

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: A24-02004
Date Received: 2/13/1990
Receipt No: EO 12041
Received By: EN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TED C. FROME 307-886-3191
Address: P.O. BOX 968
AFTON WY., ID 83110

2. Date of Priority: AUG 19, 1904

3. Source: TYGEE CREEK Trib. to: STUMP CREEK
SALT LICK CREEK TYGEE CREEK
DRANEY CREEK TYGEE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	46E	3	SW	SE	NW		CARIBOU
		10	NW	NE	NW		CARIBOU
			SE	NE	NW		CARIBOU

5. Description of diverting works:
HEADGATES IN STREAM TO DIVERSION DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.820		

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

8. Total consumptive use is 237.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 400 HEAD RANGE CATTLE

A2402004



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	46E	3	NE		NW		IRR	17.0
			NW		NW		IRR	11.0
			SE		NW		IRR	30.0
			NE		SW		IRR	32.0
			SE		SW		IRR	33.0
							Section Acres	123.0
							Total Acres	123.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
USGS QUAD INDICATES TAGEE CK. AS TYGEE CK., HORSESHOE CK. NOT LISTED, SALT CK. AS SALT LICK CK.

15. Basis of Claim: LICENSE
Water Right Number: 787

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 Individuals:

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

Signature of Claimant(s): Ed G. Hume Date: 2-13-90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 13 day

of February 19 90

Seal

[Signature]
Notary Public

Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994

T75

T85

R46E

DIVERSION
A24-02004

DIVERSION A24-02012

DIVERSIONS
A24-02004

R46E

NOV 03 1997

CARROLL CO
LINCOLN CO
ARBOUR CO
LINCOLN CO

RIDGE

Log for claim 24-02004

Spatial Dynamics LTD

4/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s46e	3	NENW	17	23	
08s46e	3	NWNW	11	9.9	
08s46e	3	SENW	30	37	
08s46e	3	NESW	32	33	
08s46e	3	SESW	33	33	
Totals:			123	135.9	

 Bannock County *
 Tague, Horse Shoe, Salt Creeks *
 Irrigation and Domestic use *
 2.82 second feet *
 Priority 8-19-1904 *

STATE OF IDAHO

Water License No. 787.

WHEREAS, On the 19th day of August A.D. 1904 JOHN G. MILLER, of Fairview, County of Uinta, and State of Wyoming, duly made application (No. 1113) to me for a permit to use 3.2 cubic feet per second of the waters of Tague Creek, Horse Shoe Creek, Salt Creek and tributaries, County of Bannock, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 3rd day of September A.D. 1906 Permit No. 787 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 3rd day of September A.D. 1906 and for the application to beneficial use of said water on or before the 3rd day of September A.D. 1909, and,

WHEREAS, On the 1st day of September A.D. 1906 the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 787 dated October 22, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of August 19, 1904, and,

WHEREAS, On the 1st day of September, A.D. 1909, proof was duly made of the application to beneficial use of 2.82 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN G. MILLER, of Fairview, Wyoming, the holder and owner of said permit No. 787, a perpetual right, dating from August 19, 1904, to the use of 2.82 cubic feet per second of the waters of Tague, Horse Shoe and Salt Creeks and tributaries, 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 as follows: #1 in NE $\frac{1}{4}$ or NW $\frac{1}{4}$ of sec. 10, #2 in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 3; #3 in SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 9, T. 8 S. R. 46 E. B.M., and conducted to and upon (40 acres in northeast quarter of southwest quarter; 39 acres in southeast quarter of northwest quarter; 39 acres in northeast quarter of northwest quarter; 23 acres in northwest quarter of the northwest quarter; all in section 3, township 8 south, range 46 east of B.M., 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 17th day of September, A.D. Nineteen Hundred and eight.

Jas. Stephenson, Jr.

State Engineer.

(SEAL)

Recorded September 17, 1908.

John L. Miller.

Fairview.

County Winta State of Wyoming.

