

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: A27-02026
Date Received: 2/16/1990
Receipt No: E012076
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LENA D. WALLENTINE 801-750-2949
Address: TRUSTEE
3250 N. 12TH E.
LOGAN, UT 84321

OR

Name: J.C. WALLENTINE FAMILY TRUST 801-750-2949
Address: C/O P.T. BLOTTER &/OR E. STUCKI
3250 N. 12TH E.
LOGAN, UT 84321

2. Date of Priority: AUG 07, 1914

3. Source: GOODHART CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	44E	4		NW	NW		CARIBOU

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INC STOCKWATER 500 CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	44E	5	NE		NE	1	IRR	10.0
			NW		NE	2	IRR	30.0
			SW		NE		IRR	40.0
			SE		NE		IRR	20.0

Section Acres 100.0

Total Acres 100.0

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:

NAME AND ADDRESS OF CLAIMANT(S) LISTED ON NOTICE AS FOLLOWS:
J.C. WALLENTINE FAMILY TRUST
LENA D. WALLENTINE TRUSTEE
C/O P.T. BLOTTER &/OR EZRA STUCKI
3250 N. 12TH E.
LOGAN, UT 84321

15. Basis of Claim: LICENSE

Water Right Number: 10518

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
document in the space below as _____ of
_____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 _____

NOV 12 1992

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 A27-02026Date Received 2-14-1990Receipt Number E012076

RECEIVED

FEB 14 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A

WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 14 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) J.C. Wallentine Family Trust, Lena D. Wallentine Trustee, 46 P.T. Bratter and/or Ezra Stucki Phone (801) 753-3008
Mailing Address 3250 N. 12th East Logan, UT. Zip 84321
2. Date of Priority (Only one (1) per claim) 08-07-1914
3. Source of water supply (a) GOOD HEART CREEK
which is tributary to (b) BLACK FOOT RIVER
4. a. Location of existing point of diversion is: Township 9S Range 44E Section 4
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of CARIBOU (see #14)

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

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 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.

diversion from creek enters on land

A2702026

MICROFILMED

NOV 12 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-15 to 10-15 amount 2.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Incidental Stockwater use: 500 cattle

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	
99	44E	5	10	30	40	20													100
			Lot 1	Lot 2															

Total number of acres irrigated 100

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

12. Do you own the property listed above as place of use? Yes XX 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:

#2. see attachments 1-3.

