

09/11/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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RIGHT NUMBER: 24-10031

NAME AND ADDRESS: FRED BROG  
1644 STATE LINE RD  
FREEDOM WY 83120

ANNIE BROG  
1644 STATE LINE RD  
FREEDOM WY 83120

SOURCE: TINCUP CREEK

TRIBUTARY: SALT RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 02/15/1908

POINT OF DIVERSION:

T05S R46E S3 SESESW Within CARIBOU County

T05S R46E S9 SESWNW Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.200 CFS       |

PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R46E S10 NESW 10.00

10 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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 24-10031  
Date Received: 2/13/1990  
Receipt No: E012039  
Received By:

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

1. Name of Claimant(s)

FRED BROG Phone: (307)883-2363  
1644 STATE LINE RD  
FREEDOM WY USA 83120

ANNIE BROG Phone: (307)883-2363  
1644 STATE LINE RD  
FREEDOM WY USA 83120

2. Date of Priority: 02/15/1908

3. Source: TINCUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 05S      | 46E   | 10      | NW NW SE 3            | CARIBOU |      |

5. Description of diverting works:

DIVERSION DAM DITCHES & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 10/31 | 1.38   |            |

7. Total Quantity Appropriated is:  
1.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres      |    |
|---------------|-------|---------|------------|-----|-----|------------|----|
| 05S           | 46E   | 10      | NW         | NE  | 1   | IRRIGATION | 3  |
|               |       |         | SW         | NE  | 2   | IRRIGATION | 2  |
|               |       |         | NE         | NW  |     | IRRIGATION | 21 |
|               |       |         | SE         | NW  |     | IRRIGATION | 31 |
|               |       |         | NE         | SW  |     | IRRIGATION | 12 |
| Section Acres |       |         |            |     |     | 69         |    |
| Total Acres   |       |         |            |     |     | 69         |    |

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:

24-10676

14. Remarks:

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.

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  
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CIVIL CASE NUMBER: 39576

Ident. Number 24-10031  
Date Received: 2/13/1990  
Receipt No: E012039  
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRED BROG  
1644 STATE LINE RD  
FREEDOM WY USA 83120

Phone: (307)883-2363

ANNIE BROG  
1644 STATE LINE RD  
FREEDOM WY USA 83120

Phone: (307)883-2363

2. Date of Priority: ~~07/01/1967~~ 02/15/1908

3. Source: TINCUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

| Township       | Range          | Section       | 1/4 of 1/4 of 1/4 Lot | County             | Type |
|----------------|----------------|---------------|-----------------------|--------------------|------|
| 05S            | 46E            | 10            | NE NW                 | CARIBOU            |      |
|                |                |               | NW NW SE 3            | CARIBOU            |      |
| <del>05S</del> | <del>46E</del> | <del>9</del>  | <del>NE SW</del>      | <del>CARIBOU</del> |      |
| <del>05S</del> | <del>46E</del> | <del>10</del> | <del>SE NW</del>      | <del>CARIBOU</del> |      |

5. Description of diverting works:

DIVERSION DAM DITCHES & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose  
IRRIGATION

From To C.F.S.  
~~4/01 11/01~~ 1.38  
4/15 10/31

(or) A.F.A

7. Total Quantity Appropriated is:  
1.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres      |    |
|---------------|-------|---------|------------|-----|-----|------------|----|
| 05S           | 46E   | 10      | NW         | NE  | 1   | IRRIGATION | 3  |
|               |       |         | SW         | NE  | 2   | IRRIGATION | 2  |
|               |       |         | NE         | NW  |     | IRRIGATION | 21 |
|               |       |         | SE         | NW  |     | IRRIGATION | 31 |
|               |       |         | NE         | SW  |     | IRRIGATION | 12 |
| Section Acres |       |         |            |     |     | 69         |    |
| Total Acres   |       |         |            |     |     | 69         |    |

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:

24-10676

14. Remarks:

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: 0

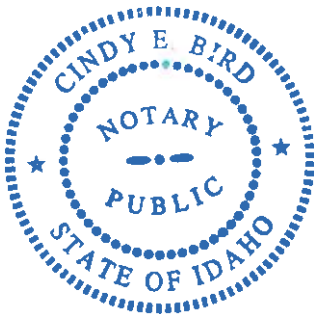
**For Individuals:**

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

Signature of Claimant(s): Fred Brog Date: 1-13-06  
Date: \_\_\_\_\_

State of Idaho )  
County of Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 13<sup>th</sup> day of January 2005



Cindy E. Bird  
Notary Public

Residing at Lava Hot Spring

My commission Expires May 1, 2007

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 24-10031  
Date Received: 2/13/1990  
Receipt No: E012039  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRED BROG Phone: (307)883-2363  
1644 STATE LINE RD  
FREEDOM WY USA 83120

ANNIE BROG Phone: (307) 883-2363  
1644 STATE LINE RD  
FREEDOM WY USA 83120

2. Date of Priority: 07/01/1967

3. Source: TINCUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    | County  | Type |
|----------|-------|---------|-----------------------|----|---------|------|
| 05S      | 46E   | 10      | NE                    | NW | CARIBOU |      |
| 05S      | 46E   | 9       | NE                    | SW | CARIBOU |      |
| 05S      | 46E   | 10      | SE                    | NW | CARIBOU |      |

