

09/09/2003

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

RIGHT NUMBER: 29-7183

NAME AND ADDRESS: MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234

JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.920 CFS
696.50 AFY

PRIORITY DATE: 06/29/1974

POINT OF
DIVERSION: T11S R37E S6 NESESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
1.920 CFS
696.50 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S01	NESE	20.0	T11S R37E S06	NESW	35.0
T11S R37E S06 Lot 6	NWSW	54.0	T11S R37E S06 Lot 7	SWSW	51.0
T11S R37E S06	SESW	39.0			

199 ACRES TOTAL

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04112, 29-07183

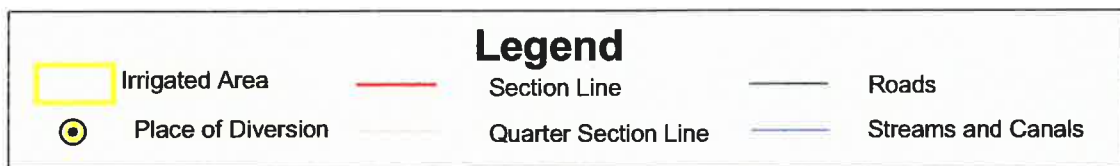
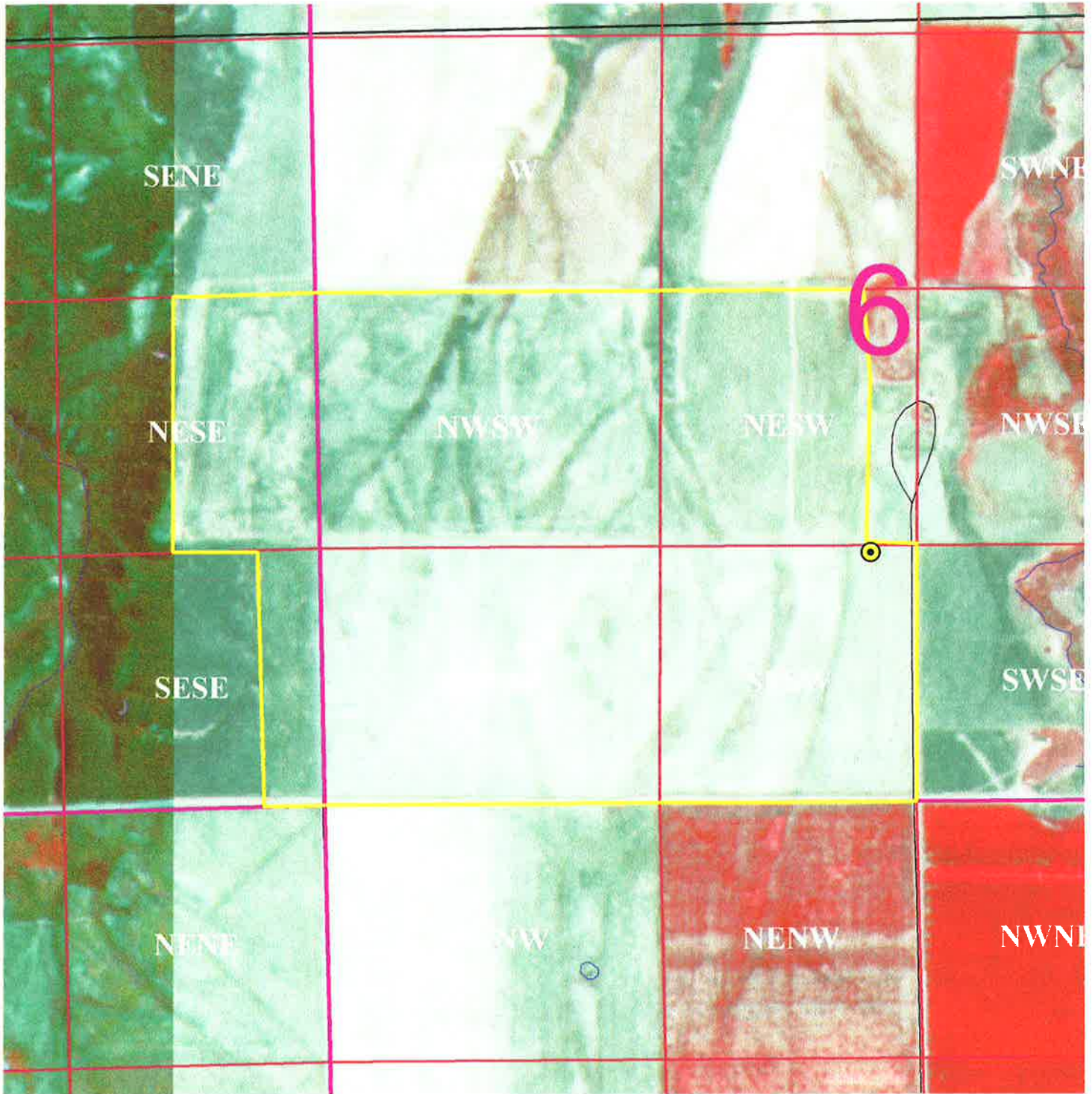
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