MICROFILMED

NOV 12 1992

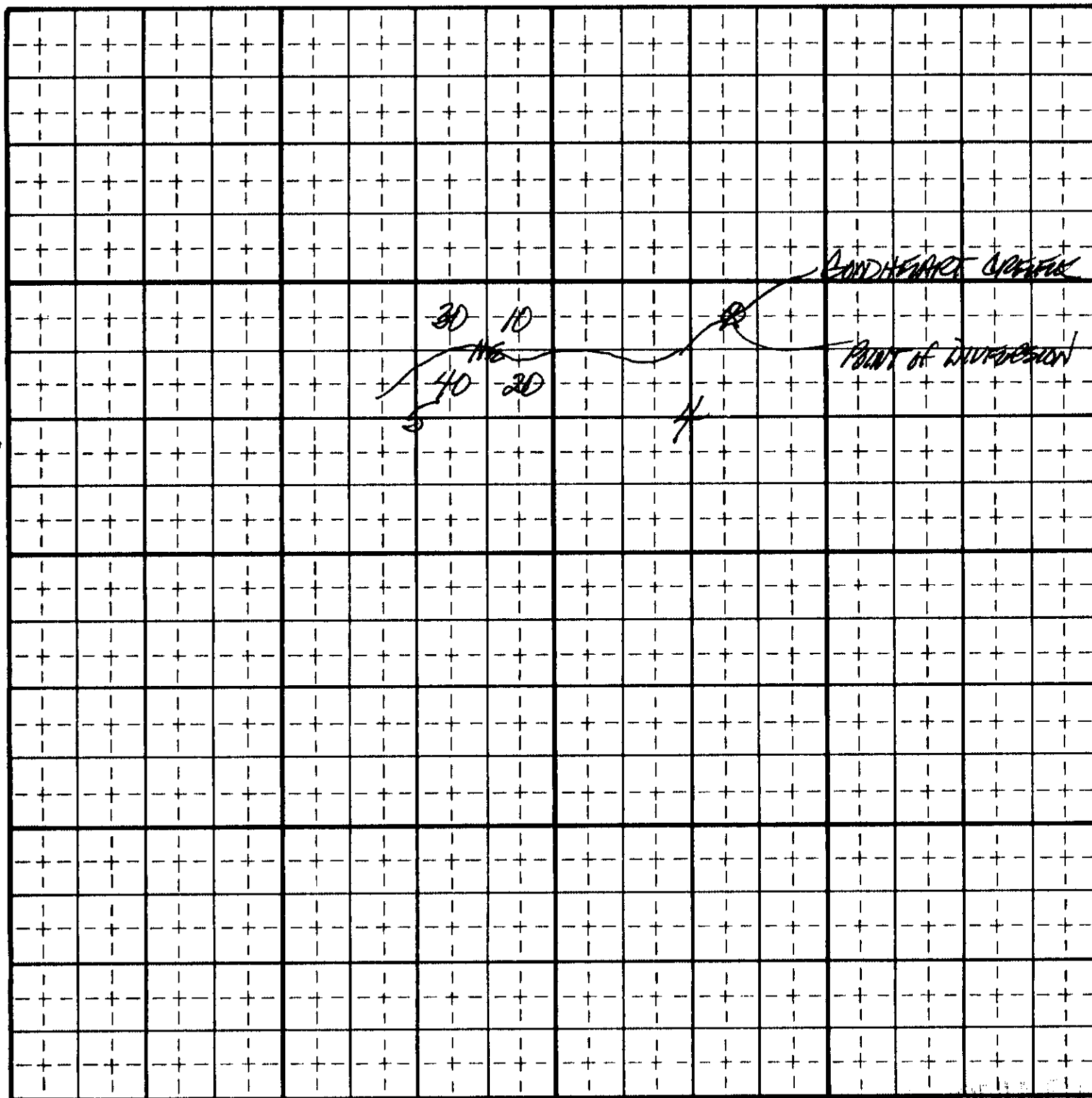
Last Name Wallentine Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

44E



NOV 12 1992

Last Name

Wallentine

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XX Permit _____

Decree _____

If applicable provide IDWR Water Right Number 27-02026

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 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Business Agent

of J.C. Wallentine Family Trust that I have signed the foregoing

document in the space below as Business Agent of J.C. Wallentine Family Trust

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Paul Harmon Blocher

Title and Organization Business Agent J.C. Wallentine Family Trust Date 02-01-90

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st day of February 19 90

SEAL

Notary Public Amy L. Meulens

Residing at Twin Falls

My Commission Expires 2-7-95

Please Print Name

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 Paul Harmon Blocher

Address _____

Date _____

MICROFILMED

NOV 12 1992

Last Name Wallentine Ident. Number _____

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 _____

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) _____ Date _____

_____ 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 _____)
County of _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, JOHN A. ROSHOLT 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 John A. Rosholt