5. Description of diverting works:

DIVERSION DAM DITCHES & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 1.38   |            |

7. Total Quantity Appropriated is:  
1.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 | of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|-----|--------|-----|------------|-------|
| 05S           | 46E   | 10      | NW  | NE     | 1   | IRRIGATION | 3     |
|               |       |         | SW  | NE     | 2   | IRRIGATION | 2     |
|               |       |         | NE  | NW     |     | IRRIGATION | 21    |
|               |       |         | SE  | NW     |     | IRRIGATION | 31    |
|               |       |         | NE  | SW     |     | IRRIGATION | 12    |
| Section Acres |       |         |     |        |     |            | 69    |
| Total Acres   |       |         |     |        |     |            | 69    |

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:

14. Remarks:

15. Basis of Claim: Beneficial Use

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

*renumbered from A24-10034*

Ident. Number: A24-10031  
Date Received: 2/13/1990  
Receipt No: E012039  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CONN J. HADERLIE 801-752-1665  
Address: 132 SOUTH 300 WEST  
LOGAN, UT 84321

OR

Name: ELMINA J. HADERLIE 801-752-1665  
Address: 132 SOUTH 300 WEST  
LOGAN, UT 84321

2. Date of Priority: JUL 01, 1967

3. Source: TINCUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 05S      | 46E   | 9       |        | NE     | SW  |     | CARIBOU |
|          |       | 10      |        | NE     | NW  |     | CARIBOU |
|          |       |         |        | SE     | NW  |     | CARIBOU |

5. Description of diverting works:  
DIVERSION DAM DITCHES & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.380  |      |        |

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

8. Total consumptive use is 172.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A24-10031

Page 1

Date: 02/15/90

A2410031



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10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 05S      | 46E   | 10      | NW  |    | NE  | 1   | IRR           | 3.0   |
|          |       |         | SW  |    | NE  | 2   | IRR           | 2.0   |
|          |       |         | NE  |    | NW  |     | IRR           | 21.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 31.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 12.0  |
|          |       |         |     |    |     |     | Section Acres | 69.0  |
|          |       |         |     |    |     |     | Total Acres   | 69.0  |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:  
NONE

14. Remarks:

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 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: \_\_\_\_\_

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 \_\_\_\_\_

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

RENUMBERED TO 424-10034 2/13/90 ESU

Ident. Number: A24-10034  
Date Received: 2/13/1990  
Receipt No: E012039  
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CONN J. HADERLIE 801-752-1665  
Address: 132 SOUTH 300 WEST  
LOGAN, UT 84321

OR

Name: ELMINA J. HADERLIE 801-752-1665  
Address: 132 SOUTH 300 WEST  
LOGAN, UT 84321

2. Date of Priority: JUL 01, 1967

3. Source: TINCUP CREEK Trib. to: SALT RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 05S      | 46E   | 9       |        | NE     | SW  |     | CARIBOU |
|          |       | 10      |        | NE     | NW  |     | CARIBOU |
|          |       |         |        | SE     | NW  |     | CARIBOU |

5. Description of diverting works:  
DIVERSION DAM DITCHES & PUMP TO SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.380  |      |        |

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

8. Total consumptive use is 172.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A24-10034

Page 1

Date: 02/13/90

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10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 05S      | 46E   | 10      | NW  |    | NE  | 1   | IRR           | 3.0   |
|          |       |         | SW  |    | NE  | 2   | IRR           | 2.0   |
|          |       |         | NE  |    | NW  |     | IRR           | 21.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 31.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 12.0  |
|          |       |         |     |    |     |     | Section Acres | 69.0  |
|          |       |         |     |    |     |     | Total Acres   | 69.0  |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:  
NONE

14. Remarks:

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 Individuals:**

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

Signature of Claimant(s): *Sam Haderlie* Date: 2-13-90  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 13 day  
of Feb 19 90 *Callean Gray*  
Notary Public

Seal

Residing at *Idaho Falls*  
My Commission Expires *5/29/99*

NOV 9 0 AM

Creek

## Point of Diversion

## Point of Diversion

## Point of Diversion

Place of use

1-55  
R46E

CARIBOU CO

LINCOLN CO

A24-10034

28

I request that claim A24-10031 amended to show a priority date of 2/15/1908 to correspond to the patent date of Homestead certificate #5204.

FIELD AMENDMENT FORM

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): Fred D. Brog Date: 8-12-05  
Annal C. Brog Date: 8-12-05

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

Signature of Authorized Agent

Title and Organization

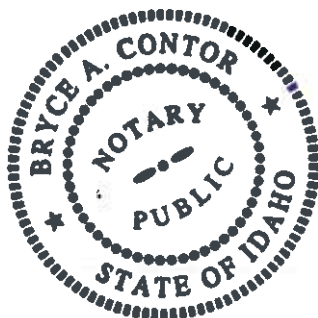
Date

State of Idaho )  
County of Caribou ) SS.

Subscribed and sworn (or affirmed) before me this 13 day  
of Aug 20 05

Bryce A. Contor  
Notary Public

Seal



Residing at Bona

My Commission Expires 10/14/05