

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: A25-02072
Date Received: 9/12/1989
Receipt No: E010307
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O. W. RANCHES, INC. 801-336-2282
Address: 10095 SOUTH 1000 WEST
SOUTH JORDAN, UT 84065

2. Date of Priority: SEP 07, 1916

3. Source: UNNAMED STREAM Trib. to: GRAYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	43E	36	SE	SE	SE		BONNEVILLE

5. Description of diverting works:
DIVERSION DAM TO DITCHES FOR FLOOD IRRIGATION & STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	04/01	12/01	0.070		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	43E	36	SW	NE		IRR	20.0
			SE	NW		IRR	20.0

A25-02072

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Date: 09/12/89

MICROFILMED
NOV 10 1992

A2502072

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	43E	36	SE SE		STOCK	

Section Acres 40.0

Total Acres 40.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SOURCE MAY ALSO BE KNOWN AS FULTON CREEK
P/D STOCKWATER SESE SEC 36, T4S, R43E.

15. Basis of Claim: LICENSE
Water Right Number: 12589

(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.

NOV 10 1992

4766

2' 30"

4765

R43E R44E

T 4 N

PLACE OF USE

4764

20

10

36

POINT OF DIVERSION

4763

SONNEVILLE NO.

CARIBOU CO.

MICROFILME

NOV 10 1992

A25-02072

Log for claim 25-02072

Spatial Dynamics CAT

11/15/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04s43e	36	SWNE	20	19	
04s43e	36	SEnw	20	22	
Totals:			40	41	

AJ5809NP
No. A25-02072

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 28

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	O W RANCHES INC 10095 SOUTH 1000 WEST SOUTH JORDAN UT 84065 (801) 336-2282	09/07/1916	IRRIGATION STOCKWATER	04-01 11-01 04-01 12-01	1.000 CFS 0.070 CFS	
TOTAL DIVERSION:					1.000 CFS	
CONSUMPTIVE USE:						100.00 AFA

Water Source: UNNAMED STREAM

Tributary to: GRAYS LAKE

Stage: LICENSE

Point(s) of Diversion: T04S R43E S36 SESE

BONNEVILLE 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	Lt	Ac	Lt	Ac	:				
04S 43E 36 :				20				:	20				:					:					:					:	40.0
																							TOTAL ACRES	40.0					

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	Lt	Ac	Lt	Ac	:				
04S 43E 36 :								:					:					:					:					:	S

POU County: BONNEVILLE

Non-Irrigation Uses: S/300 RANGE CATTLE

Other Rights: NONE

Remarks: GEN SOURCE MAY ALSO BE KNOWN AS FULTON CREEK
P/D STOCKWATER SESE SEC 36, T4S, R43E.

Dates: Exam Made Date: Verified Date: 04/08/1985 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag: Y
Presumption Flag:

Audit: 09/12/89 WILSON 03/29/95 POST-STD

State of Idaho
License and Certificate of Water Right

Water License No. 12599

Amount 1,000 ft.

Water District No. 16

Priority Sept. 7, 1916

THIS IS TO CERTIFY that P. G. TINGEY, of Gray, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 7, 1916; that Permit No. 12599 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1 second feet, was issued thereunder on December 10, 1917, showing that said works were completed on the 23rd day of October, 1917; and that on the 10th day of October, 1918,

P. G. TINGEY,

of Gray, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of Fulton Creek, a tributary of Grange Lake, for the purpose of irrigation use, under Use Permit No. 12599 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 5 of Licenses, at page 2664, on the 16th day of September, 1920;

The right hereby confirmed dates from September 7, 1916;

The Point of Diversion is located

in the NE ¼ SE ¼ Sec. 36, Tp. 4 S., R. 43 E., B. M. County of Bonneville.

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 1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	43 E.	36	NE ¼ Sec. 36	40	30
			SE ¼ Sec. 36	40	30

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

WITNESS the seal and signature of the Commissioner of Reclamation of Idaho, this 16th day of September, 1920.

F. G. STENDELL
Commissioner of Reclamation

By S. T. BART,

Deputy.

Application No. 17993.
Permit No. 12589

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

25-2072

District No. 16.

1. Name of applicant: P.G. Tingey,

Postoffice address: Gray

County: Bonneville

State: Idaho.

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 one cubic feet per second.

3. Source of water supply: Fulton Creek, which is a tributary of Grays Lake.

4. Location of point of diversion: In the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36, T. 4 S., R. 43 E.B.M.

County of Bonneville.

5. To be used for: Irrigation.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 80 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? (d) If so, name stream and locate point of return:

6. Estimated cost of works: \$25.00

7. Description of works for diversion:

I. Kind of works: Dam and ditch

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 15 feet,
length of dam at bottom 10 feet. Material used in construction: wood, earth
and stone
(b) Capacity of reservoir acres feet. (c) Size of headgate, width feet,
Height feet. (d) ~~Concrete~~ Ditch: width at bottom 2 feet,
width at water line 3 feet, depth of water 2 feet; diameter of pipe
inches; average grade per mile is four feet. Length of conduit is $1\frac{1}{4}$ miles,
and it crosses the following quarter sections:

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

9. Time required for the complete application of the water to the proposed use is one 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.

P.G. Tingey

Applicant.

By

Agent.

APPROVAL OF STATE ENGINEER

I, J. H. Smith, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 12589. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 20th day of November 1917.

J. H. Smith,
State Engineer.

Proof of completion of works made October 23rd, 1917.
Certificate of Completion of works issued December 10th, 1917.

Permit No. 12589.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that P.G. Tingey, of Gray, County of Bonneville, and State of Idaho, the holder of Permit No. 12589, issued upon Application No. 17993, bearing date of priority of September 7, 1916, authorizing the diversion of one (1) second foot of the waters of Fulton Creek, which is a tributary of Grays Lake, County of Bonneville, State of Idaho, for irrigation and domestic 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 One (1) second foot of the waters of Fulton Creek; that the point of diversion of said waters is in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T. 4 S., R. 43 E.B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, T. 4 S., R. 43 E.B.M.

Witness my hand this 10th day of December, A.D. 1917.

J.H. SMITH,

State Engineer of the State of Idaho.

License issued for 1 second feet

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REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 16132

1. State name of applicant and number of permit: P. G. Tingey- Permit 12589
2. State source of water supply: Fulton Creek
3. Location of point of diversion: NE 1/4 Sec. 36, T. 4 S., R. 43 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:

E. and R. dam, 4'H 18' L. 10, H.C.
Ditch, 2' B. 1'D. Cap. 3 S.F. Present flow, 1 S.F.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location 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):

SE 1/4 & SW 1/4, Sec. 36, T. 4 S., R. 43 E.
30 A. in each 40 in cult.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

From land to Fulton Creek, to Grays Outlet, to Willow Creek, to Snake River.

Remarks:

This examination was made on the 10th day of July 19 20.

(Signed)

L. R. Amott
L. R. Amott

Examiner.

12589

(This report must be sworn to when not made by an attache of the State Engineer's office.)

STATE OF IDAHO,

County of _____

ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public

DIST. 16.

P. C. Tingey
Grey, Ida.

Permit 12569 J. L. S. 123 E

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

NAME OF APPLICANT

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

T43. R 43 E

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.



12589

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.