

08/26/2005

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

RIGHT NUMBER: 27-2124

NAME AND ADDRESS: VAUNA WHEATLEY
10053 S MARSH CRK RD
MCCAMMON ID 83250

RALPH O WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.380 CFS
954.00 AFY

Right Nos. 27-2124 and 27-4008 are limited to a total combined diversion rate of 4.38 cfs.

PRIORITY DATE: 07/28/1961

POINT OF DIVERSION:
T05S R40E S23 NWSWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	4.380 CFS 954.00 AFY

PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R40E S23	SWNE	18.0	T05S R40E S23	SENE	17.0
T05S R40E S23	SWNW	19.0	T05S R40E S23	SENW	18.0
T05S R40E S23	NESW	39.0	T05S R40E S23	NWSW	40.0
T05S R40E S23	SWSW	40.0	T05S R40E S23	SESW	40.0
T05S R40E S23	NESE	40.0	T05S R40E S23	NWSE	40.0
T05S R40E S23	SWSE	40.0	T05S R40E S23	SESE	39.0

390 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 390 acres in a single irrigation season. Combined Right Nos.: 27-2124 and 27-4008

This right is limited to the irrigation of 318 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Right No. 27-4008 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right No. 27-4008 is also diverted through point of diversion described above.

04/18/2005

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

RIGHT NUMBER: 27-2124

NAME AND ADDRESS: VAUNA WHEATLEY
10053 S MARSH CRK RD
MCCAMMON ID 83250

RALPH O WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.380 CFS
954.000 AFY

PRIORITY DATE: 07/28/1961

POINT OF DIVERSION:

T05S R40E S23 NWSWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	4.380 CFS 954.00 AFY

PLACE OF USE: IRRIGATION Within CARIBOU County

T05S R40E S23	NESW	39.0	T05S R40E S23	NWSW	40.0
T05S R40E S23	SWSW	40.0	T05S R40E S23	SESW	40.0
T05S R40E S23	NESE	40.0	T05S R40E S23	NWSE	40.0
T05S R40E S23	SWSE	40.0	T05S R40E S23	SESE	39.0