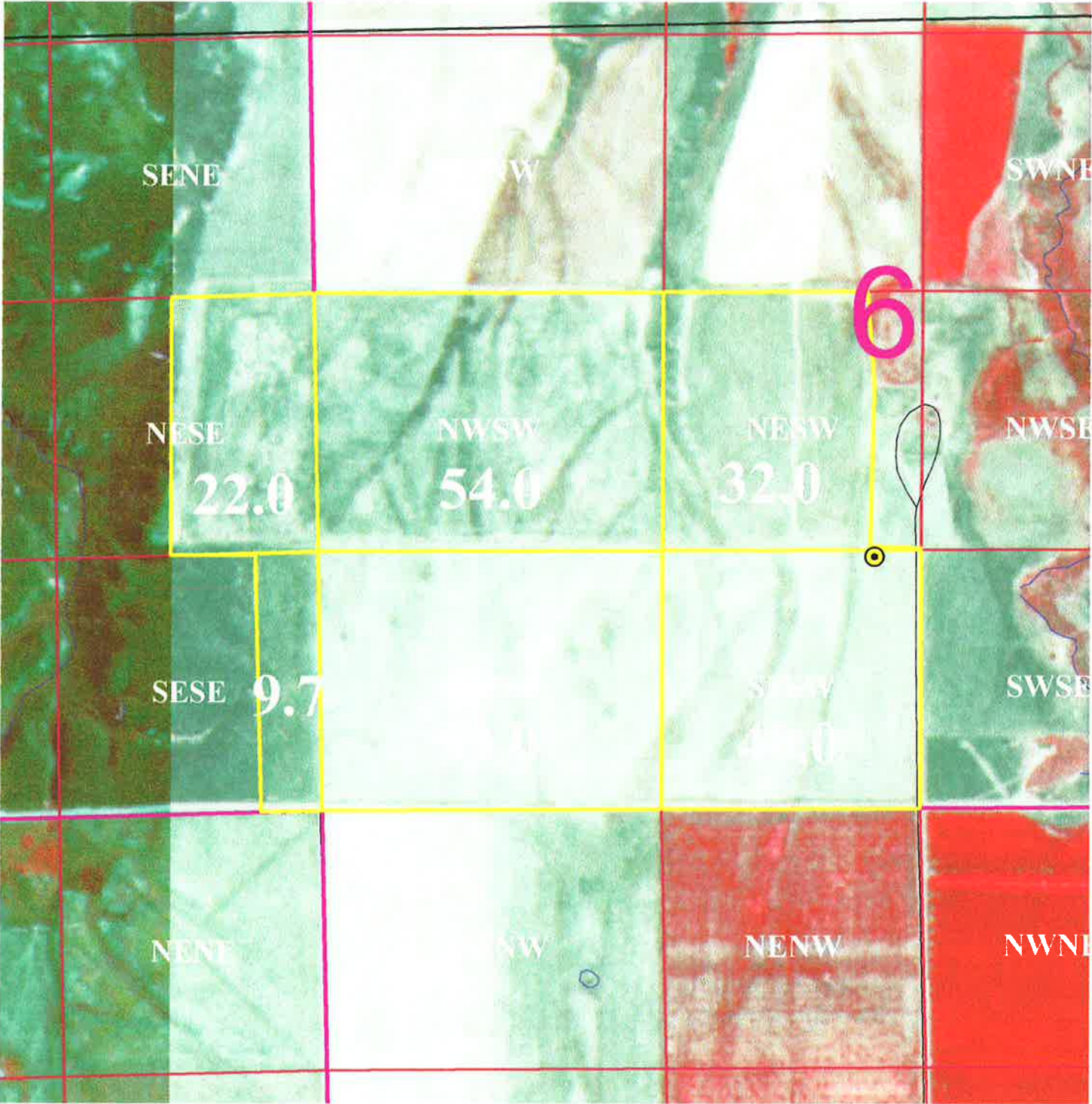
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Townships , 11S37E, 11S36E



Townships , 11S37E, 11S36E



**Irrigated Area**

**Place of Diversion**

Legend

**Section Line**

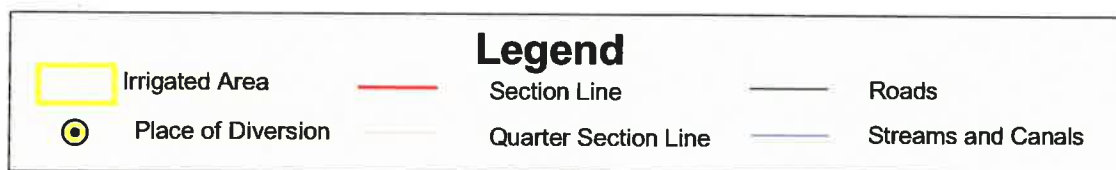
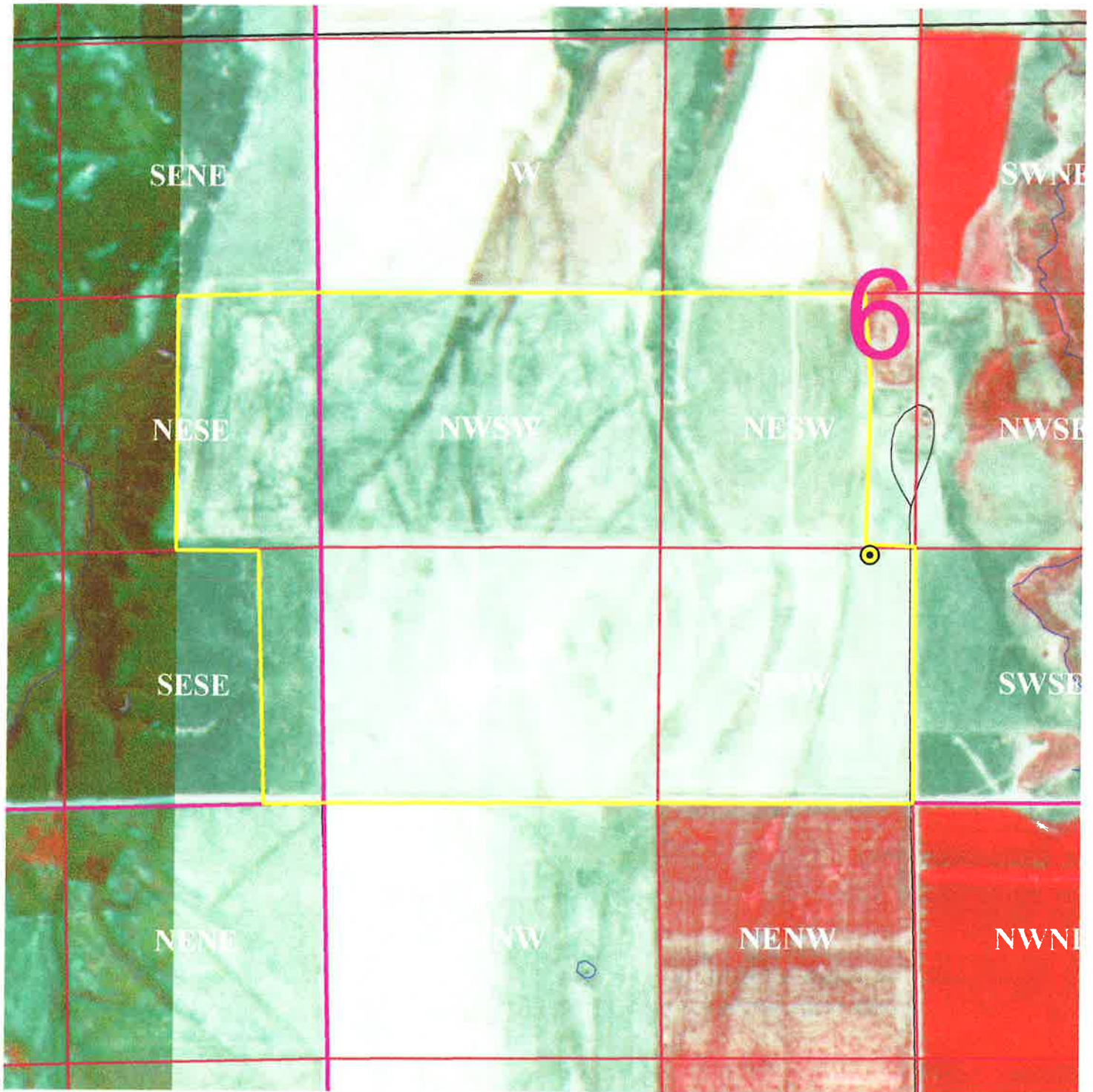
**Quarter Section Line**

