

03/21/2011

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

RIGHT NUMBER: 22-10170

NAME AND ADDRESS: MEADOW LARK COURT LLC
557 S ADAM LN
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
11.400 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/15/1960

POINT OF DIVERSION:

T06N R40E S18 NWSE Within MADISON County

T06N R40E S18 NWSE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.200 CFS
		11.40 AFY
STOCKWATER	01/01 12/31	0.020 CFS

Commercial use is for 19 mobile homes.

PLACE OF USE: STOCKWATER in MADISON County

T06N R40E S18 NWSE

COMMERCIAL in MADISON County

T06N R40E S18 NWSE

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 10 range cattle.

01/30/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-10170

NAME AND ADDRESS: MEADOW LARK COURT LLC
557 S ADAM LN
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS

~~11.60 AFY~~

11.40

NO5

PRIORITY DATE: 06/15/1960

POINT OF

DIVERSION: T06N R40E S18 NWNWSE Within MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.200 CFS

11.40 AFY

STOCKWATER

01/01 12/31

0.020 CFS

~~0.20 AFY~~

PLACE OF USE: STOCKWATER Within MADISON County

T06N R40E S18 NWSE

COMMERCIAL Within MADISON County

T06N R40E S18 NWSE

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

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~~The quantity of water decreed for this water right is not a determination of historical beneficial use.~~

NOB

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use: 19 Model homes 10 Range cattle

Q: what is this claim for? - Tranter Park?

Q: What was paid?

corrected 2-2-06

ED000692
11/10

SCANNED

AUG 10 2007

Claim no. A22-10170

Claimant Contact Log

Date	Remarks	Agent initials
31 May 05	356-9720 disconnected 356-7096 from phone book - sold to Shayne Miller, Idaho Falls. 522-9510 per phone book	
31 May 05	522-9510 - spoke to child - call back later	
2 June 05	522-9510 9:10 AM msg on machine 221-9510 Shane Miller 557 S Adam (Brad Anderson) TF 83401 Tacked on phone w/ Mr. Miller & did field exam	Bac
10 June 05	msg on my phone fr. Miller.	Bac
11 June 05	left msg fr. Miller	Bac

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AUG 10 2007

Contacts Data Entry Form

Claim Number: A22-10170

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

I left a ownership form & EOP pamphlet in pump house
per phone instructions from new owner Shane Miller.
See contact log for address & phone info. BAC 2 June 05

Reviewer: _____ Date: _____

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AUG 10 2007

Claim # 102-10170

I Keith Hathaway have personal knowledge and have observed the use (we had them drilled) of the 2 wells located at 71 and 147 W. Moran View (formally Cemetery Road or 1500 North) They were drilled in the Summer of 1960 for 19 mobile homes and 10 range cattle. They have been in use ever since.


Keith Hathaway

Does NOT Reference Eving.



Carma Abegglen
3-20-2007
Madison County

RECEIVED
JUN 20 2005

Department of Water Resources
Eastern Region

SCANNED

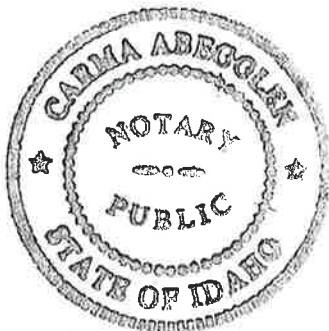
AUG 10 2007

I Nina Hathaway have personal knowledge and have observed the use(we had them drilled) of the 2 wells located at 71 and 147 W. Moran View (formally Cemetery Road or 1500 North) They were drilled in the Summer of 1960 for 19 mobile homes and 10 range cattle. They have been in use ever since.

Nina Hathaway
Nina Hathaway

6/17/05

Does not Resonance Innig



Carma Abegglen
3-20-2007
Madison County

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JUN 20 2005
Department of Water Resources
Eastern Region

