

BY June 5, 1990 E.L.

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: A74-00037A

Date Received:

Receipt No: X999999 / 90

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PENNY J. OGDEN
Address: 1650 E. 875 S., #A
CLEARFIELD, UT 84015

AND

Name: ESTATE OF ROGER KENT OGDEN
Address: 1650 E. 875 S., #A
CLEARFIELD, ID 84015

RECEIVED
MAY 23 1990

Department of Water Resources
Eastern District Office

2. Date of Priority: SEP 01, 1874

3. Source: BIG TIMBER CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	26E	33	NW	NW			LEMHI

5. Description of diverting works:
WOODEN HEADGATE TO DITCHES, PIPES FROM DITCH TO STOCK WATERING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	03/15	11/15	0.010		1.10

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 1.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATERING FOR 75-100 HEAD OF RANGE CATTLE

A7400037A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	26E	28	NE	SW		STOCK	
			NW	SW		STOCK	
			SW	SW		STOCK	
			SE	SW		STOCK	

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
PORTION OF 74-00039A (A74-00039C)

14. Remarks:
SEE TRANSFER FILED BY CLINGER ENTERPRISES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

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): Penny Jane Osborn Date: 15 May 90
Date: _____

For Organizations:

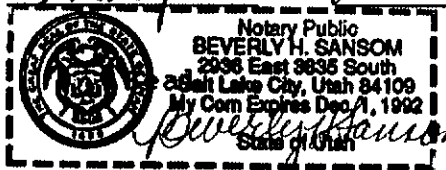
I do solemnly swear or affirm that I am the Personal Representative of
Title
Estate of Roger Kent Ogden, that I have signed the foregoing
Organization
document in the space below as Personal Representative of
Title
Estate of Roger Kent Ogden and that the statements contained in the
Organization
foregoing document are true and correct.

Penny Jane Ogden
Signature of Authorized Agent
Personal Representative of
the Estate of Roger Kent Ogden
Title and Organization

15 May 90
Date

State of Utah)
County of Davis) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of May 1990



Beverly H. Sansom
Notary Public

Residing at 2936 E. 3035 So - SLC UT
My Commission Expires 12-1-92 84109

17. Notice of Appearance:

Notice is hereby given that I, Alan C. Stephens 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 Alan C. Stephens

Address P.O. Box 50560, Idaho Falls, ID 83405

Date _____

Scale: 2 inches equals 1 mile

SEC. 39

SEC. 28

PLACE OF USE

OBDEN IPG. OF DIVERSION

CLUSTER DIVERSION

SEC. 32

SEC. 33

BIG FINDER

Last Name OGDEN

Ident No. _____

Copies: White-State, Yellow-Claimant

FILED
BY COUNTY CLERK OF COURT

MAY 29 1987

LEMHI COUNTY DISTRICT COURT
ALBERTA WIDENBRICK, CLERK

Sherman F. Furey, Jr.
FUREY & FUREY, Chartered
Attorneys at Law
116 N. Center St.
Salmon, Idaho 83467
Telephone: 208/756-2577

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

In the Matter of the Estate of) Case No. P-1437
ROGER KENT OGDEN,)
Deceased.) LETTERS OF ADMINISTRATION AND OATH

Penny J. Ogden is hereby appointed personal
representative of the Estate of Roger Kent Ogden, deceased.

WITNESS, Fred Snook, Magistrate of the above entitled
Court, with the seal thereof affixed, the 29th day of May,
1987.

Fred Snook
Magistrate of the District Court

STATE OF UTAH)
: ss.
County of WEBER)

I hereby accept the duties of personal representative
of the Estate of Roger Kent Ogden, and do solemnly swear that I
will perform, according to law, the duties of personal
representative.

Penny J. Ogden
Penny J. Ogden

SUBSCRIBED AND SWORN To before me this 18th day of
May, 1987.

MICROFILMED

Elizabeth Rothery
Notary Public
Residing at Ogden, Utah
DEC 14 1992



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

OCT 27 1986

John V. Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director

October 24, 1986

Clinger Enterprises, Inc.
c/o Zella Armstrong
230 Harvard Avenue
Rexburg, Idaho

Dear Ms. Armstrong:

A copy of the memorandum agreement between Clinger Enterprises Incorporated and Roger and Penny Ogden was sent to this office with a request by Allen C. Stevens that an application for transfer be prepared pursuant to that agreement.

After reviewing the memorandum agreement I prepared the enclosed application. This application essentially changes the nature of use for approximately one miners inch of water from irrigation to stock water. The irrigation water was appurtenant to two acres in the NE1/4SE1/4 of Sec. 29, T. 16N, R. 26E. Based on the application it would become appurtenant to Mr. Ogden's property in the SW1/4 of Section 28 for stockwater usage.

