

11/25/2003

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

RIGHT NUMBER: 25-4107

NAME AND ADDRESS: ELKINGTON BROTHERS
5080 E SUNNYSIDE RD
IDAHO FALLS ID 83401

SOURCE: SQUAW CREEK

TRIBUTARY: WILLOW CREEK

QUANTITY: 2.800 CFS

USE OF THIS RIGHT WITH RIGHT NO. 25-02063 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.28 CFS.

PRIORITY DATE: 04/22/1916

POINT OF DIVERSION:

T01S R40E S5 SWSE Rediversion Within BONNEVILLE County

T01S R40E S7 SENE Within BONNEVILLE County

T01S R40E S8 SWNW Rediversion Within BONNEVILLE County

without a This right authorizes the watering of livestock directly from the stream
diversion.

2 POINTS OF DIVERSION LOCATED IN T 1S, R 40 E, S 8, SWNW.

above. Right 25-02063 is also diverted through the point(s) of diversion described

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.800 CFS
IRRIGATION STORAGE	01/01 12/31	90.00 AFY
IRRIGATION FROM STORAGE	04/15 10/31	90.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS

Stockwater use is for 500 range cattle.

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T01S R40E S05	SESW	9.6	T01S R40E S05	NESE	7.2
T01S R40E S05	NWSE	7.5	T01S R40E S05	SWSE	36.0
T01S R40E S05	SESE	16.0	T01S R40E S08	NENE	12.0
T01S R40E S08	NWNE	36.0	T01S R40E S08	NENW	19.0
T01S R40E S08	NWNW	14.0	T01S R40E S08	SWNW	5.5

IRRIGATION FROM STORAGE same as IRRIGATION
STOCKWATER same as IRRIGATION

162.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 25-02063 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 162.8 ACRES IN A SINGLE
IRRIGATION SEASON.

This right is limited to the irrigation of 145 acres within the place of use
described above in a single irrigation season.

