOMMENDED POINT OF DIVERSION



RECOMMENDED PLACE OF USE



SECTION LINES &/OR TRACT LINES



QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY NOVEMBER 11, 1997
BY DOUGLAS JONES

CLAIM NUMBERS 36-02510DATE 11/11/97

TRANSFER NUMBER _____

OBJECTION FILED YesAGENT JFTOTAL ACRES FROM RECOMMENDATION 52GEOGRAPHIC INFO SYSTEM 54.8

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	85	14E	27	20	32														
GIS				22.8	32														
RECOM																			
GIS																			
RECOM																			
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RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

POLYGON CREATED ON 604 (~~233~~) 11/11/97 JFATTRIBUTES OF B36-POU.SHP (733) ↓ATTRIBUTES OF B36-POD.SHP (678) 11/11/97 JFB36-DBPOU.DBF ✓B36-DBPOD.DBF ✓

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes () no ()

SENT FOR DECREE yes () no ()

R PROOF

CVR

MAPS

PHOTOS

MISC

RECEIVED
OCT 19 1994

myo² Aerial
photos used
for Analysis

H-17

1974 photos shows no in

D384

1980 color ASCS color slide # 173 AKA D346

NAPP Photos BB20 NE 8-6-87 flight

BB20 NW 8-1-88 flight

ASCS 1987 flight

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OCT 19 1994

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-07510 -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

RESPONSE TO OBJECTION NO. 36-07510 -0001 - PAGE 1

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05/11/88
NICHOLAS B. SPENCER

2. Person who filed objection:

Name: EARL M HARDY
Address: 1301 VISTA AVENUE
BOISE ID 83705

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
14. ☒ Other: I respond to the objection concerning:
- Total volume 208.00 AFY.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3.a, 10, and 14 and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the recommended water right accurately describes the total number of acres within each 40 acre subdivision upon which IDWR found water was beneficially used for irrigation under this water right; (3) the claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code Secs. 42-104 and 42-1402).

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-07510

5

(Over)

RESPONSE TO OBJECTION NO. 36-07510 -0001 - PAGE

MICROFILMED

OCT 19 1994

00212 MAR
WICHOITWED

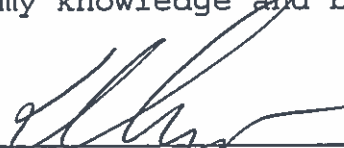
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By: 

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th day of August,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires _____
Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of August, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: WILLIAM F RINGERT
Address: PO BOX 2773
BOISE ID 83701

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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 A36-07510
Date Received 9-1-88
Receipt Number C002442

RECEIVED
SEP 01 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Earl M. Hardy Phone (208) 342-0090
Mailing Address 1301 Vista Avenue, Boise, Idaho Zip 83705

2. Date of Priority (Only one (1) per claim) November 7, 1974

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

4. a. Location of existing point of diversion is: Township 8 South Range 14 E Section 27,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

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. Well, pump and pivot sprinkler

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from March 15 to Nov. 15 amount 1.72 or 344

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.72 (cfs) and/or (b) 344 (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	
8S	14E	27	34	34	9	9													86

Total number of acres irrigated _____

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

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 ()

14. Remarks:
Copy of assignment of License from Robert W. and Merlene M. Stacey made on August 13, 1985

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

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Last Name Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Beneficial Use ☐ Posted Notice ☒ InseX ☐ Permit ☐

Decree

If applicable provide IDWR Water Right Number 36-7510

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments one

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

Signature of Claimant (s) Earl M. Hardy Date September 1, 1988

Earl M. Hardy

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 Idaho)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day of September 19 88

SEAL

Notary Public Mary Anne Johnson

Residing at Boise, Idaho

My Commission Expires 1-11-92

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 _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

State of Idaho
Department of Water Resources

ASSIGNMENT OF ~~PERMIT~~ LICENSE

I, Robert W. Stacey, hereby assign to Earl M. Hardy and LaVane Hardy,
of 1301 Vista Avenue, Boise, Idaho 83705 husband and wife,
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 36-7510
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40-acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 11th day of August, 19 85.

