IDAHO DEPARTMENT OF WATER RESOURCES 01/31/2008

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 24-2026

NAME AND ADDRESS: RVG TRUST
C/O NORM SORENSEN
5314 NORTH 250 WEST SUITE 210
PROVO UT 84604

SOURCE: WEBSTER CREEK

QUANTITY: 1.500 CFS TRIBUTARY: SALT RIVER

The capacity of the storage reservoir is 7.2 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 07/08/1916

POINT OF DIVERSION:

T08S R46E S5 NWNE Within CARIBOU County

T08S R46E S5 NWNESW Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DIVERSION TO STORAGE	01/01 12/31	1.500 CFS
RECREATION STORAGE	01/01 12/31	7.20 AFY
IRRIGATION	04/15 10/15	0.630 CFS

From 10/16 to 4/14 all overflow water from the ponds must be returned to Webster Creek in the SWSESE of section 32, Township 7 south, range 46 east of the B.M.

PLACE OF USE: IRRIGATION in CARIBOU County

T07S R46E S32	SESE	4.20	T08S R46E S05	NENE	0.60
T08S R46E S05	NWNE	16.00	T08S R46E S05 Lot 5	SWNE	3.60

24.4 ACRES TOTAL

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

Right includes accomplished change in period of use pursuant to Section 42-1425, Idaho Code.

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 - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

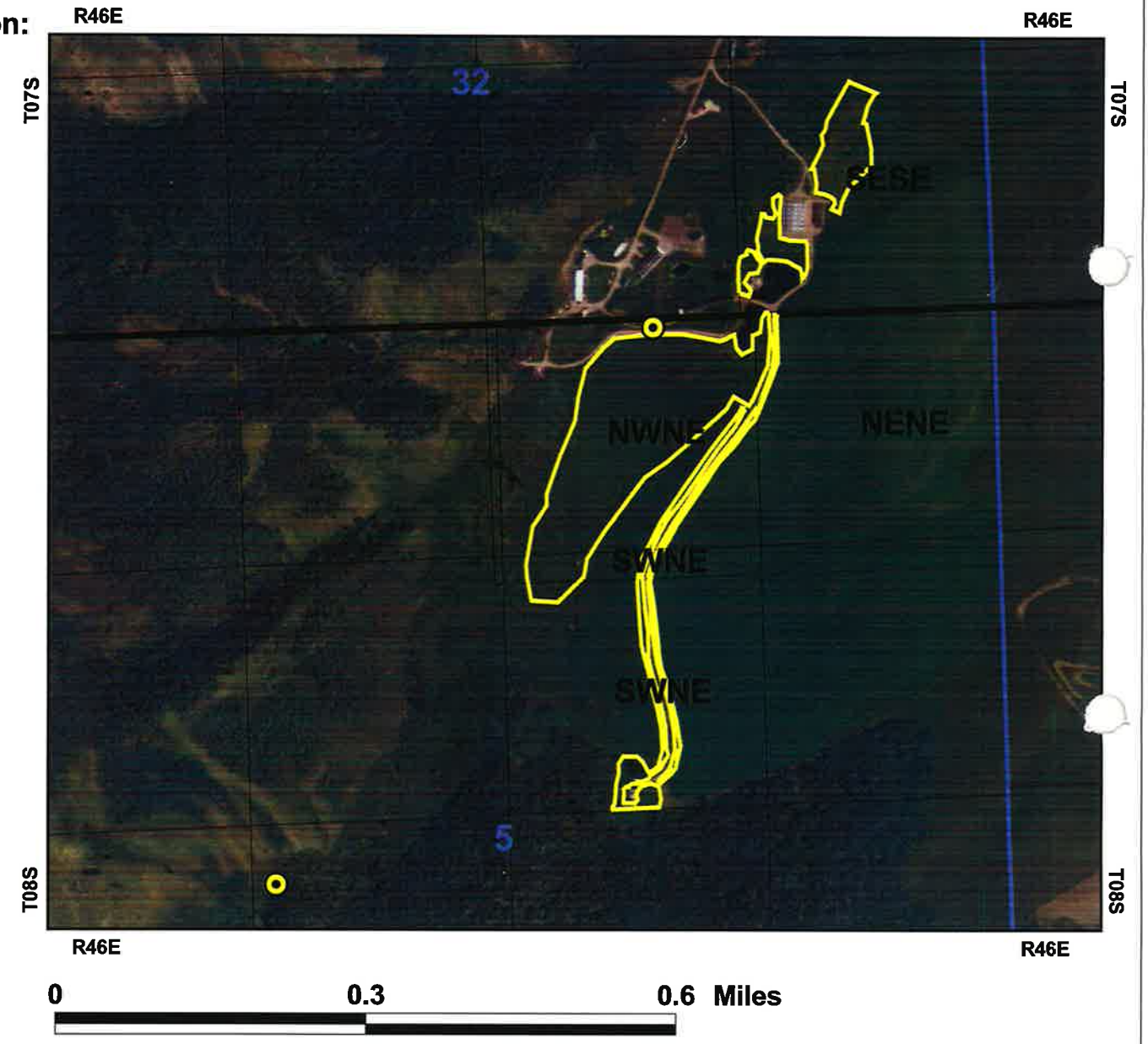
Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources

SRBA Recommendation:

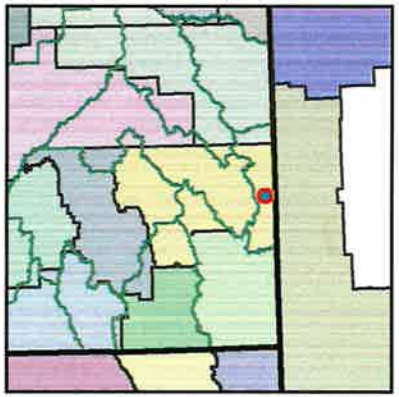
24-2026

(Irrigation)



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Caribou County
IDWR Basin 24

N

Prepared by C. Bird
On Monday, January 28, 2008
2004 Aerial Photography

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

June 19, 2007

RMEA 07-0058

Mr. Jerry Rigby
Rigby Thatcher Andrus Rigby & Moeller
25 N 2nd E
Rexburg, ID 83440

Re: RVG Trust SRBA Analysis

INTRODUCTION

This document reports on fieldwork conducted 16 June 2007 in support of SRBA claim 24-2026. The issues considered are:

A. The extent of original irrigation.
B. Discrepancy between original licensed place of use and lands currently owned by claimant.
C. Change in place of use.
D. Change in point of diversion.
E. Change in nature of use.
F. Stockwater use.
G. Was the domestic component of the license ever developed?
H. Have the changes (C, D and E) been used continually since the time of the change?
I. Have the changes injured any other water users?
J. Number of ponds.

Issues A through G are identified by Cindy Bird of IDWR in an undated communication to Nick Spencer of the Attorney General's office, found on pages 9 and 10 of file "9lk501_.pdf" downloaded from the IDWR website in early June 2007. Issues H and I are identified in a letter from Bird to the claimant dated 15 August 2006, found on page 17 of the same file. Issue J is from a note on page 7 of IDWR electronic file "9lk401_.pdf."

In addition to my field inspection on 16 June 2007, this report considers the following:

1. Water right and adjudication documents for water right and claim 24-2026, retrieved electronically from IDWR website in June 2007.

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2. Water right, adjudication claim, and adjudication claim place of use shapefiles downloaded from IDWR website in early May 2007.
3. My own electronic data from the 2005 field exam. These data were provided to IDWR in 2005 but not all are currently available from the IDWR public website.

FINDINGS

A. Extent of irrigation

1. Original permit included the claimed POU as well as the part of the licensed POU not claimed (see page 9, IDWR file 22yc01_.pdf).
2. Preliminary search of the water-right file includes a clear history of documents showing that the full permitted POU was developed and original applicant Welchman attempted to perfect the license. See pages 17, 26, 33, 51, 71 and 84 in IDWR file "22yc01_.pdf."
3. The water-right examiner and some of the affidavits show that the ditch was a "community ditch," indicating that more land was irrigated than just the POU of 24-2026 (see pages 46, 48 and 53 of "22yc01_.pdf").
4. Original licensing exam sketch (Figure 1 in file "Figures_Field_Writeup_Contor_07_0058_Draft.pdf," from p3 of file "22yc01_.pdf" from IDWR website) shows a ditch system that would have allowed the full permitted POU to be developed.
5. Figures 2 through 6 show various sketches of the ditch system from the water-rights and claim files, and shapefiles derived from georeferencing these sketches to the GIS coordinate system.
6. Figure 7 shows GPS "breadcrumbs" and waypoints from the 16 June 2007 fieldwork. Blue-highlighted points are along a path derived from using a hand level to reconstruct a possible ditch from the last undisturbed remnants of the ditch, located at the southwest end of the blue points. Yellow points are along existing ditches.
7. Figures 8 and 9 illustrate the USGS topographic map and a circa-1960s/1970s map obtained from the NRCS office in Afton, Wyoming.
8. Figure 10 illustrates a reconstruction of the lands irrigated under the original ditch system, based on all the information presented above. The precision of the hand level is such that the trace of the ditch location from aerial photography is preferred to the hand-level indication. Location "X" on the figure is a small knoll not apparent in the images or topo maps, which would not have been irrigated. Location "Y" is a low spot that would have likely been picked up by the "stub" ditches illustrated in some of the sketches. The narrow diagonal strip represented as not irrigated is the toe of the hill, which is too steep to irrigate.
9. Figures 11, 12 and 13 show the parts of the reconstructed lands within the permit, license, and claimed lands, respectively. The reconstruction

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suggests that 103 acres were developed on the original permit lands, with 52 acres included in the licensed lands and 72 acres included within the claimed lands. The overlap between the claim and the license is approximately 19 acres.

10. Figures 14 through 17 are photos of the original irrigated lands documenting that, while somewhat hilly, these lands are no steeper than lands currently gravity irrigated in the Magic Valley and Treasure Valley of Idaho.
11. License examiner notes the following regarding irrigated lands: "Rolling side hill land, ground subs for long distance."
12. For my 2005 report to IDWR I prepared a shapefile of the lowlands still irrigable under remaining ditches, which is consistent with my 2007 fieldwork. This is illustrated in Figure 18. IDWR has not made these data available on the website; these are from my personal archive. The shapefiles total approximately 27 acres.
13. Additional lands are irrigated by sprinkler or drip irrigation from surface-water pumps. Figure 19 illustrates these lands, based on my 2005 and 2007 inspections and the 2006 aerial photo. They total approximately 7.2 acres. Figure 20 shows one of the drip-irrigated trees along the driveway. Figure 21 shows the drip line, and Figure 22 shows sprinkler irrigated landscaping and lawns.

B. Discrepancy between license POU & lands owned by claimant

1. One possibility to address this issue would be to discover in the chain of title a person who had owned both the claimed and licensed POU; it would be possible that this person performed an accomplished transfer to the claimed lands, perhaps because being nearer the top of the ditch these lands would be easier to irrigate. The timeline (pages 12-15 of IDWR file 9lk501_.pdf) in the file could perhaps support this, if the "metes and bounds" parcel in the 7/6/1944 document included the SWSW of Section 33. I did not pursue this; many of the deeds in the electronic file are unreadable.
2. Another possibility to address this issue is to consider that the chain of correspondence regarding Welchman's attempt to perfect his permit, including his 1920 proof of completion, document that all the permit lands, including the claimed lands, were originally developed. Some of these documents are referenced in items A2 and A3 above.
3. Note that some of the claimed lands (approximately 19 acres) were included in the original license.
4. A search of the May 2007 download of water rights, claims and recommendations places of use indicates that there are no claims or water rights from Webster Creek inconsistent with or competing with the claimed use under 24-2026.

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1. The 1987 IDWR aerial photo illustrated in Figure 24, while of lower resolution than the 2006 photos, is consistent with the claimed place of use and the irrigable lands illustrated in Figure 18 and Figure 19. This suggests that the change took place prior to 1987.

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1. The original POD appears never to have changed, though there has been some confusion over time as to its proper legal description. Note that early applicants and examiners were operating without the aid of topographic maps. My 16 June 2007 GPS readings and inspections confirm the US Forest Service assertion that the original POD is in NWNESW of Section 5, T 8N Range 46E. This POD serves the ditch to the south bottomland pasture, the pump to the south home and tree line, and the upper pond. The upper pond spills into the lower pond and from there the water is available to the lower (north) sprinkler pump and the north bottomland pasture.
2. There is a second POD on Webster Creek very near the ponds. The ditch flows through a hatchery facility to a dividing box where part of the flow serves the claimant's lower pond and part flows through a hatchery pond to the creek.
3. The second POD is shown at "A" in Figure 24, with the dividing box at "B." Though with poorer resolution, the 1987 aerial photo illustrated in Figure 25 also shows these features, confirming that the second POD was in place prior to 1987. This POD appears to be within the NENWNE of Section 5, T 8S R 46 E in the 2006 photo, but in the SESWSE of Section 32, T 7S R 46E in the 1987 photo. The GPS point is approximately 50 feet inside Section 8, but it was taken on the bank looking down into the POD, with estimated GPS accuracy of 15 to 30 feet. It is unclear which of the legal descriptions of the second POD is correct but the Section 8 description seems most likely.

E. Change in Nature of Use

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1. The Aagard affidavit on page 5 of IDWR file 9lk401_.pdf indicates that ponds were present as early as 1983.
2. Fish and Game permit on page 8 of the same file indicates that in 1981, claimant was authorized to stock trout in a pond.
3. Figure 25 shows that ponds were present by 1987.

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2. Caretaker Josh Frazier indicates that his friend's grandmother grew up in the home in the 1920s. Frazier believes the grandmother is still living. Perhaps an affidavit could be obtained, if needed.

H. Have the changes been continually used?

1. Figure 28 illustrates aerial imagery from 1994, 1999 and 2001. These confirm the features illustrated in the 1987 imagery in the claim files, the 2004 imagery in the materials I submitted to IDWR in 2005, and the 2006 imagery illustrated in other locations in this report.
2. My field inspections in 2005 and 2007 also confirm continued use.

I. Have the changes caused injury?

1. The addition of the second POD moves some diversion which used to occur above the Fish and Game diversion to a shared diversion with Fish and Game. This leaves more "carriage water" in the creek, helping to assure Fish and Game supply.
2. There are no other intervening diversions between the original diversion and the original return-flow locations.
3. There is an overall reduction in consumptive use, benefiting all downstream users.

J. Number of ponds

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1. The Aagard affidavit indicates ponds (plural).
2. While the Fish and Game permit authorizes placement of trout in a pond, it does necessarily indicate that *only* one pond was present.
3. The 1987 photo, all subsequent photos, and both field inspections show two ponds.

Please feel free to call if you have any questions.

Sincerely,

Bryce A. Contor

Bryce Contor
Staff Hydrologist

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Notes

4/18/08 added to V2 Pou for the recreation ponds,
T7S, R46E Sec. 32 SESE, T8S, R46E Sec. 5, NWNE & NENE.

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DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
FEB 2 8 2008
By _____ Clerk
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 24-2026
(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: RVG Trust, C/O Norm Sorensen

Address: 5314 North 250 West Suite 210

Provo, Utah 84604

Daytime Phone: _____

Name and Address of Attorney, if any:
JERRY R. RIGBY
P O. BOX 250
REXBURG, IDAHO 83440

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: RVG Trust C/O Norm Sorensen

Address: 5314 North 250 West Suite 210

Provo, Utah 84604

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D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. ☐ **Name and Address**
   Should be:_____

2. ☐ **Source**
   Should be:

3. X **Quantity**
   Should be: The Diversion to Storage Rate should be the licensed 3 0 c.f.s.

4. ☐ **Priority Date**
   Should be:

5. ☐ **Point of Diversion**
   Should be:

6. ☐ **Instream Flow Beginning and Ending Point**
   Should be:_____

7. ☐ **Purpose(s) of Use**
   Should be:

8. ☐ **Period of Year**
   Should be:

9. X **Place of Use**
   Should be: Should include the precise location of the pond.

10. ☐ **I object because:**
   ☐ This water right Should not exist.

   ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

For whatever reason, the location of the pond is missing and should be included.
This right was licensed for 3.0 cfs diversion to storage and should be decreed in the same manner.

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F. **VERIFICATION** (must be completed)

STATE OF IDAHO,)
ss
County of Madison)

Jerry R Rigby, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objections, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: February 27, 2008

MANDY DAVIS NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at: St Anthony
My Commission Expires: 6/24/2011

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INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on February 27, 2008, I mailed the original and copies of this objection, including all attachments, to the following persons:

1 Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: ___RVG Trust C/o Norm Sorensen_____
Address: ___5314 N 250 W Ste. 210_____
___Provo, Utah 84604_____

3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

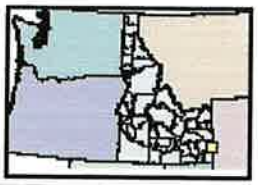
United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

Signator of objector or attorney
mailing on Objector's behalf

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The lat/long you provided was 42.763° N; 111.100° W
Here are the results:
NW quarter of the **NE** quarter of Section **5**, Township **08S**, Range **46E**
IDTM NAD83 coordinates: Easting=2737265; Northing=1288769



Choose the map-display background: Photo Topo



Add Layer Wells Water Rights Water Right Permits Adjudication Claims Adjudication Recommendations

* Positions of wells/headgates may be based upon the center of a quarter-quarter section; those obtained by GPS or survey are accurate.

1/25/08
2007 Bryce Contor GPS'd this point.

CB

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HATCHERY WATER RIGHTS

GF-40

WYOMING GAME & FISH COMMISSION

INTER-DEPARTMENT COMMUNICATIONS

No.

DATE Jan 25 68 19

TO: Jon Orden

FROM: Earl S. Wilde

COPIES TO:

SUBJECT: Hatchery Water Source

The one spring is the only source of water that is used at the Auburn hatchery except the water from Webster Creek is used to run through our brood stock raceway. This raceway was made in the original ditch used for irrigation on the Ray Peterson ranch, After approximately 90 yds of this ditch line the water is returned to the main creek channel.

Mr Peterson gave us permission (verbal) to do this for the use of the head gate at the lower end of the raceway. This was being tried on an experimental basis and it has worked out very well, therefore we have been using this set up since about 1959.

Earl Wilde

RECEIVED
JAN 26 1968
RESEARCH AND DEVELOPMENT
DIVISION

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Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.

June 19, 2007

RMEA 07-0058

Mr. Jerry Rigby
Rigby Thatcher Andrus Rigby & Moeller
25 N 2nd E
Rexburg, ID 83440

Re: RVG Trust SRBA Analysis

INTRODUCTION

This document reports on fieldwork conducted 16 June 2007 in support of SRBA claim 24-2026. The issues considered are:

A. The extent of original irrigation.
B. Discrepancy between original licensed place of use and lands currently owned by claimant.
C. Change in place of use.
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1. The Aagard affidavit indicates ponds (plural).
2. While the Fish and Game permit authorizes placement of trout in a pond, it does necessarily indicate that *only* one pond was present.
3. The 1987 photo, all subsequent photos, and both field inspections show two ponds.

Please feel free to call if you have any questions.

Sincerely,

Bryce Contor
Staff Hydrologist

Rocky Mountain ENVIRONMENTAL ASSOCIATES, INC.
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Bird, Cindy

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, April 04, 2007 12:05 PM
To: david.negri@usdoj.gov; Bird, Cindy; Darren G Olsen
Subject: Fw: 24-02026 Sorensen

Jerry's reply back to me.

Steve Spencer (208) 331-5944
Boise Adjudication Team (208) 387-0842 FAX
161 E. Mallard, Suite 110 e-mail: sspencer@fs.fed.us
Boise, ID 83706
----- Forwarded by Steven M Spencer/R4/USDAFS on 04/04/2007 12:03 PM -----

"Jerry Rigby" <jrigby@rigby-thatcher.com> To "'Steven M Spencer'" <sspencer@fs.fed.us>
04/03/2007 07:21 PM cc
Subject RE: 24-02026 Sorensen

Steve,
Thanks for the info. I will go over this with my client and get back to you.
Thanks

Jerry R.
-----Original Message-----
From: Steven M Spencer [mailto:sspencer@fs.fed.us]
Sent: Tuesday, April 03, 2007 1:22 PM
To: jrigby@rigby-thatcher.com
Subject: 24-02026 Sorensen

Jerry,
As per my voice mail message to you last week, in reviewing the objection you filed for Mr. Sorensen for 24-02026, I believe we've found an error in the legal description of the point of diversion. The description in the objection says it should be in the NWSWSE of Section 5. This is on National Forest System (NFS) land, so we've looked at the information available. If the source is going to be Webster Creek, Webster Creek does not flow through the SWSE of Section 5. In addition, if POD is going to approximate the dot on the map I obtained from the IDWR site, it appears that the POD should be in the NWNESW of Section 5, which is also on Webster Creek, and not in the NWSWSE of Section 5. The NWNESW is still on NFS land. (I have not looked into whether or not there are any irrigation facilities authorized on NFS land in this area. If they are authorized everything would appear to be OK with the Forest Service. If the Sorensen diversion and conveyance are no authorized he will be contacted by Forest Service personnel from Soda Springs to begin the procedure to get them authorized.) By doing business this way the Forest Service will not have to be actively involved in this subcase and your client's water right can

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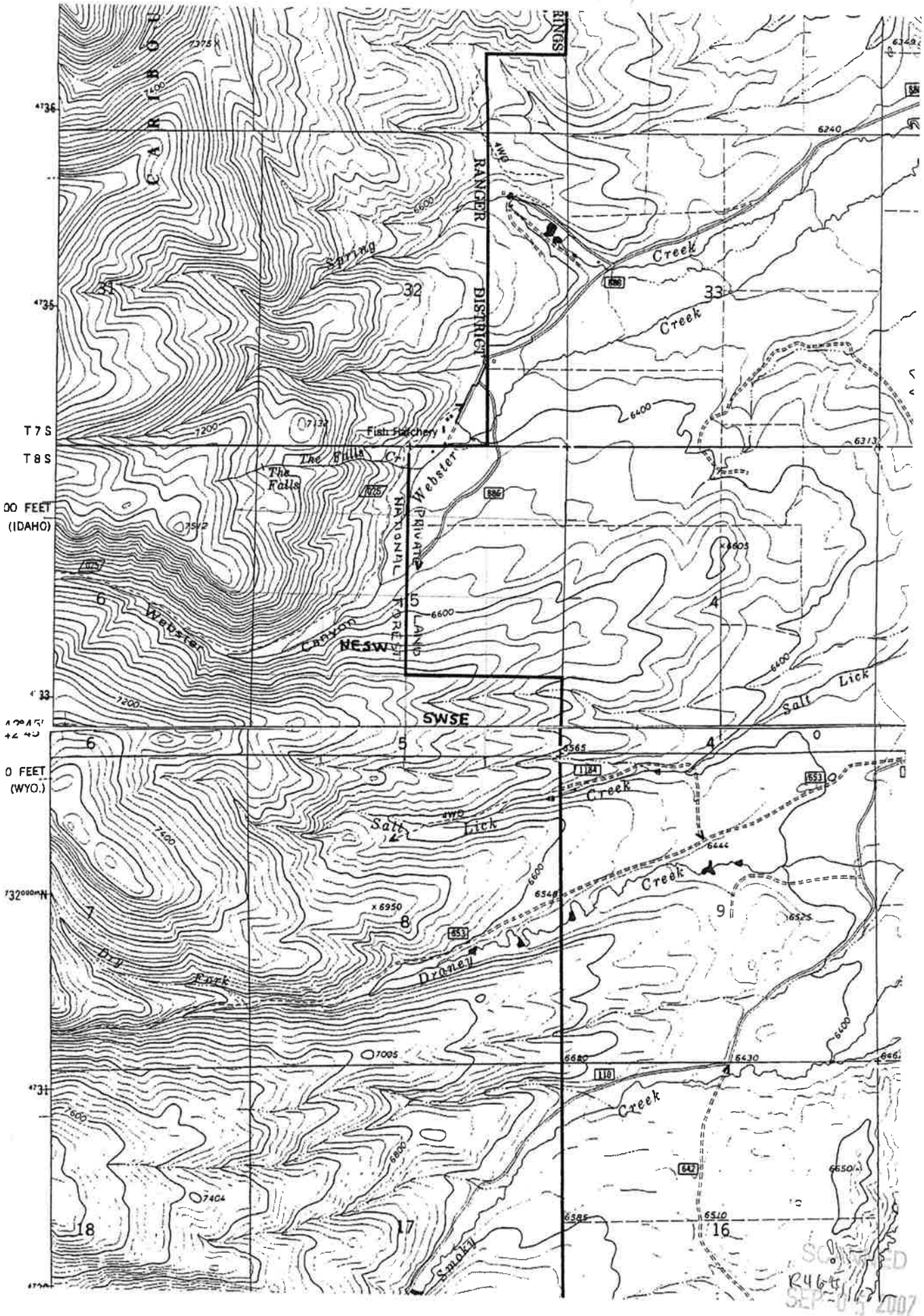
still proceed with a more accurate legal description.

I've attached marked up copies of a USGS map, a color map from IDWR showing the POD in the NWNESW of Section 5, and page 2 of the objection. Hopefully I haven't misread anything I've looked at and lead you on a wild goose chase. If you have any questions about this matter, please contact me. Thank you.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

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CARIBOU
RANGER DISTRICT
Spring
Creek
Fish Hatchery
The Falls Cr.
The Falls
Webster
NATIONAL FOREST LAND
PRIVATE
Canyon
NE¼SW¼
SWSE
Salt Lick
Dry Creek
Draney
Smoky
T7S
T8S
00 FEET (IDAHO)
0 FEET (WYO.)
732000mN
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4731
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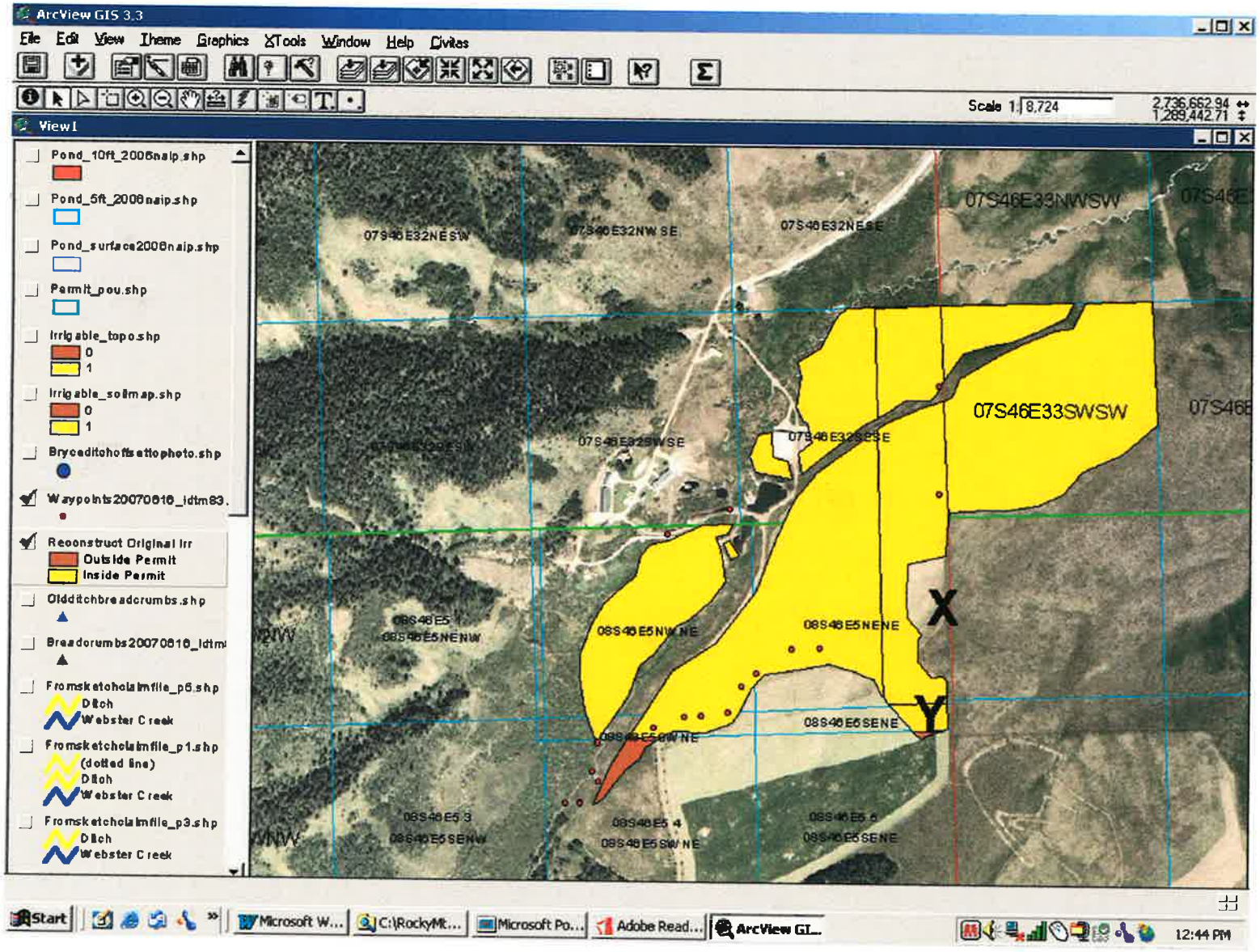


Figure 11. Reconstructed original irrigation w/ permit lands

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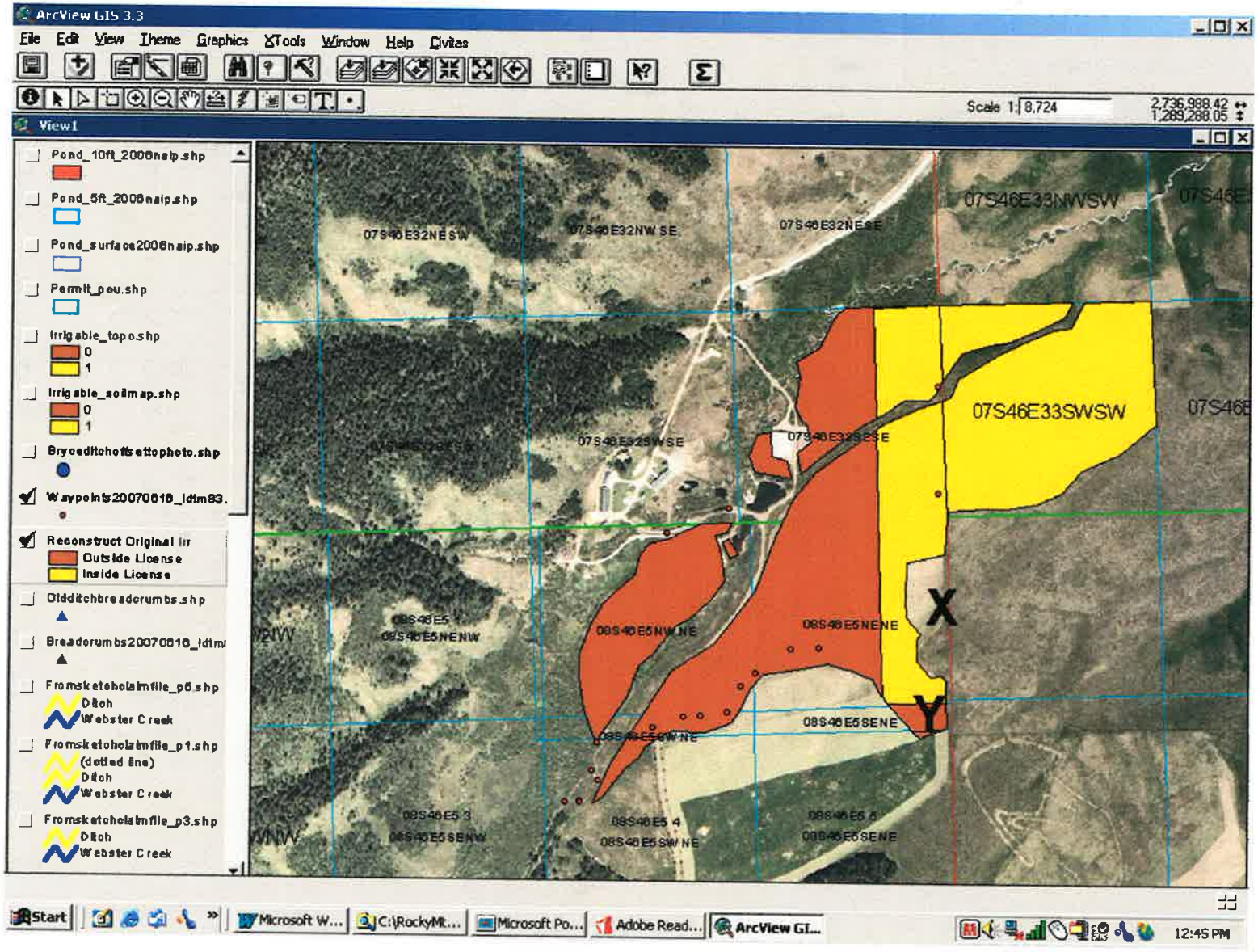


Figure 12. Reconstructed original irrigation w/ license lands

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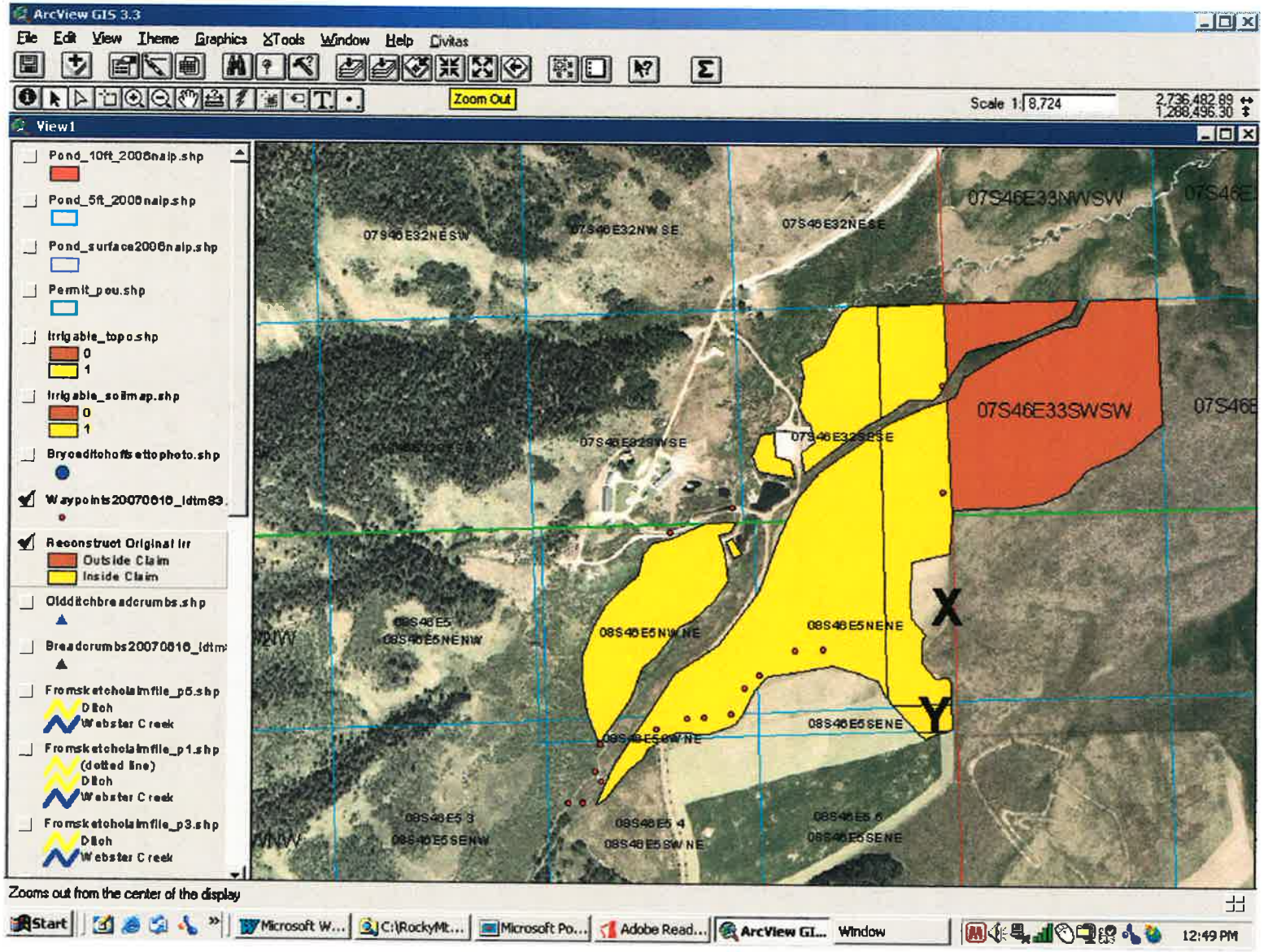


Figure 13. Reconstructed original irrigation w/ claim lands

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Figure 14. Location of original irrigation, from north

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Figure 15. Figure 12 photo w/o guide lines



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Figure 16. Looking southwest along track of old ditch



Figure 17. Looking west along section 7/8 section line

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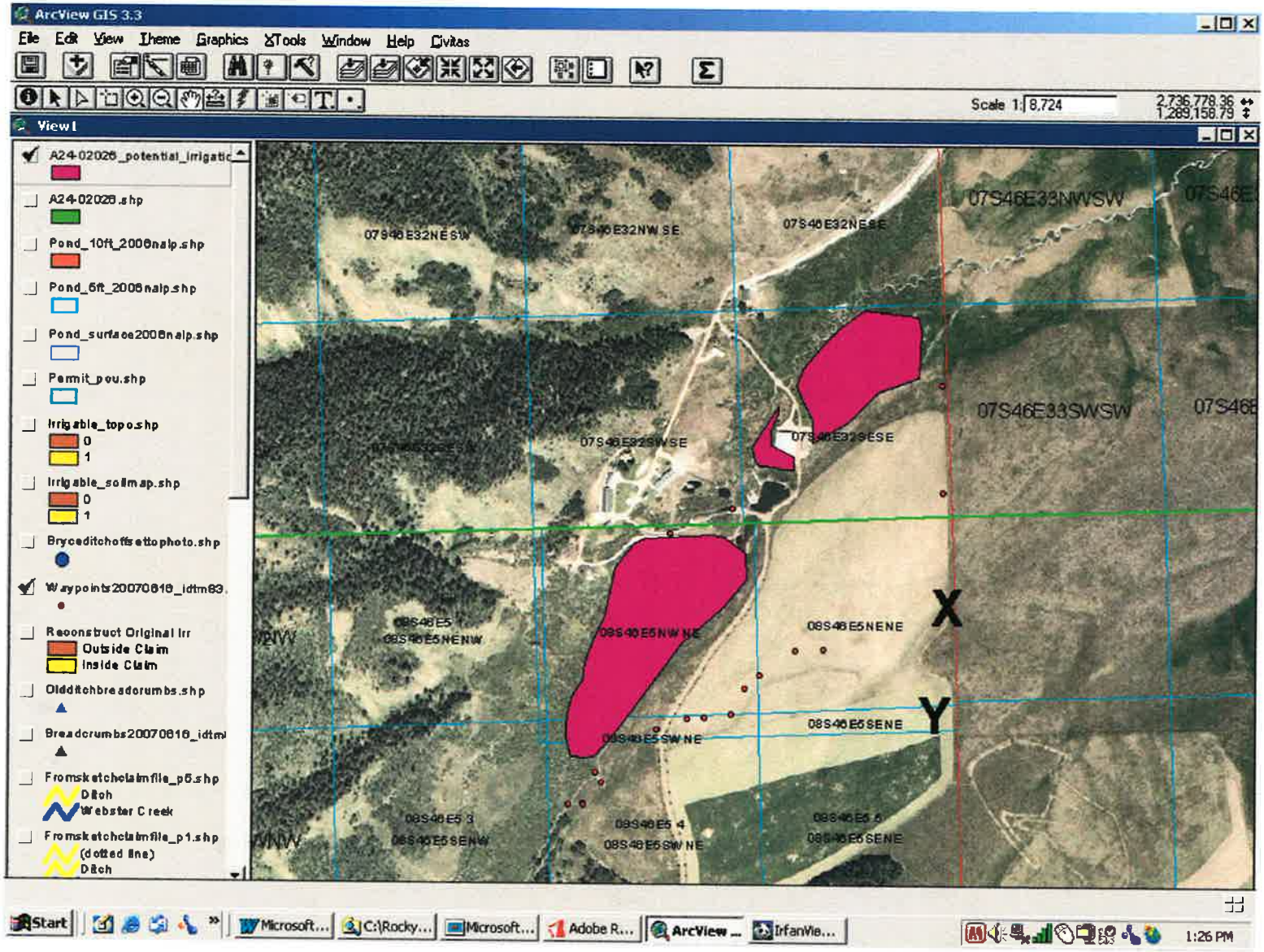


Figure 18. Lands under ditch currently, from 2005 exam

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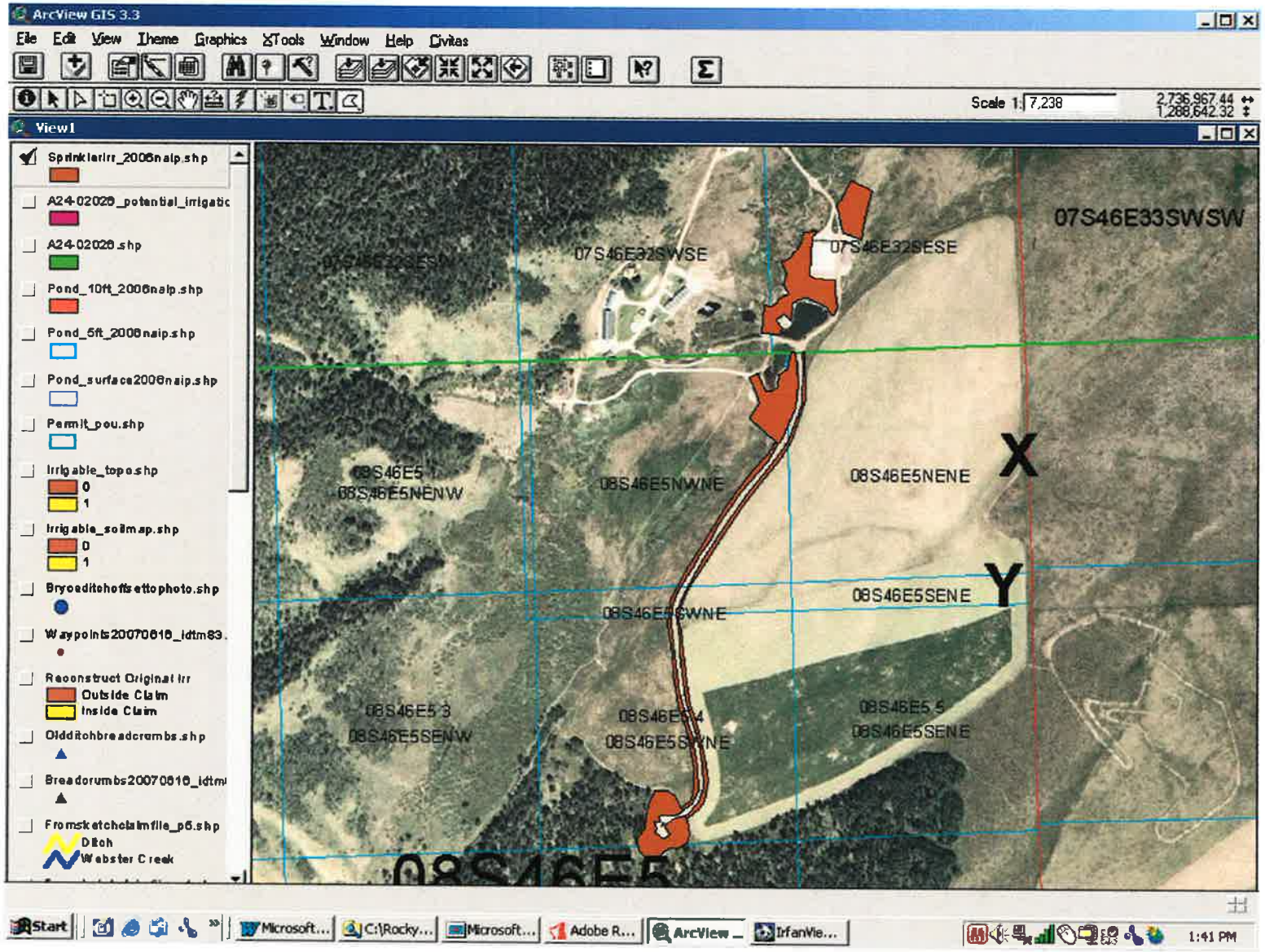


Figure 19. Lands under sprinklers, from 2005 exam

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Figure 20. Drip-irrigated tree. Stick is 6' long.

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Figure 21. Drip irrigation tube.

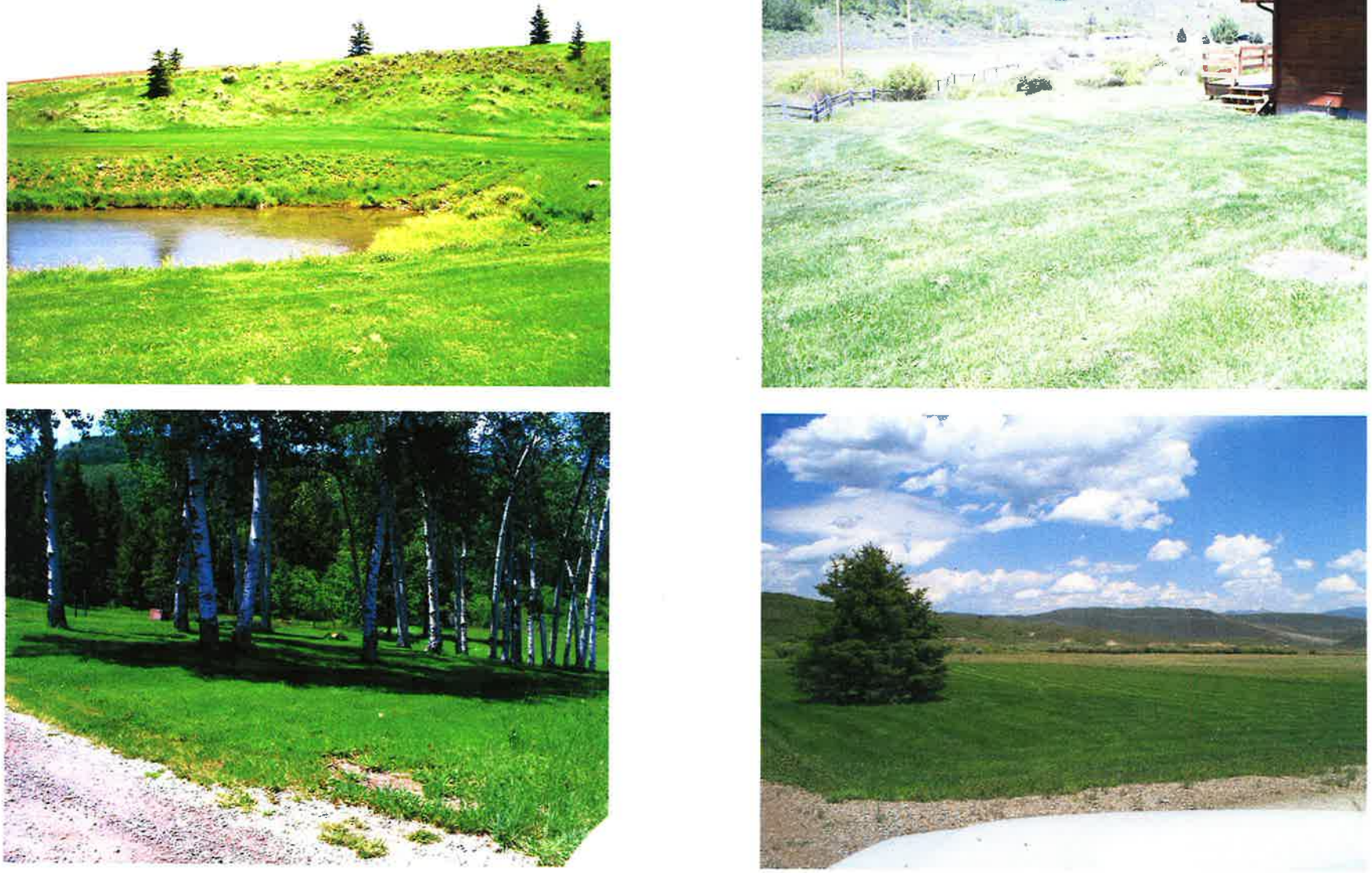


Figure 22. Irrigated lawns & landscaping.

