

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: A29-04201
Date Received: 4/ 4/1990
Receipt No: E012838
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HENDERSON RANCHES INC 208-254-3557
Address: PO BOX 25
ARIMO ID 83214

2. Date of Priority: JUN 1, 1918

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	37E	18	NE	SE	SE		BANNOCK
			SE	SE			BANNOCK

5. Description of diverting works:
SPGS FLOW INTO POND, IRR DITCH SYS ONTO PROPERTY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	3.000		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/UP TO 700 BEEF CATTLE FROM SPGS, PONDS, DITCHES, MARSH CREEK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	7	NE	NW		IRR	21.0
			NW	NW		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	7	SE	NW		IRR	13.0
			NE	SW		IRR	13.0
						Section Acres	60.0
		18	NW	NE		IRR	11.0
			SW	NE		IRR	27.0
			NE	NW		IRR	40.0
			NW	NW		IRR	10.0
			SW	NW		IRR	10.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			SE	SW		IRR	20.0
			NW	SE		IRR	40.0
						Section Acres	238.0
						Total Acres	298.0

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:
A29-04200, A29-04202, A29-04203

14. Remarks:
MARSH CREEK WATER PLUS WATER FROM 4 SPGS ARE DIVERTED INTO EXTENSIVE AND COMPLEX SYS OF DITCHES PERMITTING FLOOD IRR. OF DESCRIBED PROPERTY, STOCKWATERING OF UP TO 700 BEEF CATTLE, AND/OR DIVERSION BACK INTO MARSH CREEK WHEN NOT USED. THIS CLAIM IS FOR 1 SPRING, BUT REFLECTS ALL IRRIGATED LAND AND STOCKWATERING.

15. Basis of Claim: BENEFICIAL USE

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 Secretary of
Henderson Ranches, Inc., that I have signed the foregoing
Organization document in the space below as Secretary of
Henderson Ranches, Inc. and that the statements contained in the
Organization foregoing document are true and correct.

Alvin H. Dunn
Signature of Authorized Agent

Secretary
Title and Organization

9-14-98
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Sept. 19 98

Dianna Sterner
Notary Public

Seal

Residing at Idaho

My Commission Expires 10-27-03

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: **A29-04201**
Date Received: 9/15/1992
Receipt No: E012838
Received By: _____

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ACQUIRED UNDER STATE LAW**

1. Name: HENDERSON RANCHES INC. 208-254-3557
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ARIMO ID 83214

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4. Point of Diversion:

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10S	37E	18	SE	NE	NW		BANNOCK

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	3.000		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 870.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/UP TO 700 BEEF CATTLE FROM SPGS, PONDS, DITCHES, MARSH CREEK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	7	NE	NW		IRR	21.0
			NW	NW			
			SE	NW		IRR	13.0

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NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	7	NE	SW		IRR	13.0
						Section Acres	60.0
		18	NW	NE		IRR	11.0
			SW	NE		IRR	27.0
			NE	NW		IRR	40.0
			NW	NW		IRR	10.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			SW	SW		IRR	10.0
			SE	SW		IRR	20.0
			NW	SE		IRR	40.0
						Section Acres	238.0
						Total Acres	298.0

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:
A29-04200, A29-04202, A29-04203

14. Remarks:
ATTACHMENTS ARE WITH 29-04200
**ACREAGE AND VARIOUS OTHER INFO DOES NOT MATCH PREPRINTED CLAIM.
ACREAGE ADDED WRONG ON PREPRINTED CLAIM.9-15-92/JT
TOTAL CONSUMPTIVE USE (870) 2.5 AF/ACRE/SEASON INCLUDES THIS
CLAIM, PLUS 3 OTHER SPRINGS & MARSCH CK USED ON SAME LAND.
MARSH CREEK WATER PLUS WATER FROM 4 SPGS ARE DIVERTED INTO
EXTENSIVE AND COMPLEX SYS OF DITCHES PERMITTING FLOOD IRR. OF
DESCRIBED PROPERTY, STOCKWATERING OF UP TO 700 BEEF CATTLE,
AND/OR DIVERSION BACK INTO MARSH CREEK WHEN NOT USED. THIS CLAIM
IS FOR 1 SPRING, BUT REFLECTS ALL IRRIGATED LAND AND STOCKWATER-
ING.