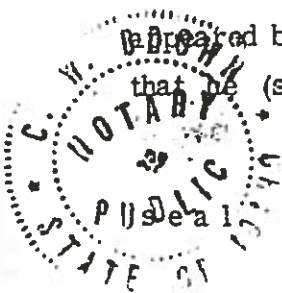
Robert W. Stacey
Permit Holder

LaVane B. Stacey
Spouse of Permit Holder

State of Idaho)
County of Bonding) ss.

On this 13th day of August, 19 85, personally

appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



C. W. Brown
Notary Public residing at

Wendell, Idaho

My commission expires:

8-15-86

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FEB 04 1990
OCT 19 1994

RECEIVED

APR 29 1993

Department of Water Resources
Adjudication Bureau

W. F. RINGERT
D. V. STEENSON
RINGERT CLARK CHARTERED
455 S. Third St., P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

Attorneys for Nampa & Meridian Irrigation District,
Grindstone Butte Mutual Canal Company, Rim View Trout
Company and others

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)

The State of Idaho, ex rel. R.)
Keith Higginson in his official)
capacity as Director of the Idaho)
Department of Water Resources,)

Petitioner,)

-vs-)

The United States; the State of)
Idaho; and all claimants to the)
use of water from the Snake River)
Basin Water System,)

Respondents.)

Case No. 36-07510
(You must insert the
water right number you
are objecting to)

OBJECTION

36-07510 -0001/
93-04-0330

INSTRUCTIONS

This form must be used to file an objection to any water
right recommended in the Director's Report. You may object to
one water right per objection form. The water right number you

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OCT 19 1994

are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection to the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Earl M. Hardy
Address: 1301 Vista Avenue
Boise, ID 83705

Briefly describe your interest in this water right:
OWNER

2. Owner of the water right:

Name: Earl M. Hardy
Address: 1301 Vista Avenue
Boise, ID 83705

3. If this objection is filed by an attorney:

Attorney name: W. F. Ringert
Attorney Address: P. O. Box 2773
Boise, ID 83701
Attorney Phone No.: (208) 342-4591

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. X Quantity: I object to:
 - a. X the total quantity of water used in cubic feet per second
 - b. ☒ the total quantity of water stored in acre-feet per year; or
 - c. ☒ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☒ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☒ number of irrigated acres within each forty (40) acre subdivision.
10. X Consumptive Use: I object to the annual volume of consumptive use.

DELETED
RECORDED

11. ☒ Remarks: I object to the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☒ this water right not being recommended.
13. ☒ Description of Reservation: I object to the legal description of the reservation.
14. X Other: I object to: Total volume 208.00 AFY

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The center pivot sprinkler installed is believed to be the same size as was used to establish proof of application to beneficial use, and the original Notice of Claim reflects claimant's understanding of the acreage served by the sprinkler system.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Maximum quantity 1.72 cfs; total volume 430 AFY: consumptive use 258AFY; total area 86 acres; NENE 34 ac., NWNE 34.0 ac., SWNE 9.0 ac., SENE 9.0 ac.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

W. F. Ringert, being first duly sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Earl M. Hardy

Signature of person filing objection

By: W. F. Ringert

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27th day of April, 1993.

Quinta C. McParmer

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 11/14/98

APR 28 1993
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INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Earl M. Hardy
Owner's address: 1301 Vista Avenue
Boise, ID 83705

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
P. O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of Objector or Attorney
mailing on Objector's behalf

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 23 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-07510

