

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

06/19/2001

RIGHT NUMBER: 29-11410

NAME AND ADDRESS: MARY MOSS
1956 COTTAGE
POCATELLO, ID 83201

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
~~5.8 AFY~~
6.2

*corrected per map
6/20/01
Bac*

PRIORITY DATE: 05/14/1960

POINT OF DIVERSION: T06S R34E S16 NWSWN 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	0.04 CFS ~~4.20 AFY~~
STOCKWATER	01-01 12-31	0.02 CFS
DOMESTIC 1 HOMES	01-01 12-31	0.20 AFY 0.04 CFS 1.20 AFY

4.8

PLACE OF USE:

IRRIGATION Within BANNOCK County
T06S R34E S16 SWNW 1.2
STOCKWATER Use same as IRRIGATION DOMESTIC Use same as IRRIGATION

1.2 ACRES TOTAL

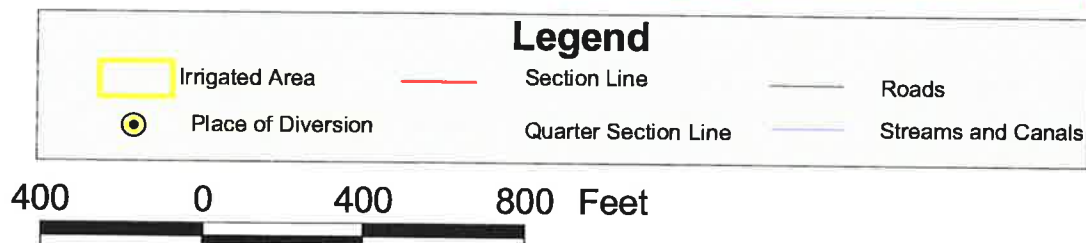
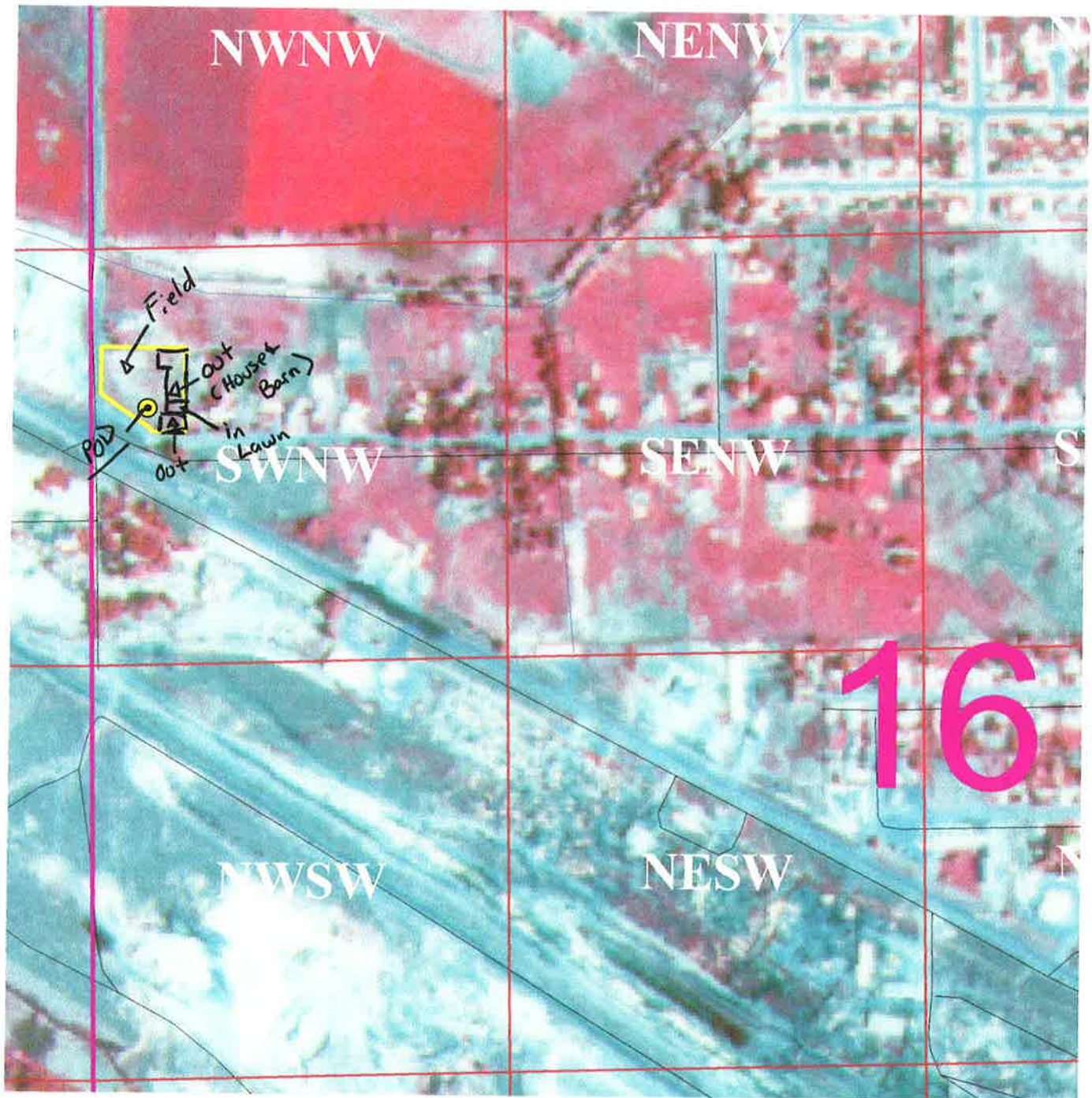
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