318 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

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

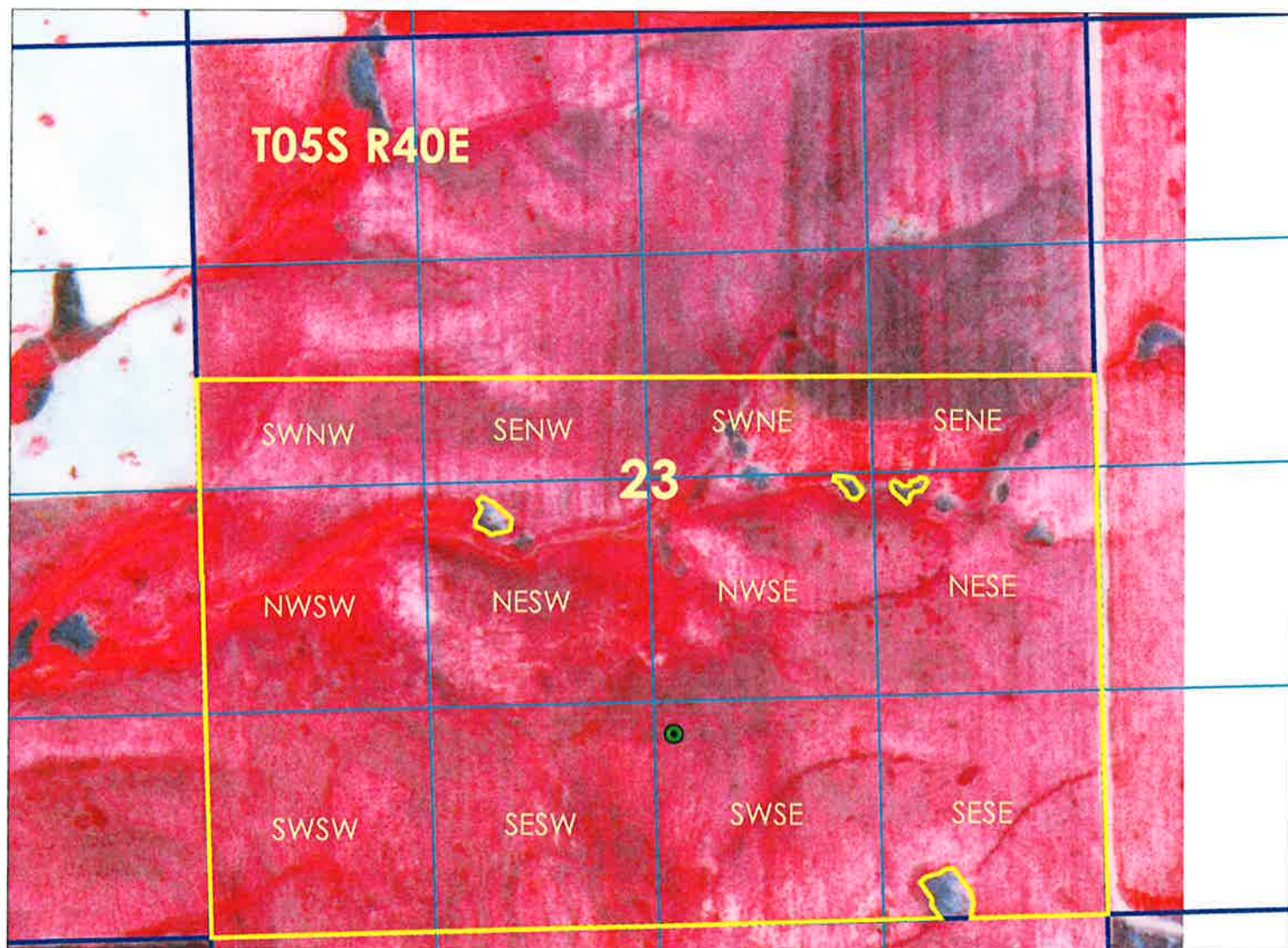
1

Department of Water Resources

Eastern Region



Claim No.: 27-2124 and 27-4008



SCANNED

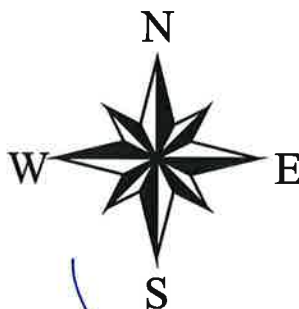
APR 10 2006

0 660 1320 1980 2640 Feet



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

PROFILED



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: August 2005



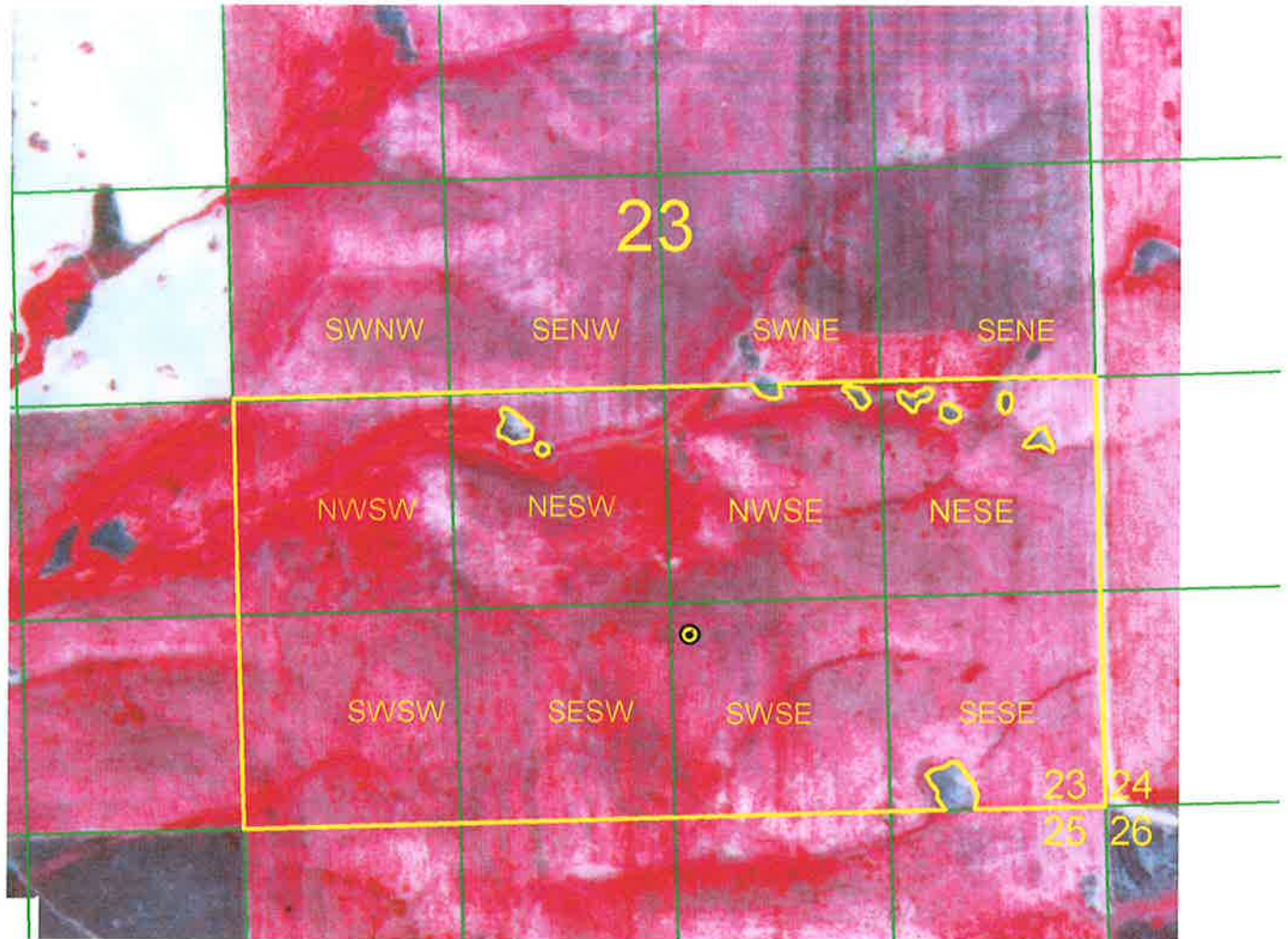
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-2124



IRRIGATED ACRES 318.0

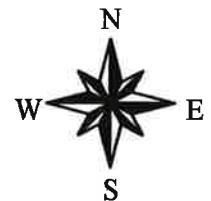
1000 0 1000 2000 Feet

LEGEND

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

Place of Use: T5S, R40E:
(part of) Sec. 23, NWSW, NESW,
NWSE, NESE, SWSW, SESW,
SWSE, SESE

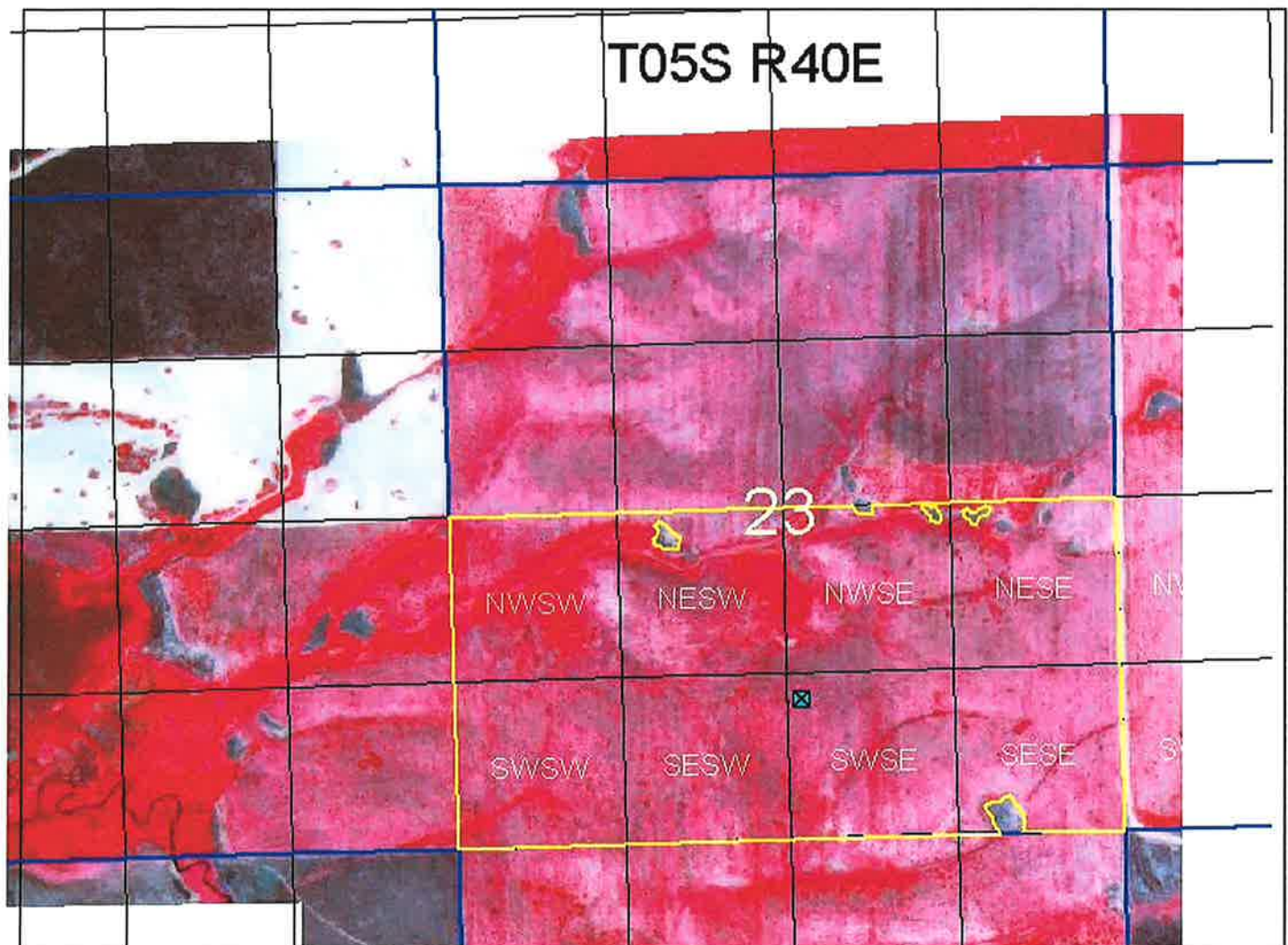
Point(s) of Diversion: T5S, R40E:
Sec. 23, NWSWSE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: April 2005.

