

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: A24-02026
Date Received: 4/ 6/1992
Receipt No: E017112
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODGER GALLAND 801-375-9675
Address: PO BOX 1848
PROVO UT 84603

2. Date of Priority: JUL 8, 1916

3. Source: WEBSTER CREEK Trib. to: SALT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	46E	5	NW	SW	SE		CARIBOU

5. Description of diverting works:
HEADGATE IN STREAM TO DITCH; SPRINKLERS/DRIP IRR. PONDS/17AF/WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.210		
RECREATION	01/01	12/31	3.000		
RECREATION STORAGE	01/01	12/31			17.00
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 62.5 Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION/FISH PONDS; STOCKWATER, 10 HORSES/COWS/OFF STR. STORAG

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	32	SE	SE		IRR	21.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	46E	32	SE		SE		REC	
			SE		SE		STOCK	

Section Acres 21.0

08S	46E	5	NE	NE	1	IRR	1.0
			NW	NE	2	IRR	1.0
			SW	NE	5	IRR	3.0

Section Acres 5.0

Total Acres	26.0
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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:

CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980

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: _____

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NOV 06 1952

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A 24-02026
Date Received 4-3-92
Receipt Number E017112/90

RECEIVED

APR 03 1992

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Rodger Galland Phone (801) 375-9675
Mailing Address P.O. Box 1848 Provo, UT Zip 846032. Date of Priority (Only one (1) per claim) JULY 8, 19163. Source of water supply (a) WEBSTER CREEK
which is tributary to (b) SALT RIVER4. a. Location of existing point of diversion is: Township 8S Range 2E Section 5,
NW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of CARIBOU

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. HEADGATE IN STREAM TO DITCH.RELIEF PUMP IN THE NW 1/4 SW 1/4 LIFTS WATER TO SPRINKLERS & DRIP IRRIGATION
LING TO IRRIGATE LAWN AROUND A HOME AND TREE ROWS ALONG ACCESS ROAD.
TWO POUNDS WERE CONSTRUCTED IN 1980 THAT STORE APPROX. 17 ACET OF
WATER. THESE ARE OFF STREAM STORAGE POUNDS. A RELIEF PUMP IN LOWER POND
PRESSURIZES A SPRINKLER LING THAT IRRIGATES ~ 156 ACRES OF LAWN. THE POND
POU IS FLOOD IRRIGATED FROM DITCHES ORIGINATED FROM LOWER POND
OVERFLOW.

NOV 06 1992

- 6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 1.21 or _____

For STORAGE TO REC. purposes from 1/1 to 12/31 amount 3.00 or _____

For STOR FOR REC. purposes from 1/1 to 12/31 amount _____ or 17

For STOCKWATER purposes from 1/1 to 12/31 amount 0.02 or _____

7. Total quantity claimed (a) 3.00 (cfs) and/or (b) 17 (acre feet)

8. Total consumptive use claimed is 62.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) RECREATION USE FOR PONDS STOCKED W/ FISH. PRIVATE USE.

STOCK WATER FOR 10 HORSES/AND/OR COWS. OFF STREAM STORAGE.

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	
<u>8S</u>	<u>46E</u>	<u>32</u>																<u>21</u>	<u>21</u>
<u>8S</u>	<u>46E</u>	<u>5</u>	<u>1</u>	<u>2</u>	<u>3</u>														<u>5</u>
<u>7S</u>	<u>46E</u>	<u>32</u>																<u>R</u>	
<u>7S</u>	<u>46E</u>	<u>32</u>																<u>S</u>	

Total number of acres irrigated 26

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

12. Do you own the property listed above as place of use? Yes X 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: CLAIMING AND ACCOMPLISHED CHANGES IN PLACE OF USE AND
IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED
SINCE 1980.

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NOV 06 1992

Last Name _____ Ident No. _____

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 24-02026
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) Rodger D. Sallan Date 3/30/92

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
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 Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 30th day of March 1992



Notary Public Kaye Halladay

Residing at Provo, Ut

My Commission Expires 7/13/95

Please Print Name KAYE HALLADAY

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 06 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

Log for claim 24-02026

Spatial Dynamics LTD

4/3/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s46e	32	SESE	21	21	POD placement?
08s46e	5	NENE	2	3.4	NWNE qq acreage is included.
08s46e	5	SWNE	3	1.5	
Totals:			26	25.9	

State of Idaho

License and Certificate of Water Right

Water License No. 10960

Amount 3.0 sec. ft.

