

08/09/2001

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

RIGHT NUMBER: 29-2129

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

SOURCE: UNNAMED STREAM TRIBUTARY: JOHNNY CREEK

QUANTITY: 0.01 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-02110 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.03 CFS.

PRIORITY DATE: 08/24/1911

POINT OF DIVERSION: T07S R34E S24 NENENW 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	0.01 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R34E S24 / NENW 8

8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-02110 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE 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

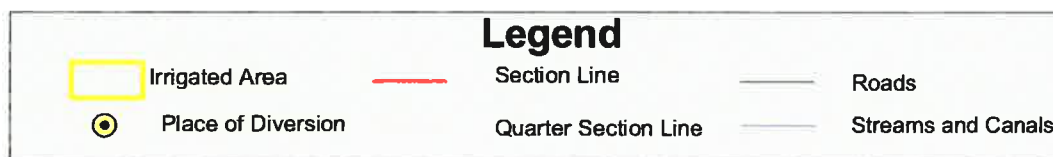
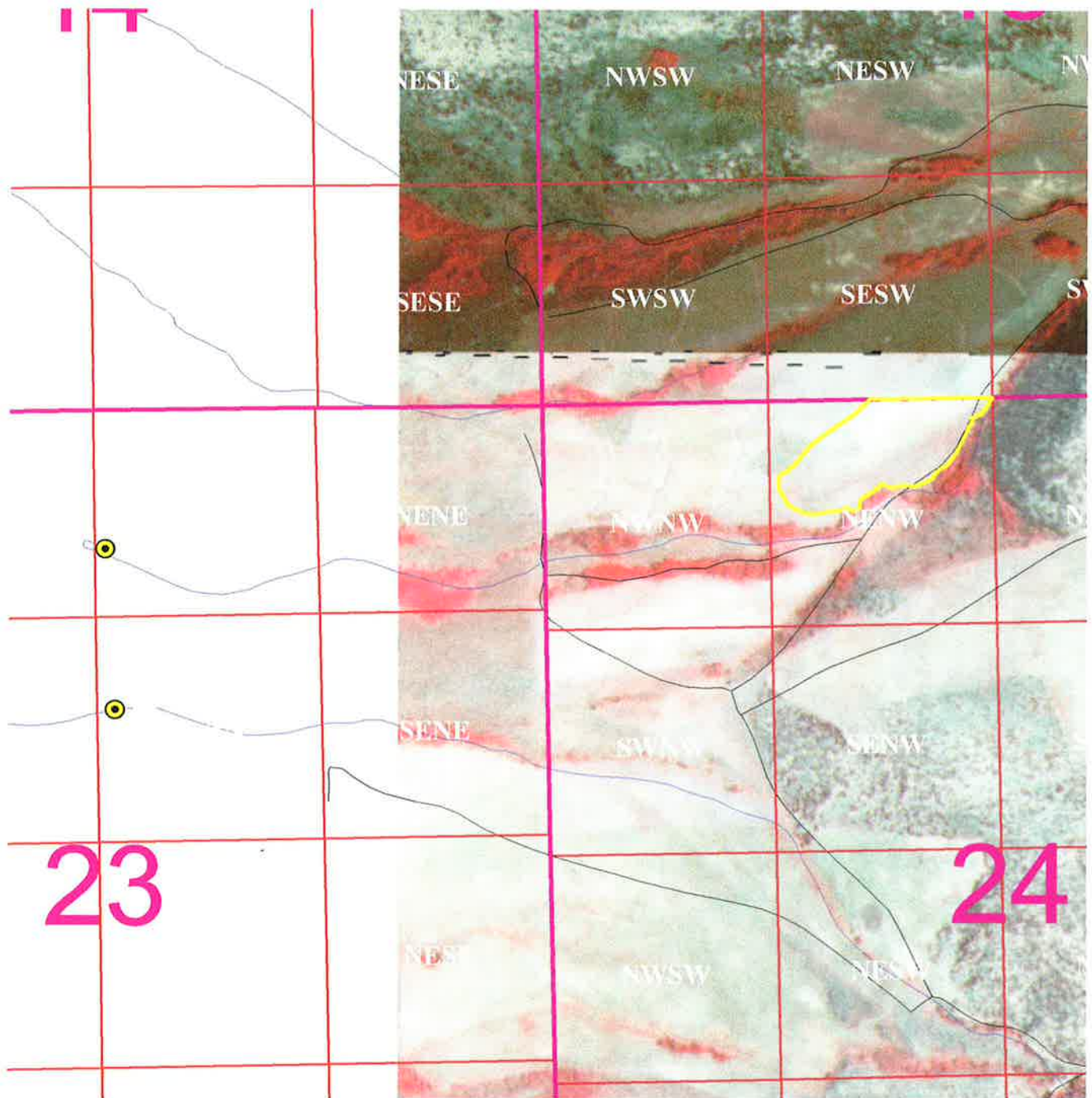
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.