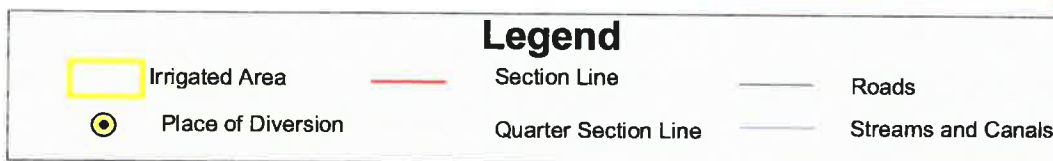
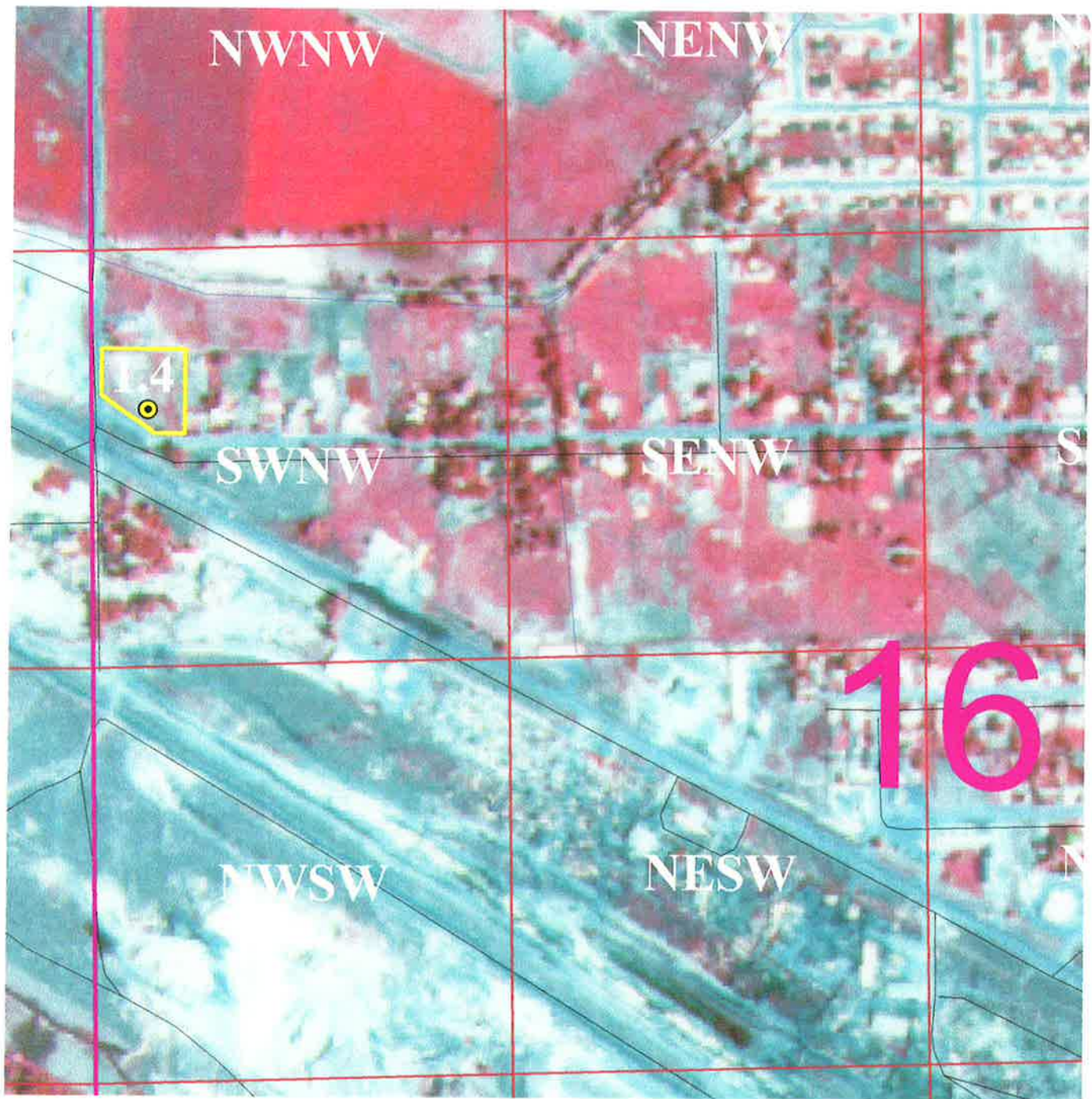
Water Right Claim Number A29-11410
Township , 6S34E