If you have any questions concerning the application or there are changes you feel should be made please call me. Should your review indicate the application is in conformance with the agreement then you will need to sign the application in the presence of a notary and return it to this office. It is my understanding that Mr. Ogden has consented to pay the filing fee on the application. Once its returned with your signature, I will therefore contact Mr. Ogden's attorney to make arrangements for payment of the fee.

Your prompt attention to this matter would be appreciated. It will help us expedite processing of the transfer application and also reinstate administrative consideration of the exchange application filed by Marjorie and Earl McCrae in June of 1985.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Supervisor

EC/md

Enclosure

cc: Allen C. Stevens

MICROFILMED

DEC 14 1992

Thomsen and Stephens

Law Offices

May 8, 1990

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

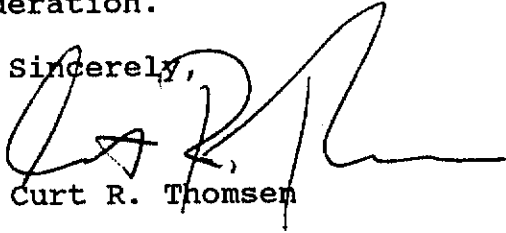
RE: Ogden Water Rights Claim

Dear Sirs:

Enclosed from Penny J. Ogden are five claim forms (two domestic rights claims, stock water right, an irrigation right, and a high water irrigation claim). Also enclosed is Major Ogden's check in the amount of \$213.00 representing two domestic claims (\$25.00 each), \$50.00 flat fee, and \$1.00 acre for 113 acres. I trust this is the correct filing fee. If not, please advise and we will make additional remittance. Please contact me if there is any difficulty with the claims submitted or if any changes or additions are required.

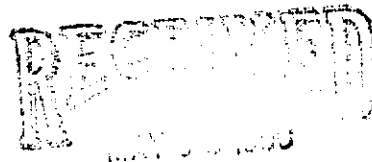
Thank you for your consideration.

Sincerely,


Curt R. Thomsen

CRT:clm

Enclosures



Department of Water Resources
Eastern District Office

Curt R. Thomsen
G. Lance Nalder

Alan C. Stephens
Stephen H. Telford

James D. Wheeler
J. Michael Wheeler

MICROFILMED

DEC 14 1992

Telephone: (208) 522-1230

P.O. Box 50560 Idaho Falls, ID 83405

Telefax: (208) 522-1277



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 9, 1990

Thomsen and Stephens, Law Offices
Attn: Curt R. Thomsen
P.O. Box 50560
Idaho Falls, Idaho 83405

RE: Notice of Claims for Penny J. Ogden

Dear Mr. Thomsen:

Pursuant our phone conversation, please find enclosed the notices you submitted for Ms. Ogden, and her check no. 2431 in the amount of \$213.00.

As discussed, I have prepared two notices for the portions of rights 74-00037 and 74-00039 that your client's use for stockwatering. These replace the notice you submitted for the same rights. Please have Ms. Ogden sign these in front of a Notary Public and then return them to my attention.

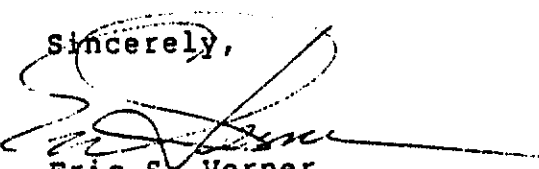
It appears that you intend to record the right owner as: Penny J. Ogden and Estate of Roger Kent Ogden. If this is the case, please have Ms. Ogden sign the "For Organization" signature block in addition to the "For Individuals" block on all of the notices. Be sure to enclose the documentation listing Ms. Ogden as the personal representative of the estate.

The filing fees are as follow:

One irrigation notice	=	\$50.00
45 acres of irrigation	=	\$45.00
2 domestic/stock notices	=	\$50.00
2 based on Lemhi Decree	=	no charge
TOTAL	=	\$145.00

Your prompt attention is appreciated. Be sure to return the signed notices and filing fees by June 5, 1990 to avoid any penalty fees. Please feel free to call me if you have any questions regarding this matter.