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

11/25/2003

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

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: Statutory Claim

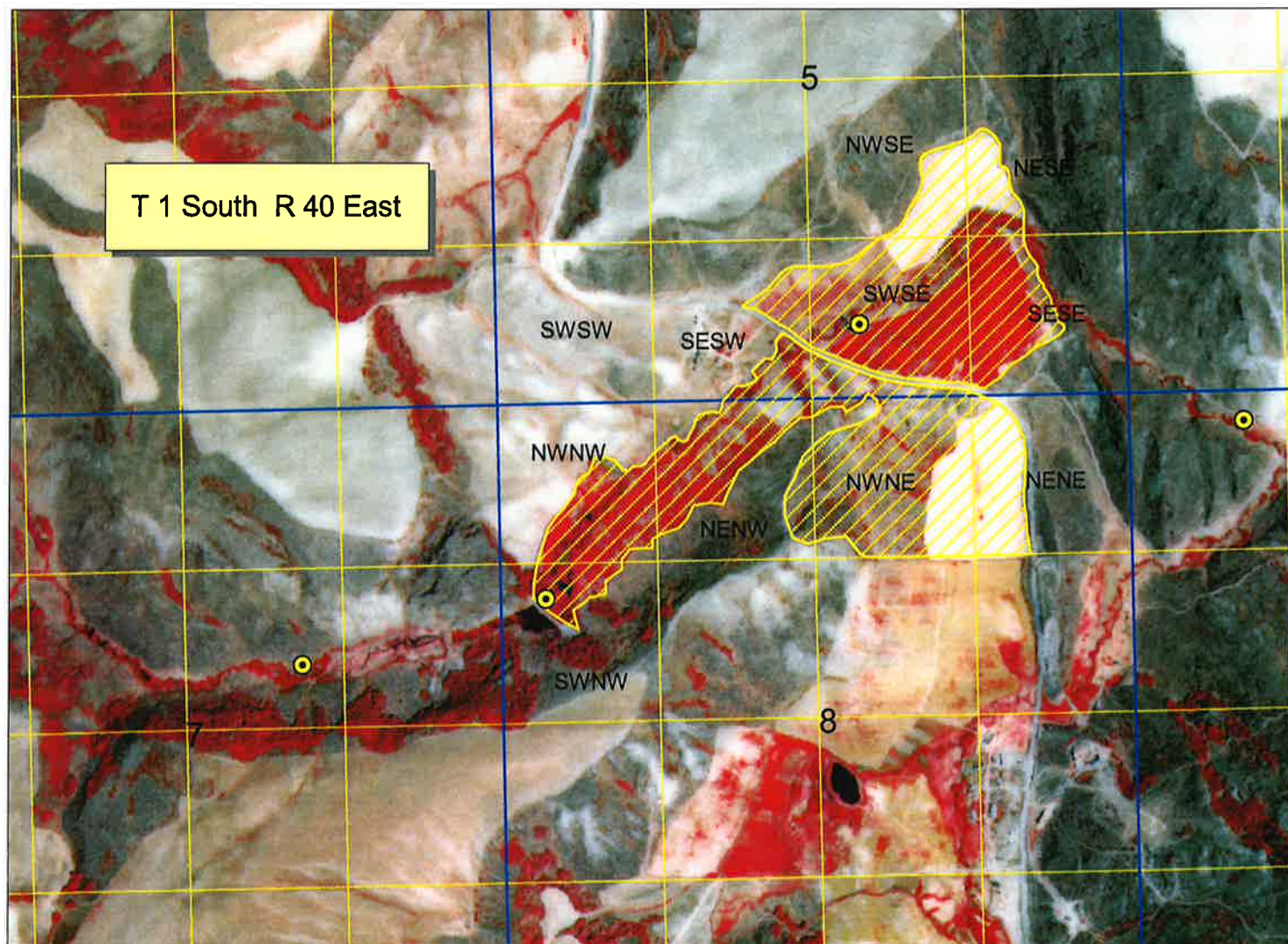