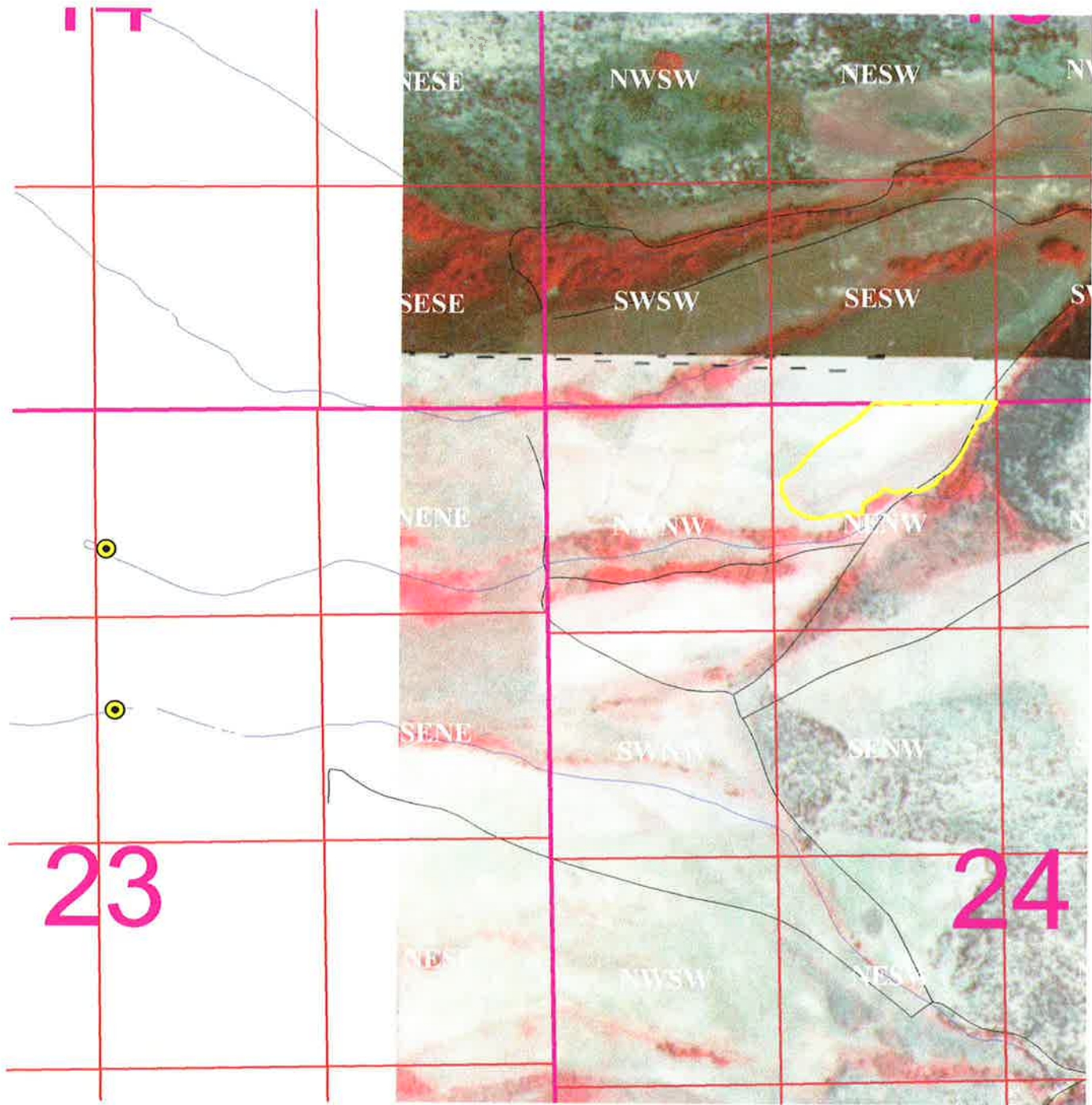
08/29/2000

Township , 7S34E



Water Right Claim Number A29-02129
Township , 7S34E