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AUG 10 2007

Priority Date Data Entry Form

Claim Number: A22-10170

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

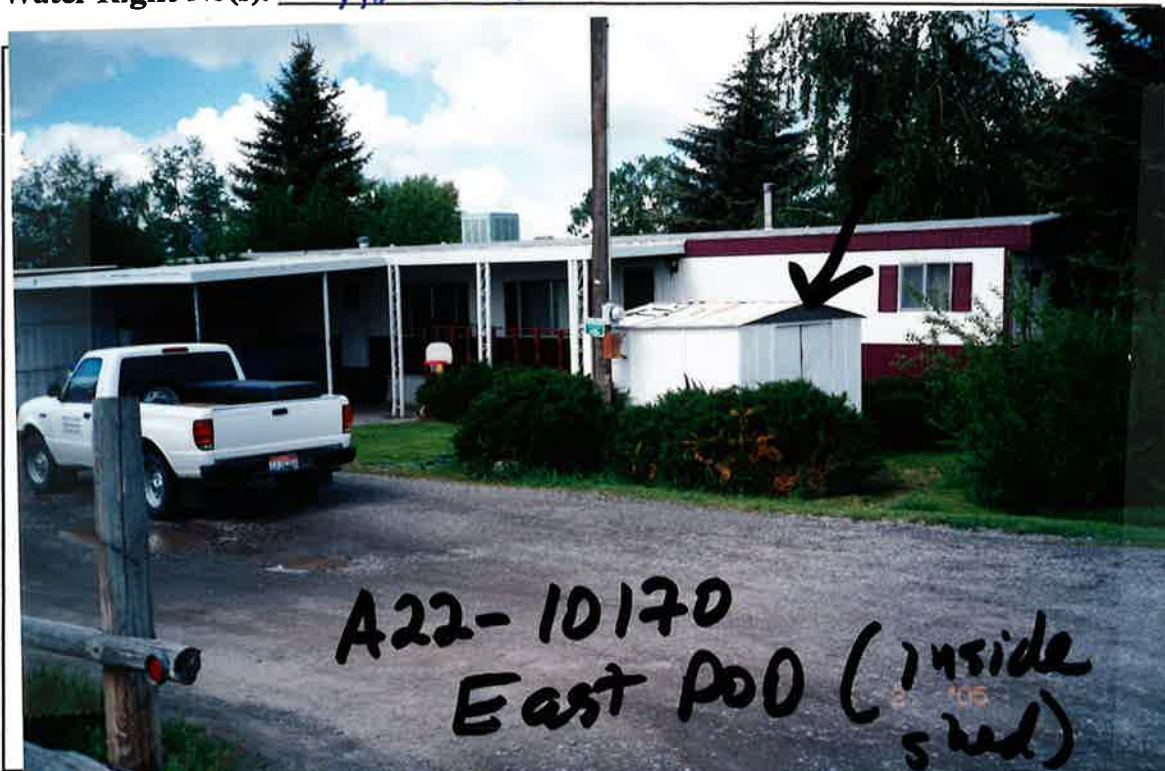
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Claimant will try to send in EOP Doc 2 June 05

Reviewer: _____

Date: **SCANNED****AUG 10 2007**

Water Right No(s). A22-10170



GPS DATA:

East POO E0007514 on valve of outlet pipe
Tag # West POO E0009077 Location: on outlet pipe

Diversion Data:

Source: ground water Trib to: _____

MOTOR (East POO)

Make: Franklin Model: 282028310 Hp: 3
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

West pump Goulds Grundfos type SP-8
West motor Franklin 3 hp, Serial # 334597914

Field Exam Date: 2 June 05 Agent: Byron A. Contor

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AUG 10 2007

Point of Diversion and Source

Claim Number: A22-10170Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____,

Source: _____ Tributary to _____

Water Right Point of Diversion: T _____, R _____, Sec. _____,

Source: _____ Tributary to _____

Claimed Point(s) of Diversion and Source.

Twp Rge Sec Gov Lot QQQ of QQ of Q County

Recommended Point(s) of Diversion and Source.

Twp Rge Sec Gov Lot QQQ of QQ of Q County

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

East PD Waypoint 8, GPS 2677969E 1407553N IDTM83
~~West PD Waypoint 11, GPS 2677801E 1407490N IDTM83~~
 West PD Waypoint 10, GPS 2677805E 1407524N IDTM83
 Accuracy on both ~ 5 to 9 meters. BAC 2 June 05