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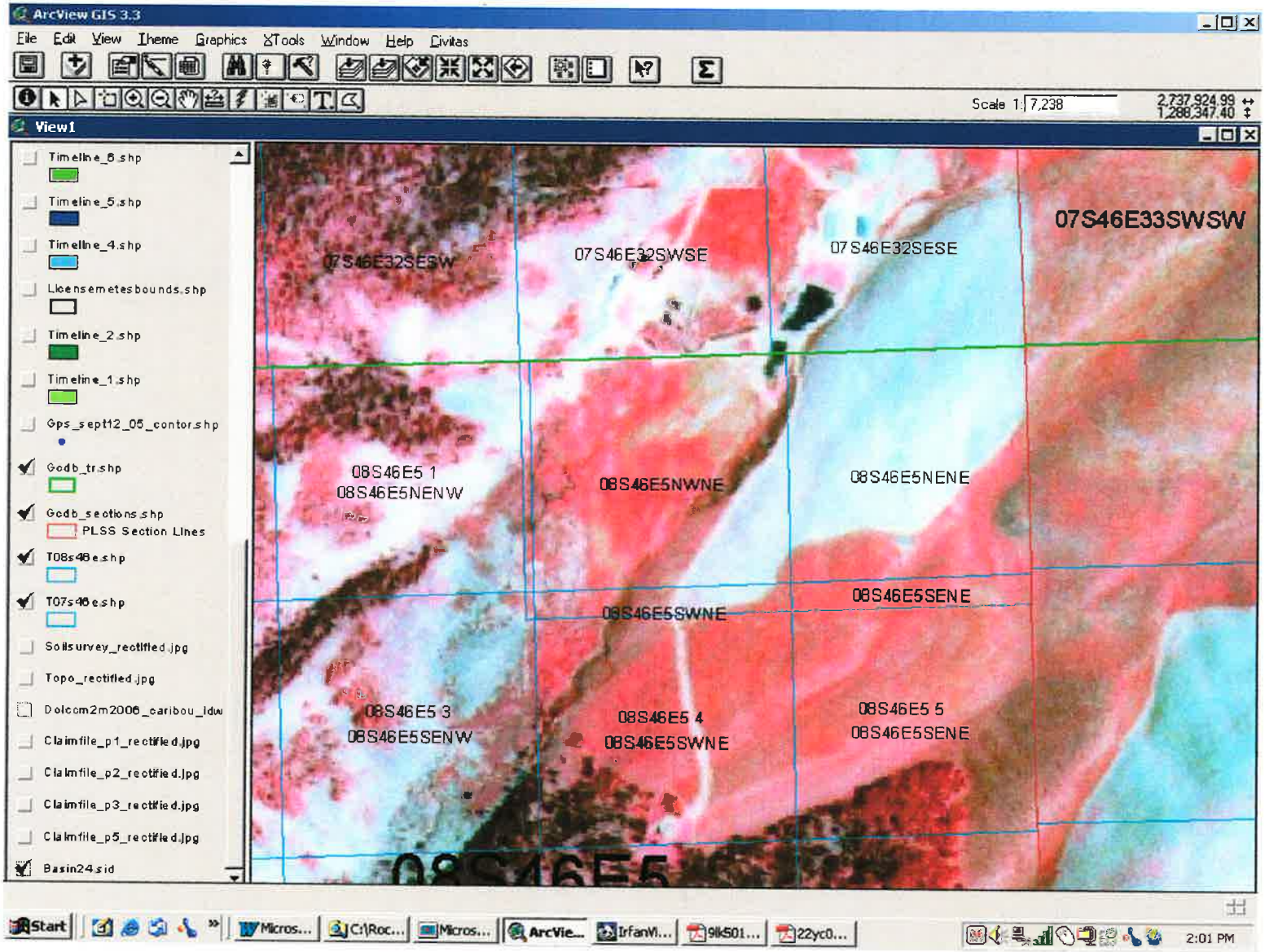


Figure 23. 1987 IDWR aerial image

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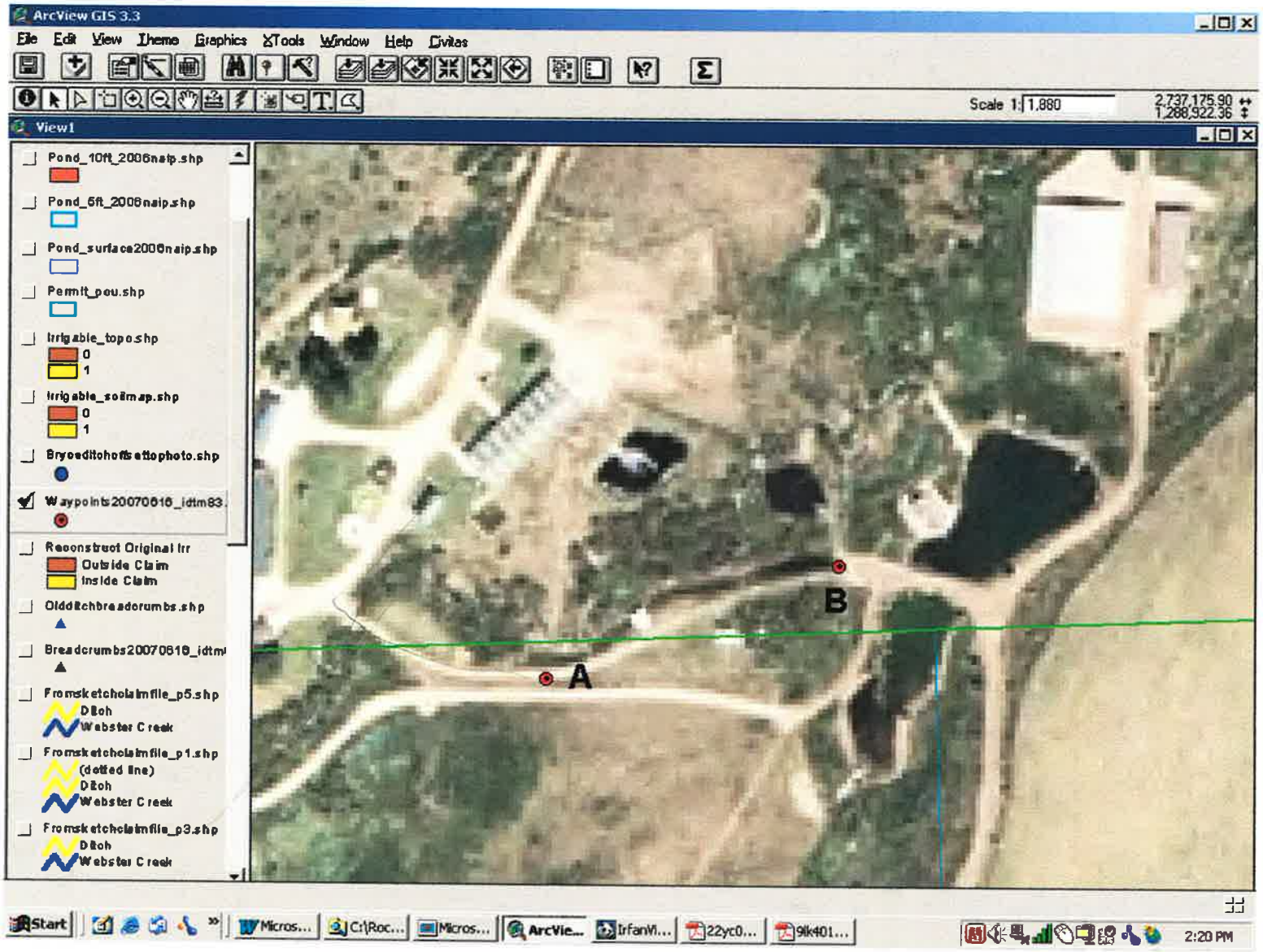


Figure 24. Second POD, 2006 image

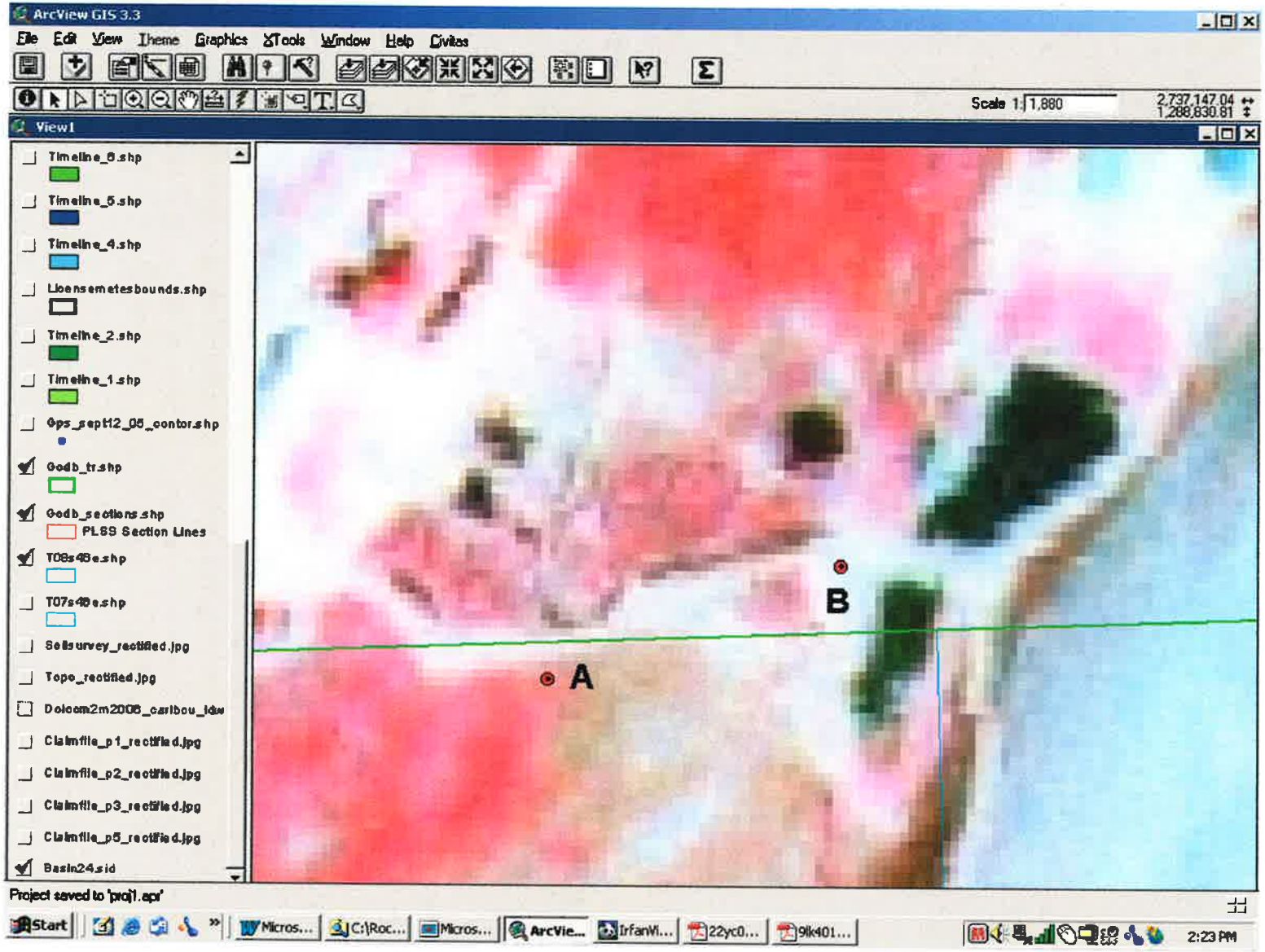


Figure 25. Second POD, 1987 image

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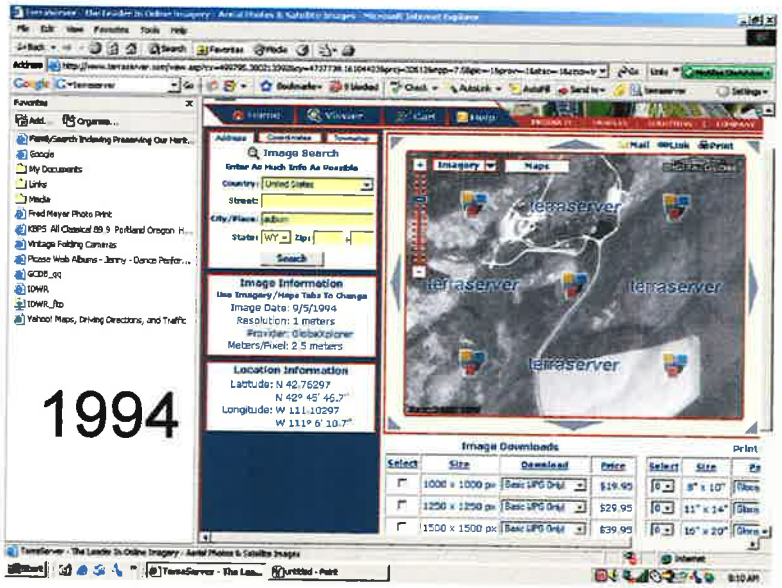


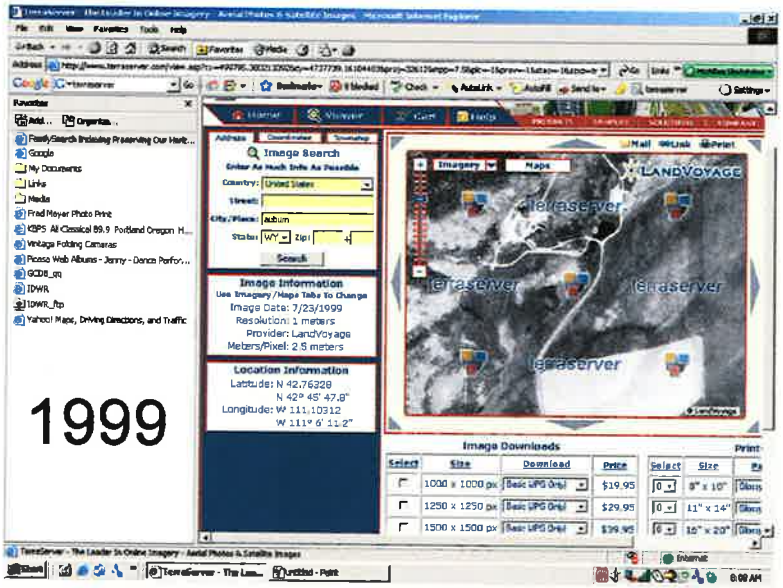
Figure 26. Horses on claimed POU

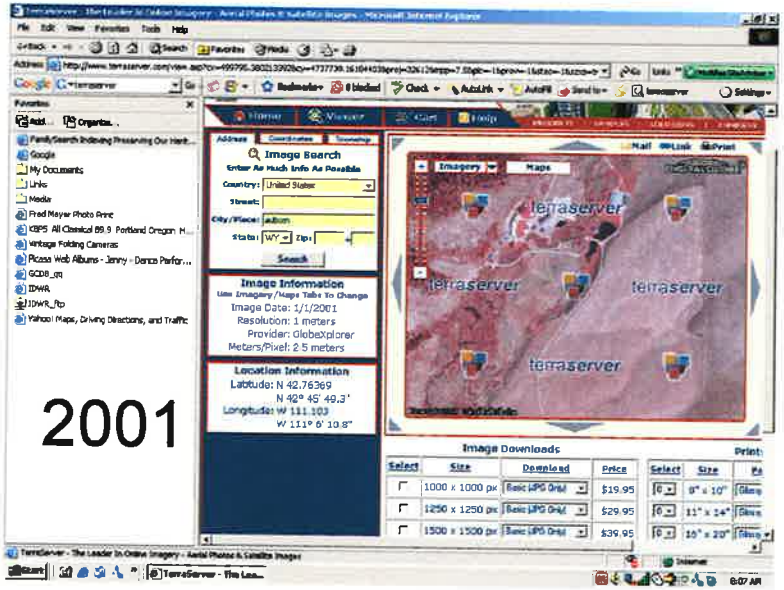
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Figure 27. Caretaker's home







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Figure 28. Aerial images confirming continued use

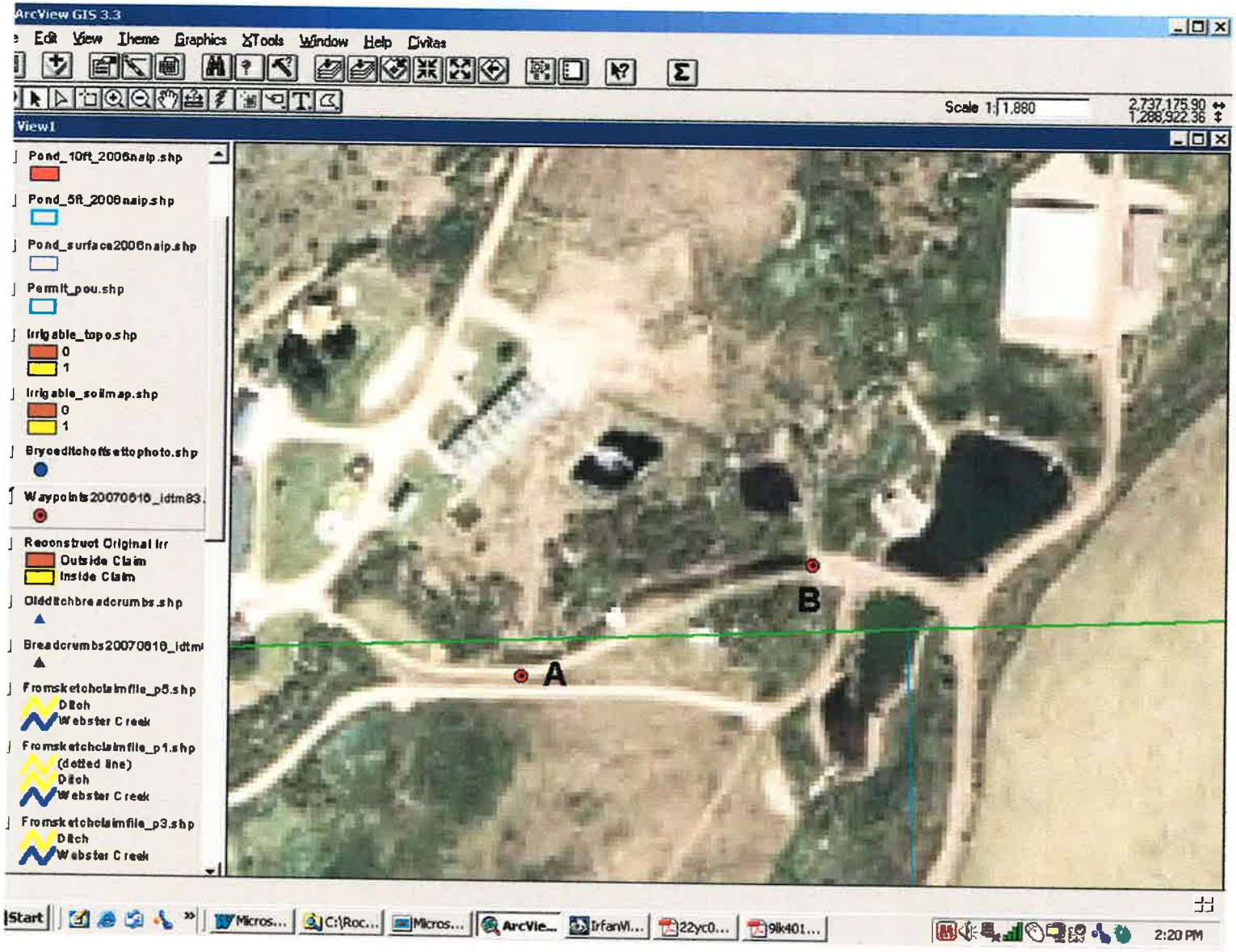


Figure 24. Second POD, 2006 image

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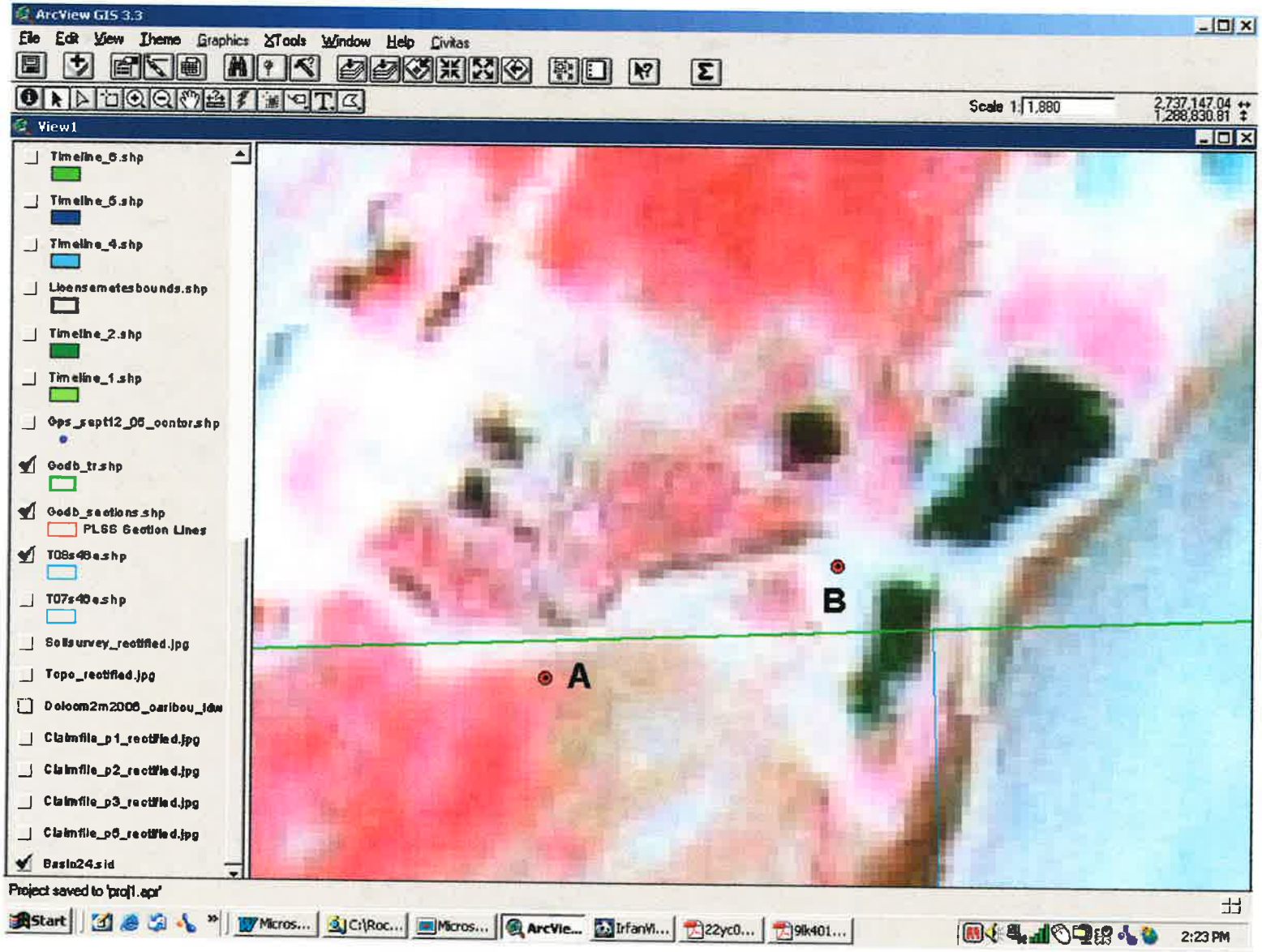


Figure 25. Second POD, 1987 image

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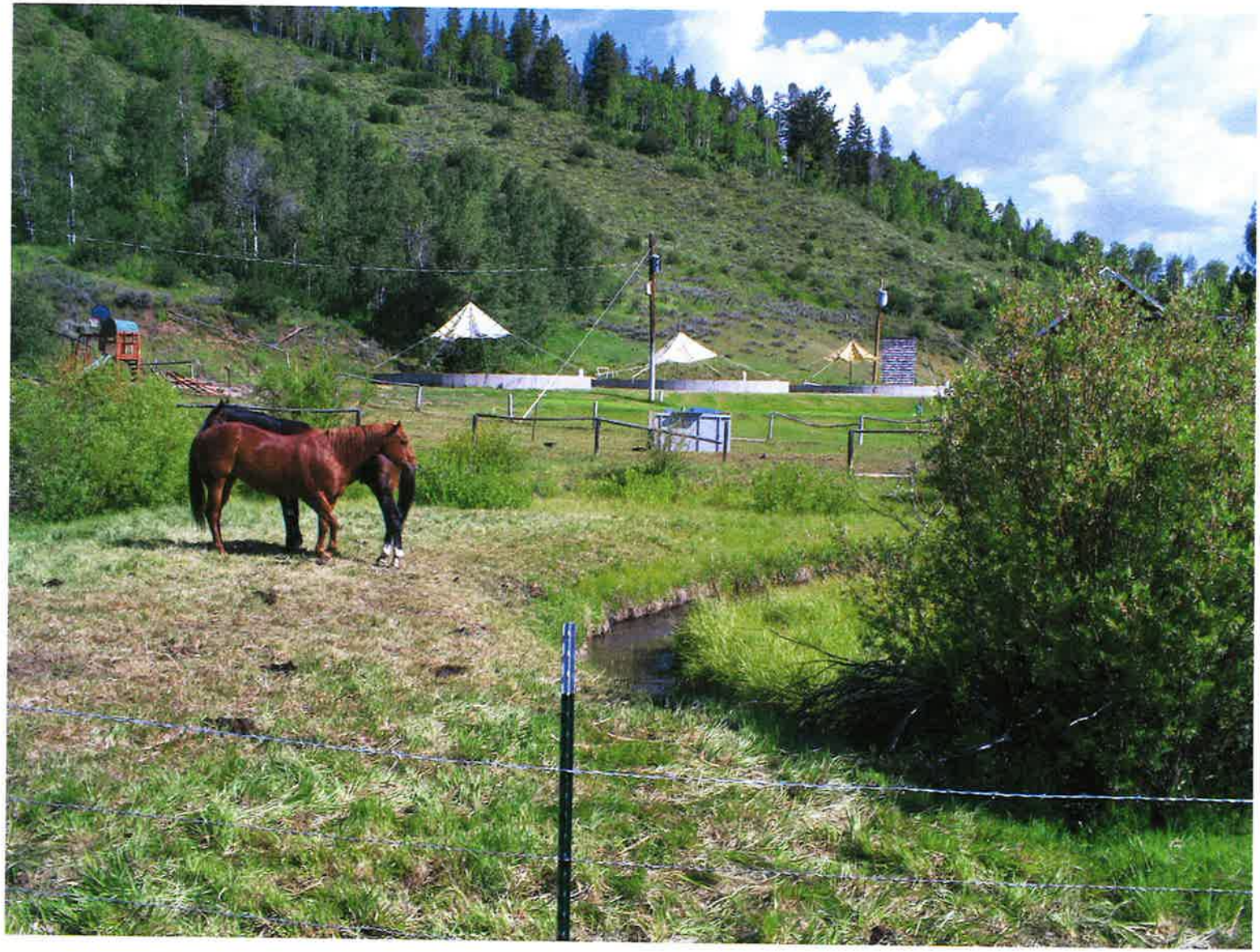


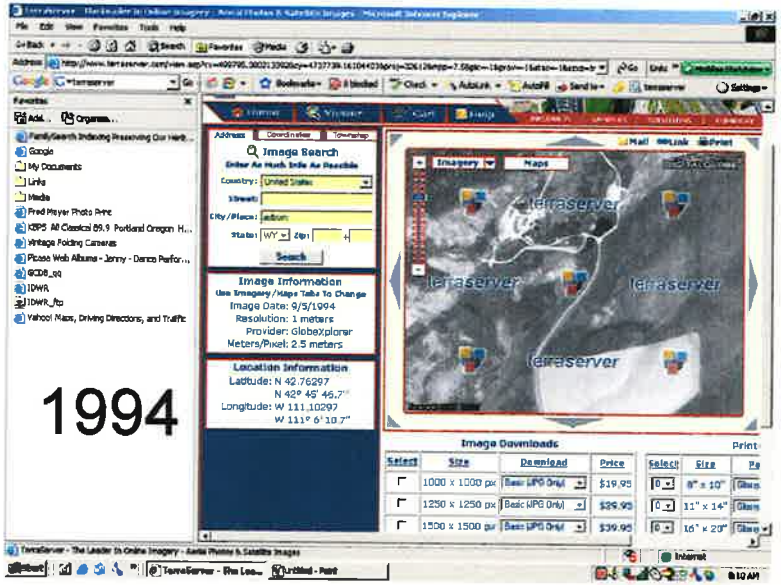
Figure 26. Horses on claimed POU

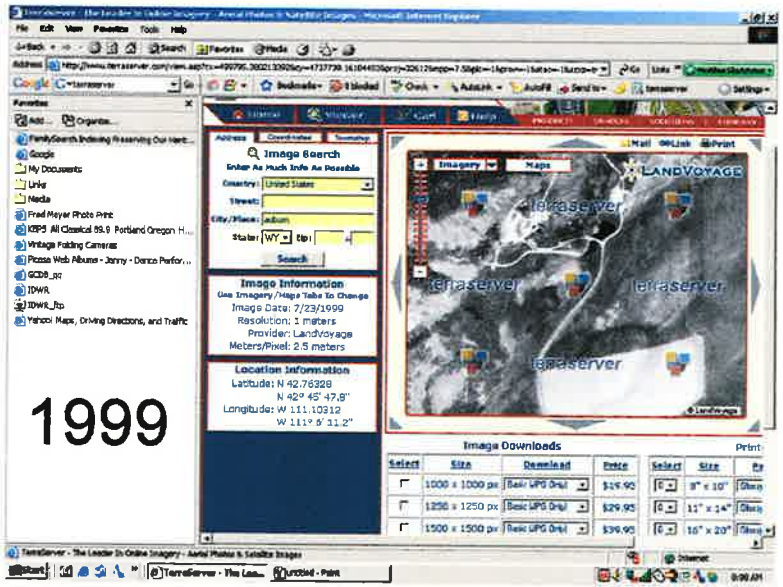
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SEP 05 2007





Figure 27. Caretaker's home





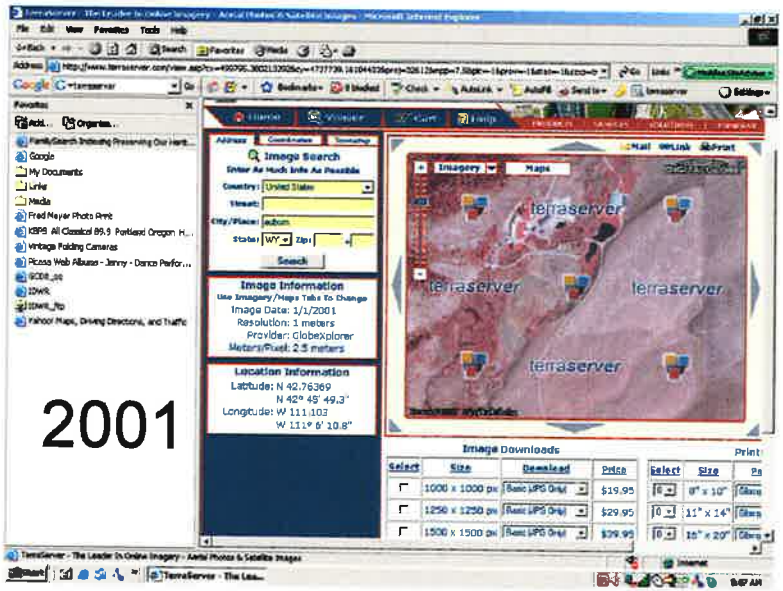


Figure 28. Aerial images confirming continued use

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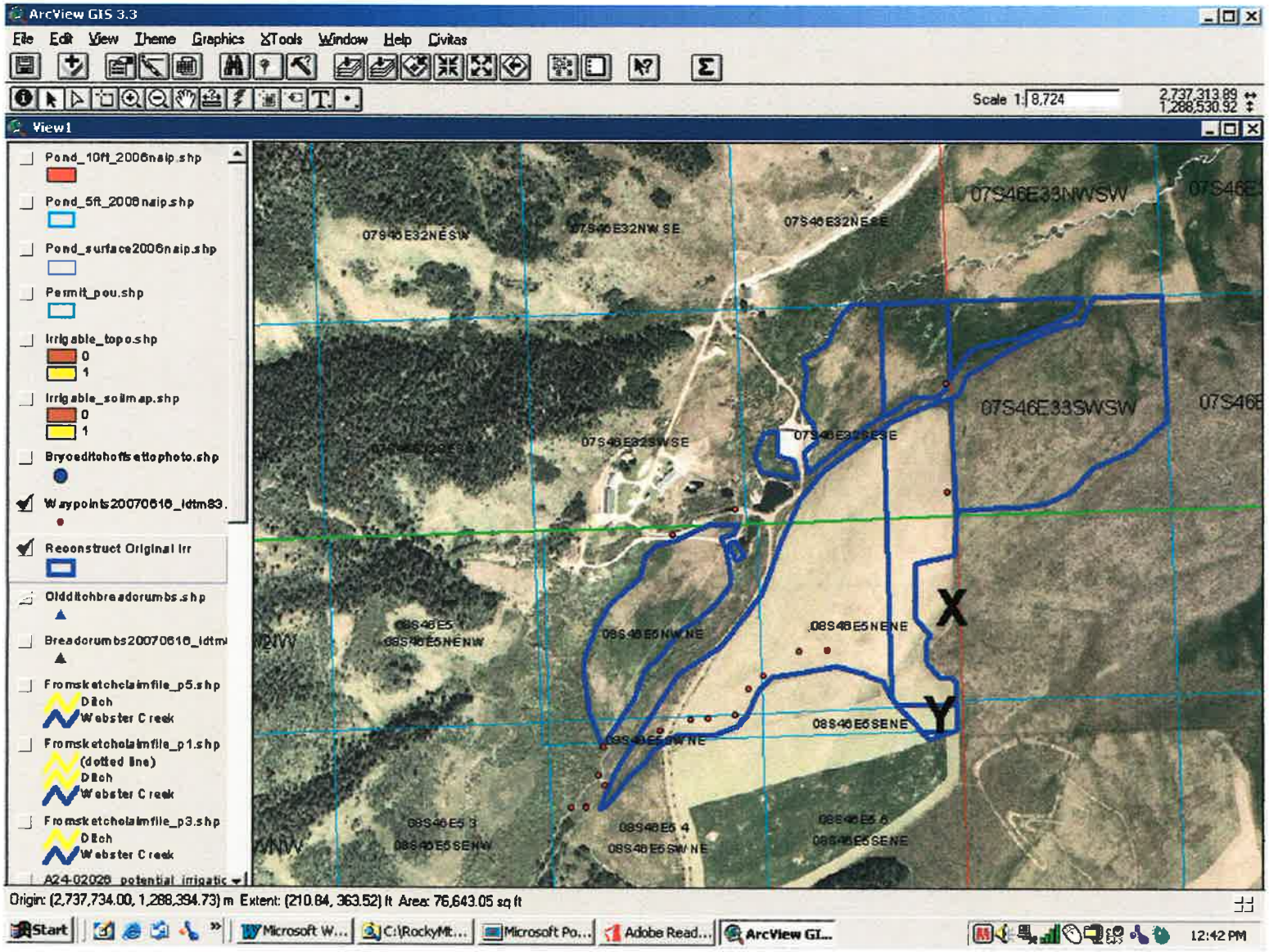


Figure 10. Reconstructed original irrigation

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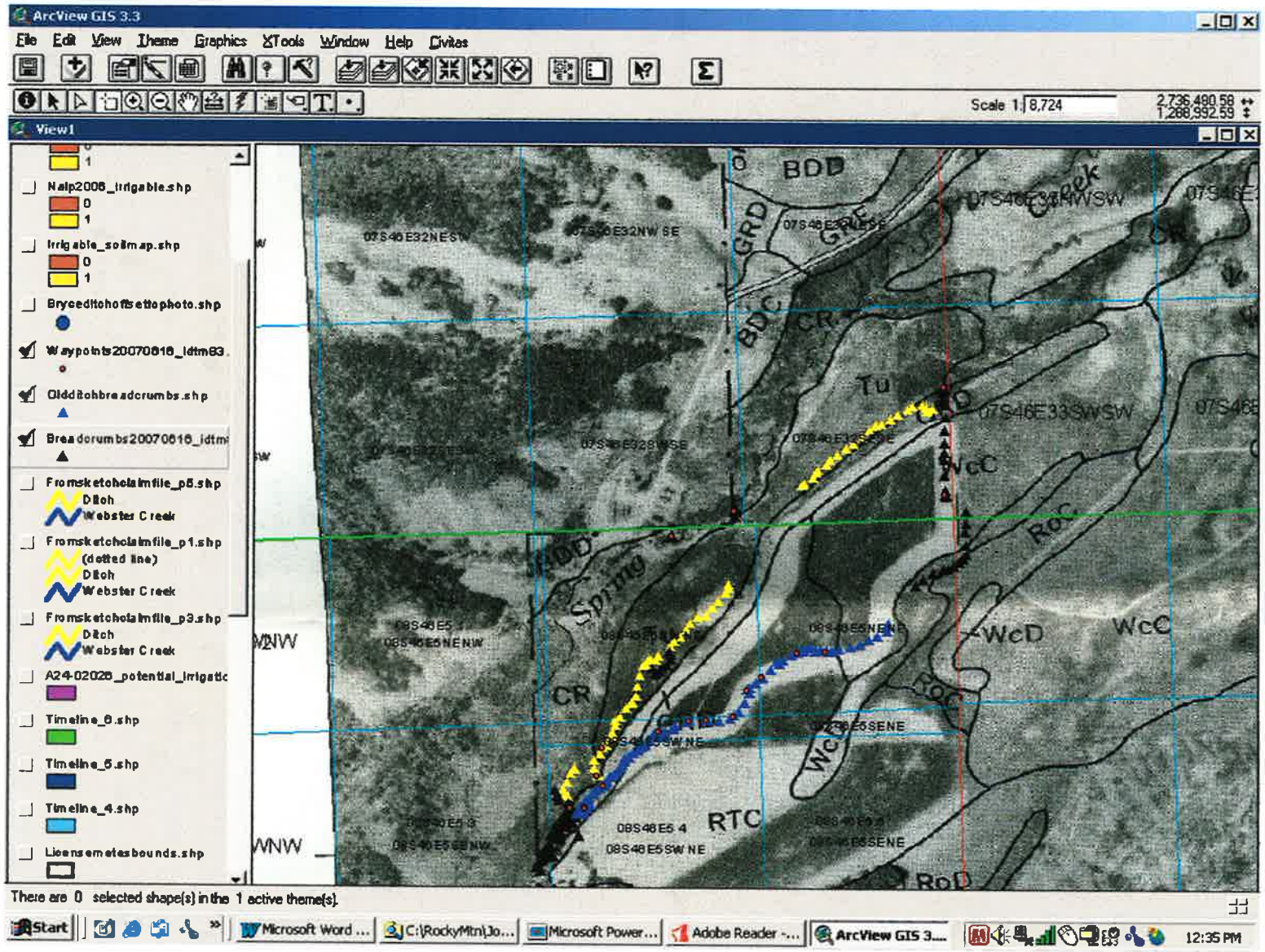


Figure 9. GPS observations w/ soil survey

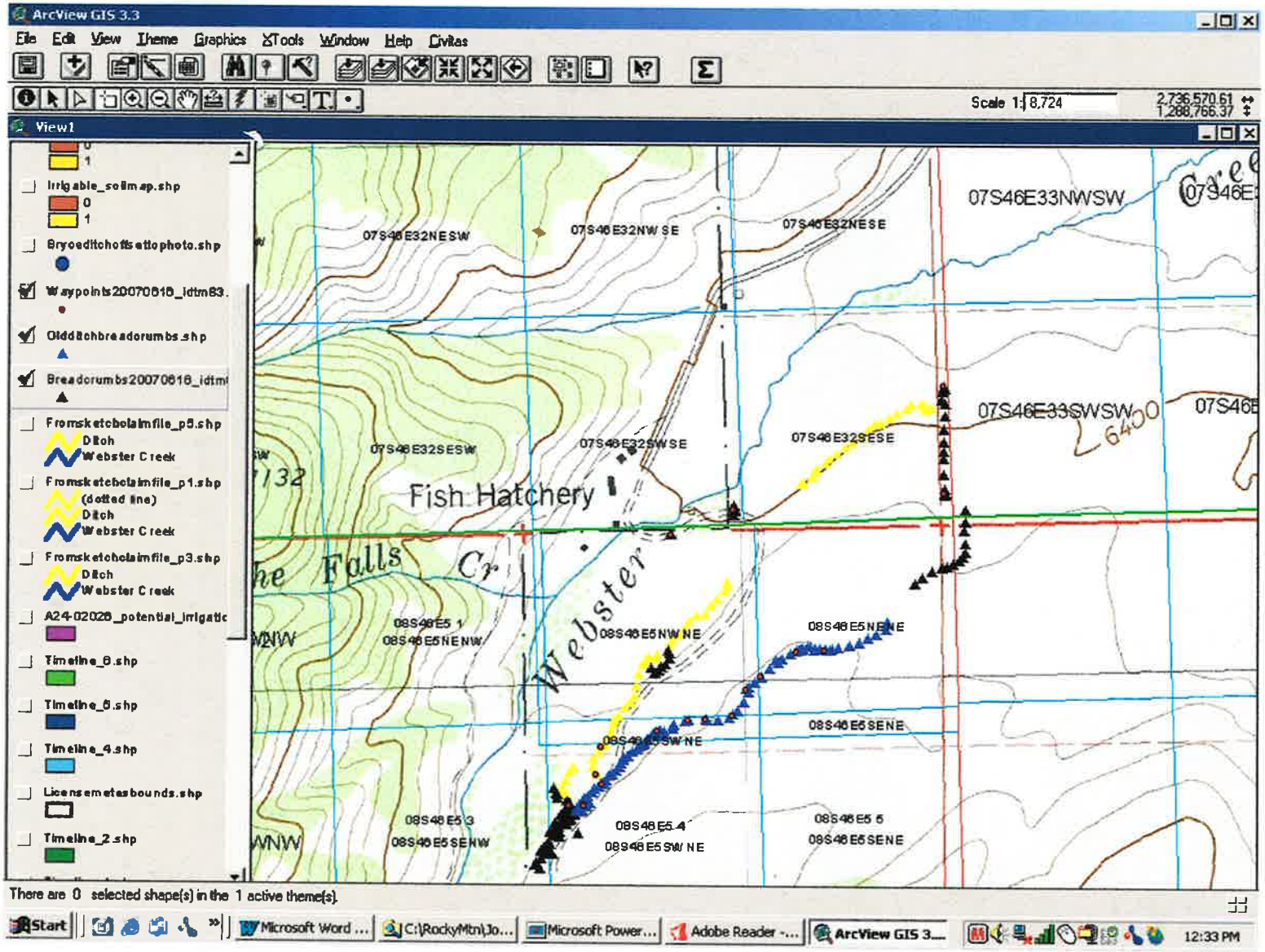


Figure 8. GPS observations w/ topo map

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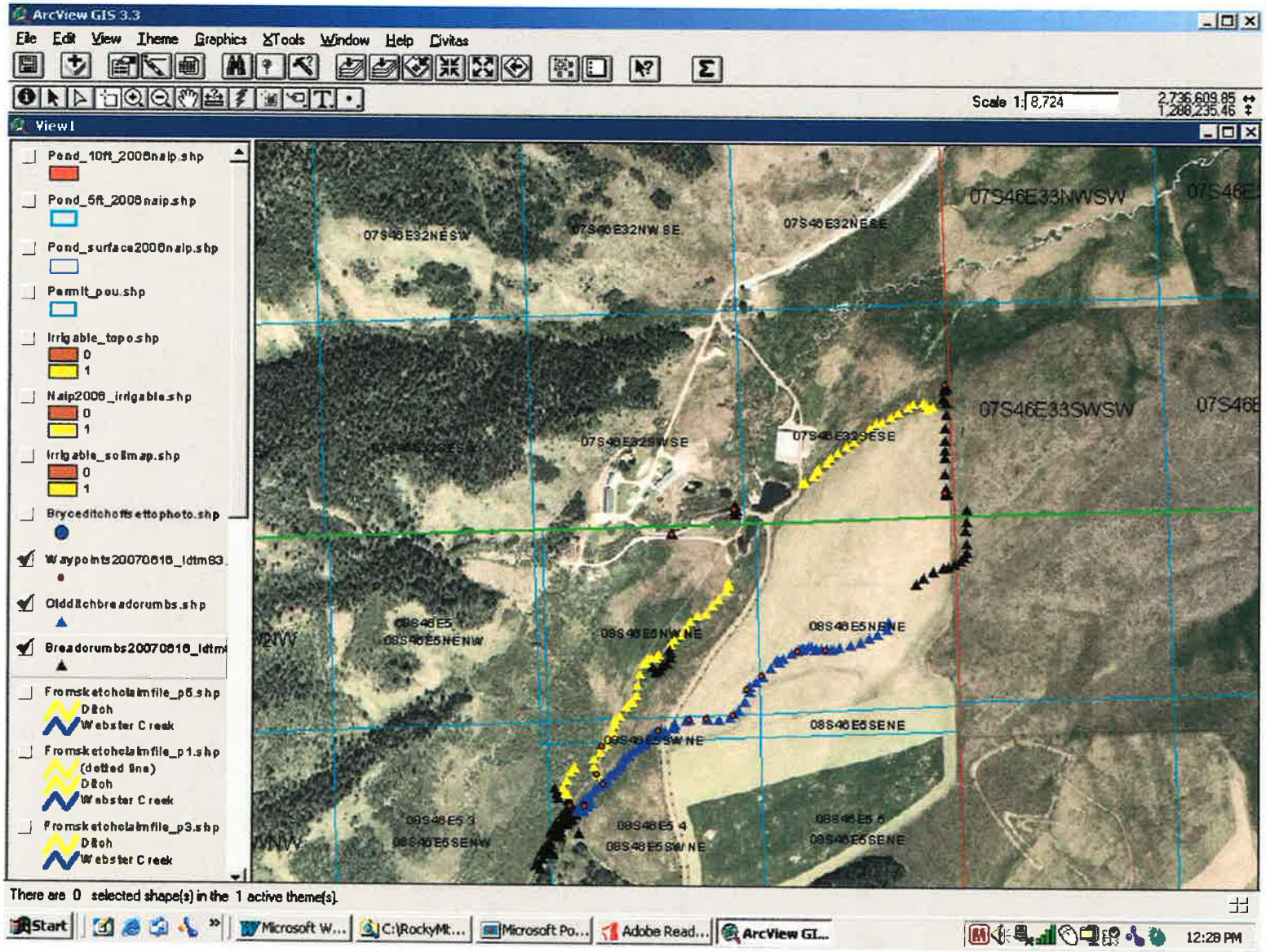


Figure 7. GPS observations w/ 2006 image

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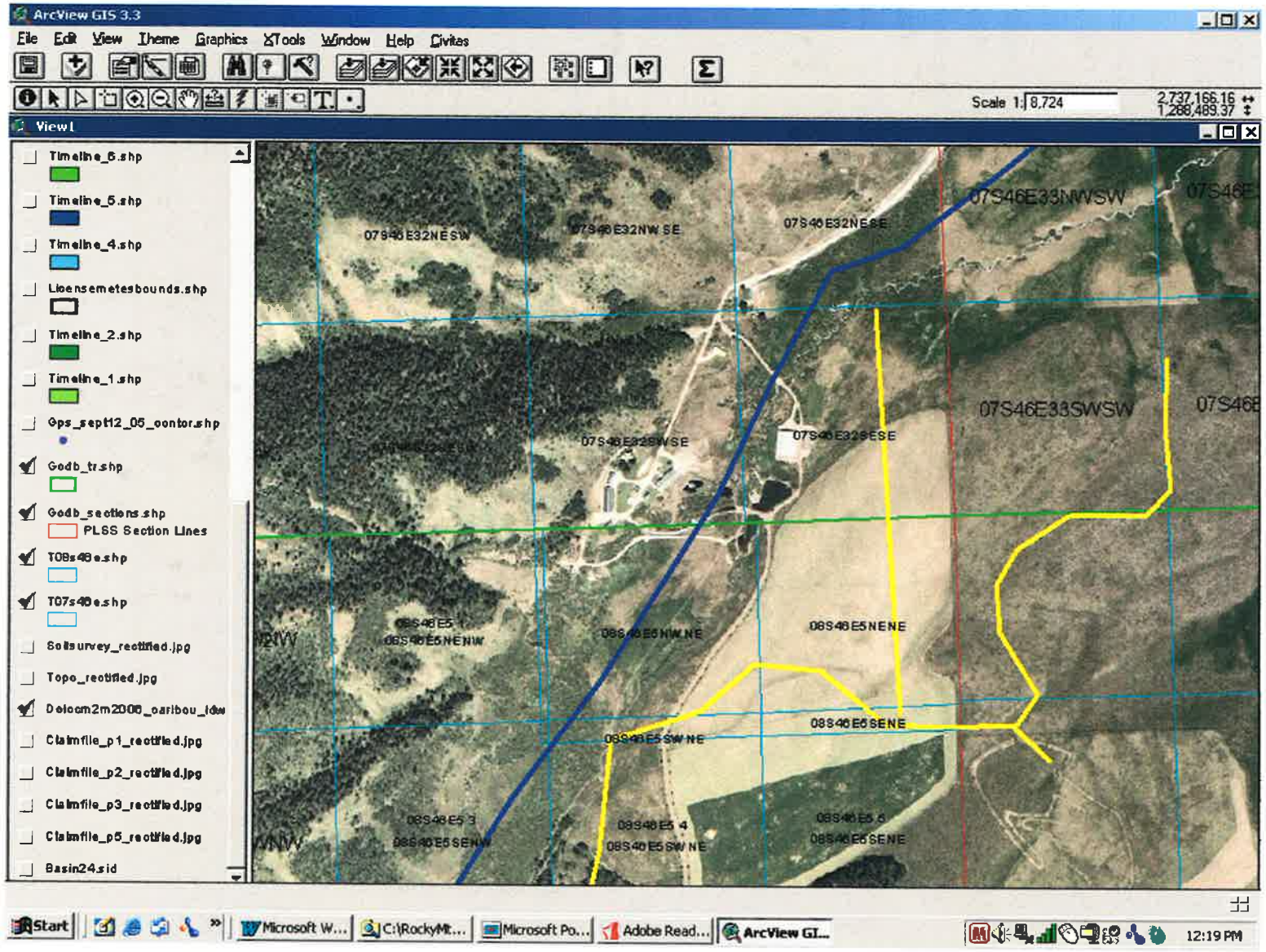