08/29/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

500

0

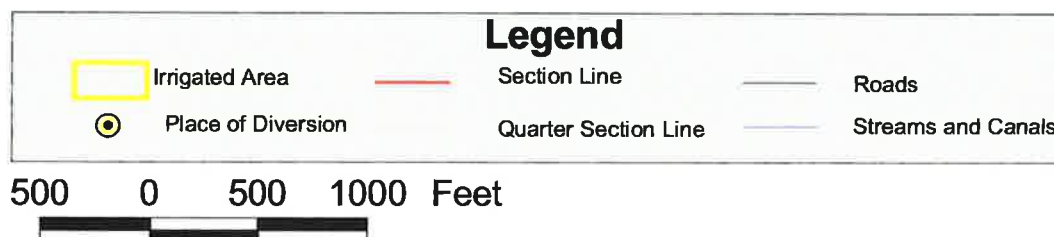
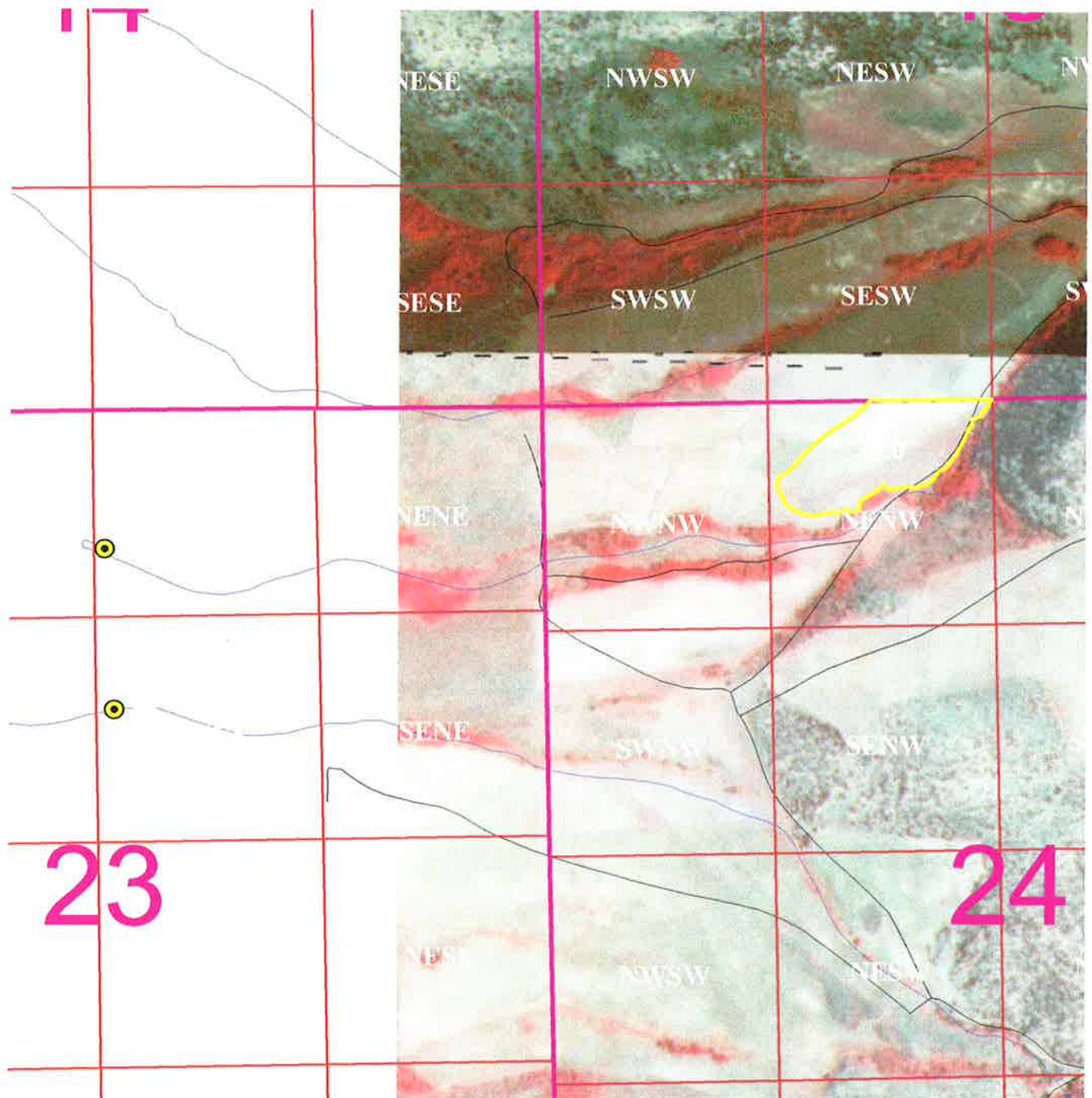
500