Reviewer: _____ Date: _____

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 AUG 10 2007

Place Of Use Data Entry Form

Claim Number: A22-10170

Claimed Place Of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				

Total acres _____

Recommended Place of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				

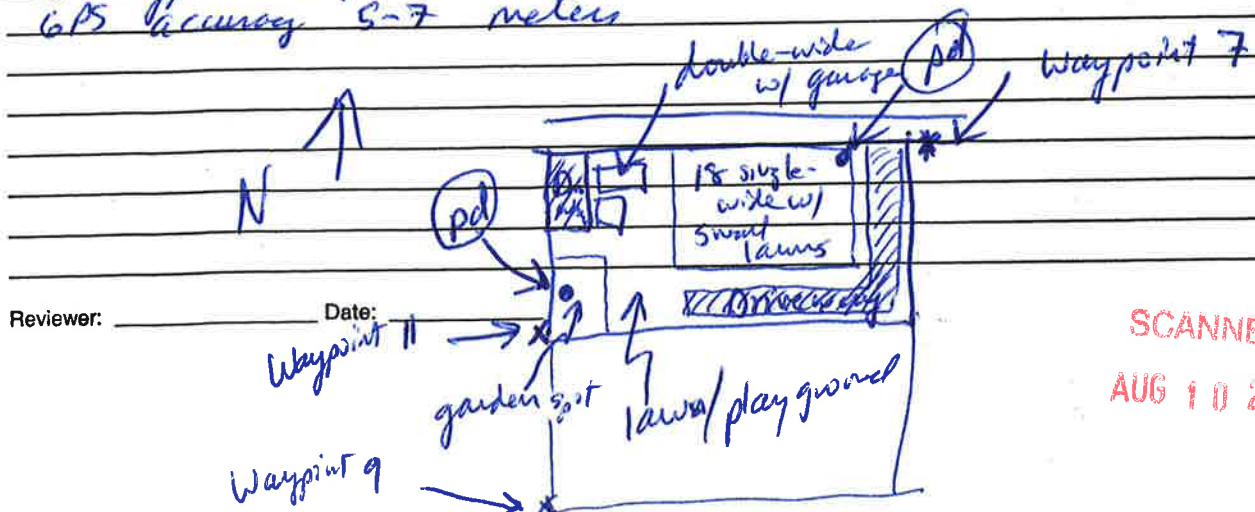
Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

NE corner of POD is Waypoint 7, 2677972E 1407559N IDTM83
 SW corner of pasture (POD for stockwater) is Waypoint 9,
 2677805E 1407461407436 N IDTM.
 SW corner of trailer court (POD for domestic & irrigation)
 is Waypoint 11, 2677801E 1407490 N IDTM83.
 GPS accuracy 5-7 meters



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Season of Use and Quantity Data Entry Form

Claim Number: A22-10170Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

18 Single-wide + 1 double-wide mobil homes, plus lawn. Pasture currently has no stock, but small shed suggests historical livestock use. Pasture appears to be irr. from ditch. Both pump controllers suggest each well has a 3 hp pump. BAC 2 June 05

Reviewer: _____

Date: _____

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AUG 10 2007

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

681-9100

OK JC
6-14-05

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, 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
	A22-10170	N			

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JUN 14 2005

Department of Water Resources
Eastern Region

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

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

N/A

☒ 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) are 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)

Keith Halloway + Nina Halloway

4. New Owner/Claimant(s)

Meadow Lark Court LLC.

Shane M. New manager

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

557 S. Adam Ln.

City, State and ZIP Code

Idaho Falls ID 83401

New Telephone Number

(208) 522-9510

5. Date you acquired the property

Aug 2002

JUN 16 2005

PROFIT

WARRANTY DEED

For Value Received **O. Keith Hathaway and Nina W. Hathaway for life with the remainder in O. Keith Hathaway, Nina W. Hathaway, Lorin K. Hathaway and Susan H. Lish, as Trustees of the O. Keith Hathaway and Nina W. Hathaway Revocable Trust**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Meadow Lark Court, L.L.C.

whose address is: **557 S. Adam Lane, Idaho Falls, Idaho 83401**

Hereinafter called the Grantee, the following described premises situated in Madison County, Idaho, to-wit:

That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 6 North, Range 40 E.B.M., Madison County, Idaho, more particularly described as follows:

Commencing at the NW corner of the SE $\frac{1}{4}$ of said Section 18, and running thence S. 23 rods; thence E. 34 $\frac{3}{4}$ rods; thence N. 23 rods; thence W. 34 $\frac{3}{4}$ rods to the Place of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August _____, 2002

O. Keith Hathaway and Nina W. Hathaway Revocable Trust

O. Keith Hathaway
O. Keith Hathaway, Trustee

Nina W. Hathaway
Nina W. Hathaway, Trustee

Lorin K. Hathaway, Trustee

Susan H. Lish, Trustee

O. Keith Hathaway
O. Keith Hathaway, Individual

Nina W. Hathaway
Nina W. Hathaway, Individual

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JUN 14 2005

Department of Water Resources
Eastern Region

SCANNED

JUN 16 2005

PROFILED

Bryce

Department of Water Resources
Eastern Region

Law Offices

RECEIVED
NOV 09 2004

**RIGBY, THATCHER, ANDRUS
RIGBY & MOELLER, Chartered**

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Reed E. Andrus

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Facsimile: (208) 356-0768
E-mail: blennon@rigby-thatcher.com

