

08/09/2001

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

RIGHT NUMBER: 29-2110

NAME AND ADDRESS: LITTLE RED HEN INC
C/O THOMAS J MCDEVITT PRES
PO BOX 4260
POCATELLO, ID 83205

SOURCE: UNNAMED STREAM TRIBUTARY: GIBSON JACK

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-02129 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.03 CFS.

PRIORITY DATE: 12/06/1910

POINT OF DIVERSION: T07S R34E S23 SESENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.02 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R34E S24 NENW 8

8 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 29-02129 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE
IRRIGATION SEASON.

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

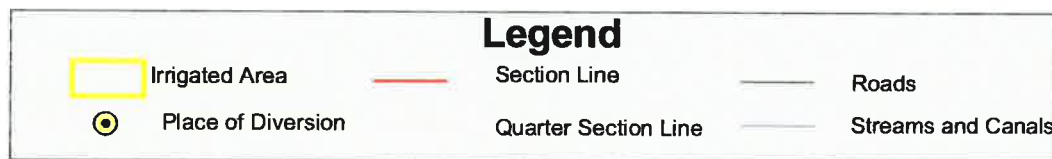
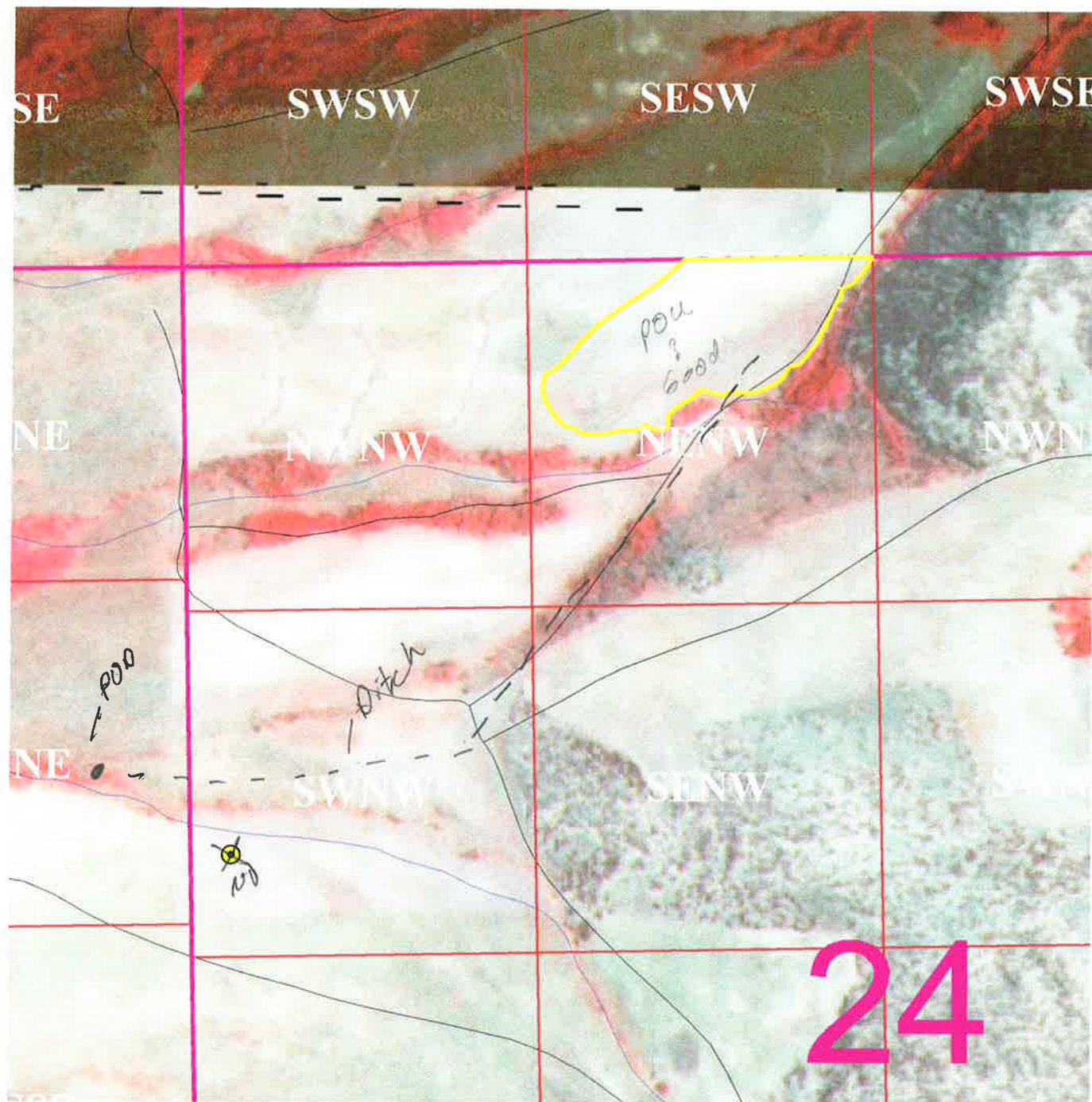
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