15. Basis of Claim: BENEFICIAL USE

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NOV 13 1992

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
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
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 _____

MICROFILMED

NOV 13 1992

Date: 09/15/92

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name
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 _____

MICROFILMED

NOV 13 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 A29-04201

Date Received 4-4-90

Receipt Number E012838

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR - 4 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Henderson Ranches, Inc. Phone (208) 254-3557

Mailing Address P. O. Box 25, Arimo, Idaho Zip 83214

2. Date of Priority (Only one (1) per claim) June 1, 1918

3. Source of water supply (a) Spring
which is tributary to (b) Marsh Creek

4. a. Location of existing point of diversion is: Township 10 S. Range 37 E. Section 18,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, E. B.M., County of Bannock

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 _____

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 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. Springs flow directly into pond
which flow into irrigation ditch system which can then be directed
throughout property or into Marsh Creek.

A2904201



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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 10/15 amount 3.0 or _____

For stockwater purposes from 1/1 to 12/31 amount .03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.03 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 870* acre feet per annum. (2.5 A.F./Acre/Season)

*(includes this claim, plus 3 other springs & Marsh Creek claim used on same land.)

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) up to 700 beef cattle from springs, ponds, ditches and Marsh Creek

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	
10S	37E	18		11	27		40	10	10	40	40			20		40			288
10S	37E	7					21	13		13	13								60

Total number of acres irrigated 348

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

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

Claims simultaneously filed on 3 additional springs & Marsh Creek None ()

Also 6.2 shares Portneuf Irrigating Co., 24 shares McCammon Ditch Co.

14. Remarks: Marsh Creek water plus water from (4) springs are diverted into
extensive and complex system of ditches permitting flood irrigation of
described property, stockwatering of up to 700 beef cattle and/or di-
version back into Marsh Creek when not used. This claim is for 1 spring
but reflects all irrigated land and stockwatering.

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NOV 13 1992

Last Name Henderson Ranches, Inc Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-4201
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 Vice President _____
Title

of Henderson Ranches, Inc. _____, that I have signed the foregoing
Organization
document in the space below as Vice President _____ of Henderson Ranches, Inc.
Title Organization

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

Signature of Authorized Agent Robert S. Henderson

Title and Organization Robert S. Henderson, V.P.
Henderson Ranches, Inc. Date 3-16-90

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 16th day of March 19 90

SEAL

Notary Public Randall C. Budge

Residing at Pocatello, Idaho

My Commission Expires 10/15/90

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Randall C. Budge 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 Randall C. Budge

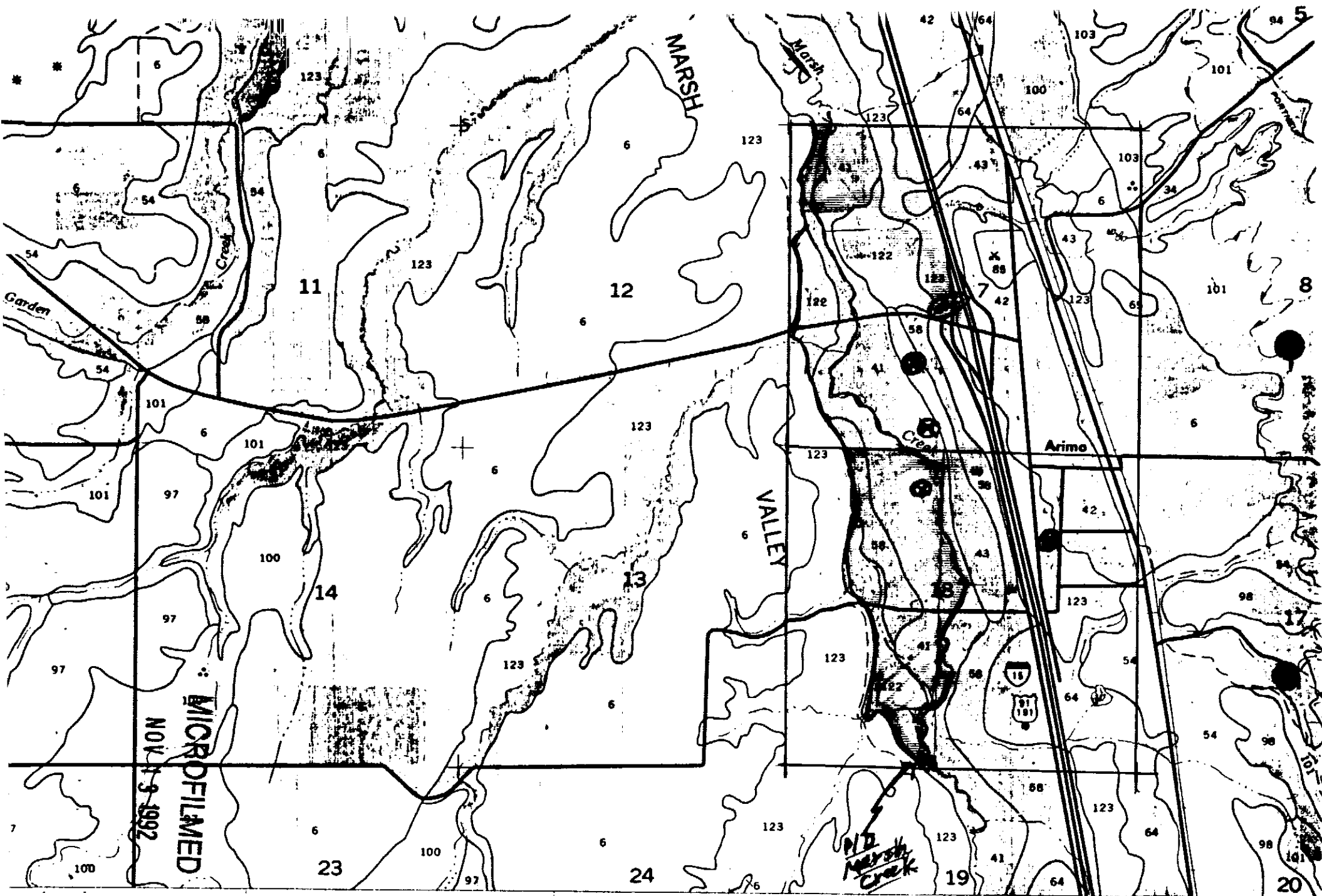
Address P.O. Box 1391, Pocatello, ID 83204