November 8, 2004

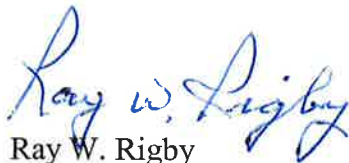
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RE: Water Right Claim 22-10170
O. Keith or Nina Hathaway

Dear Allen,

I enclose herewith the affidavit of Nina Hathaway in behalf of herself and O. Keith Hathaway to answer your inquiry of June 4, 2004 concerning the above numbered Water Right Claim. If for any reason this does not answer your inquiry in a satisfactory manner, please let me know.

Sincerely,



Ray W. Rigby
RWR/bml

enclosure

SCANNED
AUG 10 2007

AFFIDAVIT

State of IDAHO)
 ss.
County of Madison)

RE: SRBA Water Right Claim 22-10170

Nina Hathaway, being first duly sworn, deposes and says:

1. That she makes this affidavit for herself and her husband, O. Keith Hathaway, in support of the above numbered claim to water right.
2. That she resides at 411 W. Moran View Rd., Rexburg, ID 83440, and her telephone number is (208) 356-7096.
3. On June 4, 2004, Allen B. Ruberry, in behalf of the Idaho Department of Water Resources, by a letter to O. Keith or Nina Hathaway, asked for evidence of Priority (June 15, 1960) for SRBA Water Right Claim 22-10170.
4. That your affiant is the daughter of Lorin Westover, who is now deceased.
5. The said Lorin Westover owned the real property in Section 18, Township 6 North, Range 40 E.B.M. in Madison County Idaho, upon which the above water right is used, and in the early spring of 1960 he established a mobile home or trailer court on said property. Prior to that time the property had been used for growing agricultural crops, and was irrigated by water from the Teton Island Canal Company, in which the said Lorin Westover owned shares of stock, for not only the approximate 5 acres for the trailer court, but for the rest of his farm bordering said trailer court. To be able to furnish culinary water for the Trailer houses and mobile homes, he intended to accommodate in said court, the said Lorin Westover drilled two separate wells, completing the same on or before June 15, 1960, and the water therefrom was piped to each lot in said court and each of said lots has continued to have the use of said domestic water from June 15, 1960 to and including date hereof, and will continue to use water for culinary purposes for all of the lots in said court.

On approximately 2 ½ acres of the land that was being held for future development, the said Lorin Westover grew grass and pastured livestock thereon.

6. Approximately in the latter part of 1974 or the early part of 1975, your affiant and her husband, O. Keith Hathaway, purchased the five acre tract of land above referred to from the said Lorin Westover and continued to operate the Trailer

Court on approximately 2 ½ acres thereof and pastured the remaining 2 ½ acres with cattle.

7. In the year of 1974, after your affiant and her husband purchased the property, they deepened one of the wells that had been drilled by Mr. Westover, and in the year 1977, the other well was deepened and they continued to operate the trailer court and graze the cattle with the water claimed by said water right (#22-10170) furnishing domestic water for at least 19 mobile homes and trailer houses and for watering at least 10 head of range cattle, and for irrigating at least 1 acre of ground.
8. So far as your affiant knows, no permit was ever obtained by the said Lorin Westover, nor your affiant and her husband for the uses claimed in said water right, namely commercial, stockwater, and irrigation.
9. Your affiant was personally involved in the matters ^{described} in this affidavit and knows them to be true and verily believes that said water right is valid in all its terms.

Nina Hathaway
Nina Hathaway

Subscribed and Sworn to before me this 4th day of October, 2004.



Ray W. Rigby
A Notary Public for Idaho
Residing At: Rexburg, ID
My Commission Expires: 3-12-05

June 4, 2004

**O KEITH OR NINA HATHAWAY
411 W MORGAN VIEW RD
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10170

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUNE 15 1960, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

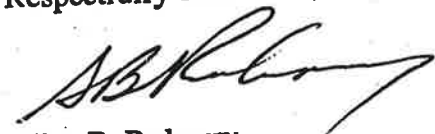
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AUG 10 2007

The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

SCANNED

AUG 10 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

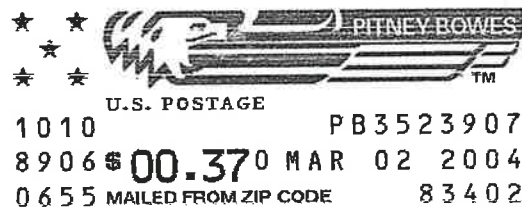
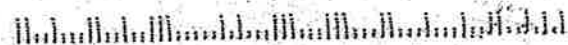
22-10170