(A) ~~Date and place of incorporation~~

(b) *The amount of capital stock.*

(c) *The amount paid in*

(d) *The names and addresses of directors*

(a) Cash on hand - Stock raising - Raising business, value - \$1,000

(b) Treasury stock

(c) *Bonds to be issued*

(d) *Other resources*

2. The quantity of water claimed is 3 and 1/5 cubic feet per second

3. Source of water supply *Finner Creek, Horse Shoe Creek, Salt Creek, & small tributaries in Summit*

4. Location of point of diversion. Laton + 544.4 + 224.4 = 768.8 E. on N. 10° 24' 30" 10 22.8

5. *To be used for:*

I. Irrigation and domestic use:

(a) Number of acres to be irrigated ----- One Hundred Sixty ----- acres

(b) In the following legal subdivisions Lots 3 & 4, S. E. 1/4 N. 1/4 & N. E. 1/4 S. 1/4 of Sec.

3. Sp. 85. R. #6 East B. M.

II. Mining, power, manufacturing or transportation purposes:

(a) ~~To be used for:~~

(b) Amount, of power to be generated horse power

(c) *At what point*

(d) If water is to be returned to stream, ("yes" or "no")

(c) If "yes" at what point

6. Estimated cost of works _____ \$ 350.00

7. *Description of works for diversion:*

1. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) — *Dams & ditches*

II. Dimensions of works: *Note: all indicated on plat*

Upper ditch on Sage Creek appropriating 1 1/2 a.c. ft. of water

(a) Height of dam — 21 feet, length of dam at top — 16 feet

length of dam at bottom - 4 feet, material used in construction

(wood, earth, stone or concrete) — *earth and wood*

(b) Capacity of reservoir _____ acre feet

(c) Size of headgate, width _____ feet, height _____ feet.

(d) ~~Ditch (flume or pipe)~~ width at bottom 3 feet, width at water

line $\frac{1}{2}$ feet, depth of water. / feet. Average

grade per mile is 57 feet. Length of ditch is 1

miles, and it crosses the following quarter sections -- 21 N. 4 and 21 E. 4 of Sec. 10, 50 N. 4 of

SE 1/4 Sec. 36 T. 55 R. 46 E.

(c) If "yes" at what point

6. Estimated cost of work \$ 250.00

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Dam

II. Dimensions of works: Note all indicated on plat

Super ditch on edge of sub appropriating 1 3/4 ac. ft. of water

(a) Height of dam 2 feet, length of dam at top 16 feet

length of dam at bottom 4 feet, material used in construction

(wood, earth, stone or concrete) earth and wood

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate, width _____ feet, height _____ feet.

(d) Ditch (flume or pipe) width at bottom 3 feet, width at water

line 4 feet, depth of water 1 feet. Average

grade per mile is 0.7 feet. Length of ditch is 1

miles, and it crosses the following quarter sections N. 1/4 and N. 1/4 of Sec. 10, S. 1/4 of

S. 1/4 of Sec. 9, E. 1/4 of Sec. 8, R. 46 E.

to N. 1/4 of S. 1/4 of Sec. 3, E. 1/4 of Sec. 8, R. 46 E. which is the point of intended use.

8. Time required for the completion of the construction of such work is 2 years
years. (The time must in no case exceed five years after date of approval of application.)

9. Time required for the complete application of the water to the proposed use is Two
years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

The Henderson-Lakin ditch, appropriating $\frac{3}{8}$ of a second foot of water from Horse
Shoe Creek and $\frac{1}{8}$ of a second foot from Salt Creek, diverts water by means of a small, temporary
diversion dam at point of diversion on Horse Shoe Creek. Width of ditch at bottom 4
feet, at water line 5 ft., depth of water 1 ft., grade about 1 in. to foot. It is about 1 1/2 miles
long and crosses S.E. 1/4 of Sec. 9, N.W. 1/4 of Sec. 10 and N.E. 1/4 of Sec. 3 T. 8 S. R. 46 E. 20 lands to be
irrigated.

The lower ditch from Tager Creek, appropriating $\frac{1}{8}$ of one second foot of water, has bottom
width of 2 ft., top width of 2 1/2 ft., depth of 1 ft., with fall of about 3 ft. to the mile, and lies
wholly within land proposed to be irrigated.

APPROVAL OF STATE ENGINEER.

The number of this permit is 786
Date of first receipt of application—E. A. M. August 18, 1904
Returned to applicant for correction 190
Corrected application received 190
Recorded in Book 3 Page 786
Approved—September 3, 1904

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

One-fifth of the work above specified to be completed on or before March 3, 1907

The whole of said work to be completed on or before September 3, 1907

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to September 3, 1911

Witness my hand this third day of September 1904

Wayne Darlington
State Engineer.