RECEIVED

SEP 28 1992

2. Name: Earl M. Hardy

Department of Water Resources
Southern Region Office

Address: 1301 Vista Avenue, Boise, ID 83705

Attorney: W. F. Ringert

Address: P. O. Box 2773, Boise, ID 83701

Weekday Telephone Number: Hardy - 344-7321
Ringert - 342-4591

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TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:
Maximum quantity - 1.04 cfs; Total volume - 208.00 AFY; and
Consumptive use - 156.0 AFY.
42 acres total place of use.
NENE 20.0 acres; NWNE 32.0 acres; SWNE 0 acres; SENE 0 acres.
4. Describe the changes you wish to have made in the proposed recommendation:
Maximum quantity, total volume, consumptive use, and acreages at place of use should be as shown in the Notice of Claim, 1.72 cfs maximum quantity, 430 AFY total volume, consumptive use 258 AFY, 86 acres total area, NENE 34.0 acres, NWNE 34.0 acres, SWNE 9.0 acres, SENE 9.0 acres.
5. Describe why you disagree with the proposed recommendation:
The center pivot sprinkler installed is believed to be the same size as was used to establish proof of application to beneficial use, and the original Notice of Claim reflects claimant's understanding of the acreage served by the sprinkler system.
6. Date: September 17, 1992.

SIGNATURE



NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

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FEB 04 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/20/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EARL M HARDY 1301 VISTA AVE BOISE ID 83705 (208) 342-0900	11/07/1974	IRRIGATION	04-01 10-31	1.04 CFS	208.0 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					1.04 CFS	208.0 AFA 156.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S27 NESWNE

GOODING 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	:	SUM	
08S	14E	27	:	20		32														:	52.0	
																				:	52.0	
																				:	TOTAL ACRES	52.0

POU County: GOODING

Other Rights: NONE

Dates: Exam Made Date: 02/21/1992 Verified Date:

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

Comments: Date: 04/13/1992 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
COPY OF ASSIGNMENT OF LICENSE FROM ROBERT W. AND MERLENE M.
STACEY MADE ON AUGUST 13, 1985.

Date: 04/13/1992 User-ID: CHRISTEN Subject: REDUCTION IN ACRE RECOMMENDATION
THIS CLAIM IS RECOMMENDED FOR 34 FEWER ACRES THAN WAS LICENSED.
P/U APPEARS TO BE IRRIGATED ONLY BY A CENTER PIVOT SYSTEM AND A
PORTION OF THE ORIGINAL P/U IS NOW COVERED BY A FISH SLUDGE POND.
POND IS IN THE SWNE QUARTER. NO ACRES SOUTH OF THE CANAL RUNNING
THROUGH THE P/U IS RECOMMENDED. ASCS RECORDS SHOW THIS PLACE AS
NON-IRRIGATED PASTURE FOR 1987. LITTLE EVIDENCE OF IRRIGATION
FROM 1987 ON EXISTS BUT BENEFIT OF DOUBT LEANS TOWARD CLAIMANT.

Date: 09/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/23/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 4/13/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/20/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B - NO CHANGE.
LETTER SENT TO RINGERT.

Audit: 10/20/92 THORNTON

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FEB 0 4 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

20-Oct-1992

Mr. W. F. Ringert, Attorney
PO Box 2773
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Notices of Error

Hardy - A36-07510
Clear Lakes Trout Co., Inc - A36-07800, A36-07731,
A36-07725, A36-07080, A36-07004, A36-02659,
Rim View Trout Co. - A36-07167, A36-02680, A36-10819,
A36-04032A, A36-04032B, A36-04032C

Dear Mr. Ringert:

We are in receipt of the Notices of Error on the above referenced claims. Each Notice of Error will be addressed below.

Hardy - A36-07510

No changes have been made to the recommendation. The recommendation is based on a field examination of the place of use which identified the actual acres under irrigation and other IDWR information. The diversion rates and volumes and consumptive use volume are based in IDWR standards for beneficial use and crop requirements.

Clear Lakes Trout Co., Inc. - A36-07800, A36-07731, A36-07725

As to the completion of licensing process remarks, these remarks shown in the recommendations on the above referenced claims are based on Idaho Code 42-1421(3). No change will be made to the recommendation.