Water District No. 44

Priority 7-8-1916

THIS IS TO CERTIFY that **Andrew S. Peterson** of **Auburn, Wyoming**, made application for a permit to appropriate the public waters of the State of Idaho, dated **November 14, 1914**; that Permit No. 10960 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **3.0** second feet, was issued thereunder on **April 17, 1920**, showing that said works were completed on the **20th** day of **January, 1920**; and that on the **12th** day of **September, 1923**,

Andrew S. Peterson of **Auburn**, State of **Wyoming**, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of **Webster Creek**, a tributary of **Snake River**, for the purpose of **irrigation & domestic use**, under Use Permit No. 10960 of the **State Engineer** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3090, on the **19th** day of **October, 1923**;

The right hereby confirmed dates from **July 8, 1916**;

The Point of Diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T. 8 S., R. 46 E., B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **3.0** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	46 E.	33	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40

Also, a tract of land commencing at a point at the Northwest Corner of SW $\frac{1}{4}$ Sec. 33, Twp. 7 S., R. 46 E., B. M.; thence West 23 $\frac{1}{2}$ rods; thence South 160 rods; thence East 23 $\frac{1}{2}$ rods; thence North 160 rods, to place of beginning, approximating 110 acres.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use hereby described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **19th** day of **October, 1923**.

W. G. SWENDSEN
Commissioner of Reclamation.

(SEAL)

No. 15056.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Alvin J. Welchman.

Postoffice address: Auburn

County: Lincoln

State: Wyoming.

I. If applicant is a corporation, give

(a) Date and place of incorporation:

(b) The amount of capital stock:

(c) The amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. The quantity of water claimed is Three cubic feet per second.

3. Source of water supply: From Webster Creek.

4. Location of point of diversion: Ditch No. 1, SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 5, Ditch No. 2, SE of the NW $\frac{1}{4}$ Sec. 5, Twp. 8 S. R. 46 E. B. M.

County of Bonnook.

5. To be used for: Irrigation for SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 33, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 32, Twp. 7 S. R. 46 E. B. M. NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 5 Twp. 8 S. R. 46 E. B. M.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 150 acres.

(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: Ditch No. 1 \$150.00 Ditch No. 2 \$25.00

7. Description of works for diversion:

I. Kind of works: Dam, ditch and one flume.

II. Dimensions of works:

(a) Height of dam three feet, length of dam at top 14 feet,
length of dam at bottom 12 feet. Material used in construction: Stone and earth.

(b) Capacity of reservoir acre feet. (c) Size of headgate, width 3 feet,

Height 1 feet. (d) Conduit ditch width at bottom 3 feet,

width at water line 3 feet, depth of water 1 feet; diameter of pipe

inches; average grade per mile is 8 feet. Length of conduit is 2 miles,
and it crosses the following quarter sections: SE $\frac{1}{4}$ and SW $\frac{1}{4}$, NW $\frac{1}{4}$ and TE $\frac{1}{4}$ Sec. 5, Twp. 8 S.
SE $\frac{1}{4}$ Sec. 32 and SW $\frac{1}{4}$ Sec. 33 Twp. 7 S. R. 46 E. B. M.

8. The time required for the completion of the construction of such work is Three years.

9. Time required for the complete application of the water to the proposed use is Two additional years.

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.

Alvin J. Welchman, Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 a.m. November 14, 1914.

Returned to applicant for correction November 19, 1914.

Corrected application received January 13, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 10960.

Recorded in Book 37 Page 10960 Approved January 18, 1915.

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.

Bond in the sum of to be filed on or before

Work to begin on or before March 19, 1915 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 July 18, 1916.

The whole of said work to be completed on or before January 18, 1918.

Beneficial use of water appropriated in accordance herewith, to be made on or before January 18, 1920.

Witness my hand this 19th day of January, 1915.

HERBERT WING,
Acting State Engineer.

Remarks:

EXTENSION OF TIME

Upon proper request of Alvin J. Welchman, holder of Permit No. 10960, I have this 30th day of November, 1917, extended the time for completion of works thereunder to the 18th day of January, 1920.