Sincerely,


Eric S. Verner,
Senior Water Right Agent

Enclosures

MICROFILMED
DEC 14 1992

Transfer No. _____

Water Right No. _____

* CHANGE IN NATURE OF USE *

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of Applicant Clinger Enterprises Inc. Phone _____Post Office address 230 Harvard Avenue, Rexburg, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0037 Decreed to Clinger Enterprises, Inc.
 In case of No. 4948 Proposed Findings of Water Rights ^(Name) in Lemhi River Basin
 dated in Dec. 30, 1982 in 7th Judicial District Court ^(Name of court) of Lemhi
 b. License No. _____ issued by the Idaho Department of Water Resources
 c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Big Timber Creek tributary to Lemhi River

4. Date of priority 09-01-1874

5. Water is used for the following purposes:

amount 3.36 cfs for Irrigation purposes from 3-15 to 11-15
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.36 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33
 Township 16N Range 26E, B.M., in Lemhi County

Additional points of diversion, if any _____

8. Land irrigated or place of use: _____

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16N	26E	20									25	40	25				7		97
		29		37	26				30	30	13				2	29			167
		30	40		40	40	40			40	10				40	36			286

Total number of acres to be irrigated 550

9. Describe any other water rights used for the same purpose as described above 74-0039A was
decreed to the same place of use.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No. If yes, describe in item D, REMARKS.

MICROFILMED
DEC 1 1992

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0039A Decreed to Clinger Enterprises, Inc.
(Name)
 in case of No. 4948 Proposed Findings of Water Rights in Lemhi River Basin
 dated in 12/30/1982 In 7th Judicial District Court county of Lemhi
(Name of court)
- b. License No. _____ Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Big Timber Creek tributary to Lemhi River
4. Date of priority 06-10-1901
5. Water is used for the following purposes:
 amount 2.54 cfs for Irrigation purposes from 3-15 to 11-15
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.54 cubic feet per second
&/or
 b. _____ acre feet per annum
7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33
 Township 16N Range 26E, B.M., in Lemhi County
 Additional points of diversion, if any _____

8. Lands irrigated or place of use:

FWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	26E	29		37	26				30	30	13				2	29			167
		20										25	40	25			7		97
		30	40		40	40	40			40	10				40	36			286

Total number of acres to be irrigated 550

9. Describe any other water rights used for the same purpose as described above 74-0037 was
 decreed to the same place of use.
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in Item D, REMARKS.

DO NOT FILE

TRANSFERRED

transferred

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
b. _____ &/or
acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

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	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 5.90 c.f.s. &/or _____ acre feet
- b. Description of diverting works wooden headgate
- c. Describe the reasons for the proposed changes applicant is transferring one miners inch for use by Roger & Penny Ogden as a consessions for continuing to exercise a water right exchange involving rights 74-0996 & 74-0031.

2. Change in point of diversion NO CHANGE

Point of diversion NW 1/4 NW 1/4, Section 26E, Township 6N
Range 26E, B.M., Lenhi County
Additional points _____

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Land in the NE 1/4 SE 1/4 Section 29 is being dewatered and will cease being irrigated. Water historically used to irrigate this land will be diverted by Roger & Penny Ogden pursuant to a memorandum agreement dated March 15, 1986.