Figure 6. Features from sketch p5 w/ aerial photo

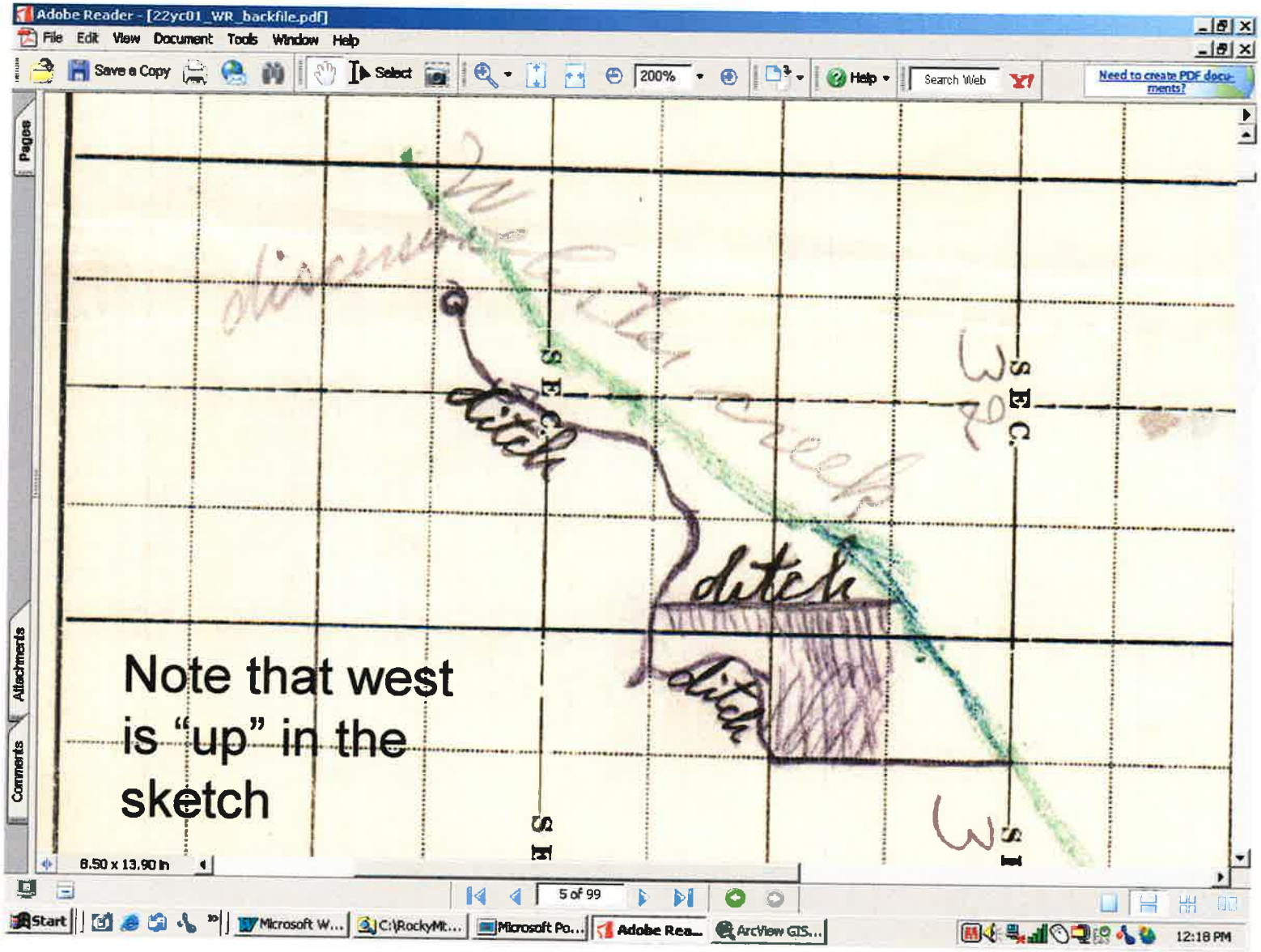


Figure 5. Sketch from p5 of 22yc01_.pdf

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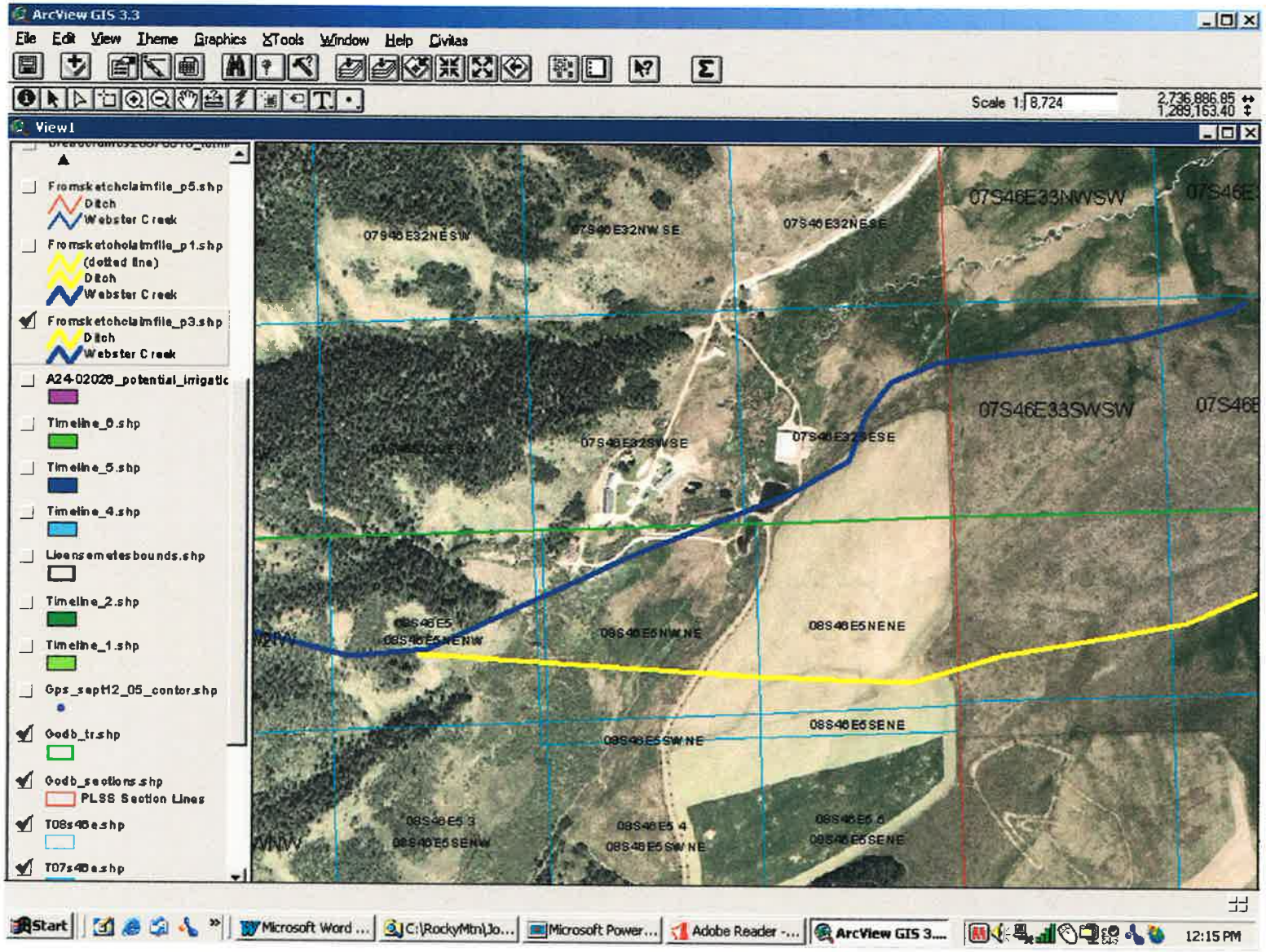


Figure 4. Features from license exam sketch w/ photo

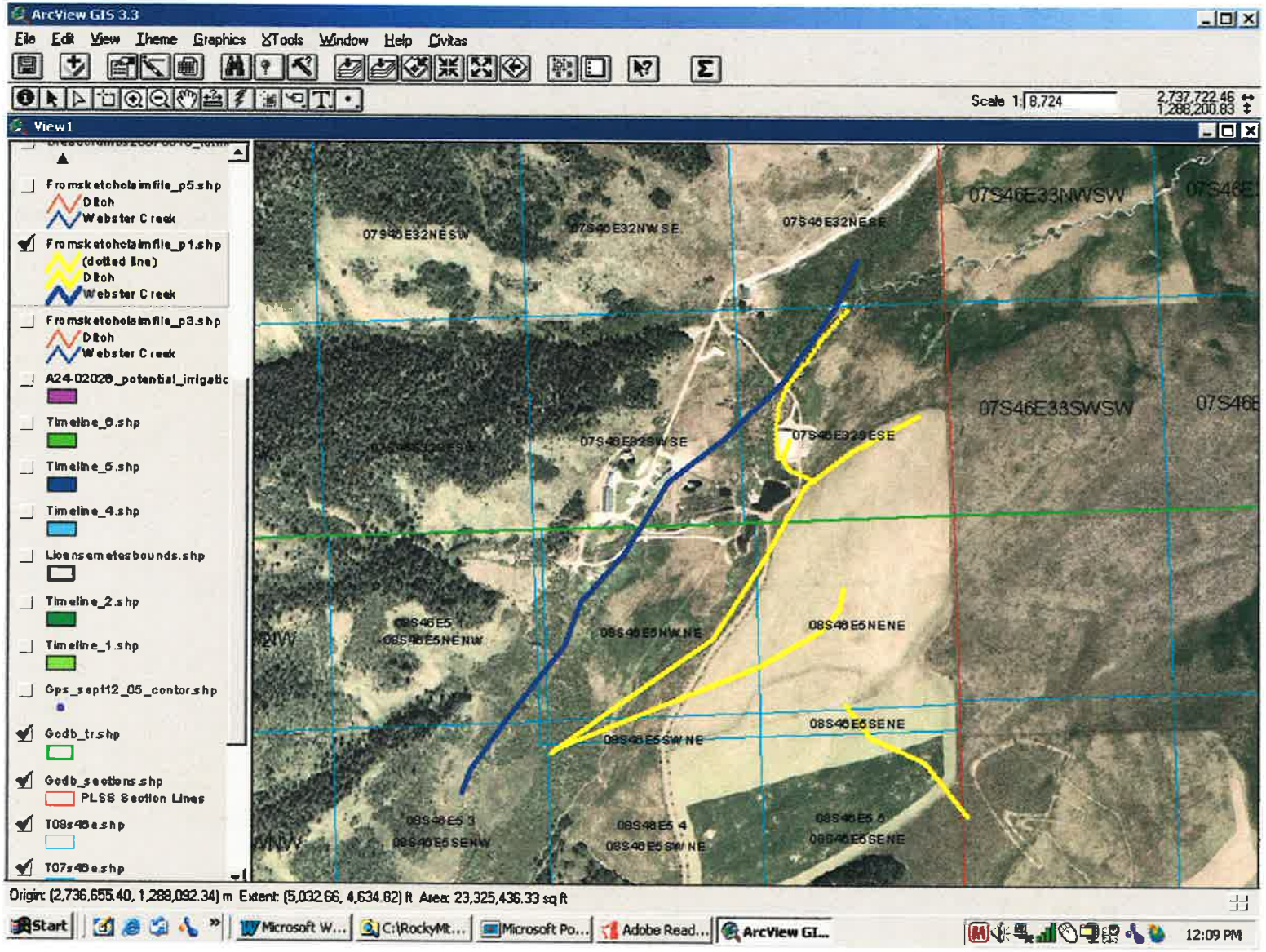


Figure 3. Features from p1 sketch w/ 2006 aerial photo

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SEP 05 2007

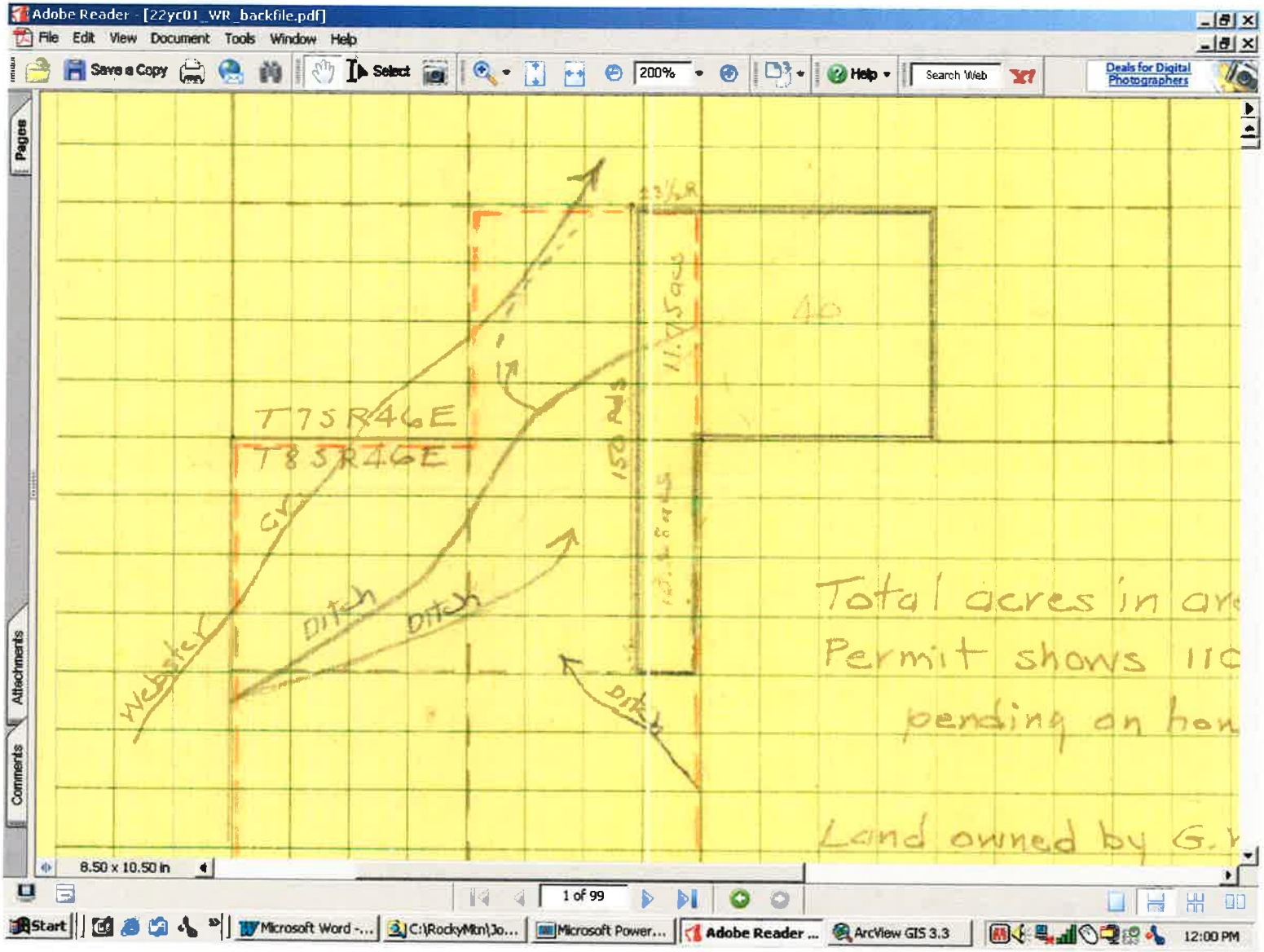


Figure 2. Sketch from p 1 of electronic file "22yc01_.pdf

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SEP 05 2007

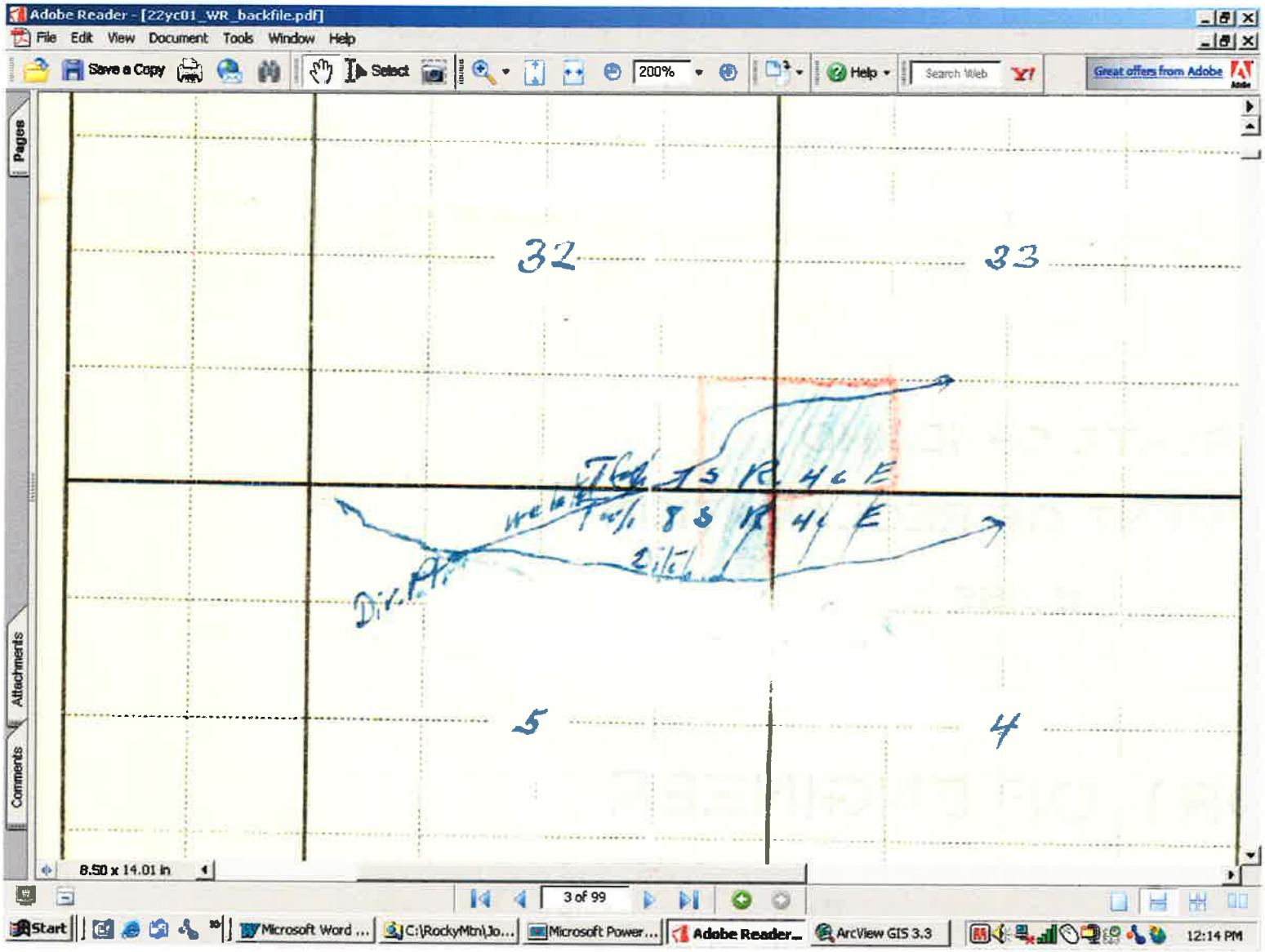
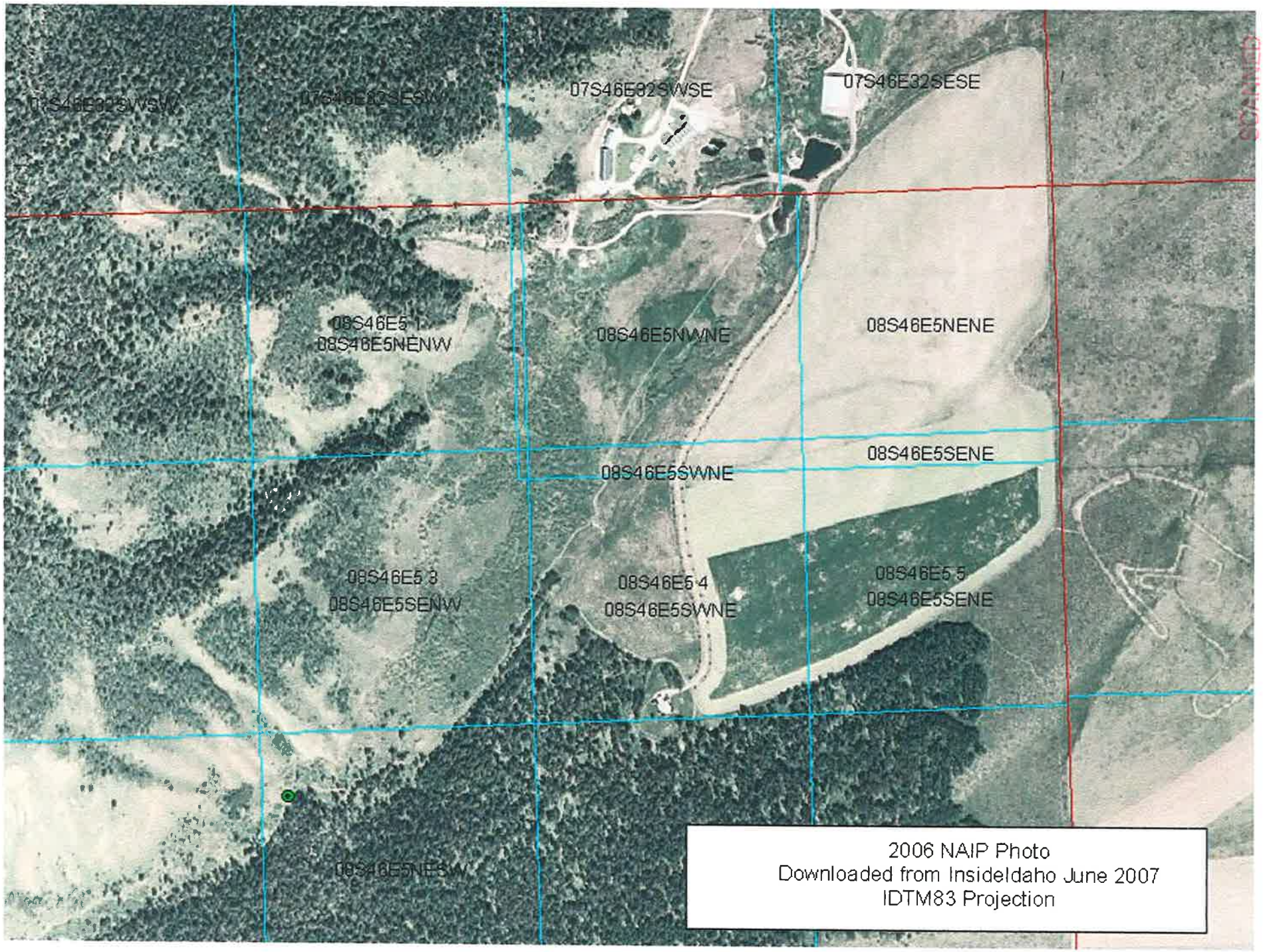


Figure 1. License exam POU sketch



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SEP 05 2007

RECEIVED
JAN 18 2007
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)
_____)

A. Subcase 24-2026
(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: RVG Trust, C/O Norm Sorensen

Address: 5314 North 250 West Suite 210

Provo, Utah 84604

Daytime Phone: _____

Name and Address of Attorney, if any:
JERRY R. RIGBY
P.O. BOX 250
REXBURG, IDAHO 83440

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: RVG Trust C/O Norm Sorensen

Address: 5314 North 250 West Suite 210

Provo, Utah 84604

PROTEST
SCANNED
MAR 26 2007

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. x☐ **Name and Address**
   Should be: RVG Trust, C/O Norm Sorensen, 5314 N. 250 W., Suite 210, Provo, UT 84604

2. x☐ **Source**
   Should be: Webster Creek, Tributary to Salt River

3. x☐ **Quantity**
   Should be: 3.000cfs

4. x☐ **Priority Date**
   Should be: 07-08-1916

5. x☐ **Point of Diversion**
   Should be: T08S R46E S5 NWSWSE Within Caribou County

6. ☐ **Instream Flow Beginning and Ending Point**
   Should be:

7. x☐ **Purpose(s) of Use**
   Should be: Recreation Storage, Irrigation, Recreation and Stockwater

8. x☐ **Period of Year**
   Should be: Recreation Storage - 01/01 - 12/31: 17 AFA
   Irrigation - 04/15 - 10/15: 1.21 CFS
   Recreation - 01/01 - 12/31: 3 CFS
   Stockwater - 01/01 - 12/31: 0.02 CFS

9. x☐ **Place of Use**
   Should be: Irrigation within Caribou County; T07S R46E S32 SESE; T08S R46E S05 Lot 2 NWNE; T08S R46E S05 Lot 1 NENE; T08S R46E S05 Lot 5 SWNE

   Stockwater within Caribou County; T07S R46E S32 SESE

   Recreation within Caribou County; T07S R46E S32 SESE

10. ☐ **I object because:**
    ☐ This water right Should not exist.

    x☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Claimant has provided ample proof of the above claim based upon Accomplished Transfer.

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MAR 2 6 2007

F. **VERIFICATION** (must be completed)

STATE OF IDAHO,)
ss
County of Madison.)

Jerry R. Rigby, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objections, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: January16, 2007

MANDY DAVIS NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

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MAR 2 6 2007

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 16, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
   Clerk of the District Court
   Snake River Basin Adjudication
   253 Third Avenue North
   PO Box 2707
   Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

   Name: ___RVG Trust C/o Norm Sorensen_____
   Address: ___5314 N 250 W Ste. 210_____
   ___Provo, Utah 84604_____

3. Copies to:
   IDWR Document Depository
   PO Box 83720
   Boise, ID 83720-0098

   United States Department of Justice
   Environment and Nat'l Resources Div
   550 W. Fort Street, MSC 033
   Boise, ID 83724

   Chief, Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise, ID 83711-4449

Signator of objector or attorney
mailing on Objector's behalf

SCANNED
MAR 26 2007

kingsley management corporation

Suite 210

5314 North 250 West

Provo, Utah 84604

Post Office Box 1848

Provo, Utah 84603

Telephone 801.228.9702

Fax 801.437.2965

RE: Fish pond installation at Tygee Ranch

To Whom It May Concern:

I witness that to my knowledge the fish ponds located on Tygee Ranch owned by Rodger and Virginia Galland, were installed in 1981. I came to work for them in Nov. of 1983 and they were present at that time.

Print your name JULIE AAGARD 12.18.06 Date

Signed Julie D. Aagard

Position at the time RANCH MANAGERS

Print your name LYLE RICK AAGARD 12.18.06 Date

Signed Lyle Rick Aagard

Anji Taylor

Notorized Anji Taylor State of Wyoming
County of Lincoln

ANJI TAYLOR NOTARY PUBLIC
COUNTY OF LINCOLN STATE OF WYOMING
MY COMMISSION EXPIRES AUG 3, 2009

Expires Aug 3, 2009

SCANNED
MAR 2 6 2007

Bird, Cindy

From: Jerry Rigby [jrigby@rigby-thatcher.com]
Sent: Tuesday, December 12, 2006 9:59 AM
To: Bird, Cindy
Subject: RVG Trust 24-2026

Cindy,
I understand that my client, Norman Sorensen (on behalf of RVG Trust) faxed to you a copy of the Private Fish Pond Permit no 52-10 from Idaho Fish and Game dated, January 1, 1982 and signed by Fish & Game on 12-8-81. It clearly evidences that that two ponds existed prior to 87. I know that you are swamped with reporting rights. However, when you get a moment please let me know if the evidence is sufficient to now change the recommendation, or if not, what it would take.
Thanks

Jerry R. Rigby
Rigby, Thatcher, Andrus,
Rigby & Moeller, Chtd.
P.O. Box 250
Rexburg, ID 83440
208-356-3633

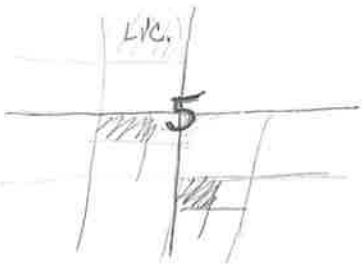
--
No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.5.432 / Virus Database: 268.15.16/582 - Release Date: 12/11/2006 4:32 PM

change in POD, purpose, season, POU,

Lic. POD: NENW Sec. 5 T8S, R46E

Claimed POD: NWSWSE Sec. 5, T8S, R46E

Field Exam: NW NE SW Sec. 5, T8S R46E.



SCANNED
MAR 2 6 2007

12/12/2006

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3993
(208) 547-3939 fax

Idaho Department of Water Resources

Fax

To: Ray Williams From: Cindy Bird

Fax: 1-208-287-6700 Pages: 2

Phone: 1-208-287-4815 Date: 12-18-06

Re: 24-2026. CC:

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

FAXED 2:19pm 12/18/06 CB.

Ray,

I received this from Norm Sorensen on 24-2026 as evidence of change for 2 ponds prior to 1987. I don't think it is evidence for 2 ponds, probably one-pond, it states "one acre pond", which I would take as a single pond, NOT ponds. Could you run it by Nick? Also, it doesn't answer the question of the POD change. Thanks,

Cindy

SCANNED MAR 26 2007

P.S. Have they objected yet?

No. 52-10

DEPARTMENT OF FISH AND GAME

January 1 19 82

PRIVATE FISH POND PERMIT

As provided for in Chapter 7, Title 36, Idaho Code, a Private Fish Pond Permit is hereby issued to:

NAME OF PERMITTEE: Rodger D. Galland
(Individual or Organization)

ADDRESS: 363 North University Ave. Provo, Utah 84601

To establish and/or maintain a private fish pond(s) on property:

[X] Owned by operator,

[ ] Leased from Margaret R. Galland
Name

363 North University Ave, Provo, Utah 84601
Address

[X] Utilized under cooperative agreement with

Margaret R. Galland
Landowner

363 North University Ave, Provo, Utah 84601
Address

Water Source: Webster Creek (Spring, stream diversion, well, etc.) On Tygee Valley Ranch (Watershed where located)

Discharge Flow: _____ (CFS) Into _____ (Stream or Lake)

County Caribou Township 7 Range 46 Sec. 32 Qtr. Sec. SE

Description of fish pond(s) and location as to direction and distance from definite landmark: One acre pond, Northwest section of property. Adjacent to Auburn Fish Hatchery.

Species of Fish: Cutethroat

Source of Fish: Aurburn Fish Hatchery

I, the undersigned applicant, understand and accept the provisions of the Idaho Code contained on this application.

Rodger D. Galland
Signature of Applicant

Title and Organization

12-3-81
Date

Larry Mavrate
Approved By

IDAHO DEPARTMENT OF FISH AND GAME

By R.J. Salmon RSO

Date 12/8/81

THIS PERMIT EXPIRES ON DECEMBER 31 OF THE YEAR ISSUED.

SCANNED
MAR 2 6 2007

Notes

11/7/06 2:56pm Norm Sorenson. How are we doing on this right and the domestic for the caretakers home? What is the W/R # for the caretakers house?
Norm will get a hold of Jerry Rigby to see how it's going.

11/8/06 Norm Sorenson faxed a copy of F+G permit for private pond. as evidence of change in nature of use.

SCANNED

MAR 2 6 2007

Notes

6/26/06. Certified letter to claimant on illegal diversion from Terrace Springs. cc: Roger Warner, Tim Luke, Darren Olsen, and Nick Spencer

6-27-06 Sent letter in Regard to Ownership Change for 24-10456 decreed Right. SL

7/7/06. 4:11pm. Norm Swenson. RVG Trust. Manage the property, Jerry Rigby - attorney for RVG Trust.
Give given them until July 14th 5pm to respond.
- 24-10456 isn't the correct source.

7/10/06 Recvd Signature Card.

7/20/06 Recvd. ownership change form on 24-10456 and 25. receipted check and sent ownership change form to I.F.

8/3/06 Published 24-10949 domestic right. CB

8/15/06 Claim disallowed. S
8/16/06 Sent claimant + Nick Spencer letter. CB

10/13/06. 2:03pm. Jerry Rigby, attorney 356-3633. called and left a message wondering what I needed to resolve this right.

4:26pm I faxed a copy of my letter dated 8-15-06. CB

SCANNED
MAR 26 2007

Notes

5/30/06 I also spoke with Darren Olson, Forest Service, to see if they are aware that Wyo. F. & G. provides domestic watts to RUG Trust. Darren will check onto it.

5/30/06 I Spoke with Steve Spencer, Forest Service, adjudication Team (Boise) about this right and several others that need field exams. It looks like we are targeting June 12th & 13 for this. CB

5/30/06 Sent Nick Spencer, Dept. attorney Gen. Email an email to see if RUG Trust can come under the wy F & G special use permit, and watts right or do they need to file a ~~spp~~ separate claim.

6/6/06 Recv'd letter from Rob Wood, asst to Jerry Rigby. With deeds missing from timeline.
6/6/06 Map of pod's on forest service ground. CB

6/12/06 Meeting with Darren Olsen, Caribou Ranger District, Steve Spencer, Forest Service, Boise Adj. at Soda Ranger office.
6/13/06. field exam with Darren & Steve to determine diversions on F.S. ground CB

SCANNED
MAR 2 6 2007

Notes

Jerry Rigby's

~~Hill, Johnson & Schmutz~~.

3-18-06 Rob Wood, ~~Jerry Rigby~~ attorney office. called to ask about the Spring for the house. and what they need to do.

5-23-06 4-6-06 Data letter to Claiments from Nick Spencer assistant to Jerry Rigby

5/30/06. Rob Wood. ~~Hill, Johnson & Schmutz~~ called again. I asked him if the RVG TRUST has a special use permit with the forest Service for the home. out of Terrace Springs? He said No, the water from the Springs IS provided by the Wy. Fish & Game. under 24-2035. I told him that 24-2035 was licensed for fish propagation; and asked him when the house was hooked to the Spring? He said the care taker didn't know when that agreement was made.

I also asked Rob about 24-1045L (falls crk) If this is correct because a partial decree was issued and as I recall from the caretaker, it's wrong. I told Rob it it is incorrect and need to actually be Terrace Springs then the partial decree needs to be set aside to fix the source, POR POU.

I also asked Rob when we willged the additional information requested by Nick Spencer in his April 6, 2006 letter. He's going to call the caretaker today to get the additional information.

SCANNED
MAR 26 2007

Notes

1-30-06 Letter to Dumont re ownership change, BP

1-30-06. Norm Sorenson takes care of the properties for Roger Galland. Josh actually lives on the property to take care of things. Roger is serving on a mission. CB

2-6-06 Norman Sorenson called on Paulin's ~~any~~ letter on the POD.

3-3-06 Dumont called. Letter (1-30) (was) channeled thru the atty. Will answer by 3-9. BP

3-8-06 Received ownership change form. BP

3-8-06 Called atty re missing evidence. BP

3-13-06 Received evidence from atty. BP

3-28-06 listed issues, sent to Nick Spencer along with Barbara's timeline. CB.
add 1957 imagery of the area in question.
prop Rpnt 24-10456.
Receipt details.

3-31-06 Nick Spencer, basin 24 attorney. We aren't going to pursue correcting the partial decree 24-10456. Claimant hasn't raised issue.
Nick will send the Utah attorney a letter requesting clear documents and information that would document the change in Nature of use was done under an accomplished transfer and doesn't cause injury to anyone else.

SCANNED
MAR 2 6 2007

Notes

10-20-04 Assessor's Ofc:
RVG Trust
% Richard L. Nici, Trustee
3319 N University Ave, Suite 200
Provo, UT 84604 BP
License section X Q D does not match claim.

6-29-05 Project started 24-2026.apr, BP

9 Sept 05 Msg on phone fr. Norm Sorensen 801 310 6808
in response to post card.

801 310 6808 –
Send claim to RVG trust for domestic fr spring.

4 Oct 2004 See A24-02035, A24-04044, A24-10000 BAC

1-12-06 According to the Assessor's office the new house was built in 2004, their records only go back as far as 1930, which shows an establishment then. PB

1-12-06 Sent claimant a letter regarding the source. PB

1-30-06 Norm Sorensen 1-801-310-6808 called in regards to my letter regarding the domestic from Terrace Springs that Bryce found. He is going to have Josh Frazier - care taker, lives on the estate, call me.

I found 24-10456, Fall Crk, domestic diversion.
85.4GE Sec. 5 L-3 POD, POU (L-2).

SCANNED
MAR 26 2007

Kingsley Management Corporation
5314 North 250 West, Suite 210
P.O. Box 1848
Provo, UT
Telephone: 801-228-9702
Fax Number: 801-705-0856

kingsley management corporation

Suite 210

5314 North 250 West

Provo, Utah 84604

Post Office Box 1848

Provo, Utah 84603

Telephone 801.228.9702

Fax 801.705.0856

www.kingsley.com

Facsimile Transmittal

TO: Cindy Bird

DATE & TIME: 11-8-06

FAX NUMBER: 208 - 547-3939

FROM: Norman Sorensen - Tyger Ranch

This cover plus: 1 pages

Comments:
For water Right # 24-2026

____ FYI
____ Please review and comment
____ Please review and fax back
____ Please review
____ Please call me
____ Per your request

The information above is personal and confidential between the persons or parties listed above and should not be used for any other purpose.

"Striving for Service, Quality, and Value in Manufactured Housing Communities"

SCANNED
MAR 2 6 2007

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3983
(208) 547-3939 fax

Idaho Department of Water Resources

Fax

To:	Jerry Rigby	**From:**	Cindy Bird
Fax:	356-0768	**Pages:**	2
Phone:	356-3633	**Date:**	10/13/06
Re:	24-2026	**CC:**	

☐ **Urgent** ☒ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

• **Comments:**

Hi Jerry,
I think this will help with your question on the issues.

Thanks,
Cindy

FAXED 4:36 pm
10/13/06 2pgs. sent.

SCANNED
MAR 2 6 2007

State of Idaho
DEPARTMENT OF WATER RESOURCES
15 W. Center St. Soda Springs, Idaho 83276
Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 15, 2006

RVG TRUST
5314 NORTH 250 WEST
SUITE 210
PROVO, UT 84604

REF: SNAKE RIVER BASIN ADJUDICATION
CLAIM A24-2026

Subject: Preliminary Recommendation

Dear Mr. Galland:

The above referenced claim has been disallowed in the preliminary SRBA process. We will consider during the Notice of Error process any evidence you might have demonstrating a change in the nature of use, point of diversion or place of use that occurred prior to 1987. We will need evidence of what changes were made and that they have been used continuously since the time of the change. We will also need evidence that the change has not injured any other water users. If you have any questions please don't hesitate to give me a call at 547-3993 or you can reach Nick Spencer at 287-4813.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure(s):

CC: Nicholas B. Spencer
Deputy Attorney General, IDWR

SCANNED
MAR 2 6 2007

possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in that certain Deed of Trust.

The default for which this sale is to be made is: Failure to pay the monthly payment due 4/01/06 of principal, interest and impounds and subsequent installments due thereafter; plus late charges, with interest currently accruing at 9.250% per annum; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said Deed of Trust, and any supplemental modifications thereto. The principle balance owing as of this date on said obligation is $53,876.39, plus interest, costs and expenses actually incurred in enforcing the obligations thereunder and in this sale, together with any unpaid and/or accruing real property taxes, and/or assessments, attorney's fees, Trustee's fees and costs, and any other amount advanced to protect said security, as authorized in the promissory note secured by the aforementioned Deed of Trust.

Therefore, the Beneficiary elects to sell, or cause said trust property to be sold, to satisfy said obligation.

NOTICE IS HERBY GIVEN THAT THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE, AND THAT THE DEBT MAY BE DISPUTED. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a) IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

DATED: 07/24/2006
(s) Bev Petersen
Senior Trust Officer
Stewart Title of Boise, Inc.
9196 West Emerald
Suite 100
Boise, ID 83704
(208) 281-8219

Published Aug. 3, 10, 17, and 24 in the Caribou County Sun.

PUBLIC NOTICE

[redacted] Field Office

contact Soda Springs City Hall prior to the meeting by calling 547-2600.

Published Aug. 3 and 10, 2006 in the Caribou County Sun.

PUBLIC NOTICE

First Time Published

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

24-10749

RVG TRUST
C/O NORM SORENSEN
5314 NORTH 250 WEST
SUITE 210
PROVO, UT 84604

Point(s) of Diversion: SESESW S32 T07S R46E, CARIBOU County

Source: TERRACE SPRINGS, Tributary to WEBSTER CREEK

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 07/13/2006

Place of Use: DOMESTIC T07S R46ES32 SESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Section 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Department of Water Resource, Eastern Region, 900 North Skyline Drive, Suite A, Idaho Falls, ID 83402 together with a protest fee of $25.00 for each application on or before August 21, 2006.

The protestant must also send a copy of the protest to the applicant.

(s) Karl J. Dreher, Director

Published on August 3 and 10, 2006 in the Caribou County Sun.

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING FOR FEE INCREASE

The City of Grace, Idaho, hereby gives notice to its residents and users of its municipal utility systems that the City intends to increase fees for water usage by 105 percent or more of the amount

SCANNED
MAR 26 2007

unless the [redacted] delayed for a period e
ity days.

(s) Clark J. Bitt
Grace Joint Sch
No. 148
P.O. Box 347
710 South Mai
Grace, Idaho 8

Published July 2
2006 in the Caribou

PUBLIC N

NOTICE TO CR
(I.C. 15-3-
Case No. CV

IN THE DISTRIC
THE SIXTH JUI
TRICT OF THE
IDAHO, IN ANI
COUNTY OF CAR
IN THE MAT
ESTATE OF ALVIN

NOTICE IS HE
that the undersig
appointed personal
of the above-name
persons having cla
decedent or the est
to present their cla
months after the
publication of t
Creditors, or withi
the undersigned n
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persons, whichever
claims will be
Claims must be
undersigned at the
ed, and filed with
Court.

Dated this nin
July, 2006

(s) A. Bruce L
Estate of Alvi
Joan Evelyn F
606 Highway
Grace, ID 83
(208) 425-33

Published July
10, 2006 in the
Sun.

When the mos
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B-3-06

State of Idaho
DEPARTMENT OF WATER RESOURCES
15 W. Center St. Soda Springs, Idaho 83276
Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

July 20, 2006

Norm Sorenson
Kingley Management Fiduciary Account
5314 N. River Run Dr. Ste 210
PO Box 1848
Provo, UT 84603

REF: 24-10456

Subject: Ownership Change

Dear Norm,

I've enclosed your receipt for the ownership change received in my office. I have forwarded the forms to our Idaho Falls office for processing. They may be contacting you for further information.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure(s): Receipt ID B000017

COPY

SCANNED
MAR 2 6 2007

State of Idaho
DEPARTMENT OF WATER RESOURCES
15 West Center Street, Soda Springs ID 83276
Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 27, 2006

Mr. Rodger Galland RVG Trust
5314 North 250 West Suite 210
Provo UT 84604

COPY

Re: Water Right Decree 24-10456

Subject: CHANGE IN OWNERSHIP

RESPONSE DATE: 14 July 2006

Dear Mr. Galland:

We have been advised you are one of the current owners of the property and decree listed above. Before the record can be modified to reflect your ownership change, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to:

IDWR
900 N SKYLINE DR SUITE A
IDAHO FALLS ID 83402-1718

We will also need a copy of the warranty deed showing legal description and ownership to the trust for the above noted decreed water right. Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by the above referenced response date. There is a $25.00 fee for the change.

If you have any questions please feel free to contact me at (208) 547-3993 in Soda Springs.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/shc
Enclosures: Form 42-248/42-1409(6) and Instructions
Water Right Report 24-10456

SCANNED
MAR 2 6 2007

State of Idaho
DEPARTMENT OF WATER RESOURCES
15 W. Center St. Soda Springs, Idaho 83276
Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 26, 2006

ROGER GALLAND
RVG TRUST
5314 N 250 W
SUITE 210
PROVO, UT 84604

COPY

CERTIFIED MAIL

REF: DOMESTIC DIVERSION

SUBJECT: Pending Notice of Violation
Potential Unauthorized Use of Water

RESPONSE DATE: JULY 10, 2006

Dear Mr. Galland,

The Idaho Department of Water Resources (Department) has recently become aware of your water development from Terrace Springs that has no valid water right. You signed an agreement with Wyoming Game & Fish to connect your caretaker's home to Terrace Springs in 1979. The development of a spring even for a domestic requires a water right under §42-202. Since this development was after the May 20th 1971 mandatory permit statute it requires you file an application for permit (Form 202) or a transfer to 24-10756.

Based on the research from Department staff no record of a valid water right was found to allow you to divert water from Terrace Springs. The diversion point is located on US Forest Service ground. The Department has found that the Forest Service has not granted a special use permit for your domestic diversion. Therefore, your ability to continue using the water is at risk.

SCANNED
MAR 2 6 2007

The Department is aware of water right 24-10456 from Falls Creek for domestic. It however, does not allow a diversion from Terrace Springs. You may need to contact Roger Warner and file a transfer to change the source and point of diversion under the water right if the decree has changed.

Please note that to divert water in Idaho without a valid water right is illegal pursuant to §42-351, Idaho Code, and that pursuant to §42-1701B, Idaho Code, civil penalties for illegal non-irrigation uses may be $50 per one-tenth cubic foot per second of water diverted per calendar day, or $50 per two-tenths of an acre-foot of water diverted to storage, up to $50,000 per year for water illegally used or diverted.

Your application must be received in our office or the Idaho Falls office by the above response date or you will be issued a Notice of Violation. If you have questions regarding this matter please contact me directly at (208) 547-3993. You may also contact Roger Warner, Water Rights Supervisor, Idaho Falls regional office (525-7161), or Tim Luke, Water Distribution Section Manager, Boise, Idaho (208) 287-4959. He will be away from the office between June 28th and July 11th, so it may be best to contact either Mr. Warner or myself.

Sincerely,

COPY

Cindy E. Bird
Adjudication Bureau

Enclosure(s): Forms 202 and I-202

CC: Tim Luke, Water Distribution Section
Roger Warner, IDWR Eastern Region
Darren G. Olsen, Soda Ranger District

SCANNED
MAR 2 6 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 24-10001 V1

WATER RIGHT NUMBER: 24-10001 V1

Owner Type	Name and Address
Current Owner	STATE OF WYOMING GAME & FISH DEPARTMENT 5400 BISHOP BLVD CHEYENNE, WY 82006 (307)777-7730

Priority Date: 07/01/1972

Basis:

Status: Disallowed

Source	Tributary
TERRACE SPRINGS	WEBSTER CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	1/01 to 12/31	0.020 CFS	
	Total Diversion:	0.020 CFS	

Location of Point(s) of Diversion

TERRACE SPRINGS SE1/4SW1/4 Sec. 32, Twp 07S, Rge 46E, B.M.
CARIBOU County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	46E	32															X		

Conditions of Approval:

1. FOREST SERVICE SPECIAL USE PERMIT 1010-01
2. P11 NO LAWFUL APPROPRIATION SHOWN: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.
3. NO LAWFUL APPROPRIATION SHOWN.

Remarks:

SCANNED
MAR 26 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 24-10001 V1

Comments:

1. CORR2 4/9/1997 COPIED FROM REMARKS
Comment: A TAP WAS INSTALLLED IN THE SUPPLY PIPELINE FROM TERRACE SPRINGS TO THE WYOMING GAME & FISH HATCHERY UNDER CLAIM 24-4044 WHICH ALLOWED FOR ONE RESIDENCE LOCATED ON THE TYGEE RANCH. THIS HATCHERY IS OPERATED UNDER A FOREST SERVICE LEASE AGREEMENT. ONE DOMESTIC TAP FOR A RESIDENCE ONLY ON TYGEE RANCH WAS AGREED TO IN 1979 BY WYOMING GAME & FISH DEPARTMENT.

2. ECARLSEN 4/16/1998 DISALLOWAL
Comment: DOMESTIC USE FROM SURFACE SOURCE AFTER MAY 20, 1971 REQUIRES PERMIT.

Water Supply Bank:

SCANNED

MAR 2 6 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 24-10456

WATER RIGHT NUMBER: 24-10456

Owner Type	Name and Address
Current Owner	RODGER D GALLAND PO BOX 1848 PROVO, UT 84608 (801)375-9675

Priority Date: 05/26/1928

Basis: Decreed

Status: Active

Source	Tributary
FALLS CREEK	WEBSTER CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	1/01 to 12/31	0.040 CFS	
	Total Diversion:	0.040 CFS	

Location of Point(s) of Diversion

FALLS CREEK L3 (NE1/4NE1/4NW1/4) Sec. 5, Twp 08S, Rge 46E, B.M.

CARIBOU County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	46E	5		X L 2															

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. PARCEL NO. 000000017800
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

SCANNED

MAR 2 6 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 24-10456

Comments:

1. CFRITSCH 12/10/1996 RENUMBERED
Comment: THIS RECORD WAS RENUMBERED FROM A24-10200. COPIED FROM REMARKS HEADWORKS ON THE FALLS CREEK OF THE WYOMING DEPT. OF FISH AND GAME AUBURN FISH HATCHERY. PIPELINE INTAKE TO PIPELINE TO FISH HATCHERY. WE HAVE A PIPE HOOKED INTO THIS PIPELINE BY AGREEMENT. THE WATER FROM PIPELINE TO OUR HOME. PREVIOUS OWNERS (PRIOR TO FISH HATCHERY) HAD AN IRRIGATION RIGHT, 24-02032 FROM THIS SOURCE. THIS RIGHT IS NO LONGER USED. HATCHERY WAS BUILT IN 1941.