J. H. SMITH,

State Engineer.

STATE OF WYOMING,)
COUNTY OF LINCOLN,) SS:

Alvin J. Welchman, being first duly sworn, upon his oath deposes and says:
That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 10960.

That he intends to change the point of diversion, as described in said permit, to the following point: to a point near the north edge of the Northeast Quarter of the Northwest quarter of Section 5, Twp. 8 S. Range 46 E. B. M., from two springs.

That such change will be made for the following reasons, to-wit: The source of supply that is Webster Creek, has not sufficient water to furnish that required to irrigate the said land, and in fact almost no water at all for a large part of the year. That the reason said source is insufficient is that one Soren C. Petersen, made application to the State Engineer, as I am informed, and secured change in his point of diversion for other water rights, at about the time my application was made thus leaving me without sufficient water as at first proposed, to supply the amount under said permit to me.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Alvin J. Welchman.

Subscribed and sworn to before me this 1st day of April, 1920

Carl Cook

United States Commissioner.

(SEAL)

My commission expires June 22, 1921.

Received and filed for record in the Department of Reclamation, at Boise, Idaho, at 9:00 A. M. April 10, 1920.

W. G. Swendsen,
Commissioner of Reclamation.

Proof of Completion of Works made: January 20, 1920.
 Certificate issued: April 17, 1920.

Permit No. 10960

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Alvin J. Welchman, of Auburn, County of Lincoln, and State of Idaho, the holder of Permit No. 10960, issued upon Application No. 15856, bearing date of priority of November 14, 1914, authorizing the diversion of 3 second feet of the waters of Webster Creek, County of Lincoln, State of Idaho, for irrigation 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 3 second feet of the waters of Webster Creek; that the point of diversion of said waters is at a point near the north edge of the Northeast quarter of the Northwest quarter of Section 5, Twp. 8 S., Range 46 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T. 7 S., and R. 46 E., B. M.

Witness my hand this 17th day of April, A. D. 1920.

W. G. Swendsen,
 Commissioner of Reclamation

By: S. T. Baer.
 Deputy.

WARRANTY DEED

THIS DEED, Made this 21st day of November in the year of our Lord One Thousand Nine Hundred Sixteen, between Alvin J. Welchman and Ida Welchman of Auburn, Wyoming, parties of the first part, and Soren C. Peterson of Auburn, Wyoming, party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Six Hundred Fifty and No/100 Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto said party of the second part, and unto his heirs and assigns, forever, all that piece, or parcel of land, situate, lying and being in the County of Caribou and State of Idaho, and more particularly known and described as follows, to-wit: The Southwest quarter of the Southwest quarter of Section Thirty-three (33) Township Seven South of Range Forty-six (46) East of the Boise Meridian, Idaho, also commencing at a point the northwest corner of the southwest quarter of the southwest quarter of Section Thirty-three (33), Township Seven (7) South of Range Forty-six (46) East of the Boise Meridian, Idaho, and running thence West 23 $\frac{1}{2}$ rods; thence South 150 rods; thence east 23 $\frac{1}{2}$ rods; thence North 150 rods to the place of beginning, containing in all sixty-two acres of land be there more or less.

And the said parties of the first part hereby expressly waives and releases any and all rights, benefits, privileges, advantages and exemptions under and by virtue of any and all statutes of the State of Idaho, providing for the exemption of homesteads from sale on execution or otherwise.

TO HAVE AND TO HOLD, The said above described premises unto the said party of the second part, his heirs and assigns, Forever; together with the privileges, hereditaments and appurtenances thereunto in anywise appertaining or belonging. And the said parties of the first part, for their heirs, executors and administrators, do covenant and agree to and with the said party of the second part, his heirs and assigns, that at the ensconing and delivery of these presents they were well seized in said premises, in and of a good and indefeasible estate in fee simple. And that they are free from all incumbrances whatsoever. And that they have good and lawful right to sell and convey the same. And the said parties of the first part will, and their heirs, executors and administrators shall warrant and defend the same against all lawful claims and demands whatsoever.