Date March, 1990

MICROFILMED
NOV 13 1992

Last Name Henderson Ranches Ident. Number _____

Copies White-State, Yellow-Claimant



Henderson (Armo) Ranch

T. 10 S. R. 37 E.
Sections 7, 18, BANNOCK CO.

○ 45 springs - stockwater + irrigation.
▶ Marsh Creek P/D

Log for claim A29-04201

Spatial Dynamics BTD

6/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s37e	7	NENW	21	31	Indiscernible
10s37e	7	NWNW	13	37	Indiscernible
10s37e	7	SENW	13	25	Indiscernible
10s37e	7	NESW	13	23	
10s37e	7	SWSW	0	0	
10s37e	7	SESW	0	0	
10s37e	7	SWSE	0	0	
10s37e	18	NWNE	11	10	
10s37e	18	SWNE	27	19	Indiscernible
10s37e	18	NENW	40	38	
10s37e	18	NWNW	10	26	Indiscernible
10s37e	18	SWNW	10	27	Indiscernible
10s37e	18	SENW	40	40	
10s37e	18	NESW	40	39	
10s37e	18	SESW	20	15	Indiscernible
10s37e	18	NWSE	40	27	
Totals:			298	357	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HENDERSON RANCHES INC PO BOX 25 ARIMO ID 83214 (208) 254-3557	06/01/1918	IRRIGATION STOCKWATER	03-15 10-15 01-01 12-31	3.000 CFS 0.030 CFS	
TOTAL DIVERSION:					3.030 CFS	

Water Source: SPRING

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R37E S18 NESE SESE BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10S	37E	7	:							21	13			13				13		:	60.0
10S	37E	18	:			11	27			40	10	10	40					40		:	238.0
																			TOTAL ACRES	298.0	

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

POU County: BANNOCK

Non-Irrigation Uses: S/UP TO 700 BEEF CATTLE FROM SPGS,PONDS,DITCHES,MARSH CREEK

Other Rights: A29-04200, A29-04202, A29-04203

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10977 29-11093 A29-04434 A29-10977 A29-11093Other Water Rights Listing Overlapping Place(s) of Use:
A29-00051 A29-02416 A29-04200 A29-04202 A29-04203 A29-11089 A29-11277 A29-12055

Remarks: GEN MARSH CREEK WATER PLUS WATER FROM 4 SPGS ARE DIVERTED INTO EXTENSIVE AND COMPLEX SYS OF DITCHES PERMITTING FLOOD IRR. OF DESCRIBED PROPERTY, STOCKWATERING OF UP TO 700 BEEF CATTLE, AND/OR DIVERSION BACK INTO MARSH CREEK WHEN NOT USED. THIS CLAIM IS FOR 1 SPRING, BUT REFLECTS ALL IRRIGATED LAND AND STOCKWATERING.