**Roads**

**Streams and Canals**



Townships , 11S37E, 11S36E



A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07183	11S 37E	6		SE	SW			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
NONE			NONE							

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07183	11S 37E	6		SE	SW			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD			AJ CLAIMS IN SAME 40 ACRE TRACT							
			A PREFIX R PREFIX							
NONE			NONE NONE							

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 11S	RGE. 37E	SEC. 6	1/4	1/4 SE	1/4 SW	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-07183

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	1	NE	SE		HART, JOHN W	A29-07183 / 18.0	29-07183 / 18.0	24.0		
11S	36E	1	SE	SE		HART, JOHN W	A29-07183 / 3.0	29-07183 / 3.0	5.0		
11S	37E	6	NE	SW		HART, JOHN W	A29-07183 / 35.0	29-07183 / 35.0	33.0		
			NE	SW		HART, JENNIE	A29-04111 / 32.0	29-04111 / 15.0			
11S	37E	6	NW	SW	6	HART, JOHN W	A29-07183 / 53.0	29-07183 / 53.0	54.0		
			NW	SW		BENNETT FARMS	A29-04039 / 2.0	- /			
			NW	SW		HART, JENNIE	A29-04111 / 40.0	29-04111 / 20.0			
11S	37E	6	SW	SW	7	HART, JOHN W	A29-07183 / 51.0	29-07183 / 51.0	56.0		
11S	37E	6	SE	SW		HART, JOHN W	A29-07183 / 39.0	29-07183 / 39.0	31.0		
ADDITIONAL POU FOUND											

TOTAL ACRES	A29-07183	199.00	199.00	203.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-07183	GROUNDWATER	HART, JOHN W	1.920	0.009	714.00	3.58
A29-04039	PECK CREEK	BENNETT FARMS	0.780	0.020		
A29-04111	SPRING	HART, JENNIE	2.800	0.016		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-04111

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

[illegible]

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____ DATE: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 19, 2003

JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

RE: Notice of Change of Water Right Ownership (NCO) for 29-7183 and Notice
of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On September 12, 2003, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Kristen Forsgren
Office Specialist 1

Enclosure

cc:

PROFILED

SCANNED
APR 20 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
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MARILYN MIKKELSON
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Respectfully,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: JOHN WILLIAM HART

SCANNED

APR 20 2006

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Rights: 29-7183

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Sept 12, 2003

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 19, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

MARILYN MIKKLESON
2433 E HAWKINS
DOWNEY ID 83234

4. One copy to:

Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

OK
ge
9/5/03

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
	29-7183				

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

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

John William Hart
2435 E Hawkins

4. New Owner/Claimant(s)

John William Hart	Marilyn Mikkelsen
Name Connector (Check one): [] and, [] or, ☒ and/or	

New Mailing Address

2435 E Hawkins	2433 E Hawkins
----------------	----------------

City, State and ZIP Code

Downey, ID 83234	Downey, ID 83234
------------------	------------------

New Telephone Number

(208) 897-5743	(208) 897-9918
----------------	----------------

5. Date you acquired the property

PROFILED

SCANNED
APR 21 2003

WARRANTY DEED

For Value Received

NORMAN L. REISNER and BARBARA L. REISNER, his wife
Downey, Idaho

the grantor , do hereby grant, bargain, sell and convey unto

JOHN W. HART and JENNIE HART, his wife, of Downey, Idaho

the grantee , the following described premises, to-wit:

Lot 6 in Section 6 Township 11 South, Range 37 East Boise Meridian:
Lot 7 and the East half of the Southwest Quarter of Section 6,
Township 11 South, Range 37 East, Boise Meridian containing 172
acres and 56/100 of an acre.

Commencing at the Northwest Corner of the SE Quarter of Section
6, Township 11 South, Range 37 East Boise Meridian, thence East
27 rods and 14.5 feet, more or less, to a point about 52 rods and
2 feet West of the Northeast Corner of the NW Quarter of SE Quarter
of Section 6, Township 11 South, Range 37 East Boise Meridian,
thence in a Southeasterly direction about 87 rods, more or less,
to a point 30 rods and 15 feet West of the Southeast corner of
the NW Quarter of the SE Quarter of Section 6, Township 11 South,
range 37 East Boise Meridian, thence West 49 rods and 1.5 feet
to the SW Corner of the NW Quarter of Southeast Quarter of Section
6, Township 11 South, Range 37 East Boise Meridian, thence North
80 rods to the place of beginning.

Also, all water and water rights appertaining thereto.

The interest of the Grantor consisting of an undivided one-quarter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantees , that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 8, 1977.

Norman L. Reisner

Barbara L. Reisner

STATE OF IDAHO, COUNTY OF ONEIDA

On this 8th day of April, 1977,
before me, a notary public in and for said State, personally
appeared

Norman L. Reisner and
Barbara L. Reisner, his wife

known to me to be the person s who se names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Laura E. Crowther

Notary Public
, Idaho

Residing at Malad
Comm. Expires 6-15-79

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Fees \$
Mail to:

Deputy.