09/26/2000



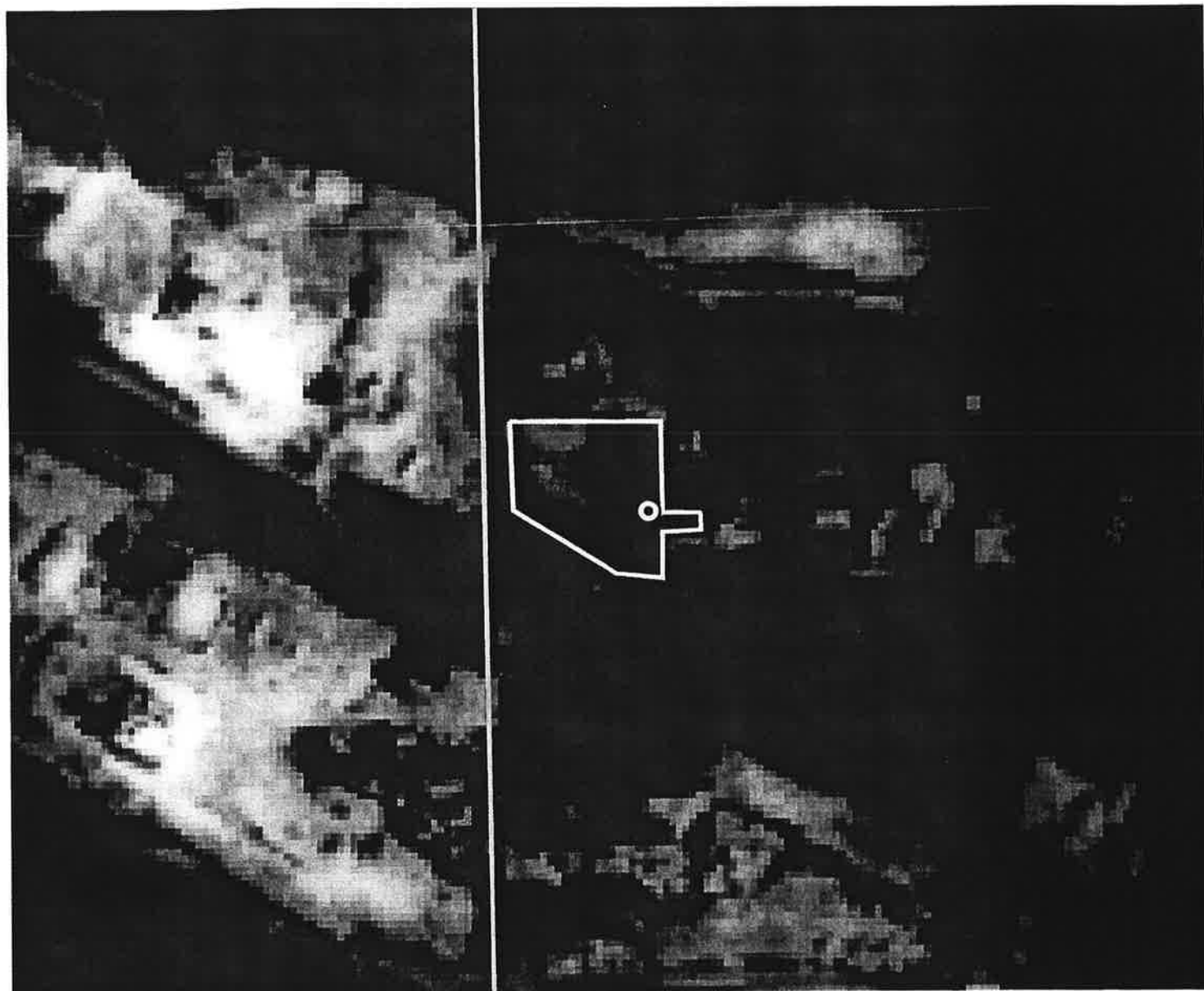
Water Right Claim Number A29-11410
Township , 6S34E

09/26/2000



Idaho Department of Water Resources

Water Right 29-11410



100 0 100 Feet



- ⊙ Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- Place of Use - Other Rights
- ▬ Township
- ▬ Section
- ▬ Quarter-quarter Section



Township 6S 34E 16 SWSW

Prepared from 1987/1988 NAPP photography by B. Contor, 6/2001.

02/13/2003

Paul

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: 29-11410

MARY MOSS

1956 COTTAGE

POCATELLO ID 83201

Telephone Number: (208)237-0709

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: 3-10-03

SIGNATURE: Mary Moss

Please print your name: MARY MOSS

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

RECEIVED
FEB 17 2003
Department of Water Resources
Eastern Region

Contor, Bryce

From: Contor, Bryce

Sent: Tuesday, June 19, 2001 11:37 AM

To: Shaff, Don

Subject: Please repair 29-11410

The attached screen dump shows my intent, and the attached word document shows that I'm unable to make the preliminary dir. Report reflect the selected POU.

The POUID in SDE is 492019 and the RightID for the recommendation is 553176.

Thanks.

Bryce Contor
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, ID 83402
208 525 7161
bcontor@idwr.state.id.us

http://wenet/appsW

File Edit View Fav

Back Forward Stop Home Search Favorites History Print W

Address Links WEnet

References

[System Help](#)
[Contact Help Desk](#)
[Document Management Search](#)
[Defect Tracking](#)
[Launch ArcView](#)
[Administrative Rules](#)
[Query Tools](#)

Show Help

Screen ID 384
Process: Claim Verification
Record
Step: Update Information

http://wenet/appsAJscrns/POUEntry.asp?RecommendationID=553176&ClaimID=306461&ParentIDs=- Microsoft Intern...

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites History Print W

Address Links WEnet Home Page IDWR Management System IDWR Workflow eCVR

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
06S	34E	16	SW	NW	BANNOCK		1.5	IRRIGATION
06S	34E	16	SW	NW	BANNOCK			STOCKWATER
06S	34E	16	SW	NW	BANNOCK			DOMESTIC

Use Claimed POU as Recommended POU

Parent Place of Use

Twp	Rge	Sec	1/4	1/4	County	Lot Num	Acres	Water Source	Water Right Nu...
-----	-----	-----	-----	-----	--------	---------	-------	--------------	-------------------

Recommended Place of Use

Twp Rge Sec Gov't Lot Num QQ Q

County Number of Acres Water Use

Add Edit Copy POU PLS Calculate Acreage Total Acreage

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of ...	POUID
06S	34E	16	SW	NW	BANNOCK		1.2	IRRIGATION	492019

Remove Selected POU Remove All Refresh

Copy From IRRIGATION Copy To STOCKWATER DOMESTIC

Save

Summary

Done

Local intranet

Start

Inbox - Microsoft... ArcView GIS 3.2a http://wenet/ap... Windows Task M... http://wenet/...