And the said parties of the first part for their heirs, executors and administrators, does covenant and agree to and with the said party of the second part, his heirs and assigns, that he the said party of the second part, shall and may lawfully at all times hereafter peaceably and quietly have, occupy, possess and enjoy the said premises hereby granted, or intended so to be, with the appurtenances, without the lawful molestation or hindrance of the parties of the first part, their heirs or assigns, or of any other

person or persons whatsoever, by or with his or their consent, privity or procurement. And the said Ida Welchman, wife of the said Alvin J. Welchman upon the consideration aforesaid, does hereby release and forever quitclaim unto said party of the second part, his heirs and assigns, all her rights of dower and homestead in and to the above granted premises.

IN WITNESS WHEREOF, The said parties of the first part have herunto set their hands and seals, the day and year first above written.

Alvin J. Welchman (SEAL)

Ida Welchman (SEAL)

Signed, Sealed and Delivered in the
Presence of

D. D. Lynch

THE STATE OF WYOMING,)
County of Lincoln,) ss.

I, D. D. Lynch, a Notary Public in and for said County in the State aforesaid, do hereby certify that said Alvin J. Welchman and Ida Welchman, personally known to me as the persons whose names are subscribed to the foregoing instrument, have acknowledged that they signed, sealed and delivered said instrument of writing as their free and voluntary act, for the uses and purposes therein set forth, and expressly waived and released all right, title or benefit of exemption under any and all Homestead Exemption Laws, so called, of said State of Idaho.

And I further certify that Ida Welchman, wife of the said Alvin J. Welchman was by me first examined separate and apart from her said husband in reference to the signing and acknowledging such deed, the nature and effect of said deed being explained to her by me, and that she, being by me fully apprised of her right, and of the effect of signing and acknowledging such deed, did sign the same while so separate and apart from her said husband, and did then acknowledge that she freely and voluntarily signed and acknowledged the same for the uses and purposes therein set forth, and expressly waived and released all her rights and advantages under and by virtue of all laws of said State of Wyoming, relating to the Exemption of Homesteads.

GIVEN UNDER MY HAND and Notary seal, this 21st day of November, A. D. 1916.

(SEAL) D. D. Lynch
Notary Public
My commission expires on the 18th day of May, A. D. 1918.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M. March 20, 1923.

W. G. SWENDSEN
Commissioner of Reclamation
By C. H.

ASSIGNMENT

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 10960, to Andrew S. Peterson of Auburn, Wyoming.

Dated June 21, 1923.

Soren C. Peterson

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M. June 28, 1923.

W. G. SWENDSEN,
Commissioner of Reclamation
By C. U.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 10960This proof is for BEN. USE WATERIn Water District No. -44-

1. Name of applicant: Andrew S. Peterson
2. Source of water supply: Webster Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5
T. 8 S. R. 46 E.B.M. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same:

*Ditch directly out of creek, no headgate, width at bottom 3 ft. to 5 ft.
net capacity 10 sec. ft. Community ditch.*

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): A tract of land commencing at a point at the N.W. Corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 33, Twp. 7 S., R. 46 E., B.M., thence West 23 $\frac{1}{2}$ rods, thence South 150 rods, thence East 23 $\frac{1}{2}$ rods, thence North 150 rods, to place of beginning; also, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp. 7 S., R. 46 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Salt River, Snake R.

Remarks: 40-acre tract is old natural meadow, strip has about 10 acres cleared, balance sage & brush, western is h. water land, hills sage & cut native grass for hay, rolling side hill land, ground suits for long distances

10960

This examination was made on the 21 day of September, 1923

(Signed)

R. L. [Signature]

Examiner.