Address P.O. 1906, Twin Falls, ID 23301

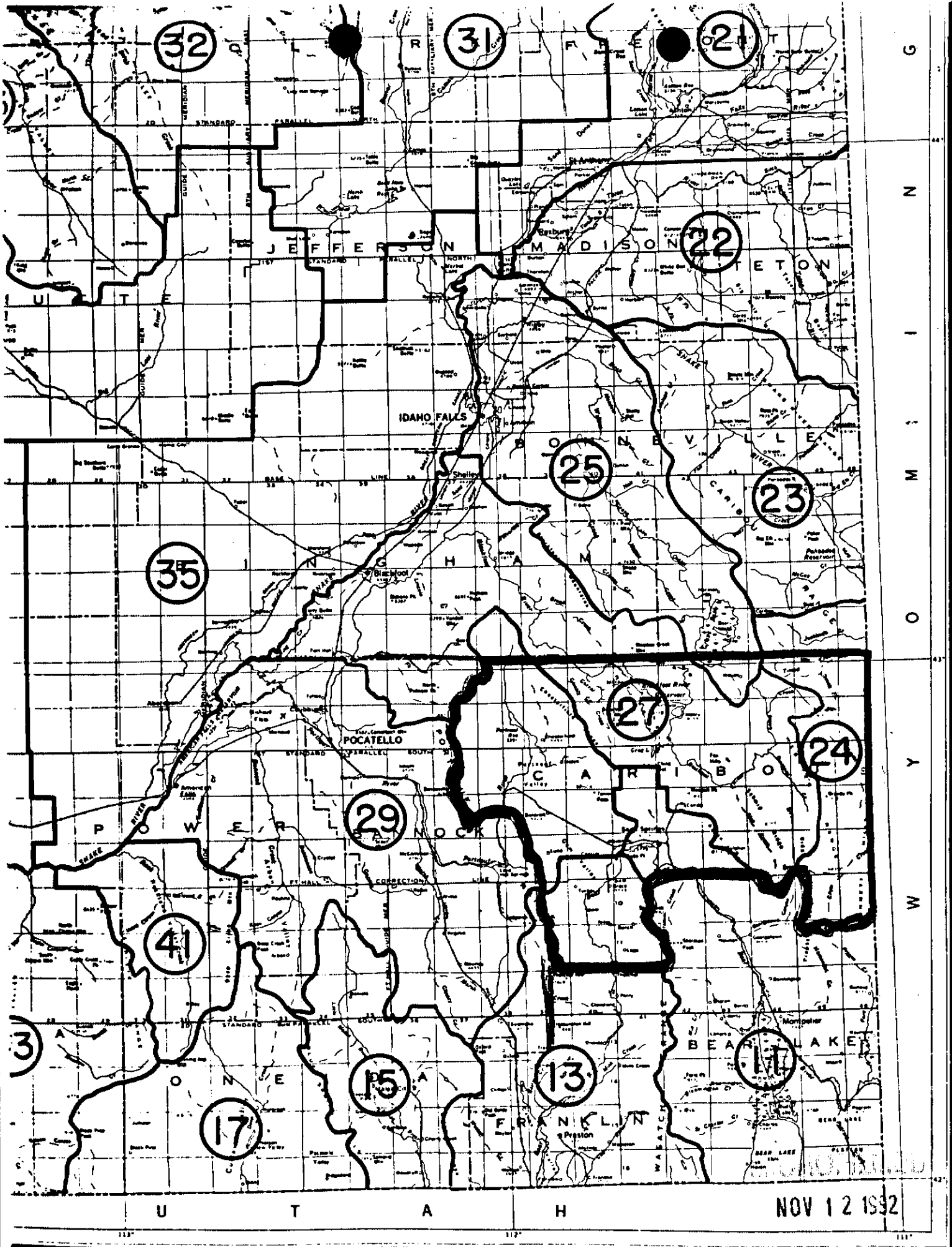
Date 2/19/90

NOTIFIED

NOV 12 1992

Last Name WALLENTINE/BLOTTER Ident. Number _____

Copies White-State, Yellow-Claimant



Waltentine 2 of 3

Log for claim 27-02026

Spatial Dynamics LTD

11/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s44e	5	NENE	10	1.6	
09s44e	5	NWNE	30	10	
09s44e	5	SWNE	40	40	
09s44e	5	SENE	20	14	
Totals:			100	65.6	

AJ5809NP
No. A27-02026

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	LENA D WALLENTINE TRUSTEE 3250 N 12TH E LOGAN UT 84321 (801) 750-2949	08/07/1914	IRRIGATION	04-15 10-15	2.000 CFS	
					TOTAL DIVERSION:	2.000 CFS
					CONSUMPTIVE USE:	200.00 AFA

C J C WALLENTINE FAMILY TRUST
C/O P T BLOTTER &/OR E STUCKI
3250 N 12TH E
LOGAN UT 84321
(801) 750-2949

Water Source: GOODHEART CREEK Tributary to: BLACKFOOT RIVER Stage: LICENSE

Point(s) of Diversion: T09S R44E S04 NWNW 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		
09S	44E	5	:	01-10	02-30	40	20	:					:					:					:	
																							TOTAL ACRES	100.0