Clear Lakes Trout Co., Inc. - A36-07080

Regarding the measuring device condition, this remark is based on Idaho Code 42-701 and conditions set forth in the license. Regarding the effluent standards remark, this remark is carried over to the recommendation as a condition is set forth in the license. As to facility volume, this remark is based on Idaho Code 42-1411(2)(j) which provides that Director's Report

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of water right appropriated under state law shall include such other matters necessary to define the right; facility volume is necessary to prevent future expansion in use of the right. No changes will be made to the recommendation.

Clear Lakes Trout Co., Inc. - A36-02659, A36-07004

Regarding facility volume remarks, see discussion in paragraph immediately above. Regarding the other rights diverted at the recommended points of diversion, the points of diversion recommended for both rights included the same three 10-acre tracts. As you stated in your Amended Notice of Error, a portion of A36-02659 is diverted through the same diversion structure as this right. Both claims referenced above described the same facility system with co-mingled water. Therefore, with the same points of diversion and facility, it is appropriate to include the remarks on both recommendations. Also, the remarks describing rights owned by Clear Springs Trout Co. specifically identify only two of the 10-acre tracts, thereby clearly showing that only a portion of the points of diversion are shared. No changes will be made to the recommendations.

Rim View Trout Co. - A36-02680

See paragraph under A36-07080 for discussion on facility volumes. The total volume is calculated based on the diversion rate over 365-day period. The diversion rate recommended is based on IDWR records and documents relating to this and associated rights. No changes will be made to the recommendation.

Rim View Trout Co. - A36-04032A, A36-04032B

The recommendations are based on measurement data available for the diversion rates corresponding to the dates of priority recommended. See A36-07080 above for facility volume discussion. No changes will be made to the recommendations.

Rim View Trout Co. - A36-04032C

The recommendation is based on measurements and records reflecting the balance of diversion rate put to beneficial use was diverted under development described in 36-02680. No changes will be made to the recommendation.

Rim View Trout Co. - A36-10819

The remarks have been changed to identify recommendation for 36-02680 as the right under which this water use is described.

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This recommendation is based on measurements and records supporting the development of the water use at the priority date recommended. No other changes will be made to the recommendation.

Rim View Trout Co. - A36-07167

See paragraph under A36-07080 for discussion of measuring devices, effluent standards and facility volumes. For clarification the total diversion volume of the system based on the season of use and diversion rate. The facility volume described in the remarks is a description of the facility dimensions. No changes will be made to the recommendation.

If you still do not agree with the proposed IDWR recommendation to the court, you may file an objection with the court after you receive the final recommendation of your water right. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,



Helen Harrington-Thornton
Water Resource Agent

HHT

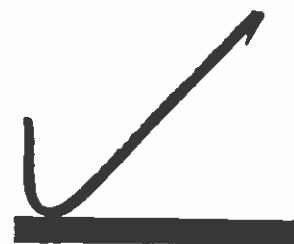
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R PROOF



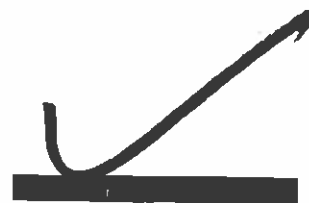
CVR



MAPS



PHOTOS



MISC



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FEB 04 1983

Water Right Number - R36-07510

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HARDY

EARL M

1 - 1301 VISTA AVE
2 -
3 -
City- BOISE
Phone - 208-342-0900VERIFIED BY. KFC

State- ID Zip- 83705

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/07/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 14E 27 NE SW NE (47) GOODING

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.040 208.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.040 208.00 156.0+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 27 NE NE 20.0 01 IRRIGATION (47) GOODING
08S 14E 27 NW NE 32.0 01 IRRIGATION (47) GOODING

Total Acres: 52.0

+ - - Diversion Means - WELL, PUMP, MOTOR & PIVOT SPRINKLER SYSTEM.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - - - Remarks - - - - - +
No Remarks found.+ - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found+ - - - - - - - - - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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| | | |
|-------------------------|---|-------|
| Civil Case Number | - | 39576 |
| Old Case Number | - | |
| Old Judicial District | - | |
| Temporary Right | - | P |
| Water District | - | |
| Federal/State Indicator | - | S |
| Presumption Flag | - | |
| Notice of Error Flag | - | |