11:34 AM

06/19/2001

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

RIGHT NUMBER: 29-11410

NAME AND ADDRESS: MARY MOSS
1956 COTTAGE
POCATELLO, ID 83201

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
5.6 AFY

PRIORITY DATE: 05/14/1960

POINT OF DIVERSION: T06S R34E S16 NWSWN Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PLACE OF USE:

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 - Beneficial Use

MEMORANDUM

To: 29-11410
Fr: Bryce A. Contor
Date: 6/19/2001
Re: Claim Review

Bryce A. Contor

1. Priority Date. Recommend 5/14/1960 per affidavits of G. Allen Baldwin, C.E. Roper, and Larry M. Stewart. While the 1953 probate document indicates ownership of the property it does not clearly indicate use of water for irrigation.
2. Source. Ground water, per Dean Byington field work and affidavits.
3. Point of Diversion. Per Dean Byington GPS.
4. Purpose of Use. Domestic, stock, irrigation, per affidavits and Dean Byington inspection.
5. Period of Use. Domestic and stock, 4/1 – 12/31. Irrigation 4/1 – 10/31 per IDWR standard. This is shorter than claimed, but no documentation is presented to justify longer season. NOE process offers opportunity for claimant to clarify if needed.
6. Quantity. Domestic and stock as claimed. Irrigation claim is 0.04 cfs. POU is ~~0.7~~ ^{1.2} acres. At 0.03 cfs/acre for small parcels, this calculates to ~~0.021~~ ^{0.036} cfs. Recommend ~~0.02~~ ^{0.04} additive.

Irrigation volume $3.5 \text{ afa} \times \cancel{0.7} \text{ acres} = \cancel{2.5} \text{ afa}$. ^{4.2}

Domestic volume 1.2 afa from "Appendix IV" chart from Allocations Bureau.

Stockwater volume 0.2 afa from "Operations Division Administrator's Memorandum" April 7, 1975.

7. Place of Use. Per GIS, see attached layout. From Dean Byington sketch from field inspection. *GIS re-done, acres adjusted. See Dean Byington Terraserver sketch. JAC 6/19/01*
8. Remarks/conditions. C18. No need for "not a determination..." remark as historical use is documented. Attached receipt search shows that I could not find receipt. I presume that CFS were paid for and the D & S are not deminimus, so the daily gallon limitations are not imposed.

References

[System Help](#)

[Contact Help Desk](#)

[Document Management Search](#)

[Defect Tracking](#)

[Administrative Rules](#)

Tools

Show Help

Start

Inbox - M...

http://w...

ArcView ...

S_25_01...

MEMORA...

Windows ...

Local intranet

10:47 AM

http://wenet/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites History Print

Links WENet Home Page IDWR Management System IDWR Workflow eCVR Hotmail - The World's FREE Web-based E-mail (3)

Receipt ID

Start

End

Receipt Date

3/1/1990

6/1/1990

Name

Moss

Receipt Total Amount

Comment

Fee Description

Search

Receipt ID	Payer	Date	Amount	Status	Comments
W010063	MOSS, DENNIS	3/1/1990 1:17:...	\$25.00		ADJUDICATION CLAIM
M006217	MOSS, DON B.	3/13/1990 10:...	\$50.00		ADJUDICATION FEE
E012366	PETERSEN, M...	3/14/1990 5:0...	\$24.00		COPIES
E012483	PETERSEN, M...	3/21/1990 4:0...	\$104.00		LATE FEE
E012575	PETERSEN, M...	3/28/1990 11:...	\$175.00		EXAM FEE- 27-07330
E012875	MOSS, NORM...	4/5/1990 2:43:...	\$50.00		ADJUDICATION FEE
W012223	MOSS, TONY	4/19/1990 1:4...	\$25.00		ADJUDICATION CLAIM
S012231	MOSS, DANIEL	4/30/1990 12:...	\$5.00		ADJUDICATION FEE

Hide References

Next Step

Previous Steps:

Screen ID 376

Photo #12



Picture of pump house, facing north.

Photo #13



Facing east overlooking field and house in background. Pump is located in back of trailer to left of picture.

COMMUNICATION DOCUMENTATION

Claim No. 29- 11410

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date 5/21/01Contact Person(s) Mary Moss and her husband.Nature of Contact Went to door.

Substance of Communication _____

- 1) Asked what part of Property was being irrigated.
- 2) West part of Property is being irrigated with 6, 3" sprinkler pipes. Lawn is also being irrigated. (Field is about 1.5 acres)

CLAIM NO. 29 - 11410

IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR

1. ☒ NAME - No change
☐ NEW OWNER: _____
 (SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
 (EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
When 1st = T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
 (LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af
 _____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS _____

CONDITIONS _____

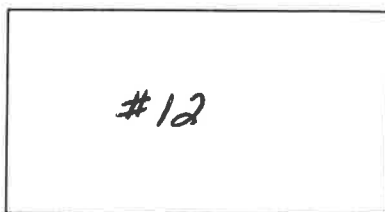
Reviewer _____ Date _____

WR #: 29-11410

DATE: 5/21/01

GPS File: 11410 OR

Northing: _____
Easting: _____



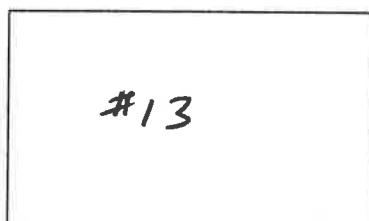
Notes: Picture of Pump House, Facing North

WR #: 29-11410

DATE: 5/21/01

GPS File: 11410 Or

Northing: _____
Easting: _____



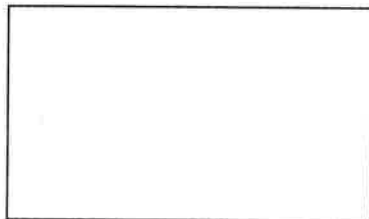
Notes: Facing ~~West~~ East, overlooking field and house in back ground Pump is located in back of Traylor to left of picture.