POU County: CARIBOU

Non-Irrigation Uses: S/ INC STOCKWATER 500 CATTLE

Other Rights: NONE

Remarks: GEN NAME AND ADDRESS OF CLAIMANT(S) LISTED ON NOTICE AS FOLLOWS:
J.C. WALLENTINE FAMILY TRUST
LENA D. WALLENTINE TRUSTEE
C/O P.T. BLOTTER &/OR EZRA STUCKI
3250 N. 12TH E.
LOGAN, UT 84321

Dates: Exam Made Date: Verified Date: Objection filed Date:

Misc: Water District Number: 27 Field Inspection Flag:
Presumption Flag:

State of Idaho
License and Certificate of Water Right

Water License No. 10518
Water District No. 34

Amount 2.0 sec. ft.
Priority 0 - 7 - 14.

THIS IS TO CERTIFY that Peter C. Patterson
of Soda Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 7, 1914; that Permit No. 10518
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.2
second feet, was issued thereunder on September 20, 1916, showing that said works
were completed on the 9th day of September, 1916; and that on the 24th
day of August, 1918.

Peter C. Patterson

of Soda Springs, State of Idaho, made proof to the satisfaction of the
State Engineer of Idaho, of a right to the use of the waters of Goodhard Creek,
a tributary of Blackfoot River, for the purpose of irrigation and domestic use,
under Use Permit No. 10518 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 State
Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2450, on the 1st
day of February, 1919;

The right hereby confirmed dates from August 7, 1914;

The Point of Diversion is located
in the NW ¼ of NW ¼, Sec. 4, Tp. 9 S., R. 44 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 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S	44 E	5	Lot 1	40	10
			2	40	30
			SE ¼ NE ¼	40	20
			SW ¼ NE ¼	40	40

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 State Engineer, affixed at Boise, Idaho, this 6th
day of March, 1919.

(63AL)

FRED A. WILKIE
State Engineer.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Peter C. Patterson

Postoffice address: Soda Sprige

County: Bannock 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 three and 1/5 cubic feet per second.

3. Source of water supply: Goodhart Creek

4. Location of point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4, T. 9 S., R. 44 E.

County of Bannock

5. To be used for: Irrigation and domestic

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: One Hundred Sixty acres.
- (b) In the following legal subdivisions: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 5, T. 9 S., R. 44 E.B.M.

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: \$150.00

7. Description of works for diversion:

I. Kind of works: dam, headgate and ditch.

II. Dimensions of works:

(a) Height of dam 3 feet, length of dam at top 40 feet,
length of dam at bottom 30 feet. Material used in construction: earth and rock

(b) Capacity of reservoir acre feet. (c) Size of headgate, width 2 feet,
Height 2 feet. (d) Conduit ditch width at bottom 1 $\frac{1}{2}$ feet,
width at water line 2 feet, depth of water 1 feet, diameter of pipe

inches, average grade per mile is 5 feet. Length of conduit is one miles,
and it crosses the following quarter sections: NW $\frac{1}{4}$ Sec. 4, and NE $\frac{1}{4}$ Sec. 5, T. 9 S. R.
44 E.

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

Peter C. Patterson

Applicant.

By

John W. Jones,

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. August 7, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10518

Recorded in Book 35 Page 10518 Approved August 24, 1914.

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 October 23, 1914 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 August 24, 1915.

The whole of said work to be completed on or before August 24, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 24, 1918.

Witness my hand this 24th day of August, 1914.

F. P. King,

State Engineer.

Remarks.

PERMIT NO. 10518

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Peter C. Patterson of Soda Springs, County of Bannock, and State of Idaho, the holder of Permit No. 10518, issued upon application No. 15526 bearing date of priority of August 7, 1914, authorizing the diversion of 3-1/5 second feet of the waters of Goodhart Creek, County of Bannock, 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 3-1/5 second feet of the waters of Goodhart Creek; that the point of diversion of said waters SE 1/4 NW 1/4 Sec. 4, Tp. 9 S.R. 44 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E 1/4 NE 1/4 Sec. 5, Tp. 9 S.R. 44 E.B.M. and South 10 acres in each of Lots 1 and 2 Sec. 5, Tp. 9 S.R. 44 E.B.M.