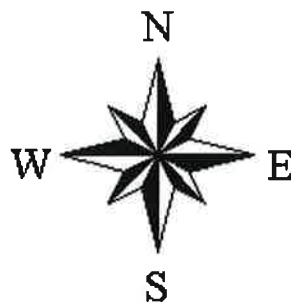
Idaho Department of Water Resources

Claim No.: 27-2124



0 1320 2640 3960 5280 Feet

-  Place of Use
-  Well
-  Township/Range
-  Sections
-  QQ



1987-88 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: April 2005



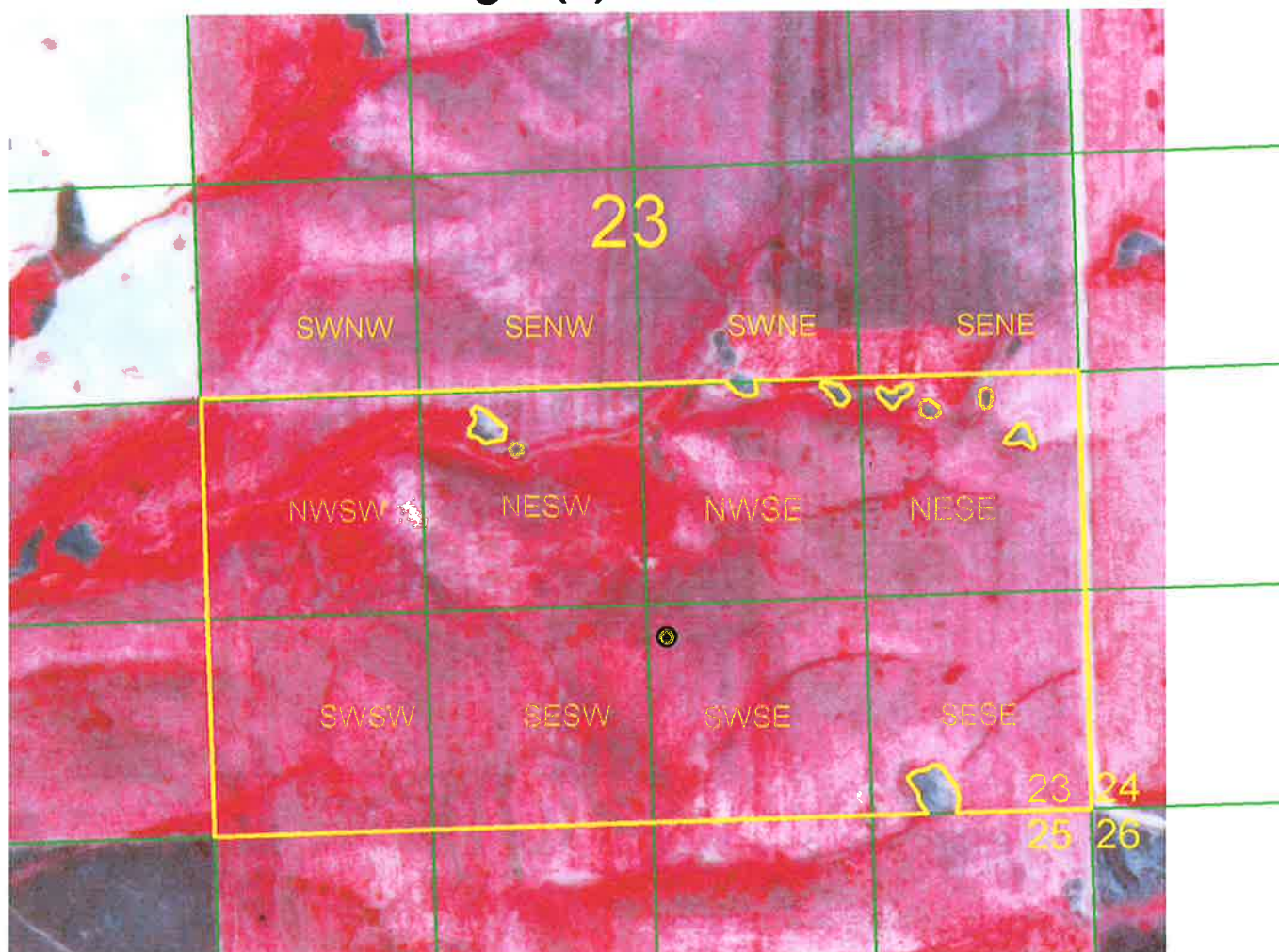
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-2124



IRRIGATED ACRES 318.0

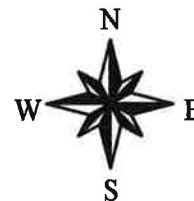
1000 0 1000 2000 Feet

LEGEND

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

Place of Use: T5S, R40E:
(part of) Sec. 23, NWSW, NESW,
NWSE, NESE, SWSW, SESW,
SWSE, SESE

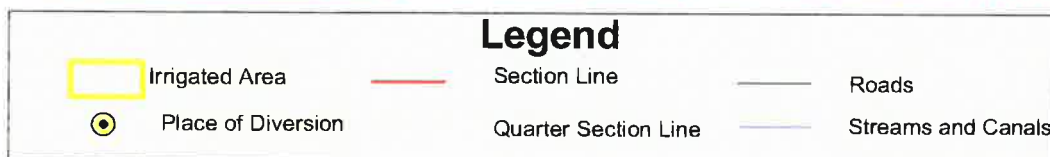
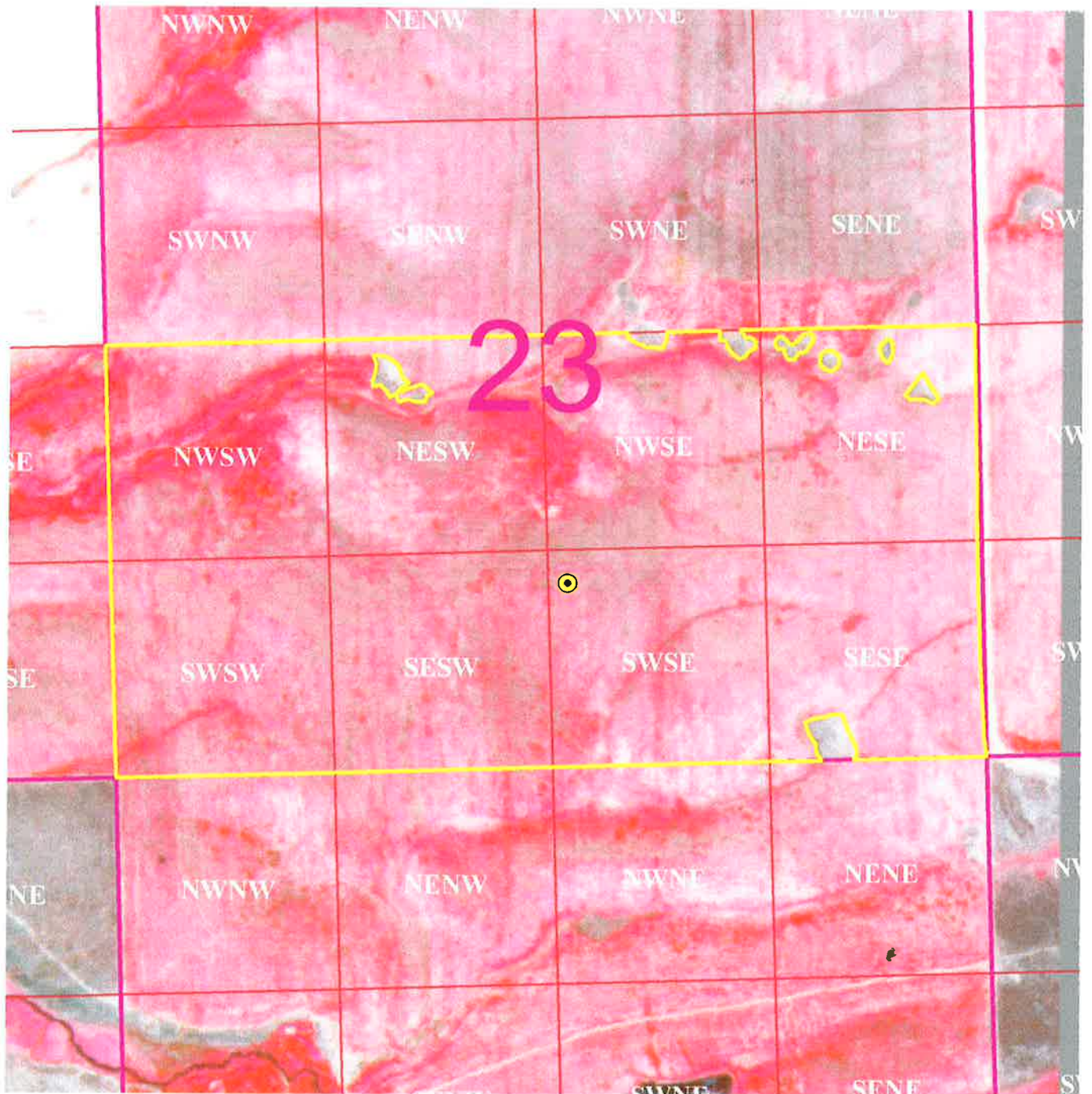
Point(s) of Diversion: T5S, R40E:
Sec. 23, NWSWSE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: March 2005.

Water Right Claim Number 27-02124
Township , 5S40E

12/01/2000



04/27/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-2124

VAUNA WHEATLEY
10053 S MARSH CRK RD
MCCAMMON ID 83250

RALPH O WHEATLEY
10053 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208) 254-3186

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

needed to be 390 ac.