Water Supply Bank:

SCANNED
MAR 2 6 2007

Law Offices

RIGBY, THATCHER, ANDRUS
RIGBY, & MOELLER, Chartered

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller
Reed E. Andrus

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail:jrigby@rigby-thatcher.com

Idaho Department of Water Resources
Attn: Cindy Bird
15 West Center Street
Soda Springs, ID 83276

Dear Cindy,

Enclosed please find the deeds that were unreadable in the RVG/Roger Galland file pertaining to IDWR water right no. 24-2026.

As per our conversation the other day on the telephone, I am under the impression that these deeds were all that were needed for 24-2026 to be recommended. Please let me know if we need to do anything else for this right.

Thank you so much for your time and help.

Sincerely,

Robert Wood

Rob Wood
Assistant to Jerry Rigby

RECEIVED
JUN 06 2006
By SL

SCANNED
MAR 26 2007

Timeline 24-2026

7/8/1916 Claimed Priority Date
POU: T7S,R46E, Sec. 32, SESE
T8S,R46E, Sec. 5, NENE (GL-1), NWNE (GL-2), SWNE (GL-5)

11/21/1916 Deed, Alvin J. and Ida Welchman to Soren Peterson
T7S, R46E, Sec. 33, SWSW
Metes and bounds, 62 acres
DOES NOT SUPPORT THE CLAIMED POU IN SECTIONS 5 OR 32.

5/27/1927 Sheriff's Deed (Defendants: Alvin & Ida Welchman, et al) to Union Central Life Insurance.
T7S, R46E, Sec. 33, NE, 160 acres.
Full primary water right for 200 acres from Spring Creek and Webster Creek.
DOES NOT SUPPORT THE CLAIMED POU IN SECTIONS 5 OR 32.

2/27/1931 Patent, USA to Joseph Lee Peterson
T8S, R46E, Sec. 5, NWSE, L-4, 5, and 6, 146.55 acres
Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes
Patent #118368

11/3/1933 Deed, Union Central Life Insurance to Lee Peterson
T7S,R46E, Sec. 33, 47 plus acres
T7S, R46E, Sec. 32, SESE, Except a rectangle strip on the east edge.
T8S, R46E, Sec. 5, N1/2NE. EXCEPTING a rectangle strip on the east . Total of both rectangle shapes is 22.0 acres MOL.
Instrument #14106

6/1/1936 6-17-43 Warranty Deed, **UNREADABLE** Petersen, Alice Mae / Petersen, Joseph Lee
SESE 32/7S/46E
Instrt # 21016
Book 10

7/6/1944 Warranty Deed, Joseph Lee and May Peterson to G. W. Hepworth Jr.
T7S, R46E, Sec. 33, SWNW
T7S, R46E, Sec. 33, metes and bounds, 47+ acres
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, N1/2NE
T8S, R46E, Sec. 5, Lots 4,5,6, NWSE, 146.55 acres
See correction deed dated 12/20/1944
Instrument #21809

SCANNED
MAR 2 6 2007

12/20/1944 Warranty Deed, Joseph Lee & Frances Peterson to G. W. Hepworth, Jr. AKA G.W. Hepworth
T7S, R46E, Sec. 33, S1/2NW, N1/2SW, metes and bounds tract out of these QQs
T7S, R46E, Sec. 32, SESE,
T8S, R46E, Sec. 5, Lots 1,2,4,5 (which is in the NE)
T8S, R46E, Sec. 5, Lot 6, NWSE (which is the N1/2SE)
Issued to correct Deed dated 7/6/1944

3/17/1953 Quitclaim Deed. Clyde Greenfield to Charles & Katherine O'Keefe
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, Lots 1, 2, 4 and 5 (which is in the NE)
T8S, R46E. Sec. 5, Lot 6, (which is in the NWSE)
Water rights, rights of way for ditches

?/?/1946 Instra # 23179 Book 11 Warranty Deed, G. W. Hepworth to Charles O'Keefe
T7S,R46E, Sec. 33, S1/2NW, N1/2SW
VERY POOR COPY, LIGHT. UNABLE TO READ WHOLE DOCUMENT

Greenfield, Clyde E. to O'Keefe, Charles Instra #43128 Book 42

8/5/1959 Instr #43128 Book 42 Decree, Estate of ??? **TOO DARK TO READ** SE SE 32/7S/46E

3/5/1968 Warranty Deed, Charles &Katherine O'Keefe to Matthew Alleman
Sites part of land situated in Wyoming
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE
Recorded #71430

3/5/1968 Warranty Deed, Matthew Alleman, Trustee to Charles & Katherine O'Keefe
Sites part of land situated in Wyoming
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE
Recorded #71431

3/5/1968 Warranty Deed, Charles & Katherine O'Keefe to Wendell T. O'Keefe
Sites part of land situated in Wyoming.
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE
Recorded #71432

7/8/1974 Warranty Deed, Katherine O'Keefe to Wendell T. O'Keefe
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE
Recorded #90267

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MAR 2 6 2007

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered.

Jerry Williams (Seal)
Mildred Williams (Seal)

STATE OF IDAHO)
: ss
County of Canyon)

On this 11th, day of May in the year 1943, before me, THE UNDERSIGNED a Notary Public in and for said County and State, personally appeared Jerry Williams and Mildred Williams, his wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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)

Burton W. Reeves Notary Public
Residence Nampa, Idaho
My Commission Expires; Sept. 5, 1944.

At the request of Caribou Co. Abstract Co.
June 15, 1943 At 4:55 P. M.
Fee $1.20

Colin Chester
Recorder

--------000--------

Instrument #21018

WARRANTY DEED

6-1-1936

THIS INDENTURE, Made this 1st day of June in the year of our Lord One Thousand Nine Hundred and Thirty six, between Soren C. Peterson and Alice M. Peterson, his wife of Auburn, County of Caribou, State of Idaho the parties of the first part, and Joseph Lee Peterson of Auburn, County of Caribou, State of Idaho the party of the second part:

$300.00

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Three Hundred & No/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged; does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs, and assigns forever; All those certain lots, pieces or parcels of land situate, lying and being in the County of Caribou State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at a point the Northwest Corner of the Southwest Quarter of the Southwest Quarter of Section Thirty-three (33), Township Seven (7) South of Range Forty-six (46) East of the Boise Meridian, Idaho, and running thence West Twenty-three and one half (23½) Rods; Thence South One Hundred Fifty (150) Rods; Thence East Twenty-three and one half (23½) Rods; Thence North One Hundred Fifty (150) Rods to the place of beginning, containing in all twenty-two acres of land be there more or less.

33
7S
46E
NWSW SW
22 acres

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

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2

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs, and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part his heirs, and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the Presence of
Geo. P. Hick

Soren C. Peterson (Seal)
Alice Mae Peterson (Seal)

STATE OF IDAHO)
: ss
County of Bear Lake)

On this 1st day of June in the year 1936 before me, Darel Bartschi a Notary Public in and for said County and State, personally appeared Soren C. Peterson & his wife Alice M. Peterson known to me to be the persons whose names ____subscribed to the within instrument, and acknowledged to me that they 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)

Darel Bartschi Notary Public
Residence Montpelier, Idaho.
Notary Public My Commission expires
Feb. 28, 1938

Colleen Chester
Recorder

At the request of Joseph Lee Peterson
June 17, 1943 At 2:50 P. M. Fee $1.20

----- ooo o ooo -----

Instrument #21018

WARRANTY DEED

THIS INDENTURE, Made this 29th day of April in the year of our Lord One Thousand Nine Hundred and forty-three, between Charles F. Call and Edith C. Call, his wife of Soda Springs, County of Caribou, State of Idaho the parties of the first part, and William H. Lloyd of Soda Springs, County of Caribou State of Idaho the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Six hundred and No/100ths DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs, executors, administrators and assigns forever: All that certain lot piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

The East half of the Northeast quarter ($E\frac{1}{2}$ $NE\frac{1}{4}$) of Section Thirteen (13), Township Nine (9) South of Range Forty-two (42) East of the Boise Meridian, together with all improvements and all water rights appertaining or belonging thereto.

Subject to patent reservations and all rights of way as now of record, or acquired by public use.

Subject to taxes for the year 1943 and subsequent years.

Free and clear of any and all encumbrances.

$1.10 I. R. Stamps affixed and cancelled.

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MAR 2 6 2007

Instrument #23179

WARRANTY DEED

THIS INDENTURE, Made this 10th day of August in the year of our Lord One Thousand Nine Hundred and Forty-six, between G. W. Hepworth Jr.,sometimes known as G.W.Hepworth, and his wife Phyllis S.Hepworth of Afton, County of Lincoln,State of Wyoming the parties of the first part, and Charles O'Keefe,Wendell T. O'Keefe and Clyde E.Greenfield,Equal and undivided interest, of Afton, County of Lincoln,State of Wyoming the parties of the second part:

WITNESETH: That the said part_ of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate,lying and being in the County of Caribou,State of Idaho, bounded and more particularly described as follows, to-wit:

A tract of land situated in the South Half of the Northwest Quarter and in the North Half of the Southwest Quarter of Section Thirty-three, Township Seven South, Range Forty-Six East of the Boise Meridian,described as follows,to-wit: Commencing at a point 107 rods South of the Northwest Corner of the Southwest Quarter of the Northwest quarter of said Section Thirty three thence running Northeasterly along the County road and the foot hills to a point 11 rods South of the Northeast Corner of the Southeast Quarter of the Northwest Quarter of said Section Thirty-three, thence North 11 rods to the said Northeast Corner of the said Southeast Quarter of the Northwest Quarter of said Section Thirty-three, thence 160 rods west, thence South 107 rods to the place of beginning. ALSO the Southeast Quarter of the Southeast Quarter of Section thirty-two, Township Seven South, Range Forty six East of the Boise Meridian. ALSO, Lots One, Two, Four and Five (which is the Northeast quarter), and Lot Six and the Northwest quarter of the Southeast Quarter (which is the North half of the Southeast quarter)of Section Five, Township Eight South, Range Forty- six East of the Boise Meridian. Subject to the rights of way for ditches and roads as the same may now exist over and across said property.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of W. J. Moser

G. W. Hepworth Jr. (Seal)
Phyllis S. Hepworth (Seal)

(No Stamps)

STATE OF WYOMING)
: SS
County of Lincoln)

On this 10th day of August in the year 1946, before me, W. J. Moser, a Notary Public in and for said County and State, personally appeared G. W. Hepworth Jr. and his wife Phyllis S. Hepworth known to me to be the persons whose name_ are subscribed to the within instrument, and acknowledged to me that they executed the same. Including release and waiver of the right of Homestead, the said wife having been by me fully appraised of

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IN THE PROBATE COURT OF THE STATE OF IDAHO

IN AND FOR THE COUNTY OF CARIBOU

IN THE MATTER OF THE ESTATE OF CLYDE EUGENE GREENFIELD, also known as CLYDE E. GREENFIELD, also known as C. E. Greenfield, Deceased.	D E C R E E

The above-entitled matter came duly on for hearing before the undersigned Probate Judge in open court on the 22nd day of May, at 2:00 o'clock P. M. and on the 5 day of Aug., 1959.

The petitioner appeared in person and by his attorney, Francis A. Rasmussen.

It appearing that the said proceedings were had pursuant to the provisions of Chapter 14, Title 15, Idaho Code and that the petition was duly filed herein and that due and legal notice of this hearing on the said petition has been given for the time and in the manner provided by law.

And it further appearing that an inventory of the property affected by this proceeding has been duly filed and said property has been duly appraised and that an Inheritance Tax Order fixing value of Inheritance, Etc. and Tax and Inheritance Tax Order Fixing Gross Value have been made; that all of the property herein was separate property and that a certified copy of said Orders have been duly filed with the Department of Finance of the State of Idaho, and that more than 30 days have elapsed since the filing of said inventory herein and that a copy of the same has been served upon the State of Idaho as aforesaid.

That no objection has been made by any person to the value of the property as fixed by the inventory nor to the value of the inheritance fixed in said order.

And it further appearing that more than two years have elapsed since the said death of said Clyde Eugene Greenfield, also known as Clyde E. Greenfield, also known as C. E. Greenfield and that he did at the time of his

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MAR 2 6 2007

death reside in the State of Wyoming and that he owned real estate in the State of Idaho and that no application has been made in the State of Idaho or elsewhere for the appointment of an administrator either by his heirs, or by persons claiming to be creditors of the deceased and that no proceedings have been had for the probating of the estate of said deceased and that he left no will.

And it further appearing that Charles O'Keefe is the son of the said Clyde Eugene Greenfield, also known as Clyde E. Greenfield, also known as C. E. Greenfield, deceased.

That the property described in the petition and herein was separate property and that Charles O'Keefe derived title to the said property upon the death of said deceased and that Matthew Alleman made due application and petition to this Court for the purpose of establishing title for said property for Charles O'Keefe and that the said deceased at the time of his death was a resident of the State of Wyoming and that due proceedings have been had under the provisions of the law hereinbefore referred to.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that due proceedings have been had and notice given as provided in Chapter 14, Title 15, Idaho Code, and IT IS HEREBY DETERMINED AND DECREED that the said Clyde Eugene Greenfield, also known as Clyde E. Greenfield, also known as C. E. Greenfield, deceased, died on the 12th day of February, 1954; that he died intestate, owning property in this state and that no application has been made in the State of Idaho orelsewhere for the appointment of an administrator of the estate of said deceased; that the said deceased was survived by his son, Charles O'Keefe, who was the only heir of said deceased; that the said property was community property and upon the death of said deceased all of the right, title and interest in and to said property passed and and became the separate property of Charles O'Keefe.

IT IS FURTHER DECREED THAT the property affected by this Decree is so decreed to the said Charles O'Keefe as his sole and separate property is located in Caribou County, State of Idaho, and is more fully described as

2-B

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follows:

1/3rd Interest in the Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46 East of the Boise Meridian and the North half of the Northeast quarter, Lots 4, 5 and 6, and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridian.

Dated this 5 day of Aug., 1959.

(Seal)

/s/ F. W. Harris
Probate Judge

STATE OF IDAHO)
: ss
COUNTY OF CARIBOU)

I, Genevieve Young, Clerk of the Probate Court of Caribou County, Idaho, do hereby certify that the within and foregoing is a full, true, and correct copy of the original DECREE as the same appears on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Soda Springs, Idaho, this 5th day of August, 1959.

Genevieve Young
Clerk of Probate Court

43128

STATE OF IDAHO } ss
County of Caribou }
I hereby certify that this instrument was filed for record at the request of
T. J. Rasmussen at 2:05 o'clock P.M.
this 5 day of August, 1959 in my office and duly
recorded in Book 42 of Deeds
at page ____ L. Ray Davis
Ex-Officio Recorder
By Dorothy Dupin Deputy Fee $1.80

36

Stp Stp Sec 32 T7S R45E
N 1/2 of NE Q, Lots 4, 5 & 6
NWSE Sec 5 T8S 46E

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file

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

April 6, 2006

Tami Rodriguez
Hill, Johnson & Schmutz
Attorneys and Counselors
Jamestown Square
3319 North University Ave.
Provo, UT 84604

RE: RVG Trust
Water Right No 24-2026

Dear Ms. Rodriguez:

Thank you for the information that you have provided to the Idaho Department of Water Resources ("IDWR") at the Soda Springs office concerning the above referenced water right. However, additional information is needed in support of your client's water right claim. I am attaching a copy of a "timeline" which has been compiled by IDWR staff to assist in illustrating the remaining documentation needed to support this water right claim.

You have provided a Warranty Deed dated June 1, 1936. The copy received by IDWR is not legible. Please provide a readable copy of the document.

You have also provided a Warranty Deed to Charles O'Keefe from G.W. Hepworth with a date of sometime in 1946. The resolution of this copy is very poor, and IDWR is unable to read the document in its entirety. Please provide a clear copy of this document as well.

Finally, a decree dated 8/5/1959 has also been provided. This decree appears to involve an estate, but is too dark to read. Please provide a clear copy of this decree.

In addition to the documents requested above, there are questions concerning the acreage that RVG Trust claims to irrigate under this water right. Your client's claim to this water right claims irrigation in the SWNE Quarter (L-4) of Section 5. This right was never licensed for that place of use. The patent (#118368) on this land was not issued until 1931. Also, the land in the SWSW Quarter of Section 33, T7S, R46E, which was

Natural Resources Division - Water Resources Section
P.O. Box 83720 Boise, Idaho 83720-0098
Telephone: (208) 287-4801; Legal FAX: (208) 287-6700

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licensed for 40 acres of irrigation was not claimed. Please review your client's claim to ensure that the place of use for this water right is properly claimed.

If the licensed water right was moved onto your client's property prior to November 19, 1987, IDWR likely will be able to recognize the transfer and recommend to the SRBA Court that the right be decreed to the new place of use. However, to do this IDWR will need to understand how the right migrated from the acres to which it originally was appurtenant and onto your client's property. Any documents you have explaining how and when this occurred would be very helpful.

The preliminary recommendations for Basin 24 will be issued in the near future. If you could provide the additional information at your earliest opportunity, that would be most helpful, so that an accurate recommendation for this water right can be made.

If you should have any questions or comments, please contact Cindy Bird, the agent investigating this claim, at IDWR's Soda Springs office, at 15 W. Center Street, Soda Springs, ID 83276 or by phone at (208) 547-3993. Please send all documents to that office as well. Thanks for your help.

Very truly yours,

Nicholas B. Spencer
Deputy Attorney General, IDWR

Enclosure

cc: Cindy Bird

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IDWR Field Exam Form

04/03/2002

Contacts Data Entry Form

Owner Type Full Name Address City State Zip Phone

Current Owner _____

Name connector: and ____, or ____, and/or ____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Josh Frazier- lives on Site

Reviewer: _____ Date: _____

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Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A24-02026

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis _____

X Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

License priority 7/8/1916 Bac

Reviewer: CB Date: 1/9/06

Priority Date Data Entry Form

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IDWR Field Exam Form 04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: A24-02026

Water Right Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: ____

Source: ____ Tributary: ____

Claimed Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: ____

Source: ____ Tributary: ____

Recommended Point of Diversion: T____, R____, Sec. ____, ____, ____, ____. County: ____

Source: ____ Tributary: ____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	
8S	46E	5		NW NE SW	Caribou	Webster Creek	(irrigation + ponds)
GPS Coordinates:				2736681 E		1287904 N IDTM83	
7S	46E	32		SE SE SW	Caribou	Terrace Springs	(domestic)
GPS Coordinates:				2736788 E		1288762 N IDTM83	
GPS Coordinates:							
GPS Coordinates:							
GPS Coordinates:							
GPS Coordinates:							

Other rights from this POD? A24-02035 of. Terrace Springs. Possibly A24-04044 and/or A24-10000 also

Document how the POD and Source were verified and/or Pump and Motor data:

Webster Creek POD site tag A00 13658

Terrace Springs POD site tag A00 13659

Possible 3rd POD 7S 46E 32 SE SWSE from Webster Creek for irigation + ponds. Please see narrative.

Rec 4 Oct 05

Transfers Changing POD ____

Reviewer: ____ Date: ____

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Point of Diversion and Source Data Entry Form

IDWR Field Exam Form

04/03/2002

Purpose of Use Data Entry Form

Claim Number: A24-02026

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Irrigation, recreational ponds and domestic observed.
Sac 4 Oct 2005

Transfers Changing Purpose of Use _____

Reviewer: _____ Date: _____

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Purpose of Use Data Entry Form

IDWR Field Exam Form 04/03/2002

Place Of Use Data Entry Form

Claim Number: A24-02026

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Please see narrative & GIS. Due to GCDB problems and questions about parcel "A" I do not have acres by QQ. Bac 4 Oct 05

Transfers Changing POU _____

Reviewer: _____ Date: _____

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Place Of Use Data Entry Form

IDWR Field Exam Form

04/03/2002

Period of Use and Quantity Data Entry Form

Claim Number: A24-02026

__ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Domestic	1/1	12/31	0.04	
Recreation Storage	1/1	12/31		7.2
Recreation Irrigation	1/1	12/31	(See narrative) (See narrative)	

Overall Diversion Rate 2.24 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Please see narrative. Bac 4 Oct 05

Reviewer: _____ Date: _____

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Period of Use and Quantity Data Entry Form

Bird, Cindy

To: Spencer, Nick
Cc: Williams, Ray
Subject: 24-2026 & 24-10456

good afternoon Nick,
I need your help with RVG Trust, 24-2026 and partial decree 24-10456. I've included a list of issues that we need to resolve with this claim and the claimants have referred it to their attorney and we have hit a brick wall. Let me know if I can do anything else.

Thanks,
Cindy


Issues with claim.doc


Timeline 24-2026.doc

Hill, Johnson & Schmutz
Attorneys and Counselors
Jamestown Square
3319 North University Ave.
Provo, UT 84604

1-(801) 375-6600
1-(801) 375-3865 fax

We got information from Tami Rodriguez at the office listed above.

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Notice of Claim 24-2026

BACKGROUND: This is a 1916 License from Webster Creek for Irrigation and domestic at 3.0 cfs. The place of use is sketchy. It describes the SWSW of section 33 and then further describes a 22 acre piece that is located in section 32, T7S, R46E and section 5 in T8S, R46E, but says its to irrigate 110 acres. The POU described is only about 62 acres but we went back thru documents in the file and it appears that it was part of the SESE of section 32, SWSW of section 33 both in T7S, R46E and the N1/2NE of section 5 in T8S, R46E.

ISSUES:

1. The ground is hilly so one of the issues would be what was historically irrigated?
2. Claimants have referred this to their attorney: Hill, Johnson & Schutz, out of Provo, Utah. We have been trying to resolve this with the claimants and they turned it over to their attorney and we can't seem to get them to supply us with the proper documents. Much of what they have provided can't be read. (Now Jerry Rigby)
3. They claimed the entire right but do not own all of the property that was described under the license.
4. Change in POU. They are claiming irrigation in the SWNE (L-4) of section 5 and it was never licensed there. The patent (#118368) on this land wasn't issued until 1931. Also, they do not claim the land in the SWSW of section 33, T7S R46E, which was licensed for 40 acres of irrigation.
5. Change in Nature of Use. This right was licensed for irrigation and they claimed recreation, recreation storage, irrigation and stock water. Chg in POD
6. We need a new claim for the stock water. It was never licensed for stock water. Unless of course it is in-stream stock watering.
7. Built a new home. (Assessor's office said prior to 1988). Developed a spring for the home. No water right. Bryce suggested in his field exam to do a change in source and add Terra Springs to the claim. I don't think the domestic component under the license was ever developed. Besides the new house was built sometime in the 80's. According to the assessor's office the original home was there in 60's.
8. Filed on the original home under 24-10456. They were issued a partial decree on this right and the legal description for the POU and POD is wrong. Also the diversion rate would be incorrect for a surface water source. It should have been 0.02 instead of the claimed 0.04 but that's not the major issue here. The source may also be wrong because they claim its not hooked up to Falls Creek. This decree was issued with a 1928 priority date. Another reason why I don't think the domestic under the license was ever developed.
9. The GCDB in section 5, T8S, R46E is a little weird. The lots are not across the top in order or along the side in order. They are mixed up. Lot 1 is where you would traditionally find the NENW (L-1) and lot 2 is in the NWNW (L-2), lot 3 is located in SENW (L-3) under L-1, lots 4 & 5 are in the S1/2NE respectfully.

NOT AN ISSUE:

1. They paid the proper fees. Receipt #E017112

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They did send us a bunch of documents that Barbara has made a timeline for that I've also attached (timeline only). Let us know if you need the documents. Like I stated before many of the documents you can't read because they are to light or to dark to be legible.

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Timeline 24-2026

7/8/1916	Claimed Priority Date POU: T7S,R46E, Sec. 32, SESE T8S,R46E, Sec. 5, NENE (GL-1), NWNE (GL-2), SWNE (GL-5)
11/21/1916	Deed, Alvin J. and Ida Welchman to Soren Peterson T7S, R46E, Sec. 33, SWSW Metes and bounds, 62 acres DOES NOT SUPPORT THE CLAIMED POU IN SECTIONS 5 OR 32.
5/27/1927	Sheriff's Deed (Defendants: Alvin & Ida Welchman, et al) to Union Central Life Insurance. T7S, R46E, Sec. 33, NE, 160 acres. Full primary water right for 200 acres from Spring Creek and Webster Creek. DOES NOT SUPPORT THE CLAIMED POU IN SECTIONS 5 OR 32.
2/27/1931	Patent, USA to Joseph Lee Peterson T8S, R46E, Sec. 5, NWSE, L-4, 5, and 6, 146.55 acres Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes Patent #118368
11/3/1933	Deed, Union Central Life Insurance to Lee Peterson T7S,R46E, Sec. 33, 47 plus acres T7S, R46E, Sec. 32, SESE, Except a rectangle strip on the east edge. T8S, R46E, Sec. 5, N1/2NE. EXCEPTING a rectangle strip on the east . Total of both rectangle shapes is 22.0 acres MOL. Instrument #14106
6/1/1936	Warranty Deed, Soren C and Alice M Peterson to Joseph Lee Peterson T7S R46E Sec. 33 NWSWSW, 22 ACRES Water rights, rights of way for ditches Instrument #21916

SCANNED
MAR 2 6 2007

7/6/1944 Warranty Deed, Joseph Lee and May Peterson to G. W. Hepworth Jr.
T7S, R46E, Sec. 33, SWNW
T7S, R46E, Sec. 33, metes and bounds, 47+ acres
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, N1/2NE
T8S, R46E, Sec. 5, Lots 4,5,6, NWSE, 146.55 acres
See correction deed dated 12/20/1944
Instrument #21809

12/20/1944 Warranty Deed, Joseph Lee & Frances Peterson to G. W. Hepworth, Jr. AKA G.W. Hepworth
T7S, R46E, Sec. 33, S1/2NW, N1/2SW, metes and bounds tract out of these QQs
T7S, R46E, Sec. 32, SESE,
T8S, R46E, Sec. 5, Lots 1,2,4,5 (which is in the NE)
T8S, R46E, Sec. 5, Lot 6, NWSE (which is the N1/2SE)
Issued to correct Deed dated 7/6/1944

8/10/1946
?/?/1946 Warranty Deed, G. W. Hepworth to Charles and Wendell O'Keefe and Clyde E Greenfield,
T7S, R46E, Sec. 33, S1/2NW, N1/2SW
T7S, R46E, Sec. 32, SESE,
T8S, R46E, Sec. 5, Lots 1,2,4,5 (which is in the NE)
T8S, R46E, Sec. 5, Lot 6, NWSE (which is the N1/2SE)
Water rights, rights of way for ditches
Instrument #23179

3/17/1953 Quitclaim Deed. Clyde Greenfield to Charles & Katherine O'Keefe
T7S, R46E, Sec. 32, SESE
T8S, R46E, Sec. 5, Lots 1, 2, 4 and 5 (which is in the NE)
T8S, R46E. Sec. 5, Lot 6, (which is in the NWSE)
Water rights, rights of way for ditches
#43128

8/5/1959 Decree, Estate of Clyde E Greenfield to Charles O'Keefe (son)
T7S, R46E, Sec. 33, S1/2NW, N1/2SW, metes and bounds tract out of these QQs
T7S, R46E, Sec. 32, SESE,
T8S, R46E, Sec. 5, Lots 1,2,4,5 (which is in the NE)
T8S, R46E, Sec. 5, Lot 6, NWSE (which is the N1/2SE)
Water rights, rights of way for ditches

SCANNED
MAR 2 6 2007

3/5/1968	Warranty Deed, Charles &Katherine O'Keefe to Matthew Alleman Sites part of land situated in Wyoming T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE Recorded #71430
3/5/1968	Warranty Deed, Matthew Alleman, Trustee to Charles & Katherine O'Keefe Sites part of land situated in Wyoming T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE Recorded #71431
3/5/1968	Warranty Deed, Charles & Katherine O'Keefe to Wendell T. O'Keefe Sites part of land situated in Wyoming. T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE Recorded #71432
7/8/1974	Warranty Deed, Katherine O'Keefe to Wendell T. O'Keefe T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE Recorded #90267
12/12/1974	Warranty Deed, Wendell T. O'Keefe to Bodel Enterprises (partnership composed of Robert & Adell Hild) T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6, NWSE Recorded #81892
1/24/1975	Warranty Deed, Clara & Wendell O'Keefe to Robert L. & Adell Hild T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE Recorded #81893
11/6/1980	Warranty Deed, Lewis C. Noble to Margaret R. Galland, Trustee of the Margaret G. Rose Testamentary Trust T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE All appurtenant water rights and such water rights commonly or historically used Recorded #106757

SCANNED

MAR 2 6 2007

11/7/1980	Warranty Deed, Bodel Enterprises, (partnership composed of Robert L. & Adell Hild) to Lewis C. Noble T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, N1/2NE, Lots 4, 5 and 6 and the NWSE All appurtenant water rights and such water rights commonly or historically used Mineral rights Recorded #106755
10/5/1981	Quitclaim Deed Wm C.C. Cummings Developments, Inc. to Wm C. Cummings. Sites part of land in Wyoming A strip of land in Lincoln County, Wyoming T7S, R46E, Sec. 26, Lot 4, SESW T7S, R46E, Sec. 35, Lot 1, NENW Recorded #110126 DOES NOT SUPPORT THE CLAIMED POU IN SECTIONS 5 OR 32.
6/26/1990	Warranty Deed, Margaret R. Galland, Trustee of Margaret G. Rose Testamentary to Roger D. & Virginia Galland T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, Lots 4, 5, and 6, N1/2NE, NWSE. Recorded #139313
1/1/1999	Quitclaim Deed, Rodger D. & Virginia Galland to Richard Hill and Southpac Trust International, Inc., Trustee of the RVG Trust dated January 1, 1999 T7S, R46E, Sec. 32, SESE T8S, R46E, Sec. 5, Lots 4, 5, and 6, N1/2NE, NWSE Recorded #158701 Change in Water Right Ownership, Rodger Galland to RVG Trust

SCANNED
MAR 2 6 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 24-10456

WATER RIGHT NUMBER: 24-10456

Owner Type	Name and Address
Current Owner	RODGER D GALLAND PO BOX 1848 PROVO, UT 84608 (801)375-9675

Priority Date: 05/26/1928

Basis: Decreed

Status: Active

Source	Tributary
FALLS CREEK	WEBSTER CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	1/01 to 12/31	0.040 CFS	

Total Diversion: 0.040 CFS

Location of Point(s) of Diversion

FALLS CREEK — L3 (NE1/4NE1/4NW1/4) Sec. 5, Twp 08S, Rge 46E, B.M.

CARIBOU County

Place of Use

DOMESTIC

clerical Error?

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	46E	5		X L2															

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. PARCEL NO. 000000017800
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

If there is an error in Source, that is not a clerical error. NW NW (L-2)

Court - 60B - Id. Rule of sup. procedure. P.D. - 6 ground for setting aside a partial decree.

GCDB - Sec 6

2	1		
	3	4	5
SW		SE	

SCANNED
MAR 26 2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 24-10456

Comments:

1. CFRITSCH 12/10/1996 RENUMBERED
Comment: THIS RECORD WAS RENUMBERED FROM A24-10200. COPIED FROM REMARKS HEADWORKS ON THE FALLS CREEK OF THE WYOMING DEPT. OF FISH AND GAME AUBURN FISH HATCHERY. PIPELINE INTAKE TO PIPELINE TO FISH HATCHERY. WE HAVE A PIPE HOOKED INTO THIS PIPELINE BY AGREEMENT. THE WATER FROM PIPELINE TO OUR HOME. PREVIOUS OWNERS (PRIOR TO FISH HATCHERY) HAD AN IRRIGATION RIGHT, 24-02032 FROM THIS SOURCE. THIS RIGHT IS NO LONGER USED. HATCHERY WAS BUILT IN 1941.

Water Supply Bank:

SCANNED
MAR 2 6 2007

Receipt Details for ID E017112

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/3/1992 4:03:57 PM	4/3/1992	Eastern	$501.00	Check
Payer	GALLAND, ROGER			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
44180			
Card Expiration Date	**Credit Card Transaction #**		

Comment LATE FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$401.00	ADJUDICATION	410162	9337	0	0	6490
$100.00	LATE FEES	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
24	10456		$25.00	Claim
24	2026		$376.00	Claim

376.
$50 filing.
326.
- 26 acres.
$300

Print Report

SCANNED
APR 26 2007

3 cfs * 100/cfs = $300

HILL, JOHNSON & SCHMUTZ

A LIMITED LIABILITY COMPANY

RICHARD L. HILL
F. McKAY JOHNSON
EVAN A. SCHMUTZ
Wm. KELLY NASH
STEPHEN E. QUESENBERRY
DOUGLAS B. THAYER

ATTORNEYS AND COUNSELORS
JAMESTOWN SQUARE
3319 NORTH UNIVERSITY AVENUE
PROVO, UTAH 84604

TELEPHONE (801) 375-6600
FACSIMILE (801) 375-3865
EMAIL ADDRESS: firm@hjslaw.com

M. REED ADAMS
LANCE N. LONG
CURTIS R. HUSSEY
CURTIS B. HOFFMAN
THEODORE F. LINN
J. BRYAN QUESENBERRY
NANCEE P. TEGEDER
OF COUNSEL: STEVEN D. HASSING

ENCLOSURE MEMORANDUM

Date: March 9, 2006

To: **Barbara Payne**

From: Tami Rodriguez

Re: Snake River Adjudication (SRBA)
Claim 24-2026

____For Your Information
____For Necessary Action
____Per Your Request
____Per Our Conversation
____Please Review and Contact to Discuss
____For Review and Comment
____Please Sign and Return
____Per Our Telephone Conversation
_X__See Comments Below

Pursuant to my telephone conference this morning with Cindy in your office, enclosed please find the deeds you requested dating back to 1916, being forwarded via Federal Express. Also enclosed are plat maps with the specific parcels highlighted.

Thank you for your assistance in this matter and please feel free to contact me should you need anything further in this regard. Thank you!

Tami

RECEIVED
MAR 13 2006
By

SCANNED
MAR 26 2007

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	24-2026				

2. The following **REQUIRED** information must be submitted with this form:

   A. The appropriate **FILING FEE.** See instructions for fee amounts.

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
   PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

   OR

   If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Rodger Galland
   PO Box 1848, Provo, UT 84603

4. New Owner/Claimant(s): RVG Trust (w/a/d January 1, 1999)
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 5314 N. 250 W., Suite 210

   City, State and ZIP Code: Provo, Utah 84604

   New Telephone Number: (801) 229-9702

5. Date you acquired the property: January 1, 1999

RECEIVED
MAR - 3 2006
By

SCANNED
MAR 2 6 2007

Form 42-248/42-1409(6) July, 2000

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to Item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to Item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

7. Signature of New Owner(s) or Claimant(s) (include title if applicable) Trustee, RVG Trust

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
Received by _____ Date _____ Fee _____
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED
MAR - 6 2006
By _____

SCANNED
MAR 2 6 2007

158701

Return to: Richard L. Hill
HILL JOHNSON & SCHMUTZ
3319 North University Avenue, Suite 200
Provo, UT 84604

QUITCLAIM DEED

THIS INDENTURE, made this 1st day of January, 1999, between **RODGER D. GALLAND and VIRGINIA R. GALLAND**, husband and wife, of 5314 North 250 West, Suite 210, Provo, UT 84603, the party of the first part, and **RICHARD L. HILL and SOUTHPAC TRUST INTERNATIONAL, INC., Trustees of the RVG Trust dated January 1, 1999**, of 3319 North University Avenue, Suite 200, Provo, UT 84604, the party of the second part:

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One and No/100 Dollars, lawful money of the United States of America, and other valuable consideration, to said party of the first part in hand paid by the party of the second part, the receipt of which is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to the party of the second part's heirs and assigns, forever, all the following described real estate, situated in the County of Caribou, State of Idaho, to-wit:

Township 7 South, Range 46 East of the Boise Meridian:
Section 32: SE1/4SE1/4.
Township 8 South, Range 46 East of the Boise Meridian:
Section 5: Lots 4, 5 and 6, N1/2NE1/4, NW1/4SE1/4.

TOGETHER with all right, title and interest in and unto the above described property acquired by party of the first part after the execution of this deed.

TOGETHER with all and singular the tenements, hereditaments and appurtenances there unto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to the party of the second part's heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand the day and year first above written.

Rodger D. Galland
RODGER D. GALLAND

Virginia R. Galland
VIRGINIA R. GALLAND

RECEIVED
MAR - 6 2006
By

1-1-1999

SCANNED
MAR 2 6 2007

STATE OF UTAH)
: ss,
COUNTY OF UTAH.)

On this 1st day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Rodger D. Galland and Virginia R. Galland known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.

Kaye Halladay
NOTARY PUBLIC for the State of Utah
Residing at: Provo, Utah
My Commission Expires: 1-25-2000

NOTARY PUBLIC
KAYE HALLADAY
[illegible]
Provo, UT 84604
My Commission Expires: 1-25-00
State of Utah

STATE OF IDAHO }ss 158701
County of Caribou }
I hereby certify that this instrument was filed at the request of Richard D. Hill
at 9:00 o'clock A m. this 26 day of March 1999 in my office and duly recorded official Records
Recorder Edie Izatt
Signature Deputy

RECEIVED
MAR - 6 2006
By

SCANNED
MAR 2 6 2007

HILL, JOHNSON & SCHMUTZ
A LIMITED LIABILITY COMPANY

RICHARD L. HILL
F. McKAY JOHNSON
EVAN A. SCHMUTZ
Wm. KELLY NASH
STEPHEN E. QUESENBERRY
DOUGLAS B. THAYER
J. BRYAN QUESENBERRY

ATTORNEYS AND COUNSELORS
JAMESTOWN SQUARE
3319 NORTH UNIVERSITY AVENUE
PROVO, UTAH 84604

TELEPHONE (801) 375-6600
FACSIMILE (801) 375-3865
EMAIL ADDRESS: firm@hjslaw.com

M. REED ADAMS
LANCE N. LONG
CURTIS R. HUSSEY
CURTIS B. HOFFMAN
D. SCOTT DAVIS
THEODORE F. LINN
NANCEE P. TEGEDER
KIRSTI H. HANSEN

OF COUNSEL: STEVEN D. HASSING

FAX ENCLOSURE MEMORANDUM

To: **Barbara Payne** **From:** Tami Rodriguez

Fax No: ~~208-547-3939~~ via email: cindy.bird@idwr.idaho.gov

Date: March 7, 2006

Re: Snake River Basin Adjudication (SRBA)
Claim 24-2026

____For Your Information
____For Necessary Action
____Per Your Request
____Per Our Conversation
____Please Review and Contact to Discuss
____For Review and Comment
____Please Sign and Return
____Per Our Telephone Conversation
_X__See Comments Below

Pursuant to your letter dated January 30, 2006 and following our telephone conversation, attached please find the Notice of Change in Water Right Ownership along with the most recent Quitclaim Deed. Following a conversation I had with Carrol in the Caribou County Assessor's Office yesterday, it is my understanding that she will be hand delivering a copy of the plat maps for these lots sometime this morning.

Please feel free to contact me should you have any questions or need anything further in this regard.

Kindest regards,

Tami Rodriguez

WARNING - NOTICE OF CONFIDENTIALITY
This facsimile may contain confidential information that is protected by the attorney-client or work product privilege. If the reader of this message is not the intended recipient or an employee responsible for delivering the facsimile, please do not distribute this facsimile, notify us immediately, and return this facsimile by mail to the address listed above. Thank you.

RECEIVED
MAR - 8 2006
By

SCANNED
MAR 2 6 2007

158701

Return to: Richard L. Hill
HILL JOHNSON & SCHMUTZ
3319 North University Avenue, Suite 200
Provo, UT 84604

QUITCLAIM DEED

THIS INDENTURE, made this 1st day of January, 1999, between **RODGER D. GALLAND and VIRGINIA R. GALLAND,** husband and wife, of 5314 North 250 West, Suite 210, Provo, UT 84603, the party of the first part, and **RICHARD L. HILL and SOUTHPAC TRUST INTERNATIONAL, INC., Trustees of the RVG Trust dated January 1, 1999,** of 3319 North University Avenue, Suite 200, Provo, UT 84604, the party of the second part:

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One and No/100 Dollars, lawful money of the United States of America, and other valuable consideration, to said party of the first part in hand paid by the party of the second part, the receipt of which is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to the party of the second part's heirs and assigns, forever, all the following described real estate, situated in the County of Caribou, State of Idaho, to-wit:

Township 7 South, Range 46 East of the Boise Meridian:
Section 32: SE1/4SE1/4.
Township 8 South, Range 46 East of the Boise Meridian:
Section 5: Lots 4, 5 and 6, N1/2NE1/4, NW1/4SE1/4.

TOGETHER with all right, title and interest in and unto the above described property acquired by party of the first part after the execution of this deed.

TOGETHER with all and singular the tenements, hereditaments and appurtenances there unto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to the party of the second part's heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand the day and year first above written.

Rodger D. Galland
RODGER D. GALLAND

Virginia R. Galland
VIRGINIA R. GALLAND

RECEIVED
MAR 13 2006
By

SCANNED
MAR 26 2007

1-1-1999

STATE OF UTAH)
: ss.
COUNTY OF UTAH.)

On this 1st day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Rodger D. Galland and Virginia R. Galland** known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.

Kaye Halladay
NOTARY PUBLIC for the State of Utah
Residing at: Provo, Utah
My Commission Expires: 1-25-2000

NOTARY PUBLIC
KAYE HALLADAY
5314 North 250 West
Provo, UT 84604
My Commission Expires: 7-13-99
State of Utah

STATE OF IDAHO }
County of Caribou } ss 158701

I hereby certify that this instrument was filed at the request of Richard L. Hill at 9:00 o'clock A m this 26 day of March, 1999 in my office and duly recorded official Records
Recorder Edie Izatt
Denise Horsley
Signature Deputy

SCANNED
MAR 2 6 2007

Return To: Rodger D. Galland
P. O. Box 1848
Provo, UT 84603

WARRANTY DEED

THIS INDENTURE, made this 26 day of June, 1990, between MARGARET R. GALLAND, Trustee, of the Margaret G. Rose Testamentary Trust hereinafter called First Party, and RODGER D. GALLAND AND VIRGINIA R. GALLAND, husband and wife, of
hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of ONE DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

Caribou County, Idaho:

Township 7 South, Range 46 East of the Boise Meridian:

Section 32: SE1/4SE1/4.

Township 8 South, Range 46 East of the Boise Meridian:

Section 5: Lots 4, 5 and 6, N1/2NE1/4, NW1/4SE1/4.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said First Party, and said First Party's heirs, the said premises in the quiet and peaceable possession of said Second Party, said Second Party's heirs and assigns against the said First Party, First Party's heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

Margaret R. Galland
MARGARET R. GALLAND

STATE OF IDAHO)
County of Caribou) ss

139313

I hereby certify that this instrument was filed at the request of A. B. Larsen at 11:20 o'clock A.m. this 6th day of July, 1990 in my office and duly recorded in Microfilm Records
Rebecca A. Jenkins
Ruth Avery
Ex-Officio Recorder $6.00 Deputy

STATE OF Utah)
: ss.
County of Utah)

On this 26th da
undersigned, a Notary P
personally appeared Mar
persons whose names are
acknowledged to me that

IN WITNESS WHEREOF,
my official seal, the da
written.

RECEIVED
MAR 1 2 2006
By

SCANNED
MAR 2 6 2007

6-26-1990

139313

STATE OF Utah)
: ss.
County of Utah)

On this 26th day of June, 1990, before me the undersigned, a Notary Public in and for said County and State, personally appeared Margaret R. Galland, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

NOTARY PUBLIC for the State of Utah
Residing at: Provo, Utah
Commission expires: 7-13-91

NOTARY PUBLIC ... COMMISSION ... 7-13-91 ... 4504 ... OF UTAH

SCANNED
MAR 26 2007

QUITCLAIM DEED—FORM NO. 8 **110126** $8.00

RECORDED Oct. 9, 1981 at 9A
IN BOOK 181PR
No. 566727

Attached from Wm. C. Cemo Indu 2893 Sunr into Bonn 89505

The real

In S Sou Lot Ran 285

Lot 4 o 6th in

Lot of Bo

A fo Wy Pa Wy

STATE OF IDAHO
County of Caribou
I Hereby certify that at the request of at 9:30 o'clock A Clerk

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That Wm. C. C. Cummings Developments, Inc., a California Corporation, Wm. C. Cummings, a married man, and Cemo Industrial Tract, Inc., a California Corporation and Sammy T. Cemo, a married man,

of the County of Sacramento State of California in consideration of the sum of

Ten dollars ($10.00) DOLLARS

to Cash in hand paid by Bonneville Industries, Inc.

whose address is 2893 Sunrise Blvd., Suite 212, Rancho Cordova, CA 95670

the receipt whereof is hereby confessed and acknowledged, ha ve remised, released, and forever quitclaimed and by these presents do for their heirs, executors and administrators, remis, release and forever quitclaim unto the said Bonneville Industries, Inc., a Nevada Corporation, P.O. Box 1628, Reno, Nevada 89505

heirs and assigns, forever, all such right, title, interest, property, possession, claim and demand, as they have or ought to have, in or to all the following described premises, to-wit:

See attached Exhibit "A" for description of lands pertaining to this Quitclaim Deed.

Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

TO HAVE AND TO HOLD the said premises unto the said Bonneville Industries, Inc., a Nevada Corporation heirs and assigns, to his and their own proper use and behoof forever. So that neither claimants nor any other person in theis name or behalf, or either of us or any other person in our or either of our names or behalf shall or will hereafter claim or demand any right or title to the premises or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

In Witness Whereof, they ha vs hereunto set theis hand A and seal A this 5th day of October A. D. 19 81

Signed, sealed and delivered in the presence of:

Wm. C. Cummings Developments, Inc. (SEAL)
Wm. C. Cummings (SEAL)
(SEAL)
Cemo Industrial Tract, Inc. (SEAL)
Sammy T. Cemo

ACKNOWLEDGMENT

State of California
County of Sacramento } ss.

The foregoing instrument was acknowledged before me by William C. Cummings Sammy T. Cemo

this 5th day of October 1981.

Witness my hand and official seal.

Signature

Title of Officer

My Commission Expires: Dec. 9, 1984

STATE OF CALIFORNIA
COUNTY OF Sacramento } ss.
On October 5, 1981 before me, the undersigned, a Notary Public in and for said State, personally appeared Sammy T. Cemo known to me to be the President, and

a Title Company

RECEIVED MAR 13 2006 By

SCANNED MAR 26 2007

10-5-1981

1981 9A

ments, Inc.,
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DOLLARS
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Quitclaim Deed.
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C. Cummings

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A-6

Exhibit "A"

Attached to and made a part of that certain Quitclaim Deed dated October 5, 1981 from Wm. C. Cummings Developments, Inc., a California Corporation, Wm. C. Cummings, Cemo Industrial Tract, Inc., a California Corporation, and Sammy J. Cemo, 2893 Sunrise Blvd, Suite 201, Rancho Cordova, CA 95670 into Bonneville Industries, Inc., a Nevada Corporation, P.O. Box 1628, Reno, Nevada, 89505

The real property is described as follows:

In Section Seven (7) the Southeast Quarter (SE1/4) and the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) and Lots Two (2), Three (3), and Four (4) in Township 32 North, Range 119 West of the 6th P.M., Wyoming, containing in all 285.07 acres of Land, in Lincoln County, Wyoming.

Lot 1 and SE1/4NE1/4 of Section 7 and SW1/4NW1/4 and Lot 4 of Section 8 in Township 32 North, Range 119 West of the 6th P.M., Wyoming, containing 162.40 acres, more or less, in Lincoln County, Wyoming.

Lot 4, and SE1/4SW1/4 of Section 26; NE1/4NW1/4, and Lot 1 of Section 35, Township 7 South, Range 46 East of the Boise Meridian, in Caribou County, Idaho.

A strip of land two rods wide along the north side of the following described real property, to-wit: NW1/4NE1/4; SW1/4NW1/4; and Lot 4, all in Township 32 North, Range 119 West of 6th P.M., contining 3 acres in Lincoln County, Wyoming.

110126

STATE OF IDAHO } SS
County of Caribou }

I Hereby certify that this instrument was filed at the request of Bonneville Ind. Inc. at 9:30 o'clock A. this 15 Oct. 91 in my office and duly recorded in Book 21 of Quitclaim Deeds on page 221

Fee $6.00 Stanley Peterson
Ex-Officio Recorder

Wm. C. Cummings Developments, Inc.

Wm. C. Cummings

Cemo Industrial Tract, Inc.

Sammy J. Cemo

SCANNED
MAR 2 6 2007

STATE OF CALIFORNIA
COUNTY OF Sacramento } ss.
On October 5, 1981 before me, the undersigned, a Notary Public in and for said State, personally appeared Sammy F. Cima
known to me to be the _____ President, and _____
known to me to be the _____ Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Terry A. Abernathy

Name (Typed or Printed)

OFFICIAL SEAL
TERRY A. ABERNATHY
NOTARY PUBLIC-CALIFORNIA
Sacramento County
My Commission Expires December 4, 1984

(This area for official notarial seal)

Form 3022—(Corporation) First American Title Company

STATE OF CALIFORNIA
COUNTY OF Sacramento } ss.
On October 5, 1981 before me, the undersigned, a Notary Public in and for said State, personally appeared William C. Cumming
known to me to be the _____ President, and _____
known to me to be the _____ Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of

WITNESS my hand and official seal.