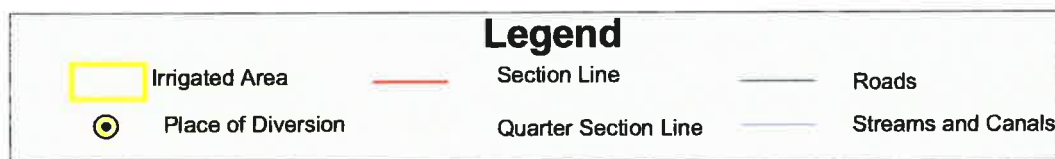
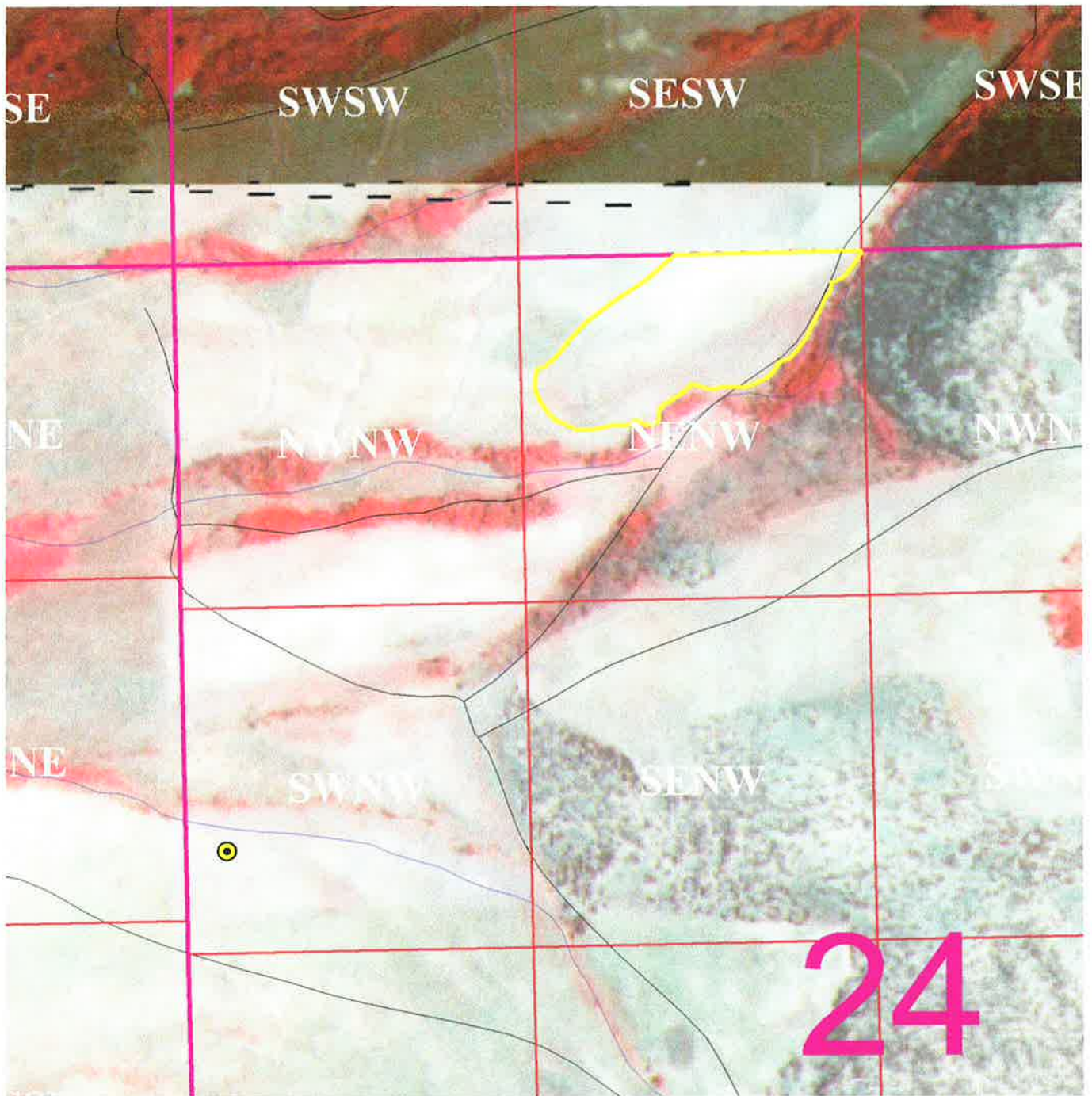
Water Right Claim Number A29-02110
Township , 7S34E