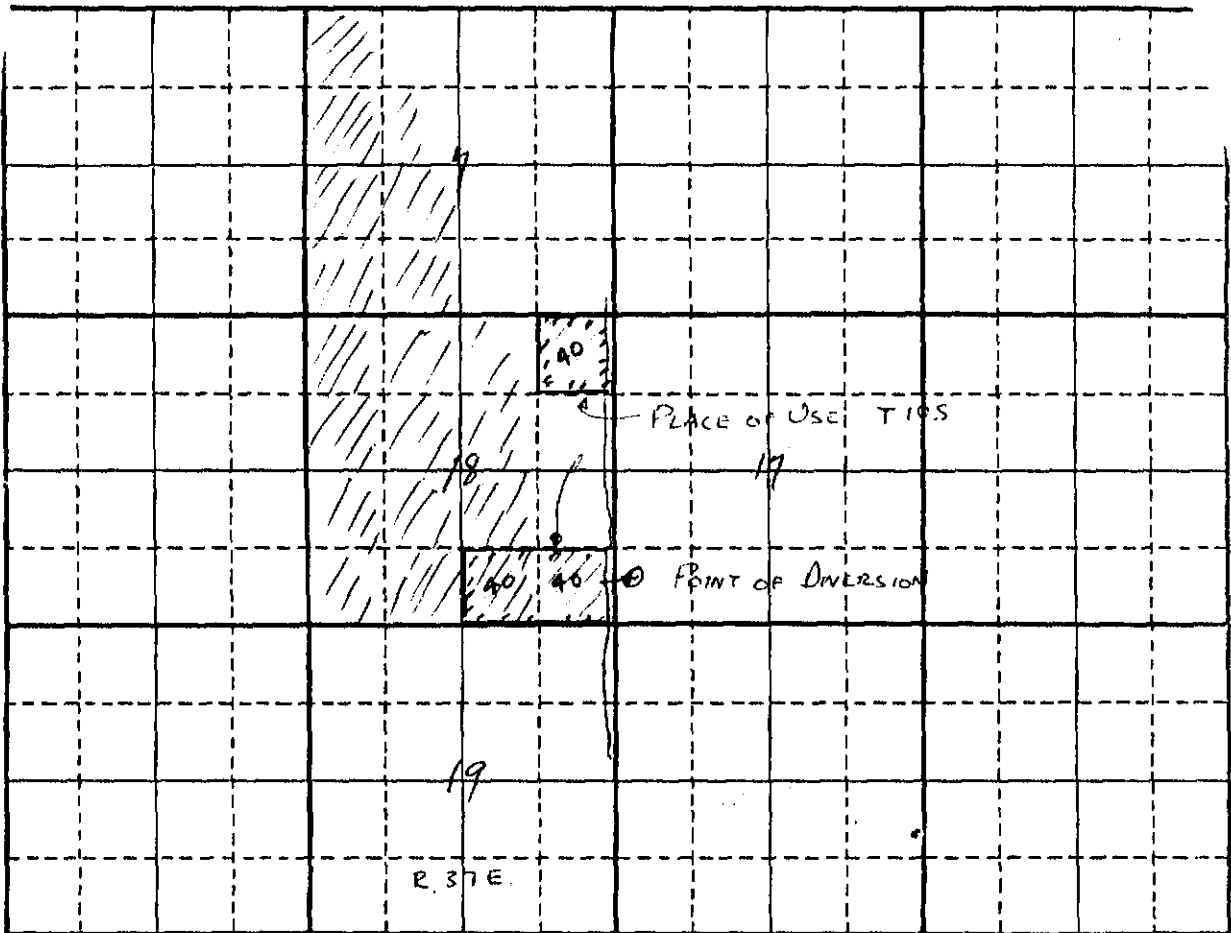
Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 05/23/94 DCARLSON 03/29/95 DSMITH 03/29/95 POST-STD 09/30/98 ECARLSEN

(7) If you are claiming water as a member of an organization, list name of organization: Claim is for a family corporation which is successor to rights of individuals.