1000

Feet



08/29/2000



IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 29-2129 V1

WATER RIGHT NUMBER: 29-2129 V1

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

Priority Date: 08/24/1911

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	JOHNNY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.010 CFS	
	<u>Total Diversion:</u>	0.010 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4NE1/4NW1/4	Sec. 24, 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 - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2129 V1

3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-02110 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 12:27:14 PM	csaxton			Active
Priority Date	8/9/01 12:27:31 PM	csaxton			Active
POD	8/9/01 12:29:52 PM	csaxton			Active
Source	8/9/01 12:43:53 PM	csaxton			Active
POU	8/9/01 12:45:52 PM	csaxton			Active
Use	8/9/01 12:54:12 PM	csaxton			Active
Season	8/9/01 12:55:00 PM	csaxton			Active
Quantity	8/9/01 12:57:21 PM	csaxton			Active
Summary	8/9/01 1:20:40 PM	csaxton	8/9/01 1:20:40 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 29-2129 V1

POD	8/9/01 12:29:50 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: POD in current location when claimant bought property in 1970. 6. (YES) The file contains all the necessary information to verify the POD. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
Contacts	8/9/01 12:27:12 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Field Exam 7/31/01 and conversation 8/7/01.
Priority Date	8/9/01 12:27:29 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 12:30:32 PM	csaxton	Edited point location
POD	8/9/01 12:30:54 PM	csaxton	Edited PLS
POU	8/9/01 12:51:28 PM	csaxton	Edited shape boundary
Source	8/9/01 12:43:49 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: License in accurately describes source as Mud Springs. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Field exam and claimant interview. 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.
POU	8/9/01 12:45:49 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 29-2129 V1

POU	8/9/01 12:46:13 PM	csaxton	Edited shape boundary
POU	8/9/01 12:46:34 PM	csaxton	Edited PLS
POU	8/9/01 12:51:45 PM	csaxton	Edited PLS
Use	8/9/01 12:54:10 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 12:54:58 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 12:57:19 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 1:20:38 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. (YES) Explanatory remark was 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: 29-2129

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:

☒ 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

PROFILED

SCANNED
DEC 28 2005

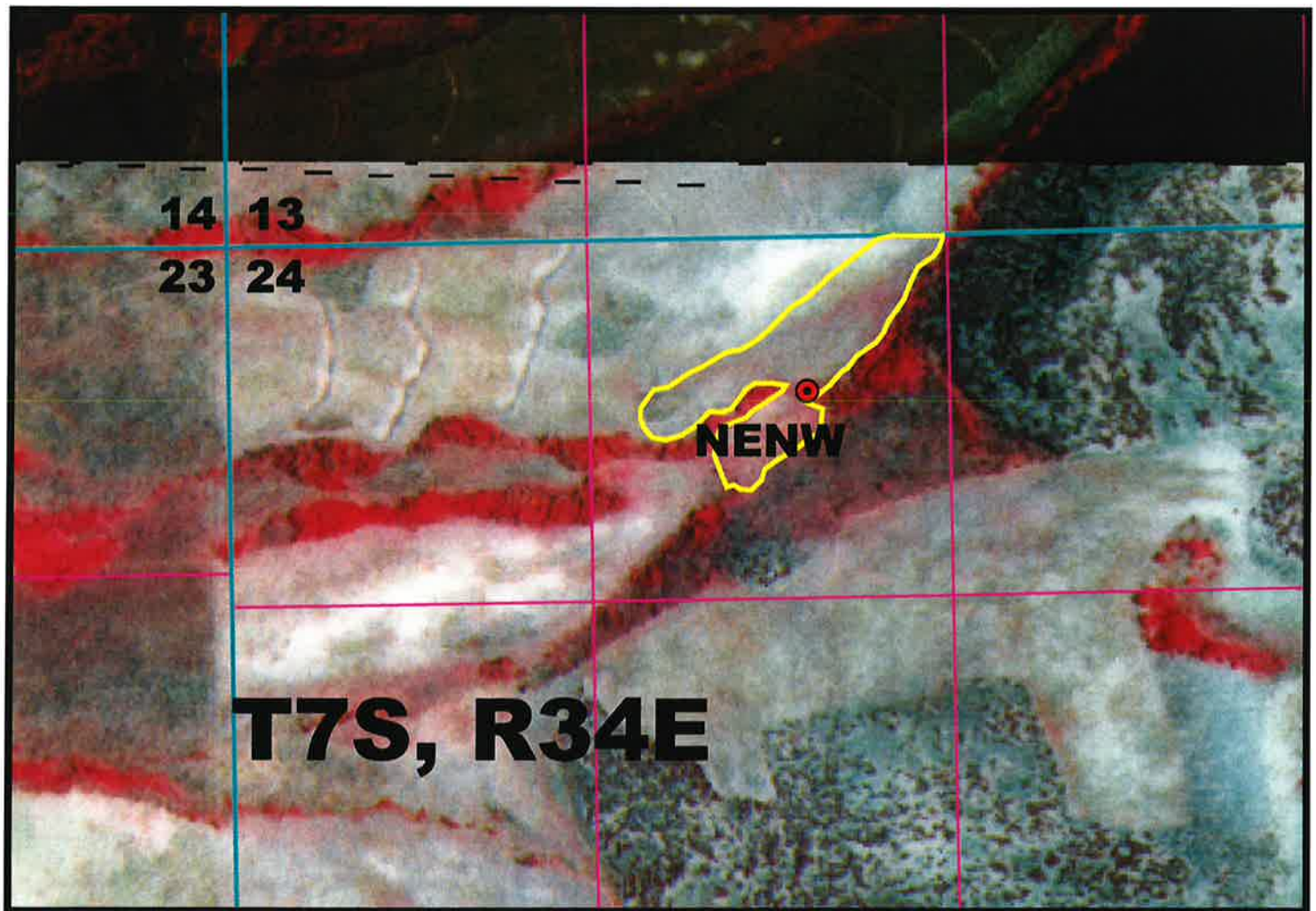
RECEIVED
FEB 28 2003
Department of Water Resources
Eastern Region



