

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: A25-00264  
Date Received: 1/17/1990  
Receipt No: MOO 5539  
Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LEITH R. SOMSEN 208-574-2131  
Address: 3847 WAYAN LOOP  
WAYAN, ID 83285

AND/OR

Name: VIRIJEAN S. SOMSEN 208-574-2131  
Address: 3847 WAYAN LOOP  
WAYAN, ID 83285

2. Date of Priority: APR 14, 188

3. Source: WAYAN CREEK Trib. to: GRAVEL CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 05S      | 43E   | 23      | NE     | NE     | SE  |     | CARIBOU |

5. Description of diverting works:  
CONCRETE DAM WITH DITCHES ON BOTH SIDES AND FLOOD IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 4.500  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.070  |      |        |

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

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/ 300 HD. RANGE CATTLE INSTREAM STOCK WATER

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Date: 01/17/90

MICROFILMED

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10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 05S      | 43E   | 23      | SW     | NE  |     | IRR           | 40.0  |
|          |       |         | SE     | NE  |     | IRR           | 34.0  |
|          |       |         | SE     | NW  |     | IRR           | 38.0  |
|          |       |         | NE     | SW  |     | IRR           | 25.0  |
|          |       |         | NE     | SE  |     | IRR           | 25.0  |
|          |       |         | NW     | SE  |     | IRR           | 38.0  |
|          |       |         |        |     |     | Section Acres | 200.0 |
|          |       |         |        |     |     | Total Acres   | 200.0 |

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:

P/D NOT GIVEN IN DECREE. P/U INCOMPLETE. AC. IRR. = 200.  
DECREE GIVES ALL WATERS IN CK. TO LANDS STATED. CREEK NAME ALSO  
SPELLED WAYNE.

15. Basis of Claim: DECREED

Case Number:

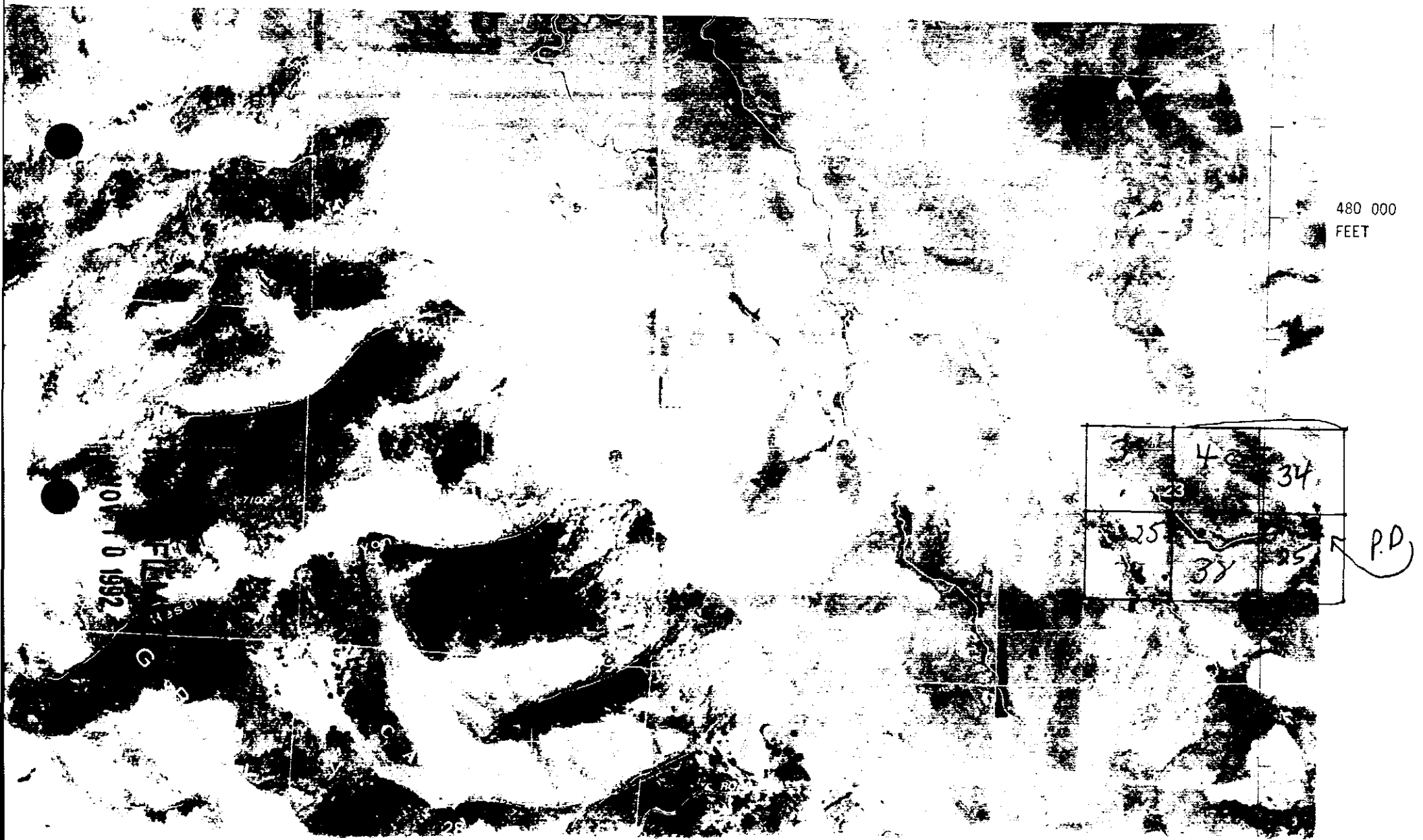
Court :