19: Remarks This claim is supported by abstracts and contracts which will be provided if desired and necessary. The abstracts and contracts are currently in the offices of Racine, Huntley, Olson, Nye & Cooper, Attorneys at Law, P.O. Box 1391, Pocatello, Idaho 83201



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

HENDERSON RANCHES, INC.

Robert Henderson
President (Claimant)

Sworn to before me this 30th day of July

1981

C. J. J. J.
Notary Public
Residing at Pocatello, Idaho

My commission expires Indefinite

FOR DEPARTMENT USE ONLY

Received by SM Date 8/3/81 Exception filed by: _____ Date _____
Prelim. check by Law Date 8/1/81
\$30.00 fee received by Law Date 8/3/81 # 19019
Published in Idaho State Journal
Dates: 8/13 & 8/20/81

1414 DelphicWay
Pocatello, ID 83201
September 14, 1998

RECEIVED

SEP 15 1998

Department of Water Resources
Eastern Region

Ernest Carlsen, Water Rights Supervisor, Adjudication
State of Idaho, Department of Water Resources
900 Skyline Dr.
Idaho Falls, ID 83402-1718

Dear Ernie,

The signed and notarized amendment to Henderson Ranches claim 11-04201 is enclosed. I have spoken to Randy Budge at last, and he seemed to think I was doing the right thing. He said that my brother was so ill during their conferences that they had to have a number of sessions, and errors could have easily occurred.

Regarding the needed corrections on places of use, I feel a little uneasy about having this notarized when it appears to me that the only way the spring water described in this claim could be used in any of section 7 or in section 18 north of Sublette Rd. would be to let it flow into Marsh Creek and then pump it out again. I don't know if that would be allowed. Randy said that he expected places of use to be sorted out by the field inspections. Since water from several sources is mixed and put into an extensive system of ditches, his descriptions of them were what could possibly be irrigated through that system. With that in mind and since you instructed me to make the correction on the source pending the field inspection, I have gone ahead with the notarization.

Thank you so much for your help and your kind and helpful manner. I appreciate it greatly.

Very truly yours



Alice H. Dunn, secretary
Henderson Ranches, Inc.

September 9, 1998

*ALICE H DUNN
1414 DELPHIC WAY
POCATELLO ID 83201*

RE: Amending Notice of Claim A29-04201

Dear Alice:

Per your request I have prepared an amended version of Notice of Claim A29-04201 with a different legal description for the point of diversion. A printout of this changed Notice is enclosed for your review and signature. Though your letter indicated the description for the place of use also needs modifying, we agreed it would be best to wait until a field inspection can be done before changing this element of the claim.

Naturally if you have questions concerning the Amended Notice of Claim feel free to contact me. Absent questions, please sign the Notice in the organization signature block and return the notarized document to this office.

Respectfully submitted,

*Ernest Carlsen
Water Rights Supervisor, Adjudication*

Enclosure (1)

emc

*cc: RANDY BUDGE
RACINE OLSON NYE COOPER BUDGE
PO BOX 1391
POCATELLO ID 83204-1391*

1414 Delphic Way
Pocatello, Idaho 83201
September 2, 1998

ph. (208)238-7547

RECEIVED
SEP 03 1998

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83401

I spoke by telephone with two people from your office on Friday, August 29 regarding several problems with the adjudication process for Henderson Ranches at Arimo. I apologize for my poor memory and lack of foresight in not writing their names down.

At their recommendations, I called Ms. Delaney, Clerk of the Court, in Twin Falls since most of my questions involved water rights for which a partial decree has been made. However, water right #29-4201 is not in that group. I did send Ms. Delaney the data regarding it because she thought maybe she should have it along with the other problems, but she also said that your office would still be taking care of the claims for which a partial decree has not been made and I should therefore work through you on this particular claim.

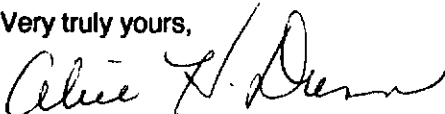
#29-4201 describes this claim in T10S R37E S18 SENENW. This would be on Henderson Ranches property about where a ditch can bring water from several sources (possibly including this one via a ditch and pipe bordering I-15) onto the land for irrigation purposes. However, the source for this water is a spring on the neighbor's land across Interstate 15. With my father's blessing, the neighbor built a fish pond on his land along the spring bed, but the water was never usable for irrigation of his land. The spring always naturally flowed onto our land in the SESWSE quarter quarter of section 18 and thence rambles westward into Marsh Creek. The water is used for irrigation and stockwater along the streambed between those two locations. When my father and brother, both deceased, advertised for adjudication purposes in August, 1981, the descriptions given for this water right number were NESE [probably the spring source] and SESE [near the pond.] Wouldn't one or both of these descriptions be the correct one(s) to use as the source? Wouldn't SESWSE and SWSW describe the place of use correctly?