Signature Terry A. Abernathy

Name (Typed or Printed)

OFFICIAL SEAL
TERRY A ABERNATHY
NOTARY PUBLIC CALIFORNIA
Sacramento County
My Commission Expires December 4, 1984

(This area for official notarial seal)

Form 3022—(Corporation) First American Title Company

SCANNED
MAR 2 6 2007

Commission Expires: DEC. 4, 1984

STATE OF IDAHO)
County of Caribou) ss 106755

I Hereby certify that this instrument was filed
at the request of Caribou Title Co.
at 4:00 o'clock P. M. this 17 day
Nov. A.D. 80 in my office and duly
recorded in book
$4.00 Grande Peterson

WARRANTY DEED

BODEL ENTERPRISES, a partnership composed of ROBERT L. HILD and ADELL HILD, general partners, Grantor, of Caribou County, and State of Idaho, for and in consideration of Ten and no/100 Dollars ($10.00) and other good and valuable consideration, in hand paid, receipt whereof is hereby acknowledged, CONVEYS AND WARRANTS to LEWIS C. NOBLE, an unmarried man, of Santa Monica, State of California, the following described real estate, situated in Caribou County, and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to wit:

> The Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46 of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5, and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East, of the Boise Meridian.

Including, without warranty, all appurtenant water rights and such water rights commonly or historically used by Grantor on the above property, as owned by Grantor, if any. Also including an undivided one-half (50%) interest in whatever mineral rights (including but not limited to oil, gas, and other hydrocarbons) are possessed or owned by grantor. This conveyance is made subject to the reservations contained in United States Patent, as follows:

> ...subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights, to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way there for ditches or canals constructed by the authority of the United States.

Reserving to Grantor an undivided one-half (50%) interest in whatever mineral rights (including but not hydrocarbons) are possessed or ow

WITNESS my hand this 7th

STATE OF CALIFORNIA)
)
County of Santa Barbara)

On November 7, 1980, perso
undersigned Notary Public in and
ADELL HILD, known to me to be all
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such partnership executed the sam

WITNESS my hand and offici

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MAR 1 6 2006
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MAR 2 6 2007

11-7-1980

mineral rights (including but not limited to oil, gas, and other hydrocarbons) are possessed or owned by Grantor.

WITNESS my hand this 7th day of November, 1980.

BODEL ENTERPRISE, a partnership:

ROBERT L. HILD, General Partner

ADELL HILD, General Partner

STATE OF CALIFORNIA)
)
County of Santa Barbara)

On November 7, 1980, personally appeared before me, the undersigned Notary Public in and for said State, ROBERT L. HILD and ADELL HILD, known to me to be all of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

OFFICIAL SEAL
BETTY CAROL WARNER
NOTARY PUBLIC - CALIFORNIA
SANTA BARBARA COUNTY
My comm. expires APR 15, 1983

No. 106757

Recorded at request of Cgt Land Title Co.
11:00 A.M. Nov. 19 80
Fee $4.00 Shanda Peterson

WARRANTY DEED

LEWIS C. NOBLE, an unmarried man, Grantor, of Santa Monica, and State of California, for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration, in hand paid, receipt whereof is hereby acknowledged, CONVEYS AND WARRANTS to MARGARET R. GALLAND, Trustee, of the MARGARET G. ROSE TESTAMENTARY TRUST, under the Will of MARGARET GARY ROSE, deceased, of Provo, State of Utah, the following described real estate; situated in Caribou County, and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to wit:

> The Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46 of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5, and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East, of the Boise Meridian.

Including, without warranty, all appurtenant water rights and such water rights commonly or historically used by Grantor on the above property, as owned by Grantor, if any. Also including, without warranty, all of grantors rights and interest in mineral rights on the above property, (including but not limited to oil, gas and other hydrocarbons). This conveyance is made subject to the reservations contained in United States Patent, as follows:

> ...subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights, to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way there for ditches or canals constructed by the authority of the United States.

WITNESS my hand this 6th day of November, 1980.

Lewis C Noble

STATE OF CALI
COUNTY OF Los
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My Commissio
Residing at:

RECEIVED
MAR 13 2006
By

SCANNED
MAR 26 2007

11-6-1980

16757
Title Co.
2
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STATE OF CALIFORNIA)
:ss.
COUNTY OF LOS ANGELES)

On November 6th, 1980, personally appeared before me, the undersigned Notary Public in and for said State, LEWIS C. NOBLE, an unmarried man, known to me to be the said LEWIS C. NOBLE and who acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Richard O'Keefe
NOTARY PUBLIC

My Commission Expires:

Residing at:

OFFICIAL SEAL
RICHARD O'KEEFE
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires JUN 28, 1982

SCANNED
MAR 2 6 2007

3M MICROFILM SYSTEMS

WARRANTY DEED

CLARA W. O'KEEFE, wife of WENDELL T. O'KEEFE, Grantor, of Caribou County, and State of Idaho, for and in consideration of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT to BODEL ENTERPRISES, a partnership composed of Robert L. Hild and Adell Hild, general partners, Grantee, of Caribou County, and State of Idaho, the following described real estate, situate in Caribou County, and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to wit:

The Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46, of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5, and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridian.

WITNESS my hand this 24th day of January, 1975.

Clara W. O'Keefe
Clara W. O'Keefe

STATE OF ~~IDAHO~~ WYOMING)
) ss.
COUNTY OF ~~CARIBOU~~ LINCOLN)

The foregoing instrument was acknowledged before me this 24th day of January, 1975.

Witness my hand and official seal.

O. David Gardner
Notary Public

My Commission Expires: July 30, 1975

81893

STATE OF IDAHO }
County of Caribou } ss

I hereby certify that this instrument was filed at the request of Caribou Title Co at 9:28 o'clock A M this 28th day of January, 1975 in my office and duly recorded in Microfilm Records of Caribou Co.

ELAINE S. JOHNSON Ex-Officio Recorder Deputy

3M MICROFILM SYSTEMS

RECEIVED
MAR 13 2006
By

SCANNED
MAR 26 2007

1-24-1975

WARRANTY DEED

WENDELL T. O'KEEFE, a married man, as his separate property, Grantor, of Caribou County, and State of Idaho, for and in consideration of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT to BODEL ENTERPRISES, a partnership composed of Robert L. Hild and Adell Hild, general partners, Grantee, of Caribou County, and State of Idaho, the following described real estate, situate in Caribou County, and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to wit:

The Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46, of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5, and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridian.

WITNESS my hand this 12th day of December, 1974.

Wendell T. O'Keefe

STATE OF IDAHO)
) ss.
COUNTY OF CARIBOU)

The foregoing instrument was acknowledged before me this 12th day of December, 1974.

Witness my hand and official seal.

Notary Public

My Commission Expires: July 30, 1975

81892

STATE OF IDAHO } ss
County of Caribou }

I hereby certify that this instrument was filed at the request of Caribou Title Co. at 9:22 o'clock A M this 28th day of January, 1975 in my office and duly recorded in Microfilm Records of Caribou Co

ELAINE S. JOHNSON Ex-Officio Recorder

Deputy

SCANNED
MAR 2 6 2007

WARRANTY DEED—FORM NO 9

WARRANTY DEED

KATHERINE O'KEEFE

grantor, of LINCOLN County, and State of WYOMING, for and in consideration of TEN($10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS DOLLARS in hand paid, receipt whereof is hereby acknowledged. CONVEY AND WARRANT TO

WENDELL T. O'KEEFE

grantee, of LINCOLN County and State of WYOMING the following described real estate, situate in CARIBOU County and State of ~~WYOMING~~ IDAHO hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

The following described real estate, situate in Caribou County and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the state, to-wit:

The Southeast quarter of the Southeast quarter of Section 2, Township 7 South, Range 46, of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5, and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridian, together with all improvements.

WITNESS my hand this 8 day of July, 19 74

Katherine O'Keefe

State of Wyoming }
County of Lincoln } ss.

The foregoing instrument was acknowledged before me this 8th day of July, 1974.

Witness my hand and official seal.

Doris Mae Neilson
Signature

Notary Public
Title of Officer

My Commission Expires: July 19, 1976

RECEIVED
MAR 1 2 2006
By

SCANNED
MAR 2 6 2007

7-8-1974

80267

WARRANTY DEED

TO

THE STATE OF WYOMING,
County of Carbon } ss.

This instrument was filed for record at 10:05
o'clock A M., on the 11th
day of July 1974
and duly recorded in Book Miscellaneous
Records on Page 80267

Kenneth M. Jacobs
County Clerk and Ex-Officio Register of Deeds.

By _____ Deputy.

No. _____ Fees, $. 2.=

SCANNED
MAR 26 2007

WARRANTY DEED—FORM NO. 8

196

$2.00

RECORDED Apr. 1, 1968 AT 2:20 P.M.
IN BOOK 82PR PAGE 190 KEMMERER WYO
NO. 407560 MAE BUTLER COUNTY CLERK

WARRANTY DEED

Charles O'Keefe and Katherine O'Keefe husband and wife and Wendell T. O'Keefe and Clara Dean O'Keefe husband and wife

grantor s., of Lincoln County, and State of Wyoming, for and in consideration of Ten and no/100 dollars ($10.00) and other good and valuable consideration DOLLARS in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT TO Matthew Alleman, trustee, a single person,

grantee, of Lincoln County and State of Wyoming

the following described real estate, situate in Lincoln County and State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

Commencing at a point 36 rods West from the Northeast Corner of the South half of the Northeast quarter of Section 12, Township 31 North, Range 119 West, and running thence South 11-21/33 rods, thence East 36 rods, thence South 20 rods, thence meandering in a northwesterly direction 40 rods, thence South 65 rods, thence West 124 rods, thence North 120 rods, thence East 80 rods, thence South 40 rods, thence East 44 rods, to the place of beginning, also;
Beginning at a point which is 31-12/33 rods South from the Northeast Corner of the Southeast quarter of the Northeast quarter of Section 12, Township 31 North, Range 119 West, and running thence South 17 rods, 9 feet, thence West 36 rods, thence North 33 rods, 14-½ feet, thence Southeasterly 40 rods, more or less to the place of beginning; all west of the 6th Principal Meridian.

Also the following described real estate, situate in Caribou County and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the state, to-wit;
The southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46 East, of the Boise Meridian; and
The North Half of the Northeast quarter, Lots 4, 5 and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridan.

WITNESS our hand s this 5th day of MARCH, 1968.

Charles O'Keefe
Wendell T. O'Keefe
Clara Dean O'Keefe
Katherine O'Keefe
Katherine O'Keefe

State of Wyoming }
County of Lincoln } ss.

The foregoing instrument was acknowledged before me this 5th day of MARCH, 1968

Witness my hand and official seal.

LaVon Stephens
Title of Officer

My Commission Expires: 8-4-68

INDEXED
ABSTRACTED
PLAT NOT REQUIRED

RECEIVED
MAR 13 2006
By

SCANNED
MAR 26 2007

3-5-1968

71430

WARRANTY DEED

TO

THE STATE OF ~~WYOMING~~ IDAHO,
County of Caribou } ss.

This instrument was filed for record at 9:05
o'clock A M., on the 24th
day of June 19 71
and duly recorded in Book
on Page

Kenneth M. Fowler
County Clerk and Ex-Officio Register of Deeds.

By Lyrhel Ellis Deputy.

No. Fees, $2.00

SCANNED
MAR 2 6 2007

WARRANTY DEED—FORM NO. 8

$2.00

RECORDED Apr. 1, 1968 AT 9:00 A.M.
IN BOOK 82PR PAGE 191 KEMMERER, WYO
NO. 40756 MAE BEUTLER COUNTY CLERK

WARRANTY DEED

191

Matthew Alleman, Trustee, a single person

grantor, of Lincoln County, and State of Wyoming, for and in consideration of Ten and no/100 Dollars, ($10.00), and other good and valuable consideration DOLLARS in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT TO Charles O'Keefe and Katherina O'Keefe, husband and wife as tenants by the Entireties;

grantee, of Lincoln County and State of Wyoming the following described real estate, situate in Lincoln County and State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

Commencing at a point 36 rods West from the Northeast Corner of the South half of the Northeast quarter os Section 12, Township 31 North, Range 119 West, and running thence South 11-21/33 rods, thence East 36 rods, thence South 20 rods, thence meandering in a northwesterly direction 40 rods, thence South 65 rods, thence West 124 rods, thence North 120 rods, thence East 80 rods, thence South 40 rods, thence East 44 rods, to the place of beginning, also;

Beginning at a point which is 31-12/33 rods South from the Northeast Corner of the Southeast quarter of the Northeast quarter of Section 12, Township 31 North, Range 119 West, and running thence South 17 rods, 9 feet, thence West 36 rods, thence North 33 rods, 14½ feet, thence Southeasterly 40 rods, more or less to the place of beginning; all west of the 6th Principal Meridian.

Also, the following described real estate, situate in Caribou County and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

The Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46 East of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5 and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridan.

WITNESS my hand this 5th day of MARCH, 1968.

Matthew Alleman, Trustee

State of Wyoming }
County of Lincoln } ss.

The foregoing instrument was acknowledged before me this 5th day of MARCH 1968.

Witness my hand and official seal.

Title of Officer

My Commission Expires: 2-4-68

INDEX
ABSTRACTED
PHOTOSTATIC RECORDED

RECEIVED
MAR 16 2006
By

3-5-1968

SCANNED
MAR 26 2007

71431

WARRANTY DEED

_____

_____

TO

_____

_____

THE STATE OF ~~WYOMING~~ IDAHO,
County of Caribou } ss.

This instrument was filed for record at 907
o'clock A M., on the 24th
day of June 1971
and duly recorded in Book _____
on Page _____

Kenneth M. Fowler
County Clerk and Ex-Officio Register of Deeds.

By Lyndel Eddie Deputy.

No. _____ Fees, $ 2.00

SCANNED
MAR 2 6 2007

WARRANTY DEED—FORM NO. 9

$2.00 RECORDED Apr. 1, 1968 AT 9:00 M. IN BOOK 321R PAGE 192 KEMMERER WYO. NO. 407562 MAE BEUTLER, COUNTY CLERK

192

WARRANTY DEED

Charles O'Keefe And Katherine O'Keefe, husband and wife

grantors, of Lincoln County, and State of Wyoming, for and in consideration of Ten and no/100 Dollars ($10.00) and other good and valuable considerations DOLLARS in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT TO Wandell T. O'Keefe our son

grantee, of Lincoln County and State of Wyoming the following described real estate, situate in Lincoln County and State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

Commencing at a point 36 rods West from the Northeast Corner of the South half of the Northeast quarter of Section 12, Township 31 North, Range 119 West, and running thence South 11-21/33 rods, thence East 36 rods, thence South 20 rods, thence meandering in a northwesterly direction 40 rods, thence South 65 rods, thence West 124 rods, thence North 120 rods, thence East 80 rods, thence South 40 rods, thence East 44 rods, to the place of beginning, also;

Beginning at a point which is 31-33 rods South from the Northeast Corner of the Southeast quarter of the Northeast quarter of Section 12, Township 31 North, Range 119 West, and running thence South 17 rods, 9 feet, thence West 36 rods, thence North 33 rods, 14½ feet, thence Southeasterly 40 rods, more or less to the place of beginning; all west of the 6th Principal Meridian.

Also the following described real estate, situate in Caribou County and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the state, to-wit:

The Southeast quarter of the Southeast quarter of Section 32, Township 7 South, Range 46, of the Boise Meridian; and the North Half of the Northeast quarter, Lots 4, 5, and 6 and the Northwest quarter of the Southeast quarter of Section 5, Township 8 South, Range 46 East of the Boise Meridan.

RESERVING TO THE GRANTORS HEREIN, Charles O'Keefe and his Wife Katherine O'Keefe, as tenants by the entireties, with full rights of survivorship a LIFE ESTATE in and to all of the above described property.

WITNESS our hand s this 5th day of MARCH, 19 68

Charles O'Keefe

Katherine O'Keefe

State of Wyoming } ss.
County of Lincoln }

The foregoing instrument was acknowledged before me this 5th day of MARCH, 1968

Witness my hand and official seal.

Leroy O Taylor
Title of Officer

My Commission Expires: _____

INDEXED
ABSTRACTED
PHOTOSTATIC RECORDED

RECEIVED
MAR 13 2006
By

SCANNED
MAR 26 2007

3-5-1968

71432

WARRANTY DEED

_____

_____

TO

_____

_____

THE STATE OF ~~WYOMING~~ IDAHO,
County of Shoshone } ss.

This instrument was filed for record at 9.10
o'clock A M., on the 24th
day of June 1971
and duly recorded in Book _____
on Page _____

Kenneth M. Fowler
County Clerk and Ex-Officio Register of Deeds.

By Lytle Eller Deputy.

No. _____ Fees, $2.00

SCANNED
MAR 2 6 2007

IN THE PROBATE COURT OF THE STATE OF IDAHO

IN AND FOR THE COUNTY OF CANYON

In the matter of the estate
of
CLYDE EUGENE GOODFIELD, also known as
CLYDE E. GOODFIELD, also known as
C. E. GOODFIELD,

Deceased.

ORDER

The above-entitled matter came duly on for hearing before the undersigned Probate Judge in open court on the 22nd day of May, at 2:00 o'clock P. M. and on the 4th day of August, 1966,

The petitioner appeared in person and by his attorney, Francis M. Donnelly.

It appearing that the said proceedings were had pursuant to the provisions of Chapter 14, Title 15, Idaho Code and that the petition was duly filed herein and that due and legal notice of this hearing on the said petition has been given for the time and in the manner provided by law,

And it further appearing that an inventory of the property affecting by this proceeding has been duly filed and the said property has been duly appraised and that an inventory and appraisement of the property, real and personal, and the appraised value thereof, together with a list of the debts of the said decedent as near as can be ascertained, has been duly filed with the Department of Finance of the State of Idaho, and that more than 30 days have elapsed since the filing of said inventory herein and that a copy of the same has been served upon the State of Idaho as required,

That no objections have been made by any person to the value of the property as listed in the inventory and to the value of the property as fixed by the appraisers and to the debts as listed in said order,

And it further appearing that more than two years have elapsed since the date of said first above mentioned order and that no objections have been filed to the said order,

8-

death reside in the State of Wyoming and that he owned real estate in the State of Idaho and that no application has been made in the State of Idaho or elsewhere for the appointment of an administrator either by his heirs, or by persons claiming to be creditors of the deceased and that no proceedings have been had for the probating of the estate of said deceased and that he left no will.

And it further appearing that Charles O'Keefe is the son of the said Clyde Eugene Greenfield, also known as Clyde E. Greenfield, also known as C. E. Greenfield, deceased.

That the property described in the petition and herein was separate property and that Charles O'Keefe derived title to the said property upon the death of said deceased and that Matthew Alleman made due application and petition to this Court for the purpose of establishing title for said property for Charles O'Keefe and that the said deceased at the time of his death was a resident of the State of Wyoming and that due proceedings have been had under the provisions of the law hereinbefore referred to.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that due proceedings have been had and notice given as provided in Chapter 14, Title 15, Idaho Code, and IT IS HEREBY DETERMINED AND DECREED that the said Clyde Eugene Greenfield, also known as Clyde E. Greenfield, also known as C. E. Greenfield, deceased, died on the 12th day of February, 1954; that he died intestate, owning property in this state and that no application has been made in the State of Idaho or elsewhere for the appointment of an administrator of the estate of said deceased; that the said deceased was survived by his son, Charles O'Keefe, who was the only heir of said deceased; that the said property was community property and upon the death of said deceased all of the right, title and interest in and to said property passed and now becomes the separate property of Charles O'Keefe.

IT IS FURTHER ORDERED that the property affected by this Decree is as described in the said Charles O'Keefe as his sole and separate property is located in Carbon County, State of Wyoming, and is more fully described as

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STATE OF IDAHO)
: ss.
COUNTY OF CARIBOU)

I, Genevieve Young, Clerk of the Probate Court of Caribou County, Idaho, do hereby certify that the foregoing is a full, true, and correct copy of the original thereof as the same appears on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Soda Springs, Idaho, this 5th day of August, 1959.

Clerk of Probate Court

43129

and Seven (7) [illegible]

[illegible] This [illegible] Forty-six, [illegible] Forty-six [illegible] Direct [illegible] Douglas [illegible] Harold R. [illegible] Ethel [illegible] Ireland, of Afton, Wyoming as [illegible] the [illegible]

[illegible] sum of Ten and no/100 Dollars, [illegible] and [illegible] said [illegible] second [illegible] and [illegible] by [illegible] Grantors, [illegible] Lincoln [illegible] the [illegible] of the [illegible] and [illegible] with [illegible] Section Thirty-three [illegible] Forty-six [illegible] Meridian, [illegible] and [illegible] more [illegible] and [illegible] Lincoln, State of Wyoming and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

A tract of land situated in the South half of the Northwest Quarter and in the North half of the Southwest Quarter of Section Thirty-three, Township Seven South, Range Forty-Six East of the Boise Meridian, described as follows, to-wit: Commencing at a point 107 rods South of the Northwest Corner of the Southwest Quarter of the Northwest quarter of said Section Thirty three thence running Northeasterly along said County road and the following to a point 11 rods South of the North and West Corner of the Southwest Quarter of the North West Quarter of said Section Thirty-three, thence South 11 rods, thence East to the East line of the Southwest Quarter of the Northwest Quarter of Section Thirty-three, thence North 11 rods, thence East 160 rods, thence South 107 rods to the South line of the Southwest Quarter of the Northwest Quarter of Section Thirty-three, Township Seven South, Range Forty six East of the Boise Meridian. Also, Lots One, Two, Four and Five (being the West half of the Southwest quarter), and Lot Six and the Northwest Quarter of the Southeast Quarter (which is the North half of the Southwest quarter) of Section Five, Township Eight South, Range Forty- six East of the Boise Meridian. Subject to the rights of way for ditches and roads as the same may now exist over and across said property.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion, remainder and rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and every part and parcel thereof unto the said Grantee, and to the heirs and assigns forever. And the said Grantors, for themselves, and their heirs, executors and administrators, do hereby covenant to and with the said Grantee, and their heirs and assigns, that they will warrant and forever defend the said premises in the quiet and peaceable possession of the said Grantee, and their heirs and assigns against all and every person or persons lawfully claiming or to claim the same, and will execute such further assurances as may be requisite.

IN WITNESS WHEREOF, the said Grantors have hereunto subscribed their names and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of: M. Z. Turner

G. W. Foxworth Jr. (Seal)

(No Stamps)

STATE OF WYOMING)
: ss
County of Lincoln)

On this [illegible] day of [illegible] A. D. 1946, before me, [illegible], a Notary Public in and for said County and State, personally appeared G. W. Foxworth Jr. and [illegible]

SCANNED
MAR 26 2007
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By

...ers, Inc.

...ecorded at the request of and when recorded return to, the

...

...

...

Recorder

Incorporated Deed

THIS INDENTURE, Made this ... day of June in the year of our Lord one thousand nine hundred and forty-six between LeRoy Edwards and his wife, Ilene Edwards of the County of Franklin, State of Idaho the parties of the first part, and ... of Montpelier, County of Bear Lake State of Idaho the party of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of Four Thousand and no/100 ($4,000.00) Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in County of Bear Lake State of Idaho, to-wit:

The North Half of the Northwest Quarter; the Southwest Quarter of the Northwest Quarter; the Northeast Quarter of the Northwest Quarter of Section ..., Township ... South, Range 45 East of the Boise Meridian.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs and said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of L. Tom Perry

LeRoy Edwards (Seal)
Ilene Edwards (Seal)

STATE OF IDAHO)
: ss
County of Cache)

On this ... day of June in the year 1946, before me ... personally appeared LeRoy Edwards and ... wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

SCANNED
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[illegible] Clyde E. Livingston [illegible]

[illegible] Clyde E. Livingston, [illegible] of [illegible] Minn. in Bingham County, State of Wyoming [illegible] is and is known, [illegible] of [illegible] that [illegible] for and in consideration of the sum of One [illegible] Dollars, CONVEY, AND WARRANT - to Charles C. Earle and Katherine Clemens, husband and wife, of the [illegible] all interest and title in the following described real estate situate in the County of Bingham in the State of Idaho, [illegible] ing, Hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of this State, to wit:

In Section 32 of Township 7 South, Range 40 East of Boise Meridian, in Caribou County, Idaho, the following: The Southeast Quarter of the Southeast Quarter, (SE¼SE¼) of said Section. Also;

In Section 5 of Township 8 South, Range 40 East of Boise Meridian, in Caribou County, Idaho, the following: Lots One (1) Two (2), Four (4) and Five (5), (which is the Northeast Quarter of said Section) and Lot Six (6), and the Northeast Quarter of the Southeast Quarter which constitute the North half of the said Southeast Quarter of said Section 5 in Township 8 as aforesaid.

Together with improvements and water-rights, also subject to the rights of way for ditches and roads as the same may now exist and be established, over and across said lands.

WITNESS my hand this [illegible] day of March, 19[illegible].

Signed, Sealed and Delivered in Presence of: Clyde E. Livingston

Carl Cook

THE STATE OF WYOMING }
County of Lincoln } ss

On the [illegible] day of March, 19[illegible], before me personally appeared [illegible]

Carl Cook

3-17-1953

41826

QUIT CLAIM DEED

Clyde E. Greenfield

To

Charles O'Keefe

Katherine O'Keefe

THE STATE OF WYOMING, Idaho)
County of Bonner) :SS

This instrument was filed for record at 2:07
o'clock P M. on the 3rd
day of November 1936
and duly recorded in Book 41
on Page 440

Colene Christie
County Clerk & Ex-Officio Register of Deeds
By Colene Kelly Deputy

No. _____ Fees, $1.20

Afton, Wyoming

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heirs granted, bargained, Sold and Conveyed, and by these presents doth Grant, Bargain, Sell and Convey unto the party of the second part and to his heirs and assigns forever, all and singular the above described land and premises. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining. TO HAVE AND TO HOLD All and singular the above mentioned and described premises hereby conveyed, or intended to be, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, I, Charles McCracken, the party of the first part to these presents, Sheriff as aforesaid, have hereunto set my hand the day and year first above written.

(I.R.Stamps $2.75 affixed and canceled)

Charles McCracken,
Sheriff of Caribou County,
State of Idaho.

- - - - - - -

STATE OF IDAHO)
: ss.
County of Caribou)

On this 20th day of April, 1945, before me, D. K. McLean, a Notary Public personally appeared Charles McCracken, Sheriff of the County of Caribou, State of Idaho, known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he as such Sheriff aforesaid executed the same.

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

Seal

D. K. McLean, Notary Public
Soda Springs, Idaho

At the request of Niels Sorensen
April 20th 1945 at 4:00 O'clock P.M.
Fee $1.20

Recorder

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Instrument #22217

WARRANTY DEED

THIS INDENTURE, Made this 20th day of December in the year of our Lord One Thousand Nine Hundred and Forty-four between Joseph Lee Peterson and Frances May Peterson, sometimes known as May Peterson, husband and wife, of Lovar, County of Cache, State of Utah the parties of the first part, and G. W. Hepworth, Jr., sometimes known as G. W. Hepworth, of Afton, County of Lincoln, State of Wyoming the party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One and No/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All those certain lots pieces or parcels of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

A tract of land situated in the South Half of the Northwest Quarter and in the North Half of the Southwest Quarter of Section Thirty-three, Township Seven South, Range Forty-six East of the Boise Meridian, described as follows, to-wit:

Commencing at a point 107 rods South of the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section Thirty-three, thence running Northeasterly along the County Road and the foot hills to a point 11 rods South of the Northeast corner of the Southeast quarter of the Northwest Quarter of said Section Thirty-three, thence North 11 rods to the said Northeast Corner of said Southeast Quarter of the Northwest Quarter of said Section Thirty-three, thence West 160 rods, thence South 107 rods to

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the place of beginning. ALSO, The Southeast Quarter of the Southeast Quarter of Section Thirty-Two, Township Seven South, Range Forty-six East of the Boise Meridian. ALSO, Lots One, Two, Four and Five (which is the Northeast Quarter), and Lot Six and the Northwest Quarter of the Southeast Quarter (which is the North Half of the Southeast Quarter) of Section Five, Township Eight South, Range Forty-six East of the Boise Meridian.

Subject to rights of way for ditches and roads as same may now exist over and across said property.

This deed is executed to correct description in Deed dated July 6, 1944, recorded in Book 10 of Deeds, page 647, Records of Caribou County, Idaho.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, ALL AND SINGULAR, the said premises, together with the appurtenances and privileges thereunto incident unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of
William Evans, Jr.

Joseph Lee Peterson (Seal)
Frances May Peterson (Seal)

STATE OF UTAH)
: ss.
County of Cache)

On this 23rd day of March in the year 1946, before me, Wm. Evans Jr. Notary Public in and for said County and State, personally appeared Joseph Lee Peterson & Frances May Peterson known to me to be the persons whose name_ are subscribed to the within instrument, and acknowledged to me that they 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)

Wm. Evans, Jr., Notary Public
Residence Logan, Utah
My Commission expires 3/23/46

At request of Caribou Abstract Co.
April 16th, 1946 at 11:15 A.M.
Fee $1.20

Colin Slater
Recorder

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Instrument #22221

WARRANTY DEED

THIS INDENTURE, Made this twenty-first (21st) day of April in the year of our Lord One Thousand Nine Hundred and Forty-five, between Rosina Hopkins, the widow of Samuel Hopkins, deceased, of Soda Springs, County of Caribou, State of Idaho, the party of the first part, and Heber Lau of Soda Springs, County of Caribou, State of Idaho the party of the second part;

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One and No/100ths ($1.00) Dollars, lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, TOGETHER WITH OTHER GOOD AND VALUABLE CONSIDERATIONS, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever; all that certain lot, piece or parcel of land situate,

lying and being in the
described as follows, to
The North
the Northeast quarter (
of Section Eighteen (18)
Boise Meridian, in Carib
Together
ances thereunto belongin
thereof.
TO HAVE A
appurtenances and privil
and to his heirs an ass
the said premises in the
his heirs and assigns ag
all and every person or
and will warrant and by
IN WITNES
hand and seal the day an
Signed, Sealed and Delive
the Presence of
S. E. Matthews

STATE OF IDAHO)
: ss.
County of Caribou)

On this T
Matthews a Notary Public,
Hopkins, a widow, known t
instrument, and acknowled
IN WITNES
seal, the day and year in

(SEAL)

At request of Heber Lau
April 23rd, 1945, at 3:15
Fee $1.20

Instrument #22224

THIS INDENTURE
nine hundred and forty-fi
Bannock, State of Idaho,
of Bannock, State of Ida
WITNESSETH, Th
the sum of Eleven Hundred
to him in hand paid by th
acknowledged, has granted
sell, convey and confirm
forever, all the followin
Idaho, to-wit: The South
the Northeast quarter (SE
west quarter of the South
South (7) Range Forty (40

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STATE OF WASHINGTON,)
:SS
COUNTY OF STEVENS,)

On this 2nd day of March, in the year 1934, before me, J. M. Glasgow, a Notary Public in and for said County and State, personally appeared Vance T. Lakey and Annie J. Lakey, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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)

J. M. Glasgow
Notary Public.
Residing at Hunters, Washington.
My Commission Expires March 24 - 1934.

STATE OF NORTH CAROLINA,)
:SS
COUNTY OF MACON,)

On this 10th day of March in the year 1934, before me, W. G. Barber J.P. in and for said County and State, personally appeared John Parrish and Mary Lake Parrish, his wife, known to me to be the persons whose names are subscribed to the wit[illegible] instrument, and acknowledged to me that they 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.

W. G. Barber Justice of the peace
Justice of the peace N.C.
My Commission Expires: April 1938

STATE OF NORTH CAROLINA,)
:SS
COUNTY OF MACON,)

On this 20th day of March in the year 1934, before me, W. G. Barber J.P. in and for said County and State, personally appeared Jessie E. Lakey and Aba Lakey, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and seal, the day and year in this certificate first above written.

W. G. Barber
Justice of the peace N.C.
My Commission Expires: April 1938

At the request of Charles R. Lakey
August 3, 1944, at 3:25 P.M. Fee $1.20
Book 10 of Deeds, p. 645.

Recorder.

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Instrument No.21809

WARRANTY DEED

THIS INDENTURE , Made the 6th day of July, in the year of our Lord One Thousand nine hundred and forty-four, between Joseph Lee Peterson and May Peterson, his wife, of Auburn, County of Caribou, State of Idaho, parties of the first part, and G. W. Hepworth Jr. of Afton, County of Lincoln, State of Wyoming, party of the second part;

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Eight Thousand & No/100 Dollars, lawful money of the United States of America to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted,bargained, sold, aliened, remised, released, confirmed, and by these presents do grant, bargain, sell, alien, release, convey and confirm unto the said party of the second part, and to his assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows,to-wit:

Commencing at the Northwest corner of the SW¼ of the NW¼ of Section 33, Township 7 South, Range 46 East of the Boise Meridian and running thence South 107 rods, thence Northeasterly along the foothills to a point 11 rods South of the Northeast corner of the SE¼ of

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the NW¼ of said Section 33; thence North 11 rods, thence West 160 rods, to the place of beginning and containing 47 acres and 43 sq. rods, more or less, ALSO the SE¼ of the SE¼ of Section 32, Township 7 South of Range 46 East of Boise Meridian and the N½ of the NE¼ of Section 5, Township 8 South, Range East of Boise Meridian. ALSO; Lots four, five and six and the Northwest quarter of the Southeast quarter (NW¼SE¼) of Section Five (5) in Township Eight (8) South of Range forty-six East of Boise Meridian, Idaho containing 146.88 acres.

T7S, R46E
S32 ESE
E½NW¼NE
T8S 46E
S5 L-4,
NW¼SE

Together with all and singular the tenements, hereditaments and appurtenances thereof, belonging, or in anywise appertaining, and the rents, issues and profits thereof, and also all the estate right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the said party of the second part and to his heirs and assigns forever, and the said parties of the first part, and their heirs, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against any and all persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of Carl Robinson

Joseph Lee Peterson (Seal)

May Peterson (Seal)

UNITED STATES OF AMERICA

State of Wyoming)
) ss
County of Lincoln)

(I.R.Stamps $3.80 affixed and canceled)

On this 8th day of July in the year of our Lord one thousand nine hundred and forty-four before Carl Robinson within and for said County and State personally appeared Joseph Lee Peterson and May Peterson personally known to me to be the persons whos name_ are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Seal

Carl Robinson, Notary Public,
My Co. Expires 3/16/48

At the request of
Elmo Newswander, September 5, 1944
At 9:15 A.M. Fee $1.20
Book 10 of Deeds at Page 647

Recorder

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Instrument No.21816

DEED OF GIFT

THIS INDENTURE, Made the 26th day of May in the year of our Lord one thousand nine hundred and forty-four, between

Bessie Chapman, a widow of the County of Salt Lake, State of Utah, the party of the first part, and Grace Pratt, of the County of Ada, State of Idaho, the party of the second part, WITNESSETH: That the said party of the first part, for and in consideration of the Love and affection and duty which the said party of the first part has and bears unto the said party of the second part, and also for the better maintenance, support, protection, and livelihood of the said party of the second part, and to her heirs and assigns forever, all of the following real estate, situated in the County of Caribou, State of Idaho, To-wit: Southeast Quarter of Section onfin Township eight south of Range forty-two East of the Boise Meridian, Idaho, containing one hundred sixty acres.

TOGETHER, With all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and the rents and profits thereof shall be

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MAR 2 6 2007

[illegible]

IN WITNESS WHEREOF, [illegible] the day and year first above written.

Signed, [illegible]

Jerry Williams (Seal)
Mildred Williams (Seal)

STATE OF IDAHO }
: ss
County of Caribou }

On this 11th, day of [illegible] in the year [illegible], before me, [illegible] a Notary Public in and for said County and State, personally appeared Jerry Williams and Mildred Williams, [illegible] known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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)

[illegible] Notary Public
[illegible], Idaho
My Commission Expires: [illegible]

At the request of Caribou Co. Abstract Co.
June 1[illegible], 19[illegible] At [illegible]
Fee [illegible]

Colin Chedt[illegible]
Recorder

Instrument #2[illegible]13

WARRANTY DEED

THIS INDENTURE, Made this 1st day of June in the year of our Lord One Thousand Nine Hundred and Thirty six, between [illegible] Peterson and [illegible] Peterson, his wife, of [illegible], County of Caribou, State of Idaho the parties of the first part, and Joseph Lee P[illegible]terso[illegible] of [illegible], County of Caribou, State of Idaho the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of [Three?] Hundred & No/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, [illegible] by these presents, Grant, Bargain, Sell and Convey, unto the said party of the second part, and to his heirs, and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at a point the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section Thirty-three (33), Township [illegible] South of Range [illegible] East of the Boise Meridian, Idaho, and running thence West Twenty-three and one half [illegible] Rods; Thence South One Hundred Fifty (1[illegible]) Rods; Thence [illegible] Twenty-three and one half [illegible] Rods; [illegible] North One Hundred Fifty [illegible] to the place of beginning [illegible] acres [illegible]

[illegible]

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By

6-1-1936

Mtge. C. Peterman Et Ux
To Ida Packwood
Dat. Feb. 24, 1923

Chas. C. Peterman (Seal)
Alice Mae Peterman (Seal)

State of Idaho)
: ss
County of Bear Lake)

On this 1st day of June in the year 1923 before me, Orval Packwood a Notary Public in and for said County and State, personally appeared Chas. C. Peterman & his wife Alice M. Peterman known to me to be the persons whose names subscribed to the within instrument, & acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand & affixed my official seal the day and year in this certificate first above written.

(Seal)

Orval Packwood
Notary Public for Idaho.
Residing at Montpelier, Idaho.
My Commission Expires Feb. 24, 1923.

Filed for record at the request of Frank Bell & Bunker
June 27, 1923 at 9:00 A. M. Fee $1.00

Ida Packwood
Recorder

Instrument #21018

WARRANTY DEED

THIS INDENTURE, Made this 24th day of April in the year of our Lord One Thousand Nine Hundred and Forty-Three, I Ernest Charles T. Bell and Edith G. Bell, his wife of Soda Springs, County of Caribou, State of Idaho the Grantor of the first part, and Willard Hy Lloyd of Soda Springs, County of Caribou, State of Idaho the Grantee of the second part;

WITNESSETH: That the said Grantor of the first part, for and in consideration of the sum of Six Hundred and Fifty ($650.00) Dollars, lawful money of the United States, to him in hand paid by the said Grantee of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell, Convey and Confirm unto the said Grantee of the second part, and to his heirs, successors, & assigns forever, all that certain piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit: The West half of the Southeast quarter (W½ SE¼) of Section Fourteen (14), Township Seventeen (17) South of Range Forty (40) East of the Boise Meridian, containing eighty (80) acres, more or less.

Subject to reservations, restrictions, rights of way, easements and rights of record, if any there be, and to taxes for the year 1943 and subsequent years.

SCANNED
MAR 26 2007

STATE OF IDAHO)
COUNTY OF CARIBOU) ss

On this First day of October in the year 1934 before me, S. E. Matthews a Notary Public in and for said County and State, personally appeared Grant Madsen and Beatrice Madsen, his wife (said Beatrice Madsen being the party of the second part herein) known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

S. E. Matthews
Notary Public
Residence Soda Springs, Idaho
My Commission expires Aug. 2nd, 1936

SEAL

At request of Beatrice Madsen
October 1st, 1934, at 2:05 P.M.
Fee, 1.20

Recorder.

--O--

Instrument # 14106

DEED

KNOW ALL MEN BY THESE PRESENTS, that The Union Central Life Insurance Company, a corporation organized under the laws of Ohio, with its principal office in the city of Cincinnati, State of Ohio, in consideration of Eleven Hundred Fifty and no/100 ($1,150.00) Dollars, to it paid by Lee Peterson the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the said Lee Peterson the following described real estate, situated in the County of Caribou, and State of Idaho, to-wit:

Commencing at the Northwest corner of the SW¼ of the NW¼ of Section 33, Township 7 South, Range 46 East of the Boise Meridian and running thence South 107 rods; thence NE'ly along the foot hills to a point 11 rods South of the NE corner of the SE¼ of the NW¼ of said Section 33, thence North 11 rods; thence West 160 rods to the place of beginning and containing 47 acres and 43 rods, more or less. Also the SE¼ of the SE¼ of Section 32, Township 7 South, Range 46 East of the Boise Meridian and the N½ of the NE¼ of Section 5, Township 8 South, Range 46 East of the Boise Meridian. Excepting from the above described land the following described tract; commencing at the NE corner of the SE¼ of the SW¼ of Section 32, Township 7 South, Range 46 East of the Boise Meridian and running thence West 23½ rods; thence South 160 rods; thence East 23½ rods; thence North 160 rods to the place of beginning. The above described land being a part of the same premises conveyed to The Union Central Life Insurance Company by Frank E. Ellis, Sheriff, Caribou County, Idaho, by deed dated May 27, 1927, and recorded in Book 7, Page 44, Caribou County, Idaho.

TOGETHER with all the improvements, privileges and appurtenances thereunto belonging and all reservoir rights, ditch and water rights of every nature, however evidenced, with all rights of way, ditches, pumping sites, machinery or other physical properties now owned by the grantor and used on or for conveyance of water to or attaching or belonging to said land or to the said grantor for use thereon, and the said The Union Central Life Insurance Company does hereby covenant with the said Lee Peterson that the said premises are free and clear from all incumbrances by, from, through, or under the said grantor and that it will forever warrant and defend the same, with the appurtenances, unto the said Lee Peterson against the lawful claims of all persons, claiming by, from, through,

or under the grantor he
of way and easements of
the grantee assumes and
1931 and thereafter.
ications thereof, and
cultural Adjustment Act

has hereunto caused its
3rd day of November, 1

CORPORATE SEAL

STATE OF OHIO)
COUNTY OF HAMILTON) ss

a Notary Public within
and C. H. Dunkhorst, k
ively, of the corporat
said corporation execu

At request of Caribou
October 5th, 1934, at
Fee, 1.20

Instrument # 14121

the County of Caribo
Springs, Idaho, pari

said County, in boo
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tract or parcel of
was not necessary f
to the provisions o
Laws, Chapter 216,

provided, due notic
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published in said
uary, 1927, and the
ing of which notic
of said County;

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By

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or under the grantor herein, except as against all rights under existing tenancies or rights of way and easements of every character now existing on, over, under or across said land; the grantee assumes and agrees to pay all taxes and assessments due and payble in the year 1931 and thereafter. Also subject to any outstanding wheat allotment contracts or applications thereofr, and any and all other contracts or applications, therefor under the Agricultural Adjustment Act or any amendment thereto.

IN WITNESS WHEREOF, the said The Union Central Life Insurance Company has hereunto caused its name to be subscribed and its corporate seal to be affixed, this 3rd day of November, 1933.

CORPORATE SEAL

THE UNION CENTRAL LIFE INSURANCE COMPANY,
By Louis Breiling, Vice-President. C.L.U.C.M.
By C. M. Dunkhorst, Assistant Treasurer U.S.A.

($1.50 I. R. stamps attached)

STATE OF OHIO)
:SS
COUNTY OF HAMILTON)

On this 3rd day of November in the year 1933, before me, E. W. Stiess, a Notary Public within and for the aforesaid County, personally appeared Louis Breiling, and C. M. Dunkhorst, known to me to be the Vice-President and Assistant Treasurer, respectively, of the corporation that executed the within instrument, and acknowledged to me that said corporation executed the same.

SEAL

E. W. Stiess
Notary Public in and for Hamilton County, Ohio
My commission expires: March 4, 1934.

At request of Caribou County Abst. Co.
October 6th, 1934, at 10:32 A.M.
Fee, 1.20

Colin Chester
Recorder.

--O--

Instrument # 14121

DEED BY COUNTY OF PROPERTY
ACQUIRED FOR TAXES

THIS INDENTURE, Made this 19th day of September A. D. 1934, between the County of Caribou, State of Idaho, party of the first part, and Jessie Gagon of Soda Springs, Idaho, party of the second part, WITNESSETH:

WHEREAS, By an order duly made by the Board of County Commissioners of said County, in meeting assembled on the 12th day of January, 1927, and entered in Book 1 of Commissioners' Minutes at page 472, it was found and determined that the certain tract or parcel of land belonging to said County and hereinafter particularly described, was not necessary for the use of said County, and that the same should therefore, pursuant to the provisions of Section 3423, Compiled Statutes of Idaho, as amended, 1929 Session Laws, Chapter 216, be sold at public auction;

WHEREAS, Pursuant to said order and the statute in such case made and provided, due notice of said sale was published for a period of thirty (30) days previous to the date of said sale by publication in The Soda Springs Chieftain, a weekly newspaper published in said County, the first publication having been made on the 27th day of January, 1927, and the last publication on the 3rd day of March, 1927, affidavit of the giving of which notice has been duly filed with the Clerk of the Board of County Commissioners of said County;

SCANNED
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Instrument No.21693 Blackfoot 054358

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby, it appears that full payment has been made by the claimant JOHN W. LAURITSON according to the provisions of the Act of Congress of April 24, 1920, entitled "An Act making further provisions for the sale of the Public Lands," and the acts supplemental thereto, for the Northeast quarter of the Northwest quarter of Section Thirty-five in Township eight south of Range forty-one east of the Boise Meridian, Idaho, containing forty acres, according to the Official Plat of the Survey of the said land, on file in the General Land Office:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, has given and granted, and by these presents does give and grant unto the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Franklin D. Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the twenty-sixth day of April in the year of our Lord one thousand nine hundred and forty-four and of the Independence of the United States the one hundred and sixty-eighth.

Seal

By the President: Franklin D. Roosevelt
By Ruth M. Talley, Secretary

R. S. Clinton
Chief Patent Division, General Land Office.

Recorded: Patent Number 1116368

At the request of J. W. Lauritson
May 16, 1944 At 3:30 P.M. Fee $1.00 Recorder.

Instrument No.21694 4-1003-R Blackfoot 043578

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

Joseph Lee Peterson has be
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quarter of Section five in
Boise Meridian, Idaho, cont
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Seal

Record of Patents:
Patent Number 1044469

DEPARTMENT OF THE

I hereby certify t
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Seal

At the request of
Joseph Lee Peterson
June 20th 1944, At 2:32 P.M

Instrument No.21759

TO ALL TO WHOM T

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Joseph Lee Peterson has been established and duly consummated, in conformaty to Law, for the Lots four, five and six and the northwest quarter of the southeast quarter of Section five in Township eight south of Range forty-six east of the Boise Meridian, Idaho, containing one hundred forty-six acres and fifty-five hundredths of an acre, according to the Official Plat of the Survey of the said land, on file in the General land Office:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of land above described: TO WAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever, subject to any vested and accrued water rights for mining, agriculture, manufacturing, or other purposes; and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Herbert Hoover, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the Twenty-seventh day of February in the year of our Lord one thousand nine hundred and thirty-one and of the Independence of the United States the one hundred and fifty-fifth.

By the President: Herbert Hoover
By Leafie E. Dietz, Secretary.

Seal

Emma L. Weaver, Recorder of the General Land Office.

Record of Patents
Patent Number 1044469

DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE WASHINGTON D.C.
June 13, 1944

I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office,

James H. Homer
Acting Chief, Patent Division

Seal

At the request of
Joseph Lee Peterson
June 20th 1944, At 2:32 P.M. Fee $1.00

Colin Chester
Recorder

Instrument No.21759 4-1040-R Blackfoot 033628

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, William P. Baker, being the owner of a tract od land situated and included within the limits of a public Forest reservation, known and officially designated as the San Francisco Mountain Forest Reserve, Arizona, has, under the provisions of the Act Approved June 4, 1897, entitled, "An Act making appropriations for Sundry Civil Expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," reconveyed and relinquished the said tract to the United States and has, under the provisions of the said Act, selected in lieu thereof the following described Tract of vacant Public Land now open to settlement, to-wit: The Southeast quarter of the North East Quarter of Section twenty in Township eight South of Range forty-one east of the

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successors and assigns, to it's own proper use and benefit and behoof forever.

IN WITNESS WHEREOF, the said party of the first part to these presents has hereunto set his hand and seal the day and year above written.

Frank E. Ellis Sheriff.
Caribou County, Idaho.

Signed, sealed and delivered in the presence of:

I.H.Waite

STATE OF IDAHO } ss
COUNTY OF CARIBOU }

On this 27th day of May, in the year 1927, before me, D.K.McLean, a Notary Public in and for said County and State, personally appeared Frank E. Ellis, known to me to be the Sheriff of the County of Caribou, State of Idaho, and the party who executed the foregoing instrument, and he duly acknowledged to me that he, as such sheriff, 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

D.K.McLean, Notary Public
residing at Soda Springs, Idaho.

Recorded at the request of:
M.deSchepper, May 31, 1927 at 9:15 A.M.
Fee $2.80

Recorder.

---oOo---

Instrument No. 8492

5-27-1927

SHERIFF'S DEED ON FORECLOSURE.