INSTRUMENT No.

02/08/2003

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: 29-7183

JOHN WILLIAM HART

2435 E HAWKINS

DOWNEY ID 83234

Telephone Number: (208)897-5743

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:

8-1-03

SIGNATURE:

John Hart

Please print your name:

JOHN HART

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

PROFILED

SCANNED

APR 20 2003

RECEIVED

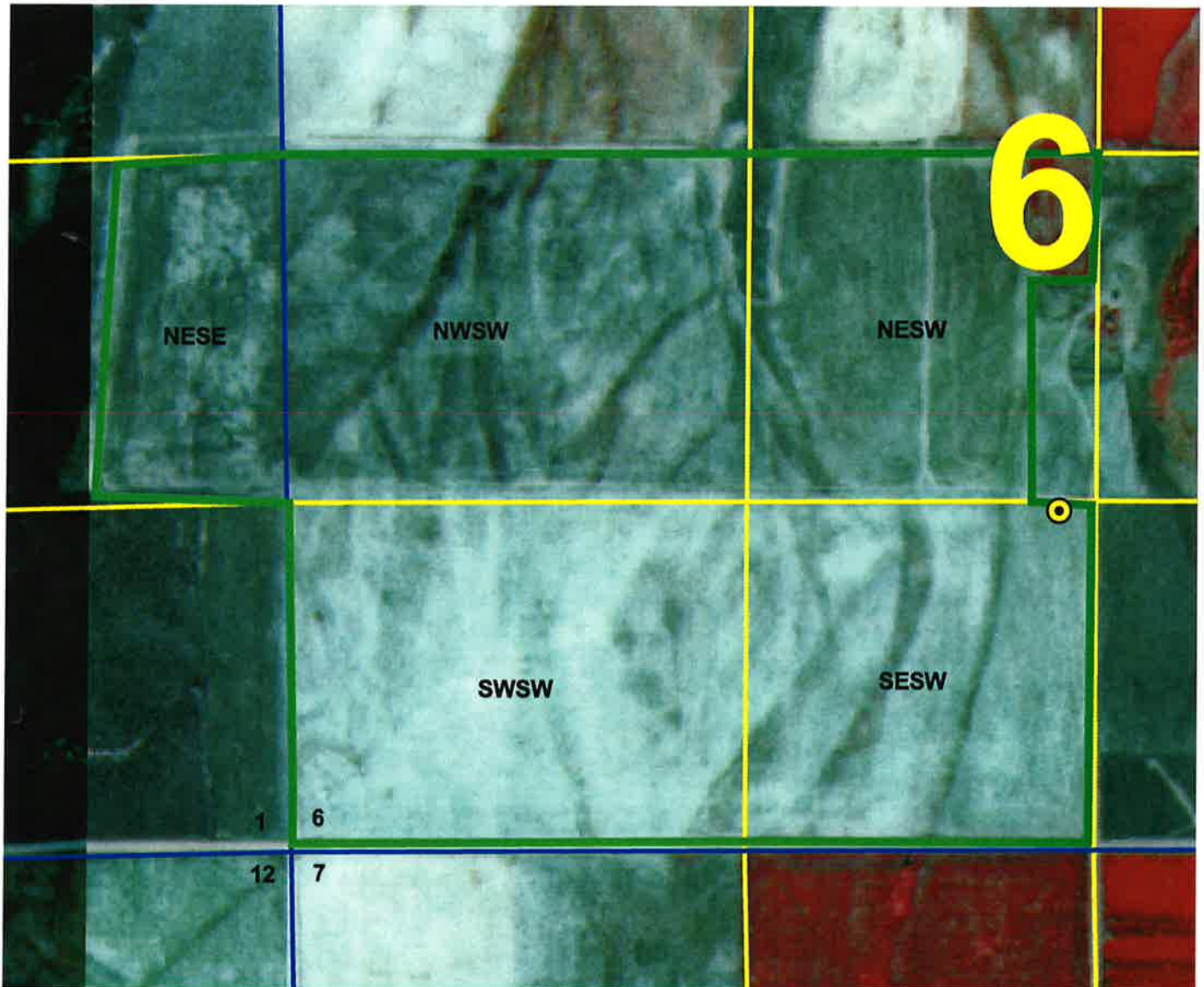
AUG 11 2003

Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF WATER RESOURCES

29-07183

T11S, R37E SEC 6
T11S, R36E SEC 1



ACRES IRRIGATED- 199



POINT OF DIVERSION



PLACE OF USE

PROFILED

SCANNED
APR 20 2006

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES 10/15/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.92 CFS
696.5 AFY

PRIORITY DATE: 06/29/1974

POINT OF DIVERSION:

T11S R37E S6 NESESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.920 CFS 696.50 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S01	NESE	20.0	T11S R37E S06	NESW	35.0
T11S R37E S06 Lot 6	NWSW	54.0	T11S R37E S06 Lot 7	SWSW	51.0
T11S R37E S06	SESW	39.0			