093
661

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:46:44
04/13/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07510

| WR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | | N | | | | |
| POINT OF DIV | Y | | | Y | 1,2,4,5 | KHC 92
4-13 | | |
| SOURCE | | | | N | | | | |
| PLACE OF USE | Y | | | Y | 1,2,4,5,6 | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | Y | | | | |
| CONSUMPTIVE USE | | | | Y | | | | |
| PURPOSES | | | | Y | 6 | | | |
| PERIOD OF USE | | | | N | | | | |
| BASIS OF CLAIM | | | | Y | 6 | | | |
| REMARKS | Y | | | N | | | | |
| | | | | Y | 6 | | | |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:46:44
04/13/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07510

LAST: STACEY
ADDRESS: RT. 1
CITY: WENDELL
PHONE NUMBER: 208-000-0000

FIRST: ROBERT W.
STATE: ID ZIP: 83355

OWNER CODE: 0

LAST: HARDY
ADDRESS: 1301 VISTA AVE.
CITY: BOISE
PHONE NUMBER: 208-342-0900

FIRST: EARL M.
STATE: ID ZIP: 83705

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: COPY OF ASSIGNMENT OF LICENSE FROM ROBERT W. AND MERLENE M.
STACEY MADE ON AUGUST 13, 1985.

MICROFILMED
FEB 04 1993

CONTACT PERSON: None

PHONE NUMBER: () -

DATE OF FIELD EXAM: 2/21/92

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: no one

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Steve Clelland visited the P/U & took 4 picture sets of the P/U. The P/U appeared to have NOT been irrigated for several years. He also found fish sludge ponds in the SW NE. Therefore that quarter is not recommended for irrigation. The only visible method of irrigation was the center pivot.

The P/U recommendation for the NE NE quarter is based upon the center pivot stopping at the canal. This gives a 55 degree wedge for irrigated acres within this quarter.

Per the Gording Co. ASCS, the crop report for this section states that no irrigation occurred during the 1987 irrigation season. The NAPP Photo for 1987 agrees with this statement.

The only evidence of irrigation in the five year period between 1987 and 1991 is that the ~~ASC~~ ASCS 1987 flight aerial photo and the NAPP Photo. seem to indicate that the center pivot was in the NE NE. The 1992 field exam by Steve Clelland found the center pivot in the NW NE. Assuming that it was moved ~~with~~ in connection with irrigation, beneficial use was established at least once within that period.

Benefit of doubt weighed in favor of claimant.

Kelly K. Christensen

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FEB 04 1993

A. AJ CLAIM: # A36-07510 PRIORITY DATE: 11-07-1974 STAGE: L
B. WR RECORD: # 36-07510 PRIORITY DATE: 11-07-1974 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

*claimed as licensed
accept as claimed*

=====

RECOMMENDED PRIORITY DATE:
11-07-1974

REVIEWED BY

KKC

DATE

4-13-92

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|---------|
| A36-07510 | 08S | 14E | 27 | NE | SW | NE | | GOODING |

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 | CNTY |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-07510 | 08S | 14E | 27 | | SW | NE | | GOODING |

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. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY? | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | Y | |
| | | N | |

REMARKS:

add NE 10 acre designation. P/D near center of NE Quarter per aerial photo and field exam.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