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 25-04107



1320 0 1320 2640 3960 5280 Feet



- Point of Diversion
- ▨ Place of Use
- ▭ Section
- ▭ Quarter Quarter

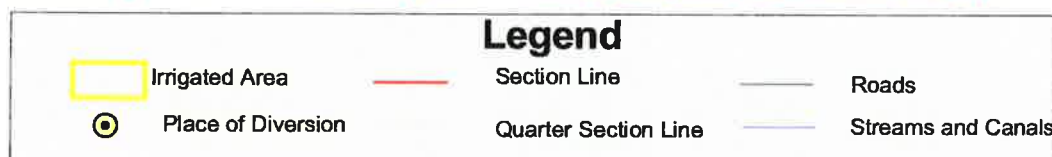
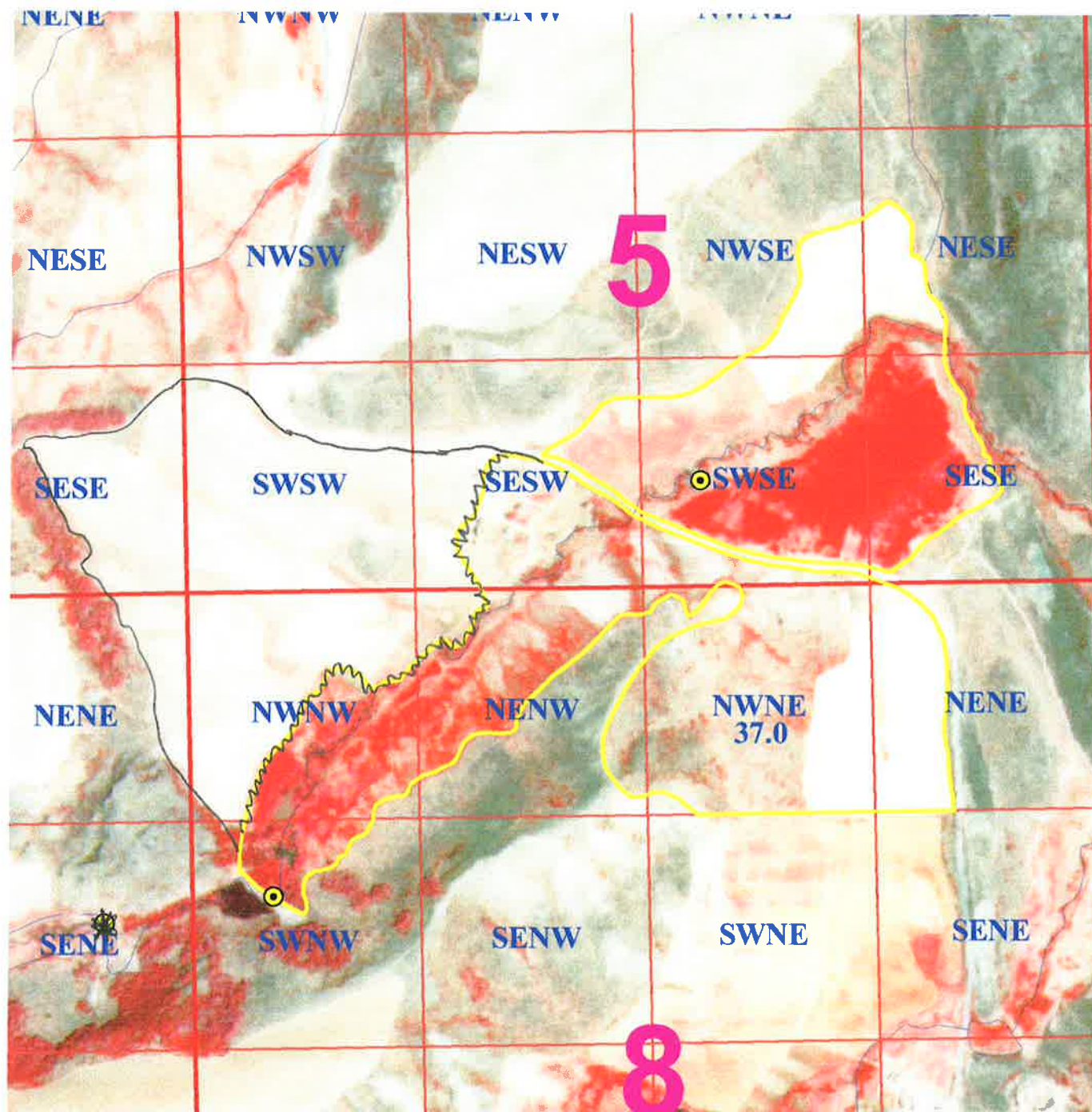
SCANNED