199 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04112, 29-07183

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: License

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

MAY 31 2001

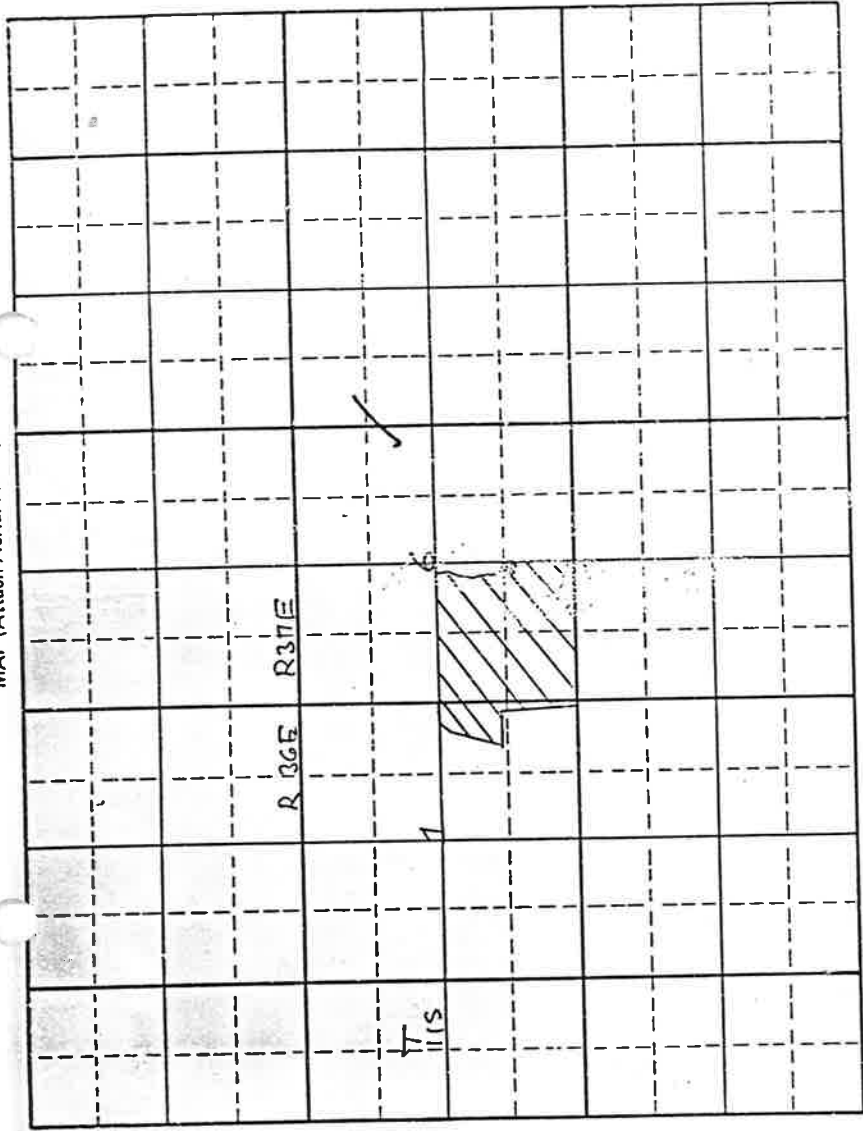
Log for claim A29-07183

Spatial Dynamics TWB

5/31/00

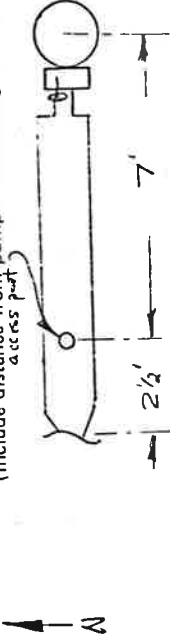
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	1	NESE	18	22	
11s36e	1	SESE	3	9.7	
11s37e	6	NESW	35	32	
11s37e	6	NWSW	53	54	
11s37e	6	SWSW	51	53	
11s37e	6	SESW	39	40	
Totals:			199	210.7	

7.5
1969



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 SW 1/4 Sect. 6 T11S R37E

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
11S	36E	1									1%			3-	-27 ✓
11S	37E	6							35	54	51	39		8	26
									1-6	1-7					+183- ✓
									53 (per Bait Net p. 178)						178

Total - 204 ✓

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above
☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

W. J. Jones
Seafarmer
K. Walker

Date

Date

Date

3-6-84
 15 June 1984
 6-25-86

NOV 21 1984

Department of Water Resources / 83

Permit No. _____

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

- ☐ Appointment letter mailed:
- ☐ Telephone call made
(List Telephone No. used)
- ☐ Appointment scheduled for:
(Date, time, location)

EXAMINATION

Date 8-03-83 Accompanied by John Hart Total Q measured 1.92 cfr ✓

Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? _____

If source is surface water, estimate total flow of source.

Methods of measurement Pitot gauge Meets permit requirements?

Measurement calculations:

Line	Pressure (psi)	Flow Rate (gpm)	Time (min)	Volume (gallons)
Line #1	34	5.11	32	163.52
Line #2	36	5.25	32	168.00
Line #3	41	5.61	32	179.52
Line #4	45	5.91	32	189.12
Line #5	34	5.11	32	163.52
Total				865.64 gpm or 1.92 cfs

Calculated flow rate: $V = 204 \text{ ac-ft} \times 3.5 \text{ ft} = 714 \text{ ac-ft}$
 $V = 1.91 \text{ cfs} \times 1.4835 \times 214 \text{ ft} = 810.7 \text{ ac-ft}$
Final flow rate: $V = 1.92 \times 1.9835 \times 214 = 815.0$

[illegible]

System Description well pump thru mainline to 5 handlines

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE
Irrigation ✓

Q (cfs)
1.92

V (afu)

FROM 11-1 ✓ TO 11-1 ✓

Total

1.92 ✓

714 ✓

Remarks F. 16 (3.5) 29-2045 Port. River ✓ USE R30

P/D overlap per VAX: none

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7183 Priority June 29, 1974 Amount 1.92 cfs
(Late Proof)

THIS IS TO CERTIFY, that John W. Hart
of Downey, Idaho, has complied with the terms and conditions of Permit
No. 29-7183 issued pursuant to Application for Permit dated April 10, 1974,
and has submitted proof to the Department of Water Resources on October 3, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.92 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.92</u> cfs and	<u>714.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.92 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
714.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6,
Twp 11S, Rge 37E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	36E	1													18			3	21
11S	37E	6									35	GL 6 53	GL 7 51	39					178

Total number of acres irrigated 199

MICROFILMED

Identification No. 29 7183

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant John W. Hart
post office address Route #2, Downey, Idaho 83234 PH: 897-5743
2. Source of water supply ground water which is a tributary of - - -
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 6 Township 11S
Range 37E B.M. Bannock County; additional points of diversion if any: _____