OK ~~as~~ claimed with NE 10 acre tract added

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: KKC

DATE: _____

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FEB 04 1993

A. ROOT WATER RIGHT NUMBERS: A36-07510
R36-07510

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|---------------------|------------------|----------------|-----------------|----------------|------------------|
| 08S | 14E | 27 | NE | NE | | HARDY , EARL M. | A36-07510 /34.0 | 36-07510 /34.0 | 17.0 | | |
| | | | NE | NE | | HARDY , EARL M. | R36-07510 /34.0 | - / | | 20 | 20 |
| 08S | 14E | 27 | NW | NE | | HARDY , EARL M. | A36-07510 /34.0 | 36-07510 /34.0 | 14.0 | | |
| | | | NW | NE | | HARDY , EARL M. | R36-07510 /34.0 | - / | | 32 | 32 |
| 08S | 14E | 27 | SW | NE | | HARDY , EARL M. | A36-07510 / 9.0 | 36-07510 / 9.0 | 23.0 | | |
| | | | SW | NE | | VANDER VEGT , IRENE | R36-02114 /23.0 | - / | | | |
| | | | SW | NE | | VANDER VEGT , IRENE | R36-073638 /23.0 | - / | | 0 | 0 |
| | | | SW | NE | | HARDY , EARL M. | R36-07510 / 9.0 | - / | | | |
| | | | SW | NE | | VANDER VEGT , IRENE | A36-073638 /20.0 | - / | | | |
| | | | SW | NE | | STACEY , ROBERT W. | | 36-07363 /20.0 | | | |
| 08S | 14E | 27 | SE | NE | | HARDY , EARL M. | A36-07510 / 9.0 | 36-07510 / 9.0 | 27.0 | | |
| | | | SE | NE | | VANDER VEGT , IRENE | R36-02114 /26.0 | - / | | | |
| | | | SE | NE | | VANDER VEGT , IRENE | R36-073638 /26.0 | - / | | 0 | 0 |
| | | | SE | NE | | HARDY , EARL M. | R36-07510 / 9.0 | - / | | | |
| | | | SE | NE | | VANDER VEGT , IRENE | A36-073638 / 9.0 | - / | | | |
| | | | SE | NE | | STACEY , ROBERT W. | | 36-07363 /15.0 | | | |
| TOTAL ACRES | | | | | | | A36-07510 | 86.00 | 86.00 | 81.00 | |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: GOODING

See Pg 2, this report, for analysis of P/4.
KKC

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54

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

52

REVIEWED BY:

IKK

DATE:

4-13-92

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A. AJ CLAIMED USES:

A36-07510 PURPOSES
IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
1.720 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.720 CFS

52 * .02 1.04 CFS

B. WR RECORDED USES:

36-07510 PURPOSES
IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
1.720 CFS 344.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.720 CFS 344.00 AF/A

change to
Dept 5 standards.

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PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | N | _____ |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N | _____ |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | N | _____ |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.720 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.720 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

DATABASE EXAMINER
N

FIELD

EXAMINER

*are recommendation
reduced to 52a cfs
52A @ .02 cfs = 1.04 cfs*

RECOMMEND

RECORDED
FEB 04 1993

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------|--------------------|-----------|----------------|-----------|----------------|
| A36-07510 | GROUNDWATER | HARDY, EARL M. | 1.720 | 0.020 | | |
| R36-02114 | GROUNDWATER | VANDER VEGT, IRENE | 3.050 | 0.012 | | |
| R36-07363B | GROUNDWATER | VANDER VEGT, IRENE | 2.560 | 0.010 | | |
| A36-07363B | GROUNDWATER | VANDER VEGT, IRENE | 2.790 | 0.012 | | |
| R36-07510 | GROUNDWATER | HARDY, EARL M. | 1.720 | 0.020 | 344.00 | 4.00 |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 52 x 0.02 CFS/ACRE = 1.04 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 258.0 AF/A

ACRES 52 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 156 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 52 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 208 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|-------------------------------------|----------------------------------|------------------------------------|
| IRRIGATION | 03-15 11-15 | DATABASE 1.720 EXAMINER <u>1.84</u> | DATABASE 156 EXAMINER <u>156</u> | DATABASE 258.0 EXAMINER <u>208</u> |
| TOTAL FOR THIS RIGHT | | 1.720 | | 258.0 |

REVIEWED BY: KKC

DATE: 4-13-92

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FEB 14 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

| ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------|-----------------|
| () | () |
| () | () |
| () | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07510