STATE OF IDAHO

Department of Water Resources
Eastern Region

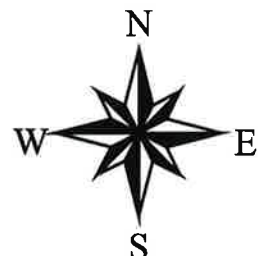
Water Right(s): 29-02129



1320 0 1320 Feet

Total Irrigated Acres: 8

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



SCANNED
DEC 28 2005

PROFILED

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

WATER RIGHT NO. 29-2129

Owner Type
Current OwnerName and Address
LEO HURST
POCATELLO, ID*Little Rock Area*Priority Date: 08/24/1911
Basis: License
Status: ActiveSource
MUD SPRINGS

Tributary to

Beneficial Use
IRRIGATION
~~DOMESTIC~~

From	To	Diversion Rate	Volume	Subuse Code
4/1/1	10/1/1	0.01 CFS		

Total Diversion 0.01 CFS

Location of Point(s) of Diversion:

Location	Section	Township	Range	County
MUD SPRINGS <i>Spring</i>	NWNE Lt 2	Sec. 23	Township 07S	Range 34E
MUD SPRINGS <i>Johnny Creek</i>	SWNE NE NE	Sec. 23	Township 07S	Range 34E

IRRIGATION Use:
Acre Limit: 4

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	4.8									

Place of Use Legal Description: ~~DOMESTIC~~ same as IRRIGATION

Total Acres: 4

*CP2
CP5
C18*

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:

JUN 11 2001

Log for claim A29-02129

Spatial Dynamics LTD

8/29/00

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

4 acres goes to licensed
POU.

licensed POU

Mud Springs
1/100th second-foot
Irrigation
Priority 8/24/11.

STATE OF IDAHO.
Water License No. 7681.

WHEREAS, On the 24th day of August, A. D. 1911, LEO HUEST, of Pocatello, County of Bannock, State of Idaho, duly made application (No. 11232) to me for a permit to use 1/10th of one cubic foot per second of the waters of MUD SPRINGS, County of Bannock, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 9th day of September, A. D. 1911, Permit No. 7681 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 9th day of March, A. D. 1912, and for the application to beneficial use of said water on or before the 9th day of March, A. D. 1912, and,

WHEREAS, On the 29th day of February, A. D. 1912, LEO HUEST, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/100 of one cubic foot per second of said waters, as evidenced by my Certificate No. 7681, dated September 21st, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/100th of one cubic foot per second of water, with date of priority of August 24th, 1911; and,

WHEREAS, On the 29th day of February, A. D. 1912, LEO HUEST, the holder of said permit, duly made proof of the application to beneficial use of 1/100 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 HUEST, of Pocatello, County of Bannock, State of Idaho, the holder and owner of said permit No. 7681, a perpetual right, dating from August 24th, 1911, to the use of 1/100 of one cubic foot per second of the waters of MUD SPRINGS, 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 in Lot 2, and in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 27, 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)

23 2129

29-2127
No. 11232.

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 1/10 cubic foot per second.

3. Source of water supply: Mud Springs.

4. Location of point of diversion: Lot 2 and SW4 NE4 Sec. 23, T. 7 S. R. 34 E. B. M.

County of Bannock.

5. To be used for: Domestic and Irrigation.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 3 acres.

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

6. Estimated cost of works: \$20.00

7. Description of works for diversion:

I. Kind of works: ditch.

II. Dimensions of works:

(d) Conduit ditch, width at bottom 2/3 foot, width at water line 5/6 foot, depth of water 1/2 foot. Length of conduit is 1 mile and it crosses the following quarter sections: NE4 Sec. 23 and NW4 Sec. 24 Twp. 7 S. R. 34 E. B. M.

8. The time required for the completion of the construction of such work is 1/2 year.

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

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 Company...Agent.
Pocatello, Idaho.

Remarks: The water herein applied for will be diverted through my ditch from point of diversion to a point near the SE corner SW4 NE4 Sec. 23, T. 7 S. R. 34 E. B. M. from where it will follow a natural channel in a north easterly direction to a point about 300 feet west of the western boundry line of the SW4 NW4 Sec. 24, above Twp. & Range, from which point it will be carried in another ditch to the place of intended use as mentioned herein.

