

2487

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: A29-00131
Date Received: 1/24/1990
Receipt No: E012070
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 1 1990

Department of Resources
Eastern District Office

1. Name: DONNA RAE MABEY
Address: 387 E. 450 S.
CLEARFIELD, UT

84015

2. Date of Priority: JUN 25, 1902

3. Source: PEBBLE CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	38E	8	SE	SE			CARIBOU
		9	NE	SW			CARIBOU

5. Description of diverting works:
2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	3.170		

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

A.F.A.

8. Total consumptive use is 495.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	38E	3	NW	SW		IRR	7.0
			SW	SW		IRR	36.0
Section Acres							43.0

A2900131

A29-00131

Page 1

Date: 01/24/90

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	38E	4	NE	SE		IRR	38.0
			SW	SE		IRR	38.0
			SE	SE		IRR	39.0
						Section Acres	115.0
		9	NW	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	198.0

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:
A29-00133/02048/02449.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Hona Rae Mahney Date: 2/12/90

Date: _____

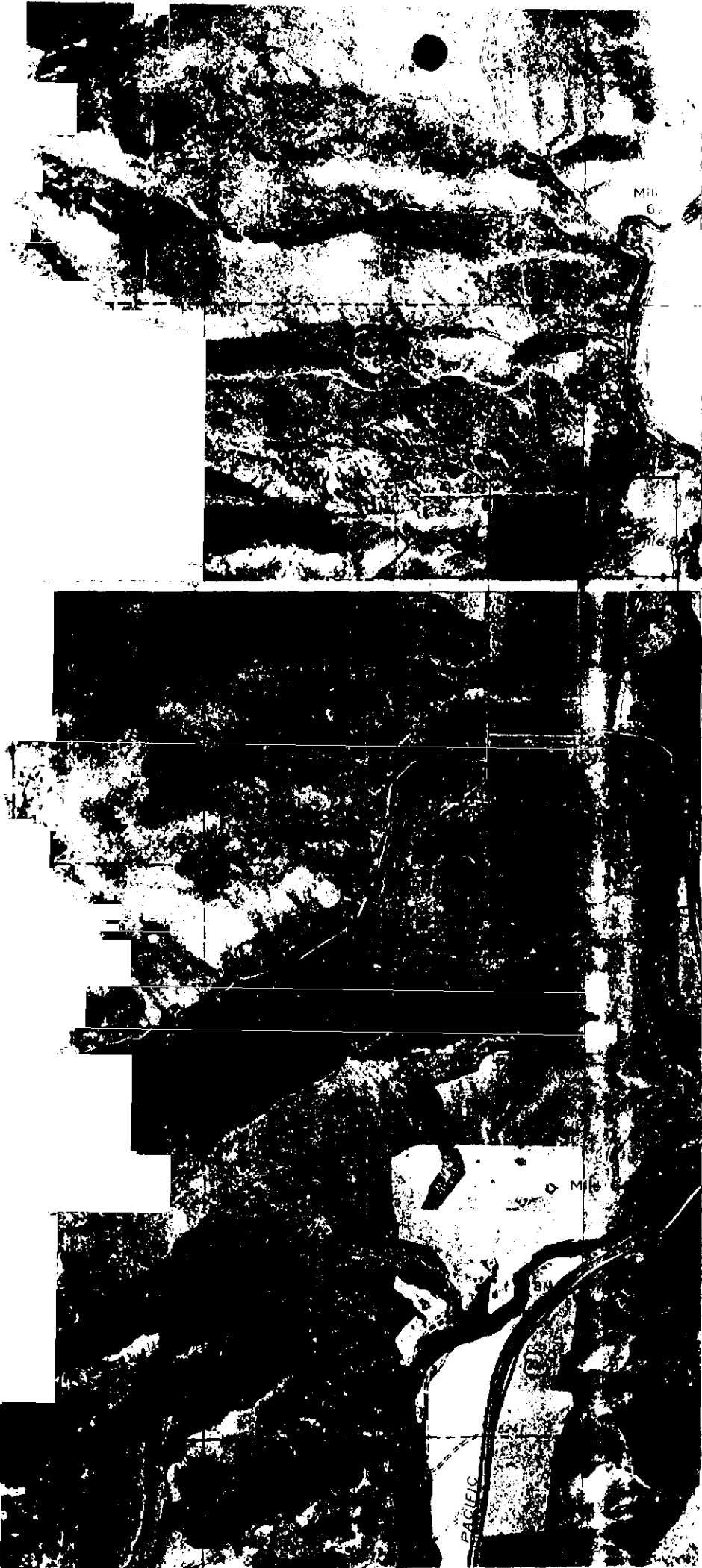
State of ~~Idaho~~ UTAH)
County of DAVIS) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of FEBRUARY 19 90

Harold E. Reed
Notary Public

Seal

Residing at CLEARFIELD, UTAH
My Commission Expires JUNE 18, 1990



Mil. 6.

Mil. 6.

Pebble

Pebble Well

Mil. 6.

Milkshake Street

CARIBOU CO.
SANNOCK CO.

REPRODUCED

NOV 13 1992

Log for claim A29-00131

Spatial Dynamics BTD

6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s38e	3	NWSW	7	6.3	Indiscernible
08s38e	3	SWSW	36	40	Indiscernible
08s38e	4	NESE	38	38	
08s38e	4	SWSE	38	39	
08s38e	4	SESE	39	40	
08s38e	9	NWNE	40	37	
Totals:			198	200.3	

AJ5809NP
No. A29-00131

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 34

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONNA RAE MABEY 387 E 450 S CLEARFIELD UT 84015	06/25/1902	IRRIGATION	04-15 09-15	3.170 CFS	
TOTAL DIVERSION:					3.170 CFS	
CONSUMPTIVE USE:						495.00 AFA

Water Source: PEBBLE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T08S R38E S08 SESE
S09 NESW

CARIBOU County
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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	---		
08S	38E	3	:								:									:									:								:	43.0	
08S	38E	4	:								:									:									:	38			38	39	:	115.0			
08S	38E	9	:				40				:									:									:							:	40.0		
																														TOTAL ACRES			198.0						

POU County: CARIBOU

Other Rights: A29-00133/02048/02449.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-12340 A29-00132 A29-00133 A29-00134 A29-00137 A29-02036 A29-02047 A29-02048 A29-02102

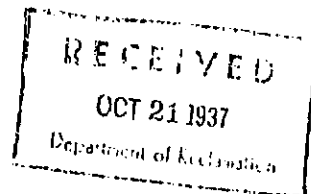
Other Water Rights Listing Overlapping Place(s) of Use:
A29-00133 A29-02048 A29-02449

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 01/24/90 MOBILE3 04/04/94 THOMPSON 03/29/95 POST-STD

Corrected Copy



Revised & Coded
HWT 1985

568.

DECREE

Union Grain & Elev.

VS.

McCammern Ditch, et al.

29781

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF
BANNOCK

UNION GRAIN & ELEVATOR COMPANY, a corporation

Plaintiff,

-VS-

McCammon Ditch Co., a corporation, Defendants

McCammon Ditch Company, a corporation; Portneuf Irrigating Company, a corporation; Sunnyside Ditch Company, a corporation; Topaz Irrigation Company, a corporation; Dempsey Irrigation Company, a corporation; Toponce Canal Company, Limited, a corporation; Portneuf-Marsh Valley Canal Company, Limited, a corporation; Portneuf Marsh Valley Irrigation Company, a corporation; Oregon Short Line Railroad Company, a corporation; Elizabeth Kinport, Administratrix of the estate of Harry B. Kinport, deceased; George Goodenough, William Lewis, Edward Murphy, C. C. Peoples, Charles West, A. J. Knollin, W. A. Hibner, Andrew Cutler, W. A. Barron, George Romriell, Frank Warner, John Symoné, Joseph Simons, S. J. Palmer, W. W. Cooper, John Hall, Roe White, Willard Bell, Patrick Bell, J. F. Dunn, Charles J. McGuinn, Leslie Gillett, and Fish Creek Irrigating Company, a co-partnership composed of John Hall, Charles J. McGuinn, Frank C. Potter, J. F. Dunn and J. A. Eldredge,

Defendants.

The following parties were upon application of the attorneys for the plaintiff, by reason of the statute in such cases made and provided, afterwards brought in as parties defendant in order that a complete determination of the controversy could be had, to-wit:

Roy Faulkner, Kepler Sessions, Thomas J. Nipper, Stephen Grimm, George John, Emmel Byington, Frank Reed, Smith Ranch (Donald Monson and R. Monson), Charles Byington, James Byington, Noah Reese, Tom Hallinan, George A. Whitworth, J. T. Gittens, George Lewis, Joseph Cutler, Thomas E. Orgill, John Gooch, Fred Johnson, Ira Call, C. V. Call, Chris Call, Carl Loveland, Josiah Loveland, David Butterfield, Andrew Butterfield, Osmond Call, Earl Holbrook, Chester Call Estate (Sarah Call, Administratrix), Arthur Naylor, Byrant Perkins, Parley Jenson, Forest Cornelison, West Side Canal Co., a corporation, I. E. Thompson, Ben D. Jensen, George Brangham, Jas. A. Eldredge, John Gooch, Robert Redford, Alma Hogan, Joseph Purvis, Dave Butterfield, Thomas J. Nipper, Thomas J. Nipper, M. Whitworth, John Whitworth, Neal Williams, J. Buckindorf, J. F. Corbett, Peter Zadron, Joseph Smith, Earl Moss, E. J. Dolbeer, Hall City Ditch, a co-partnership composed of C. J. McGuinn, Rebecca Warner, A. W. Hall, John Hall Estate, Thomas F. Terrell, Mrs. J. G. Bristol, Lesli Sharp, Lew White, Leslie Bowden, James Kofoed, David Aslett, James C. Allen, Mrs. Anna Norton, Lee Merrick, Rebecca Warner, John Potter, George Harrison, A. M. Boyce, J. H. Maughn, G. H. Maughn, F. D. Fagnent, Nephi Hemmingway, F. V. Briscoe, Clarence Avery, John N. Avery, John Byington, W. R. Godfrey, Alonzo Avery, Jesse Avery, J. M. Jensen, W. Leo Jensen, Claud Jensen, Arthur Roswell, H. A. Weddell, Ray Bloxum, Charles Strom, Joseph Bell, Herbert Byington, John Ramsey, H. K. Ward, C. F. Potter, Adrian Campbell, Ira Byington, Alfred Baker, Charley Bell, Ernest Byington, D. A. Monroe Martin, O. K. Exum, A. A. Kofoed, Tom Harper, Brady Stolpe, Spencer Godfrey, A. B. Cheney, Bert Lish, Archie Lish, James Higgins, John M. Fairchilds, Foster, Edward Wilmore, Edgar Beebe, James T. Benson, Arthur Fopront, Ray Kedley, James Roddy, George Chapman, D. K. Merrick, L. S. Wight, Leo

Hansen, Reuben Hansen, Nephi Liljenquist, H. Hawken, R. L. Redford, Earl Lloyd, Daniel Lloyd, Nels Hogan, Alma Hogan, William Higginson, Robert Higginson, George Higginson, Thomas Hatch, Margaret Hatch, Administratrix estate of R. Hatch, Donald Monson, Charles Miles, Chesterfield Reservoir & Canal Company, a corporation.

J U D G M E N T

This Cause came on regularly for trial on the 26th day of September, 1931, before the Honorable John C. Rice, Judge of the Seventh Judicial District of the State of Idaho, presiding as Judge of the above entitled court, sitting without a jury, a jury having been expressly waived by the respective parties.

And the court having previously fixed the time and place for the hearing of the cause, and having caused the Clerk of the court to give notice in writing to the attorneys of record for all the parties to said action prior to the date set for the hearing of the same;

Messrs. Standrod & Standrod appeared on behalf of the plaintiff, Union Grain and Elevator Company, a corporation;

Messrs. Merrill & Merrill appeared on behalf of the following defendants and cross complainants, and their successors in interest, to-wit: A. J. Butterfield, Joseph Purvis and William F. Purvis (sometimes spoken of as Purvis Brothers), J. A. Eldredge, Joseph E. Corbett, J. Fred Corbett, E. F. Shore (successor to James Buckindorf), J. Bellu and O. Moriotto, Commodore Earl Moss, Earl D. Houtz, Thomas Hallinan, John W. Symons, George John, George A. Whitworth, F. A. Reed, James H. Byington, William R. Godfrey, A. A. Rowsell, Walter Rowsell, S. A. Rowsell and J. A. Rowsell, John Potter, M. Lucinda Byington, George Harrison, John N. Avery, Clarence Avery, J. A. Avery, Lee Merrick, Nephi Hemenway, George Harrison Maughan and John Raymond Maughan, George Harrison Maughan, John Raymond Maughan and Joseph Howard Maughan, First National Bank of Ogden, Charles Romriell, Archie Lish, A. B. Cheney, Ray Lish and Lester Romriell, Albert Lish, Village of McCammon, Idaho, Ameziah Henson, Brogham R. Green and Orson D. Robbins, Royal T. Hale, Samuel Orgill, G. H. Romriell, Portneuf Irrigating Company, a corporation, McCammon Ditch Company, a corporation;

Messrs. Black & Baum and Messrs. Merrill & Merrill appeared on behalf of the following defendants and cross complainants, to-wit: Portneuf Marsh Valley Canal Company, a corporation; Dempsey Irrigating Company, a corporation; Topaz Irrigation Company, a corporation; McCammon Ditch Company, a corporation; Fish Creek Irrigation Company, a corporation;

Messrs. Black & Baum appeared on behalf of the defendant, George Goodenough;

H. B. Thompson, Esq., appeared on behalf of the Oregon Short Line Railroad Company, a corporation;

Jones, Pomeroy & Jones appeared on behalf of the defendant and cross complainant, Noah Reese; and

Isaac McDougall, Esq., also appeared on behalf of the defendant, Portneuf Marsh Valley Canal Company, a corporation;

There being no further appearance either in person or by attorneys;

Thereupon witnesses were sworn and examined on behalf of the plaintiff and defendants herein, and documentary evidence was offered and received by and on behalf of the respective parties, and the testimony

closed. Arguments were submitted by the respective counsel and the cause was finally submitted to the court for its decision, and the court having duly considered all testimony, the arguments of counsel and being fully advised in the premises, has made and adopted its findings of Fact and Conclusions of Law, and order judgment to be entered in accordance therewith.

29-0008 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED: That the Union Grain & Elevator Company, the plaintiff is entitled to and that it have at all times during each and every year hereafter, the right to use and the use continuously of fifty-eight and twenty-seven hundredths (58.27) cubic feet per second of time of the waters of the said Portneuf River hereinafter described for the purpose of producing and generating power to operate its flour mill known as the McCammon Mill situated as hereinafter more fully described, and the machinery and elevators therein and connected therewith, and for the purpose of generating electricity to light the said mill and mill premises, its right to the use of said waters to date from the 1st day of July, 1892; the said waters to be diverted through the canal, conduit, mill race or flume conveying the said water from the said Portneuf River to the penstock and water wheel whereby the power for running the machinery and elevators and for generating electricity is produced, the said diversion of said water being from a point on the west bank of the said Portneuf River in the Northwest quarter of Section twelve (12), Township nine (9) South, Range 36 E.B.M., from the Northwest quarter of Section twelve (12), township and range aforesaid, the point of diversion bears South fifty-three (53) degrees East, twenty-eight hundred ninety (2890) feet. The said mill being situated on the following described lands:

Commencing at corner number one, from which the closing corner of the line between sections one and twelve in Township nine (9), South of Range thirty-six (36) East of Boise Meridian in Idaho, lies north twenty-seven degrees and thirty minutes west, eleven hundred and fifty-six (1156) feet (on the left bank of Portneuf River); thence run South sixty-four degrees and forty-five minutes west, sixty-seven and one-half (67 1/2) feet, to corner number two; thence South, Twenty-two degrees and thirty minutes east, forty-seven and one-half (47 1/2) feet to corner number three; thence south sixty-seven degrees and thirty minutes west, fifty-six and one-half (56 1/2) feet to corner number four; thence South nine degrees and forty-five minutes west, twenty-five (25) feet to corner number five; thence South, twenty-two degrees and thirty minutes east, two hundred and twenty (220) feet, to corner number six; thence North sixty-seven degrees and thirty minutes East, two hundred fourteen and one-tenth (214.1) feet to corner number seven; thence North thirty-seven degrees and thirty minutes West, three hundred and one and eighty-one one-hundredths (301.81) feet to the place of commencing, containing in all one acre more or less.

29-0009 That the said plaintiff, the Union Grain & Elevator Company, have at all times during the irrigation season, the use of .14 cubic feet per second of time of the waters of said Portneuf River, its right to the use of the same to date from the 1st day of July, 1902, which said waters shall be used upon and become appurtenant to the lands owned by said plaintiff in Lot 1, Section 12, Township 9 South, Range 36 E.B.M., the said waters to be diverted through what is known as the Lewis-Goedenough Ditch diverting from the Portneuf River on the North bank in Lot one (1), Section twelve (12), Township nine (9) South, Range 36 E.B.M.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That the following named persons and corporations, defendants and cross-complainants in this action, have the right to the use of the waters of the said Portneuf River, and the tributaries thereof, and springs, the sources of

29781

3129
96. WHITWORTH, JOHN T.
1902 June 17.

.40 c.f.s. Said water to be diverted through the Whitworth Ditch which diverts from Smith Creek in the Northeast quarter of the Southwest quarter, Section 11, Township 7 South, Range 38 East. From the West quarter corner of Section 11, Township 7 South, Range 38 East, the point of diversion bears South 73 degrees and 35 minutes East, 1998 feet, for domestic purposes and for the irrigation of 20 acres of land in the Southeast quarter of the Northeast quarter, Section 11, Township 7 South, Range 38 East.

PEBBLE CREEK TRIBUTARY TO THE PORTNEUF RIVER

29-0130

97. DENTON, ELIZABETH KIMPORT
1902 June 17 3.1 c.f.s.

Said water to be diverted through three ditches, one having intake North 40 degrees West, 1668 feet from South quarter corner, Section 9, Township 8 South, Range 38, E.B.M.; another having its intake North 58 degrees 45 minutes West, 1685 feet from East quarter corner, Section 9, Township 8 South, Range 38, E.B.M.; and another having its intake North 20 degrees West, 1650 feet, from South quarter corner of Section 9, Township 8 South, Range 38, E.B.M., for the irrigation of the East half of the Northeast quarter, Section 9; the West half of the Northwest quarter, Section 10, Township 8 South, Range 38 E.B.M.

29-0131

98. CORBETT, JOSEPH E.
1902 June 25 3.17 c.f.s.

Said water to be diverted through a ditch having intake North 16 degrees 35 minutes West, 671 feet, from the Southwest corner of Section 9, Township 8 South, Range 38 East E.B.M., and also through another ditch having intake 40 degrees West, 1688 feet, from the Southwest corner of Southeast quarter of said Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the East half of the Southeast quarter, and the Southwest quarter of the Southeast quarter of Section 4, and the Northwest quarter of the Northeast quarter, Section 9, Township 8 South, Range 38 E.B.M.

29-0132

99. E. F. SHORE,
Successor to
BUCKENDORF, JAMES
1902 June 25 3 c.f.s.

Said water to be diverted through a ditch having intake North 40 degrees West 1688 feet from the Southwest corner of the Southeast quarter of Section 9, Township 8 South, Range 38 E.B.M.; and also through another ditch having intake North 27 degrees 15 minutes West 1531 feet from the Southwest corner of the Southeast quarter of Section 9, Township 8 South, Range 38 E.B.M.; and also through another ditch having intake in the Northeast quarter of the Southwest quarter of said Section 9, for the irrigation of the Southwest quarter of the Northeast quarter; the North half of the Southeast quarter, the South half of the Southeast quarter of Section 9, and

29781

JOE WILLEY CREEK, TRIBUTARY TO TWENTY FOUR MILE CREEK.

CALL DITCH NO. 21, Diverts from Joe Willey Creek in the Southeast quarter of the Northeast quarter, Section 27, Township 6 South, Range 39 East. From the East quarter corner of Section 27, the point of diversion bears North 53 degrees and 25 minutes West, 952 feet.

CALL DITCH NO. 2, diverts from Joe Willey Creek in the Southwest quarter of the Southwest quarter, Section 27, Township 6 South, Range 39 East. From the Southwest corner of Section 27, the point of diversion bears North 61 degrees and 15 minutes East, 1210 feet.

24-0225 161. CALL, OSMOND
1883 May 1. .75 c.f.s.
(37.5 inches)

Said water to be diverted through the said Call Ditch No. 1, and Call Ditch No. 2, last above described, for the irrigation of 75 acres of land in the west half of the Southeast quarter, and the Southeast quarter, and the Southeast quarter of the Southwest quarter, Section 27, Township 6 South, Range 39 East.

29-0226 162. HOLBROOK, JONATHAN
1883 May 1. .19 c.f.s.
(9.4 inches)

Said water to be diverted through the said Call Ditch No. 1 and Call Ditch No. 2, last above described, for the irrigation of 9 3/8 acres of land in the Southeast quarter of the Northeast quarter, Section 33, Township 6, South, Range 39 East.

29-0227 163. CORNELISON, FORREST L.
1883 May 1. .06 c.f.s.
(3.1 inches)

Said water to be diverted through the said Call Ditch No. 1, and Call Ditch No 2, last above described, for the irrigation of 3 1/8 acres of land in the Northeast quarter of the Northeast quarter, Section 33, Township 6 South, Range 39 East.

The Court having found that 18-Mile Creek and Mose Canyon Creek are not tributaries to the Portneuf River,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That the following named persons so far as their rights to the waters of said Creeks are concerned, be dismissed from this action, to-wit:

Frank Butterfield, Robert L. Redford, Alma Hogan, E. A. Madison, Margarette Hatch, Adminsitatrix of the Estate of Ramson Hatch, Deceased, Nels Hogan, William Higginson, and Thomas Hatch.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That Sarah Harkness, Ernest Byington, John Byington, Charles Mills, Robert Redford, Charles Byington, C. F. Potter, Leslie Sharp, James Higgins, James Roddy, Alfred Baker, Chas. Bell, John Ramsey, Jesse Avery, A. M. Boyce, Ray Bloxum, Mrs. N. Norton, Joseph Bell, Arthur Naylor, E. J. Dolbeer, H. A. Weddell, Stephen Grimm and Will Bowers, have no right, title, interest or claim in or to any of the waters of the Portneuf River, or its tributaries and sources, and the parties and each of them, their agents, servants, attorneys, successors in interest and assigns, are perpetually enjoined from diverting or using any of the water of the Portneuf River, or its tributaries and sources.

No costs or disbursements are allowed to any of the parties to this action, but each shall pay his, her or its own costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That when the natural flow of the streams, the water of which is awarded by this decree, is not sufficient to furnish all parties claiming water therefrom with the full

more than 30 cubic feet per second, automatic measuring and registering devices shall be installed and shall at all times be subject to the inspection of any party to this action, or to any public officials or water masters having jurisdiction over the distribution and diversion of water, and no dam or other obstruction to the natural flow of the stream shall be maintained so as to divert water from the channel of the stream, except through ditches, canals or other works, provided with such headgates, control works and measuring devices, except as in this judgment provided; and each of the parties hereto shall be perpetually enjoined from diverting from the channel of the said Portneuf River, or its tributaries or sources any water through any ditch, conduit, or other devices not provided with such headgates, control works and measuring device; provided, that in case of diversions through pipes for power purposes or otherwise, measuring devices may be dispensed with where the quantity of water diverted may be otherwise determined by other means of calculation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the persons and corporations herein mentioned to whom rights are decreed, are the persons and corporations owning and having such rights as of date of the original decree herein, to-wit: of the 29th day of June, 1921, and that any assignees, grantees, heirs, devisees, and successors in interest of such parties, shall be deemed to have been substituted as parties to this action, and this decree shall establish the rights of such assignees, grantees, heirs, devisees and successors in interest the same as if they were named herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That this Court retain jurisdiction of this cause for one year from the date of the signing of this decree for the following purposes:

1. To make corrections for clerical errors, inadvertances and omissions in the rights decreed.
2. To review and amend the provisions of this judgment fixing, if necessary, the limits of the irrigation season, and further reducing the amount of water which may be shown during actual operation of the River, its tributaries and sources, to be in excess of the amount actually necessary for the successful production of crops.

Done in open District Court, this, the 6th day of August, 1932.

John C. Rice
DISTRICT JUDGE.

FILED
Grace L. Hall
Clerk, Auditor & Recorder
Bannock County, Idaho
Anna Keefe, Dep
Aug 8 1932 3 45 PM
Book 11 of Judgments, page 202.

STATE OF IDAHO, }
County of Bannock } ss.

I, ANNA KEEFE, Clerk of the District Court, Ex-Officio Auditor and Recorder in and for said County and State, hereby certify that the above and foregoing is a full, true and correct copy of the original DECREE File No. 2203

UNION GRAIN & ELEVATOR COMPANY, a corporation, Plaintiff,
vB
McCammon Ditch Co., a corporation, Defendants.

as the same appears of record or on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Pocatello, Idaho, this 20th day of October, 1957.

By _____
Deputy

Anna Keefe
Clerk, District Court, Ex-Officio Auditor and Recorder

2778

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No

3820

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Donna Rae Mabey Phone (801) 825-2114
Post Office address 387 E. 450 S. Clearfield, UT 84015

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Exchange of Rights
2. Describe the reason for the proposed changes It is more efficient to gravity flow our Pebble Creek water to the sprinklers than to pump our well water uphill. I intend to pump the well into the Portneuf River while continuing my use of Pebble Creek water after June 25, 1902 priorities are cut off.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|--|-------------------------------|------------------------------|-----------------------------|
| <u>A29-00131</u> | <u>6-25-1902</u> | <u>2.17 2.59 *</u> | <u>Irrigation</u> | <u>4-15</u> to <u>9-15</u> |
| <u>29-02449</u> | <u>11-03-1961</u> | <u>2.22</u> | <u>Irrigation</u> | <u>4-01</u> to <u>10-31</u> |
| <p>* right 29-00131 will be reduced to 2.22 cfs. This will reflect the exchange to _____
 The exchange may only take place during the decreed irrigation seasons of 4-15 to 9-15.</p> | | | | |
| 2. Total amount of water being transferred <u>Exchanged</u> | | <u>2.22</u> | cubic feet per second and/or | _____ acre-feet per annum. |
| 3. Source of water | <u>Groundwater & Pebble Creek</u> tributary to _____ | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 162

PART 1**6. General Information:**

a. Description of diversion system Headgate to ditch to pipeline and sprinklers used for Pebble Creek right.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

All rights are appurtenant to Mrs. Mabey's property. I want to put the well right directly into the Portneuf River and continue to use the Pebble Creek rights.

d. Remarks:

I will only exchange a maximum of 2.22 cfs. This amount will continue to be taken from the creek after the priorities of 6-25-1902 are cut while I pump 2.22 cfs into the Portneuf from my well as compensation/exchange.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-00131/02449

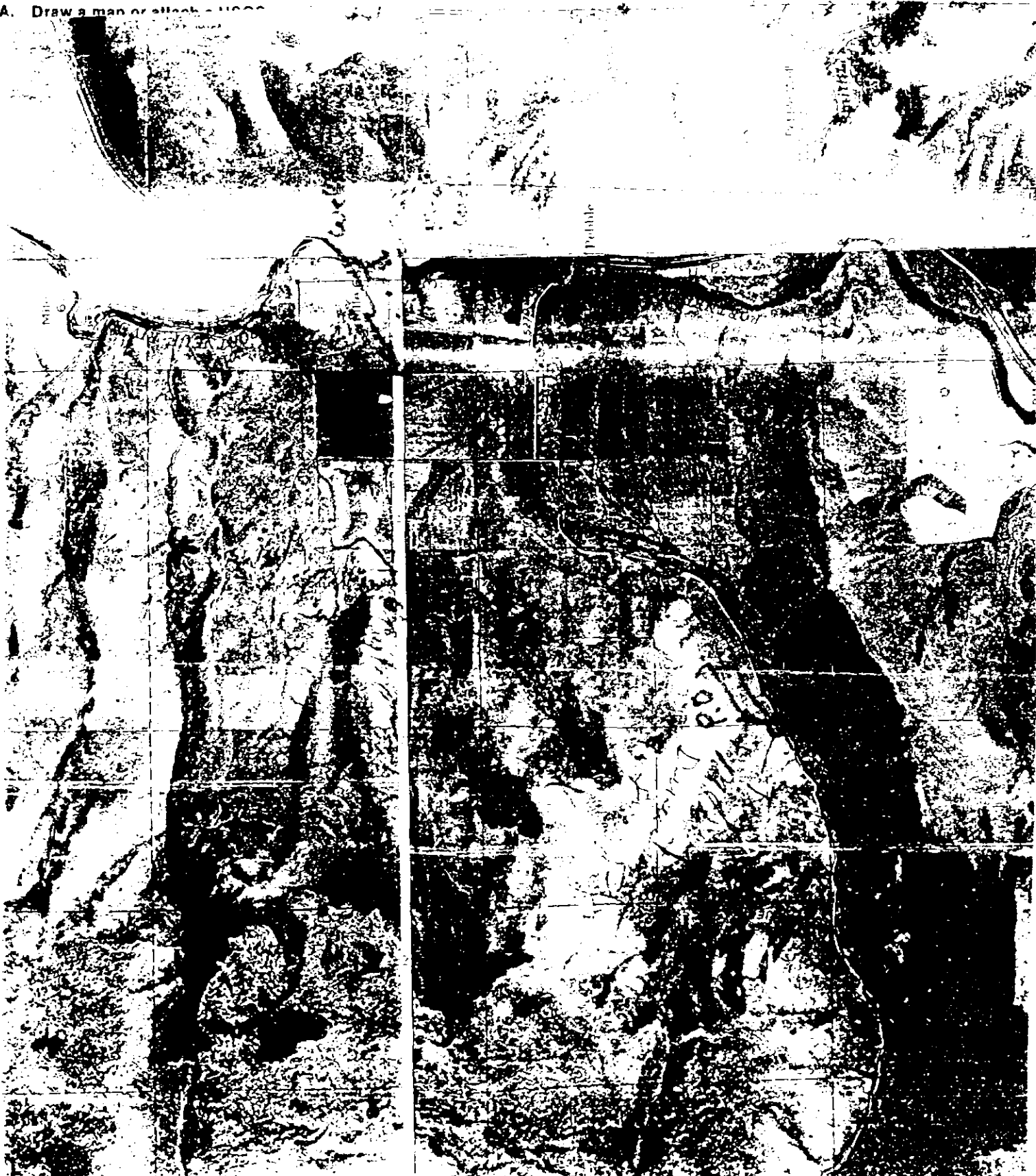
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 92

CHIEF, WATER ALLOC. BUREAU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a map



SCALE: 2 inches equal 1 mile. Draw plan in ink.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-02449 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 11-03-1961

5. Water is used for the following purpose:

amount 2.22 cfs for Irrigation purposes from 4-01 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.22 cubic feet per second and/or 474 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	3	8S	38E	Caribou	.

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	38E	3									7	36							43
		4													38		38	39	115

Total acres 158

9. Describe any other water rights used for the same purpose as described above _____

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 14th day of Jan., 19 91.

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires Feb 14 1992.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 2-6-91

Protest filed by _____

Prelim. check by KNO Fee \$50.00Receipted by HWT * BOISKA Date 2-6-91Published in Caribou County Sun

Copies of protest forwarded by _____

Pub. dates 3-21 & 28-91

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by RAC

Copy of transfer sent to lien holder _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. Adj. A29-00131 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Pebble Creek tributary to Portneuf River

4. Date or priority June 25, 1902

5. Water is used for the following purpose:

amount 3.170 cfs for Irrigation purposes from 4-15 to 9-15

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 3.17 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	8	8S	38E	Caribou	
		NE	SW	9	8S	38E	Caribou	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	38E	3										7	36						43
		4													38		38	39	115
		9			40														40

Total acres 198

9. Describe any other water rights used for the same purpose as described above A29-00133

A29-02048, A29-02449

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 no _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.59 for Irrigation purposes from 4-15 to 9-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE		8	8S	38E	Caribou	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	38 E	3										7							7
		4													38		38	39	115
		9			40														40

Total acres 162

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 58 for Irrigation purposes from 4-15 to 9-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	8	8S	38E	Caribou	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	38E	3										36							36

Total acres 36

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

DESCRIPTION OF RIGHT AS RECORDED

Right evidenced by:

- a. Decree No. 29-00131 Decreed to Joseph E. Corbett
in case of Union Grain & Elevator vs. McCammon Ditch et al
dated 8-06-1932 in District Court county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Pebble Creek tributary to Portneuf River

4. Date or priority June 25, 1902

5. Water is used for the following purpose:

amount 3.17 cfs for Irrigation purposes from 4-15 to 9-15
(cfs/acre)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.17 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

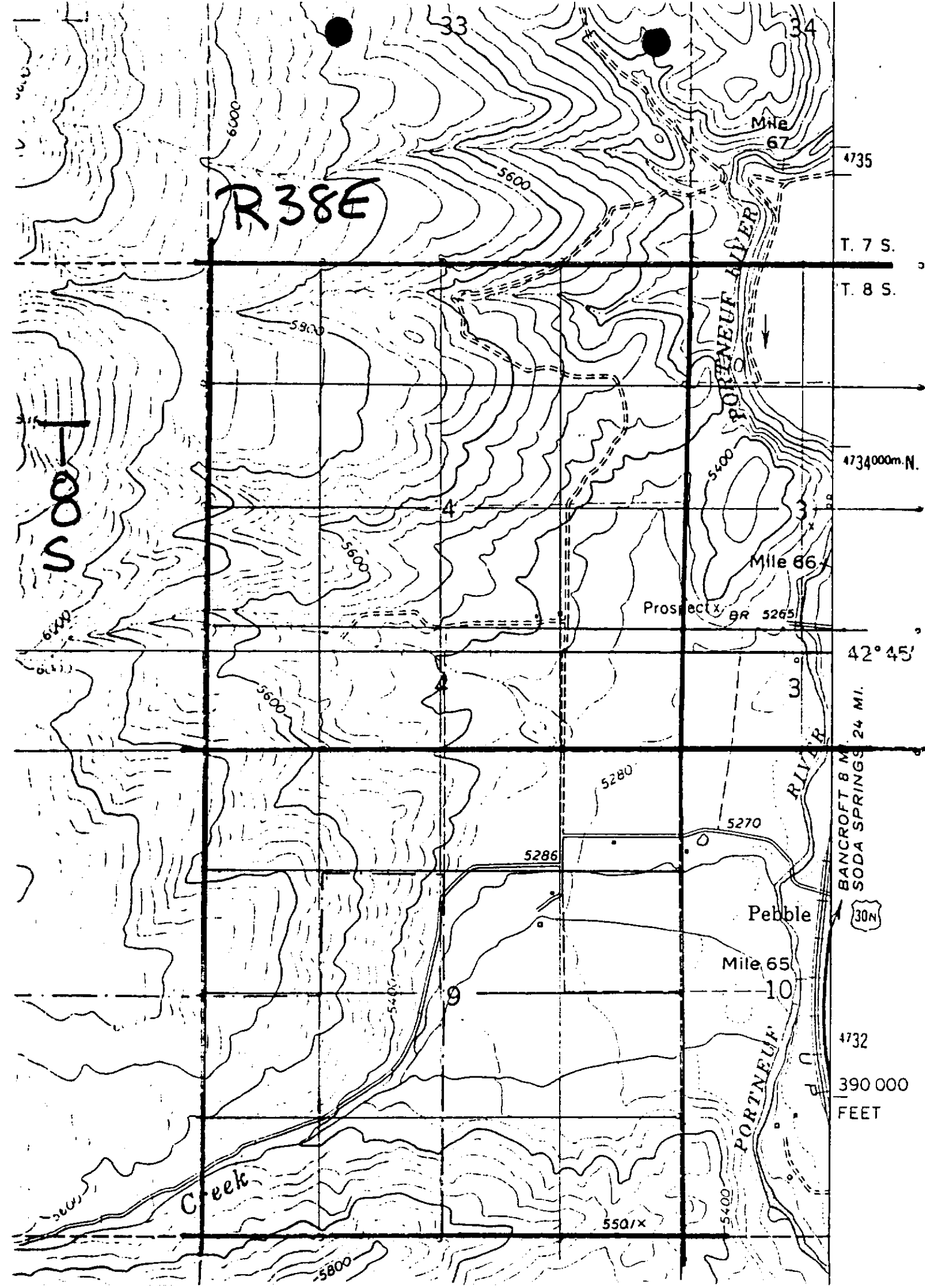
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	8	8S	38E	Caribou	
		SE	SW	9	8S	38E	Caribou	

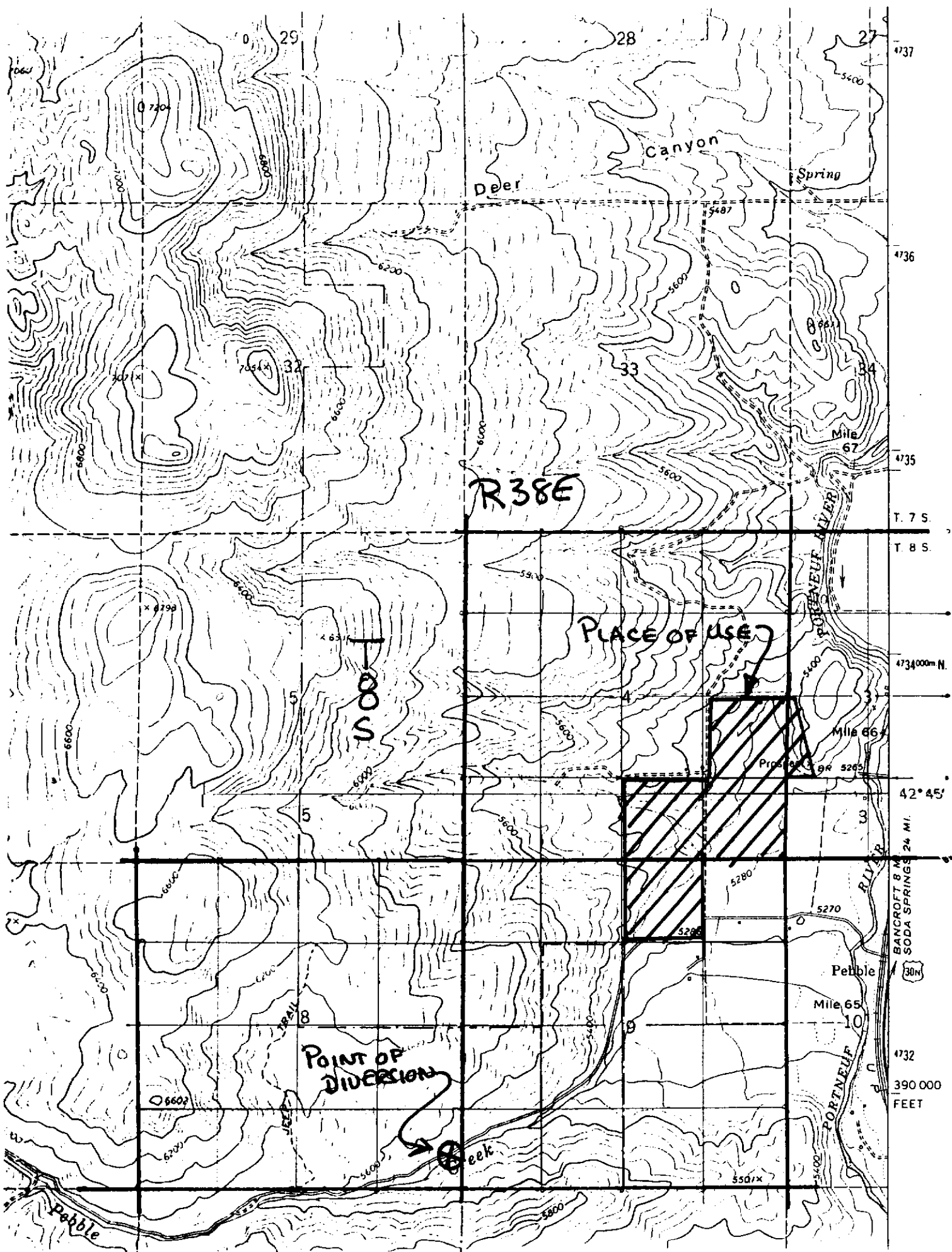
8. Lands irrigated or place of use:

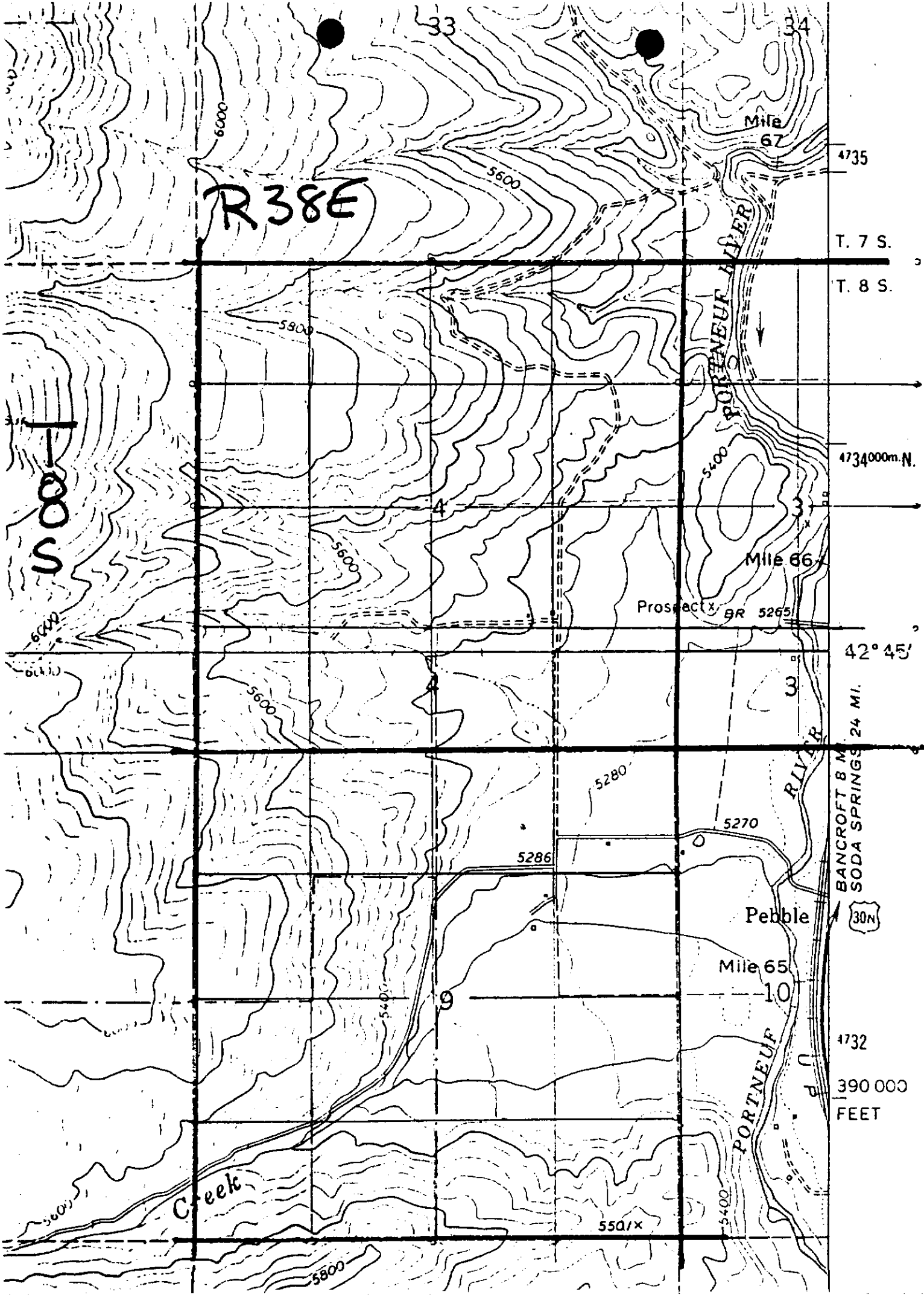
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	38E	4													A		A	A	
		9		A															

Total acres _____

9. Describe any other water rights used for the same purpose as described above 29-2449







COUNTY PROPERTY TAX 1990			COUNTY SCHOOL DIST#149 BANCROFT CEM.		FULL PAYMENT	
CODE AREA	PARCEL NUMBER	BILL NUMBER			TAX	
5	000000026740	R 2674	.454	47.31	129.72	
	40.00 ACRES		.7871%	81.91		
	NW1/4NE1/4 40 AC SEC9 T8S R38E		.0048%	0.50		
			TOTAL TAXES		1.2465%	129.72
			TOTAL DUE			129.72

MABEY, JAMES W.
MABEY, DONA RAE
387 EAST 450 SOUTH
CLEARFIELD UT 84015 0000

LED CHECK IS YOUR RECEIPT

LEVY LISTS AT TAX COLLECTOR'S OFFICE

TAX NOTICE AND RECEIPT

COUNTY PROPERTY TAX 1990			TAXING DISTRICT	RATE	AMOUNT	RECEIPT
CODE AREA	PARCEL NUMBER	BILL NUMBER				FULL PAYMENT
5	000000026630	R 2663	COUNTY	.4546%	137.23	TAX 376.28
	148.00 ACRES		SCHOOL DIST#149	.7871%	237.60	PEN.
	W1/2SW1/4, SW1/4NW1/4, TR SE1/4		BANCROFT CEM.	.0048%	1.45	SUB TOT.
	NW1/4 W OF RR, TR NE1/4SW1/4					INT.
	W OF RIVER 147 AC. SEC 3, T8S					TOT.
	R38E					1ST INSTALLMENT
			TOTAL TAXES	1.2465%	376.28	TAX 188.14
			TOTAL DUE		376.28	PEN.

MABEY, JAMES W.
MABEY, DONA RAE
387 EAST 450 SOUTH
CLEARFIELD UT 84015 0000

LED CHECK IS YOUR RECEIPT

LEVY LISTS AT TAX COLLECTOR'S OFFICE

TAX NOTICE AND RECEIPT

COUNTY PROPERTY TAX 1990			TAXING DISTRICT	RATE	AMOUNT	RECEIPT
CODE AREA	PARCEL NUMBER	BILL NUMBER				FULL PAYMENT
5	000000026690	R 2669	COUNTY	.4546%	193.34	TAX 530.14
	120.00 ACRES		SCHOOL DIST#149	.7871%	334.76	PEN.
	SW1/4SE1/4, E1/2SE1/4, 120 AC		BANCROFT CEM.	.0048%	2.04	SUB TOT.
	LESS 2.27 AC HW SEC 4 T8S R38E					INT.
			TOTAL TAXES	1.2465%	530.14	TOT.
			TOTAL DUE		530.14	1ST INSTALLMENT

MABEY, JAMES W.
MABEY, DONA RAE
387 EAST 450 SOUTH
CLEARFIELD UT 84015 0000

STATION	PEBBLE CREEK NR PEBBLE ID			ID	13072500
PARAMETER	Flow cfs			STATISTIC	Mean
YEARS	09/1911-09/1914	DRAINAGE AREA	27.20	HYDROLOG UNIT	17040208
SITE Code	SIREAM	CONTRIB AREA	27.20	GEOLOGIC UNIT	
STATE	ID	GAGE DATUM	5460.00	AQUIFER TYPE	
COUNTY	16029	WELL DEPTH	-1E+09	AGENCY	USGS
LATITUDE	N42:44:00	SAMPLE XSEC	-1E+09	AGENCY OFFICE	16
LONGITUDE	W112:02:00	SAMPLE DEPTH	-1E+09	SEQUENCE NBR	0

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Year
Day Cnt	93	90	93	93	85	93	62	63	60	93	93	95	1013
Day Avg	17	10	7.7	6.9	6.6	7.4	29	102	89	23	12	9.7	23
Min	3	3	3	3	3	3	2	2	2	3	3	3	2
Max Mon	31	12	8.0	8.5	7.9	10	45	106	136	30	17	12	29
Max Yr	1913	1914	1914	1914	1914	1914	1913	1913	1912	1912	1912	1912	1912
Min Mon	9.5	9.0	7.0	6.0	6.0	5.7	11	96	42	19	7.5	7.7	25
Min Yr	1912	1912	1913	1913	1913	1912	1912	1912	1913	1913	1914	1914	1913
Mon Std	12	1.5	0.58	1.3	1.1	2.6	24	6.8	67	6.2	4.9	2.2	2.7
Mon Skw	1.71	1.52	-1.73	1.62	1.73	1.71	—	—	—	1.71	0.16	1.06	—

Years 1911-14

Gage location - Above Forest Service Bridge, Approx where stream intersects section line common to secs. 8 & 17, T 8S, R 38E. This is Above Mazon/Wistonic IRRig Division.

```
STATION      : 13072500      PEBBLE CREEK NR PEBBLE ID
LOCATION      : LATITUDE N42:44:00, LONGITUDE W112:02:00, HYDROLOGICAL UNIT 17040208
DRAINAGE AREA : 27.20 mi2 (70.46 km2)
PERIOD OF RECORD: 09/1911 - 09/1914
GAGE ALTITUDE : 5460.00 (1664. m)
```

[illegible]

STATION : 13072500 PEEBLE CREEK NR PEEBLE ID

LOCATION : LATITUDE N42:44:00, LONGITUDE W112:02:00, HYDROLOGICAL UNIT 17040208

DRAINAGE AREA : 27.20 mi2 (70.46 km2)

PERIOD OF RECORD: 09/1911 - 09/1914

GAGE ALTITUDE : 5460.00 (1664. m)

Flow cfs WATER YEAR OCT 1911 TO SEP 1912
Mean

DAY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Year
1	11	9.0	8.0	6.0	6.0	6.0	7.0	15	148	90	19	13	
2	11	9.0	8.0	6.0	6.0	6.0	7.0	15	143	75	19	13	
3	11	9.0	8.0	6.0	6.0	6.0	7.0	16	144	65	20	13	
4	10	9.0	8.0	6.0	6.0	6.0	7.0	17	146	55	20	13	
5	10	9.0	8.0	6.0	6.0	6.0	8.0	18	148	45	20	12	
6	10	9.0	8.0	6.0	6.0	6.0	8.0	25	150	35	20	12	
7	9.0	9.0	8.0	6.0	6.0	6.0	8.0	34	152	26	20	12	
8	9.0	9.0	8.0	6.0	6.0	6.0	9.0	82	153	26	20	12	
9	9.0	9.0	8.0	6.0	6.0	6.0	9.0	91	154	26	20	12	
10	9.0	9.0	8.0	6.0	6.0	6.0	9.0	73	172	25	18	12	
11	9.0	9.0	8.0	6.0	6.0	6.0	10	78	170	25	18	13	
12	9.0	9.0	8.0	6.0	6.0	6.0	10	83	165	25	18	13	
13	10	9.0	8.0	6.0	6.0	6.0	10	88	160	25	18	13	
14	10	9.0	8.0	7.0	6.0	6.0	11	94	150	25	17	13	
15	10	9.0	8.0	7.0	6.0	6.0	11	100	140	24	17	13	
16	10	9.0	8.0	7.0	6.0	5.0	11	136	130	24	17	12	
17	10	9.0	8.0	7.0	6.0	5.0	11	154	121	23	17	12	
18	10	9.0	8.0	7.0	6.0	5.0	11	121	104	23	16	12	
19	9.0	9.0	8.0	7.0	6.0	5.0	12	121	110	22	16	12	
20	9.0	9.0	8.0	7.0	6.0	5.0	12	121	121	22	16	12	
21	9.0	9.0	8.0	7.0	6.0	5.0	12	121	143	21	16	12	
22	9.0	9.0	8.0	7.0	6.0	5.0	13	121	110	21	17	11	
23	9.0	9.0	8.0	7.0	6.0	5.0	13	121	112	20	17	11	
24	9.0	9.0	8.0	6.0	6.0	5.0	13	121	114	20	17	11	
25	9.0	9.0	8.0	6.0	6.0	5.0	14	130	116	20	16	11	
26	9.0	9.0	8.0	6.0	6.0	5.0	14	140	121	20	16	11	
27	9.0	9.0	8.0	6.0	6.0	6.0	15	150	126	19	16	11	
28	9.0	9.0	8.0	6.0	6.0	6.0	15	160	126	19	15	11	
29	9.0	9.0	8.0	6.0	6.0	6.0	15	132	121	19	14	11	
30	9.0	9.0	8.0	6.0		7.0	15	145	110	19	14	11	
31	9.0		8.0	6.0		7.0		154		19	13		
Mean	9.5	9.0	8.0	6.3	6.0	5.7	11	96	136	30	17	12	29
Max	11	9.0	8.0	7.0	6.0	7.0	15	160	172	90	20	13	172
Min	9.0	9.0	8.0	6.0	6.0	5.0	7.0	15	104	19	13	11	5.0
Ac-Ft	583	536	492	389	345	351	649	5905	8093	1831	1065	714	20951

STATION : 13072500 PEBBLE CREEK NR PEBBLE ID

LOCATION : LATITUDE N42:44:00, LONGITUDE W112:02:00, HYDROLOGICAL UNIT 17040208

DRAINAGE AREA : 27.20 mi2 (70.46 km2)

PERIOD OF RECORD: 09/1911 - 09/1914

GAGE ALTITUDE : 5460.00 (1664. m)

Flow cfs WATER YEAR OCT 1912 TO SEP 1913													
Mean													
DAY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Year
1	31	9.5	7.0	6.0	6.0	6.0	20	124	50	26	14	9.0	
2	31	9.5	7.0	6.0	6.0	6.0	19	124	50	26	14	9.0	
3	31	9.5	7.0	6.0	6.0	6.0	19	124	50	26	14	9.0	
4	31	9.0	7.0	6.0	6.0	6.0	19	124	50	26	14	9.0	
5	31	9.5	7.0	6.0	6.0	6.0	18	124	50	26	14	9.0	
6	31	9.5	7.0	6.0	6.0	6.0	20	124	50	26	14	9.0	
7	31	9.5	7.0	6.0	6.0	6.0	22	124	50	26	14	9.0	
8	31	9.5	7.0	6.0	6.0	6.0	24	124	50	20	14	9.0	
9	31	9.5	6.5	6.0	6.0	6.0	26	124	50	18	14	9.0	
10	31	9.5	7.0	6.0	6.0	6.0	36	126	50	18	14	9.0	
11	31	9.5	7.0	6.0	6.0	6.0	36	132	50	18	14	9.0	
12	31	9.5	7.5	6.0	6.0	6.0	36	128	50	18	14	9.0	
13	31	9.5	7.0	6.0	6.0	6.0	36	124	50	18	14	9.0	
14	31	9.5	7.0	6.0	6.0	6.0	36	121	38	18	14	9.0	
15	31	9.5	7.0	6.0	6.0	6.0	36	90	36	16	14	9.0	
16	31	9.5	7.0	6.0	6.0	6.0	36	90	36	16	12	9.0	
17	31	9.5	7.0	6.0	6.0	6.0	36	90	36	16	11	9.0	
18	31	9.6	7.0	6.0	6.0	6.0	36	90	36	16	11	9.0	
19	31	9.5	7.0	6.0	6.0	6.0	46	90	36	16	11	9.0	
20	31	9.5	7.0	6.0	6.0	6.0	50	90	36	16	11	9.0	
21	31	9.5	7.0	6.0	6.0	6.0	54	90	36	16	11	9.0	
22	31	9.5	7.0	6.0	6.0	6.0	50	90	36	16	10	9.0	
23	31	9.5	7.0	6.0	6.0	6.0	50	90	36	16	10	9.0	
24	31	9.5	7.0	6.0	6.0	6.0	50	90	36	16	10	9.0	
25	31	9.5	7.0	6.0	6.0	6.0	46	90	36	16	10	9.0	
26	31	9.5	7.0	6.0	6.0	6.0	84	90	36	16	10	9.0	
27	31	9.5	7.0	6.0	6.0	6.0	84	90	36	16	10	9.0	
28	31	9.5	7.0	6.0	6.0	6.0	84	90	34	16	10	9.0	
29	31	9.5	7.0	6.0		6.0	121	90	34	16	10	9.0	
30	31	9.5	7.0	6.0		6.0	124	90	32	16	10	9.0	
31	31		7.0	6.0		6.0		90		16	10		
Mean	31	9.5	7.0	6.0	6.0	6.0	45	106	42	19	12	9.0	25
Max	31	9.6	7.5	6.0	6.0	6.0	124	132	50	26	14	9.0	132
Min	31	9.0	6.5	6.0	6.0	6.0	18	90	32	16	10	9.0	6.0
Ac-Ft	1906	564	430	369	333	369	2686	6500	2491	1154	748	536	18086

STATION : 13072500 PEBBLE CREEK NR PEBBLE ID

LOCATION : LATITUDE N42:44:00, LONGITUDE W112:02:00, HYDROLOGICAL UNIT 17040208

DRAINAGE AREA : 27.20 mi2 (70.46 km2)

PERIOD OF RECORD: 09/1911 - 09/1914

GAGE ALTITUDE : 5460.00 (1664. m)

Flow cfs WATER YEAR OCT 1913 TO SEP 1914
Mean

DAY	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Year
1	9.0	11	8.0	8.0	6.0	10	—	—	—	32	9.0	6.0	
2	9.0	11	8.0	8.0	6.0	10	—	—	—	32	9.0	6.0	
3	10	11	8.0	8.0	6.0	10	—	—	—	32	9.0	6.0	
4	10	11	8.0	8.0	6.0	10	—	—	—	32	9.0	6.0	
5	10	14	8.0	8.0	6.0	10	—	—	—	32	9.0	6.0	
6	10	16	8.0	8.0	6.0	10	—	—	—	29	9.0	6.0	
7	10	13	8.0	8.0	6.0	10	—	—	—	28	9.0	6.0	
8	10	13	8.0	8.0	6.0	10	—	—	—	27	9.0	6.0	
9	11	13	8.0	8.0	6.0	10	—	—	—	26	9.0	6.0	
10	11	13	8.0	8.0	5.5	10	—	—	—	26	8.0	6.0	
11	11	13	8.0	8.0	8.0	10	—	—	—	26	8.0	6.0	
12	11	13	8.0	8.0	8.0	10	—	143	—	24	8.0	7.0	
13	11	13	8.0	8.0	8.0	10	42	—	—	22	8.0	7.0	
14	11	13	8.0	8.0	8.0	10	—	—	—	20	8.0	8.0	
15	11	13	8.0	8.0	8.0	10	—	—	—	18	8.0	8.0	
16	11	13	8.0	8.0	8.0	10	—	—	—	17	8.0	8.0	
17	11	13	8.0	10	8.0	10	—	—	—	16	8.0	9.0	
18	11	13	8.0	10	8.0	10	—	—	—	16	7.0	9.0	
19	11	13	8.0	10	8.0	10	—	—	—	15	7.0	9.0	
20	11	13	8.0	10	10	10	—	—	—	14	7.0	9.0	
21	11	13	8.0	10	10	11	—	—	—	14	7.0	9.0	
22	11	10	8.0	10	10	11	—	—	—	13	6.0	9.0	
23	11	10	8.0	10	10	11	—	—	—	12	6.0	9.0	
24	11	10	8.0	8.0	10	11	—	—	—	12	6.0	9.0	
25	11	10	8.0	8.0	10	11	—	—	—	11	6.0	9.0	
26	12	9.0	8.0	8.0	10	11	—	—	—	11	6.0	9.0	
27	12	9.0	8.0	8.0	10	11	74	—	—	10	6.0	9.0	
28	12	9.0	8.0	8.0	10	11	—	—	—	10	6.0	9.0	
29	12	8.0	8.0	8.0		11	—	—	—	9.0	6.0	9.0	
30	11	8.0	8.0	8.0		11	—	—	—	9.0	6.0	9.0	
31	11		8.0	8.0		11	—	—	—	9.0	6.0		
Mean	11	12	8.0	8.5	7.9	10	—	—	—	19	7.5	7.7	—
Max	12	16	8.0	10	10	11	—	—	—	32	9.0	9.0	—
Min	9.0	8.0	8.0	8.0	5.5	10	—	—	—	9.0	6.0	6.0	—
Ac-Ft	664	698	492	520	439	637	—	—	—	1198	462	456	—

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: A29-00131
Date Received: 2/16/1990
Receipt No: E012070
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONNA RAE MABEY
Address: 387 E. 450 S.
CLEARFIELD, UT

84015

2. Date of Priority: JUN 25, 1902

3. Source: PEBBLE CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	38E	8		SE	SE		CARIBOU
		9		NE	SW		CARIBOU

5. Description of diverting works:
2 HEADGATES/DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	3.170		

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

A.F.A.

8. Total consumptive use is 495.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	38E	3	NW	SW		IRR	7.0
			SW	SW		IRR	36.0

RECEIVED

APR 1991

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

First Time Published

NOTICE OF PROPOSED
CHANGE OF A WATER
RIGHT

NO. 29-00131 & 29-02449

Notice is hereby given that Donna Rae Mabey, Clearfield, Utah, has applied to the Department of Water Resources for an Exchange of Rights of the waters of Pebble Creek and a groundwater source. The right sought to be changed is evidenced by a Decree and a License and are recorded as follows:

Decree No. 29-00131 Decreed to JOSEPH E. CORBETT in case of UNION GRAIN & ELEVATOR vs. MCCAMMON DITCH, et al, dated 8-06-1932 in District Court.

AMOUNT: 3.17 cfs

PRIORITY: June 25, 1902

POINT(S) OF DIVERSION:

SESE, SEC. 8; SESW, SEC. 9, T 8S, R 38E, CARIBOU COUNTY

The water is used from APRIL 15 to SEPTEMBER 15 to irrigate within the NESE, S1/2SE, SEC. 4; NWNE, SEC. 9, T 8S, R 38E, B.M.

LICENSE NO. 29-02449

AMOUNT: 2.22 cfs

PRIORITY: 11-03-1961

POINT OF DIVERSION:

SWSW, SEC. 3, T 8S, R 38E, CARIBOU COUNTY

The water is used from APRIL 1 to OCTOBER 31 to irrigate 158 acres within the W1/2SW, SEC. 3; NESE, S1/2SE, SEC. 4, T 8S, R 38E, B.M.

TO BE CHANGED AS FOLLOWS:

Only 2.22 cfs of water will be exchanged and used from April 15 to September 15 to irrigate 162 acres of land within the NWSW, SEC. 3; NESE, S1/2SE, SEC. 4; NWNE, SEC. 9, T 8S, R 38E, B.M. The applicant will use 2.22 cfs of Pebble Creek water through the irrigation season and will pump 2.22 cfs from the well directly into the Portneuf River to complete the exchange.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before April 8, 1991.

R. Keith Higginson
Director

Published in the Caribou County Sun on March 21 and 28, 1991.

Affidavit of
Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

21st day of
March, 1991

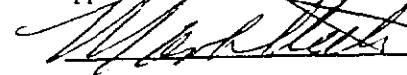
The date of the last publication

being the 28th day of
March, 1991

On this 29th day of March

in the year of 1991 before

me, a Notary Public, personally appeared



known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

3/11/94