08/29/2000



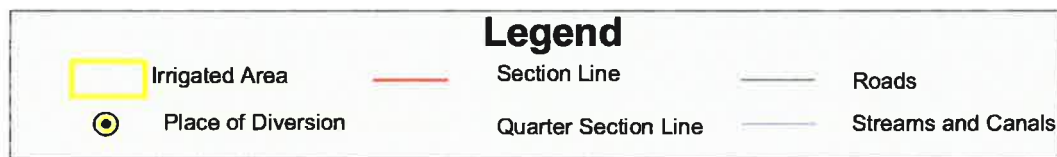
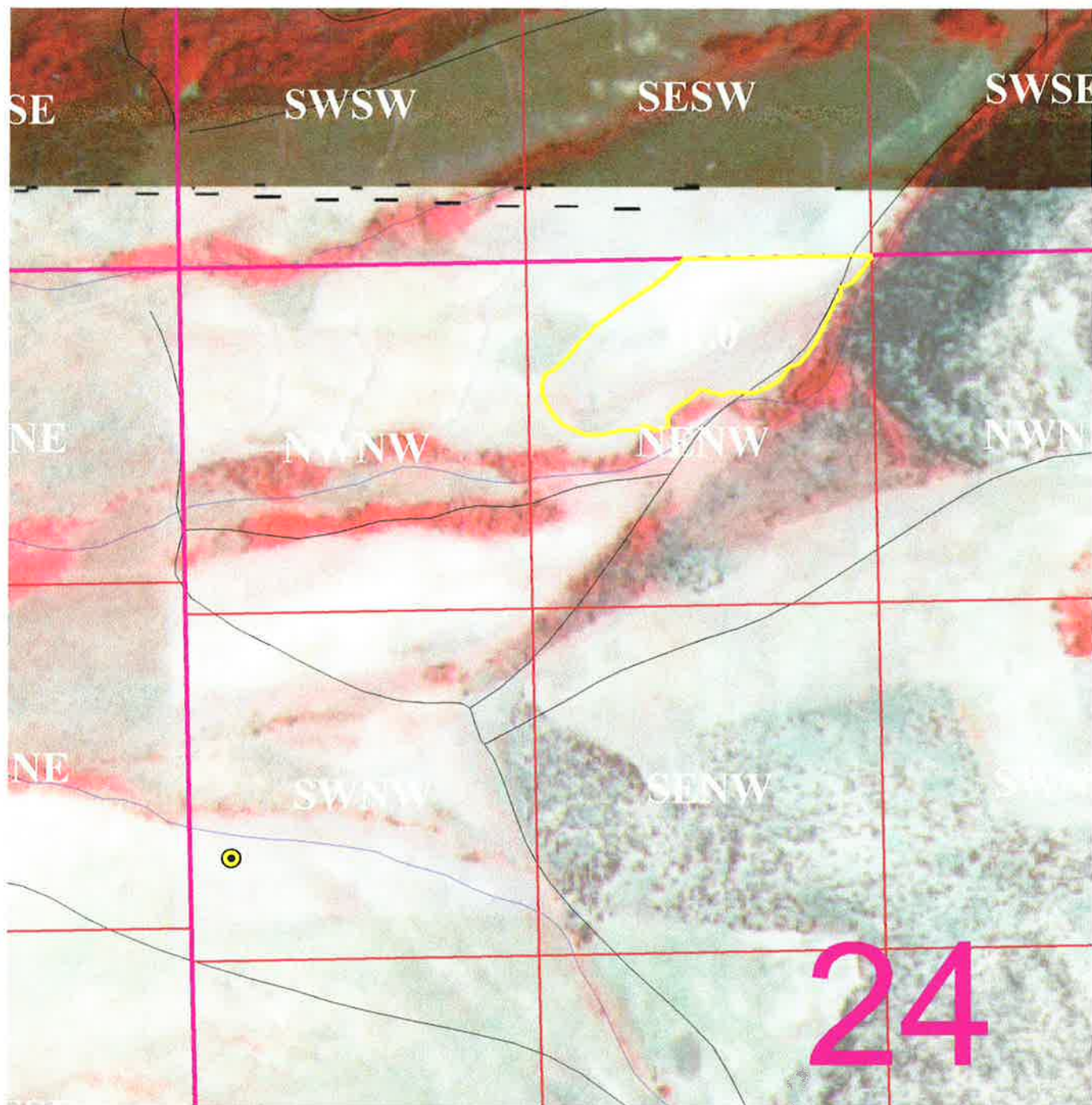
Water Right Claim Number A29-02110
Township , 7S34E

08/29/2000



Water Right Claim Number A29-02110
Township , 7S34E

08/29/2000



IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 29-2110 V1

WATER RIGHT NUMBER: 29-2110 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LEO HURST
Current Owner	POCATELLO, ID 83201 LITTLE RED HEN INC C/O THOMAS J MCDEVITT PRES PO BOX 4260 POCATELLO, ID 83205 (208)232-1847

Priority Date: 12/06/1910

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	GIBSON JACK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4SE1/4NE1/4	Sec. 23, Twp 07S, Rge 34E, B.M.
BANNOCK County		

Place of Use

IRRIGATION Within BANNOCK County

T07S R34E S24 NENW 8.0

Total Acres: 8

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C18 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.

Remarks:

1. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4 ACRES WITHIN THE PLACE OF USE
 - Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 29-02129 IS LIMITED TO THE IRRIGATION OF A
 - Irrigation COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2110 V1

3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-02129 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03 CFS.