The springs applied for are located upon land in Government ownership.

APPROVAL OF STATE ENGINEER.

The number of this permit is 7681.

Date of first receipt at office of State Engineer: 9.00 a.m. August 24, 1911.

Returned to applicant for correction: August 25, 1911.

Corrected application received: September 1, 1911.

Recorded in Book 24 Page 7681 Approved September 9, 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 approve the same, subject to the following limitations and conditions:

Work to begin on or before November 8, 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 December 9, 1911.

The whole of said work to be completed on or before March 9, 1912.

Beneficial use of water appropriated in accordance herewith, to be made on or before March 9, 1912.

Witness my hand this ninth day of September, 1911.

A. E. Robinson,

State Engineer.

Both notices received December 6, 1911, fixing February 29, 1912, as date, and Pocatello, Idaho, as place of proof.

Deposition blanks mailed January 25, 1912, to Wm. H. Jackson, Jr.

Publication Notice mailed January 25, 1912, to the Tribune Company, Ltd.

Depositions, affidavit and fees received March 4, 1912.

Report of W. P. Havenor received September 16, 1912.

Certificate and License issued Sept. 21, 1912.

License issued for 1/100 second-foot.

Permit No. 7681.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that LEO HURST, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 7681, issued upon Application No. 11232, bearing date of priority of August 24th, 1911, authorizing the diversion of 1/10th of 1 second foot of the waters of MUD SPRINGS, 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 1/100 of 1 second-foot of the waters of Mud Springs; that the point of diversion of said waters is at a point in Lot 2, and in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 23, 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 1/100 second feet

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *Leo Hurst #7681*
2. State source of water supply: *Hand Springs*
3. Location of point of diversion: *Pl. 2 and 10th St. Sec. 23
17 S R 34 E B 11*
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* } *Flow furrow*
 - (b) Width at water line: *1 1/2* } *ditch for sleep*
 - (c) Depth of water: *5 1/2"* } *grade*
 - (d) Grade per mile: *150 ft a mile*
 - (e) Capacity of ditch: *750 c. c. a. m. a. c.* second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *Yes, fully*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *40 40 40 24 7 39*
1 acres under this permit and 4000
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:

RECEIVED

SEP 16 1912

OFFICE OF STATE ENGINEER

W. H. Hannon

STATE OF IDAHO,

County of *Damoc* } ss.