O KEITH HATHAWAY

NINA W HATHAWAY
489 WEST 1500 N
REXBURG ID 83440

HATH489 834402005 1403 05 03/05/04
RETURN TO SENDER
HATHAWAY
411 W MORAN VIEW RD
REXBURG ID 83440-5177
RETURN TO SENDER

834402005/1700

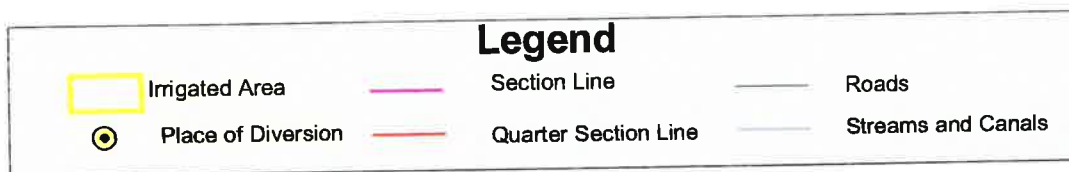


AUG 10 2007

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Water Right Claim Number 22-10170
Township , 6N40E

07/12/2001

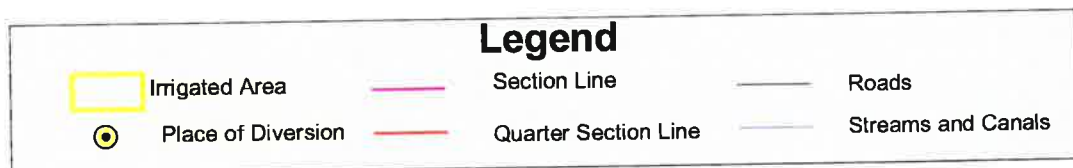
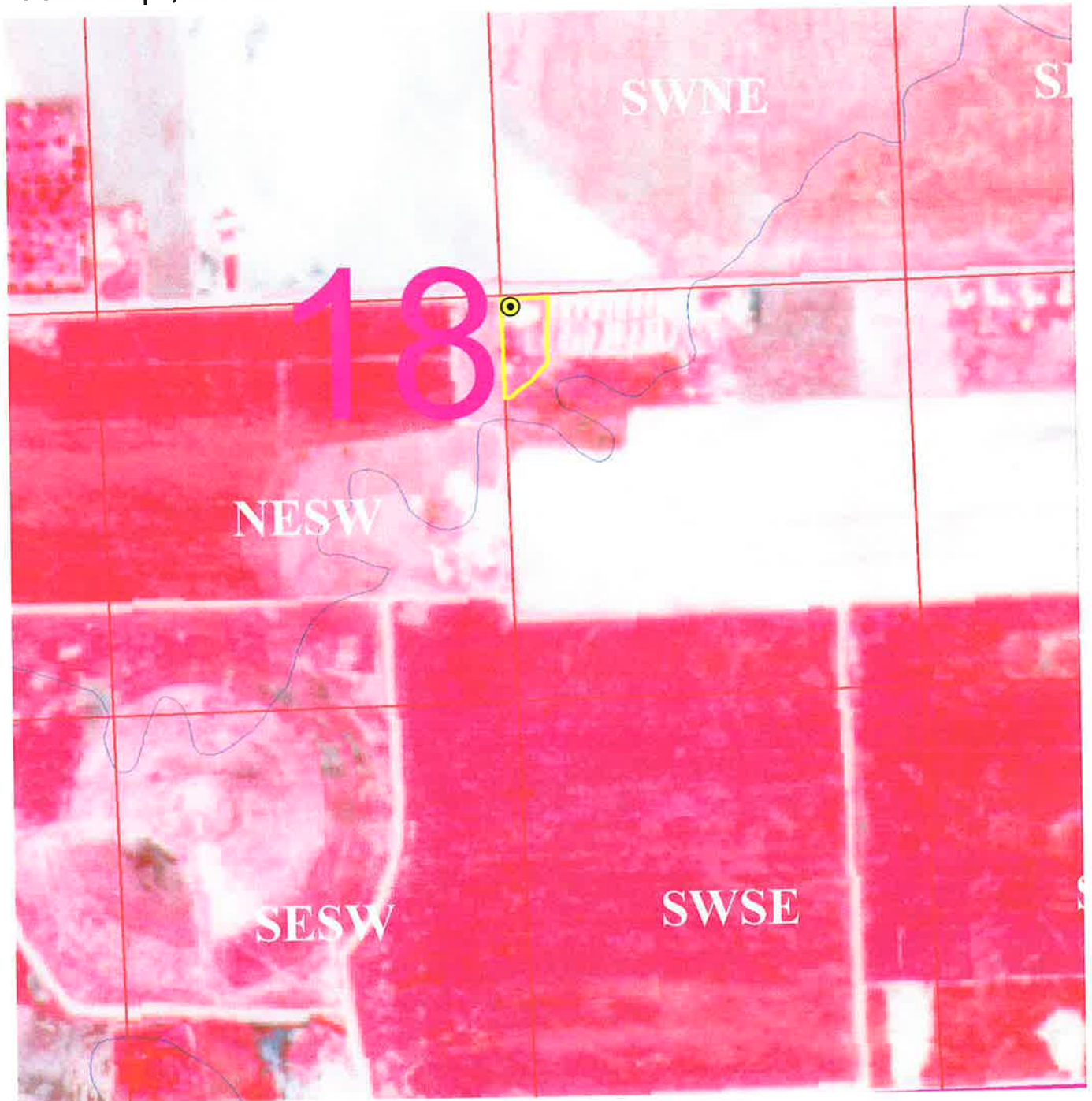


