

09/12/2005

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

RIGHT NUMBER: 22-7445
NAME AND ADDRESS: BONNIE L HARDIN
130 N 2162 W
REXBURG ID 83440

DAVID E HARDIN
130 N 2162 W
REXBURG ID 83440

SOURCE: GROUND WATER
QUANTITY: 0.080 CFS
4.900 AFY
PRIORITY DATE: 06/07/1983
POINT OF DIVERSION:

TRIBUTARY:

T06N R39E S23 SESESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	04/01 11/01	0.020 CFS 3.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

PLACE OF USE: IRRIGATION Within MADISON County
T06N R39E S23 SESE 1.0
STOCKWATER Within MADISON County
T06N R39E S23 SESE
DOMESTIC Within MADISON County
T06N R39E S23 SESE

1 ACRES TOTAL

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 - License



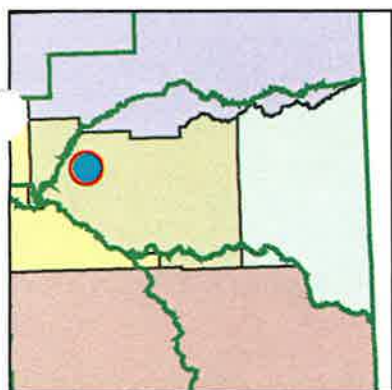
Idaho Department of Water Resources

Adjudication Claim:

22-7445

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22



0 0.1 0.2 Miles



Prepared by E. Carlsen
On Monday, February 27, 2006
1987/88 Aerial Photography

06/09/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7445

BONNIE L HARDIN
130 N 2162 W
REXBURG ID 83440
Telephone Number: (208)356-7644

DAVID E HARDIN
130 N 2162 W
REXBURG ID 83440
Telephone Number: (208)356-7644

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/8/05 SIGNATURE: David E. Hardin
Please print your name: David E Hardin

IDWR Regional Office,

**RECEIVED
DEC 19 2005**

Department of Water Resources
Eastern Region

Kato
12/19

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07445

Priority: June 7, 1983 Amount: 0.08 CFS 4.9 AFA

This is to certify, that DAVID E. HARDIN
BONNIE L. HARDIN

RT. 1 BOX 182
REXBURG, ID 83440

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated June 7, 1983, and
has submitted proof to the Department of Water Resources on May 16, 1985, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .120 cfs of water from a GROUNDWATER
source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	0.02 CFS	3.5 AFA
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA
Totals		0.08 CFS	4.9 AFA

LOCATION OF POINT OF DIVERSION(S): SESE , Sec. 23, Township 06N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	39E	23	SESE	1		1

Total number of acres irrigated: 1

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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WATER RIGHT LICENSE
WATER RIGHT NO. 22-07445

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 12th
day of December, 1988

Acting for the Director

Norman C. Young

RECEIVED

DEC 19 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant **David E. or Bonnie L. Hardin** Phone **356-7644**
- Post office address **Rt. 1, Box 182, Rexburg, ID 83440**
2. Source of water supply **Groundwater** which is a tributary of _____
3. Location of point of diversion is **SE** $\frac{1}{4}$ of **SE** $\frac{1}{4}$ of Section **23** Township **6N**
Range **39E** B.M. **Madison** County, additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|--|
| Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive) |
| (lets or acre-foot per annum) |
| Amount 0.02 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive) |
| (lets or acre-foot per annum) |
| Amount 0.02 for Stockwater purposes from 1-1 to 12-31 (both dates inclusive) |
| (lets or acre-foot per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (lets or acre-foot per annum) |
5. Total quantity to be appropriated:
- a. **0.08** cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. **Well, pump, pressure tank with distribution lines.**
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet; materials used in storage dam: _____
- Period of year when water will be diverted to storage _____ to _____ inclusive.
- (Month/Day) (Month/Day)
- c. Proposed well diameter is **6** inches; proposed depth of well is **35** feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is **1** years (minimum 1 year maximum 5 years).
8. Description of proposed uses:
- a. If water is not for irrigation:
- (1) Give the place of use of water: **SE** $\frac{1}{4}$ of **SE** $\frac{1}{4}$ of Section **23** Township **6N**
Range **39E** B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered **2 head range cattle**
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water **one**
- (5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each sub-town in the tabulation below:

[illegible]