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

7-18-05

SIGNATURE:

Ralph Wheatley

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

APR 10 2006

15 West Center
Soda Springs, ID 83276
Phone (208) 547-3993
FAX (208) 547-3939

Idaho Department of Water Resources

Fax

To: Katy Jackson

From: Barbara Payne

Fax: 525-7177

Pages: 6

Phone:

Date: 7/18/2005

Re: Basin 27 NOEs

CC:

Hi Katy,

This FAX contains a copy of the following NOEs:

27-11314	Ralph Wheatley	Agree
27-4008	Ralph Wheatley	Disagree POU
27-2124	Ralph Wheatley	Disagree POU
27-4010	Ralph Wheatley	Disagree Usage
27-4009	Ralph Wheatley	Disagree POU

Barbara

FAXED
7-18-05

Bird, Cindy

From: Bird, Cindy
Sent: Monday, April 18, 2005 5:00 PM
To: Carlsen, Ernie
Subject: help....

hi Ernie,
I'm trying to link a shape for 27-2124 (T5S, R40E section 23) and it takes me to the POU of 27-2091 (T1S, R37E section 36 and 1). They are different owners. I've tried closing out of the ecvr and arcview and restarting them both but it still zooms and identifies the pou in T5S R40E?

See if you can link the shape and would have better luck. If you can get it to link the you could print out a layout and the NOE. Let me know if you have any luck.

thanks,
Cindy



27-2124.dbf 27-2124.sbn 27-2124.sbx 27-2124.shp 27-2124.shx

4/18/05

I.F. will print out layout and

INTER-DEPARTMENT MEMO

TO: Barbara
FROM: Cindy

SUBJECT: Linking POU.
DATE: 4/18/05

Please check for stray vertices. The POU wouldn't link.

Done
4/25/05

ecvr is complete, except the POU needs to still be linked.

27-4008 was Disallowed because claimants has not responded to my request. CB

() For your information

☒ Response required

CB
signature



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

March 8, 2005

RALPH O. WHEATLEY
VAUNA WHEATLEY
10053 S. MARSH CRK RD
MCCAMMON, ID 83250

REF: Snake River Basin Adjudication (SRBA)
Claims 27-2124 and 27-4008

Subject: Amending the Notice of Claim to a water right.

RESPONSE DATE: MARCH 22, 2005

Dear Claimants;

Phil Yost and David Modersitzki filed the above listed claims in the SRBA in 1990. You recently purchased the property listed under these rights. Claim 27-4008 is a statutory claim that requires evidence to support the priority date claimed. The documents contained in the file do not support the original claimed 7/28/1961 priority date. The priority date supported by documents is 5/25/1977. This date however is after the May 25th, 1963 mandatory permit statute date. Therefore claim 27-4008 can only be recommended as an expansion claim to 27-2124. This means that you can irrigate the additional acres under 27-4008 but you have no additional diversion rate to use.

To include the additional acres under the expansion right both claims have to be amended to claim the acres. For your convenience I've enclosed the amended claims for **you both to sign in front of a notary**. Please return the forms to my office by the above response date. If you have any additional questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird

Enclosure: Amended Notice of Claim to a water right 27-2124 and 27-4008.

3/8/05 amended claim. Sent to claimant for signature CB.

Notes

3/3/05 27-4008 irrigates different ground but the well (POD) is the same. CB

3/8/05 amended claim to include land under 27-4008, an expansion claim. Priority date 5/25/1977, after 1963 mandatory permit statute. Send amended claims to claimant for signature.

7/18/05 Amended claim with claimant in Soda office CB

[illegible]

Quick Look	Contacts	Priority	POD	Source	POU	Water Use	Period of Use	Quar
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Review/Verify Log

Status: Active

Claim Number: 27 2124 Version Number: 1

[View Documents](#) [View Recommendation](#)

Check List [Print Form](#)

- ☒ Priority Date
- ☒ Contacts
- ☐ Point of Diversion
- ☒ Source
- ☐ Place of Use
- ☒ Purpose of Use
- ☒ Period of Use
- ☒ Quantity
- ☐ Summary

[Yes to All](#)

Comments

Author: CBIRD Text

Subj:

Date: 03 - 03 - 2005 [Add](#) [Edit](#) [Remove Selected](#)

create layout.

[S](#)
[Con](#)

3/3/05

Headgate licensed as 3.0 AF.

Current rate 3.5 af.

$0.5 \times 318 = 159 \text{ AF. } (27-4008)?$

would need to add a remark to limit the diversion to 4.38 af,
when combining 27-4008 & 27-2124.

5/14/03 29-2124

Next name:

Ralph Wheatley

Ralph came into the office 5/13/03 and brought this map that he got from FSA.

Recommended as claimed, - New owner.

S/C 3220

3/3/05 Cons. use 3.5 AF at headgate
2.5 Cons. use.

This was derived at 3.0 AF.

27-4008 additional value 0.5 AF * 318 = 159 A.F. ?

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Ralph Wheatley	10053 S. Marsh Ck Rd.				
Name connector: and _____, or _____, and/or _____						
Current Owner	Dauna Wheatley	Mc Cammon, Id	83250			
Current Owner		254-3186				

Date: _____

Quantity

Claim No. _____ - _____

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11
4. Does the parent right have a diversion rate and/or volume? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed diversion rate and/or volume be verified using the water right file? Yes () No ()
If Yes, go to 8
If No, go to 7
6. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7
7. Is a flow measurement required? Yes () No ()
If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9
8. Does the parent right have an annual diversion volume limit? Yes () No ()
If Yes, go to 10
If No, go to 9
9. Is the source Ground Water and does the purpose of use require a diversion volume limit? Yes () No ()
If Yes, go to 10
If No, go to 11
10. Is irrigation a purpose of use? Yes () No ()
If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
11. Has a diversion volume limit for this water use been established by a decree, license or transfer? Yes () No ()
If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12
12. Is a Quantity remark and/or condition required? Yes (X) No ()
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Quantity

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

E25	Qty	Remark	27-4008	4.38 cfs., 1365 A.D.
K06	Pou.	Rem.	318 acres.	
E11	POU	Rem.	27-4008	390
K01	Exp.	Rem.	27-4008	
F05	Exp.	Rem.	27-4008	
C05	Gen	Cond.		

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

Reviewer _____

Date _____

Gaylen Christensen
P.O. Box 307
Tremonton, Utah 84337

Dec. 1974
1800 Acres

LOCATION:

This farm is located about 25 miles North of Soda Springs and near the Blackfoot dam. Corral Creek runs through the property, South to North West. Bear Creek runs from the East into Corral Creek.

FACT:

Irrigated Cropland-----	850 Acres
Irrigated Pastureland-----	106 Acres
Non-Irrigated Cropland-----	531 Acres
Non-Irrigated Pastureland-----	182 Acres
Homestead, Waste Rock, Out Crop ect.----	131 Acres
Irrigation Systems-Sprinklers-----	4 Each
Well-----	1 Each
Pond -----	1, 48 Ac. Ft.
	Approx. 12 Surface Ac.

OBJECTIVES:

1. To control soil loss from water and wind erosion.
2. To control noxious and annual weeds.
3. To manage pastureland.
4. To develop and manage the sprinkler irrigation systems properly.



cooperating with
 Salt Commission District

OWNER Gaylen Ahlensen FARM NO. DATE 11/74
 OPERATOR Caribou Idaho SCALE 1" = 1/4 mile ACRES 1800
 PHOTO NO.