WITNESS my hand this 20th day of September, A.D. 1916.

License issued for 3.0 second feet

11/10/16

J.H. SMITH
State Engineer of the State of
Idaho.

Recorded by
Checked by

[Handwritten initials]

STATE OF IDAHO, }
 } ss.
County of Caribou.)

Peter C. Patterson being first duly sworn, upon his oath deposes and says:
That he is the owner of a decreed water right appurtenant to the following
described land to-wit: the NE $\frac{1}{4}$ of Sec. 5, T. 9 S., R. 44 E., B.M.
That he is the owner and holder of Permit to Appropriate the Public Waters
of the State of Idaho No. 10518.

That he intends to change the point of diversion, as described in said
permit, to the following described point: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4, T. 9 S., R. 44 E., B.M.

That such change will be made for the following reasons, to-wit:
That it was found that the above mentioned point would be a more desirable place to
erect a dam.

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.

Peter C. Patterson.

Subscribed and sworn to before me this 4th day of March, 1919.

(SEAL)

L. H. Roberts.
Notary Public.

My commission expires Sept. 20th, 1919.

Received and filed for record in the
office of the State Engineer at Boise,
Idaho, at 9.00 A.M. March 5, 1919.

Fred A. Wilkie,
State Engineer.

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 341. State name of applicant and number of permit: Peter C. Peterson- Permit 105182. State source of water supply: Goodhart Creek3. Location of point of diversion: SE 1/4, Sec. 4, T. 9 S., R. 44 E., B.M.

(See Remarks)

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

Dam. Height 2 feet Length at top 20 feet, at bottom 20 feet, material used, earth and rock.Headgate width 2 feet, height 2 feet.Ditch, width at bottom, 2 feet, at widening 2 feet, Length 1 mile, on grade 7 feet per mile. Depth of water 1 foot.

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, Sec. 5; south 10 acres in each of Lots 1 and 2, Sec. 5, T. 9 S., R. 44 E., B.M.Lot 1 Sec 5 = 10 acres.Lot 2 Sec 5 = 30 acres.SE 1/4, NE 1/4, Sec 5 = 20 acres.SW 1/4, NE 1/4, Sec 5 = 40 acres.T. 9 S. R. 44 E. B.M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? Applicant

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Blackfoot River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Slug CreekRemarks: Location of Point of Diversion, 60 ft. S and 10 ft. E from NW corner Sec. 4, T. 9 S. R. 44 E. B.M.This examination was made on the 24th day of August 1918.

(Signed)

Charles B. Wilson

Examiner.

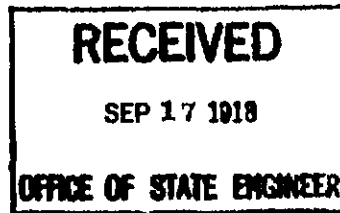
STATE OF IDAHO,
County of Bannock } ss.

Charles B. Wilson, 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 31st day of August 1918

My commission expires Jan. 26th, 1922 Herbert Hershey
Notary Public.