SCANNED
AUG 10 2007

SPATIAL
DYNAMICS

Water Right Claim Number 22-10170
Township , 6N40E

07/12/2001



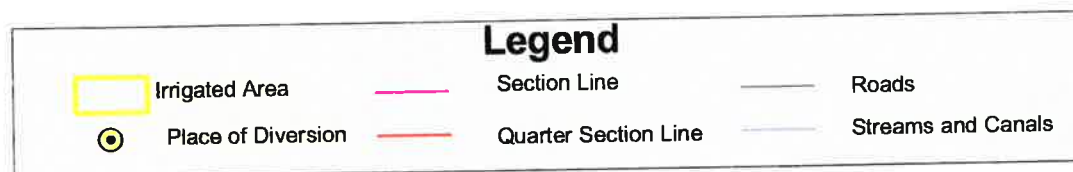
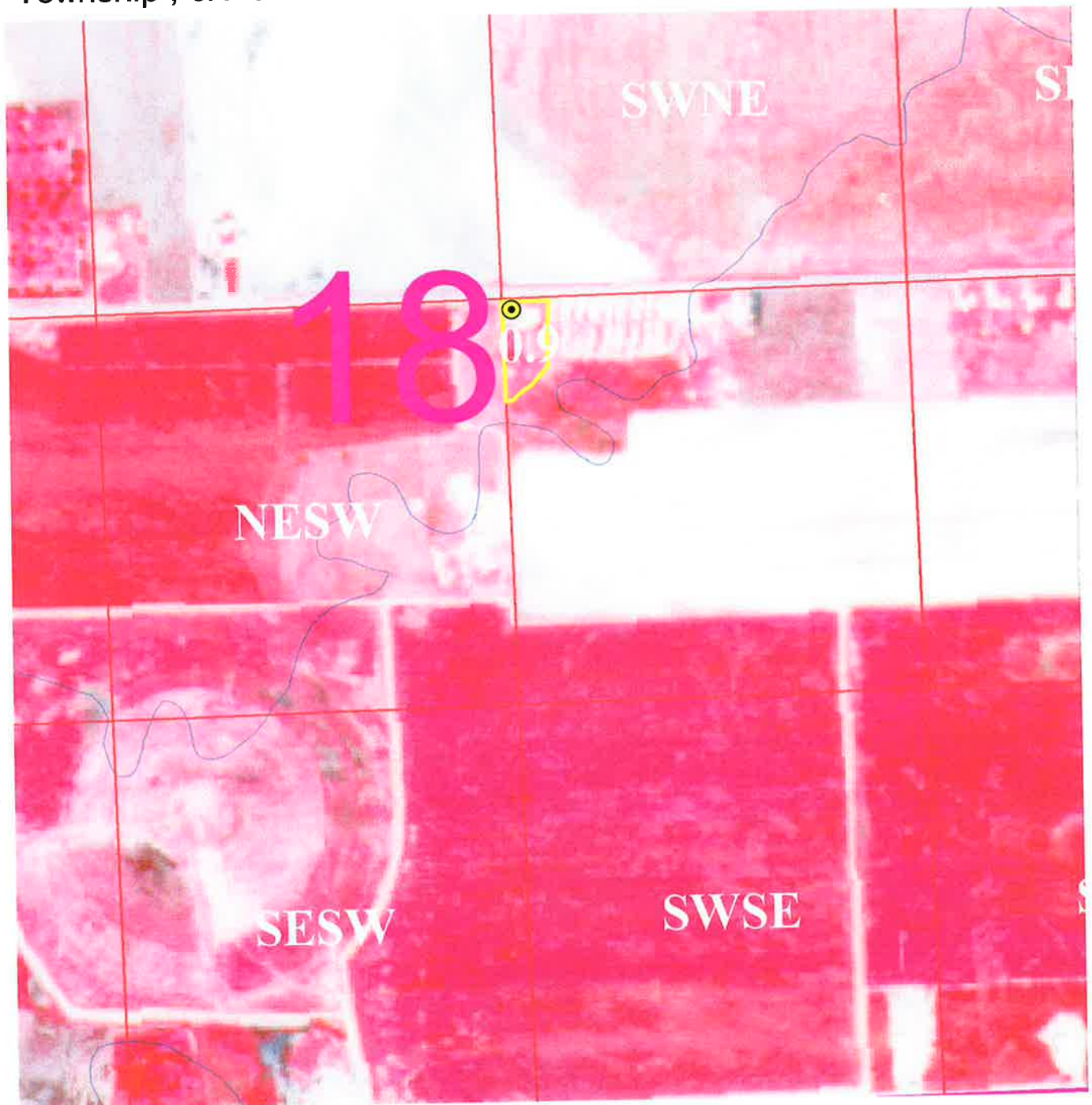
SCANNED
AUG 10 2007