THIS INDENTURE, made this 27th day of May, in the year of our Lord one thousand Nine Hundred Twenty seven, between FRANK E. ELLIS, Sheriff of the County of Caribou, State of Idaho, party of the first part, and THE UNION CENTRAL LIFE INSURANCE COMPANY, of Cincinnati Ohio, a corporation, paty of the second part,

WITNESSETH: WHEREAS, in and by a certain judgment or decree made and entered by the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Caribou, on the 19th day of April, 1926, in a certain action then pending in said Court, wherein The Union Central Life Insurance Company, a corporation was plaintiff, and Alvin J. Welchman and Ida Welchman, his wife, R. C. Shrader, D. F. Lewis, Jr., and A. K. Wells, Jr. as Trustees of The Idaho Leasing Company, formerly a corporation, A. C. Stickel Archie D. Egbert and Jane Doe Egbert, his wife, whose true name is to this plaintiff unknown, A. R. White, [illegible] Gundlach, Norman Ebbley, George Pure, as Trustees of the Wallace Wyoming Oil Company, formerly a corporation, Ben H. Jackson, Salt River Wyoming-Idaho Development Trust, a Common Law Trust, and A. C. Stickel, Charles B. Franks, E. S. Sloane, J. B. Cluna and E. F. Randolph, Trustees of Salt River Wyoming-Idaho Development Trust, a Common Law Trust, O. U. Chambers, Secretary and Treasurer of Wallace Wyoming Oil Company, R. B. Rainey, Mac Johnson, Soren C. Peterson and Bertha Peterson, his wife, and Great Western Oil Company, a corporation, were defendants, in which said decree it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the judgment or decree, should be sold at public auction by the Sheriff of said County of Caribou, in the manner required by law and according to the course and practice of said court; that any party to the action might become a purchaser at said sale; that said sheriff should issue the usual certificate and deed to the purchaser or purchasers, as required by law; and,

WHEREAS, an execution in foreclosure was duly issued out of the above entitled court on the 20th day of April, 1926, which execution was delivered to said sheriff, whereby he was, among other things, commanded that the said property therein described should be sold and the said decree carried out in full; and,

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Central Life Insurance
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WHEREAS, the said sheriff did, on the 22nd day of May, 1931, after due public notice had been given as required by the laws of this State and the course and practice of said court, duly sell at public auction in the said County of Caribou, agreeable to said judgment or decree and execution in foreclosure, and the provisions of law, the premises in said decree and execution mentioned, at which sale the premises in said judgment or decree and hereinafter described, were fairly struck off to the said The Union Central Life Assurance Company, a corporation, party of the second part hereto, for the sum of $3,594.13 it being the highest bidder and that being the highest bid for the same; and

WHEREAS, the said purchaser thereupon paid the said sheriff his fees and disbursements on said sale and directed that the balance thereof be applied in satisfaction of the judgment obtained by it; and,

WHEREAS, the said Sheriff thereupon made and issued the usual certificate in duplicate of said sale, in due form of law, and delivered one thereof to the purchaser, The Union Central Life Insurance Company, a corporation, and caused the other to be filed in the office of the County Recorder of the County of Caribou, and,

WHEREAS, more than twelve months have elapsed since the date of said sale and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of said judgment debtors, or by or on behalf of any other person;

NOW, THIS INDENTURE WITNESSETH: That the said party of the first part, as Sheriff, in order to carry into effect the sale so made by his predecessor in office in pursuance to said judgment or decree, and in conformity to the statute in such case made and provided, and also in consideration of the premises and the sum of $3,594.13, sobid and paid to him by said purchaser, as aforesaid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to its successors and assigns, forever, all those certain lots, pieces or parcels of land, situate, lying and being in the County of Caribou, State of Idaho, and bounded and particularly described as follows, to-wit:

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The Northeast quarter of Section 33, Township 7, South Range 46, East of the Boise Meridian, Containing 160 acres of land;

Also commencing at the northwest corner of the Southwest quarter of the Northwest quarter of said Section 33, and running thence South 107 rods, thence northeasterly along foot hills to a point 11 rods south of the northeast corner of the southeast quarter of the northwest quarter of said Section 33, thence North 11 rods, thence West 160 rods to the place of beginning, and containing 47 acres and 43 rods, more or less;

Also the Southeast quarter of the southeast quarter of Section 32, Township 7 South of Range 46, East of the Boise Meridian; and the north half of the northeast quarter of Section 5, Township 8, South Range 46, East of the Boise Meridian.

Together with a full primary water right for 200 acres from Spring Creek and Webster Creek.

Excepting from the above described land the following described tract; Commencing at the Northeast corner of the southeast quarter of the southeast Quarter of Section 32, Township 7 South, Range 46, East of the Boise Meridian, and running thence west 23½ rods, thence south 150 rods, thence East 23½ rods, thence North 150 rods to the place of beginning.

A net acreage is contained herein of 535 acres of land.

Together with all the improvements, privileges and appurtenances thereunto belonging, and all reservoir rights, ditch and water rights of every nature, however evidenced, used on said land or belonging to the same.

Together with the reversion and reversions, remainder and remainders, rents, issues and

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profits thereof; and also all the estate, right, title or interest, property possession, claim and demand, whatsoever, as well in law as in equity of the said party of the first part and the said defendants above named, of in and to said premises, and each part and parcel thereof.

TO HAVE AND TO HOLD, all and singular the said premises hereby conveyed, or intended so to be, together with the appurtenances, unto the said party of the second part, and to its successors and assigns, to its own proper use and benefit and behoof forever.

IN WITNESS WHEREOF, the said party of the first part to these presents has hereunto set his hand and seal the day and year first above written.

Frank E. Ellis, Sheriff Caribou County, Idaho.

Signed, Sealed and Delivered in the presence of;

I.H. White,

STATE OF IDAHO)
) SS
COUNTY OF CARIBOU)

On this 27th day of May, in the year 1926, before me, D.K. McLean, a Notary Public in and for said County and State, personally appeared Frank E. Ellis, known to me to be the Sheriff of the County of Caribou, State of Idaho, and the party who executed the foregoing instrument, and he duly acknowledged to me that he, as such sheriff, 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

D. K. McLean, Notary Public, residing at Soda Springs, Idaho.

Recorded at the request of;
H.de Sahepper, Ma. 31, 1927, at 9:20 A.M.
Fee $2.80

Recorder.

Instrument No. 8494

THIS INDENTURE, Made this 4th day of December, in the yea of our Lord one thousand nine hundred and twenty six, between Clinton A. Parr of Soda Springs, County of Caribou, State of Idaho, the party of the first part, and Rubin Jones, of Malad City, County of Oneida, State of Idaho, the party of the second part;

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One thousand Eight Hundred Dollars lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real Estate, situated in the County of Caribou, State of Idaho, to-wit;

The Southwest quarter of Section twenty seven (27) in Township seven (7) South Range Forty one (41) East of the Boise Meridian, containing one Hundred Sixty (160) acres.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part;

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against

The said party of
[illegible]
by these presents
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seal the day and
Signed, sealed and
E.E.Matthews,
STATE OF IDAHO
COUNTY OF CARIBOU
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Recorded at the re
Rubin Jones, June
Fee $1.00

Number 8510

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CARIBOU COUNTY, IDAHO

deed, the nature and effect of said deed being explained to her by me, and that she, being by me fully apprised of her right, and of the effect of signing and acknowledging such deed, did sign the same while so separate and apart from her said husband, and did then acknowledge that she freely and voluntarily signed or acknowledged the same for the uses and purposes therein set forth, and expressly waived and released all her rights and advantages under and by virtue of all laws of said State of Wyoming, relating to the Exemption of Homesteads. GIVEN UNDER MY HAND and Notarial seal, this 21st day of November, A.D.1916. My commission expires on the 19th day of May A. D. 1918.

(SEAL) D.D.Lynch, Notary Public.

Recorded at the request of Bannock Abstract & Trust Co., at 1:48 P.M. December 6, 1916. C.W.Pomeroy, Recorder. By Edonia Grosse, Deputy. Fee $1.80
Transcribed from Bannock County Records, Deed Record No. 1, page 346.

Instrument No. 8090)

THIS DEED, Made this 21st day of November in the year of our Lord One Thousand Nine Hundred Sixteen between Alvin J. Welchman and Ida Welchman of Auburn, Wyoming, parties of the first part, and Soren C. Peterson of Auburn, Wyoming, party of the second part, WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Six Hundred Fifty and no/100 Dollars, to them in hand paid, by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold, and conveyed, and by these presents do grant, bargain, sell and convey unto said party of the second part, and unto his heirs and assigns, forever, all that piece or parcel of land, situate, lying and being in the County of Lincoln and State of Wyoming, and more particularly known and described as follows, to-wit: The Southwest Quarter of the Southwest Quarter of Section Thirty-three (33) Township Seven South of Range Forty six (46) East of the Boise Meridian Idaho, Also commencing at a point The Northwest Corner of the South West Quarter of the Southwest Quarter of Section Thirty-three (33), Township Seven (7) South of Range Forty-six (46) East of the Boise Meridian, Idaho and Running thence West 23½ Rods; thence South 160 Rods; thence East 23½ Rods; thence North 160 rods to the place of beginning, containing in all sixty two acres of land be there more or less. And the said parties of the first part hereby expressly waives and releases any and all rights, benefits, privileges, advantages and exemptions under and by virtue of any and all statutes of the State of Wyoming, providing for the exemption of homesteads from sale on execution or otherwise. TO HAVE AND TO HOLD The said above described premises unto the said party of the second part, his heirs and assigns, Forever; together with the privileges, hereditaments and appurtenances thereunto in anywise appertaining or belonging. And the said parties of the first part, for their heirs heirs, executors, and administrators, do covenant and agree to and with the said party of the second part, his heirs heirs and assigns, that at the ensealing and delivery of these presents they were well seized in said premises, in and of a good and indefeasible estate in fee simple, And that they are free from all incumbrances whatsoever. And that they have good and lawful right to sell and convey the same. And the said parties of the first part will, and their heirs, executors and administrators shall warrant and defend the same against all lawful claims and demands whatsoever. And the said parties of the first part for their heirs, executors and administrators, does covenant and agree to and with the said party of the second part, his heirs and assigns, that he the said party of the second part, shall and may lawfully at all times hereafter peaceably and quietly have, occupy, possess and enjoy the said premises hereby granted, or intended so to be, with the appurtenances, without the lawful molestation or hindrance of the parties of the first part, their heirs or assigns, or of any other person or persons whatsoever, by or with his or their consent, privity or procure-

2475

38775

11-21-1916

This legal says it is in Wy. but the T+R are Idaho's I.D.

T 7 S, R 46 E
33, S W S W
Mile & Bounds,
62 acs.

The miles & bounds are within the already mentioned S W S W.

I do not find that this supports the claimed pou.
BP

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By

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MAR 26 2007

ment. And the said Ida Welchman wife of the said Alvin J. Welchman upon the consideration aforesaid, does hereby release and forever quit claim unto said party of the second part, his heirs and assigns, all her rights of dower and homestead in and to the above granted premises. IN WITNESS WHEREOF The said parties of the first part have hereunto set their hands and seals, the day and year first above written.
Signed,Sealed and Delivered in the Presence of D. D. Lynch

Alvin J.Welchman (SEAL)
Ida Welchman, (SEAL)

THE STATE OF WYOMING, COUNTY OF LINCOLN,) SS. I, D. D. Lynch, a Notary Public in and for said County in the State aforesaid, do hereby certify that said Alvin J. Welchman and Ida Welchman personally known to me as thepersons whose names are subscribed to the annexed deed, appeared before me this day in person, and acknowledged that they signed,sealed and delivered said instrument of writing as their free and voluntary act, for the uses and purposes therein set forth, and expressly waived and released all right, title or benefit of exemption under any and all Homestead Exemption Laws, so called, of said State of Wyoming. And I further certify that Ida Welchman wife of the said Alvin J. Welchman was by me first examined separate and apart from her said husband in reference to the signing and acknowledging such deed, the nature and effect of said deed being explained to her by me, and that she, being by me fully apprised of her right, and of the effect of signing and acknowledging such deed, did sign the same while so separate and apart from her said husband, and did then acknowledge that she freely and voluntarily signed and acknowledged the same for the uses and purposes therein set forth, and expressly waived and released all her rights and advantages under and by virtue of all laws of said State of Wyoming, relating to the Exemption of Homesteads. GIVEN UNDER MY HAND and Notary seal,this 1st day of November,A.D.1916.
(Seal) My Commission expires on the 19th day of May,A.D.1918. D.D.Lynch, Notary Public

Recorded at the request of Bannock Abstract & Trust Co., at 1:49 P.M. December 6, 1916. O.W.Pomeroy,Recorder. By Silonia Grosso, Deputy. Fee $1.80
Transcribed from Bannock County Records,Deed Record No. 81, page 347.

Instrument No. 61004. QUIT CLAIM DEED.

THIS INDENTURE, Made the eighth day of November in the year of our Lord one thousand nine hundred and sixteen between William Body (unmarried) of Soda Springs, of the County of Bannock, and State of Idaho the party of the first part, and Ira W. Perkins of Soda Springs, of the County of Bannock and State of Idaho, the party of the second part, WITNESSETH, that the said party of the first part, for and in consideration of the sum of one hundred dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, demise, release and forever quitclaim unto the said party of the second part, and to his - and assigns- all that certain water right situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit: Forty miners inches of water as decreed to party of first part, June 3, 1911 by the District Court of Bannock County, Idaho. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said party of the second part, and to his and assigns forever. IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.
Signed,Sealed and Delivered in the presence of John Perebauer.

William Body

STATE OF IDAHO, COUNTY OF BANNOCK.) SS. On this 8th day of November, in the year 1916, before me, John Perebauer a Notary Public in and for Bannock County, personally appeared William Body 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 here-

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PHONE CONVERSATION

6 February 2006

Claim 24-2026
Rodger Galland

Norman Sorensen (801) 310-6808 is the manager for RVG Trust. He called concerning Pauline's letter concerning the change in the POD.

He stated that when Bryce was out he did NOT identify the **correct source** for the Ranch. The true source for the Ranch is Webster Creek. The source Bryce identified is the source for the caretaker's facility. He said he was advised that the caretaker's facility had a different water right but he didn't know what it was. He said it was in the same general area as the ranch.

I told him that I would make a note in the file concerning our conversation so that the engineer could sort out the problem. Also that at this time, it was impossible to do a field exam. He said he had wasted a lot of time because Bryce make a mistake on identifying the correct source.

I also mentioned to him about needing documentation on the change of ownership. He will probably contact the title company and get them to send the information to us. I stressed copies of the deeds, not just a copy of the abstract.

Barbara

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TELEPHONE & VISITOR LOG

Date: 1-30-06

Time: _____

Call X Visit ___

Name: Norm Sorenson.
Ref: Rodger Galland

Address: _____

_____

Phone No.: 1-801-310-6808.

Claim No(s): 24-2026.

==========

RE: 1-12-06 letter from Pauline on Source Chg.

Conversation: There are actually 3 hses, building. Norm wanted to know which hse was hooked to Terrace Spg? He didn't understand the change. I found decree 24-10456, domestic from Fall Crk. So I asked if the house is hooked to Fall Crk. He didn't know. I said you may have to take the legal under the decree and look on a map. Otherwise, they may need to file a

==========

Action Required:

_____

_____

_____

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 24-2026

WATER RIGHT NUMBER: 24-2026

Owner Type	Name and Address
Original Owner	ALVIN J WELCHMAN
	, ZZ
Current Owner	ANDREW S PETERSON
	AUBURN, WY 83111

Priority Date: 07/08/1916
Basis: License
Status: Active

Source	Tributary
WEBSTER CREEK	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	/ to /	3.000 CFS	
DOMESTIC	/ to /		
	Total Diversion:	3.000 CFS	

Location of Point(s) of Diversion

WEBSTER CREEK NE1/4NW1/4 Sec. 5, Twp 08S, Rge 46E, B.M.
CARIBOU County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	46E	32																X	
07S	46E	33											40.0						40.0
08S	46E	5	X																

Total Acres: 40

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. P/U INCOMPLETE. SEE FILE.
AC. IRR.=150.

Remarks:

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MAR 2 6 2007

CLAIMS BASED ON LICENSE COMPARISON

Bryce

	Licensed	Claimed	Field Exam
License #	10960	24-2026	
Priority Date	7-8-1916	7-8-1916	
Source(s)	Webb Cr.	same	
Tributary to	Snake River	Salt River	
POD	8,46,5, NENW	8,46,5 NWSWSE	8,46,5, NWNESW 7,46,32, SESESW 7,46,32, SESWSE
Purpose of Use			cfs ac.
	irrigation	Irrigation 4/15-10/15	1.21
	domestic	Recreation 1/1-12/31	3.0
Season of Use	none	" storage "	17.0
		Stockwater "	0.02
Quantity (cfs)	3.0 cfs		4.23 17.0
POU	7,46,33, SWSW 40 ac.		
	32 NESE 0.1	7,46,32, SESE, Rec	21.0
	32 SESE 11.8	SESE Stock	
	8,46,5 NENE 10.2	8,46,5, NENE, 1, 1.0	
	62.1	NWNE, 2, 1.0	
	POU descriptions	SWNE, 5, 3.0	
	cites 110 ac. Total	260	
	of area		
	described is		
	62.1		
	Licensed	Claimed	Field Exam

Checker BJP Date 10-24-05 Claim # 24-2026

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See memorandum for conditions on Application & Licenses. Exhibit A claims.

Galland, Rodger

24-2026 POU Analysis

Type	WR #	Owner	Source	TRS	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Total
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	07S46E32																X	0
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	07S46E32																21	21
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	08S46E5	1	1	3														5
Type	WR #	Owner	Source	TRS	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Total
Claim	24-10001	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X		0
Claim	24-2039	SCOTT CARLISLE,	SPRING CREEK	07S46E32														1			1
Claim	24-4044	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X		0
Claim	24-2039	CARLISLE,	SPRING CREEK	07S46E32														X			0
Claim	24-10486	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	07S46E32											X						0
Claim	24-2038	SCOTT CARLISLE,	SPRING CREEK	07S46E32				X													0
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	07S46E32																X	0
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	07S46E32																21	21
Claim	24-2035	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X		0
Claim	24-4044	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X		0
Claim	24-10000	STATE OF WYOMING,	WEBSTER CREEK	07S46E32															X		0
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	07S46E32																X	0
Permit	24-10673	SCOTT CARLISLE,	UNNAMED STREAM	07S46E32	X			X													0

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Rec	24-10486	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	07S46E32											X							0
Rec	24-2035	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X			0
Rec	24-2038	SCOTT CARLISLE,	SPRING CREEK	07S46E32				X														0
Right	24-7185	STATE OF WYOMING,	GROUND WATER	07S46E32															X			0
Right	24-7037	STATE OF WYOMING,	SPRING	07S46E32															X			0
Right	24-4086	STATE OF WYOMING,	WEBSTER CREEK	07S46E32															X			0
Right	24-2038	JAMES E GRASSE,	SPRING CREEK	07S46E32				X														0
Right	24-2026	ANDREW S PETERSON,	WEBSTER CREEK	07S46E32																	X	0
Right	24-4045	STATE OF WYOMING,	WEBSTER CREEK	07S46E32															X			0
Right	24-4044	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X			0
Right	24-2039	JAMES E GRASSE,	SPRING	07S46E32													1					1
Right	24-2032	JOHN PETERSEN,	FALLS SPRING	07S46E32																	20	20
Right	24-2035	STATE OF WYOMING,	TERRACE SPRINGS	07S46E32															X			0
Right	24-10118	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING CREEK	07S46E32							X			X								0
Type	**WR #**	**Owner**	**Source**	**TRS**	**NE NE**	**NW NE**	**SW NE**	**SE NE**	**NE NW**	**NW NW**	**SW NW**	**SE NW**	**NE SW**	**NW SW**	**SW SW**	**SE SW**	**NE SE**	**NW SE**	**SW SE**	**SE SE**	**Total**
Claim	24-10123	UNITED STATES OF AMERICA ACTING THROUGH,	WEBSTER CREEK	08S46E5					X													0
Claim	24-2026	RODGER D GALLAND,	WEBSTER CREEK	08S46E5	1	1	3															5

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Rec	24-10123	UNITED STATES OF AMERICA ACTING THROUGH,	WEBSTER CREEK	08S46E5					X			X	X	X							0
Right	24-10456	RODGER D GALLAND,	FALLS CREEK	08S46E5		X															0
Right	24-2026	ANDREW S PETERSON,	WEBSTER CREEK	08S46E5	X																0

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MAR 26 2007

State of Idaho
DEPARTMENT OF WATER RESOURCES
15 West Center Street, Soda Springs, ID 83276
Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

30 January 2006

RVG Trust
% Richard L. Hill, Trustee
3319 North University Ave., Suite 200
Provo, UT 84604

Re: Snake River Basin Adjudication (SRBA)
Claim 24-2026

COPY

Subject: CHANGE IN OWNERSHIP

Response Date: 20 FEBRUARY 2006

Dear Claimant(s):

In the process of reviewing your claim, we notice that you have not proven ownership of the land covered by Claim 24-2026. The claim is based on a license with a priority date of July 8, 1916. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Since we have not been provided with any ownership documentation, you will also need to furnish a copy of all deeds from the priority date of July 8, 1916 to the present owner. If there was more than one owner during this period of time, then we need a copy of each deed that transfers the property from the previous owner to the new owner. We will also need a copy a plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by the above referenced response date.

Please feel free to call me at 547-3993 if you have any questions.

Respectfully,

Barbara Payne

Barbara Payne
Enclosure:
Notice of change in Water Right Ownership

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State of Idaho
DEPARTMENT OF WATER RESOURCES
15 West Center Street, Soda Springs, ID 83276
Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RVG Trust
% Richard L. Hill, Trustee
3319 North University Ave., Suite 200
Provo, Utah 84604

COPY

January 12, 2006

REF: Snake River Basin Adjudication (SRBA)
Claim No(s): 24-2026

Subject: Change in Source

Response Date: February 2, 2006

Dear Claimant(s),

Last fall when our sub-contractor, Bryce Contor did your field inspection he noted that the house is connected to Terrace Springs, which is not the licensed source. Under the Idaho law when you change the source a Department transfer is required. We have no record of any transfer being filed. We may be able to recognize this as an accomplished transfer if the proper requirements were met.

Before IDWR can recommend your claim, you must provide us with the date the change was made and submit some evidence tending to support the date of change. If the change was made before November 19, 1987, then the date provided must include the month, day and year. If the change was made after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987.

Under the Idaho code a domestic spring requires a water right. If you have any questions please feel free to contact us at (208) 547-3993.

Respectfully,

Pauline Bassett

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MAR 2 6 2007

Water Resources Field Services
P.O. Box 94
Iona, ID 83427
208-681-9100

A24-02026 Narrative

On September 9, 2005 I met with Josh Frazier (208 225-0018) who is the new ranch manager. He had only been on the job a few weeks and was not too familiar with the system. His descriptions somewhat match the sketch in the claim, however, without him reviewing the claim.

The claim includes several interesting aspects:

1. Change in nature of use of part of the right to recreation ponds.
2. Reduction in irrigated area.
3. GCDB problems.
4. Addition of a spring as an additional source for the licensed domestic use.
5. Complex plumbing system.
6. Relationship to A25-02035 water rights.

Change in nature of use: Recreation Ponds.

The claim asserts that the change took place in about 1980. The ponds clearly show on the 1987 NAPP photo and appear to be about the same as shown on the 2004 NAIP photo, so this is reasonable. The 1987 photo has poor resolution and poor georeferencing, however. By GIS from the 2004 photo I find the pond area is about 1.2 acre. The ponds appear to be excavated and could be as deep as six feet, so total storage could be 7.2 acre feet.

Reduction in Irrigated Area.

The license authorizes irrigation of 40 acres. The green areas on the attached layout correspond to the parts of the claim that may have been irrigated in 1987, based on the field inspection and the 1987 photo. Parcel A, however, Mr. Frazier says is no longer irrigated, and it may not have been in the 1987 photo. It did not appear to have been irrigated this year. Parcel B appears to be irrigated. Parcel C is the trees that line the road to the new home on the hill, visible in photo one. These are more than 30 feet tall. Mr. Frazier confirms the claim assertion that the trees are irrigated from the pump shown in photo 4 and photo 5. The lawn area around the house appears irrigated in the 1987 and 2004 aerial photos.

Shapefile "A24-02026_Potential_Irrigation" in folder "supporting data" indicates that the present ditch system would allow service of about 27 acres, plus the trees and home. The area between point H on the layout and the

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road that goes west of point J would be very easy to irrigate from the well-maintained ditch that serves the upper pond. That parcel is about 17 acres. However, it is not claimed and Mr. Frazier states it is not irrigated.

GCDB problems.

The layout shows that there is a problem with the GCDB. For that reason, I have not printed out a listing of POU acreage by quarter-quarter.

Spring as additional source for licensed domestic.

Mr. Frazier reported that the older ranch house is supplied off the Wyoming Game and Fish hatchery pipeline, confirmed by a hatchery employee. I don't know how long this has been in place but Frazier said the pipes are old and cause trouble. The hatchery water right (24-2035) was licensed in 1945. The field exam mentions the hatchery providing *electricity* to the neighboring domestic use but does not explicitly mention *water*. However since the spring is tributary to the creek within a very short distance and the Game and Fish Department appears to accept the connection, there is probably no injury from this change in source. The day I visited the spring diversion was spilling far more water than a domestic use would require, and delivering more than licensed to the hatchery.

Complex Plumbing System

The attached schematic sketch seems to be consistent with Mr. Frazier's description and the sketch map in the original claim, except that the pipeline represented by the dotted line does not appear in the original claim. Frazier states that pipe serves the diversion to the lower pond (point J on the map, photo 11. It appears that this pipe is fed from the bottom of the round culvert in the foreground of photo 7 and photo 8. There was a partially-opened trap door in the bottom of the culvert. While I couldn't see a pipe, there was no sediment build up, suggesting at least some flow. Rough measurements of the flow in the ditch indicated about 1.3 cfs of total diversion, but it appears that only about 0.6 cfs was leaving the notch in the culvert to the inlet of the east-side pipeline. However, there could be significant loss in the 1/4 mile of ditch between the POD and the structure, and there is some overflow exiting through the pipe shown in photo 6, taken at the same location. There is also considerable uncertainty in both of the rough measurements.

While the sum of the two downstream measurements (0.9 cfs and 0.6 cfs) is reasonably close to the upstream measurement (1.3 cfs), photo 11 shows that besides the flow measured into the pond (coming towards the camera),

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there is additional flow leaving to the right of the photo. It was late in the day and both Frazier and the Game and Fish personnel were anxious to be on to other things, so no one was around to question when I visited this location.

The pump that serves the irrigation for the home on the hill and the trees is a submersible with a five horsepower Franklin motor, model 2821138310, with a two inch discharge pipe. I don't have a topo map to estimate lift so I have not done a theoretical. It pumps downstream of the POD so it must be supplied by the flow measured at the POD.

Relationship to Wyoming Department of Game and Fish claims.

The relationship of the spring diversion to Wyoming claim A24-02035 is discussed above. Additionally, after returning to the office I found that I should have also received claims A24-04044 and A24-10000 from the Game and Fish Department. These claims may help explain the structure in photo 11 and the source of the second supply to the lower pond.

Proposal

I propose that the headgate at point E (waypoint 26) shown in photo 9 be recommended as one POD. Depending on the outcome of the exam of A24-04044 and A24-10000, point J (waypoint 27) or a location upstream of point J could also be recommended as a POD. I also propose that the spring at letter I (waypoint 29, photos three and four on the copy from A24-02035) be recommended as a POD for the domestic use as an accomplished change.

I propose that at least the irrigation labeled "B," "C" and "D" be recommended. I don't know what to think about irrigation at "A." It is within the original license and was claimed. Mr. Frazier and the field inspection indicate it is not irrigated at present but I'm unsure what the 1987 condition was.

The original licensed flow was 3.0 cfs. Any losses from the pond return almost immediately to the creek (either on the surface or as shallow sub-surface flow). Therefore I propose that 2.24 cfs be recommended as the diversion rate (1.3 cfs measured at F + 0.9 cfs measured at J + 0.04 cfs for domestic), with enough irrigation at 0.03 cfs/acre for the recommended irrigation. 0.04 for domestic, and the rest for recreation. I propose 7.2 acre feet for recreation storage. I didn't see stock on the place but the claim for stockwater use is not unreasonable.

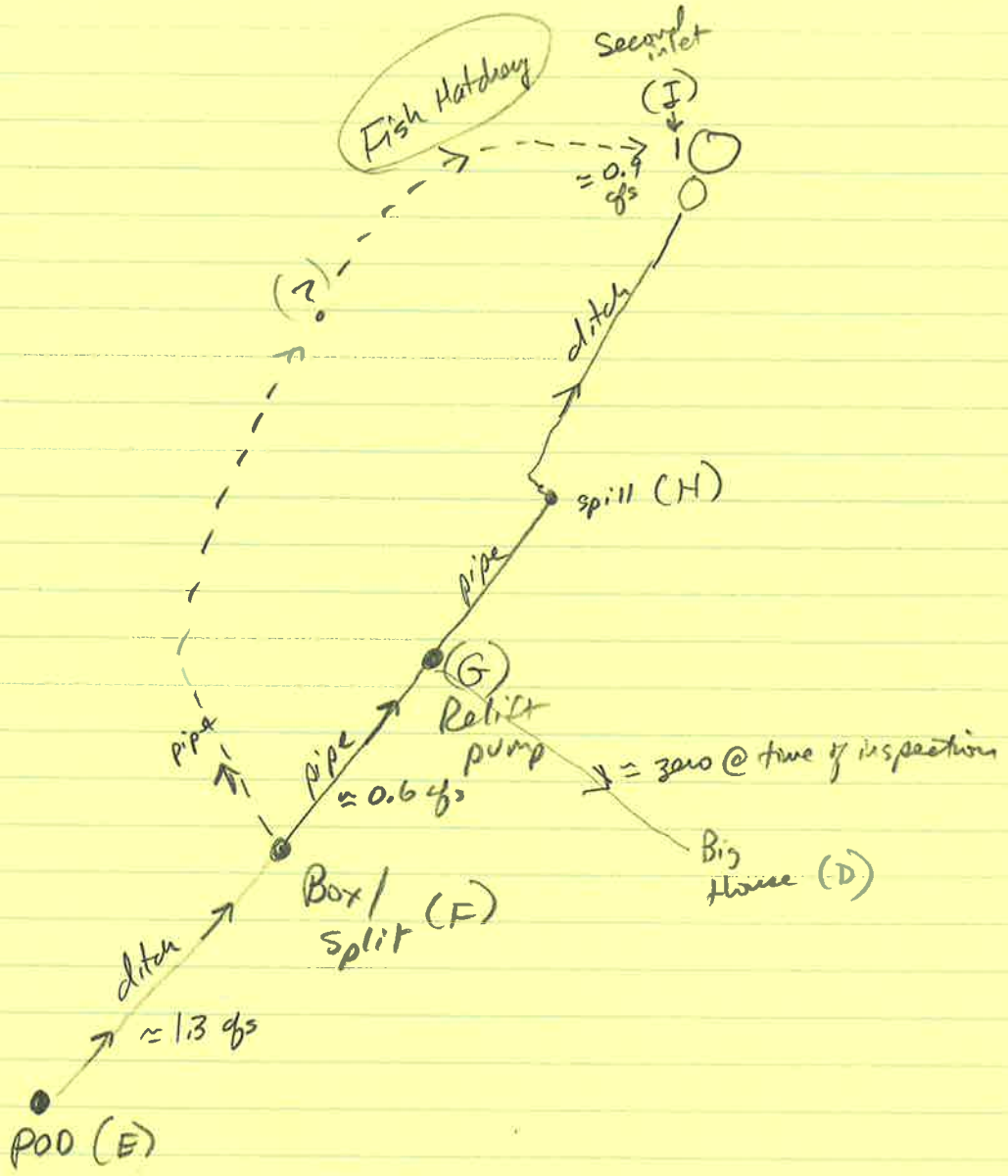
Bryce A. Contor 4 Oct 2005

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A24-02026 GPS points								
Waypoint	Lon	Lat	Claim	Site_tag	Feature	Collect_by	Instrument	Comment
23	-111.1021833	42.75866667	A24-02026	none	other	B.Contor	Garmin Geko 201	feature along ditch
24	-111.1030667	42.75766667	A24-02026	none	other	B.Contor	Garmin Geko 201	feature along ditch
25	-111.1042167	42.75643333	A24-02026	none	other	B.Contor	Garmin Geko 201	feature along ditch
26	-111.1078	42.75513333	A24-02026	A0013658	POD	B.Contor	Garmin Geko 201	
27	-111.09885	42.76313333	A24-02026	none	other	B.Contor	Garmin Geko 201	second inlet to lower pond - see notes
29	-111.1061333	42.76281667	A24-02026	A0013659	POD	B.Contor	Garmin Geko 201	shared A24-02025 and A24-02026 - see notes

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A24- 02026 Schematic Sketch of flow measurements.

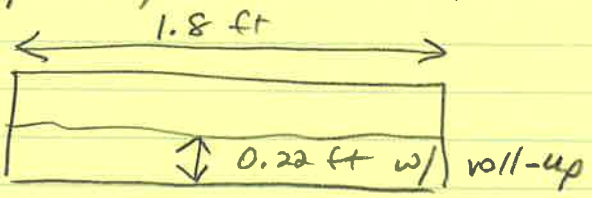


Bac 4 Oct 05

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A24-02026 Measurement calculations.

1) Flow into east-side pipe measured using rectangular weir formula on slot in culvert illustrated in photo 8. Location is Waypoint 25 corresponding to letter "F" on layout.

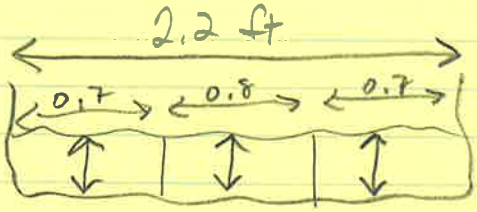


$Q = 3.33 (L - 0.2H) H^{3/2}$ (contracted rectangular)

$= 3.33 (1.8 - (0.2)(0.22)) 0.22^{3/2} = 0.60 \text{ ft}^3/\text{s}$

Note Nappe doesn't spring free ∴ actual flow > 0.60 ft³/s.

2) Flow out of headgate measured by roll-up on stick at location of photo 10, marked "E" on map. Waypoint 26



Depth	0.41	0.35	0.26
Velocity	1.7	1.7	1.8

$Q = AV = (0.7)(0.41)(1.7) + (0.8)(0.35)(1.7) + (0.7)(0.26)(1.8)$

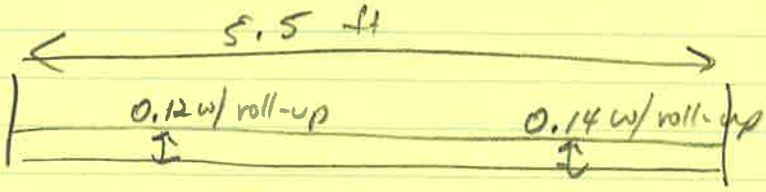
$= 0.49 + 0.49 + 0.33$

$= 1.3 \text{ ft}^3/\text{s}$

SCANNED
MAR 26 2007

A24-02026 measurement calculations p 2

3) Flow into west side of lower pond at point "J" (Waypoint 27) as shown in photo 11

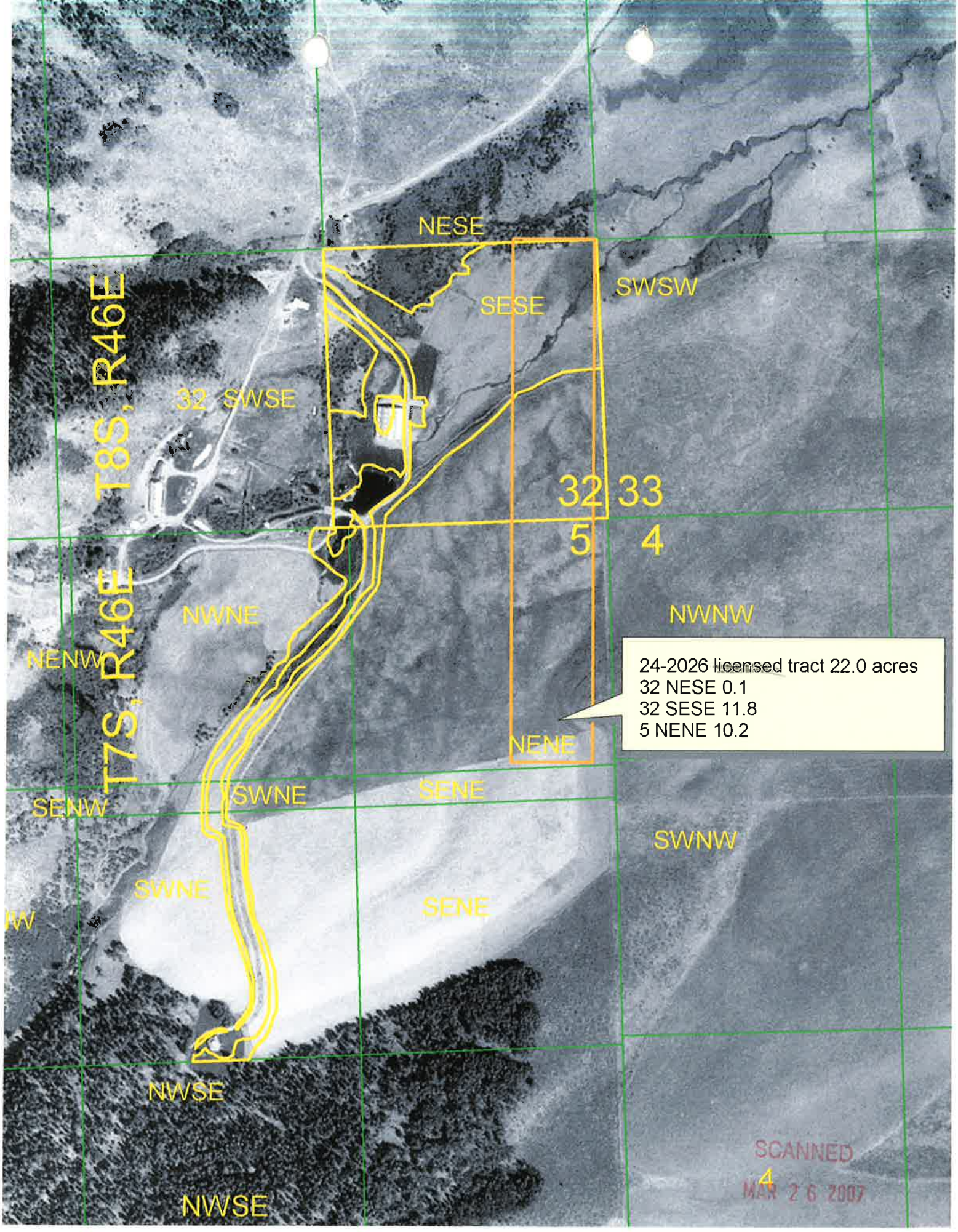


Suppressed weir formula $Q = 3.33\,LH^{3/2}$

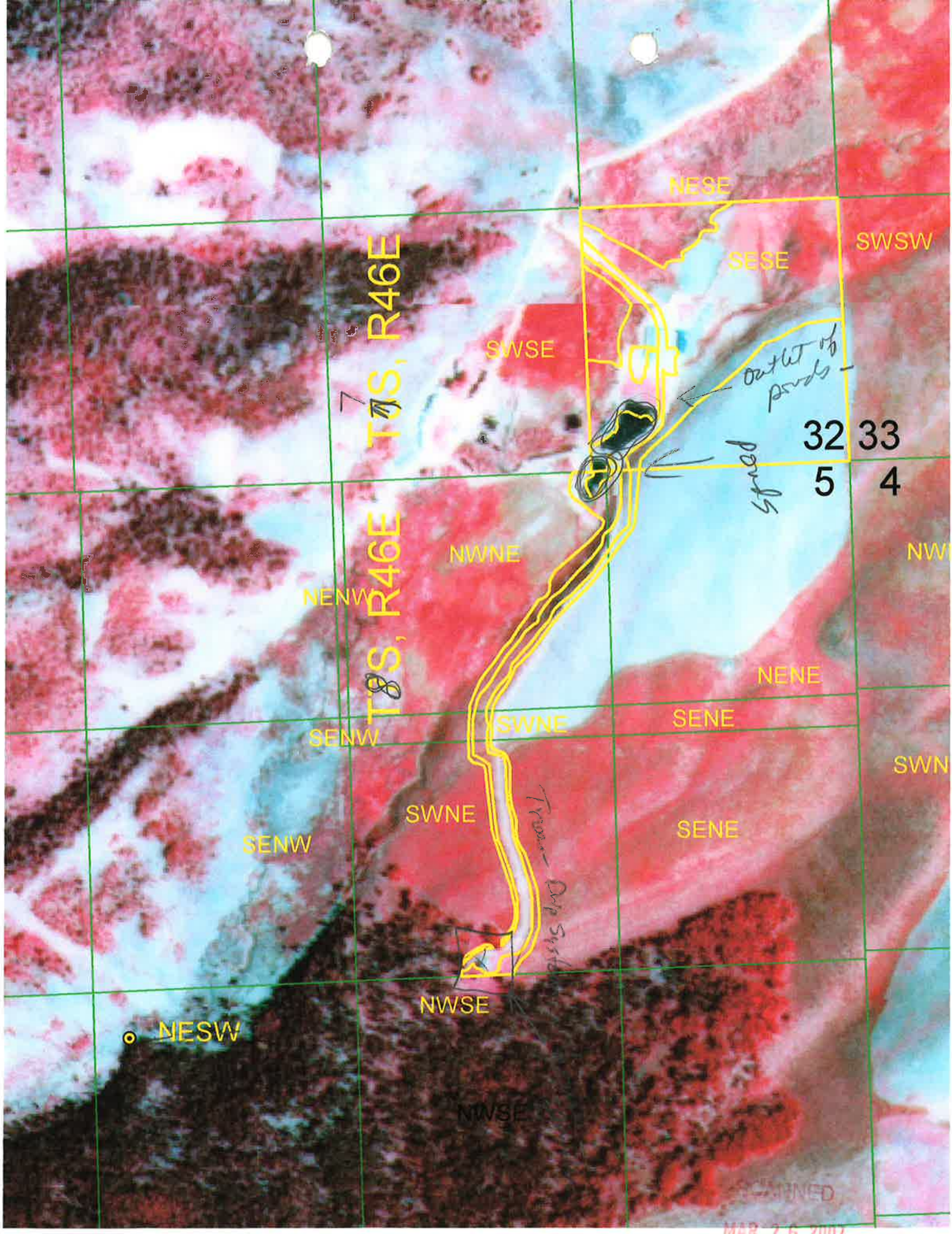
$= (3.33)(5.5)(0.13)^{3/2} = 0.86\ ft^3/s$

Bac 4 Oct 2005

SCANNED
MAR 2 6 2007


NESE
SESE
SWSW
T8S, R46E
32 SWSE
32 33
5 4
NWNE
NWNW
NENW
T7S, R46E
24-2026 licensed tract 22.0 acres
32 NESE 0.1
32 SESE 11.8
5 NENE 10.2
NENE
SENW
SWNE
SENE
SWNW
SWNE
SENE
NWSE
NWSE
SCANNED
MAR 2 6 2007
4

24-2026

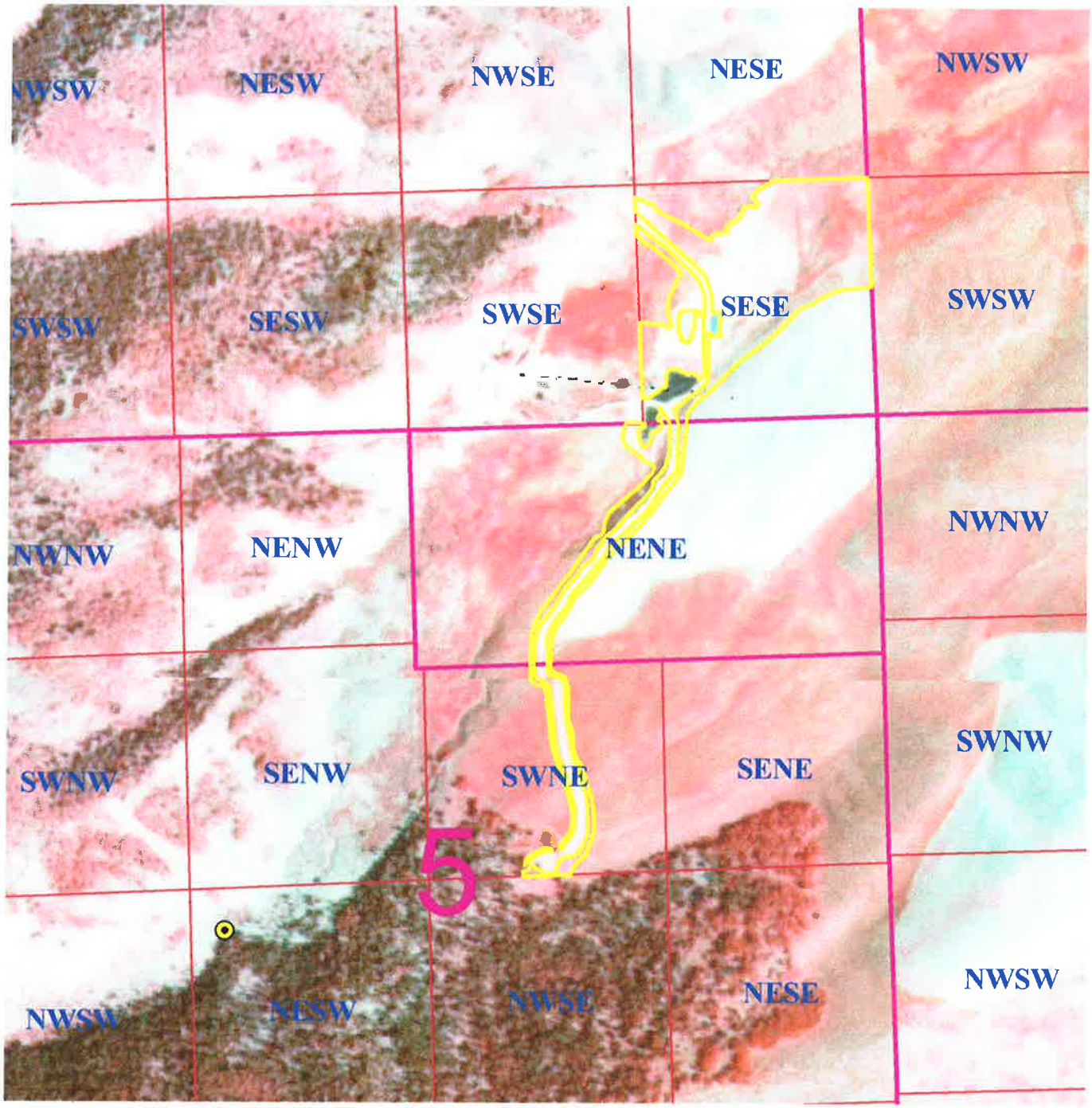

NESE
SESE
SWSW
SWSE
T7S, R46E
T8S, R46E
outlet to ponds
32
33
5
4
NWNE
NENW
NENE
SENW
SWNE
SENE
SWNE
SENE
SENW
NWSE
NESW
NWSE
MAR 26 2007

24-2026.apr.