10518



DIST. 34

Peter C. Petersen

Soda Springs

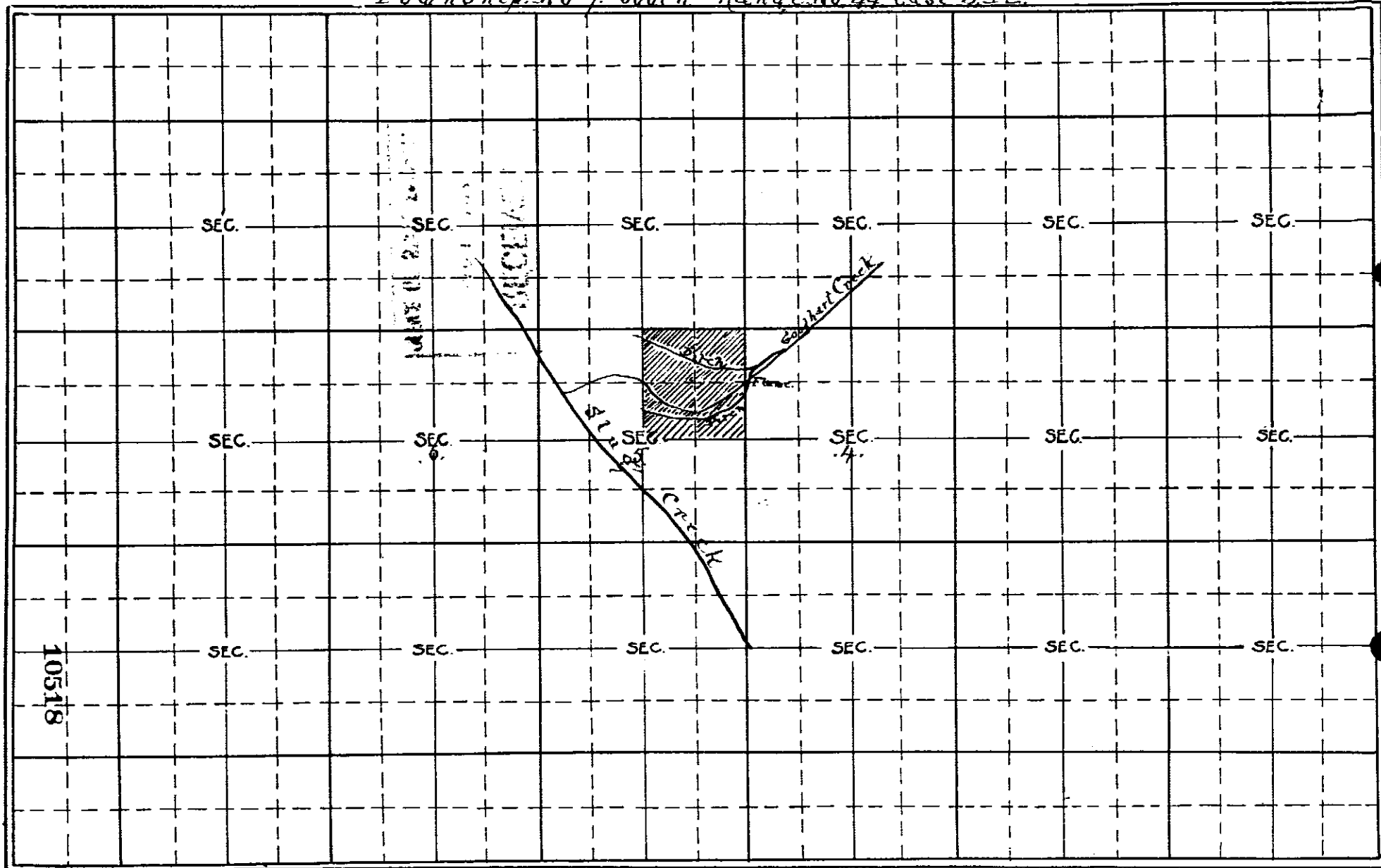
Permit 10518

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.

Township No 9. South Range No 44 East B.M.

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



None of Applicant

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
F. BRUCE COVINGTON
JERRY JENSEN
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
SHARON F. DUNKIN
JUSTIN R. SEAMONS

Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 7, 1990

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office

Mr. Ernest Carlsen, Adjudication Supervisor
Idaho Department of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls ID 83402

Dear Mr. Carlsen:

In our telephone conversation of May 4, 1990, you stated that the license 27-02008 for 1.100 cfs to irrigate and water stock as filed timely in the Snake River Basin Adjudication in your offices on February 14, 1990, in the name of the J.C. Wallentine Family Trust, Lena D. Wallentine Trustee, c/o P.T. Blotter and/or Ezra Stucki was not entered into the database record on the AJ side of the computer. Would you please do so and send me a copy of the claim in the Fifth District Court filing format for our client and our records.