SPATIAL
DYNAMICS

Water Right Claim Number 22-10170
Township , 6N40E

07/12/2001



400 0 400 800 Feet

SCANNED

AUG 10 2007



SPATIAL
DYNAMICS

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 22-10170

Date Received:
Receipt Nos:
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name of Claimant MEADOW LARK COURT LLC
557 S ADAM LN
IDAHO FALLS, ID 83401
(208)522-9510

Priority Date: 03/01/1883
Basis: Decreed/License
Status: Active

<u>Source</u>	<u>Tributary</u>
Ground Water	
Teton River	Snake River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.02 CFS	
COMMERCIAL	01/01	12/31	0.2 CFS	11.4 AFA
Total Diversion			0.2 CFS	

Location of Point(s) of Diversion:

GROUND WATER NWNWSE Sec. 18 Township 06N Range 40E MADISON County

Place(s) of use:

Place of Use Legal Description: STOCKWATER MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	40E	18		NWSE										

Place of Use Legal Description: COMMERCIAL MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	40E	18		NWSE										

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Teton Island Feeder Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

- 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.
1. C18
 2. N05
 3. N08
 - 4.
- The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
- The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
- Use: 19 Mobil Homes and 10 ranch cattle

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Use: 19 Mobil Homes and 10 ranch cattle

09/12/2005

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

RIGHT NUMBER: 22-10170

NAME AND ADDRESS: MEADOW LARK COURT LLC
557 S ADAM LN
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
11.600 AFY

PRIORITY DATE: 06/15/1960

POINT OF DIVERSION:

T06N R40E S18 NWNWSE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.200 CFS 11.40 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

PLACE OF USE: STOCKWATER Within MADISON County

T06N R40E S18 NWSE

COMMERCIAL Within MADISON County

T06N R40E S18 NWSE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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: A22-10170
Date Received: 7/11/1988
Receipt No: E000692
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O. KEITH HATHAWAY 208-356-9720
Address: 489 WEST 1500 NORTH
REXBURG, ID 83440
OR
Name: NINA W. HATHAWAY 208-356-9720
Address: 489 WEST 1500 NORTH
REXBURG, ID 83440

2. Date of Priority: JUN 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	18	NW	NW	SE		MADISON

5. Description of diverting works:

TWO WELLS TO 19 MOBILE HOME SITES AND STOCK TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.200		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	04/01	11/01	0.020		

7. Total Quantity Appropriated is:

0.240 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:

C/19 MOBILE HOMES, S/10 RANGE CATTLE

A22-10170

Page

1

Date: 07/11/88

SCANNED

AUG 10 2007

NOV 05 1992

A2210170

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	18	NW	SE		COMMER	
			NW	SE		IRR	1.0
			NW	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:
ORIGINAL WELLS WERE SHALLOW WELLS DRILLED IN 1960. ONE OF THE ORIGINAL WELLS WAS REPLACED IN 1974 AND THE SECOND ORIGINAL WELL WAS REPLACED IN 1977 WITH DEEP WELLS.