Comments:

1. csaxton 8/9/01 POD

Comment: Amended claim not requested for QQ change for POD per Claims investigation manual, chapter 5, Section I.B. Paragraph 3.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: C
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	8/9/01 1:34:07 PM	csaxton			Active
Priority Date	8/9/01 1:36:44 PM	csaxton			Active
POD	8/9/01 1:42:01 PM	csaxton			Active
Source	8/9/01 1:51:54 PM	csaxton			Active
POU	8/9/01 1:53:36 PM	csaxton			Active
Use	8/9/01 1:55:38 PM	csaxton			Active
Season	8/9/01 1:56:05 PM	csaxton			Active
Quantity	8/9/01 1:56:51 PM	csaxton			Active
Summary	8/9/01 2:05:49 PM	csaxton	8/9/01 2:05:49 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2110 V1

Source	8/9/01 1:51:52 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (NO) The claimed source can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Source. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: Source incorrectly described on license. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Field Exam 7/31/01 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Contacts	8/9/01 1:34:05 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Field Exam 7/31/01 and claimant conversation 8/7/01.
Priority Date	8/9/01 1:36:42 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
POD	8/9/01 1:41:59 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: Source inaccurately described in license. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: Field Exam 8/7/01 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	8/9/01 1:48:25 PM	csaxton	Edited point location
POD	8/9/01 1:48:50 PM	csaxton	Edited PLS
POU	8/9/01 1:54:31 PM	csaxton	Edited PLS
POU	8/9/01 1:53:34 PM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file.

12. (NO) POU remark was not required.
13. (NO) POU condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2110 V1

POU	8/9/01 1:53:38 PM	csaxton	Edited shape boundary
Use	8/9/01 1:55:36 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Season	8/9/01 1:56:03 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The parent right does not have a period of use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Quantity	8/9/01 1:56:49 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Summary	8/9/01 2:05:47 PM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.

Craig

02/18/2003

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: April 21, 2003

Water right number: 29-2110

LITTLE RED HEN INC
C/O THOMAS J MCDEVITT PRES
PO BOX 4260
POCATELLO ID 83205
Telephone Number: (208)232-1847

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:

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

DATE: 02/21/03

SIGNATURE:

Thomas J. McDevitt

Please print your name:

Thomas J. McDevitt

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
FEB 19 2003
Department of Water Resources
Eastern Region

PROFILED

SCANNED
DEC 28 2005

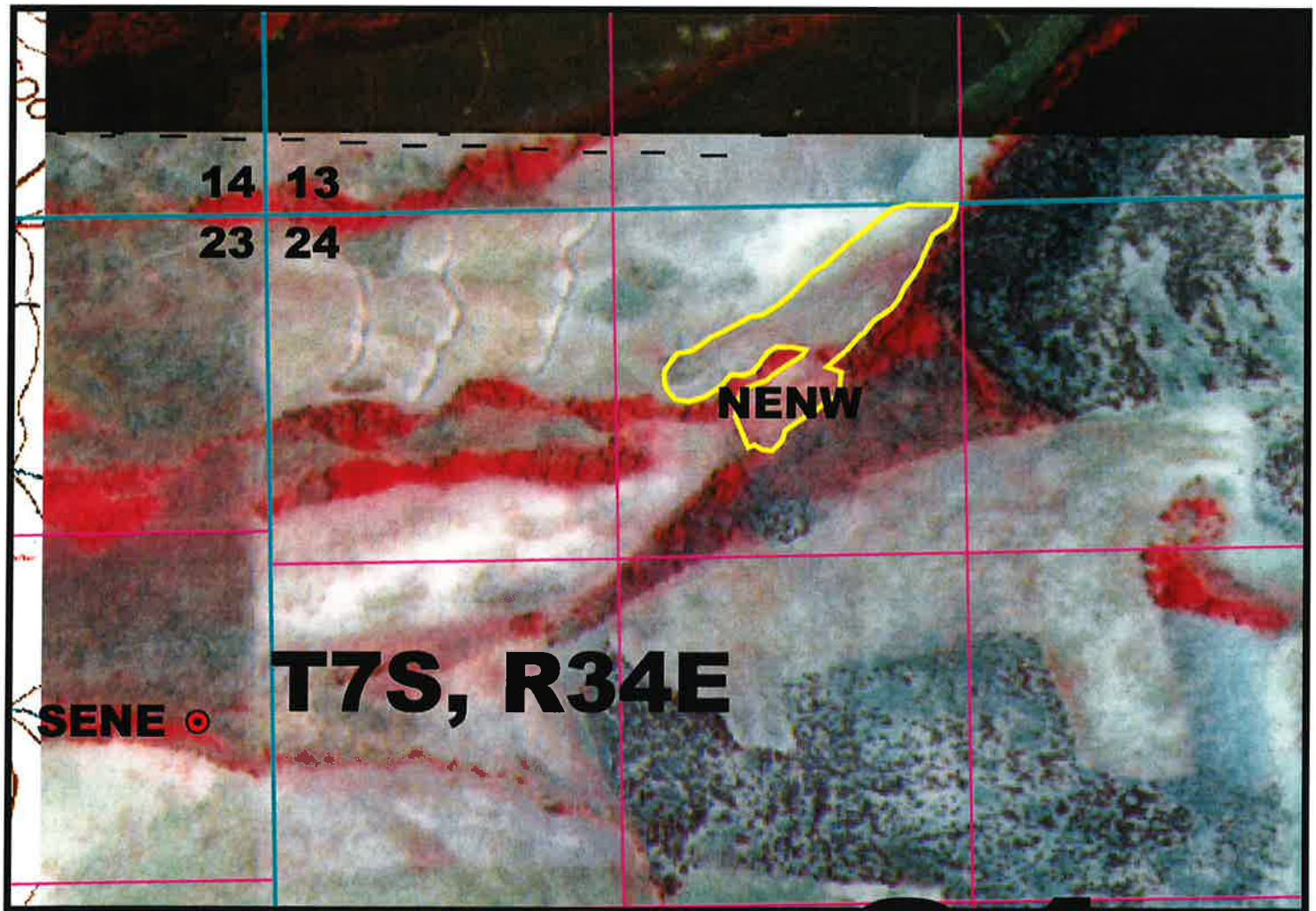
RECEIVED
FEB 28 2003
Department of Water Resources
Eastern Region