R 40 E



DELOG CB
4/2/03

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, 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
	27-2124	No	27-7495	25	- WATER RIGHT
	27-4008	No			
	27-11314				
	27-4010				
	27-4009				

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) are 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)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

Meadowbrook Ranch

Ralph or Danna Wheatley
10053

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

10053 S Marsh Crk RD

McCammon Idaho 83258

208) -254-3186

Sept 2001

OLD OWNER : Yost and Modersitzki

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)
- x Ralph Wheatley*

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 <u>DC</u>	Date <u>2/25/2003</u>	Fee <u>\$ 25.00</u>
Received by <u>DC</u>	Date <u>2/25/2003</u>	Receipt No. <u>E028515</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

1240
2 11715

STATE OF IDAHO } 163807
County of Caribou }

Chris
pluce

I hereby certify that this instrument was filed at the request
of Caribou Title Co
at 11:30 o'clock A in this 21st day of
June, 2001 in my office and duly
recorded Official Records
Recorder Edie Izatt

Signature

Toni Rigby ^{SD}
Deputy

Order No. 11306

Mail Taxes to:
Philip J. Yost
David M. Modersitzki
1760 Rich Road
Grace, ID 83241

WARRANTY DEED

THIS INDENTURE, made this 5th day of March, 1998, between PHILIP J. YOST and LISA J. YOST, husband and wife, of Grace, Caribou County, Idaho 83241 hereinafter called First Party, and PHILIP J. YOST and LISA J. YOST, husband and wife; DAVID M. MODERSITZKI and KAREN JANE MODERSITZKI, husband and wife, of 1760 Rich Road, Grace, Caribou County, Idaho 83241 hereinafter called Second Party:

WITNESSETH: that the said First Party, for and in consideration of the sum of TEN DOLLARS, 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:

Township 5 South, Range 40 East of the Boise Meridian:

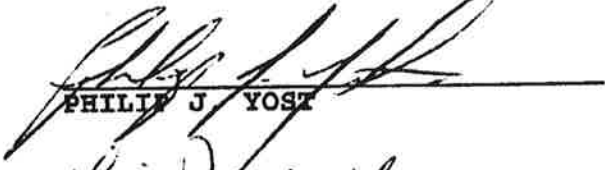
Section 22: ~~EXSEX~~, ALSO, Beginning at a point 880 feet East of the ~~SWXSEX~~ of said Section 22, and running
thence North 7°58' West 44 feet;
thence North 1°23' East 1002 feet;
thence North 38°22' West 454 feet;
thence North 16°29' West 541 feet;
thence North 62°48' East 252 feet;
thence South 86°58' East 177 feet;
thence North 51°48' East 339 feet, more or less, to
a point on the North line of the ~~SEX~~ of said
Section 22;
thence along the North line 272 feet, more or less,
to the Northeast Corner of the ~~NWXSEX~~ of said
Section 22;
thence South 2640 feet to the South line of said
Section 22;
thence West 440 feet,
to the point of beginning.

Section 23: ALL. 640
 Section 26: ALL. 640
 Section 35: NEX. 160 1600
 Section 36: NWX. 160

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 and unto the said First Party, and to their heirs and assigns forever, and the said First Party shall and will warrant and by these present forever defend.

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


 PHILIP J. YOST


 LISA J. YOST

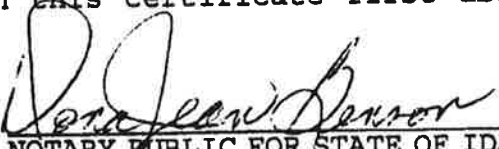
STATE OF IDAHO)
 : ss.
 County of Caribou)

June, 2001.

On this 20th day of ~~April~~ ~~1999~~ before me the undersigned, a Notary Public in and for said County and State, personally appeared Philip J. Yost and Lisa J. Yost, husband 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.




 NOTARY PUBLIC FOR STATE OF IDAHO
 Residing at: Soda Springs, ID.
 My commission expires: 8/15/2003.

Mail Tax Notice to:
Ralph O. Wheatley
10053 South Marsh Creek RD
McCammon, ID 83250

STATE OF IDAHO }
County of Caribou } ss **164304**
I hereby certify that this instrument was filed at the request
of Caribou Title
at 1:35 o'clock P m this 6th day of
Sept, 2001 in my office and duly
recorded official Records
Recorder Edie Izatt
Sinda S. Godfrey 6.00
Signature Deputy

WARRANTY DEED

For Value Received PHILIP J. YOST AND LISA J. YOST, husband and wife, and DAVID M. MODERSITZKI AND KAREN JANE MODERSITZKI, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto RALPH O. WHEATLEY AND VAUNA WHEATLEY, husband and wife, of McCammon, Bannock County, Idaho, the grantees, the following described premises located in Caribou County, Idaho, to-wit:

Township 5 South, Range 40 East of the Boise Meridian:

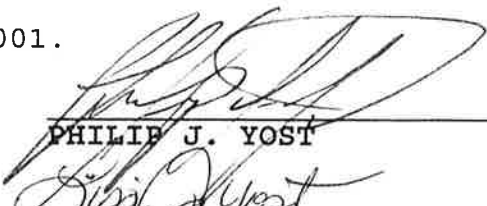
Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$, ALSO, Beginning at a point 880 feet East of the Southwest corner of the SE $\frac{1}{4}$ of said Section 22, and running
thence North 7°58' West 444 feet;
thence North 1°23' East 1002 feet;
thence North 38°22' West 454 feet;
thence North 16°29' West 541 feet;
thence North 62°48' East 252 feet;
thence South 86°58' East 177 feet;
thence North 51°48' East 339 feet, more or less, to a point on the North line of the SE $\frac{1}{4}$ of Section 22;
thence along North line 272 feet, more or less, to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22;
thence South 2640 feet to the South line of said Section 22;
thence West 440 feet,
to the point of beginning.

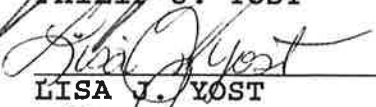
Section 23: All.
Section 26: All.
Section 35: NE $\frac{1}{4}$.
Section 36: NW $\frac{1}{4}$.

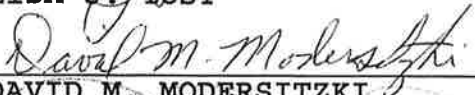
TOGETHER with the all of the 2001 CRP payment and all subsequent years under the present contract.

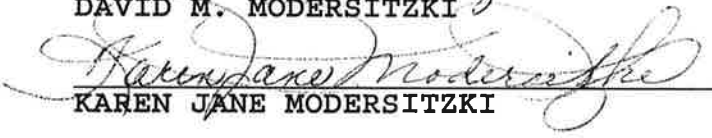
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 4, 2001.


PHILIP J. YOST

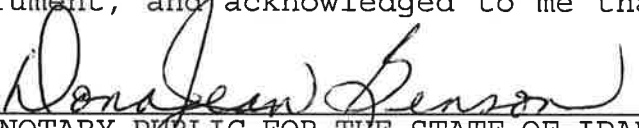

LISA J. YOST

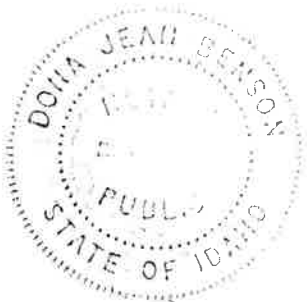

DAVID M. MODERSITZKI


KAREN JANE MODERSITZKI

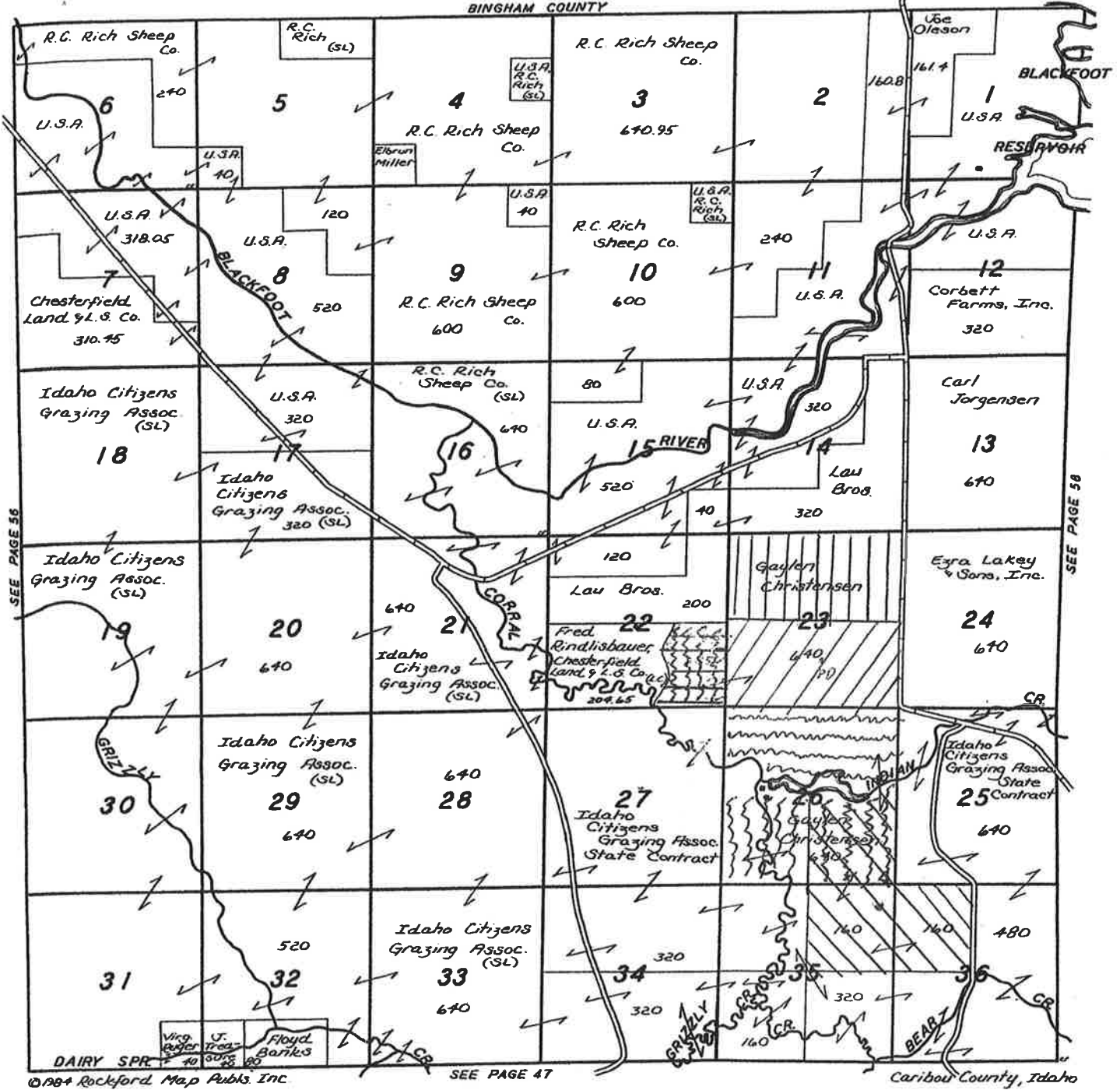
STATE OF IDAHO)
 : ss.
County of Caribou)

On this 4th day of September, 2001, before me the undersigned, a notary public in and for said County and State, personally appeared PHILIP J. YOST AND LISA J. YOST, husband and wife, and DAVID M. MODERSITZKI AND KAREN JANE MODERSITZKI, husband and wife, known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.


NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Soda Springs, Idaho
My commission expires: 8/15/2003.



BINGHAM COUNTY



©1984 Rockford Map Publs. Inc.

SEE PAGE 47

Caribou County, Idaho

///	27-2124	4.38 CFS	License	318 acres	7/28/1961	well
	27-7494	6.67 CFS	Permit	480 acres	2/18/1990	well
///						
///	27-4008	3.2 CFS	Claim	320 acres	9/01/1961	well
≡	27-1814	2.4 CFS	Beneficial Use	120 acres	7/28/1961	well
	27-7495	49 AF	License - Reservoir	0	2/25/1990	Chicken Creek
~	27-4010	1.82 CFS	Claim	300 acres	5/01/1959	Chicken Creek

JUL 16 2001

Log for claim 27-02124

Spatial Dynamics LTD

12/1/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s40e	23	NESW	40	39	
05s40e	23	NWSW	40	40	
05s40e	23	SWSW	40	40	
05s40e	23	SESW	40	40	
05s40e	23	NESE	39	38	
05s40e	23	NWSE	40	39	
05s40e	23	SWSE	40	40	
05s40e	23	SESE	39	38	
Totals:			318	314	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID M MODERSITZKI RR 1 BOX 1560 BANCROFT ID 83217 (208) 648-7722	07/28/1961	IRRIGATION	04-01 11-01	4.380 CFS	
				TOTAL DIVERSION:	4.380 CFS	
				CONSUMPTIVE USE:		795.00 AFA

C PHIL J YOST
1760 RICH RD
GRACE ID 83241
(208) 425-3875

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R40E S23 NWSWSE CARIBOU County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
05S	40E	23	:					:					:	40	40	40	40	:	39	40	40	39	:	318.0	
																							TOTAL ACRES		318.0

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN THIS LAND IS IN C.R.P. WITH 7 YRS. LEFT AS OF THE FILING DATE.

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

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-2124 Priority July 28, 1961 Amount 4.38 cfs

THIS IS TO CERTIFY, that Gaylen Christensen
of Tremonton, Utah, has complied with the terms and conditions of Permit
No. 27-2124 issued pursuant to Application for Permit dated July 28, 1961,
and has submitted proof to the Department of Water Resources on September 8, 1966,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.38 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>4.38</u> cfs and	<u>954</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 4.38 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
954 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 5S,
Rge. 40E, B.M., in the County of Caribou

Description and location of place of use:

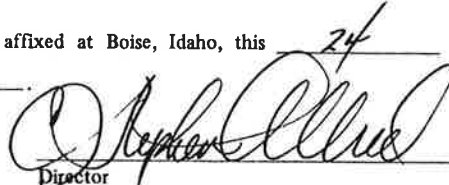
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	40E	23									40	40	40	40	39	40	40	39	318

Total number of acres irrigated 318

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
July, 1979.


Director

27-2124

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38060
Permit No. G- 30033
District No.

1. Name of Applicant: Gaylen Christensen
Postoffice address: Soda Springs
770 N. 1st St.
County: Caribou
Box 307
State: Idaho
21st St.
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 6.4 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23
Twp. 5 So. , Rge. 40 E. , B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well & pump
8. Estimated cost of works: \$ 6,000.
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

LICENSING AMENDMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED

To change the point of diversion and/or the place of use.

MAY 14 1979

Department of Water Resources

Comes now Gaylen Christensenof (address) Box 307, Tremonton, Utah, and represents to the
Director of the Idaho Department of Water Resources:That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 27-2124, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, Township 5S, Range 40E, B.M.,
County of Caribou. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.38 for Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	40E	23									40	40	40	40	39	40	40	39	318

Total number of acres to be irrigated = 318

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30033 /27-2124

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

1. Name of applicant Gaylen Christensen

2. Source of water supply: Well

3. Location of point of diversion: Is in the SW 1/4 of Section 23

T. 5 S R. 40 E, B.M. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: Water is diverted from a 180' deep well by a 250 H.P. International Harvester diesel motor, specification number 25647-271996-R91 and by a Layne & Bowler vertical pump # 44057-P. Acreage is irrigated by 6 - 1/4 mi long wheel lines, 33 nozzles per line (hill diam 1 3/4")

5. Water is used for: Irrigation

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

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

NE 1/4, NW 1/4, S. 23, T. 5 S, R. 40 E, B.M.

Township 5S, Range 40E, section 23

NE 1/4 SW 1/4 - 40 ac. NE 1/4 SE 1/4 - 39 ac

NW 1/4 SW 1/4 - 40 ac NW 1/4 SE 1/4 - 40 ac

SW 1/4 SW 1/4 - 40 ac SW 1/4 SE 1/4 - 40 ac

SE 1/4 SW 1/4 - 40 ac SE 1/4 SE 1/4 - 39 ac

(Map on Next Page).

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

8. What large stream would the water here appropriated finally reach? none

Remarks: System shown and described by Gaylen Christensen. A 60 ft. right of way borders acreage on east side occupying a total of 2 ac.

Measurement - Pitot Tube determination

All Nozzles 1 3/4" - with pressure of 65 psi.

Each nozzle produces 9.92 gpm X 33 nozzles X 6 lines
= 1964.16 gpm, 1 cfs = 448.8 gpm.

Therefore 1964.16 gpm = 4.38 cfs.

