

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/8/2026

Water Right 36-64B
AFTER OC Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBIN T HART & ROBERT M HART REVOCABLE TRUST 300 STATE PARK DR STE 1 APTOS, CA 95003-4474 (831) 818-6721
Original Owner	MICHAEL J FLEMING 938 E 2700 S HAGERMAN, ID 83332
Original Owner	PAUL F FLEMING PO BOX 54 HAGERMAN, ID 83332 (208) 000-0000
Trustee	ROBIN T HART 300 STATE PARK DR STE 1 APTOS, CA 95003-4474 (208) 837-6650
Trustee	ROBERT M HART 300 STATE PARK DR STE 1 APTOS, CA 95003-4474 (208) 834-6650

Priority Date: 9/10/1884

Basis: Decreed

Status: Active

Source
BILLINGSLEY CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	2.110 CFS	
	<u>Total Diversion</u>		2.110 CFS	

Source and Point(s) of Diversion:

BILLINGSLEY CREEK SESENE

Sec. 11, Twp 07S, Rge 13E, GOODING County

Place Of Use:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/8/2026

IRRIGATION within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	23							10.3										10.3

POU Total Acres: 10.3

Conditions of Approval:

1. OF THE TOTAL QUANTITY, 1.81 CFS IS FOR CONVEYANCE LOSS. THE SAME CONVEYANCE LOSS IS SHARED AND USED IN COMBINATION WITH ALL OTHER WATER RIGHTS DIVERTED OUT OF THE BUCKEYE DITCH.
2. 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.
3. WATER IS DELIVERED THROUGH THE BUCKEYE DITCH.

Comments:

- 1 SCHULTZ 9/21/1992 NOTICE OF ERROR (NOE)
RECEIVED NOE 9/18/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 8/5/92. DID NOT REVERIFY ANY PART OF CLAIM.
- 2 CHRISTEN 10/14/1992 RESPONSE TO NOE
THE RECOMMENDATION IS BASED UPON A FIELD EXAM WHERE FEWER ACRES THAN CLAIMED WERE FOUND TO BE IRRIGATED. NOE STATES "all" THEREFORE I HAVE RESPONDED WITH A STANDARD LETTER "amount recommended less than decreed amount." NO CHANGES RECOMMENDED AT THIS TIME. KKC 10-14-92.
- 3 SCHULTZ 2/19/1993 ADDED NEW ATTORNEY
RECEIVED NOTICE OF APPEARANCE FROM HEPWORTH NUNGESTER LEZAMIZ 2/10/93. CLAIM VERIFIED 10/14/92. DID NOT REVERIFY CLAIM.
- 4 CFRITSCH 6/29/1996 COPIED FROM REMARKS
0.16 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
- 5 DTUTHILL 7/1/1996 COPIED FROM REMARKS
A DIVERSION RATE OF 0.56 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.
- 6 SSHERMAN 9/2/1999 ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.
- 7 vhancock 3/6/2002 B36 2002 REVIEW

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RECOMMENDATION V2 FOR RIGHT 36-64B WAS UPDATED TO REFLECT THE AMENDED FINDINGS OF FACT AND CONCLUSIONS FILED 5-24-1999 AND THE SUBSEQUENT PARTIAL DECREE FILED 01-03-2002.

8	Ownership Change	3/7/2018	Split Right
Split into 36-64B and 36-17127 as the result of an ownership change.			
9	tfawcett	3/7/2018	POU
Updated Shape			
10	tywallac	6/8/2026	POU
Updated Shape			
11	tywallac	6/8/2026	Split Right
Split into 36-17372.			

Dates and Other Information:

Decreed Date: 3/3/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 36A
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 36-64B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 4/29/1993
Objection Status: Active

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Water Right

36-64B

IRRIGATION AFTER SPLIT

ROBIN T HART & ROBERT M HART REVOCABLE TRUST

13E



- | | |
|-----------------------|------------------|
| Place Of Use Boundary | Sections |
| State Outline | Quarter Quarters |
| Townships | Parcels |



0 0.04 0.09 0.14 0.18 Miles



Imagery: 2023 Aerial Photography
Prepared By Wallace, Tyler

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BEFORE OC SPLIT**

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Priority Date: 9/10/1884

Basis: Decreed

Status: Active

Source
BILLINGSLEY CREEK

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION

From
02/15

To
11/30

Diversion Rate
3.490 CFS

Volume

Total Diversion 3.490 CFS

Source and Point(s) of Diversion:

BILLINGSLEY CREEK

SESENE

Sec. 11, Twp 07S, Rge 13E, GOODING County

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Place Of Use:

IRRIGATION within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	23					6.0	11.0											17.0

POU Total Acres: 17.0

Conditions of Approval:

1. OF THE TOTAL QUANTITY, 2.98 CFS IS FOR CONVEYANCE LOSS. THE SAME CONVEYANCE LOSS IS SHARED AND USED IN COMBINATION WITH ALL OTHER WATER RIGHTS DIVERTED OUT OF THE BUCKEYE DITCH.
2. 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.
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Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
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State of Idaho
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Water Right

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IRRIGATION BEFORE SPLIT

ROBIN T HART & ROBERT M HART REVOCABLE TRUST



- | | |
|-----------------------|------------------|
| Point of Diversion | Townships |
| Place Of Use Boundary | Sections |
| State Outline | Quarter Quarters |



0 0.4 0.8 1.2 1.6 Miles



Imagery: 2023 Aerial Photography
Prepared By Wallace, Tyler

State of Idaho
Department of Water Resources

Water Right

36-64B

IRRIGATION BEFORE SPLIT

ROBIN T HART & ROBERT M HART REVOCABLE TRUST

13E

07S



- | | |
|---|--|
|  Place Of Use Boundary |  Sections |
|  State Outline |  Quarter Quarters |
|  Townships |  Parcels |



0 0.05 0.1 0.15 0.2 Miles



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