Water Right Claim Number 24-02026

04/03/2001

Townships , 7S46E, 8S46E



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

N

600 0 600 1200 Feet

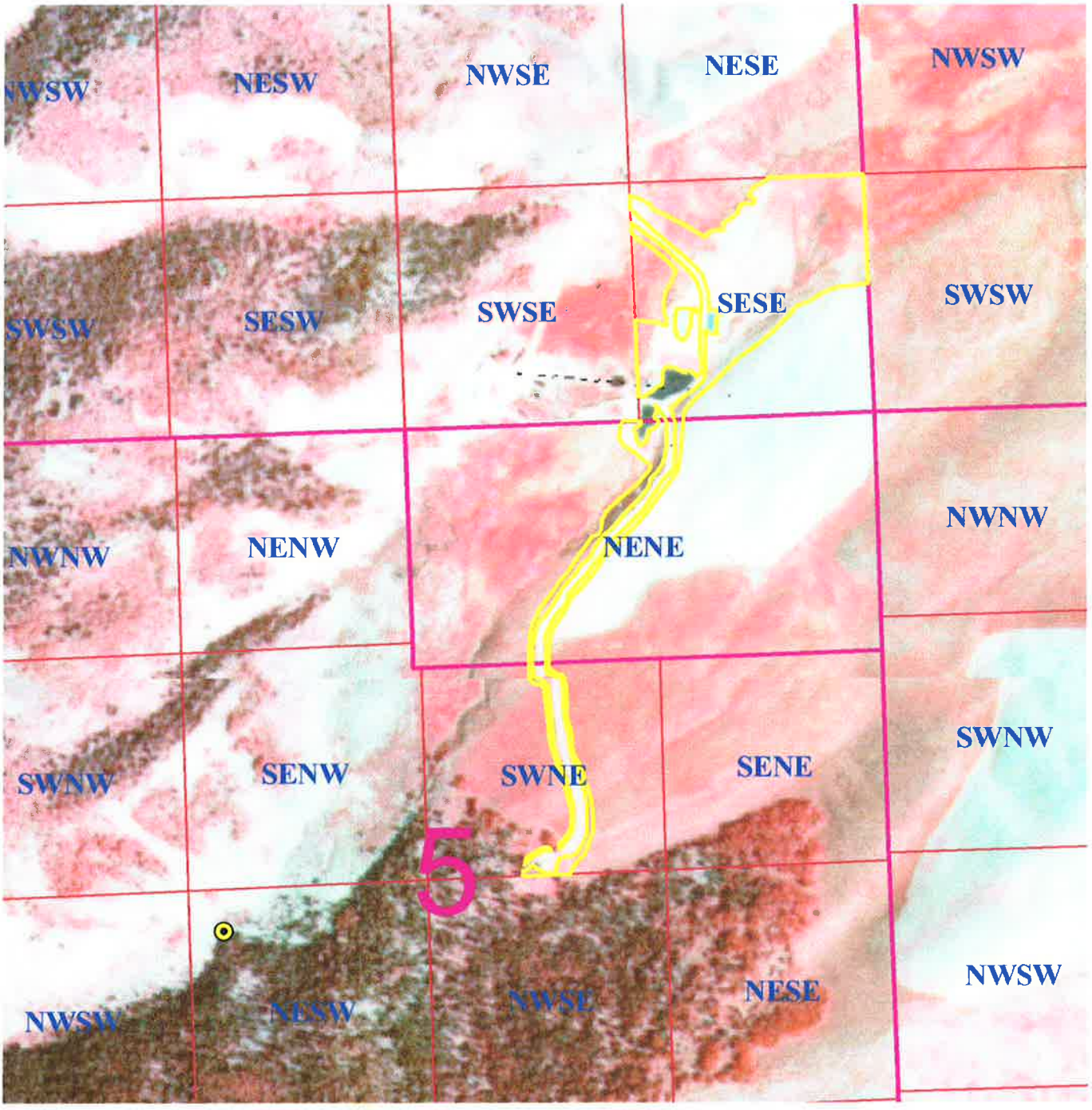
SCANNED
MAR 2 6 200

SPATIAL DYNAMICS

Water Right Claim Number 24-02026

04/03/2001

Townships , 7S46E, 8S46E



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

N

600 0 600 1200 Feet

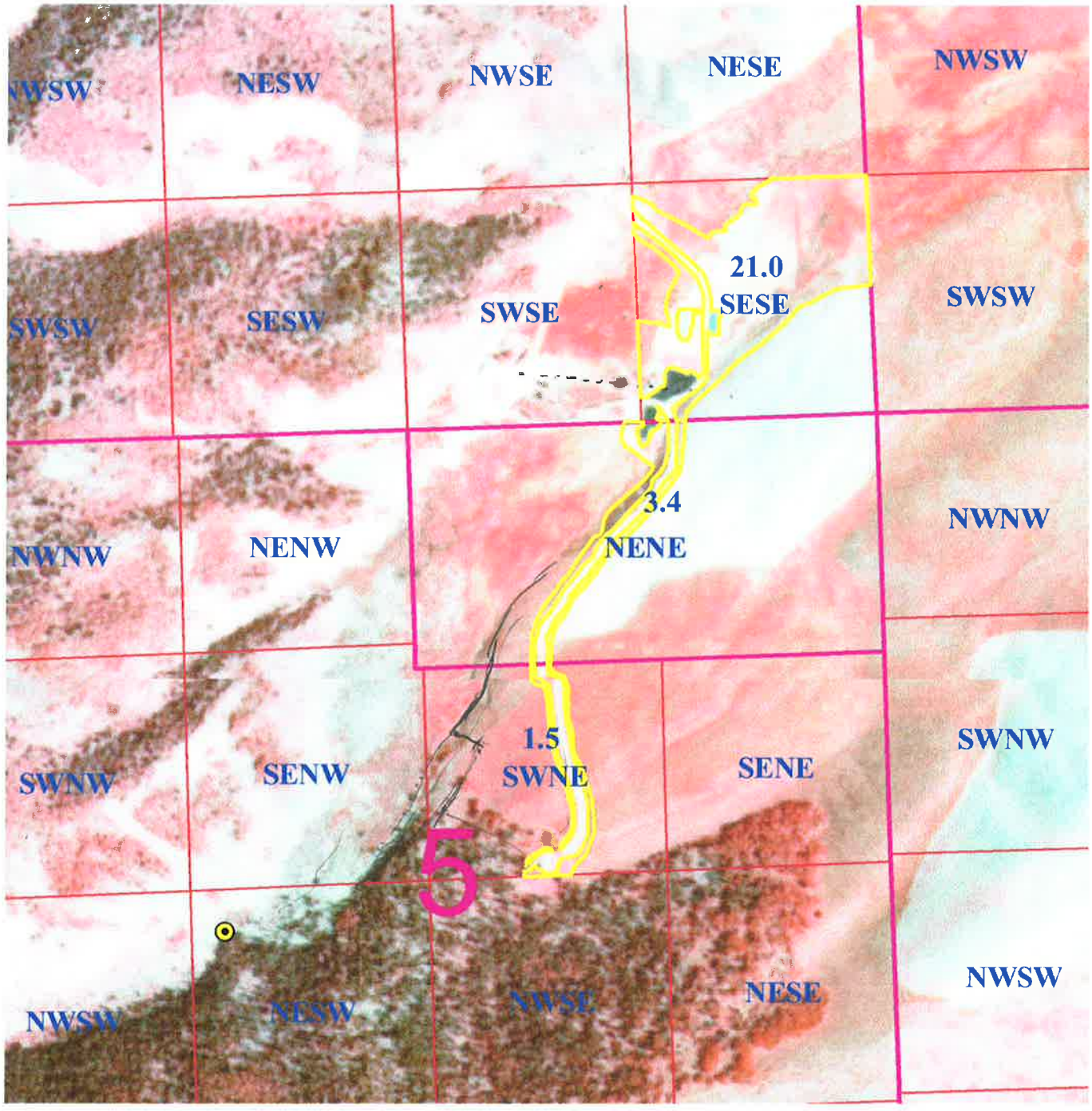
SCANNED
MAR 2 6 2007

SPATIAL DYNAMICS

Water Right Claim Number 24-02026

04/03/2001

Townships , 7S46E, 8S46E



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

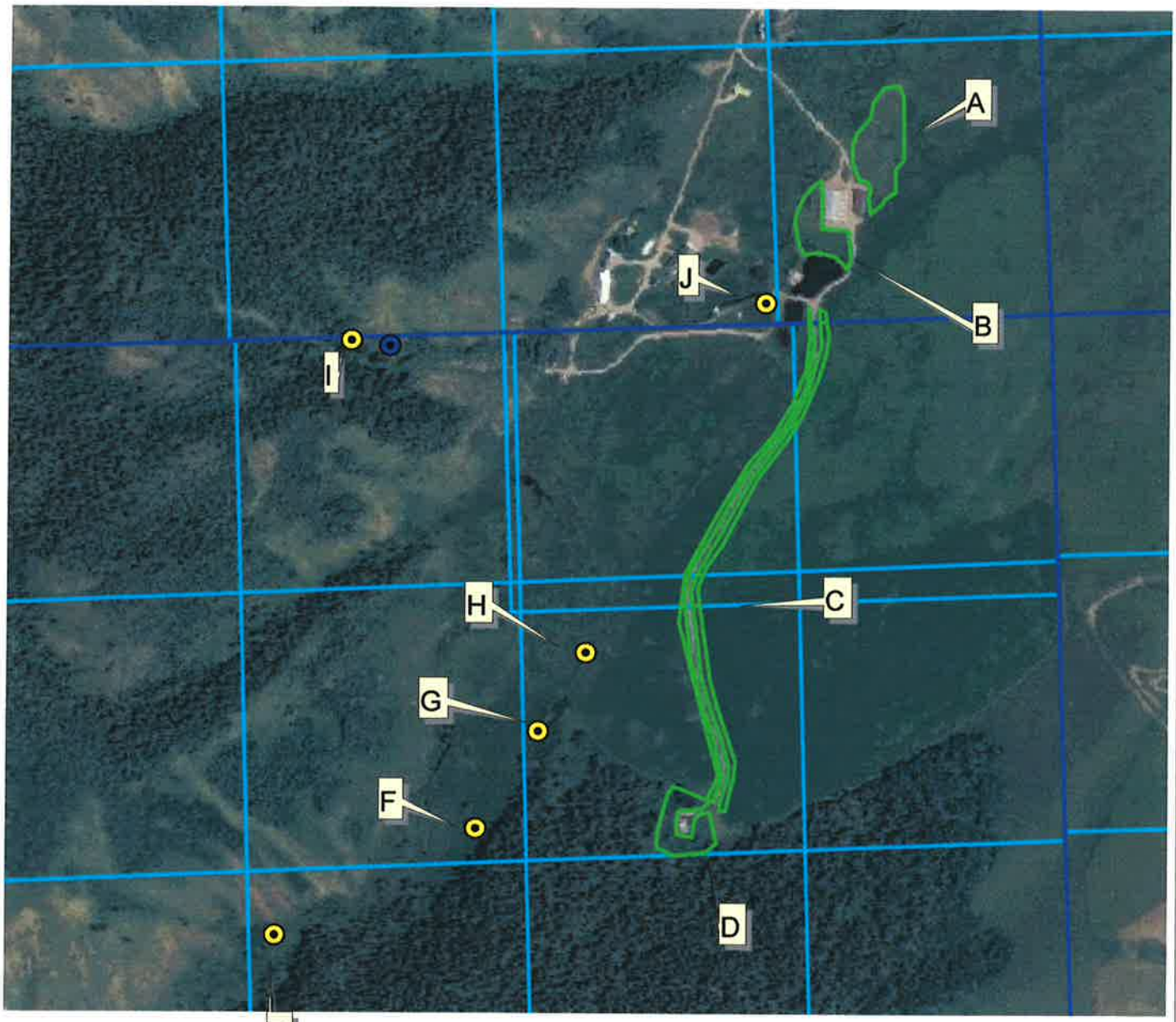
N

600 0 600 1200 Feet

SCANNED
MAR 2 6 2007

SPATIAL DYNAMICS

A24-02026

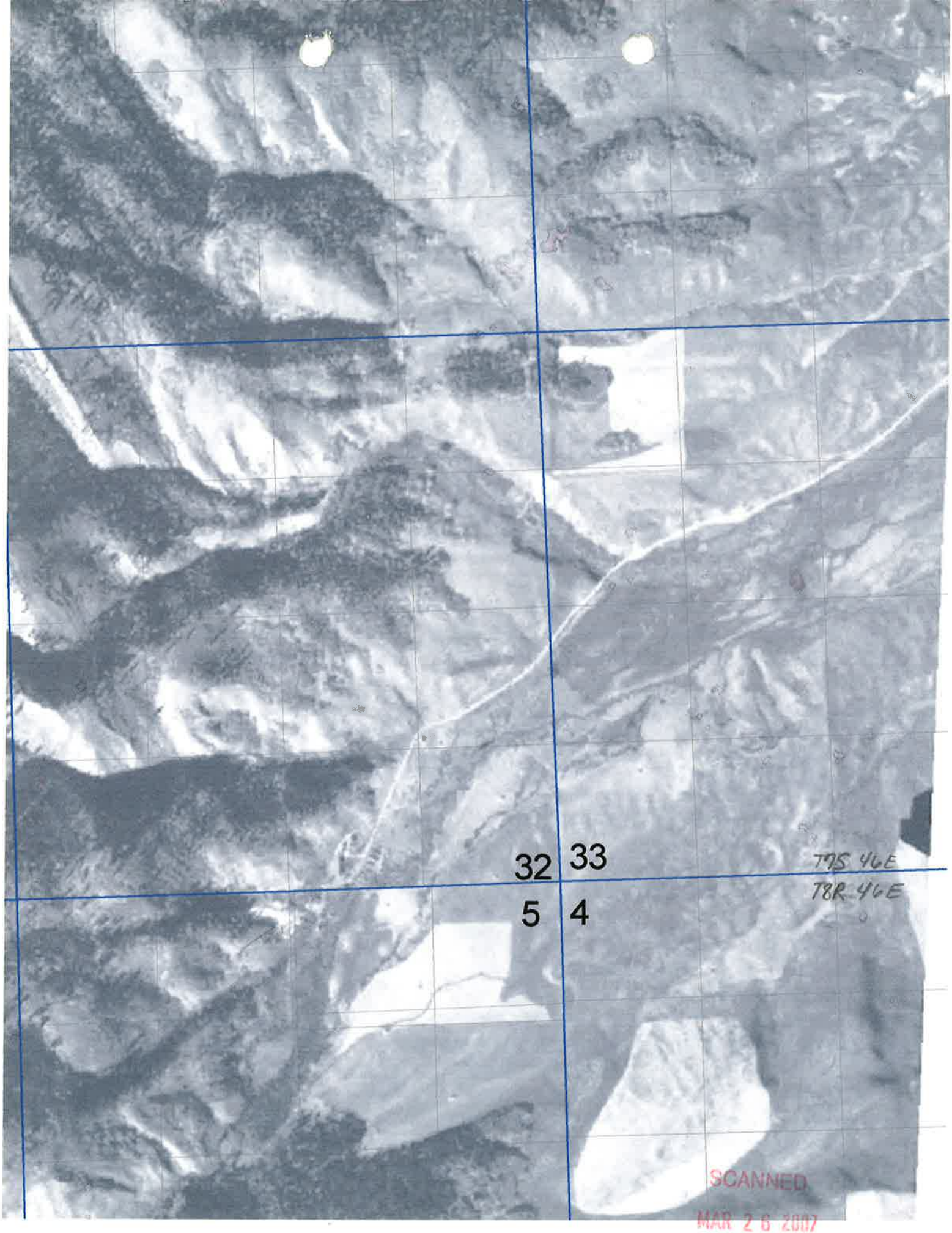


1320 0 1320 Feet

A24-02026.shp
A24-04068a_revised_qq.shp
Gps_sept12_05_contor.shp
PLSS Section LinesGcdb_sections.shp
Gcdb_qq.shp

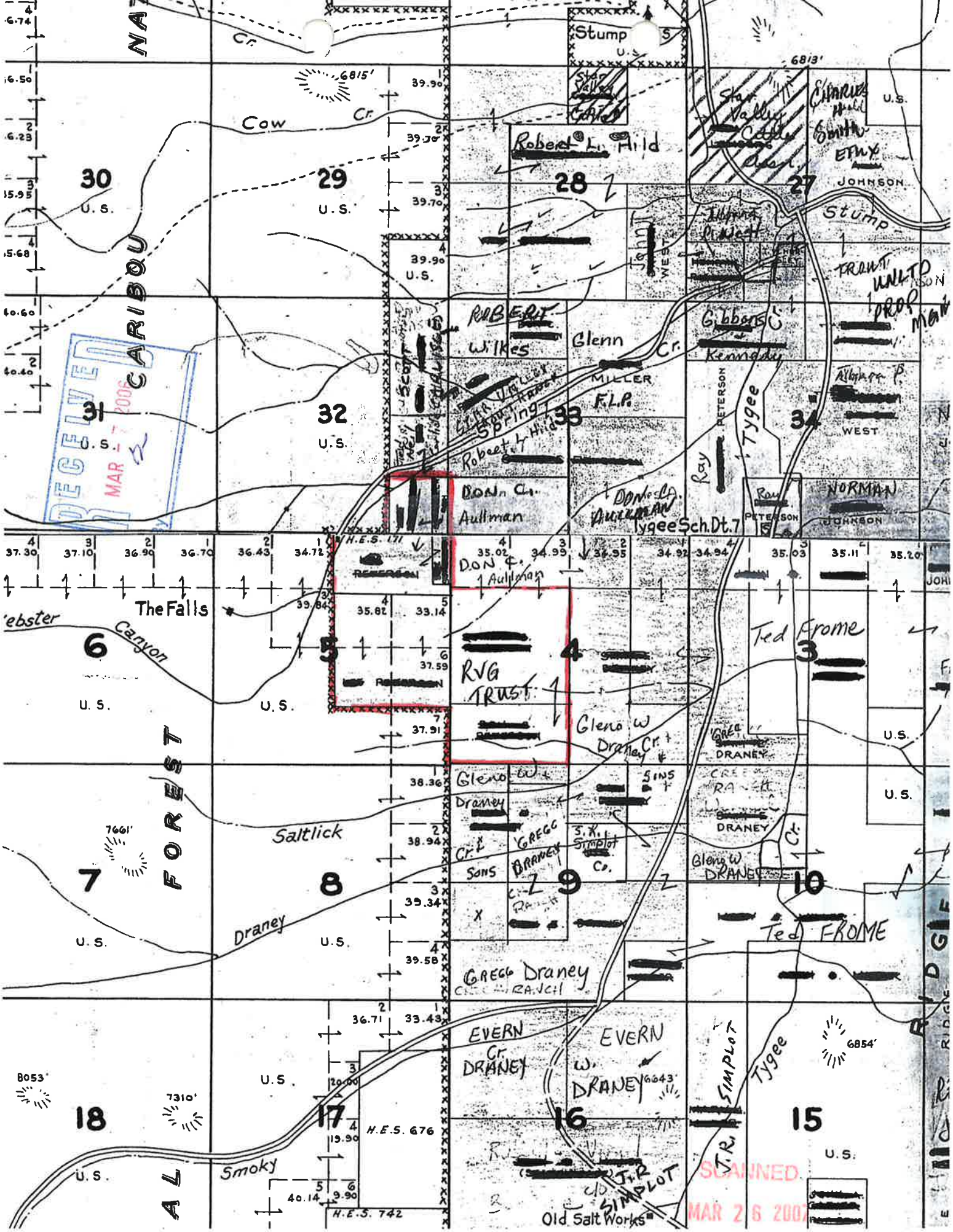
2004 NAIP Photo, USDA
Georeferenced by Water Resources Field Services 208 681 9100

MAR 2 6 2007



SCANNED
MAR 2 6 2007

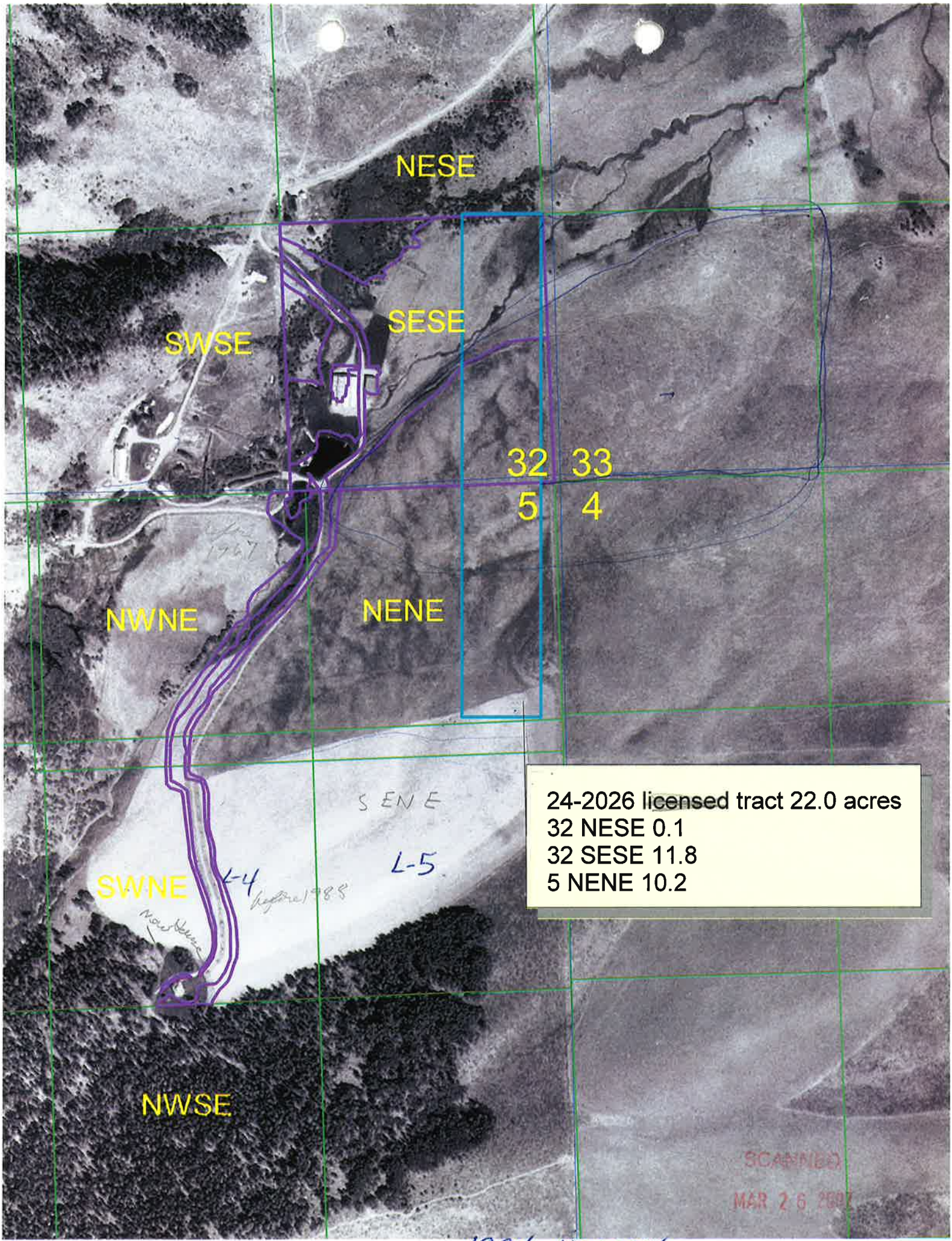
1957 Imagery

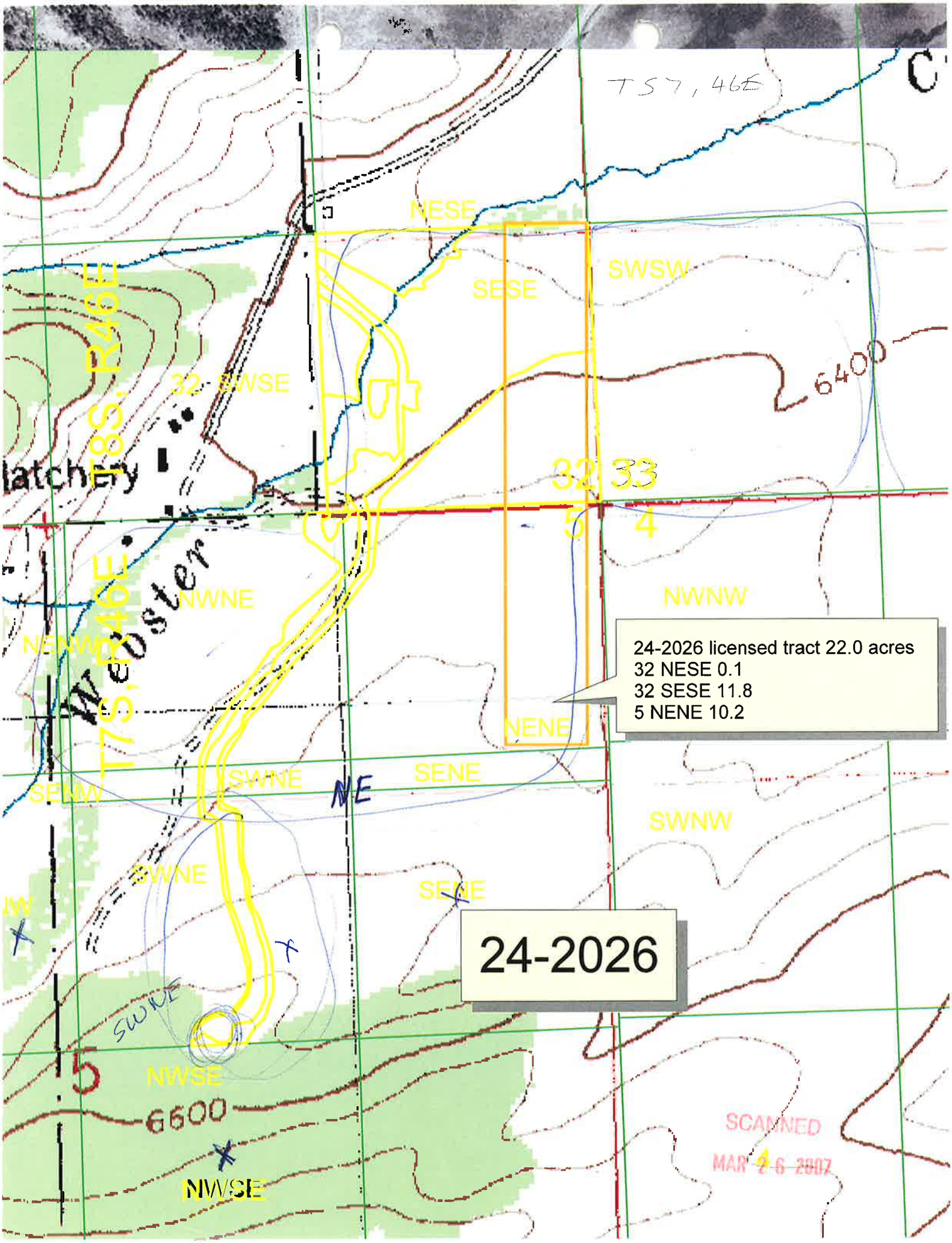


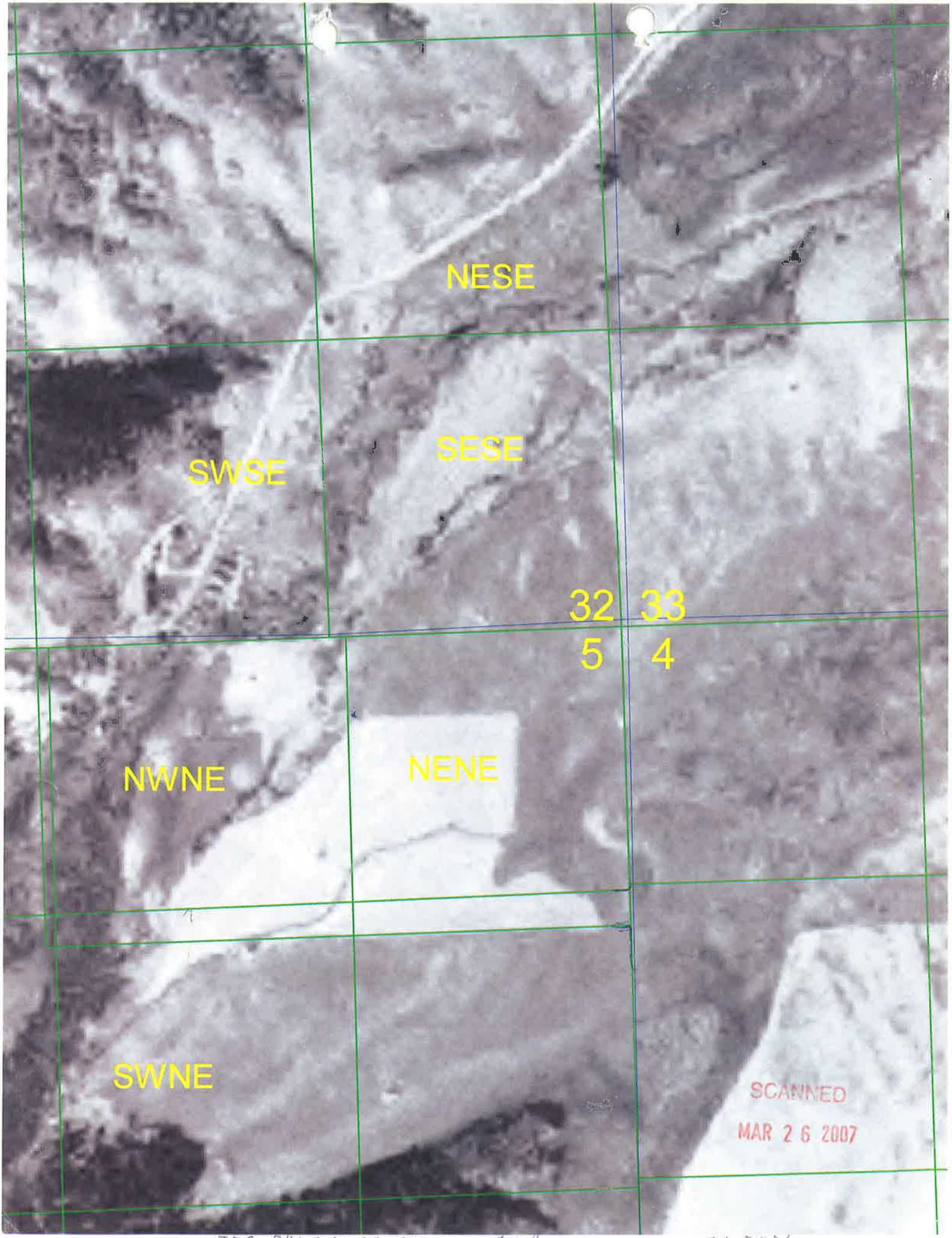
RECEIVED MAR 2 2006

SCANNED MAR 26 2007

T7S R46E


NESE
SESE
SWSE
32
33
5
4
NWNE
NENE
SENE
L-5
SWNE
L-4
NWSE
24-2026 licensed tract 22.0 acres
32 NESE 0.1
32 SESE 11.8
5 NENE 10.2
SCANNED
MAR 26 2026
1994 Imagery

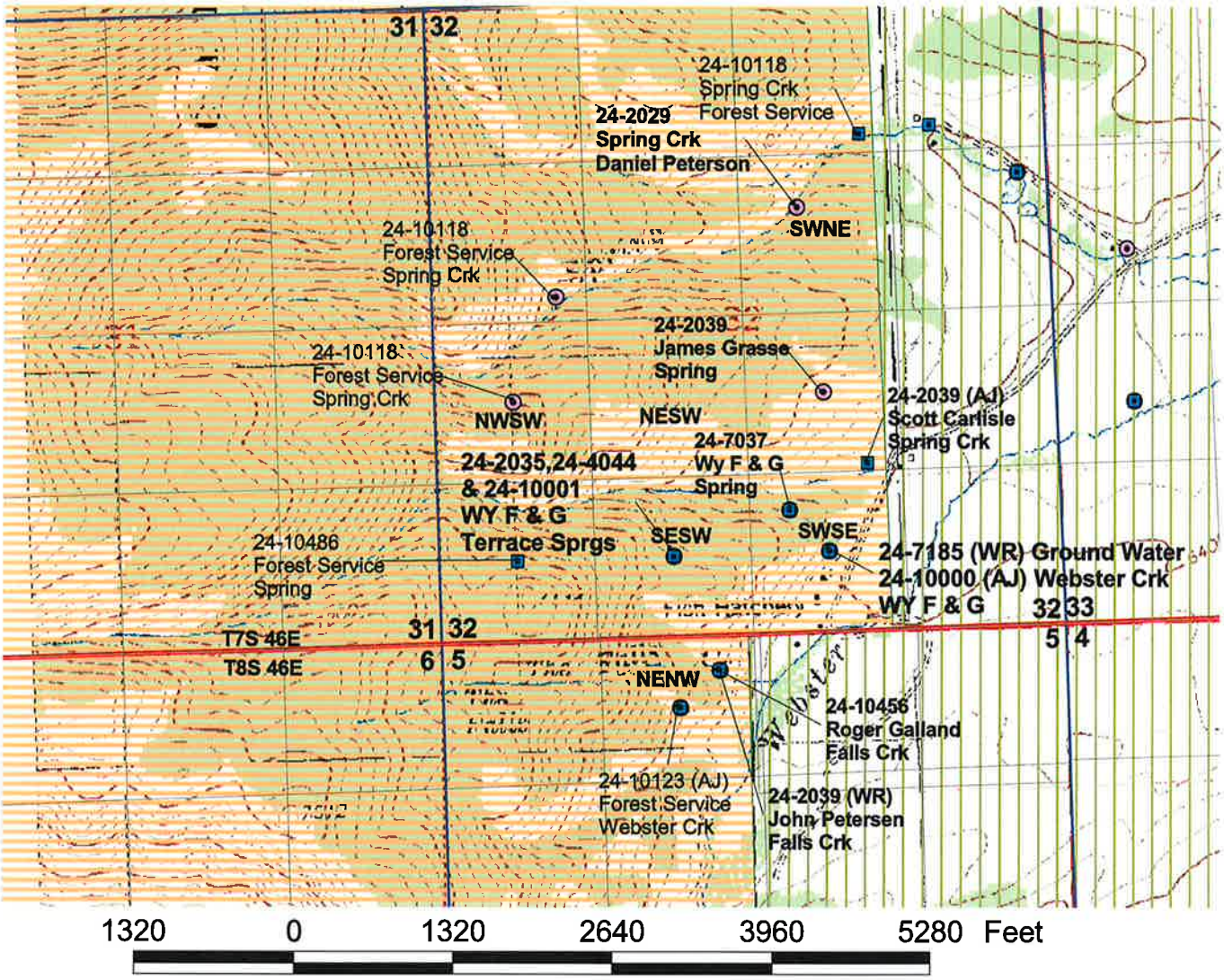

T57, 46E
NESE
SESE
SWSW
32 SWSE
6400
32 33
5 4
NWNW
NWNE
NENW
NENE
SWNE
SENE
SENW
SWNW
SWNE
SENE
NE
T7S. R46E
R46E
18S.
Webster
latchery
24-2026 licensed tract 22.0 acres
32 NESE 0.1
32 SESE 11.8
5 NENE 10.2
24-2026
SWNE
5
NWSE
6600
NWSE
SCANNED
MAR 26 2007



T7S. R46E / T8S. R46E 57 [illegible] 24-2026

DIVERSIONS ON FOREST SERVICE LANDS

T7S R46E Sec. 32
T8S R46E Sec. 5



LEGEND

- Township/Range
- Sections
- Quarter-quarter lines
- Claim POD
- Right POD
- B.L.M.
- Bureau of Indian Affairs
- Forest Service
- Private
- Recommended POU

RIGHTS INVOLVED:
24-2026, 24-2029, 24-2035,
24-2038, 24-2039, 24-4044,
24-10000, 24-10001, 24-10456

N
W E
S

GIS POINTS OF DIVERSION PRESENTATION
PREPARED BY C. BIRD
JUNE, 2006

SCANNED
MAR 2 8 2007

Water Resources Fld Svcs
PO Box 94
Iona, ID 83427-0094
(208) 681-9100



R & G Trust
c/o Richard L. Hill Trustee
3319 University Ave Suite 200
Provo UT 84604

©USPS 2002 recycled

Dear Mr. Hill – 3 Sept 05

I have been asked by Idaho Department of Water Resources to verify the water use under claim A24-02026 from Webster Creek in Caribou County Idaho. This is so that the Department can make a recommendation to the court in the Snake River Basin Adjudication of water rights. Please call me at 208 681 9100 to tell me who I may contact locally to do a field inspection.

Thank You,

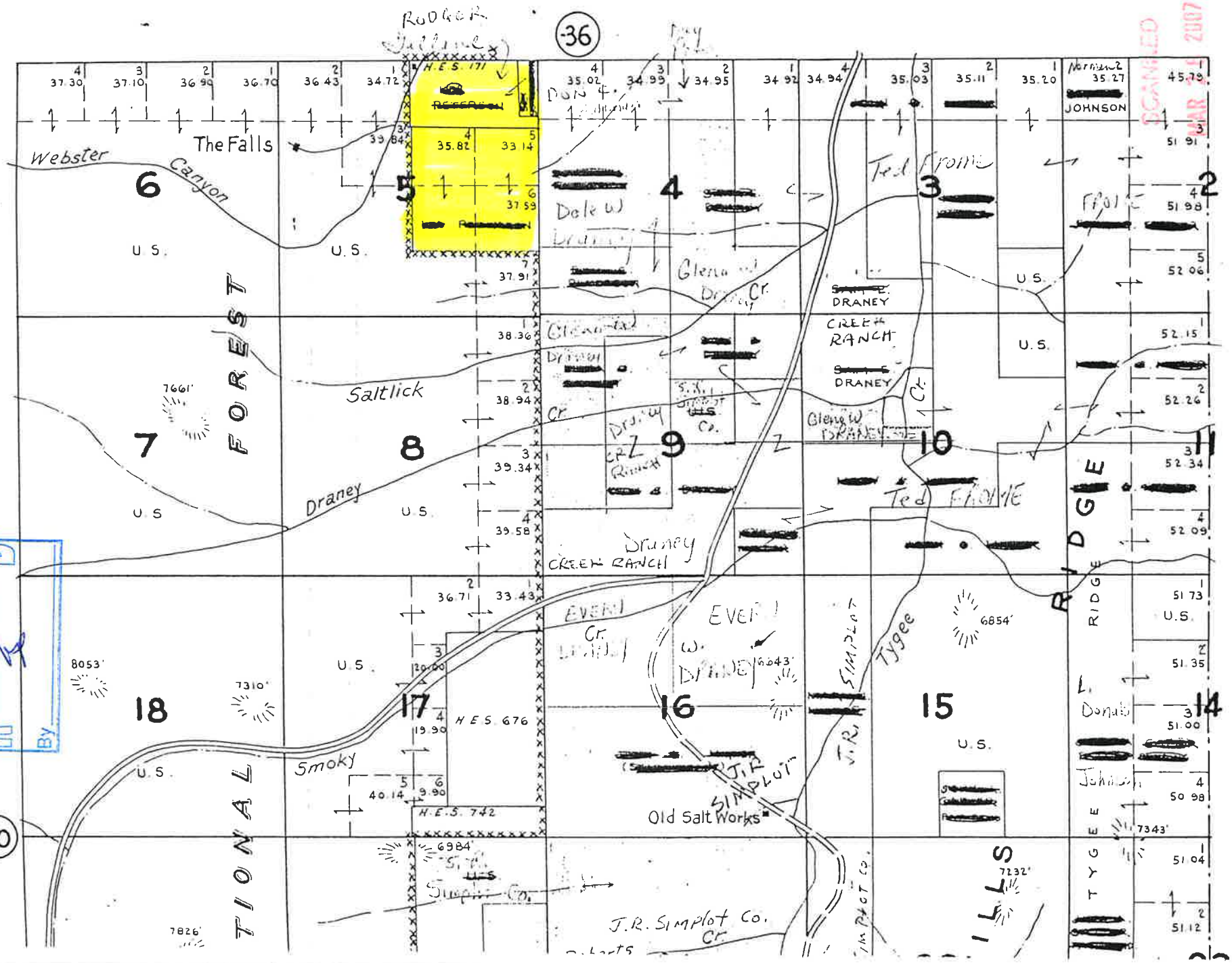
Bryce A. Contor

SCANNED
MAR 2 6 2007

SCALE 2 IN. - 1 MILE

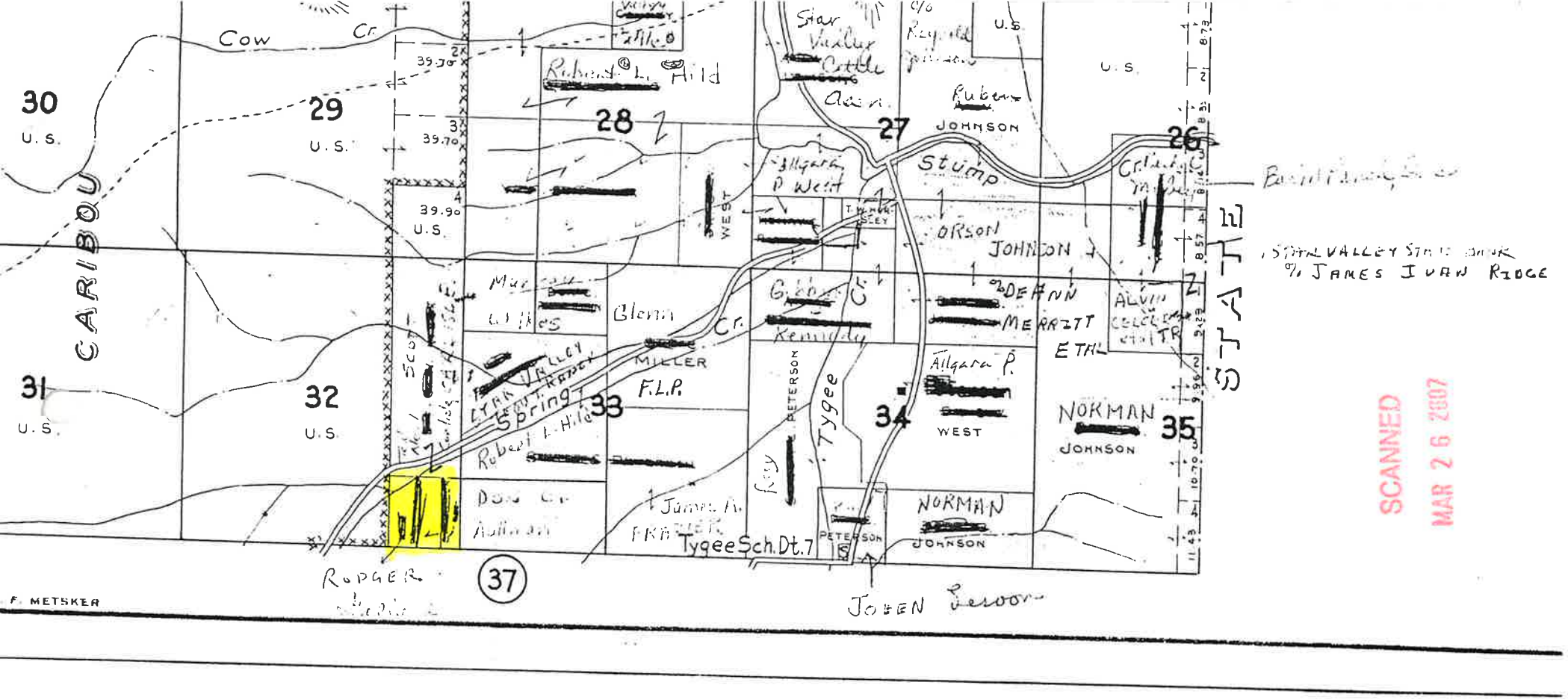
FOR SALE BY
CHAS. F. METSKER
514 S. W. OAK STREET, PORTLAND, OREGON
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 8 S., RANGE 46
CARIBOU COUNTY, IDAHO



RECEIVED
MAR 13 2006
By

SCANNED
MAR 21 2007



SCANNED
MAR 26 2007

RECEIVED
MAR 13 2006
By

Adjudication Claim no A24-02035 Wyoming Hatchery Field Photos

Water Resources Field Services
P.O. Box 94
Iona, ID 83427
208-681-9100

SCANNED
MAR 2 7 2007



(3) POD looking S, waypoint 29 (11 meter accuracy) Site tag A0013659. Arrow points to tag. 9 Sept 05 Bac



(4) Looking N at overflow pipes. See Parshall flume (out of focus) in background 9 Sept 05 Bac

Source: A24-02035

Date: 4 Oct 05

Adjudication Claim no A24-02026

Field Photos



1 looking S at hillside POU (trees that like road) for Waypoint 21 9 Sept 05



2 Drop structure at Waypoint 23 looking SE 9 Sept 05

Bac

SCANNED MAR 2 6 2007

Adjudication Claim no A24-02026

Field Photos



(3) Pipe discharge into top of drop structure @ Waypoint 23, looking approx. West 9 Sept 05

SCANNED MAR 26 2007



(4) Pump vault @ Waypoint 24 9 Sept 05

Adjudication Claim no A24-02026

Field Photos



(5) Inside pump vault @ Waypoint 24 9 Sept 05

SCANNED MAR 26 2007



(6) Overflow from pipe inlet Waypoint 25 9 Sept 05

BC

Adjudication Claim no A24-02026

Field Photos



(7) Inlet to pipe (square concrete box). Round Culvert - see narrative. Waypoint 25 9 Sept 05

SCANNED MAR 26 2007



(8) Slot in round culvert where flow entering pipe line was measured. Note nappe is not aerated & crest of weir is nearly submerged. 9 Sept 05 Bac Waypoint 25

Adjudication Claim no A24-07026

Field Photos



(9) POD. Ditch goes away from camera (east) at right, creek goes off to the left. Waypoint 26 Site tag A0013658 9 Sept 05.

SCANNED MAR 26 2007



(10) Location of Q estimate downstream from POD at about 100 ft. Stick is 5 feet long. 9 Sept 05

BAC

Adjudication Claim no A24-02026

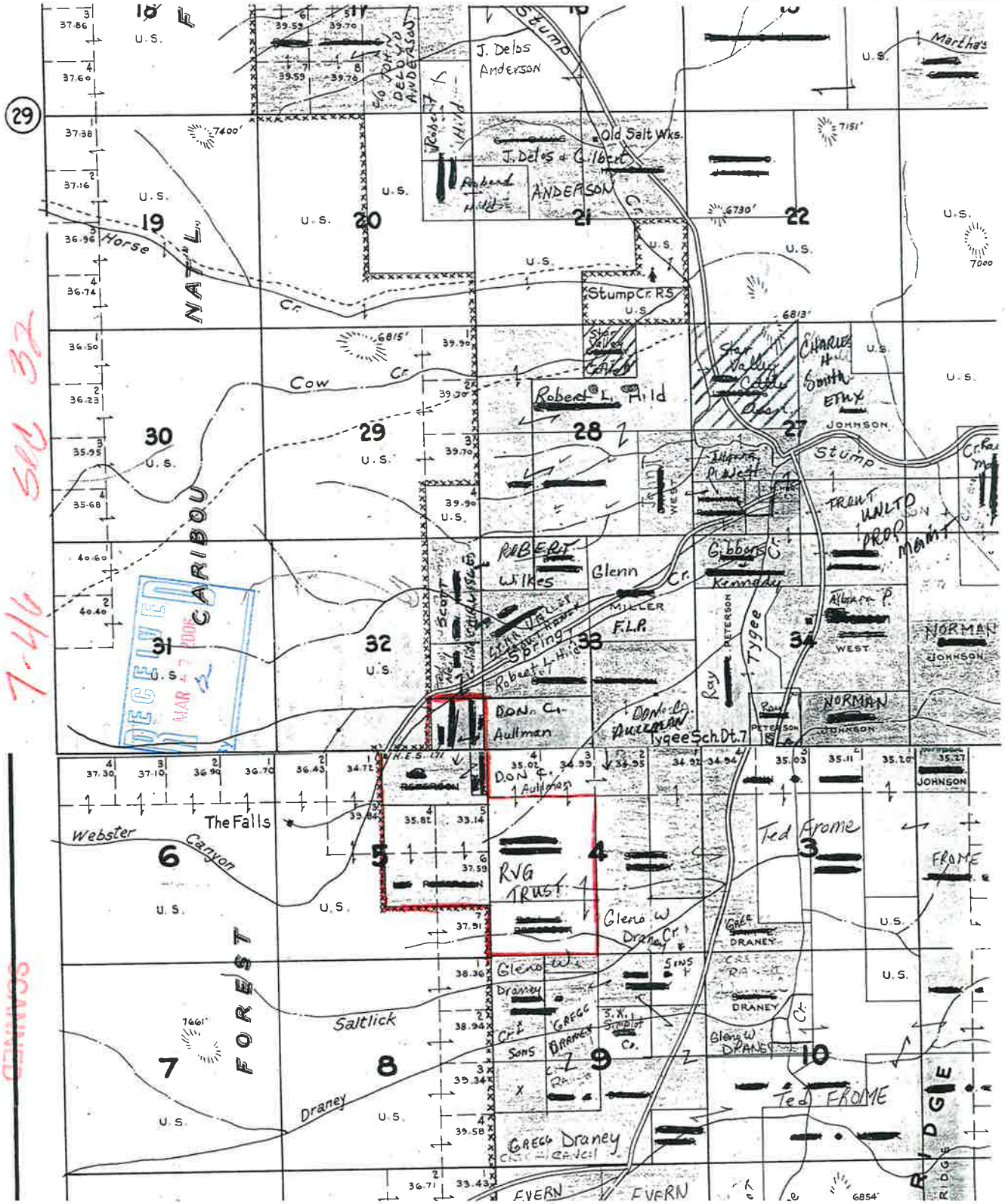
Field Photos



(11)

Location where second stream enters lower pond, Waypoint 27. See narrative. Crest is 5.5 feet long. Crest is not sharp (2x6 nominal lumber) but nappe is aerated & splinzs free. 9 Sept 05 Bac.

SCANNED MAR 2 6 2007


29
J. Delos Anderson
Old Salt Wks.
J. Delos & Gilbert
ANDERSON
Robert L. Hild
NAT'L
CARIBOU
FOREST
Horse Cr.
Cow Cr.
Stump Cr. RS
Stump
Robert L. Hild
Glenn Cr.
ROBERT Wilkes
Gibbons C. Kennaday
Tygee
Ray PETERSON
Don. C. Aullman
Tygee Sch. Dt. 7
NORMAN JOHNSON
Ted Fromme
FROME
RVG TRUST
Glenn W. Draney Cr.
DRANEY
Gregg Draney
Saltlick
Webster Canyon
The Falls
Draney
EVERN
RIDGE
RECEIVED
MAR 2 2007
SCANNED
MAR 26 2007

RECEIVED
MAR - 7 2006
By



SCANNED
MAR 2 6 2007

SCANNED
AUG 05 2001

Log for claim 24-02026 **Spatial Dynamics BTD** **4/3/01**

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s46e	32	SESE	21	21	POD placement?
08s46e	5	NENE	2	3.4	NWNE qq acreage is included.
08s46e	5	SWNE	3	1.5	
Totals:			26	25.9	

State of Idaho

License and Certificate of Water Right

Water License No. 10960 Amount 3.0 sec. ft.

Water District No. 44 Priority 7-8-1916

THIS IS TO CERTIFY that Andrew S. Peterson of Auburn, Wyoming, made application for a permit to appropriate the public waters of the State of Idaho, dated November 14, 1914; that Permit No. 10960 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.0, second feet, was issued thereunder on April 17, 1920, showing that said works were completed on the 20th day of January, 1920; and that on the 12th day of September, 1923,

Andrew S. Peterson of Auburn, State of Wyoming, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Webster Creek, a tributary of Snake River, for the purpose of irrigation & domestic use, under Use Permit No. 10960 of the State Engineer 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3090, on the 19th day of October, 1923;

The right hereby confirmed dates from July 8, 1916;

The Point of Diversion is located in the NE ¼ NW ¼, Sec. 5, Tp. 8 S., R. 46 E., B. M. County of Caribou.

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 3.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	46 E.	33	SW¼ SW¼	40	40

387.75

Also, a tract of land commencing at a point at the Northwest Corner of SW¼SW¼ Sec. 33, Twp. 7 S., R. 46 E., B. M.; thence West 23½ rods; thence South 150 rods; thence East 23½ rods; thence North 150 rods, to place of beginning, approximating 110 acres.

2475

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 Commissioner of Reclamation, affixed at Boise, Idaho, this 19th day of October, 1923.

W. G. SWENDSEN,
Commissioner of Reclamation.

(SEAL)

24 2026

24-2026 10960

No. 15856.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. *Name of applicant:* Alvin J. Welchman.

Postoffice address: Auburn *County:* Lincoln *State:* Wyoming.

I. If applicant is a corporation, give
(a) Date and place of incorporation:
(b) The amount of capital stock:
(c) The amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are: *(a) Cash on hand:*
(b) Treasury stock: *(c) Bonds to be issued:*
(d) Other resources:

2. *The quantity of water claimed is* Three *cubic feet per second.*

3. *Source of water supply:* From Webster Creek.

4. *Location of point of diversion:* Ditch No. 1, SW¼ of the SW¼ Sec. 5, Ditch No. 2, SE of the NW¼ Sec. 5, Twp. 8 S. R. 46 E. B. M. [illegible]

County of Bannock.

5. *To be used for:* Irrigation for SW¼ of SW¼ Sec. 33, SE¼ of SE¼ Sec. 32, Twp. 7 S. R. 46 E. B. M. N½ of NE¼ of Sec. 5 Twp. 8 S. R. 46 E. B. M.

I. Irrigation and domestic use: *(a) Amount of land to be irrigated:* 150 *acres.*
(b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated: *H. P. under* *ft. head*
(c) Is water to be returned to any stream? *(d) If so, name stream and locate point of return:*

6. *Estimated cost of works:* Ditch No. 1 $150.00 Ditch No. 2 $25.00

7. *Description of works for diversion:*
I. Kind of works: Dam, ditch and one flume.

II. Dimensions of works:
(a) Height of dam three *feet, length of dam at top* 14 *feet,*
length of dam at bottom 12 *feet. Material used in construction:* Stone and earth.

(b) Capacity of reservoir *acre feet.* *(c) Size of headgate, width* 3 *feet,*
Height 1 *feet.* *(d) Conduit* ditch *width at bottom* 3 *feet,*
width at water line 3 *feet, depth of water* 1 *feet; diameter of pipe* *inches; average grade per mile is* 8 *feet. Length of conduit is* 2 *miles, and it crosses the following quarter sections:* SE¼ and SW¼, NW¼ and NE¼ Sec. 5, Twp. 8 S. SE¼ Sec. 32 and SW¼ Sec. 33 Two. 7 S. R. 46 E. B. M.

8. *The time required for the completion of the construction of such work is* Three *years.*

9. *Time required for the complete application of the water to the proposed use is* Two *additional years.*

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Alvin J. Welchman, *Applicant.*

By *Agent.*

10960

Date of first receipt at office of State Engineer 9.oo a.m. November 14, 1914.

Returned to applicant for correction November 19, 1914.

Corrected application received January 13, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 10960.
Recorded in Book 37 Page 10960 Approved January 18, 1915.
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 March 19, 1915 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 July 18, 1916.
The whole of said work to be completed on or before January 18, 1918.
Beneficial use of water appropriated in accordance herewith, to be made on or before January 18, 1920.

Witness my hand this 18th day of January, 1915.

HERBERT WING,
Acting State Engineer.

Remarks:

EXTENSION OF TIME

Upon proper request of Alvin J. Welchman, holder of Permit No. 10960, I have this 30th day of November, 1917, extended the time for completion of works thereunder to the 18th day of January, 1920.

J. H. SMITH,
State Engineer.

STATE OF WYOMING,)
) SS:
COUNTY OF LINCOLN,)

Alvin J. Welchman, being first duly sworn, upon his oath deposes and says:
That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 10960.
That he intends to change the point of diversion, as described in said permit, to the following point: to a point near the north edge of the Northeast Quarter of the Northwest quarter of Section 5, Twp. 8 S. Range 46 E. B. M., from two springs.
That such change will be made for the following reasons, to-wit: The source of supply that is Webster Creek, has not sufficient water to furnish that required to irrigate the said land, and in fact almost no water at all for a large part of the year. That the reason said source is insufficient is that one Soren C. Petersen, made application to the State Engineer, as I am informed, and secured change in his point of diversion for other water rights, at about the time my application was made thus leaving me without sufficient water as at first proposed, to supply the amount under said permit to me.
That no one will be injured by such change and that deponent will make such change at his own risk.
And further deponent saith not.

Alvin J. Welchman.

Subscribed and sworn to before me this 1st day of April, 1920

Carl Cook
United States Commissioner.

(SEAL)
My commission expires June 22, 1921.
Received and filed for record in the Department of Reclamation, at Boise, Idaho, at 9:00 A. M. April 10, 1920.

W. G. Swendsen,
Commissioner of Reclamation.

Proof of Completion of Works made: January 20, 1920.
Certificate issued: April 17, 1920.

Permit No. 10960

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Alvin J. Welchman, of Auburn, County of Lincoln, and State of Idaho, the holder of Permit No. 10960, issued upon Application No. 15856, bearing date of priority of November 14, 1914, authorizing the diversion of 3 second feet of the waters of Webster Creek, County of Lincoln, State of Idaho, for irrigation 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 3 second feet of the waters of Webster Creek; that the point of diversion of said waters is at a point near the north edge of the Northeast quarter of the Northwest quarter of Section 5, Twp, 8 S., Range 46 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE¼ SE¼ Sec. 32, and SW¼ SW¼ Sec. 33, T. 7 S., and N½ NE¼ Sec. 5, T. 8 S., R. 46 E., B. M.

Witness my hand this 17th day of April, A. D. 1920.

W. G. Swendsen,
Commissioner of Reclamation

By: S. T. Baer.
Deputy.

WARRANTY DEED

THIS DEED, Made this 21st day of November in the year of our Lord One Thousand Nine Hundred Sixteen, between Alvin J. Welchman and Ida Welchman of Auburn, Wyoming, parties of the first part, and Soren C. Peterson of Auburn, Wyoming, party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Six Hundred Fifty and No/100 Dollars, to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto said party of the second part, and unto his heirs and assigns, forever, all that piece or parcel of land, situate, lying and being in the County of Caribou and State of Idaho, and more particularly known and described as follows, to-wit: The Southwest quarter of the Southwest quarter of Section Thirty-three (33) Township Seven South of Range Forty-six (46) East of the Boise Meridian, Idaho, also commencing at a point the northwest corner of the southwest quarter of the southwest quarter of Section Thirty-three (33), Township Seven (7) South of Range Forty-six (46) East of the Boise Meridian, Idaho, and running thence West 23½ rods; thence South 150 rods; thence east 23½ rods; thence North 150 rods to the place of beginning, containing in all sixty-two acres of land be there more or less.

And the said parties of the first part hereby expressly waives and releases any and all rights, benefits, privileges, advantages and exemptions under and by virtue of any and all statutes of the State of Idaho, providing for the exemption of homesteads from sale on execution or otherwise.

TO HAVE AND TO HOLD, The said above described premises unto the said party of the second part, his heirs and assigns, Forever; together with the privileges, hereditaments and appurtenances thereunto in anywise appertaining or belonging. And the said parties of the first part, for their heirs, executors and administrators, do convenant and agree to and with the said party of the second part, his heirs and assigns, that at the ensealing and delivery of these presents they were well seized in said premises, in and of a good and indefeasible estate in fee simple. And that they are free from all incumbrances whatsoever. And that they have good and lawful right to sell and convey the same. And the said parties of the first part will, and their heirs, executors and administrators shall warrant and defend the same against all lawful claims and demands whatsoever.

And the said parties of the first part for their heirs, executors and administrators, does covenant and agree to and with the said party of the second part, his heirs and assigns, that he the said party of the second part, shall and may lawfully at all times hereafter peaceably and quietly have, occupy, possess and enjoy the said premises hereby granted, or intended so to be, with the appurtenances, without the lawful molestation or hindrance of the parties of the first part, their heirs or assigns, or of any other

person or persons whatsoever, by or with his or their consent, privity or procurement. And the said Ida Welchman, wife of the said Alvin J. Welchman upon the consideration aforesaid, does hereby release and forever quitclaim unto said party of the second part, his heirs and assigns, all her rights of dower and homestead in and to the above granted premises.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Alvin J.Welchman (SEAL)

Ida Welchman (SEAL)

Signed, Sealed and Delivered in the Presence of

D. D. Lynch

THE STATE OF WYOMING,)
) ss.
County of Lincoln,)

I, D. D. Lynch, a Notary Public in and for said County in the State aforesaid, do hereby certify that said Alvin J. Welchman and Ida Welchman, personally known to me as the persons whose names are subscribed to the annexed deed, appeared before me this day in person, and acknowledged that they signed, sealed and delivered said instrument of writing as their free and voluntary act, for the uses and purposes therein set forth, and expressly waived and released all right, title or benefit of exemption under any and all Homestead Exemption Laws, so called, of said State of Idaho.

And I further certify that Ida Welchman, wife of the said Alvin J. Welchman was by me first examined separate and apart from her said husband in reference to the signing and acknowledging such deed, the nature and effect of said deed being explained to her by me, and that she, being by me fully apprised of her right, and of the effect of signing and acknowledging such deed, did sign the same while so separate and apart from her said husband, and did then acknowledge that she freely and voluntarily signed and acknowledged the same for the uses and purposes therein set forth, and expressly waived and released all her rights and advantages under and by virtue of all laws of said State of Wyoming, relating to the Exemption of Homesteads.

GIVEN UNDER MY HAND and Notary seal, this 21st day of November, A. D. 1916.

D. D. Lynch
Notary Public

(SEAL)
My commission expires on the 18th day of May, A. D. 1918.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M. March 20, 1923.

W. G. SWENDSEN
Commissioner of Reclamation
By C. B.

ASSIGNMENT

For value received, I hereby assign all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 10960, to Andrew S. Peterson of Auburn, Wyoming.

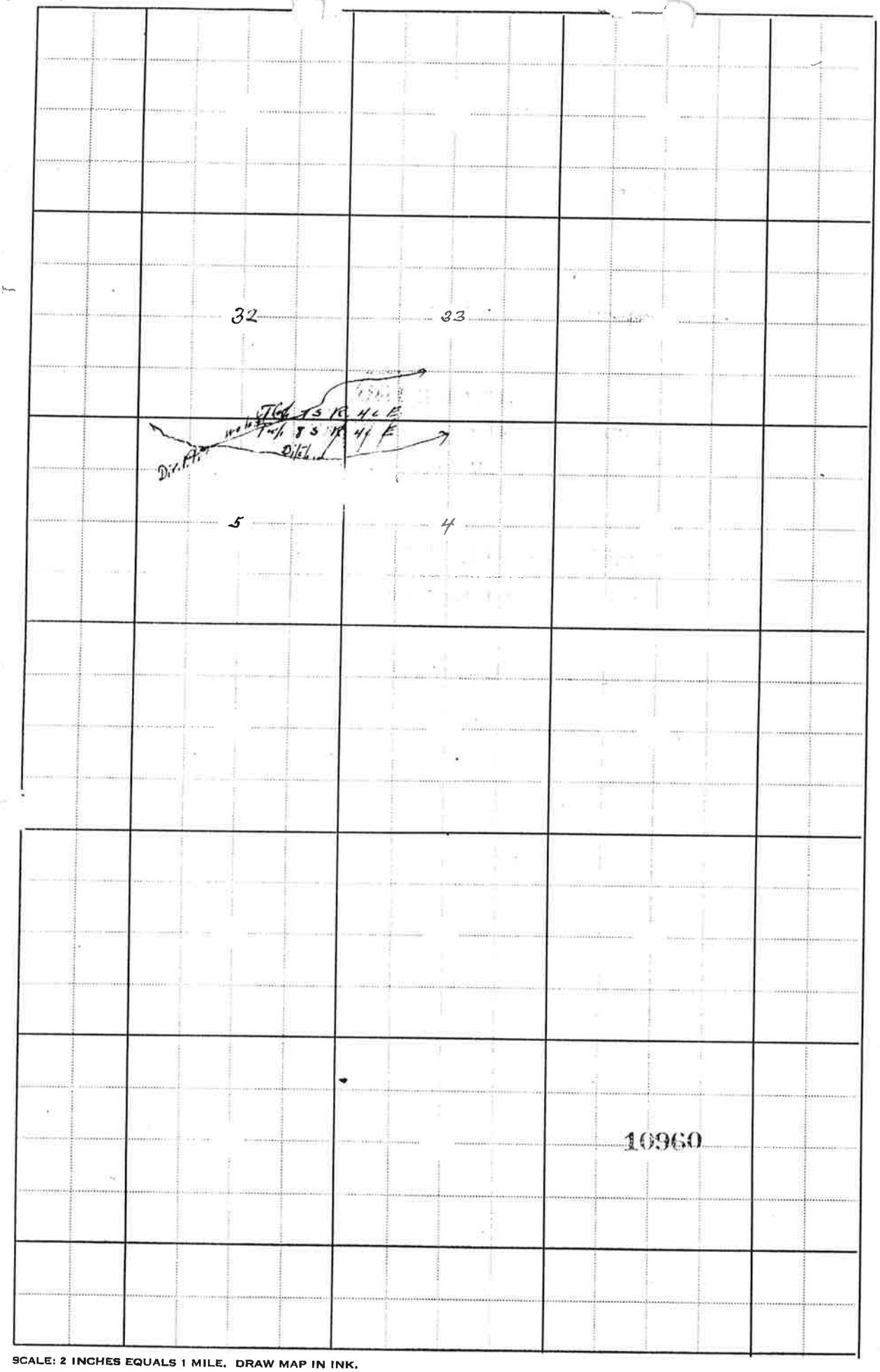
Dated June 21, 1923.

Soren C. Peterson

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M. June 28, 1923.

W. G. SWENDSEN,
Commissioner of Reclamation
By C. B.

License issued for 3.0 second feet - Page 3090



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

Form 28

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 10960

This proof is for BEN. USE WATER In Water District No. -44-

1. Name of applicant: Andrew S. Peterson
2. Source of water supply: Webster Creek
3. Location of point of diversion: Is in the NE¼NW¼ of Section 5
   T. 8 S. R. 46 E.B.M. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: Ditch directly out of creek, a headgate, width on bottom 3 ft. & 5 ft. not capacity 10 sec ft. Community ditch.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes

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 for other than irrigation): A tract of land commencing at a point at the N.W. Corner of SW¼ of SW¼, Sec. 33, Twp. 7 S., R. 46 E., B.M., thence West 23½ rods, thence South 150 rods, thence East 23½ rods, thence North 150 rods, to place of beginning; also, the SW¼SW¼ Sec. 33, Twp. 7 S., R. 46 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? Salt River, Snake R.

Remarks: 40 acre tract is all watered meadow, strip has about 20 acres cleared, balance sage & pasture, custom is to water land, kill sage, cut native grass for hay, rolling side hill land, ground subs for long distance.

10960

This examination was made on the 21 day of September 19 23

(Signed) R. L. Stateler
Examiner.

Idaho Department of Water Resources
150 Shoup Avenue Suite 15
Idaho Falls, Idaho 83401

Rick and Julie Aagard
Box 152
Auburn,Wyoming 83111

RECEIVED
APR 0 3 1992
Department of Water Resources
Eastern District Office

1 April 1992

Dear Sirs:

My husband and I manage the ranch owned by Rodger Galland located in Caribou County, Idaho,on which the water rights claims have been filed. We live here on a year-round basis and would be available to answer any questions that might arise regarding these water rights. Please feel free to contact us should the need arise. Our phone number is: 208 225-3524. Eventhough we have an Idaho area code,we are serviced through a Wyoming exchange. To call from Idaho you must dial the 208 area code.

Thank you for your help.

Sincerely,

Julie H. Aagard

Julie H. Aagard

MICROFILMED
NOV 0 6 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 24-2026
Date Received: 4/3/1992
Receipt No: E017112
Received By:

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

1. Name of Claimant(s)

RVG TRUST Phone: (801) 228-9702

C/O NORM SORENSEN
5314 NORTH 250 WEST SUITE 210
PROVO UT USA 84604

2. Date of Priority: 07/08/1916

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

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County	Type
08S	46E	5	NW	NE	SW		CARIBOU	
08S	46E	5	NE	NW	NE		CARIBOU	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH;SPRINKLERS/DRIP IRR.PONDS/17AF/WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1.21	
RECREATION	01/01	12/31	3	
RECREATION STORAGE	01/01	12/31		17

7. Total Quantity Appropriated is:
3 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
07S	46E	32	SE	SE		IRRIGATION	4.8
			SE	SE		RECREATION	
						Section Acres	4.8
08S	46E	5	NE	NE	1	RECREATION	
			NW	NE	2	RECREATION	
			NE	NE	1	IRRIGATION	0.5
			NW	NE	2	IRRIGATION	17
			SW	NE	5	IRRIGATION	3.7
						Section Acres	21.2
						Total Acres	26

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980

15. Basis of Claim: License

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____day

of _____ 20__ _____

Notary Public

Residing at _____

My commission Expires _____

RECEIVED
NOV 15 2007
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA Case 39576	**Subcase: 24-2026** **STANDARD FORM 4** **MOTION TO FILE** ☐ **LATE NOTICE OF CLAIM** X **AMENDED NOTICE OF CLAIM**

X I have read ***SRBA Administrative Order 1, Rules of Procedure*** (amended Sept. 30, 1996).

My name is RVG Trust C/O Norm Sorensen

My address is: 5314 N. 250 W. Suite 210, Provo, Utah 84604

My phone number is: Work (801) 228-9702

I am an attorney representing RVG Trust

My name is Jerry R. Rigby

My address is: 25 North 2nd East, P.O. Box 250, Rexburg, Idaho 83440

My phone number is: (208) 356-3633

SCANNED
APR 02 2008

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of Claim to the use of the water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must described these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

☐ A fully completed Notice of Claim (available from IDWR).

☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of $_____.

☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of $_____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.

2. Fill in the following information:

   This motion will be heard on: _____

   at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File and Amended Notice of Claim* may require a hearing before the Presiding Judge

SCANNED
APR 0 2 2009

or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

X I must amend my Notice of Claim to the use of the water in the SRBA because:

The Initial Claim and License had an incorrect point of diversion. Also, a second point of diversion occurred prior to 1987 through an accomplished transfer.

X I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

Maps evidencing use of water attached and testimony of Rocky Mountain Environmental as to support of claim as amended.

I have attached:

X An Amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

SCANNED
APR 0 2 2009

VERIFICATION

STATE OF IDAHO,)
ss
County of Madison.)

Jerry R. Rigby, being first duly sworn, upon oath, deposes and says:

That I am the Secretary of party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 4204101A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

Attorney signing in representative capacity.

Subscribed and sworn to before me on this 6th day of November, 2007.

Mandy Davis

Notary Public for Idaho
Residing at St. Anthony
My Commission Expires: 06/24/2011

MANDY DAVIS NOTARY PUBLIC STATE OF IDAHO

SCANNED
APR 0 2 2009

CERTIFICATE OF MAILING

I certify that on November 12, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to

   Clerk of the District Court
   Snake River Basin Adjudication
   253 Third Avenue North
   P. O. Box 2707
   Twin Falls, ID 83303-2707

2. Copies to:

   IDWR Document Depository
   P. O. Box 83720
   Boise, ID 83720-0098

   Chief, Natural Resources Division
   Office of the Attorney General
   State of Idaho
   P. O. Box 44449
   Boise, ID 83711-4449

   United States Department of Justice
   Environment and Natural Resources Division
   550 West Fort Street, MSC 033
   Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you must serve a copy on all parties in that subcase.

Signature of person or attorney mailing the form

SCANNED
APR 0 2 2009

RECEIVED
NOV 15 2007
DEPARTMENT OF
WATER RESOURCES

Form No.42-1409 (2)a (Internet)

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 24-2026
Date Received: _____
Receipt No: _____
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RVG Trust C/O Norm Sorensen Phone (801) 228-9702

   Mailing Address 5314 N. 250 W., Ste. 210 (Street or Box) Provo (City) Utah (State) ZIP 84604

2. Date of Priority (Only one (1) per claim) 7-8-1916 (Month Day Year (YYYY))

3. Source of water supply (Check one) Ground Water ( ) or Other (x) (a) Webster Creek

   which is tributary to (b) Salt River

4. a. Location of Point of Diversion is: Township 8 S, Range 46 E, Section 5,

   NW, 1/4 of NE, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of Caribou

   Additional points of diversion if any: T8S. R46E. Sec. 5 NENWNE

   If available, GPS Coordinates _____

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

   ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., 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.
   Headgate in Stream to Ditch; Sprinklers;Drip Irrigation Ponds

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APR 0 2 2009

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 1.21 or _____

For Recreation purposes from 1/1 to 12/31 amount 3.00 or _____

For Recreation Storage purposes from 1/1 to 12/31 amount _____ or 17 AFA

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) .02 C.F.S. Stockwater to be filed in separate claim

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	46E	5	.5	R	14	R	3.7												21.2
7S	46E	32																4 SE	4.8

Total number of acres irrigated 26

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

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.

Stockwater, Irrigation & Recreation/Recreation Storage or None ( )

13. Remarks: The original claim had an incorrect point of diversion which was incorrectly described in the license. The second point of diversion, was accomplished prior to 1987

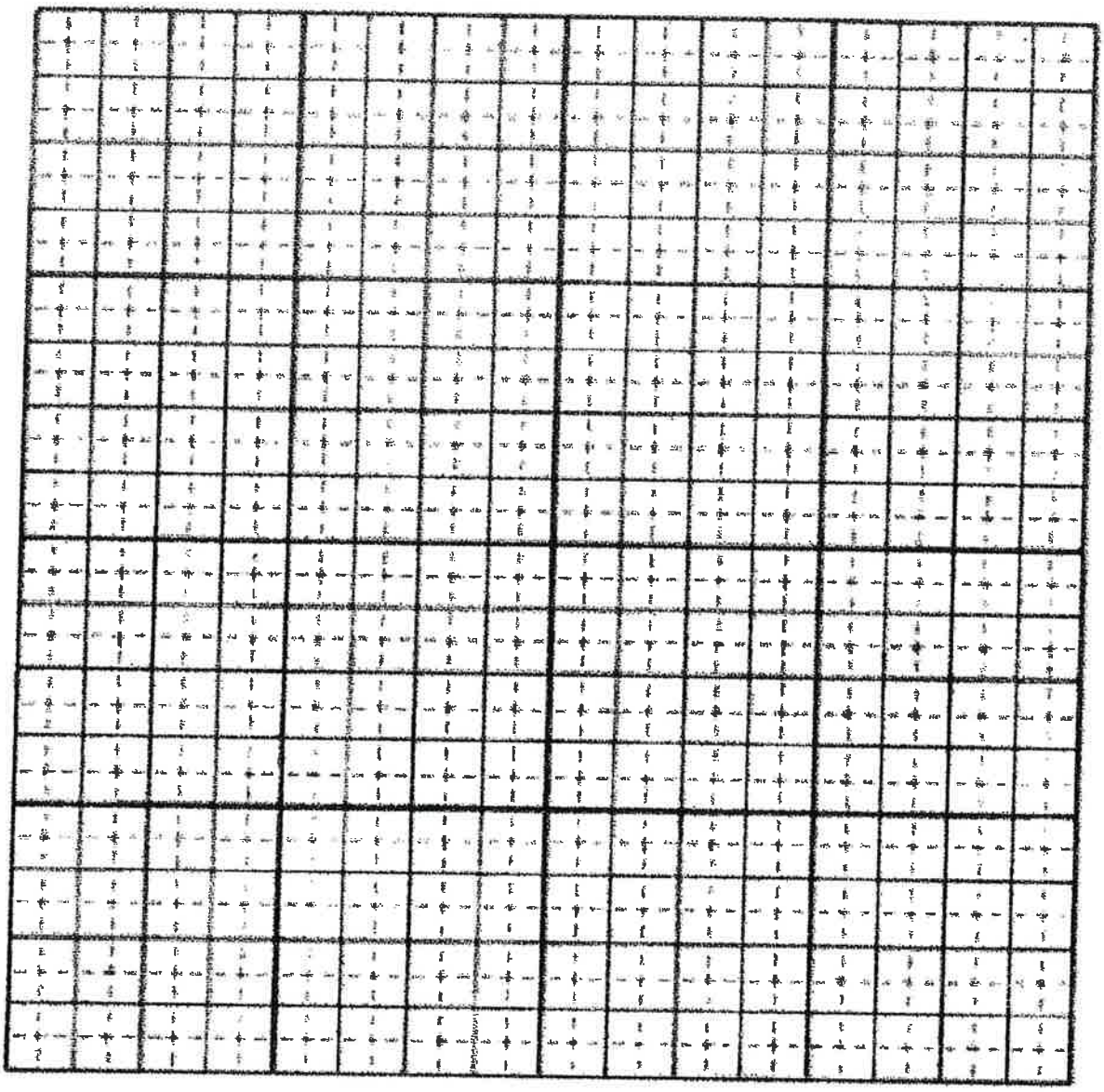
Last Name RVG Trust Ident No. 24-2026

SCANNED
APR 0 2 2009

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

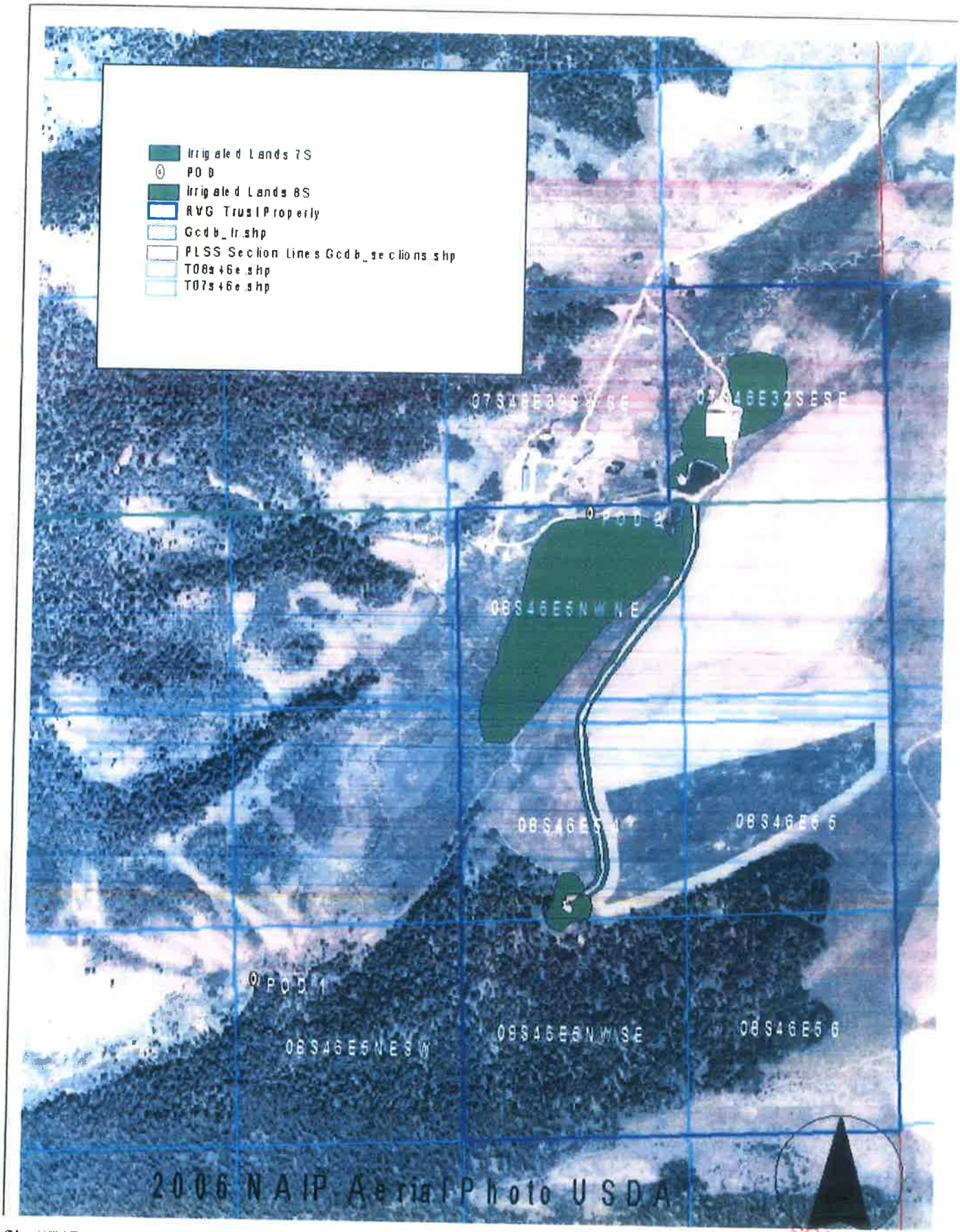
Scale: 2 Inches equals 1 mile

SEE ATTACHED MAPS

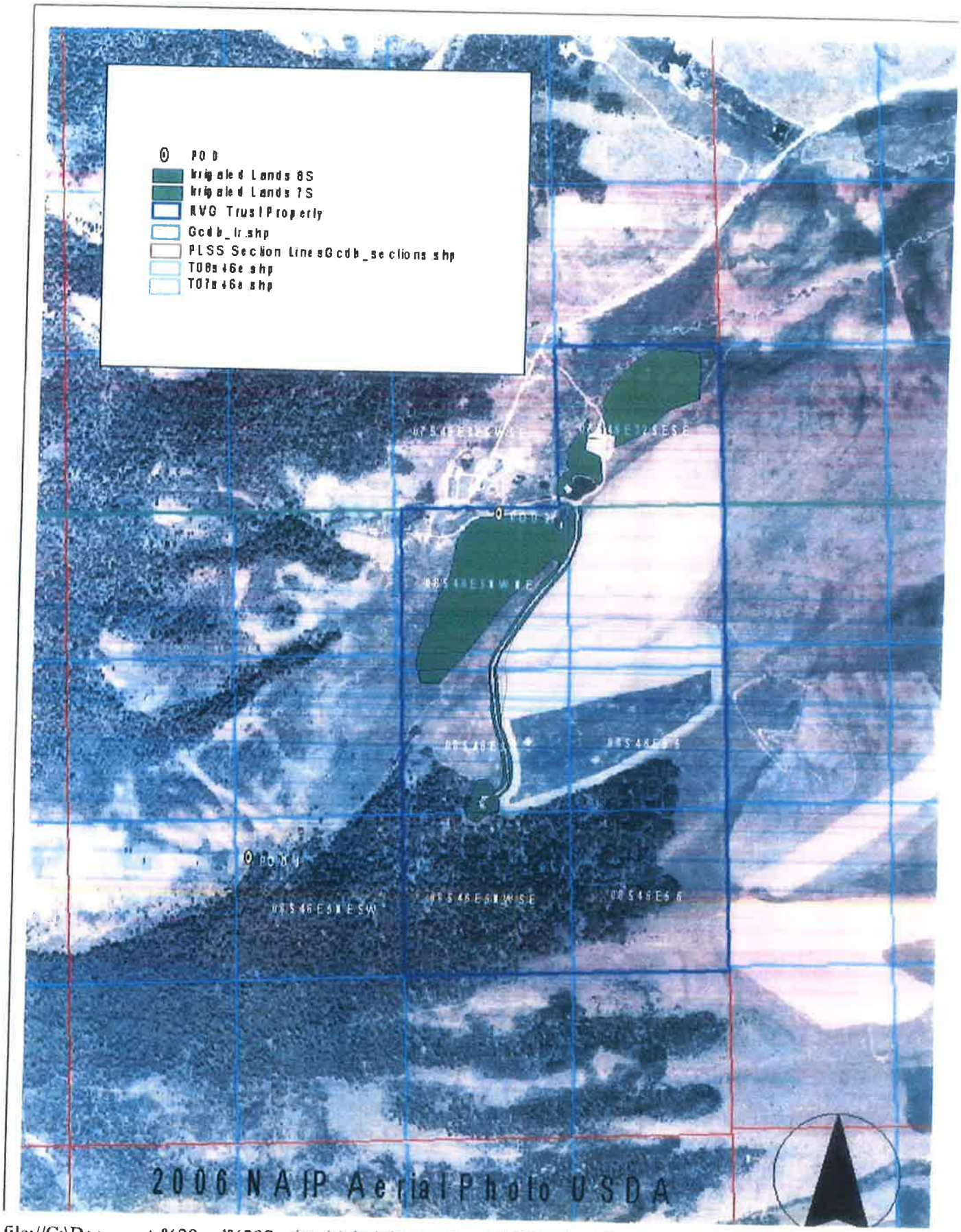


Last Name RVG Trust Ident No. 24-2026

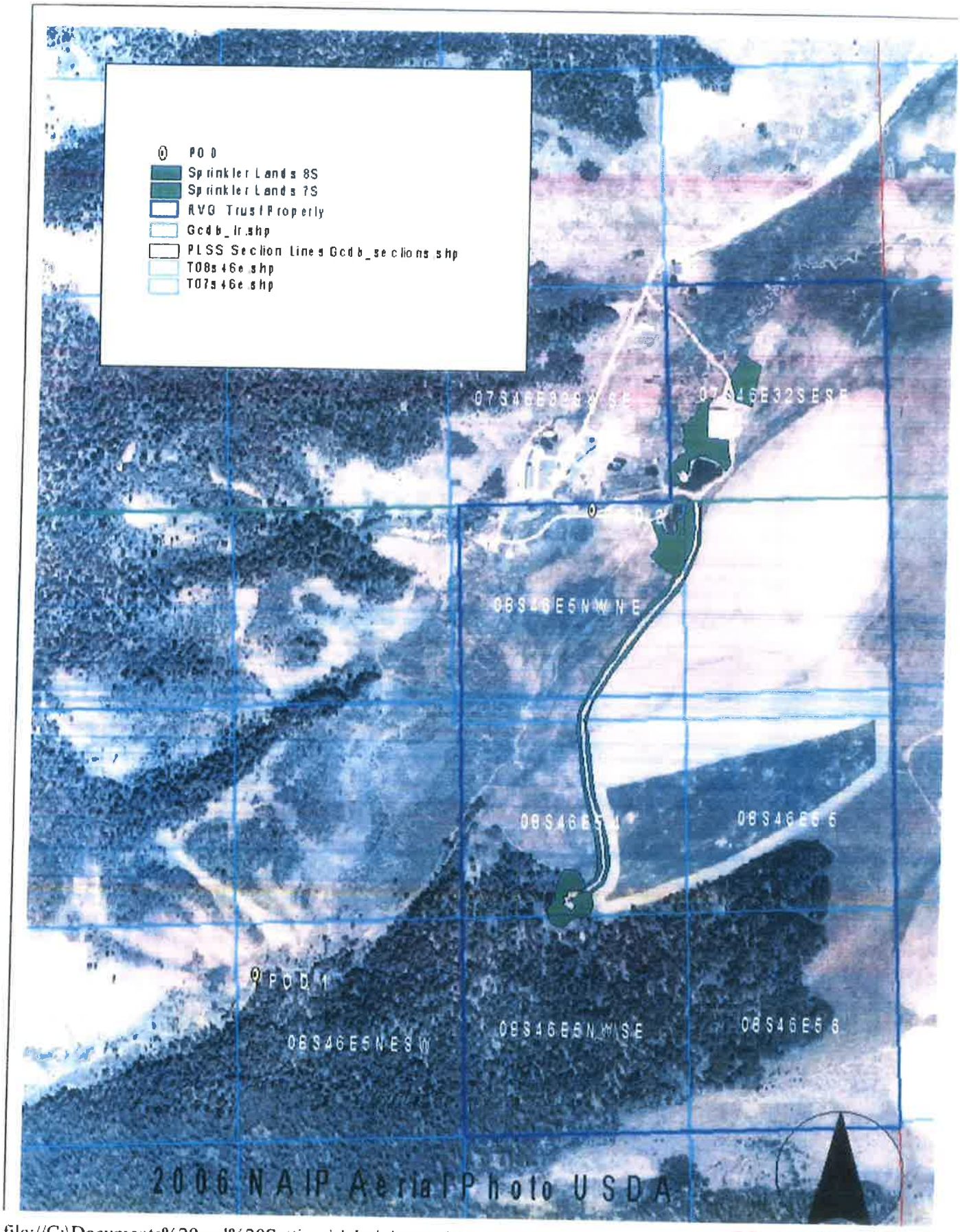
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APR 02 2009



SCANNED
APR 0 2 2009

14. Basis of Claim (Check One) Beneficial Use X Posted Notice ____License X Permit ____ Decree ____

Court _____ Decree Date_____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 24-2026 & accomplished transfer

15. 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 under penalty of perjury 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 under penalty of perjury that I am
Attorney (Title) of RVG Trust (Organization),
that I have signed the foregoing document in the space below as
Attorney (Title) of RVG Trust (Organization),
and that the statements contained in the forgoing document are true and correct.

Signature of Authorized Agent _____ Date 11-12-07

Title and Organization Attorney for Claimant

Please Print Name

16. Notice of Appearance:
Notice is hereby given that I, Jerry R. Rigby, 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 _____

Address P.O. Box 250, Rexburg, Idaho 83440

Date 11-12-07

Last Name RVG Trust Ident No. 24-2026

SCANNED
APR 02 2009

08/15/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 24-2026

NAME AND ADDRESS: RVG TRUST
C/O NORM SORENSEN
5314 NORTH 250 WEST SUITE 210
PROVO UT 84604

DISALLOWED

SOURCE: WEBSTER CREEK TRIBUTARY: SALT RIVER

QUANTITY: 3.000 CFS

PRIORITY DATE: 07/08/1916

POINT OF DIVERSION:

T08S R46E S5 NWSWSE Within CARIBOU County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
RECREATION STORAGE	1/01 12/31	17.00 AFY
IRRIGATION	4/15 10/15	1.210 CFS
RECREATION	1/01 12/31	3.000 CFS
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within CARIBOU County

T07S R46E S32	SESE	21.00	T08S R46E S05 Lot 1	NENE	1.00
T08S R46E S05 Lot 2	NWNE	1.00	T08S R46E S05 Lot 5	SWNE	3.00

STOCKWATER Within CARIBOU County

T07S R46E S32 SESE

RECREATION Within CARIBOU County

T07S R46E S32 SESE

26 ACRES TOTAL

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

Change in use; insufficient evidence of date of change.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Change in use, insufficient evidence of date of change: This is included for a claim that is proposed to be disallowed because use of the water right was changed without prior IDWR approval and the claimant did not submit sufficient evidence from which the date of the change could be determined. The date of change is necessary to determine if the right may be claimed as changed without prior IDWR approval, and if the change will result in injury to other water right holders.

SCANNED
MAR 2 6 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 24-2026
Date Received: 4/3/1992
Receipt No: E017112
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RVG TRUST Phone:
5314 NORTH 250 WEST SUITE 210
PROVO UT USA 84604

2. Date of Priority: 07/08/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
08S	46E	5	NW SW SE		CARIBOU	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH;SPRINKLERS/DRIP IRR.PONDS/17AF/WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	
IRRIGATION	4/15	10/15	1.21	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	
RECREATION	1/01	12/31	3	
RECREATION STORAGE				1/01 12/31
17				

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

SCANNED
MAR 2 6 2007

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07S	46E	32	SE	SE		IRRIGATION	21
			SE	SE		RECREATION	
			SE	SE		STOCKWATER	
						Section Acres	21
08S	46E	5	NE	NE	1	IRRIGATION	1
			NW	NE	2	IRRIGATION	1
			SW	NE	5	IRRIGATION	3
						Section Acres	5
						Total Acres	26

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980

15. Basis of Claim: License

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.

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MAR 2 6 2007

SCANNED
AUG 0 2001

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: **A24-02026**
Date Received: 4/ 6/1992
Receipt No: E017112
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



1. Name: RODGER GALLAND 801-375-9675
   Address: PO BOX 1848
   PROVO UT 84603

2. Date of Priority: JUL 8, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08S	46E	5	NW SW SE		CARIBOU

5. Description of diverting works:
   HEADGATE IN STREAM TO DITCH;SPRINKLERS/DRIP IRR.PONDS/17AF/WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/15	10/15	1.210	
RECREATION	01/01	12/31	3.000	
RECREATION STORAGE	01/01	12/31		17.00
STOCKWATER	01/01	12/31	0.020	

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

8. Total consumptive use is 62.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   RECREATION/FISH PONDS; STOCKWATER, 10 HORSES/COWS/OFF STR. STORAG

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	46E	32	SE SE		IRR	21.0

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NOV 0 6 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07S	46E	32	SE	SE		REC	
			SE	SE		STOCK	
					Section Acres		21.0
08S	46E	5	NE	NE	1	IRR	1.0
			NW	NE	2	IRR	1.0
			SW	NE	5	IRR	3.0
					Section Acres		5.0
					Total Acres		26.0

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:
CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980

15. Basis of Claim: LICENSE

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: _____

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MAR 2 6 2007
MICROFILMED
NOV 0 6 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

SCANNED
MAR 2 6 2007
MICROFILMED
NOV 0 6 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 24-2026
Date Received: 4/3/1992
Receipt No: E017112
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RVG TRUST Phone:
5314 NORTH 250 WEST SUITE 210
PROVO UT USA 84604

2. Date of Priority: 07/08/1916

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

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County	Type
08S	46E	5	NW	SW	SE		CARIBOU	

5. Description of diverting works:

HEADGATE IN STREAM TO DITCH;SPRINKLERS/DRIP IRR.PONDS/17AF/WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.21	
STOCKWATER	1/01	12/31	0.02	
RECREATION	1/01	12/31	3	
RECREATION STORAGE			1/01 12/31	
17				

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

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MAR 2 6 2007

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07S	46E	32	SE	SE		IRRIGATION	21
			SE	SE		RECREATION	
			SE	SE		STOCKWATER	
						Section Acres	21
08S	46E	5	NE	NE	1	IRRIGATION	1
			NW	NE	2	IRRIGATION	1
			SW	NE	5	IRRIGATION	3
						Section Acres	5
						Total Acres	26

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980

15. Basis of Claim: License

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.

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AUG 2 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: **A24-02026**
Date Received: 4/ 6/1992
Receipt No: E017112
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODGER GALLAND
Address: PO BOX 1848
PROVO UT 84603
801-375-9675



2. Date of Priority: JUL 8, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08S	46E	5	NW SW SE		CARIBOU

5. Description of diverting works:
HEADGATE IN STREAM TO DITCH;SPRINKLERS/DRIP IRR.PONDS/17AF/WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.210		
RECREATION	01/01	12/31	3.000		
RECREATION STORAGE	01/01	12/31			17.00
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 62.5 Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION/FISH PONDS; STOCKWATER, 10 HORSES/COWS/OFF STR. STORAG

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	46E	32	SE	SE	IRR	21.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07S	46E	32	SE	SE		REC	
			SE	SE		STOCK	
						Section Acres	21.0
08S	46E	5	NE	NE	1	IRR	1.0
			NW	NE	2	IRR	1.0
			SW	NE	5	IRR	3.0
						Section Acres	5.0
						Total Acres	26.0

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:
CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980

15. Basis of Claim: LICENSE

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: _____

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MAR 2 6 2007
MICROFILMED
NOV 0 6 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

SCANNED
MAR 2 6 2007
MICROFILMED
NOV 0 6 1992

LATE FEE $50.00
FILING FEE $376.00
$426.00

Form No. 42-1409 (2) a 1/88

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 A24-02026
Date Received 4-3-92
Receipt Number E017112/ gp

RECEIVED
APR 0 3 1992
Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Rodger Galland Phone (801) 375-9675
   Mailing Address P.O. Box 1848 Provo, UT Zip 84603
2. Date of Priority (Only one (1) per claim) July 8, 1916
3. Source of water supply (a) Webster Creek
   which is tributary to (b) Salt River
4. a. Location of existing point of diversion is: Township 8S Range ~~8E~~ 46E Section 5,
   NW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, ____ B.M., County of Caribou
   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 ____ 1/4,
   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. Headgate in stream to ditch. Relift Pump in the NW SW NE lifts water to sprinklers & drip irrigation line to irrigate lawn around a home and tree rows along access road. Two ponds were constructed in 1982 that store approx. 17 acft of water. These are off stream storage ponds. A relift pump in lower pond pressurizes a sprinkler line that irrigates ~ ~~15~~ 6 acres of lawn. The remaining pond is flood irrigated from ditches originated from lower pond overflow.

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MICROFILMED
NOV 0 6 1992

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For IRRIGATION	purposes from	4/15	to	10/15	amount	1.21	or
For STORAGE TO REC.	purposes from	1/1	to	12/31	amount	3.00	or
For STOR FOR REC.	purposes from	1/1	to	12/31	amount		or 17
For STOCKWATER	purposes from	1/1	to	12/31	amount	0.02	or

7. Total quantity claimed (a) 3.00 (cfs) and/or (b) 17 (acre feet)

8. Total consumptive use claimed is 62.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) RECREATION USE FOR PONDS STOCKED W/ FISH. PRIVATE USE. STOCK WATER FOR 10 HORSES/AND/OR COWS. OFF STREAM STORAGE.

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	
8S	46E	32																21	21
8S	46E	5	1	1	3														5
7S	46E	32																R	
7S	46E	32																S	

Total number of acres irrigated 26

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

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.
or None (X)

14. Remarks: CLAIMING AN ACCOMPLISHED CHANGE IN PLACE OF USE AND IN NATURE OF USE. WATER HAS BEEN USED AS IT IS CLAIMED SINCE 1980.

SCANNED MAR 2 6 2007
MICROFILMED NOV 0 6 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 24-02026
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) Rodger D. Ballard Date 3/30/92

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ (Title)

of _____ (Organization), that I have signed the foregoing document in the space below as _____ (Title) of _____ (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Utah)
) SS.
County of Utah)

Subscribed and sworn (or affirmed) before me this 30th day of March 19 92

SEAL NOTARY PUBLIC KAYE HALLADAY 2696 No. University Ave. Provo, Utah 84604 My Commission Expires: 7-13-95 State of Utah

Notary Public Kaye Halladay

Residing at Provo, Ut

My Commission Expires 7/13/95

Please Print Name KAYE HALLADAY

17. Notice of Appearance:
Notice is hereby given that I, _____ 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 _____

Address _____

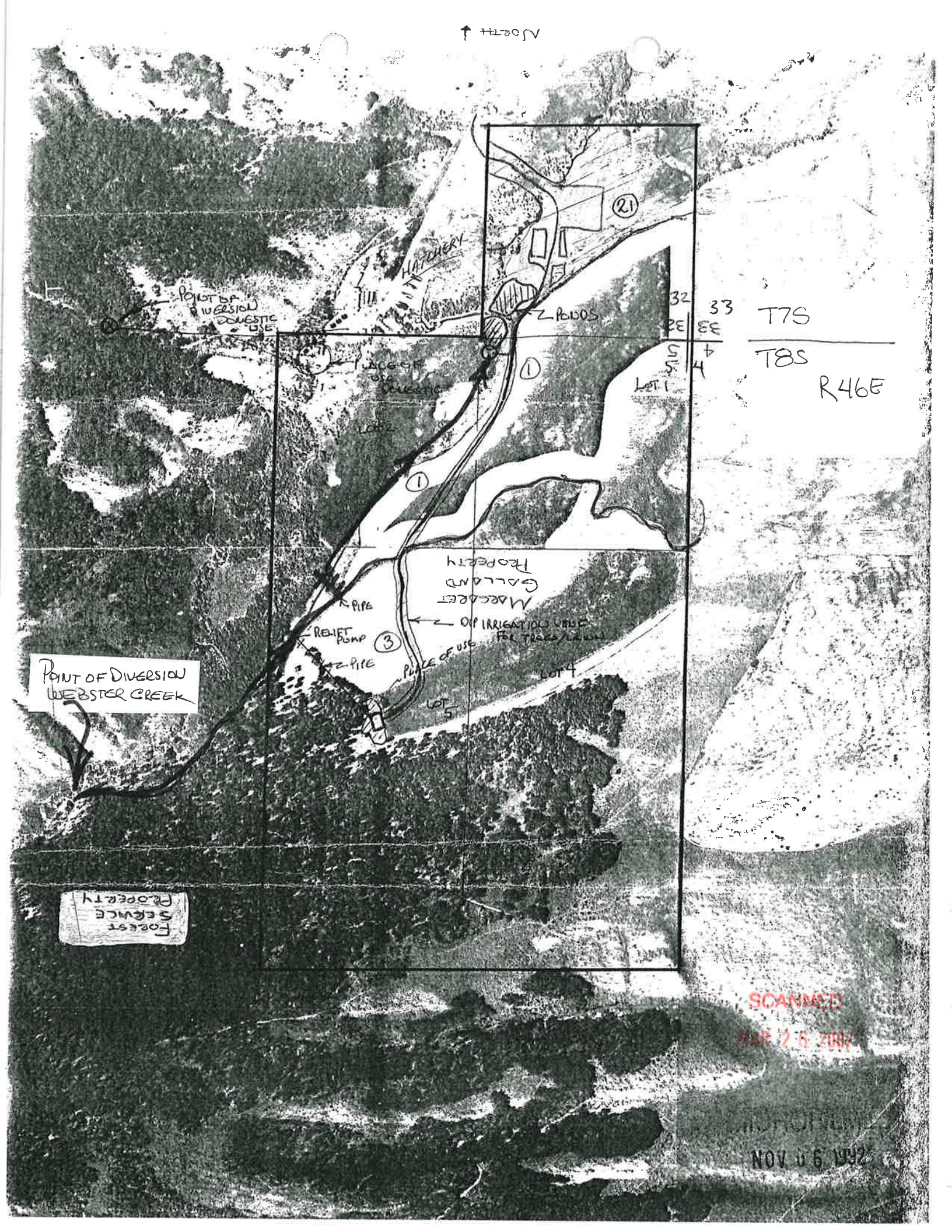
Date _____

SCANNED MAR 2 6 2007

MICROFILMED NOV 0 6 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant


NORTH
HATCHERY
POINT OF DIVERSION DOMESTIC USE
2 PONDS
PLACE OF USE DOMESTIC
LOT 1
LOT 2
LOT 4
LOT 5
32
33
T7S
T8S
R46E
PIPE
RELIEF PUMP
PIPE
PLACE OF USE
POINT OF DIVERSION WEBSTER CREEK
SCANNED
MAR 26 2012
NOV 06 2012