In reviewing the similar forms printed out for me at southern region in order to check the accuracy of the data entry as well as provide our client with copies of his claims, I note that the claimant name(s) in Field No. 1 are incomplete compared to the carbon copies of our claims. I have checked Field 14 under Remarks to see if there would be a continuation of the additional information and find no continuation that fully describes the original as filed claim. Please tell me the status of the Blotter claims with regard to this method of data entry.

Our client has had a change in trustee status for a number of his claims as filed originally. While this will not be a change in ownership to the extent that it will remove the entire claimant name as filed, there will be a change in one of the trustee names for a portion of the claims as originally filed.

NOV 12 1992

Mr. Ernest Carlsen, Adjudication Supervisor
Idaho Department of Water Resources
Eastern Region
May 7, 1990
Page - 2

Thanks for your past help and attention to this rather large filing and I look forward to hearing from you regarding the status and completeness of the claims.

Best wishes.

Very truly yours,



FRANCIS G. HITCHCOCK
LEGAL ASSISTANT

FGH/dcb
54781

cc: Thomas P. Blotter

NOV 12 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

W. Martine

CLAIM #

ENT. NO.

127-02026

DATE RECEIVED

2-15-90

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the
short form, and more than one domestic use is listed, single owner-
ship must be stated. If not under single ownership, see
Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the
identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by:

EMC

Date:

2-16-90

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

NOV 12 1992

M E M O R A N D U M

TO: IDWR Reviewing Agent

FROM: Frank Hitchcock, Legal Assistant

RE: Bannock County Identification of Original Licenses

The original paperwork for the following licenses lists Bannock County as the county in which the diversion and usage occurs.

1. 27-02003
-02008
-02015
-02026
-02041

Idaho Code Title 31-105. Bannock county. -- the Compiler's notes. states that:

"Caribou County created therefrom 1919, ch. 5 p. 28. Election was held in November, 1920, to decide whether certain territories should be detached from Bannock County and Caribou County organized therefrom, 1919, ch. 5, § 23-28, pp. 40, 41."

I enclose one of your Department's basin maps with the place of use, township and range highlighted to show that the lands are in Caribou County and within the Department's Basin 27.

Idaho Code Title 31-117. Caribou county. -- the Compiler's notes. states that:

"The remainder of S.L. 1919, ch. 5 is omitted as temporary. Election was held in November, 1920, to decide whether above described territory should be detached from Bannock County and Caribou County organized therefrom, 1919, ch. 5, §§ 24, 28, pp. 40, 41.

It appears that claimant's lands were taken into the formation of Caribou County at this time, although there is no way of documenting the lands without additional expense in terms of time and effort.

3168m

WALLENTINE

1073

NOV 12 1932

State of Idaho
License and Certificate of Water Right

Water License No. 10518
Water District No. 84

Amount 2.0 sec. ft.
Priority 0-7-14

THIS IS TO CERTIFY that **Peter C. Patterson** of **Soda Springs, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **August 7, 1914**, that Permit No. 10518 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on **September 20, 1916**, showing that said works were completed on the **9th** day of **September, 1916**; and that on the **24th** day of **August, 1918**.

Peter C. Patterson of **Soda Springs, State of Idaho**, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of **Goodhard Creek**, a tributary of **Blackfoot River**, for the purpose of irrigation and domestic use, under Use Permit No. 10518 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 State Engineer of Idaho and entered of record in Volume **5** of Licenses, at page **2450**, on the **1st** day of **February, 1919**.

The right hereby confirmed dates from **August 7, 1914**.

The Point of Diversion is located

in the **NW 1/4** of **NW 1/4**, Sec. **4**, Tp. **9 S.**, R. **44 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 **2.0** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	44 E.	5	Lot 1	40	10
			2	40	20
			SE 1/4	40	20
			SW 1/4	40	40

no mention of County —

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

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this **5th** day of **March, 1919**.

(5321) The foregoing is a true and certified copy of the document on file at the department of Water Resources.
Signed this 5th day of June, 1919

FRED A. WILKIE
State Engineer
NOV 12 1932
27 2026

Walter

STATE OF IDAHO
County of Carbon
116812