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.720

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-07510 | 1.720 | R36-07510 | 1.720 | 36-07510 | 1.720 |
| TOTAL CFS | | 1.720 | | 1.720 | | 1.720 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

Kelly K. Christensen

DATE:

4-13-92

NAME OF FIELD EXAMINER:

TITLE:

Se Water Rights agent

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← NOTE THAT IF PIVOT
COULD BE WALKED
ACROSS CANAL HERE
IT COULD HIT MORE OF
THE ACRES EAST OF
THE CENTER POINT
NOW IDENTIFIED AS
"OUT"

BUT ALSO NOTE THAT
LAND SOUTH OF THE
CANAL IS NOT OWNED
BY HARDY. EVEN IF
THERE IS A BRIDGE,
IS THERE ANY
EVIDENCE THAT
CLAIMANT HAS SHOWING
HE HAS AN AGREEMENT
WITH THE OWNER TO
ALLOW THE PIVOT TO
BE TAKEN ACROSS THE
CANAL ONTO THE
NEIGHBOR'S LAND?

FISH SLUDGE
PONDS

8S-14E-27

Clearing field on
exam date
6-26-78

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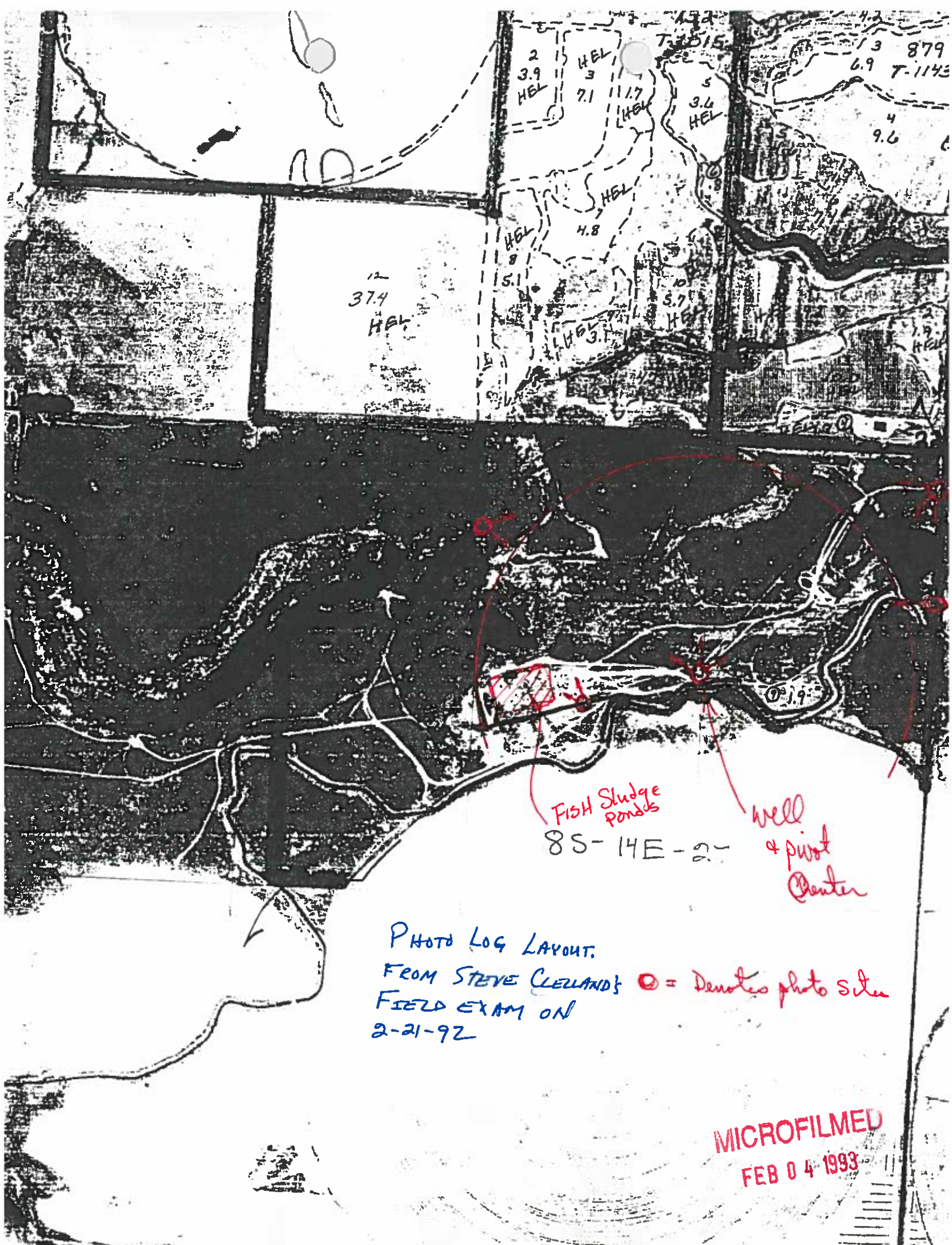