WR #: _____

DATE: _____

GPS File: _____ Or

Northing: _____
Easting: _____



Notes: _____

SCANNED

MAY 16 2001

Log for claim A29-11410

Spatial Dynamics LTD

9/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s34e	16	SWNW	1.5	1.4	
Totals:			1.5	1.4	

5/21/01

* West part of Pasture being Irrigated. Lawn also being Irrigated

* 4 - 3" pipes Irrigating field.

AJ5809NP
No. A29-11410

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 169

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY MOSS 1956 COTTAGE POCATELLO ID 83201 (208) 237-0709	06/01/1940	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	0.040 CFS 0.020 CFS 0.040 CFS	
TOTAL DIVERSION:					0.080 CFS	
CONSUMPTIVE USE:						4.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R34E S16 NWSWNW

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	:	
06S	34E	16	:					:					:					:					:	1.5
TOTAL ACRES																							1.5	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	34E	16	:					:					:					:					:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	34E	16	:					:					:					:					:	

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC FOR ONE HOME AND STOCK-UP TO 6 HEAD

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-04319 A29-04319

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	04/18/90 JONES	03/29/95 POST-STD	

RECEIVED

MAR 23 1995

STATEMENT OF MARY MOSS PRESENT OWNER OF THE PROPERTY ^{Department of Water Resources}
INVOLVED IN THE WATER RIGHT CLAIM, A-29-11410 ^{Eastern District Office}

I, Mary Moss, submit the following information and facts, supported by court documents and records, enclosed, that my claim dating my water right to 1940 is valid.

In the late thirties, the property was owned and farmed by the Brady family. After the death of Irene Brady's spouse, the property involved was leased by Irene Brady for farm purposes. Mrs. Brady sold the property to Ernest and Bonnie Lou Hackbarth including water rights.

The Hackbarths farmed the property until their death in 1953 as shown by the Probate Court of Bannock County, State of Idaho, estate filing. The property was left to Phillip Hackbarth, a minor, and was handled by his legal guardian, Alice Haight Garner. The property was leased for farming until sold in July 1957 to Clarence R. and Margie F. Eichelberger.

In the year 1960, Margie F. Moore(formerly Margie F. Eichelberger) sold the property to Dave Siewert, who in turn sold the property to Sam and Mary Moss in the year 1960. The history of the property supports that it has always been used for farm and pasture use and therefore fully supports my water right claim to the year 1940.

Enclosures:

Indenture: Irene M. Brady & Ernest and
Bonnie Lou Hackbarth
Estate filing of Ernest & Bonnie Lou
Hackbarth

Indenture: Estate of Philip Hackbarth,
a minor, by Alice Haight Garner, Guardian,
and Clarence R. & Margie Eichelburger

Indenture: Marjorie F. Moore(formerly
Margie F. Eichelburger and Dave Siewert

Mary Moss
Mary Moss
Owner

MICROFILMED
NOV 14 1990

A F F I D A V I T

RECEIVED

MAR 23 1995

Department of Water Resources
Eastern District Office

STATE OF IDAHO }
 }
COUNTY OF BANNOCK }

G. Allen Baldwin

~~Sam and Mary Moss~~, being first duly sworn,
Name

on his/her oath, deposes and says:

Sam and Mary Moss purchased the property presently

known as:

Tr. lot 7 Twp 22 Block 1

on 5-14-60. The previous owners were using
Date

the well (which was the only source of water in the area) for the purpose of raising shetland ponies, stock water, irrigation of pasture etc. Sam and Mary Moss began the operation of raising registered quarter horses, and at one time owned and raised in excess of twenty.

The well which still was the only source of water, was used for irrigation of pasture, stock water, and domestic use, and is presently used for irrigation of pasture and stock water.

G. Allen Baldwin
{affiant}
9878 N. Bannock Rd.
{Address}

SUBSCRIBED AND SWORN TO before me this 14th day of March 1995

Patricia R. Spiker
Notary Public NOV 19 1990
Residing at Pocatello
Comm. Expires 4/22/99

A F F I D A V I T

RECEIVED

MAR 23 1995

Department of Water Resources
Eastern District Office

STATE OF IDAHO }
 }
COUNTY OF BANNOCK }

C.E. Roper
Name

, being first duly sworn,

on his/her oath, deposes and says:

Sam and Mary Moss purchased the property presently

known as:

Pr. Lot 7 Twp 22 Block 1

on 5-14-60
Date

The previous owners were using

the well (which was the only source of water in the
area) for the purpose of raising shetland ponies, stock
water, irrigation of pasture etc. Sam and Mary Moss
began the operation of raising registered quarter horses,
and at one time owned and raised in excess of twenty.

The well which still was the only source of water, was
used for irrigation of pasture, stock water, and domestic
use, and is presently used for irrigation of pasture and
stock water.