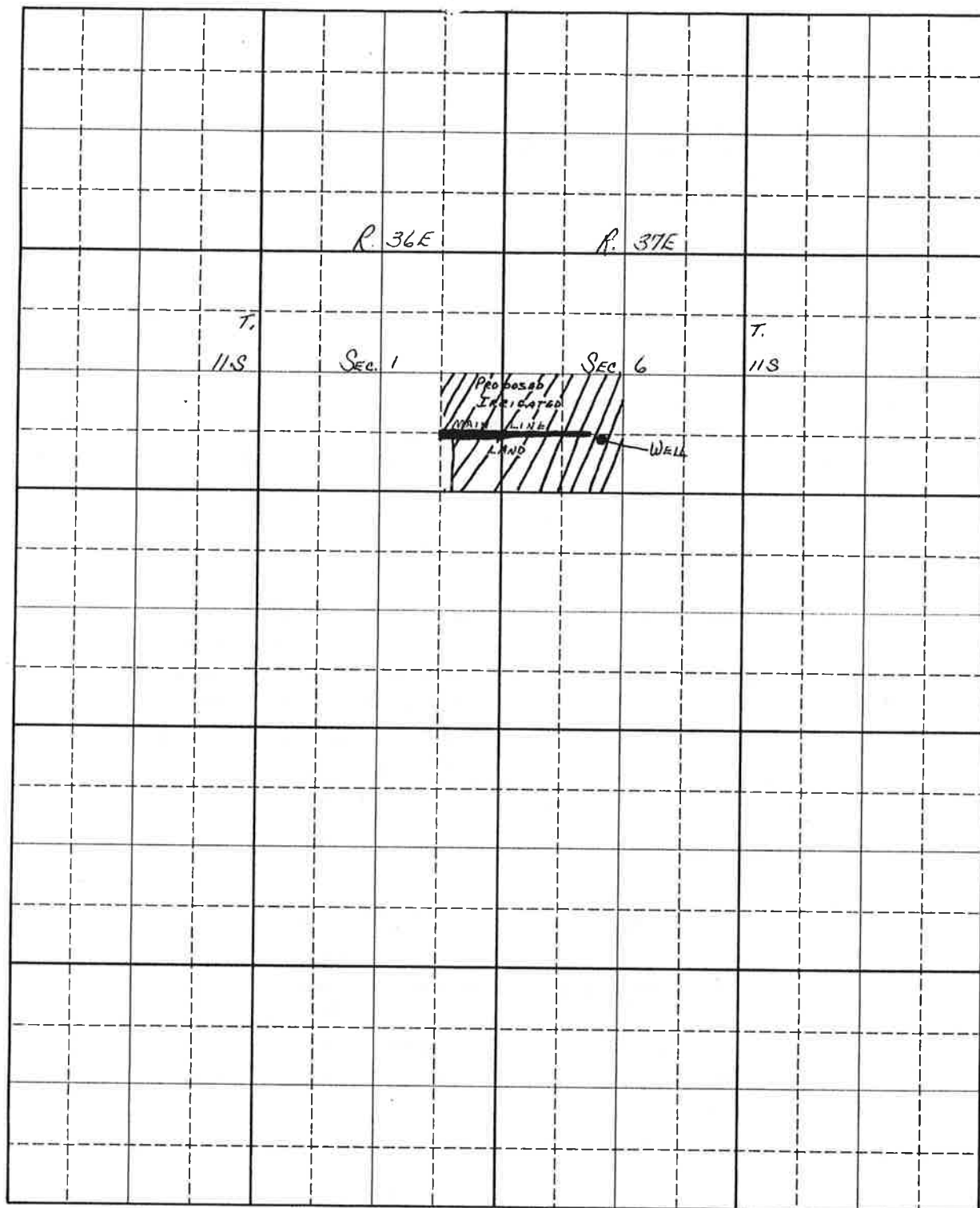
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 5.0 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 5.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, mainline and portable lateral

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 55 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years.
b. Estimated construction cost is \$ 10,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: N.A.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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