PHOTO LOG LAYOUT.
FROM STEVE CLELLAND'S
FIELD EXAM ON
2-21-92

○ = Denotes photo site

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FEB 04 1993

A36-07510

HARDY

MICROFILMED

FEB 14 1999



VIEW NW

from SWNE corner of
T8S, R14E, S27, NE 1/4

COMPARISON
OF

IRRIGATED LAND (R)

TO NON IRRIGATED (L & Background)

PHOTOS. 2-21-97 AV .SCC

A36-7510
HARDY

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FEB 04 1993



View NW

T8S, R14E, S27, NE 1/4
(2nd copy)

PHOTO . 2-21-92

HARDY

H36-01510

PIVOT CENTER

LAST
PIVOT
TOWER

SLUDGE
PONDS

VIEW EAST

VIEW SOUTH

2-21-92
PHOTOS BY STEVE CLELAND

6661 4 0 833
LMB

FUEL TANK, WELL,

DIESEL
MOTOR

PIVOT
(10 TOWERS)

VIEW
NORTH TO PLACE OF USE

1993 4/24 1993
FILMED
A36-07510
HARDY

LATERAL
ON SOUTH
EDGE
OF U.



VIEW FROM COUNTY ROAD WEST.

2-21-92

PHOTOS BY
STEVE CLELLAND



FENCE LINE & COUNTY ROAD

VIEW SW
FROM NE CORNER -

A36-07510

HARDY

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NOTE:
ELECTRICAL
BOX OPEN
+ WIRES
DISCONNECTED

TOBS, R14E S27 NE1/4

First Tower
OF Pivot

growth around
tire indicates non-use.

PHOTOS: 2-21-97 L. S.

2-21-92

PHOTO LOG

(10am) overcast sky
sc

HARRY 85-14E-27 NE 1/4

1. X
2. X
3. > 3 shots pan from gate in NENENE corner
4. >
5. > View SW
6. > Pan to West from canal @ Road.
7. >
8. Canyon
9. Canyon
10. > Pan East to South from NW NW (East of canyon tip)
11. >
12. >
- 13.

NOTES:
Well & Motor:
Looks in good shape
Belts - OK

Vegetation:
Russian Thistle
Jim Hill Mustard
Downy Broom
Mullein
well established

LIMA
Ser# A51167 WL

480 VOLT
1800 RPM

GENERATOR

4-10-75
ditch concrete

FUEL

10 Tower PIVOT

PIVOT Base

PTO DRIVE

pump

AMARILLO
Right Angle pump Drive
Ser# X 3 Bc 47424
(crossed out 4)

110 HP
1760 RPM

Panel:
Ser# 1R 4/4T
104822

HOURS = 2818.50

MODEL#
4DT-4/4

SER# 6700002U10482
INTERNATIONAL HARV.

WHITE'S DIESEL
ENGINE
2680 RPM (working)

Rockford CLUTCH
model# PTA 21418 RT
Ser# 576796

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FEB 04 1993