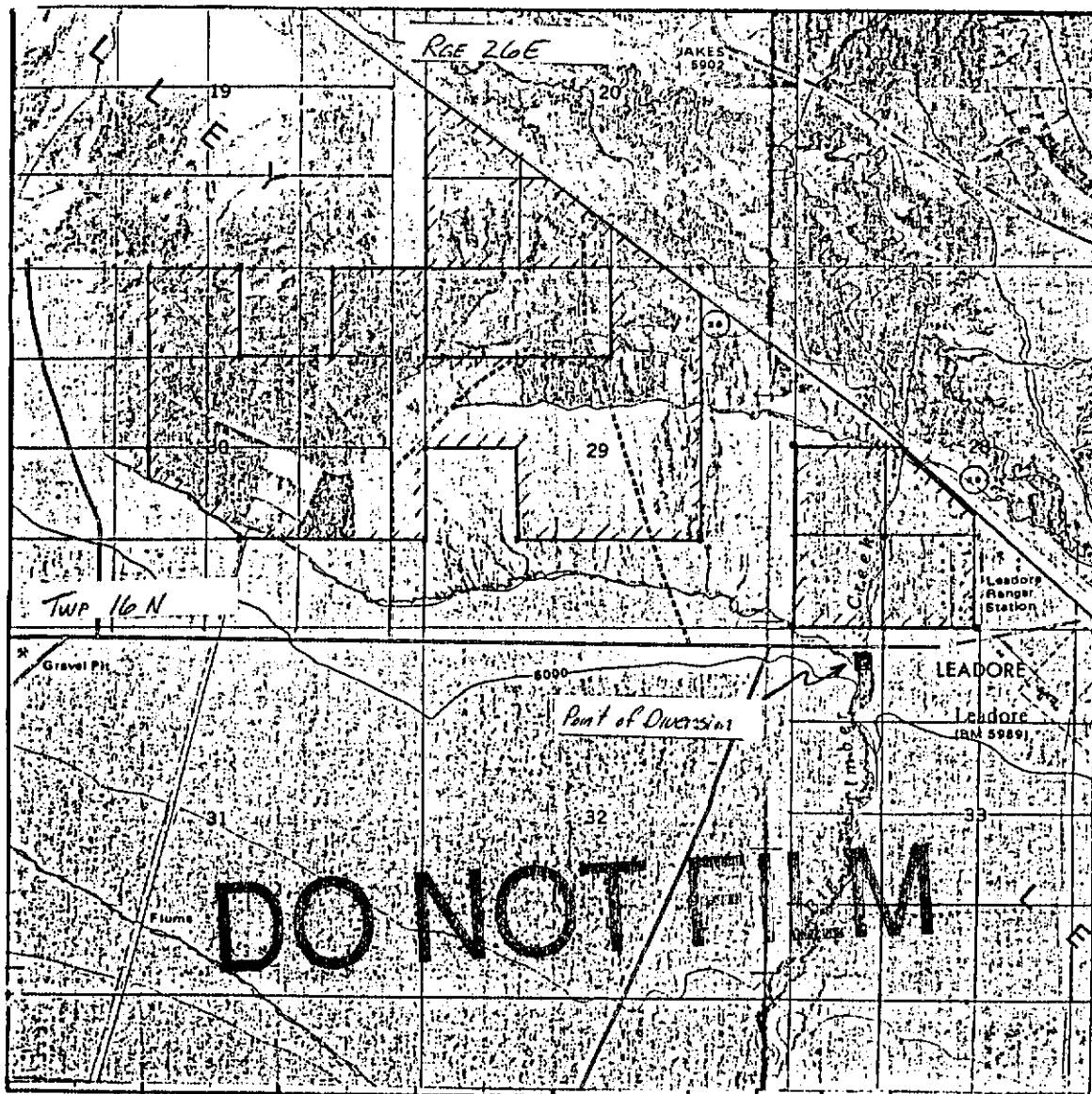
DO NOT FILM

c. Describe the lands or place of use to which the right will be transferred:

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	
16N	26E	29		37	26				30	30	13					29			165
		30	40		40	40				40	10				40	36			286
		20										25	40	25			7		97
16N	26E	28									S	S	S	S					

Total number of acres to be irrigated 548

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

D. REMARKS

The use of water for stockwatering purposes will be limited to when irrigation water is being diverted under rights 74-0037 & 74-0039A. The rate of diversion shall not exceed 0.02cfs or the quantity of water diverted through a one inch diameter pipe which ever is less. The volume of water diverted by Mr. Ogden shall not exceed 2.8 acre feet per annum, which is the consumptive use equivalent for two acres of alfalfa in Salmon.

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 willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of October, 1986

[Signature]
(Notary Public)

My commission expires 10-1-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

FOR DEPARTMENT USE ONLY

Received by MD Date 10-29-84 Protest filed by _____
Prelim. check by _____ Fee _____
Received by _____ Date _____
Published in _____
Pub. dates _____
Watermaster recommendation requested on _____
_____ rec'd _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by _____

OLD (O) NUMBER -

[illegible]

*** A - ATTORNEY ***
STEPHENS

ALAN C.

1 - P.O. BOX 50560

2 -

CITY- IDAHO FALLS

STATE- ID ZIP- 83405

PHONE - 208-522-1230

*** C - CURRENT OWNER ***
OGDEN

PENNY J.

1 - 1850 E. 875 S., #A

2 -

23 -

CITY- CLEARFIELD

STATE- UT ZIP- 84015

PHONE - 208-000-0000

UGDEN

ESTATE OF ROGER KENT

1 - 1630 E. 875 S., #A

2 -

3 -

CITY- CLEARFIELD

STATE- ID ZIP- 84015

PHONE - 209-000-0000

*** D - ORIGINAL OWNER ***
CLINGER ENTERPRISES INC.

1 - 230 HARVARD AVE.

2 -

3.