15. Basis of Claim: BENEFICIAL USE

SCANNED
AUG 10 2007

NOV 05 1982

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): Nina W. Hathaway Date: 11 July 1988
_____ Date: _____

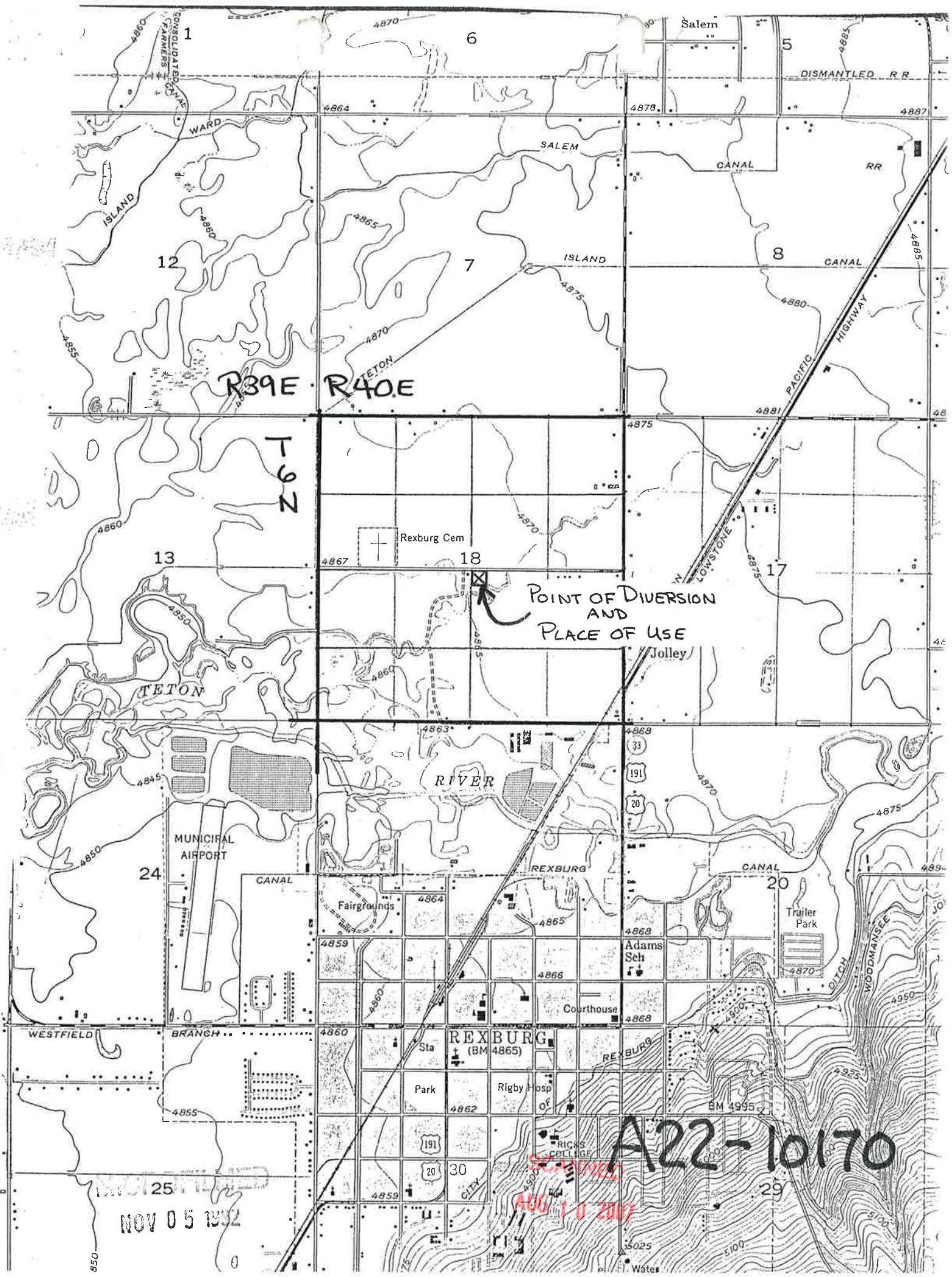
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of July 19 88

~~Deena~~ Deena Green
Notary Public



Residing at Ridgely
My Commission Expires 4-22-1994



R39E R40E

T6N

POINT OF DIVERSION
AND
PLACE OF USE

A22-10170

NOV 05 1952

AUG 10 2007