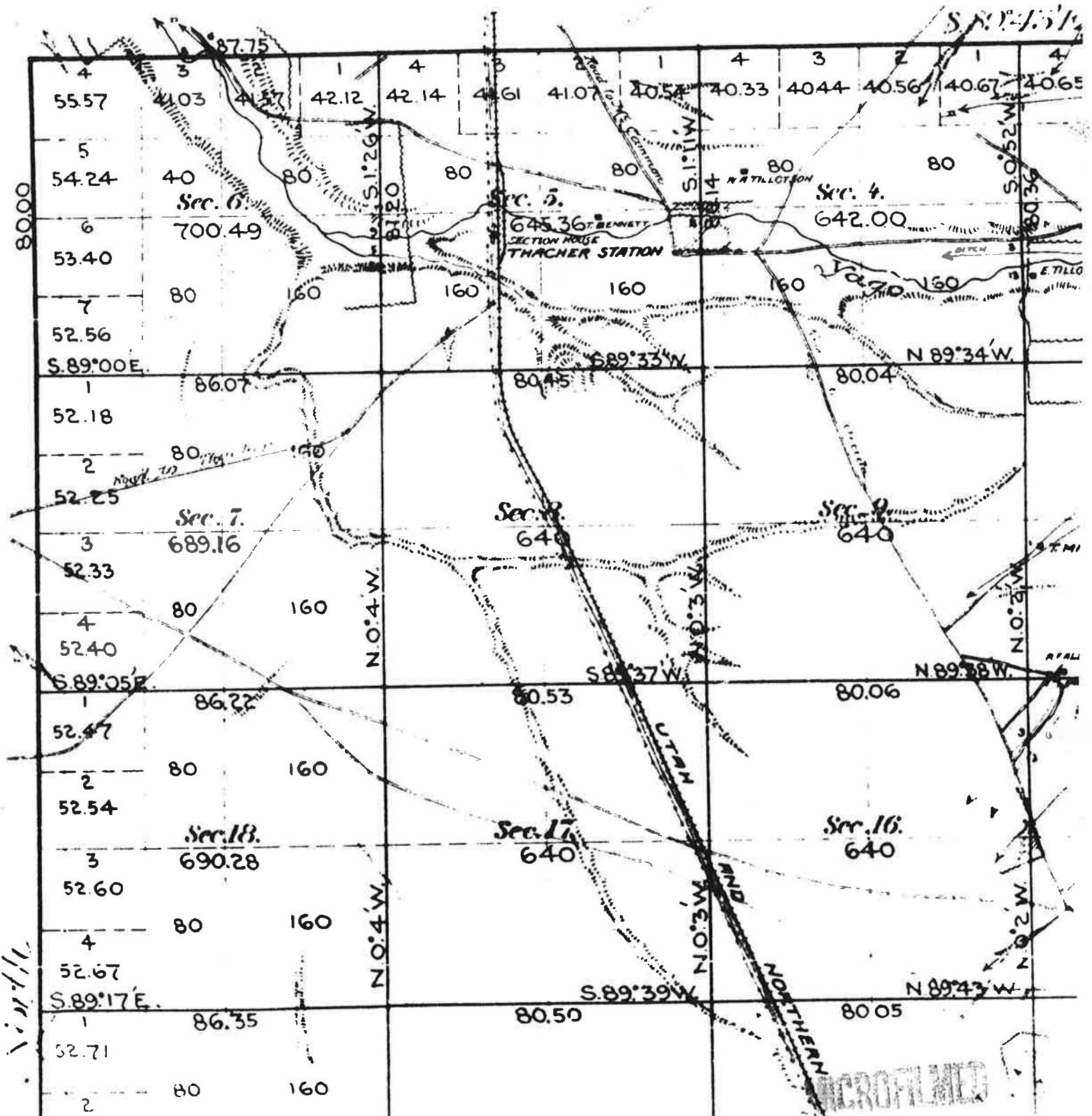


Scale: 2 inches equal 1 mile

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

John W. Hart
(Applicant)

G *f* *F* *e* *E* *d* *D*

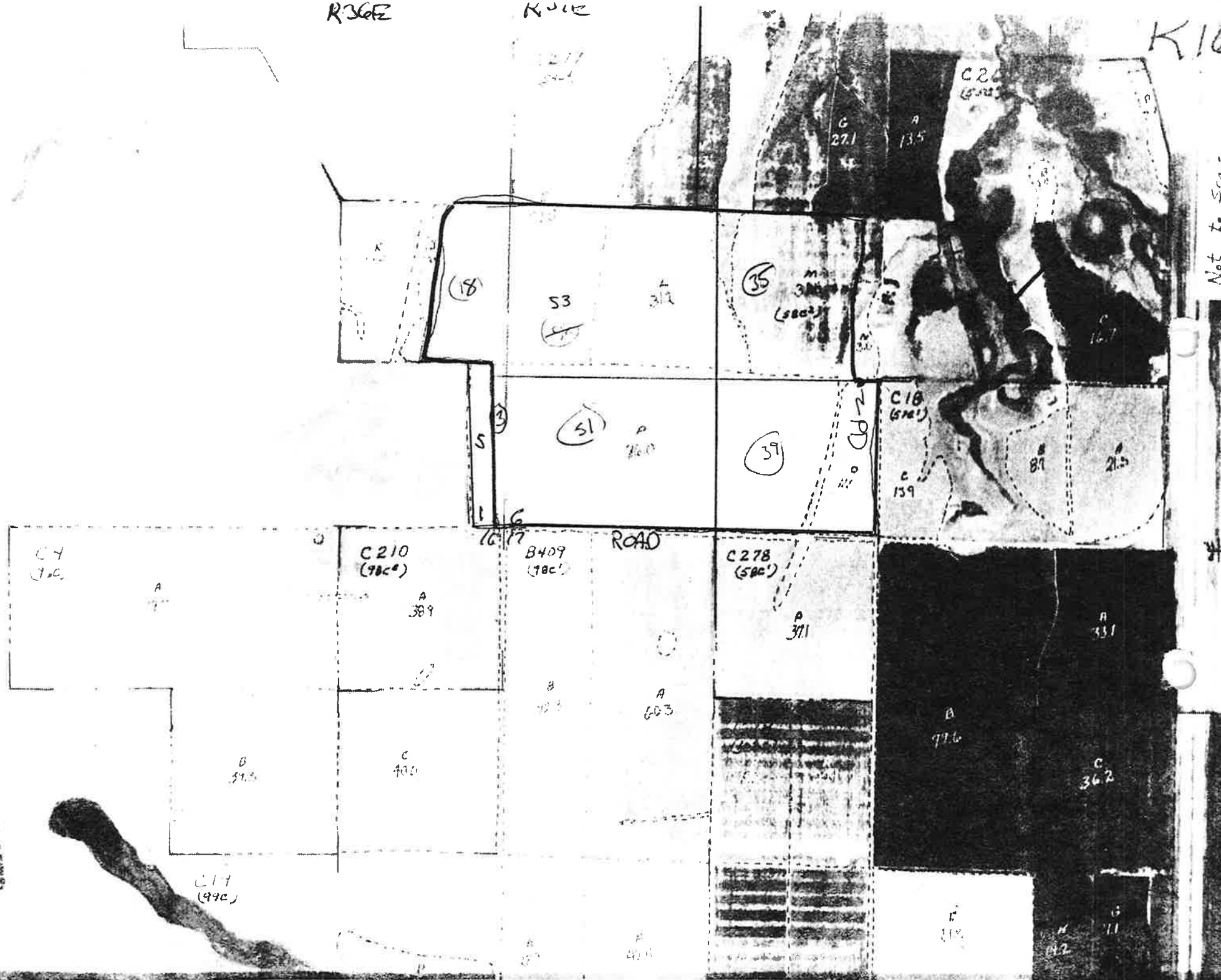


R36E

N10E

K10

29-7183



AJ5809NP
No. A29-07183

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 138

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN W HART 2435 E HAWKINS DOWNEY ID 83234 (208) 897-5743	06/29/1974	IRRIGATION	04-01 11-01	1.920 CFS	714.00 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					1.920 CFS	714.00 AFA 497.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R37E S06 SESW

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		
11S	36E	1	:					:					:					:	18				:	21.0
11S	37E	6	:					:					:	35	06-53	07-51	39	:					:	178.0
TOTAL ACRES																								199.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-04111

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04111

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.
016 - See remarks for additional conditions of approval.

Remarks: GEN IF AT SOME FUTURE DATE IT IS ESTABLISHED THAT THIS APPROPRIATION
REDUCES THE FLOW FROM PECK SPRINGS TO THE EXTENT THAT PRIOR RTS.
ON PECK CK. ARE AFFECTED, THIS RT. WILL BECOME SUBJECT TO
CONTROL OF THE WATERMASTER OF PECK CK.