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02110



1320 0 1320 Feet

Total Irrigated Acres: 8

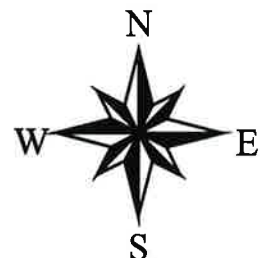
● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines

PROFILED
SCANNED
DEC 28 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2001

August 6, 2001

LITTLE RED HEN INC
C/O THOMAS J MCDEVITT PRES
PO BOX 4260
POCATELLO ID 83205

RE: Snake River Basin Adjudication (SRBA) Claims 29-02070, 29-02110, 29-02129, 29-02142,
and 29-04244

Dear Dr. McDevitt,

I gathered some good information during my field exam on Tuesday 7/31/01. Thank you for taking the time to make arrangements for the gate to be unlocked. I believe I am gaining a better understanding of the historical water use.

I still have a couple remaining issues to work through concerning your water rights.

29-02142:

29-02142 is the right that you said irrigates the orchard. However, the place of use for this right was originally licensed for the same land as 29-02129 and 29-02110 (see green area on enclosed map and enclosed original license). You said in a previous meeting that the water irrigated the orchard when you acquired the property in 1970. Is this correct? And if it is, I am still unsure how the water gets to the orchard.

I found an old ditch (see POD location on map) that might have taken the water to the orchard, but it would have had to cross two different drainages.

I think you mentioned during a previous conversation that the water is diverted directly from the spring and then conveyed in a ditch to the orchard. Is this correct or was it diverted from the stream at the point represented on the enclosed map. I just wanted you to confirm, either by phone or mail, that the water can make it from the springs that supply Johnny Creek to the orchard.

29-04244:

This is the claim for Johnny Creek water to irrigate the 50 acres SE of the cabin. Enclosed is the priority evidence you provided in 1995. My question is which part of this evidence supports the 1908 priority date claimed?

PROFILED

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DEC 28 2005

29-02070:

For the irrigation around your cabin, do you pump directly from the pond, or do you take the water out of Johnny creek?

Conclusion:

Please look over the enclosed maps. Feel free to make any changes you feel necessary in order to more accurately describe your water rights. I think we are getting close to answering all of the questions I have had concerning your water use.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

SCANNED
DEC 28 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

July 13, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LITTLE RED HEN INC
C/O THOMAS J MCDEVITT
PO BOX 4260
POCATELLO ID 83205

RE: Snake River Basin Adjudication (SRBA) Claims 29-02070, 29-02110, 29-02129, 29-02142,
and 29-04244.

Dear Mr. McDevitt,

I am enclosing a map that shows a compilation of the irrigated land you claimed, along with the location of the points of diversion associated with each claim. After our discussion on July 12, 2001, I don't feel totally confident that the claims accurately describe your water use. Please look over the map and see if you agree.

If you don't feel that your claims accurately describe your water use, I think that it would be beneficial to set up an appointment here in our office where we could sit down and go through these claims one by one and ensure that I understand your irrigation system.

It is important that I understand your irrigation so I can make an accurate recommendation to the SRBA court.

Please give me a call at your convenience to discuss this matter.

Respectfully Submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED
DEC 28 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

07/13/2001

WATER RIGHT NO. 29-2110

Owner Type Name and Address
Current Owner LEO HURST
 POCATELLO, ID 83201

Priority Date: 12/06/1910 *OK*
Basis: License
Status: Active

Source Tributary to
SPRING

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	<i>7/1</i>	<i>10/31</i>	0.02 CFS ✓		
DOMESTIC	<i>1/01</i>	<i>12/31</i>			
Total Diversion			0.02 CFS ✓		

Location of Point(s) of Diversion:

SPRING *unnamed spring* *SE NE NE* *SW NW* Sec. *24* Township *07S* Range *34E* BANNOCK County
Trib - Gibson Jack *23*

IRRIGATION Use:

Acre Limit: 4 ✓

Orch System

Place(s) of use:

Place of Use Legal Description: IRRIGATION

BANNOCK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	34E	24		NENW	<i>4.8</i>									

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: *4.8*

CD3
CD5

Dates:

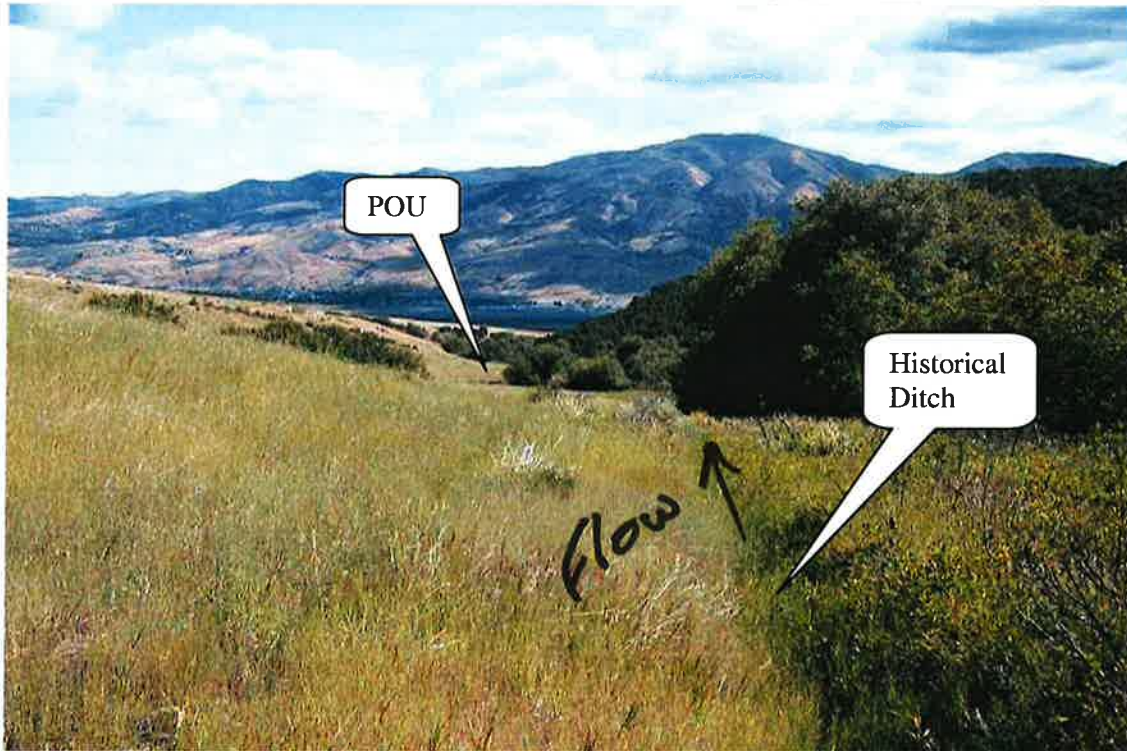
Licensed Date: 08/14/1979
Decreed Date:
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Other Information:

29-02110

Field Exam 7/31/01



This shows historical ditch that conveys water to the licensed place of use. Looking NE. POU in foreground (csaxton 8/6/01).

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DEC 28 2005

JUN 11 2001

Log for claim A29-02110

Spatial Dynamics LTD

8/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s34e	24	NENW	4	11	Indiscernible
Totals:			4	11	

S T A T E O F I D A H O .

Water License No. 7010.

WHEREAS, On the 6th day of December, A. D. 1910, LEO HURST, of Pocatello, County of Bannock, State of Idaho, duly made application (No. 10008) to me for a permit to use 1/50th of one cubic foot per second of the waters of an UNNAMED SPRING, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 21st day of January, A. D. 1911, Permit No. 7010 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 21st day of January, A. D. 1912, and for the application to beneficial use of said water on or before the 21st day of January, A. D. 1912, and,

WHEREAS, On the 23rd day of December, A. D. 1911, LEO HURST, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 7010, dated September 21st, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of water, with date of priority of December 6th, 1910, and,

WHEREAS, On the 23rd day of December, A. D. 1911, LEO HURST, the holder of said permit, duly made proof of the application to beneficial use of 1/50th of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to LEO HURST, of Pocatello, County of Bannock, State of Idaho, the holder and owner of said Permit No. 7010, a perpetual right, dating from December 6th, 1910, to the use of 1/50th of one cubic foot per second of the waters of an UNNAMED SPRING, in the County of Bannock and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point about 225 feet from the West line of the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, Township 7 South, Range 34, East of the Boise Meridian, and conducted to and upon 4 acres in the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, Township 7 South, Range 34, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 21st day of September, A. D. Nineteen hundred and twelve.

A. E. Robinson,

State Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Leo Hurst,

Postoffice address: Pocatello,

County: Bannock, State: Idaho.

2. The quantity of water claimed is 1/50 of one cubic foot per second.

3. Source of water supply: A spring located in S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ Sec. 23 Twp. 7 S., R. 34 E

County of Bannock.

4. Location of point of diversion: Abt 225 feet from the west line of the SW4 NW4 Sec 24, Twp 7 S. R. 34 E.B.M.

5. To be used for:

I. Irrigation and Domestic use:

(a) Amount of land to be irrigated: one acre.

(b) In the following legal subdivisions : NE4 NW4 Sec 24 Twp 7 S R. 34 E.B.Mer.

6. Estimated cost of works: \$25.00

7. Description of works for diversion:

I. Kind of works: dam and ditch.

II. Dimensions of works:

(a) Height of dam $2\frac{1}{2}$ feet, length of dam at top 8 feet, length of dam at bottom 2 feet,
Material used in construction: earth and stone.