Total number of acres to be irrigated 1

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion

Applicant _____

b. Who owns the land to be irrigated or place of use

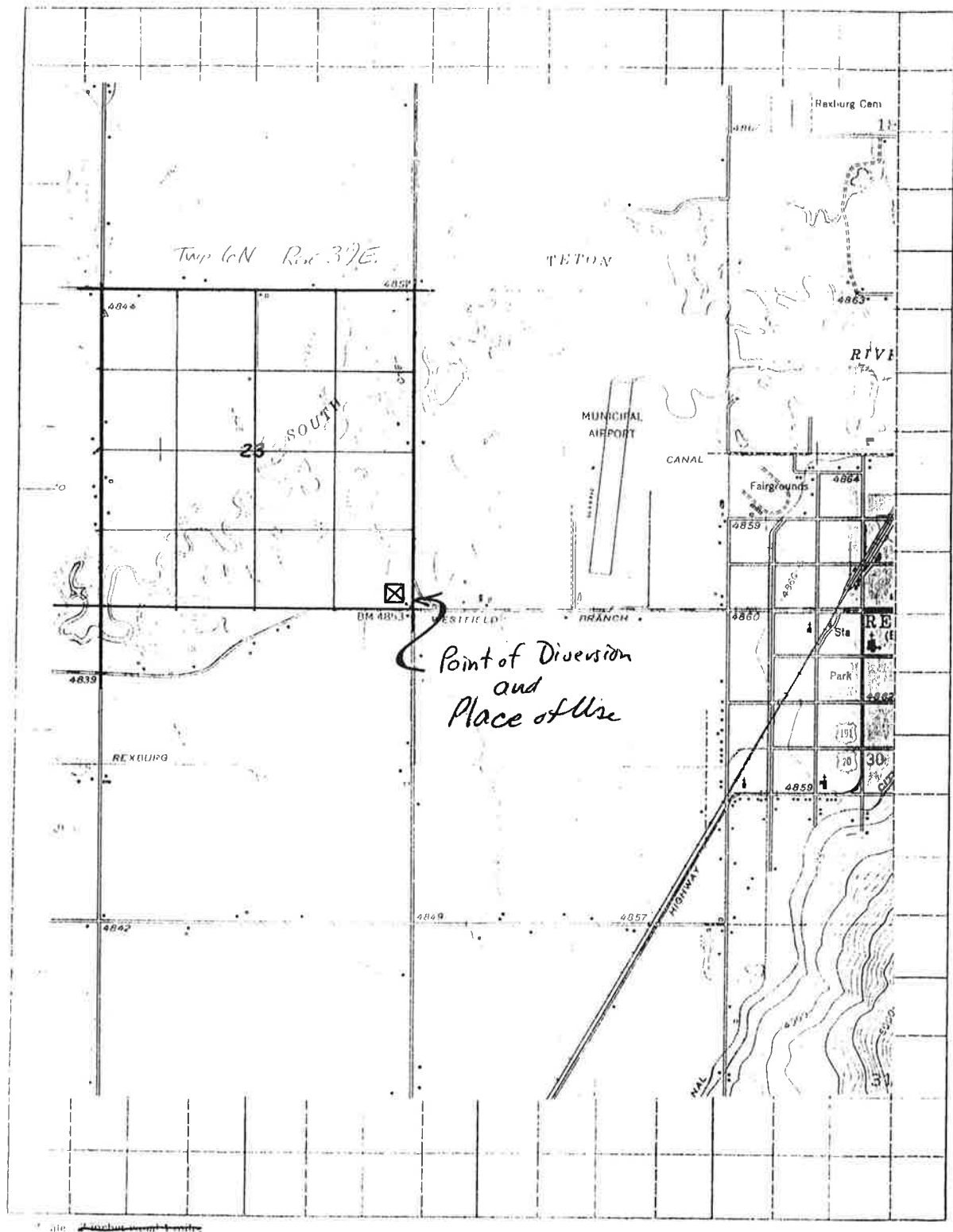
Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