C E Roper
{affiant}
454 Moreland Ave.
{Address}

SUBSCRIBED AND SWORN TO before me this 14th day of March 1995

Patricia R. Spiker
Notary Public for Idaho
Residing at Pocatello

Commission Expires 4/22/99
NOV 14 1996

RECEIVED

MAR 23 1995

Department of Water Resources
Eastern District Office

A F F I D A V I T

STATE OF IDAHO }
 }
COUNTY OF BANNOCK }

Larry M. Stewart

~~Mary Moss~~, being first duly sworn,
Name

on his/her oath, deposes and says:

Sam and Mary Moss purchased the property presently
known as:

Tr. Lot 7 tax 22 Block 1

on 5-14-60. The previous owners were using
Date

the well (which was the only source of water in the
area) for the purpose of raising shetland ponies, stock
water, irrigation of pasture etc. Sam and Mary Moss
began the operation of raising registered quarter horses,
and at one time owned and raised in excess of twenty.

The well which still was the only source of water, was
used for irrigation of pasture, stock water, and domestic
use, and is presently used for irrigation of pasture and
stock water.

Larry M Stewart

8793 N Kraft Rd Po Id
{Affiant}
{Address}

SUBSCRIBED AND SWORN TO before me this 14th day of March 1995

Patricia Roy Spiker
Notary Public for Idaho
Residing at Pocatello

Comm. Expires 4/22/99

SEHEN & PETERSON
ATTORNEYS AT LAW
POCATELLO, IDAHO

IN THE PROBATE COURT OF BANNOCK COUNTY,
STATE OF IDAHO

FILED
3790

AUG 21 1953
Mabel Ward
Deputy Clerk of Probate Court
Bannock County, Idaho

MAR 23 1955

Department of Water Resources

District Office

The Estate of ERNEST G. HACKBARTH, District Office
ALSO known as ERNEST HACKBARTH, and
BONNIE LOU HACKBARTH, his wife.

PETITION FOR APPOINTMENT OF
ADMINISTRATRIX

Deceased.

Comes now your Petitioner, ALICE HAIGHT GARNER, of Sugar City,
Madison County, Idaho, and petitions this Honorable Court, and gives the
Court to be informed as follows, to-wit:

I.

That on or about the 25th day of July, 1953, ERNEST G. HACKBARTH,
also known as ERNEST HACKBARTH, and BONNIE LOU HACKBARTH, his wife, died
intestate in Bingham County, Idaho, that during their lifetime each were
residents of Pocatello, Bannock County, Idaho;

II.

That the said ERNEST G. HACKBARTH, also known as ERNEST HACKBARTH
and BONNIE LOU HACKBARTH, his wife, left an estate, consisting of community
property in Bannock County, Idaho, consisting generally of the following:

All of Lot 9, Block 1, of the first Addition to Home Acre
subdivision, as the same as shown on the recorded plat thereof,
on file in the office of the County Recorder, Bannock County,
State of Idaho.

Also an equity in the following described property:

All of the West One-Half (1/2) of Lot Seven(7)
Block One (1) of the First Addition to Home
Acres Subdivision as the same is shown on the
recorded plat thereof on file and of record in
the office of the County Recorder, Bannock County,
State of Idaho, together with all water rights.

Which property is subject to an agreement of sale dated,
June 30, 1947, between Irene M. Brady, a widow, party of the
first part, and Ernest G. Hackbarth and Bonnie Lou Hackbarth,
his wife, parties of the second part, and paying to all said
agreement of sale, the sum of \$3,193.78, plus interest, at the
rate of 6% per annum, from December 16, 1952.

Also Household goods and furnishings recorded on the last
described real property, together with livestock, as follows:

Two Saddle horses

One cow and yearling calf; Chickens, and other
property, the exact extent and nature of which is
not known to your Petitioner.

III.

That the sole heir of the said ERNEST G. HACKBARTH, also known,

ZENER & PETERSON
ATTORNEYS AT LAW
FOOTSTELLER, IDAHO

- 2 -

1 as ERNEST HACKBARTH, and BONNIE LOU HACKBARTH, his wife, is a minor child,
2 PHILLIP HACKBARTH, age Eighteen (18) months. Your Petitioner is the duly
3 appointed Guardian of the person and estate of said minor child, appointed
4 by the Probate Court, Bannock County, State of Idaho.

5 IV.

6 That due and diligent search has been made for a Last Will and
7 Testament of the said deceased and each of them, and no such Last Will and
8 Testament has been discovered and your Petitioner alleges that the said
9 ERNEST G. HACKBARTH, also known as ERNEST HACKBARTH, and the said BONNIE LOU
10 HACKBARTH, his wife, died intestate.

11 V.

12 That probate of the said Estate is sought under the provisions
13 of 15-313, of the Idaho Code.

14 WHEREFORE, Your Petitioner prays that due and legal notice of this
15 Petition be given as required by law and the orders of this Court, and that
16 a time and place of hearing be fixed for a hearing of said Petition, and
17 that notice be given according to law, and upon such hearing, the Court
18 enter its order authorizing and directing that said Estate be joined by
19 probate in a single proceeding and further appointing your Petitioner as
20 Administratrix of said estate and fixing the bond thereon, and for such
21 other orders as required by law.