(d) Conduit ditch, width at bottom 1 foot, width at water line $1\frac{1}{2}$ feet, depth of water $2\frac{1}{12}$ foot. Average grade per mile is 150 feet. Length of conduit is one-half mile ,
and it crosses the following quarter sections: Part of SE4 NE4 Sec 23 & SW4 NW4
and Part of NE4 NW4 of section 24 Twp 7 S R. 34 E.B.Mer. to land described in 5 I (b)
above which is the point of intended use.

8. Time required for the completion of the construction of such work is 1 year.

9. Time required for the complete application of the water to the proposed use is no additional years.

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

Leo Hurst,

Applicant

By Junior Real Estate Co. Agent

Remarks: The spring from which the water comes that I desire to apply for is located near the west line of the SW4 NE4 Sec 23 Twp 7 S. R. 34 E.B.Mer. From said spring the water runs down a natural channel across said SW4 NE4 Sec 23 thence across the SE4 NE4 Sec. 23, same township and range in an easterly direction until it reaches a point 225 feet from the west boundary line of

SW4 of NW4 of Sec 24 same township and range, at which point I am to divert said water, conducting it through the ditch described above to the land described in 5 I above which is the place of intended use.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7010

Date of first receipt of application 9.00 a.m. December 6, 1910.

Returned to applicant for correction December 6, 1910.

Corrected application received January 3, 1911.

Recorded in Book 21 Page 7010 Approved January 21, 1911.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before March 22, 1911, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 21, 1911.

The whole of said work to be completed on or before January 21, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to January 21, 1912.

Witness my hand this twenty-first day of January, 1911.

D. G. Martin

State Engineer.

Both Notices received Oct. 19, 1911, fixing December 23, 1911, as date, and Pocatello, Idaho, as place of proof.

Deposition blanks mailed November 18, 1911, to Wm. H. Jackson, Jr.

Publication Notice mailed November 18, 1911 to the Tribune Company, Pocatello, Idaho.

Depositions and affidavit received December 27, 1911.

Fees received February 15, 1912.

W. F. Havenor authorized June 11th, 1912, to make the required examination.

Report received September 16, 1912.

Certificate issued September 21, 1912.

Permit No. 7010.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that LEO HUEST, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 7010, issued upon Application No. 10008, bearing date of priority of December 6th, 1910, authorizing the diversion of 1/50th of 1 second foot of the waters of an UNNAMED SPRING, County of Bannock, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 1/50th of 1 second-foot of the waters of an Unnamed Spring; that the point of diversion of said waters is at a point about 225 feet from the West line of the Southwest quarter of the Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, Township 7 South, Range 34, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 24, Township 7 South, Range 34, East of the Boise Meridian.

Witness my hand this 21st day of September, A. D. 1912.

A. E. Robinson,

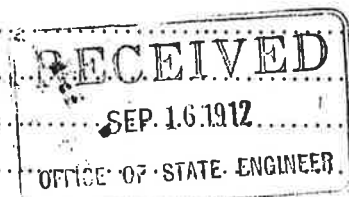
State Engineer.

License issued for 2.100 second feet
Page 115

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *7010 - Leo Hurst*
2. State source of water supply: *Unnamed spring*
3. Location of point of diversion: *About 225' west of the west line of Sec. 21, T. 1 N. R. 34 E. B. M. in Sec. 16, T. 1 N. R. 34 E. B. M. in Sec. 23*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *Yes*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *1 foot*
 - (b) Width at water line: *1 1/2 ft*
 - (c) Depth of water: *1/2 to 3"*
 - (d) Grade per mile: *15.0 ft or more*
 - (e) Capacity of ditch: *one or more* second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *Yes, completely*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *NE 1/4, NW 1/4, 24, 7-34*
1 acre under this permit and "7681"
8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks:



STATE OF IDAHO,

County of *Damascus* } ss.

W. P. Haverin, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *14th* day of *September*, 191*2*.

My Commission Expires *Apr. 16th 1914*.

7010

Notary Public.

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SEC.

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173734E, B.M.

10504
Spring

Hand to C Long 1/20

OFFICE OF STATE ENGINEER

0702
B2

AJ5809NP
No. A29-02110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 109

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITTLE RED HEN INC C/O THOMAS J MCDEVITT PRES PO BOX 4260 POCATELLO ID 83205 (208) 232-1847	12/06/1910	IRRIGATION	03-15 11-15	0.020 CFS	
					TOTAL DIVERSION:	0.020 CFS
					CONSUMPTIVE USE:	12.00 AFA

Water Source: SPRING

Tributary to: JOHNNY CREEK

Stage: LICENSE

Point(s) of Diversion: T07S R34E S24 SWSWNW BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
07S	34E	24	:	:	04	:	:	:	:	:	:	:	:	4.0		
													TOTAL ACRES	4.0		

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 50 HEAD RANGE CATTLE

Other Rights: 29-02142, 02129

Other Water Rights Listing Overlapping Place(s) of Use:

A29-02129 A29-02142

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 04/13/89 VERNER 06/02/94 COX 03/29/95 POST-STD

JUN 11 2001

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: A29-02110

Date Received: 4/13/1989

Receipt No: 6006832

Received By: SS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LITTLE RED HEN, INC. 208-232-1847
Address: C/O THOMAS J. MCDEVITT, PRES.
P.O. BOX 4260
POCATELLO, ID 83205

