

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: A61-10176
Date Received: 11/01/1989
Receipt No: M005076
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM L. HARDIMAN 208-587-4157
Address: 950 SOUTH 5TH WEST
MOUNTAIN HOME, ID 83647

AND/OR

Name: DONNA M. HARDIMAN 208-587-4157
Address: 950 SOUTH 5TH WEST
MOUNTAIN HOME, ID 83647

2. Date of Priority: JAN 01, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	06E	36	NW	SW	NW		ELMORE

5. Description of diverting works:

WELL 28' DEEP, 12" DIAMETER, 3/4HP PUMP, PIPED TO HOUSE & SPRINKL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.030		

7. Total Quantity Appropriated is:

0.030 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A61-10176

Page

1

Date: 11/01/89

MICROFILMED

AUG 12 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06E	36	SW	NW		IRR	0.7
Section Acres							0.7
Total Acres							0.7

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
CITY WATER USED IN THE HOUSE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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 _____

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 405-10176Date Received 11-1-89Receipt Number MO05076

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) William L. for Donna M. Hardiman Phone (208) 587-4157

Mailing Address 950 S. 5th W. MTN Home, ID Zip 83647

2. Date of Priority (Only one (1) per claim) 1/1 1960 DMN

3. Source of water supply (a) Jan 1, 1960 Groundwater DMN
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3 South Range 6 East Section 36,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Elmore

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 28' deep, 12' diameter, 3/4 horse meter
pipe to house, sprinkler hoses

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AUG 12 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION ^{DMH} purposes from Apr. 1 to Oct. 15 amount 0.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.03 ^{DMH} (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3.0 ^{DMH} 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	
<u>DMH</u>																			
<u>3S</u>	<u>6E</u>	<u>36</u>							<u>3/4</u>										<u>3/4</u>
		<u>37</u>																	

Total number of acres irrigated 3/4 ^{DMH}

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

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.
City water used in house ^{DMH} or None ()

14. Remarks:

Last Name HARDIMAN Ident No. _____

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Copies: White State Yellow-Claimant
AUG 12 1992

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant (s) X William L Hardiman Date Nov 89

Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 1st day of November 1989

SEAL

Notary Public Anna Baunhoff

Residing at _____

My Commission Expires Anna Baunhoff, Notary Public
Residing at Boise, Idaho

Please Print Name

My Commission Expires December 7, 1994

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 HARDIMAN Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 12 1992

MOUNTAIN HOME

Not every street is shown on map



T35

Marlette
Barlington Ln
Nashua Ln
Linda
Willson
Rainbow Dr
Kennedy
Caroline Rd Pl

14

13

18

80

30

McMurtrey Rd

Aulbach Ave

Cindy St

Haskett St

Stonetree Dr

Seventeenth St

North St

Magnolia St

Fifteenth St

Fourteenth St

Twelfth St

Eleventh St

Tenth St

Gruss Ave

Turner Ave

26

West Fifth North St

Elmcrest St

West Date St

West Cedar St

West Birch St

West Ash St

West Third North St

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VERIFIED BY W. H. HARRIS
3-31-94

AJ0743NP
(OD-124)

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

03/31/94 07:53:10
Page 1

Water Right Number - R61-10176 Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
HARDIMAN WILLIAM L 1 - 950 SOUTH 5TH WEST
2 -
3 - State- ID Zip- 83647
City- MOUNTAIN HOME
Phone - 208-587-4157
1 - 950 SOUTH 5TH WEST
2 -
3 - State- ID Zip- 83647
City- MOUNTAIN HOME
Phone - 208-587-4157

+ - - - - Priority Date - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
01/01/1960 14 WESTERN I - DISALLOWED

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

GROUNDWATER

+ - - - - + - - - - Point of Diversion - - - - - + - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
03S	06E	36	NW SW NW		(39)	ELMORE

+ - - - - + - - - - Water Use - - - - - + - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/15	0.030	

+ - - - - Total Div. Rate - - - + + - - - - Total Div. Volume - - - + + - - - - Total Consumptive Use - - - + + - - - - KW Usage - - - +
0.030 3.0

+ - - - - + - - - - Place of Use - - - - - + - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03S	06E	36	SW NW	0.7	01	IRRIGATION		(39) ELMORE

Total Acres: 0.7

+ - - - - Diversion Means - WELL 28' DEEP, 12" DIAMETER, 3/4HP PUMP, PIPED TO HOUSE & SPRINKL

+ - - - - Non-Irrigation Use - NONE

+ - - - - Other Rights for Same Use - CITY WATER USED IN THE HOUSE

+ - - - - + - - - - Remarks - - - - - +

NO LAWFUL APPROPRIATION SHOWN.

MICROFILMED
SEP 27 1996

Prefix Translation: RESEARCH

No Old Water Right Numbers Found

- **NO LAWFUL APPROPRIATION SHOWN:** There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Date: 03/31/1994 User Id: MCCARTHY Subject: REASON FOR DISALLOWAL
NO EVIDENCE OF PRIORITY SUBMITTED.

03/31/94 MCCARTHY

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	- 03/31/1994	Old Judicial District	-
Claim Received Date	- 11/01/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M005076	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
			-	Notice of Error Flag	-

MICROFILMED
SEP 27 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 28, 1993

Re: Claim No(s). Ala-10176

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

WILLIAM L HARDIMAN
DONNA M HARDIMAN
950 SOUTH 5TH WEST
MT HOME ID 83647

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

MICROFILMED
SEP 27 1996

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

DATE: 02/08/99
PAGE: 1

MODE	NAME & ADDRESS
C	WILLIAM L HARDIMAN
C	DONNA M HARDIMAN 950 SOUTH 5TH WEST MOUNTAIN HOME ID 83647 (208) 587-4157

01/01/1960 DOMESTIC

0.030 CFS

DIVERSION
VOLUME

Tributary to:

Stage: BENEFICIAL USE

ELMORE County

Place of use Legal Description for: DOMESTIC

[illegible]

POU County: ELMORE

Non-Irrigation Uses: YARD & GARDEN

Other Rights: CITY WATER USED IN THE HOUSE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Verified Date:	02/08/1999	Objection Filed Date:
----------------	------------	-----------------------

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/31/1994 User-ID: MCCARTHY Subject: REASON FOR DISALLOWAL
NO EVIDENCE OF PRIORITY SUBMITTED.

Date: 02/08/1999 User-ID: DSHAFF Subject: REVIEW

Comments:

Date: 02/08/1999 User-ID: DSHAFF Subject: REVIEW
AN OVERVIEW LOOK AT THIS CLAIM AND THE POJ DEMONSTRATED WATER
IS USED ON THE PROPERTY. LOOKING AT THE USE FROM A DOMESTIC USE
POINT OF VIEW WOULD NOT YIELD A SECOND GLANCE BY IDWR. GIVEN
THE LACK OF RESPONSE FROM THE CLAIMANT AS TO THE PRIORITY DATE
AND OTHER INFORMATION ABOUT THE RIGHT, I HESITATE TO GRANT MORE
THAN 1/2 ACRE IS IRRIGATED HAVING LOOK AT THE PHOTOGRAPHIC IMAGE
OF THE AREA WHERE THE PROPERTY IS LOCATED. ON THE OTHER HAND I
COULD SEE A YARD SURROUNDS THE HOUSE. FOR THIS REASON I CAN
RECOMMEND A DOMESTIC USE FOR YARD AND GARDEN FOR THIS WATER
RIGHT.

Audit:

02/08/99 DSHAFF