W. P. Hannon, 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*

Robert M. Driscoll

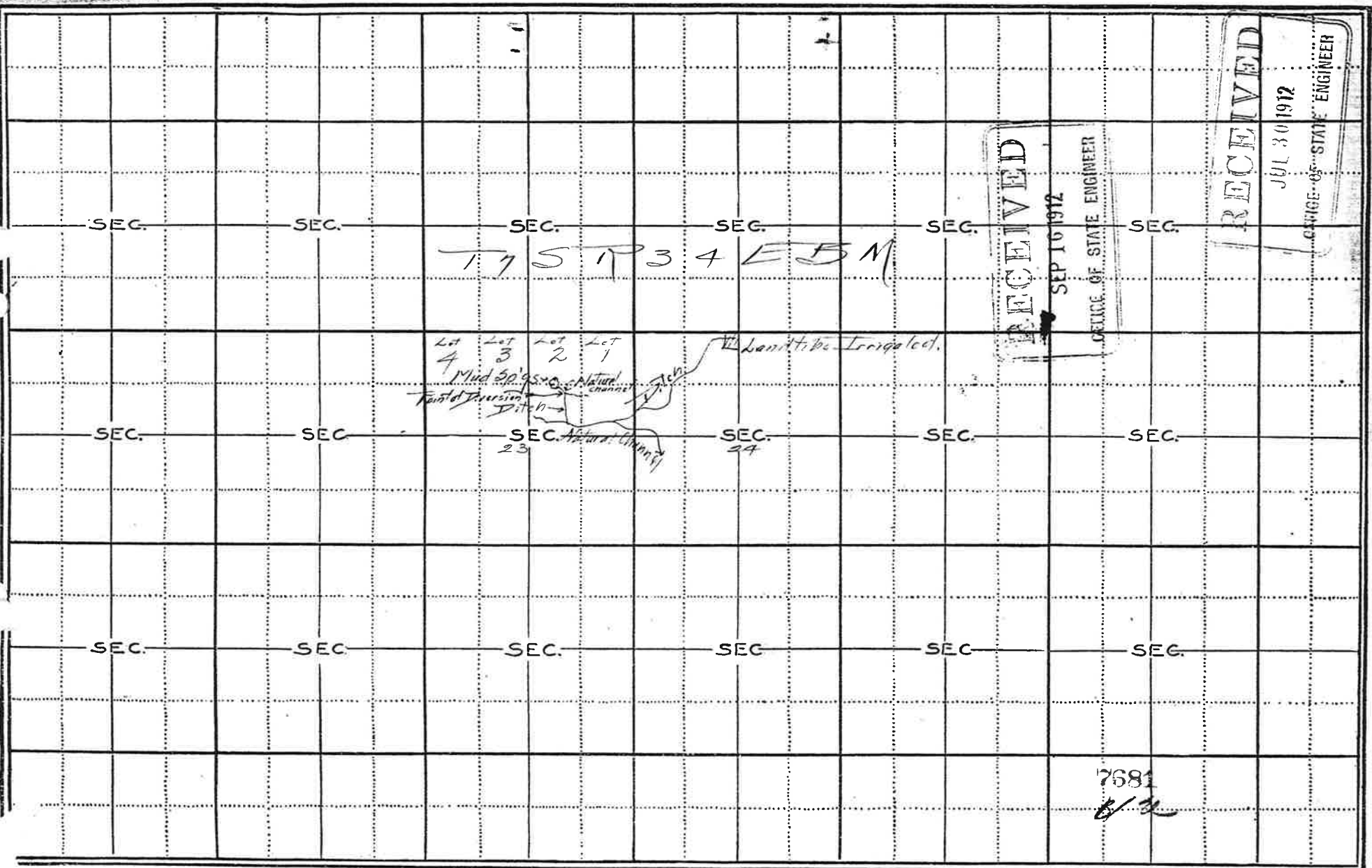
My Commission Expires *Apr. 16th 1914*

Notary Public.

7681

B/R

of Applicant Geo. Hays 1 #7681



AJ5809NP
No. A29-02129

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 111

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	08/24/1911	IRRIGATION	03-15 11-15	0.010 CFS	
TOTAL DIVERSION:					0.010 CFS	
CONSUMPTIVE USE:						12.00 AFA

Water Source: SPRINGS

Tributary to: JOHNNY CREEK

Stage: LICENSE

Point(s) of Diversion: T07S R34E S23 Lot02(SWNWNE) NWSWNE BANNOCK County

Place of use Legal Description for: IRRIGATION

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

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING OF 50 RANGE CATTLE

Other Rights: 29-02142 & 02110

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02110 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

548

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: A29-02129
Date Received: 4/13/1989
Receipt No: 606832
Received By: Ed

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

208-232-1847

A2902129



2. Date of Priority: AUG 24, 1911

3. Source: SPRINGS

Trib. to: JOHNNY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	34E	23	SW	NW	NE	2	BANNOCK
			NW	SW	NE		BANNOCK

5. Description of diverting works:
DITCHES COLLECT WATER 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	0.010		

7. Total Quantity Appropriated is:
0.010 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 OF 50 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

A29-02129

Page 1

Date: 04/13/89

MICROFILMED
NOV 13 1992

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 & 02110

14. Remarks:

15. Basis of Claim: LICENSE
 Water Right Number: 7681

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 Organizations:

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

Thomas J. McIntosh
Signature of Authorized Agent
President Little Red Hen Co.
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 Snake Falls 2
My Commission Expires 22 Aug 1994

T7S

R
34
E

R35E

A29-02129

MICROFILMED

NOV 13 1982