2. Date of Priority: DEC 06, 1910

3. Source: SPRING $\Rightarrow$ *unnamed stream* Trib. to: JOHNNY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	34E	24	SW	SW	NW		BANNOCK

5. Description of diverting works:
SPRING FLOW COLLECTED INTO DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 50 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	34E	24	NE	NW		IRR	4.0
Section Acres							4.0

A29-02110

Page 1

Date: 04/13/89

MICROFILMED
NOV 13 1992

A2902110

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
 29-02142, 02129

14. Remarks:

15. Basis of Claim: LICENSE
 Water Right Number: 7010

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NOV 13 1992

16. Signature(s)

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

Number of attachments: 0

For Organizations:

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

Thomas J. McLean
Signature of Authorized Agent
Pres. Little Rock, Inc.
Title and Organization
13-April 1989
Date

State of Idaho)
County of Bonneville) SS.

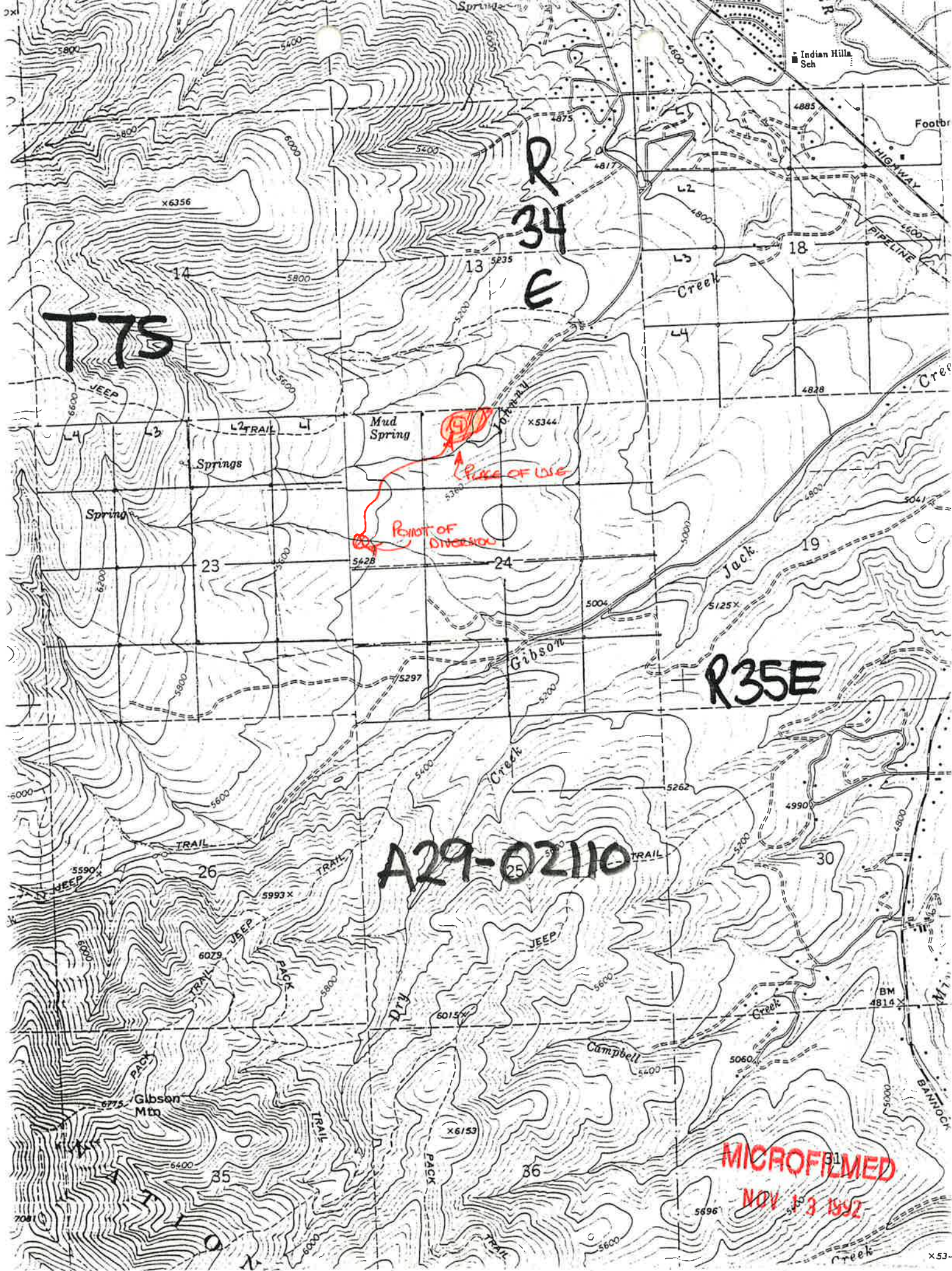
Subscribed and sworn (or affirmed) before me this 13 day
of April 19 89

[Signature]
Notary Public

Seal

Residing at Lake Fork, ID
My Commission Expires 22 Aug 1994

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NOV 13 1992



R
34
E

T7S

R35E

A29-02110

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NOV 13 1992