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

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

Audit: 05/22/90 DCARLSON 07/25/94 THOMPSON 03/29/95 POST-STD

MAY 31 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: A29-07183
Date Received: 4/26/1990
Receipt No: E013753
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN W. HART
Address: 2435 E. HAWKINS
DOWNEY, ID 83234 208-897-5743

2. Date of Priority: JUN 29, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	6	SE	SW			BANNOCK

5. Description of diverting works:
WELL, PUMP & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.920		714.00

7. Total Quantity Appropriated is:
1.920 C.F.S. (and/or) 714.00 A.F.A.

8. Total consumptive use is 497.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	1	NE	SE		IRR	18.0
			SE	SE		IRR	3.0

A29-07183

Page 1

Date: 05/22/90

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A2907183



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
					Section Acres	21.0	
	37E	6	NE	SW	IRR	35.0	
			NW	SW	6	IRR	53.0
			SW	SW	7	IRR	51.0
			SE	SW	IRR	39.0	
					Section Acres	178.0	
					Total Acres	199.0	

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:
29-04111

14. Remarks:
IF AT SOME FUTURE DATE IT IS ESTABLISHED THAT THIS APPROPRIATION REDUCES THE FLOW FROM PECK SPRINGS TO THE EXTENT THAT PRIOR RTS. ON PECK CK. ARE AFFECTED, THIS RT. WILL BECOME SUBJECT TO CONTROL OF THE WATERMASTER OF PECK CK.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A29-07183
Date Received 4-26-90
Receipt Number EO13753NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John W. Hart Phone (208) 897-5743
Mailing Address 2435 E. Hawkins Downey, Ida Zip 832342. Date of Priority (Only one (1) per claim) June 29, 19743. Source of water supply (a) Ground Water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 11S. Range 37E Section 6,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 1.92 or 714.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.92 (cfs) and/or (b) 714.0 (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11S	36E	1													18			3	21
11S	37E	6									35	646	647	39					178

Total number of acres irrigated 199

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

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NOV 13 1992

Last Name Hart Ident No. 29-7183

Copies: White -State, Yellow-Claimant

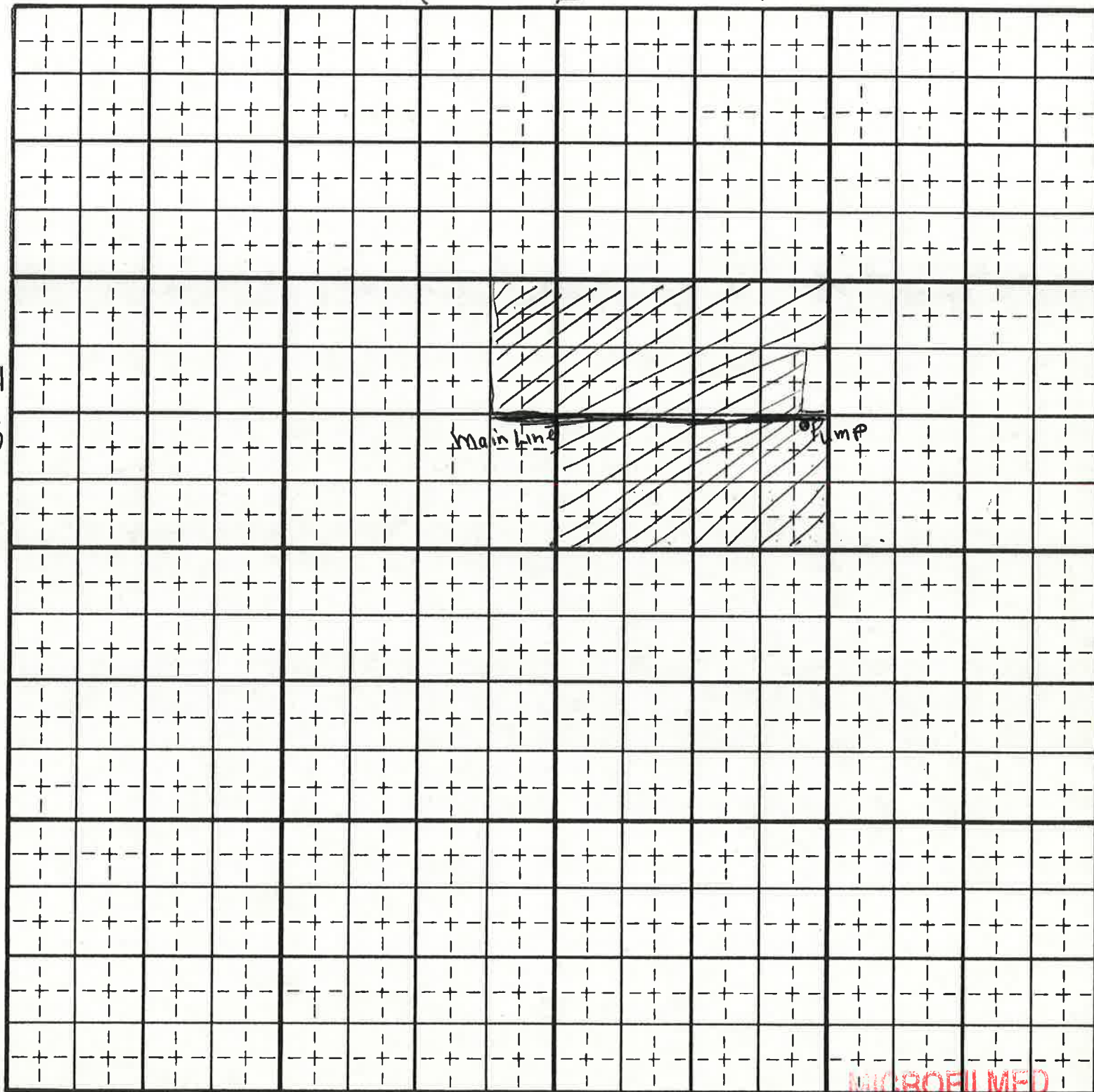
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

R 36 E

R 37 E

T
11
S



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NOV 13 1992

Last Name

HART

Ident No.

29-7183

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 29-7183

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) John Hart Date 4-25-90

John William Hart Date 4-26-90

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, that I have signed the foregoing document in the space below as _____ of _____

Organization _____ Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 26 day of April 19 90

SEAL

Notary Public [Signature]

Residing at 206 Falls Dr

My Commission Expires 22 Aug 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant