

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: A29-02388
Date Received: 4/ 6/1990
Receipt No: E012934
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: J CLARK CRIDDLE 208-897-5542
Address: 22614 S AIRPORT RD
DOWNEY ID 83234
AND
Name: PAMELLA K CRIDDLE 208-897-5542
Address: 22614 S AIRPORT RD
DOWNEY ID 83234

2. Date of Priority: FEB 27, 1957

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	30	NW	NW		1	BANNOCK
			SW	NW		2	BANNOCK

5. Description of diverting works:
CULVERT HDGATE WITH DITCHES AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.300		

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

8. Total consumptive use is 312.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

NOV 13 1990

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: A29-02388

Date Received: 4/03/1990

Receipt No: E012934

Received By: DC

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARNES BANKING CO.

Address:

KAYSVILLE, UT

84037

2. Date of Priority: FEB 27, 1957

3. Source: MARSH CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	30	NW	NW	NW	1	BANNOCK
			SW	NW	NW	2	BANNOCK

5. Description of diverting works:

CULVERT HDGATE WITH DITCHES AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.300		

7. Total Quantity Appropriated is:

2.300 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

312.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	36E	25	NE	NE		IRR	37.0
			SE	NE		IRR	40.0

Section Acres 77.0

A29-02388

Page

1

Date: 04/03/90

MICROFILMED

NOV 13 1992

A2902388



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	30	NW	NW		IRR	9.0
			SW	NW		IRR	39.0
						Section Acres	48.0
						Total Acres	125.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D IN W1/2NW1/4, S30, T11S, R37E.

15. Basis of Claim: LICENSE
Water Right Number: 26778

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02388	11S 37E	30		NW	NW	1		BANNOCK		
A29-02388	11S 37E	30		SW	NW	2		BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02388	11S 37E	30		NW	NW	1		BANNOCK		
29-02388	11S 37E	30		SW	NW	2		BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11S	37E	30		NW	NW	1		BANNOCK		
11S	37E	30		SW	NW	2		BANNOCK		
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: MARSH CREEK

TRIB: PORTNEUF RIVER

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-02388

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	36E	25	NE	NE		CRIDDLE, J CLARK	A29-02388 / 37.0	29-02388 / 37.0	38.0		
11S	36E	25	SE	NE		CRIDDLE, J CLARK	A29-02388 / 40.0	29-02388 / 40.0	37.0		
11S	37E	30	NW	NW		CRIDDLE, J CLARK	A29-02388 / 9.0	29-02388 / 9.0			
11S	37E	30	SW	NW		CRIDDLE, J CLARK	A29-02388 / 39.0	29-02388 / 39.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-02388 125.00 125.00 75.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am EXECUTIVE VICE PRESIDENT of
_____ Title
BARNES BANKING COMPANY, that I have signed the foregoing
_____ Organization
document in the space below as EXECUTIVE VICE PRESIDENT of
_____ Title
BARNES BANKING COMPANY and that the statements contained in the
_____ Organization
foregoing document are true and correct.

Douglas G. Stanger
Signature of Authorized Agent
EXECUTIVE VICE PRESIDENT
BARNES BANKING COMPANY
Title and Organization
APRIL 4, 1990
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of April 1990

Donald J. Stanger
Notary Public

Seal

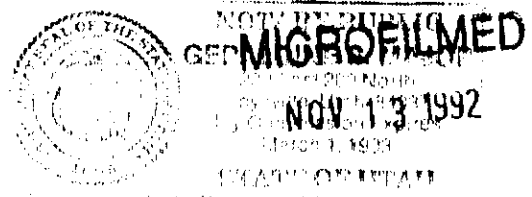
Residing at Wynell

My Commission Expires 2/1/93
Date: 04/03/90

A29-02388

Page

3



Log for claim A29-02388

Spatial Dynamics TWB

5/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s36e	25	NENE	37	40	
11s36e	25	SENE	40	40	
11s37e	30	NWNW	9	23	
11s37e	30	SWNW	39	53	
12s37e	30	SWNW	0	0	POD placement?
Totals:			125	156	

12



MICRO

NOV 1982

State of Idaho

License and Certificate of Water Right

Water License No. 26778

Amount 2.3 c.f.s.

Water District No.

Priority February 27, 1957

THIS IS TO CERTIFY that JOHN R. GAILLEY ESTATE

of Kaysville, Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated February 27, 1957; that Permit No. 26778 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.3 second feet, was issued thereunder on September 12, 1963, showing that said works were completed on the 26th day of February, 1962; and that on the 26th day of February, 1962, JOHN R. GAILLEY ESTATE

of Kaysville, State of Utah, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Marsh Creek, a tributary of, for the purpose of irrigation of meadow land, under Use Permit No. 26778 of the Department of Reclamation 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 Reclamation Engineer of Idaho and entered of record in Volume 12 of licenses at page 7713, on the 12 day of September, 1963. The right hereby confirmed dates from February 27, 1957.

The Point of Diversion is located

in the NW 1/4 Sec. 30, Twp. 11S, R. 37E, B. M. County Bannock

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 2.3 cubic feet per second.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11S	36E	25	NE 1/4 NE 1/4	38	37
			SE 1/4 NE 1/4	40	40
11S	37E	30	NW 1/4 NW 1/4	6	9
			SW 1/4 NW 1/4	29	39
Total number of acres to be irrigated:				125	

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 Reclamation Engineer, affixed at Boise, Idaho, this

12 day of September, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

29 2388

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34681
PERMIT No. 26778
DISTRICT No.

Fred J. Hadley
Downey, Idaho

1. Name of Applicant: John R. Gailey

Postoffice address: Kaysville

County: Davis

State: Utah

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 115 Miner's inches or 2.3 cubic feet per second.

3. Source of water supply: Marsh Creek

which is a tributary of

East

4. Location of point of diversion: Approx. 858' South & 264 feet/distant from the Northwest

corner of Section 30, T. 11 S., R. 37 E., B.M., and is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of

of Section 30, T., R., B.M., County of Banhook

5. Water is to be used for irrigation of meadow land

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T., R., B.M., in the of Section, T., R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B.M., in the

of Section, T., R., B.M.

7. Estimated cost of works: \$ 800.00 - \$1,000.00

8. Kind of works: Check Diversion (Corrugated Metal Pipe, concrete headwalls & flashboards.

9. Height of dam 5-6 feet; length of dam at top 16 feet; length of dam at bottom

feet; material used in dam: Corrugated Metal pipe, concrete headwalls

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is one (1) years.

13. The time required for the complete application of the water to the proposed use is no additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

8. Kind of works: Check Diversion (Corrugated Metal Pipe, concrete headwalls & flashboards.

9. Height of dam 5-6 feet; length of dam at top 16 feet; length of dam at bottom
feet; material used in dam: Corrugated Metal pipe, concrete headwalls

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

~~diminution of flow:~~

~~diameter of pipe~~

inches: length of conduit

~~feet.~~

Average grade per mile feet.

12. The time required for the completion of such work is one (1) years.

13. The time required for the complete application of the water to the proposed use is no additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Fred Hadley has been irrigating with high water for the previous 5 years. Other lessors have irrigated with high water since 1937.

10. (a) Is reservation to be made? If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

/s/ John R. Gailey

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. February 27, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26778

Recorded in Book 94 Page 26778 Approved March 1, 1957

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 May 1, 1957

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 September 1, 1957

The whole of said work to be completed on or before March 1, 1958

Beneficial use of water appropriated in accordance herewith, to be made on or before March 1, 1958.

WITNESS My hand this First day of March, 1957.

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE

, Governor of the State of Idaho,

and JAS. H. YOUNG

, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this First

day of March, 1957.

STATE OF IDAHO

Countersigned:

(SEAL)

By

ROBERT E. SMYLIE

By JAS. H. YOUNG

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	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	
11 S.	37 E.	30					6	29											35
	36 E.	25	38			40													78

Total Number of Acres to be Irrigated - - - 113

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 26778

Comes now John R. Gailey and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26778. That the point of diversion is described in said permit as being located NW 1/4 of Sec. 30., Twp. 11 S., Rge. 37 E., B.M. That he now requests that the point of diversion be changed to a point located SW 1/4 of Sec. 30., Twp. 11 S., Rge. 37 E., B.M. That his reasons for desiring to make such change are as follows: New point of diversion will permit flooding of the land to be irrigated and allow excess water to go down the channel. That no one will be injured by such change, and that such will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 3rd day of February, 1958

/s/ John R. Gailey By Fred J. Hadley

Date of receipt at Department of Reclamation
February 3, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 26778 to March 1, 1960, and beneficial use.

Witness my hand this 28th day of April, 1958

/s/ Mark R. Kulp
State Reclamation Engineer

Approved and recorded:
April 28, 1958.

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 26778

Comes now JOHN R. GAILEY, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26778.

That the point of diversion is described in said permit as being located: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 11 S., R. 37 E., B. M.

That he now requests that the point of diversion be changed to a point located in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 11 S., R. 37 E., B. M.

That the reason for desiring to make such change is as follows: Sub-soil at point in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30 too soft to hold diversion dam.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at this 11th day of December, 1959.

Date of receipt at Department of Reclamation - December 11, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation 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. 26778. 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.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: December 11, 1959

APPLICATION FOR EXTENSION OF TIME
For Completion of Works and Beneficial Use

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. 26778 to March 1, 1962.

Witness my hand this 21 day of December, 1959.

/s/ GEO. N. CARTER
State Reclamation Engineer

IN THE DISTRICT COURT, PROBATE DIVISION

in and for

DAVIS COUNTY, STATE OF UTAH

In the Matter of the Estate of

JOHN RICHARD GAILLEY, also
known as JOHN R. GAILLEY

Deceased

LETTERS TESTAMENTARY
Probate No. 1726

The last will of John Richard Gailey, aka JOHN R. GAILLEY, deceased, having been proved and recorded in the District Court in and for the County of Davis, State of Utah, Alan B. Blood and Harold J. Gailey who are named therein as such Executors hereby appointed executors of the estate of John Richard Gailey, deceased.

By order of the Court

Witness John M. Park, Clerk of said Court, with the seal
thereof affixed, this 31st day of January A.D., 1961.

John M. Park, Clerk

By: /s/ Marcia W. Mansell, Deputy Clerk

"SEE FILE FOR CERTIFIED COPY"

Recorded: January 15, 1962

Application for Amendment
POINT OF DIVERSION
Permit No. 26778

Comes now ESTATE OF JOHN R. GAILLEY, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26778

That the point of diversion is described in said Permit as being located: NW1/4 of Section 30, Township 11 South, Range 37 E. B. M.

That he now requests that the point of diversion be changed to a point located: NW1/4, Section 30, T. 11 South, R. 37 E. B. M.

That the reason for desiring to make such change is as follows: To get water to a solid bottom to install headgate, etc.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.
Signed at Downey, this 6 day of September, 1963.

ESTATE OF JOHN R. GAILLEY
By: Fred J. Hadley

Date of Receipt at Department of Reclamation: Sept. 9, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, State Reclamation 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. 26778. 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.

/s/ CARL E. TAPPAN
State Reclamation Engineer

Recorded: September 10, 1963

CERTIFICATE OF COMPLETION OF WORKS
Permit No. 26778

TO ALL WHOM IT MAY CONCERN:

This is to certify that ESTATE OF JOHN R. GAILLEY of Kaysville, County of Davis, and State of Utah, the holder of Permit No. 26778, issued upon Application No. 34681 bearing date of priority of February 27, 1957, authorizing the diversion of 2.3 second feet of waters of Marsh Creek County of Bannock, State of Idaho, for irrigation of meadow land 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 2.3 second feet of the waters of Marsh Creek that the point of diversion of said waters W1/4, Sec. 30, T. 11 S., R. 37 E., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 125 acres in the E1/4, Sec. 25, T. 11 S., R. 36 E., B. M.; W1/4, Sec. 30, T. 11 S., R. 37 E., B. M.

Witness my hand this 12 day of September, 1963

IN THE DISTRICT COURT, PROBATE DIVISION

in and for

DAVIS COUNTY, STATE OF UTAH

In the Matter of the Estate of

JOHN RICHARD GAILEY, also
known as JOHN R. GAILEY

Deceased

LETTERS TESTAMENTARY
Probate No. 1726

The last will of John Richard Gailey, aka JOHN R. GAILEY, deceased, having been proved and recorded in the District Court in and for the County of Davis, State of Utah, Alan B. Blood and Harold J. Gailey who are named therein as such Executors hereby appointed executors of the estate of John Richard Gailey, deceased.

By order of the Court

Witness John M. Park, Clerk of said Court, with the seal
thereof affixed, this 31st day of January A.D., 1961.

John M. Park, Clerk

By: /s/ Marcia W. Mansell, Deputy Clerk

"SEE FILE FOR CERTIFIED COPY"

Recorded: January 15, 1962

Application for Amendment
POINT OF DIVERSION
Permit No. 26778

Comes now ESTATE OF JOHN R. GAILEY, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26778

That the point of diversion is described in said Permit as being located: NW1/4 of Section 30, Township 11 South, Range 37 E. B. M.

That he now requests that the point of diversion be changed to a point located: NW1/4, Section 30, T. 11 South, R. 37 E. B. M.

That the reason for desiring to make such change is as follows: To get water to a solid bottom to install headgate, etc.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Downey, this 6 day of September, 1963.

ESTATE OF JOHN R. GAILEY
By: Fred J. Hadley

Date of Receipt at Department of Reclamation: Sept. 9, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, State Reclamation 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. 26778. 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.

s/ CARL E. TAPPAN
State Reclamation Engineer

Recorded: September 10, 1963

CERTIFICATE OF COMPLETION OF WORKS
Permit No. 26778

TO ALL WHOM IT MAY CONCERN:

This is to certify that ESTATE OF JOHN R. GAILEY of Kaysville, County of Davis, and State of Utah, the holder of Permit No. 26778, issued upon Application No. 34681 bearing date of priority of February 27, 1957, authorizing the diversion of 2.3 second feet of waters of Marsh Creek County of Bannock, State of Idaho, for irrigation of meadow land 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 2.3 second feet of the waters of Marsh Creek that the point of diversion of said waters W1/4, Sec. 30, T. 11 S., R. 37 E., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 125 acres in the E1/4, Sec. 25, T. 11 S., R. 36 E., B. M., W1/4, Sec. 30, T. 11 S., R. 37 E., B. M.

Witness my hand this 12 day of September, A.D. 1963

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 26778

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant..... John E. Gailey Estate.....

2. Source of water supply:..... Marsh Creek.....

3. Location of point of diversion: Is in the..... NW 1/4 of Section 30.....

T. 11 S. R. 37 E. B. M. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: 2 - 6 I.P. Culverts placed side by side in Marsh Creek with Rock rip-rap on upstream face. 1 pipe is 4' arched and the other is 2' round both are approximately 16' long. Boards are placed in front of the upper ends of pipe to raise water level to flood field.

5. Water is used for:..... irrigation of meadow land.....

6. State whether or not water has been turned into works of diversion:..... yes.....

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Twp. 11 S., Rge. 37 E. B. M.
35 acres in NW 1/4 Sec. 30, 78 acres E 1/2 Sec. 25., Twp. 11 S., Rge. 36 E. B. M.

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

8. What large stream would the water here appropriated finally reach? Portneuf River

Remarks: Mr. Fred J. Hadley, along -

This is a very flat valley and has a very high sub level so very little irrigation is needed.

No water being used now as this is only high water right
No measurement made.

This examination was made on the 8th day of August, 1963

(Signed)

Lloyd Johnson
Examiner.

26778

67
Fred J. Hadley Acting by Power of Att'y ^{for} Alan B. Blood & Harold J. Gailley, Executors of the Estate of John R. Gailley Estate

Downey, Idaho
Permit No. 26778

Examination for Completion of Works & Beneficial Use *Blood + Gailley line in Keyville, Ore. G. Barnes Bank Co.*

County Bannock

Sec. 30 T. 11 S. R. 37 E. B. M.

Quantity: *2.3 c.f.s.*

Source: *Marsh Creek*

P.D.: *NW. 1/4, Sec. 30, T. 11 S. - R. 37 E. B. M.*

Use: *Irrigation*

Filed: *Feb. 27, 1957*

Due: *March 1, 1958*

Extension: *to March 1, 1962*

Completion of Works: _____

Other Rights: *has been irrigated by
his own owner with high water.
Earlier crops have also used high
water since 1957*

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 15 1963

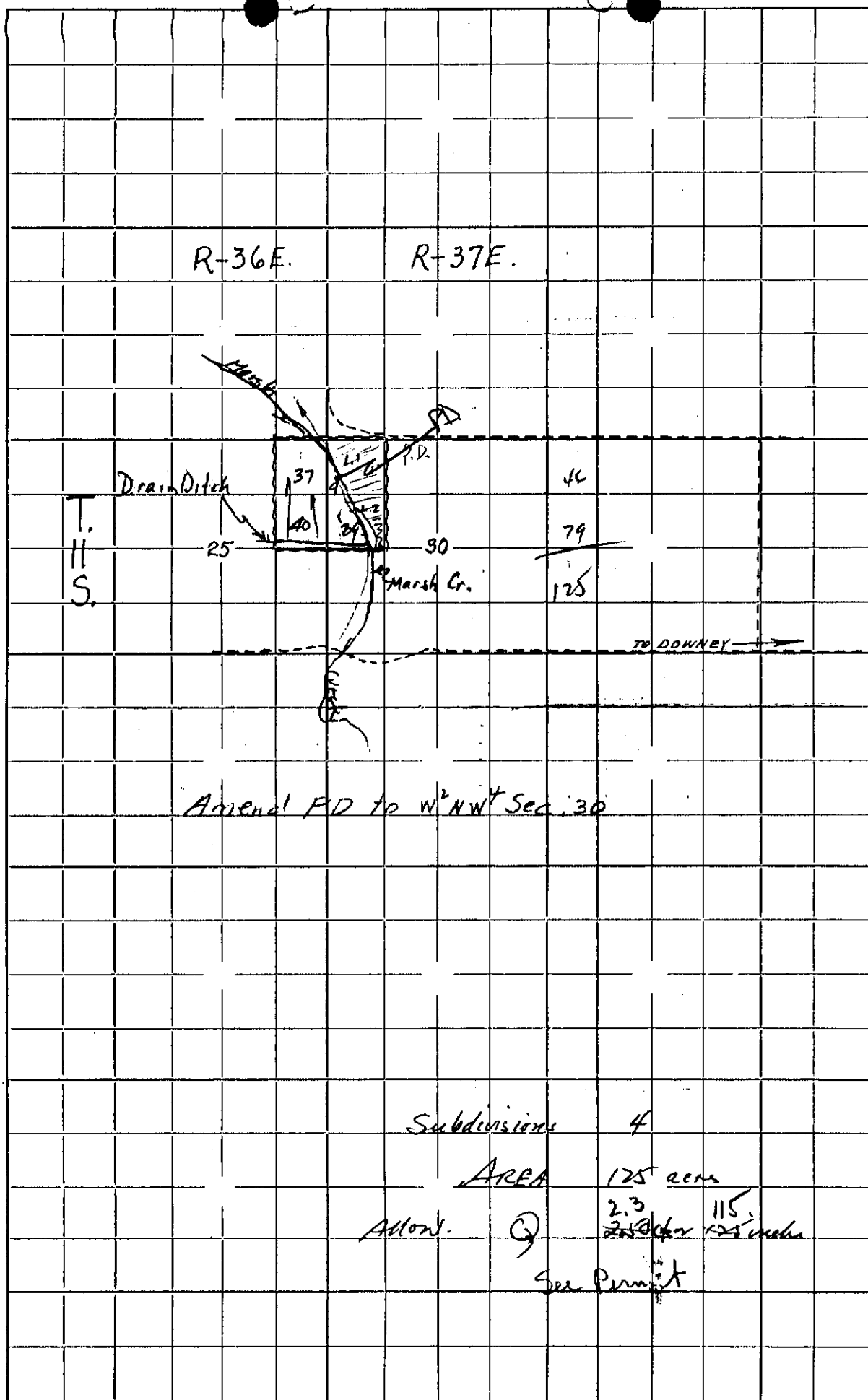
Department of Reclamation

1 - 4' Squashed to top

1 - 2' Round to top

Brand placed in front

*to back waterway into
drain after that irrigated to south*



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

26778

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 26778

REPORT ON PROOF OF Completion of Works & Beneficial Use

Fred J. Hadley by Power of Attorney for
Alan B. Blood & Harold J. Gailey, Executors
John R. Gailey Estate,
Downey, Idaho

8/15/1917

26778

AJ5809NP
No. A29-02388

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/26/00
PAGE: 72

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J CLARK CRIDDLE	02/27/1957	IRRIGATION	03-15 11-15	2.300 CFS	
C	PAMELLA K CRIDDLE 22614 S AIRPORT RD DOWNEY ID 83234 (208) 897-5542				2.300 CFS	312.50 AFA
				TOTAL DIVERSION: CONSUMPTIVE USE:		

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: LICENSE

Point(s) of Diversion: T11S R37E S30 Lot01(NWNW) Lot02(SWNW)

BANNOCK 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		
11S	36E	25	:		37																			77.0
11S	37E	30	:				40	:			09	39	:											48.0
																						TOTAL ACRES		125.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN P/D IN W1/2NW1/4, S30, T11S, R37E.
CHANGED OWNERSHIP 1/19/95/JT/GT

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

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

Audit: 04/03/90 CARLSON 06/23/94 COX 01/19/95 JTHOMPSON 03/29/95 POST-STD

JANUARY 19, 1995

J CLARK CRIDDLE
22614 S AIRPORT RD
DOWNEY ID 83234

RE: CHANGE IN OWNERSHIP FOR A29-02388

Dear Mr. Criddle:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

NOV 13 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

JAN 18 1995

☐ Served Only by a Public Service Water Supply (all water is received from a city or company which maintains water supply system, owns the water right, and bills the customer on a regular basis) Idaho Department of Water Resources
Eastern District Office

☐ Water Right Number(s)
Assigned by IDWR: A29-02388

☐ Name and Address of Former Owner/Claimant(s)(Seller): Barnes Banking Co

☐ New Owner(s): J. Clark Criddle & Pamela K. Criddle
☐ New Mailing Address: 22614 S. Airport Rd
Downey, Idaho
83234

☐ Phone Number: (208) 897-5542

☐ Do you have a water right? ☒ Yes ☐ No
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Other: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner(s): J. Clark Criddle 1/13/95
Pamela K. Criddle 1/13/95

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

CORPORATION DEED

RECEIVED

JAN 18 1995

For Value Received

BARNES BANKING COMPANY

Department of Water Resources
Eastern District Office

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto

J. REED CRIDDLE & VENNA D. CRIDDLE, HUSBAND AND WIFE

J. CLARK CRIDDLE & PAMELA CRIDDLE, HUSBAND AND WIFE

ALSO KNOWN AS PAMELLA CRIDDLE

whose current address is

the following described real estate, to-wit:

TOWNSHIP 11 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO
SECTION 25: E1/2 NE1/4

TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO
SECTION 30: LOTS 1 & 2

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
THEIR heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 30TH DAY OF MARCH, 1994.

BARNES BANKING COMPANY

By *Curtis H. Harris*

CURTIS H. HARRIS--PRESIDENT.

ATTEST: *Ned H. Giles*

NED H. GILES

SECRETARY.

STATE OF ~~IDAHO~~ COUNTY OF

ON THIS 30th day of March, 1994
before me, a notary public in and for said State, personally appeared
CURTIS H. HARRIS and
NED H. GILES

, known to me to be
the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Douglas G. Stanger
Residing at _____, Idaho
Comm. Expires _____
NOTARY PUBLIC
Douglas G. Stanger
617 West Barnes Lane
Twin Falls, Idaho 83407
(My Commission Expires
April 08, 1998)
STATE OF UTAH

QUITCLAIM DEED

94011293

For Value Received

J. REED CRIDDLE AND VENNA D. CRIDDLE, HUSBAND AND WIFE

do hereby convey, release, remise and forever quit claim unto

J. CLARK CRIDDLE AND PAMELA CRIDDLE, HUSBAND AND WIFE

whose current address is

22614 SOUTH AIRPORT ROAD
DOWNEY, IDAHO 83234

the following described premises, to-wit:

TOWNSHIP 11 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO
SECTION 25: E1/2N31/4

TOWNSHIP 11 SOUTH, RANGE 37 E.B.M., BANNOCK COUNTY, IDAHO
SECTION 30: LOTS 1 & 2

together with their appurtenances.

Dated: JUNE 60, 1994

J. Reed Criddle
J. REED CRIDDLE

Venna D. Criddle
VENNA D. CRIDDLE

STATE OF IDAHO, COUNTY OF BANNOCK

On this day of JUNE, 1994,
before me, a notary public in and for said State, personally
appeared

J. REED CRIDDLE
VENNA D. CRIDDLE

known to me to be the person who SE nameS ARE
subscribed to the within instrument and acknowledged to
me that THEY executed the same.

Laurie M. D. Jones
Notary Public
Residing at Downey, Idaho
Comm. Expires 12-22-99

NO. 94011293
RECORDED AT REQUEST OF
VENNA D. CRIDDLE
'94 JUN 20 P1:02

OFFICIAL RECORD BOOK NO 617
BANNOCK COUNTY IDAHO
LARRY W. GHAN RECORDER
EE. \$3.00 DEPUTY NC