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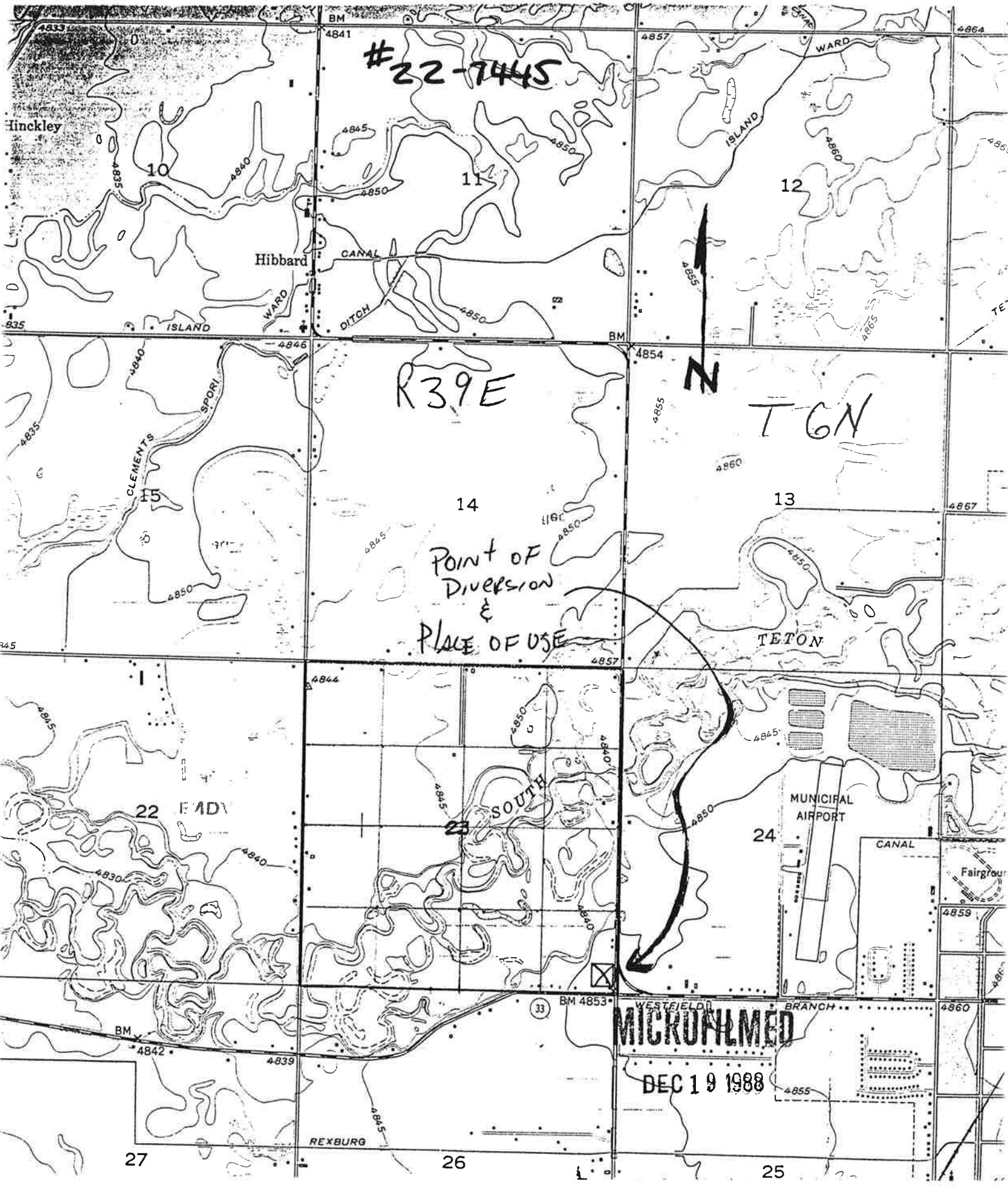
11. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Bonnie L Hardin
(Applicant)

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#22-7445

R39E

T6N

Point of Diversion
&
Place of Use

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DEC 19 1988

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: A22-07445
Date Received: 8/16/1988
Receipt No: 5001322
Received By: DDM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID E. HARDIN 208-356-7644
Address: 130 NORTH 2162 WEST
REXBURG, ID 83440
OR
Name: BONNIE L. HARDIN 208-356-7644
Address: 130 NORTH 2162 WEST
REXBURG, ID 83440

2. Date of Priority: JUN 07, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	39E	23	SE	SE			MADISON

5. Description of diverting works:
WELL, PUMP AND PRESSURE TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/TWO RANGE CATTLE, D/ONE HOME

A22-07445

Page

1

Date: 08/16/88

A2207445



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OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	39E	23	SE		SE		IRR	1.0
			SE		SE		DOMEST	
			SE		SE		STOCK	
							Section Acres	1.0
							Total Acres	1.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT

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): X David E. Hardin Date: X 8/16/88

Date: _____

State of Idaho)
County of Bonniville) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94