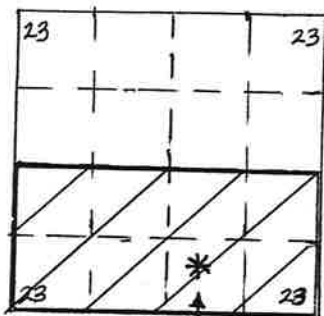
This examination was made on the 19th day of May, 1977

(Signed) Anthony R. Kozlowski Examiner.

Checked by Ernest Culver 5/15/78

Range 40E

Township
5S



Point of Diversion

INSTRUCTIONS TO EXAMINERS

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

Gaylen Christensen
Tremonton, Utah

Permit No. G-30033 127-2124

Examination for Completion of Works & Beneficial Use

County Caribou

Sec. 23 T. 5 S. R. 40 E, B.M.
Quantity: 6.4 c.f.s.

Source: Well

P.D.: SW 1/4 NE 1/4, S. 23, T. 5 S, R. 40 E, B.M.

Use: Irrigation

Extension:

Protest:

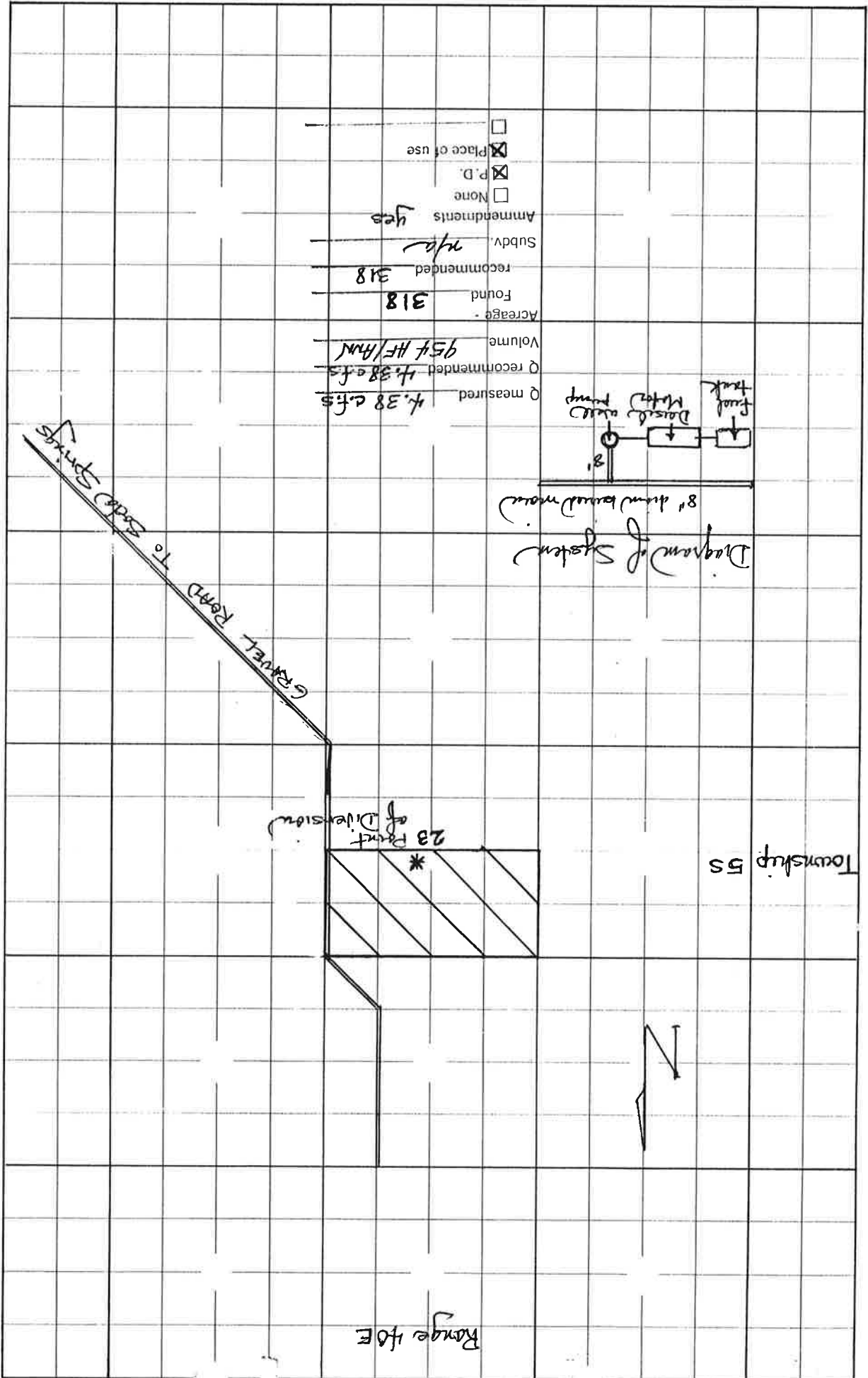
Completion of Works:

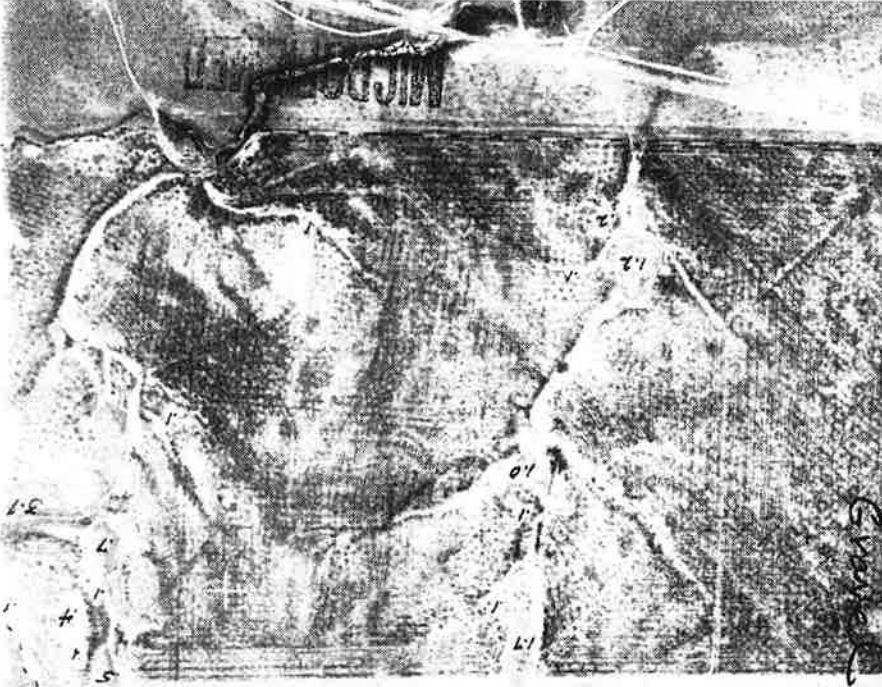
Other Rights:

Filed: July 28, 1961

Due: August 7, 1966

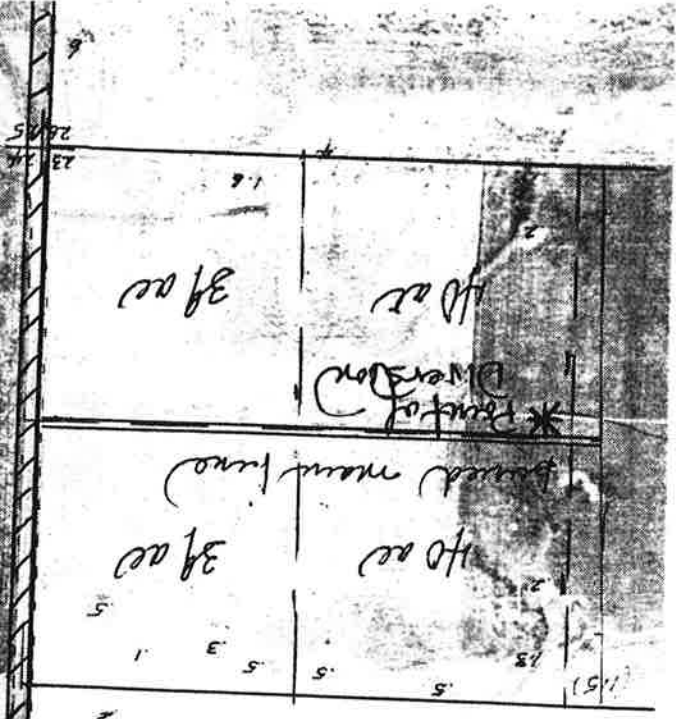
Made September 7, 1966



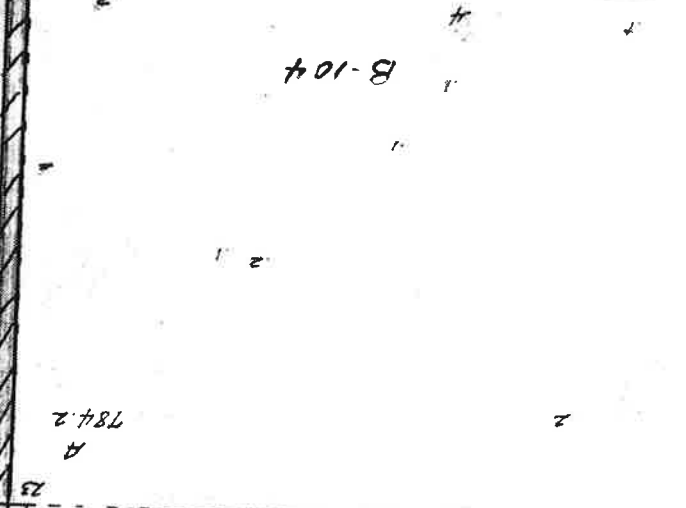


B2-1-3

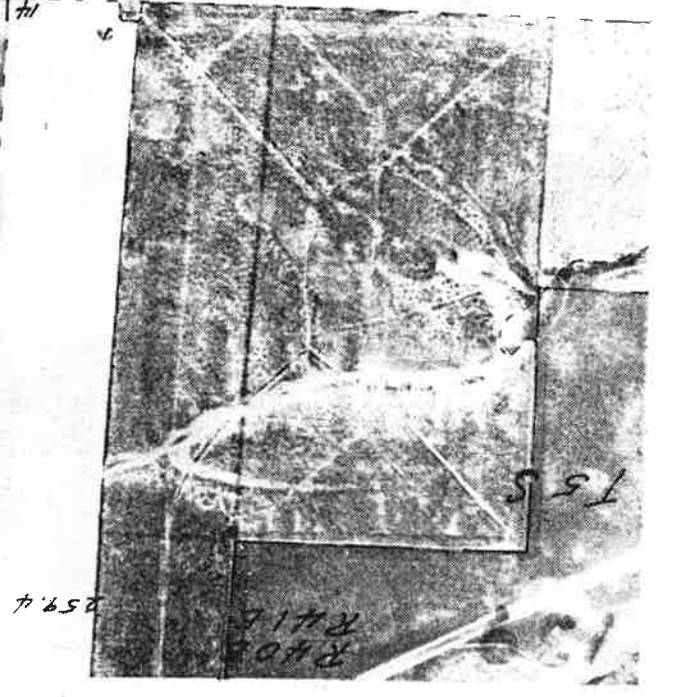
Gravel Road



B-104



784.2



T-55

259.4

ENCLOSURE

21/22
28/27

D414-1-4

936
5

B74-1-2

H000

8th Avenue

H000

7842

193
B

2594

268.5
B

Gailen Christensen
27-2174

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 27-2124
Date Received: 2/12/1990
Receipt No: E012016
Received By:

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

1. Name of Claimant(s)

Vauna Wheatley Phone: (208) 254-3186

10053 S. Marsh Crk Rd
McCammon ID USA 83250

Ralph Wheatley Phone: (208) 254-3186

10053 S. Marsh Crk Rd
McCammon ID USA 83250

2. Date of Priority: 07/28/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05S	40E	23	NW	SW	SE	CARIBOU	

5. Description of diverting works:

WELL WITH SPRINKLER SYTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	4.38	954

7. Total Quantity Appropriated is:
4.38 C.F.S. and/or 954 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	40E	23	NE		SW	IRRIGATION	40
			NW		SW	IRRIGATION	40
			SW		SW	IRRIGATION	40
			SE		SW	IRRIGATION	40
			NE		SE	IRRIGATION	39
			NW		SE	IRRIGATION	40
			SW		SE	IRRIGATION	40
			SE		SE	IRRIGATION	39
			SW		NW	IRRIGATION	18.3
			SE		NW	IRRIGATION	18.3
			SE		NE	IRRIGATION	17.4
			SW		NE	IRRIGATION	18
						Section Acres	390
						Total Acres	390

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THIS LAND IS IN C.R.P. WITH 7 YRS. LEFT AS OF THE FILING DATE.

Other water rights used: 27-4008

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 27-2124
Date Received: 2/12/1990
Receipt No: E012016
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

~~PHIL J YOST~~ Phone: ~~(208) 425-3875~~ RALPH O. WHEATLEY 254-3186

~~1780 RICH RD~~
~~GRACE ID USA 83241~~

10053 S. MARSH CRK RD
MCCAMMON, ID 83250

~~DAVID MODERSITZKI~~ Phone: ~~(208) 648-7722~~ VAUNA WHEATLEY 254-3186

~~2526 KELLY TOPONCE RD~~
~~BANCROFT ID USA 83217~~

10053 S. MARSH CRK RD
MCCAMMON, ID 83250

2. Date of Priority: 07/28/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	40E	23	NW SW SE	CARIBOU	

5. Description of diverting works:

WELL WITH SPRINKLER SYTEM

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	4/01 11/01	4.38	<u>954</u>

7. Total Quantity Appropriated is:
4.38 C.F.S. 954 AFA

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	40E	23	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	39
			NE	SE	IRRIGATION	39
			SW	NW	IRRIGATION	18.3
			SE	NW	IRRIGATION	18.3
			SE	NE	IRRIGATION	17.4
			SW	NE	IRRIGATION	18.0

Section Acres 390

Total Acres 390

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:
27-4008

14. Remarks:

THIS LAND IS IN C.R.P. WITH 7 YRS. LEFT AS OF THE FILING DATE.

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: 0

For Individuals:

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

document are true and correct:

Signature of Claimant(s): Ralph Whitting Date: 7-18-05

Date: _____

State of Idaho

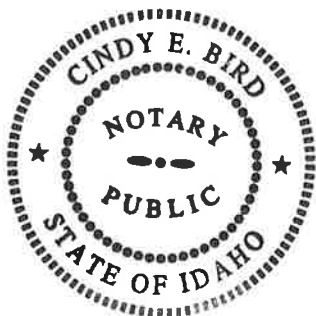
State of Idaho)
County of Bannock) ss.

County of Danvers
Subscribed and sworn (or affirmed) before me this 18th day

of July 2005

Cindy E Bird

Notary Public
Residing at Lava Hot Springs
My commission Expires May 1, 2007.



368⁰²

SCANNED

JUL 16 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: A27-02124
Date Received: 1/24/1990
Receipt No: E612016
Received By: Kuw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHIL J. YOST 208-425-3875
Address: 1760 RICH RD.
GRACE, ID 83241

AND/OR

Name: DAVID M. MODERSITZKI 208-648-7722
Address: R.R. 1 BOX 1560
BANCROFT, ID 83217

2. Date of Priority: JUL 28, 1961 *✓*

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	40E	23	NW	SW	SE		CARIBOU

5. Description of diverting works:
WELL WITH SPRINKLER SYTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.380		

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

8. Total consumptive use is 795.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-02124

Page 1

Date: 01/24/90

MICROFILME

NOV 12 1992

A2702124



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	40E	23	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	39.0

Section Acres 318.0

Total Acres 318.0

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:
THIS LAND IS IN C.R.P. WITH 7 YRS. LEFT AS OF THE FILING DATE.

15. Basis of Claim: LICENSE
Water Right Number: 30033

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 x 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): David Modersitzh Date: 1-24-90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 24 day

of Jan 19 90

Seal

John Dolan
Notary Public

Residing at Boise Id

My Commission Expires 6/2/94