I am enclosing photocopies of the newspaper advertisement, the claim, and a map/chart that I made of Henderson Ranches land showing the various water right claims at least approximately. Perhaps it will help you visualize the problem. I'm sure you have larger maps that show more of the topography with which you can compare mine.

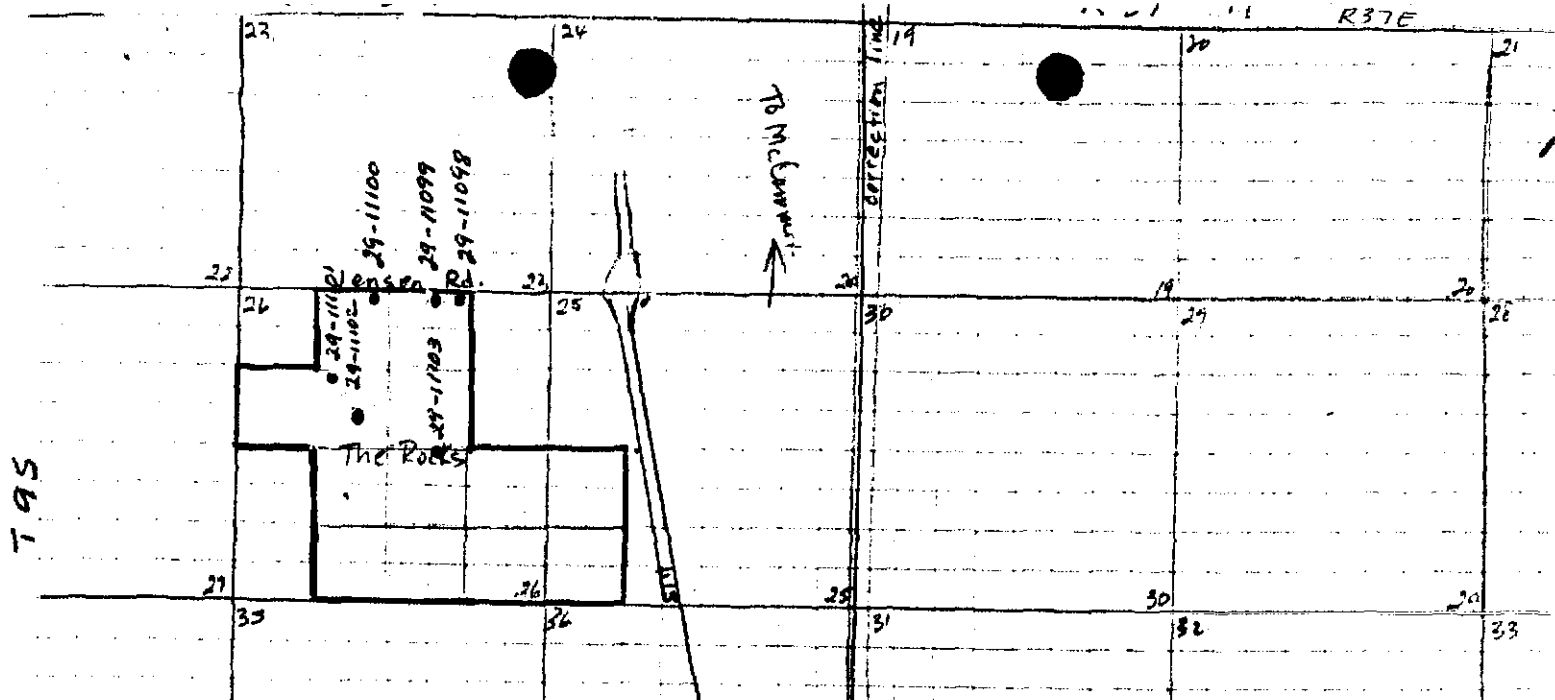
It would speed up discourse about this matter if you would send your reply to or contact me by telephone at the above address instead of by way of the official ranch address. Those living there at the moment don't deal with these problems, and it takes quite a while for me to get mail from there.