Decree date:

JOHN SODERMAN ET AL  
Decree Plaintiff

vs

DR. EVAN KACKLEY ET AL  
Decree Defendant



480 000  
FEET

NOV 10 1992

FILM

G

|    |    |    |
|----|----|----|
| 34 | 48 | 34 |
| 25 | 38 | 25 |

P.D.

Log for claim 25-00264

Spatial Dynamics CAT

11/15/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 05s43e  | 23  | SWNE | 40               | 39             |         |
| 05s43e  | 23  | SENE | 34               | 22             |         |
| 05s43e  | 23  | SENW | 38               | 39             |         |
| 05s43e  | 23  | NESW | 25               | 28             |         |
| 05s43e  | 23  | NESE | 25               | 31             |         |
| 05s43e  | 23  | NWSE | 38               | 39             |         |
| Totals: |     |      | 200              | 198            |         |

AJ5809NP  
No. A25-00264

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00  
PAGE: 10

| OWNER<br>CODE | NAME & ADDRESS    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | LEITH R SOMSEN    | 04/14/1887       | IRRIGATION | 04-01 11-01           | 4.500 CFS         |                     |
| C             | VIRIJEAN S SOMSEN |                  | STOCKWATER | 01-01 12-31           | 0.070 CFS         |                     |
|               | 3847 WAYAN LOOP   |                  |            |                       |                   |                     |
|               | WAYAN ID 83285    |                  |            | TOTAL DIVERSION:      | 4.500 CFS         |                     |
|               | (208) 574-2131    |                  |            | CONSUMPTIVE USE:      |                   | 500.00 AFA          |

Water Source: WAYAN CREEK

Tributary to: GRAVEL CREEK

Stage: DECREE

Point(s) of Diversion: T05S R43E S23 NENESE

CARIBOU 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          | : | ---   |
| 05S | 43E | 23  | : |      |      | 40   | 34   | :  |      |      |      | 38   | : | 25   |      |      |      | : | 25   |      | 38   |             | : | 200.0 |
|     |     |     |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      | TOTAL ACRES |   | 200.0 |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CARIBOU

Non-Irrigation Uses: S/ 300 HD. RANGE CATTLE INSTREAM STOCK WATER

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
25-07119 25-13410 A25-07119 A25-13410

Remarks: GEN P/D NOT GIVEN IN DECREE. P/U INCOMPLETE. AC. IRR. = 200.  
DECREE GIVES ALL WATERS IN CK. TO LANDS STATED. CREEK NAME ALSO  
SPELLED WAYNE.

Dates: Exam Made Date: Verified Date: 05/20/1985 Objection Filed Date:

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

Audit: 01/17/90 CARLSON 03/29/95 POST-STD