22 ZENER & PETERSON
23 Attorneys for Petitioner

24 By *William H. Zener*
25 Residing at: Footstello, Idaho

26
27 RECEIVED

28 MAR 23 1995

29 Department of Water Resources
30 Eastern District Office
31
32

#266-40 122

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356818

THIS INDENTURE, made this 4th day of May in the year of our Lord, One Thousand Nine Hundred and STAY, between MARGORIE F. MOORE formerly MARGIE F. EICHENBERGER and RALPH J. MOORE, of Pocatello, County of Bannock, State of Idaho, her husband, the part ten of the first part, and

DAVE STEWART, of Pocatello, County of Bannock, State of Idaho, the part y of the second part.

WITNESSETH That the said part ten of the first part, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part y of the second part, and to his heirs and assigns forever: All those certain lot n, piece n or parcel n of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit

Lot 9, Block 1, FIRST ADDITION HOME ACRES, and the Westerly 1/2 of lot 7, Block 1, FIRST ADDITION HOME ACRES, a Subdivision in Bannock County, Idaho...
Subject to easements, reservations, restrictions and rights-of-way of record.



RECEIVED
MAR 23 1999
Department of Motor Vehicles
Eastern District Office

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.
TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said part y of the second part, and to his heirs and assigns forever and the said part ten of the first part and their heirs warrant the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns against the said part ten of the first part, and their heirs and against all and every person or persons whomsoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.
IN WITNESS WHEREOF, the said part ten of the first part have hereunto set their hands and seal n the day and year first above written.

Signed, Sealed, and Delivered in the Presence of

_____[SEAL]_____
_____[SEAL]_____
_____[SEAL]_____
_____[SEAL]_____

356818

STATE OF IDAHO,
COUNTY OF BANNOCK

}

On this 27th day of May, 1960, before me
a Notary Public in and for said County and
State, personally appeared MARGORIE P. MOORE, formerly MARGIE P. EICHENBERGER
and RALPH J. MOORE, her husband,

known to me to be the person whose name is here
subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year
in this certificate first above written

[Signature]

Notary Public

Residence Pocatello, Idaho

356818
WARRANTY DEED

10

Dated 19

STATE OF IDAHO,
COUNTY OF B

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

at minutes past
o'clock M this day of
A. D. 19
at my office and duly recorded in Book
of Deeds at page

By Ex-Officio Recorder
Deputy
Fee \$

RECEIVED

MAR 23 1960

Department of Water Resources
Eastern District Office

356818
M.T.C.

MAY 27 3 09 PM '60

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fe.

THIS INSTRUMENT made this 29th day of August in the year of our Lord, One Thousand Nine Hundred and Fifty-Seven, between The Estate of PHILLIP HACKBARTH, a minor, by his guardian, ALICE HAIGHT GARNER, of Sugar City, County of _____, State of Idaho the party of the first part and CLARENCE R. EICHELBERGER and MARGIE P. EICHELBERGER, his wife

of Pocatello, County of Bannock, State of Idaho the parties of the second part

WITNESSETH That the said part ies of the first part for and in consideration of the sum of ONE DOLLAR and other good and valuable consideration DOLLARS, lawful money of the United States of America, to her in hand paid by the said part ies of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part ies of the second part, and to their heirs and assigns forever All that certain lot piece or parcel of land situate, lying and being in the County of Bannock State of Idaho, bounded and more particularly described as follows, to wit

Lot 9, Block 1, FIRST ADDITION TO HOME ACRES, Bannock County, Idaho, and the West one-half of Lot 7, Block 1, FIRST ADDITION TO HOME ACRES, Bannock County, Idaho. SUBJECT to rights of way, reservations and restrictions of record.

This Warranty Deed is executed by the PARTY OF THE FIRST PART in accordance with Confirmation of Sale made and entered into on the 29th day of July, 1957 in the Probate Court of Bannock County, State of Idaho, in the matter of the Guardianship of PHILLIP HACKBARTH, a minor.



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MAR 23 1996

Department of Water Resources
Eastern District Office

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said part ies of the second part, and to their heirs and assigns forever and the said part y of the first part, and heirs and assigns warrant the said premises in the quiet and peaceable possession of the said part ies of the second part, their heirs and assigns against the said part y of the first part, and heirs and against all and every person or persons whomsoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said part y of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

THE ESTATE OF PHILLIP HACKBARTH, a minor,
by his guardian, ALICE HAIGHT GARNER

By: Alice Haight Garner [SEAL]

[SEAL]

[SEAL]

[SEAL]

356817

STATE OF IDAHO,

COUNTY OF Bannock

} ss

On this 29th day of July in the year 1957, before me

a Notary Public in and for said County and

State, personally appeared ALICE HAIGHT GARNER

as guardian known to me to be the person whose name is

subscribed to the within instrument/and acknowledged to me that she executed the same as such guardian.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

M. E. Jones
Notary Public

Residence Pocatello, Idaho

RECEIVED

MAR 23 1955

Department of Water Resources
Eastern District Office

WARRANTY DEED

356817

TO

Book 19

STATE OF IDAHO

COUNTY OF } ss

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

at

Book 19

Page of

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at my office and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By

Deputy

Fee \$

356817

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Mar 29 3 00 PM '55

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MAR 23 1995

Department of Human Resources
Eastern District Office

Jun-

of Footello County Bannock State Idaho

Convey and Confirm unto said parties of the second part, their heirs, assigns forever All at lot _____ piece or parcel of land situated being and being in the County of _____ State of Idaho bounded as described as follows, to-wit:

Parties of the second part assure and agree to pay all county, state, and school taxes that may become due for the year 1947, or thereafter; and also all operation, maintenance, and any unpaid construction charges due the United States Government or any department thereof.