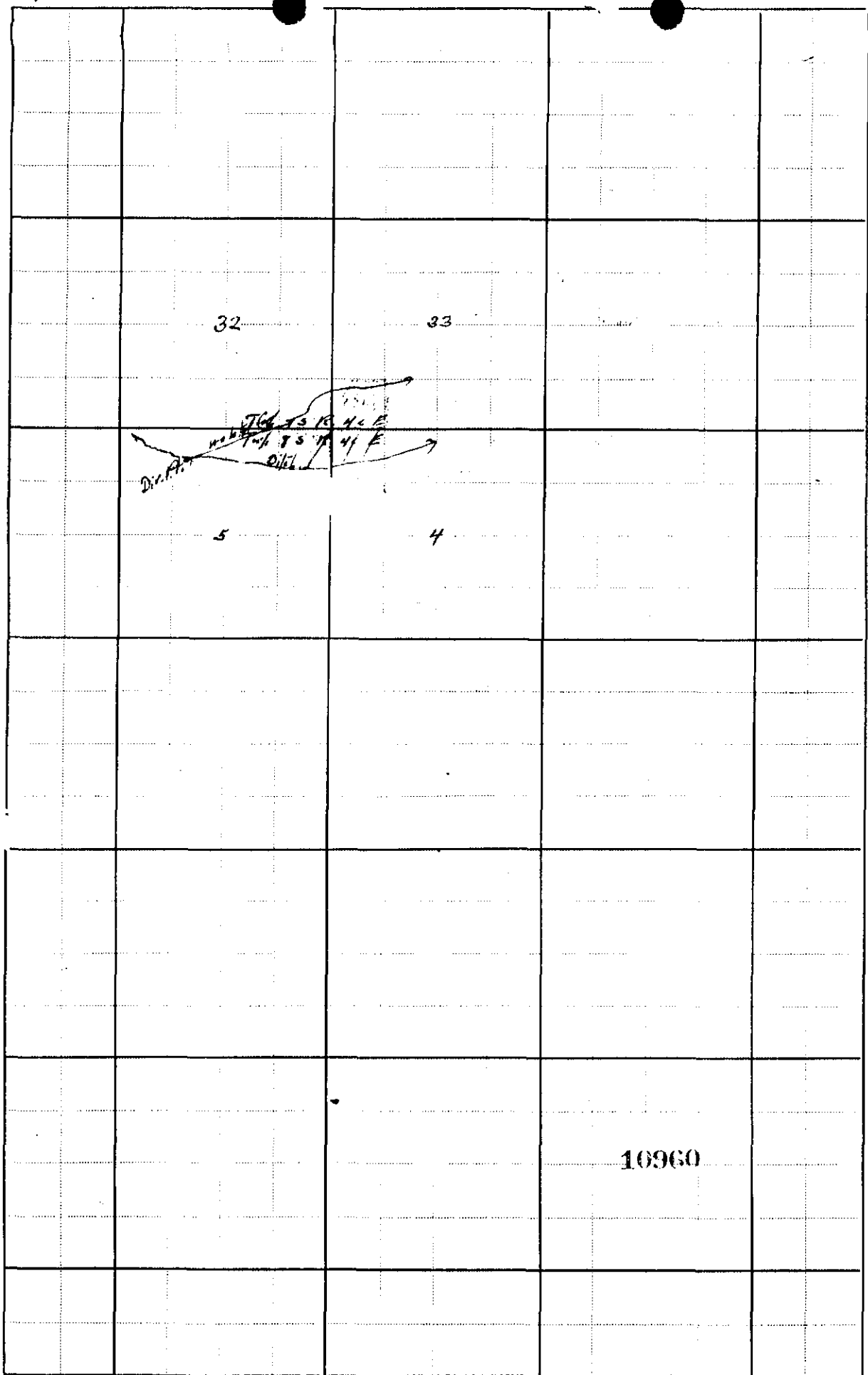
Permit No. 10960.....

Examination for BENEFICIAL USE

County CARIBOU.....

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.
-



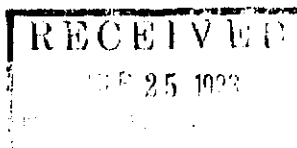
SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 10980

REPORT ON PROOF OF BENEFICIAL USE



Idaho Department of Water Resources
150 Shoup Avenue Suite 15
Idaho Falls, Idaho 83401

Rick and Julie Aagard
Box 152
Auburn, Wyoming 83111

RECEIVED

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Department of Water Resources
Eastern District Office

1 April 1992

Dear Sirs:

My husband and I manage the ranch owned by Rodger Galland located in Caribou County, Idaho, on which the water rights claims have been filed. We live here on a year-round basis and would be available to answer any questions that might arise regarding these water rights. Please feel free to contact us should the need arise. Our phone number is: 208 225-3524. Eventhough we have an Idaho area code, we are serviced through a Wyoming exchange. To call from Idaho you must dial the 208 area code.

Thank you for your help.

Sincerely,

Julie H. Aagard

Julie H. Aagard

MICROFILMED

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