CITY- REXBURG

STATE- ID ZIP- 83440

PHONE - 203-000-0000

+ - - PRIORITY DATE - - +		+ - - - REGION - - - +		+ - - - STAGE - - - +		+ - - - STATUS - - - - +	
09/01/1874		15 EASTERN		C - DECORATED			

[illegible][illegible]

16N 25E 33 NW NW (59) LEHHI

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1	1

04 - STOCKWATER	05/15	11/15	0.010	1.10
-----------------	-------	-------	-------	------

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
0.010		1.10				0.0			

TWN	RNG	SEC	TRACT	LOT	POSSESSOR	ACRES	DEED NO	DATE	DESCRIPTION	COUNTY
14N	24E	36S	1	1	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	2	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	3	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	4	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	5	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	6	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	7	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	8	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	9	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	10	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	11	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	12	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	13	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	14	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	15	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	16	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	17	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	18	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	19	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	20	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	21	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	22	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	23	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	24	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	25	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	26	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	27	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	28	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	29	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	30	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	31	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	32	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1	33	JOHN A. JOHNSON	1.00	100	10/1/1910	1.00 AC. LOTS	CLATSOP
14N	24E	36S	1							

16N	26E	26	SE	04	STOCKPORT	(59)	16N11
16N	26E	26	SE	04	STOCKPORT	(59)	16N11
16N	26E	26	SE	04	STOCKPORT	(59)	16N11
16N	26E	26	SE	04	STOCKPORT	(59)	16N11

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

07/04/92 00:23:11
PAGE 2

WATER RIGHT NUMBER - A74-00037A

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - DIVERSION MEANS - WOODEN HEADGATE TO DITCHES, PIPES FROM DITCH TO STOCK WATERING
+ - - NON-IRRIGATION USE - STOCKWATERING FOR 75-100 HEAD OF RANGE CATTLE
+ - - OTHER RIGHTS FOR SAME USE - PORTION OF 74-00039A (A74-00039C)

+ - - - - REMARKS - - - - -
SEE TRANSFER FILED BY CLINGER ENTERPRISES.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
A7400037

+ - - - - CONDITIONS OF APPROVAL - - - - -
R04 - USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
- WATERMASTER OF STATE WATER DISTRICT NO. 74W.
R02 - A LOCKABLE DEVICE SUBJECT TO THE APPROVAL OF THE DEPARTMENT SH
- SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL
- PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

+ - - - - DECREE PLAINTIFF - - - - +

+ - - - - DECREE DEFENDANT - - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 05/24/90 THOMPSON

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 05/23/1990
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - X999999
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - AND

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT - 74W
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -
NOTICE OF ERROR FLAG -

16 N 26 E 28 S 40 S

DATA ENTRY

ENTERED

CHECKED 12/15/93 *Re*

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
DWR Records

VERIFIED

AUG 18 1993

CERTIFIED

AUG 28 1993

WATER EXAMINER

MICROFILMED

NOV 15 1996

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: 74-00037

DATE RECEIVED: 4-20-90

RECEIPT NO: X999999

RECEIVED BY:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 20 1990

Department of Water Resources
Eastern District Office

1. NAME: CLINGER ENTERPRISES INC.
ADDRESS: 230 HARVARD AVE.
REXBURG, ID

83440

2. DATE OF PRIORITY: SEP 01, 1874

3. SOURCE: BIG TIMBER CREEK

TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
16N	26E	33	NW	NW			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	3.350		
STOCKWATER	03/15	11/15	0.010		1.10

7. TOTAL QUANTITY APPROPRIATED IS:

3.360 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
16N	26E	20	NW	SW		IRR	25.0
			SW	SW		IRR	40.0
			SE	SW		IRR	25.0

74-00037

PAGE 1

DATE: 02/08/90

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MICROFILMED

DEC 14 1992



10. PLACE OF USE: CONTINUED

TOWNSHIP 16N	RANGE 26E	SECTION 20	1/4 SW	OF 1/4 SE	LOT	USE IRR	ACRES 7.0
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SECTION ACRES 97.0

28	NE	SW	STOCK	
	NW	SW	STOCK	
	SW	SW	STOCK	
	SE	SW	STOCK	
29	NW	NE	IRR	37.0
	SW	NE	IRR	26.0
	SW	NW	IRR	30.0
	SE	NW	IRR	30.0
	NE	SW	IRR	13.0
	NW	SE	IRR	29.0

SECTION ACRES 165.0

30	NE	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	10.0
	NE	SE	IRR	40.0
	NW	SE	IRR	36.0

SECTION ACRES 286.0

TOTAL ACRES 548.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED

CASE NUMBER:

COURT :

DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

74-00037

PAGE

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DATE: 02/08/90

92

MICROFILMED

DEC 14 1992

(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.

MICROFILMED
DEC 14 1992

STATE OF IDAHO)
COUNTY OF Madison) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 17 DAY
OF April 19 90

SEAL

[Signature]
NOTARY PUBLIC

RESIDING AT Reboing, Idaho

MY COMMISSION EXPIRES 4-6-93