(U.S.T.R. \$1.65 Attached to Seed and Cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereto, to the said unto the said parties of the second part, and to their heirs and assigns forever. And the said part y of the first part, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said part y of the first part, and her heirs and every person or persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend. IN WITNESS WHEREOF, the said part y of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Irene M. Brady

STATE OF ~~MAH~~ CALIFORNIA

County of SAN MATEO

On this 30th day of June in the year 1947, before me, the undersigned a Notary Public in and for said County and State, personally appeared

IRENE M. BRADY, a widow

subscribed to the within instrument, and acknowledged to me that she is known to me to be the person executing the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this

(SEAL)

My Commission Expires Oct 9th, 1948.

H. Kent Atwater Notary Public
Residence Burlington

I hereby certify that this instrument was filed for record at the request of John R and Peterson, Carlborough, Minn.
at 15 minutes past 9 o'clock A. M. this 31 day of December A.D. 1913

Feb. 23 1925

Anna Keele.

15

In Book 119 of Deeds, page 86.

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: A29-11410
Date Received: 4/18/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARY MOSS
Address: 1956 COTTAGE
POCATELLO, ID 83201
208-237-0709

2. Date of Priority: JUN 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	34E	16	NW	SW	NW		BANNOCK

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS AND LINE TO ONE HOME AND STOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 4.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC FOR ONE HOME AND STOCK-UP TO 6 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	34E	16	SW	NW		STOCK	

A29-11410 Page 1 Date: 04/18/90

A2911410



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NOV 16 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	34E	16	SW	NW		IRR	1.5
			SW	NW		DOMEST	

Section Acres 1.5

Total Acres 1.5

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 X 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): Mary Moss Date: 4-18-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th day

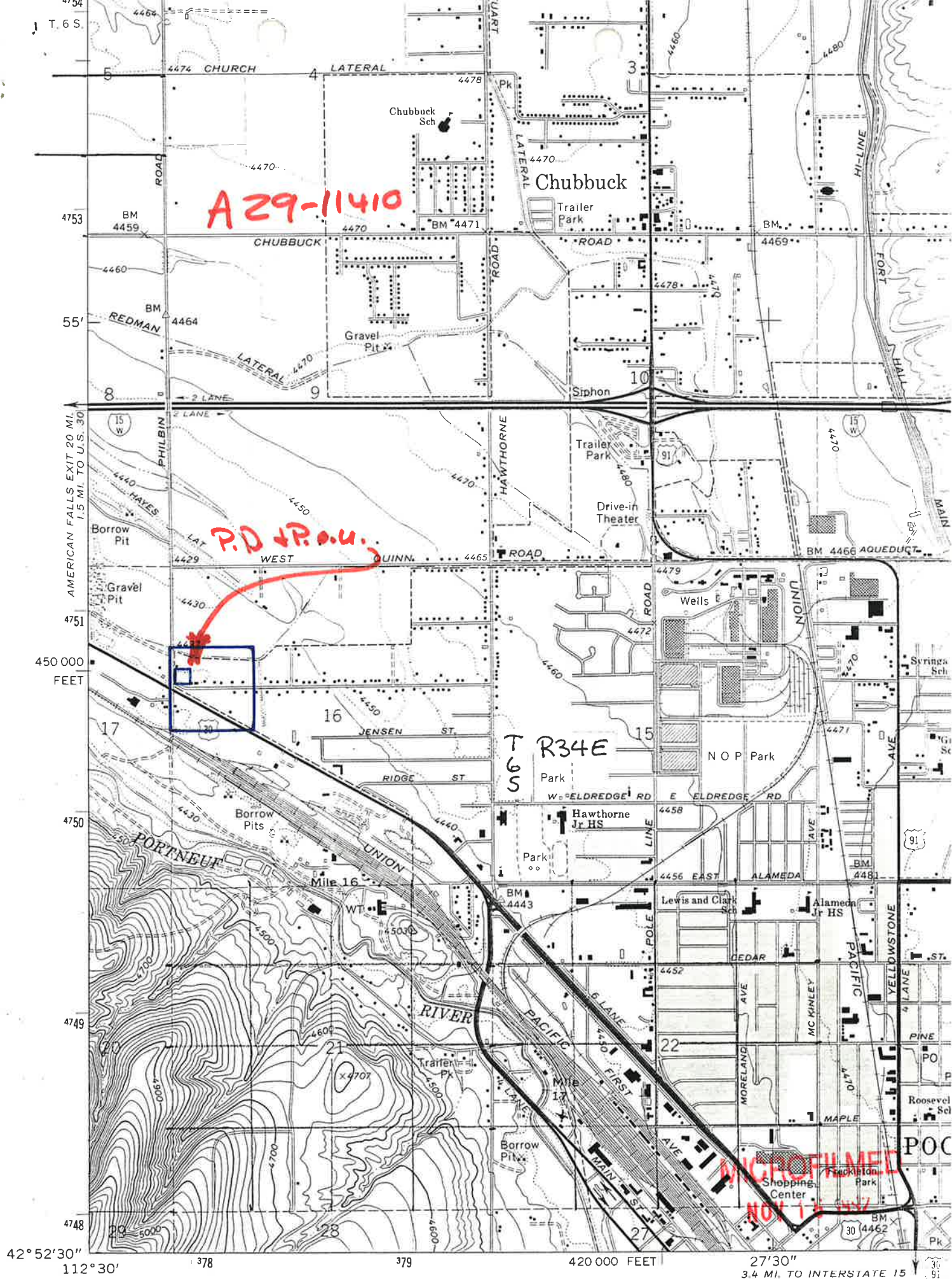
of April 19 90

Colleen Wray
Notary Public

Seal

Residing at Wabo Falls

My Commission Expires 5/29/1991



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

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