Thank you very much for your consideration of our problems. I do hope we can straighten things out satisfactorily.

Very truly yours,



Alice H. Dunn, secretary
Henderson Ranches, Inc.



Henderson Ranches, Inc.

Locations of water sources
as identified for adjudication

- A29-11090 - old well NW of Ranch House - stock water
- 11091 - " " across creek from ranch house - stock water
- 11092 - " " " " " " " " " " " "
- 11093 - Well at Ranch House - domestic - Should be SE SW SE of T10S R37E S18
- 11095 - Well at Helen's house - stock water
- 11096 - " " " " - domestic
- 11097 - If at storage building, location should be SWSW instead of NENSW across Sublette R
- 11098 - should be NENW, not NENE
- 11099 - middle source near Janson Rd. Description NENW could be correct, but likely should be NWNE
- 11100 - Westernmost source near Janson Rd.
- 11101 - } springs near lake
- 11102 - }
- 11103 - described NENSW, Esler spring
- 04203 - Marsh Creek - irrigation
- 04201 - Spring that flows through Capell's Pond into ranch for irrigation purposes there. Source should be described on Capell's land. Legal advertisement Aug. 13, 1981 described it "NESE (location of spring) SESE (Capell's pond)" which seems correct, not NENW as on claim Sublette Rd
- There is a well in T10 R37 S18 in SESE NW for which I see no claim filed. The casing is there, but no water flows out of it.
- 04200 - Springs - Stock + irrigation
- 04202 - Springs + pond - Stock + irrigation
- There are springs in the meadow NW of the ranch house which feed a pond & flow into the

T9S

T10S

R37E

119

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AFFIDAVIT

To: Idaho Department of Water Resources

From: Robert W. Henderson, P.O. Box 15, Arimo, Idaho 83214, January 11, 1995

Regarding: Ajudication claim AJ5809NP, #A 29-04201

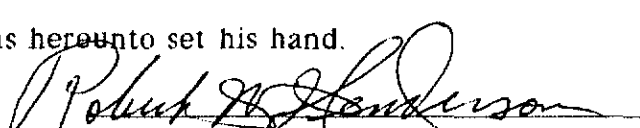
The home place of Henderson Ranches contains in excess of 1100 acres of land in T 10S, R37E, S7 and S18 and adjoining sections in R36E. Most of it is irrigated but some is dry farm land. Another irrigated part of the ranch lies in sections 25 and 26 in T9S, R36E. The irrigated parcels were acquired with water rights in separate parcels over a long period of time beginning in 1913 when my father and uncle purchased the first 360 acres and our family took up residence in the house in which I still live. I was nine years old at that time. The various water sources have been developed into an "extensive and complex system" mentioned in A29-04201. This system also includes water from shares owned in Arimo Ditch Company, an extension of Portneuf Irrigating Company.

Both irrigation and stock watering are indeed carried out on the same described locations which constitute parts of the irrigated portions of the ranch.

The spring described in the document under consideration lies in parcels purchased from Bill and Zina Hatch in 1945 or from Jesse and Bertha Kelley in 1954. The water from spring mixes with water from the pond and has been transported through a hill to the west by means of a ditch since before 1924. Zeb Gunter, owner at that time, and my father-in-law Thomas Charles Smith, whom he employed, built the ditch. Before that time for many years, the water was transported by a ditch which had been constructed around the north side of the hill. The water irrigates land west of that hill on both the east and west sides of Marsh Creek where it is carried by three pipes that cross the creek, 298 acres, a correction from the error in the original claim.

IN WITNESS WHEREOF, the party of the second part has hereunto set his hand.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF)
)
)


Robert W. Henderson

STATE OF IDAHO

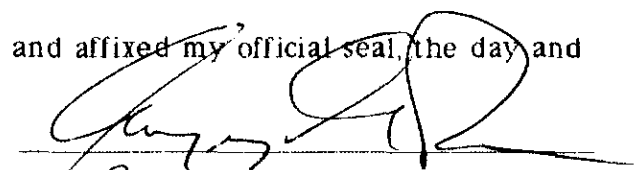
County of Bingham

On this 11th day of January, in the year 1995, before me
a Notary Public in and for said County and State, personally appeared
Robert W. Henderson

known to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he 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.

(seal)


Black MICROFILM

Commission Expires 5/28/96