AUG 11 2004

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: November 2003

Water Right Claim Number 25-04107
Township , 1S40E

11/14/2000

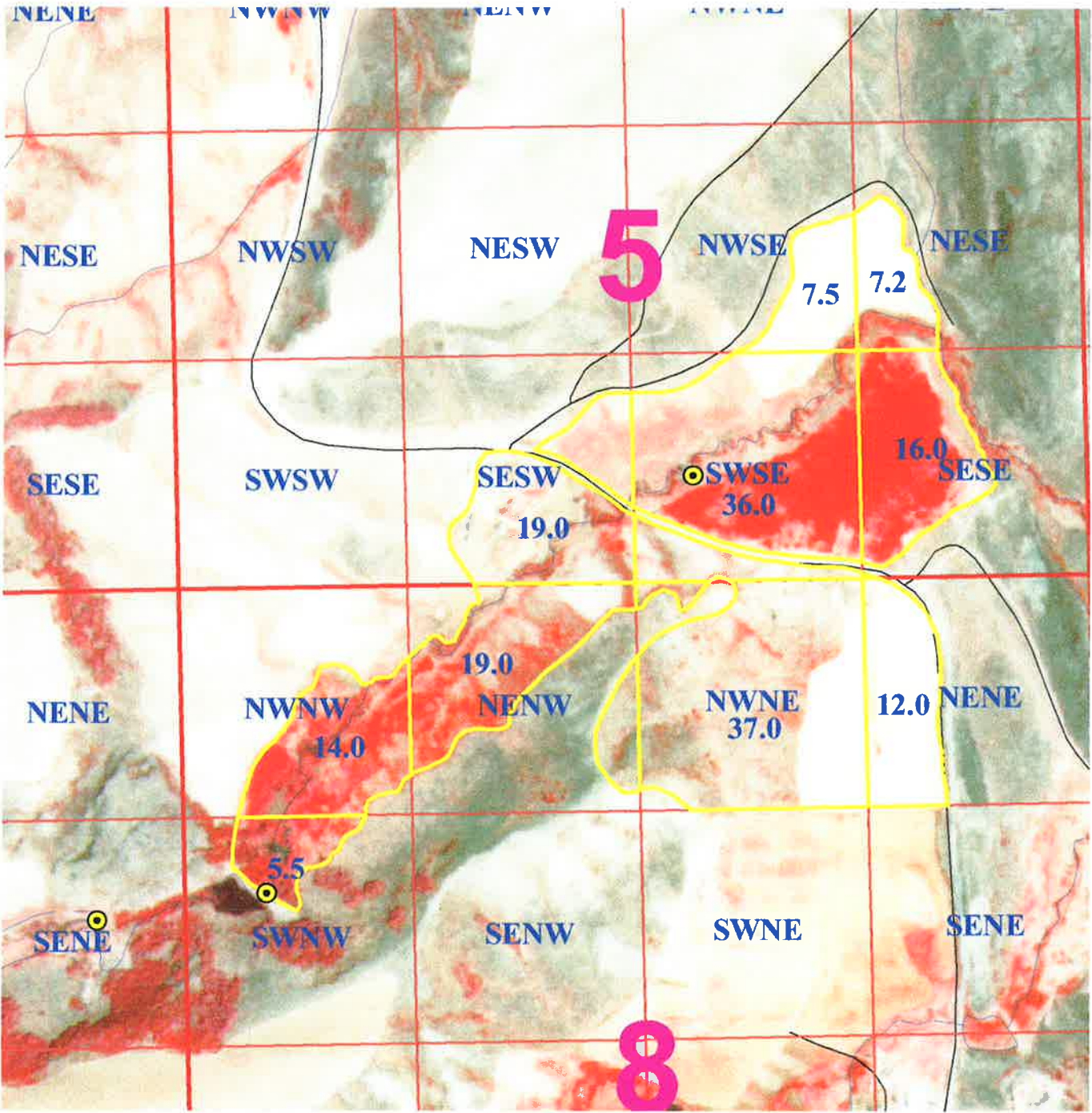


 SPATIAL
DYNAMICS



Water Right Claim Number 25-04107
Township , 1S40E

11/14/2000



Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



SPATIAL
DYNAMICS



POB 8 large storage reservoir reconstructed 12 miles from original site. original Dam failed several years ago (post 1987)



Stream to ditch below smaller pond - goes to the N: to Migration Ditches





Pod 10 Southern Pod on smaller pond - goes to the NE

JUL 30 2007

Log for claim 25-04107

Spatial Dynamics CAT

11/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01s40e	5	SESW	16	19	
01s40e	5	NESE	5	7.2	
01s40e	5	NWSE	5	7.5	
01s40e	5	SWSE	31	36	
01s40e	5	SESE	14	16	
01s40e	8	NENE	12	12	
01s40e	8	NWNE	28	37	
01s40e	8	NENW	16	19	
01s40e	8	NWNW	12	14	
01s40e	8	SWNW	6	5.5	
Totals:			145	173.2	

AJ5809NP
No. A25-04107

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 41

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELKINGTON BROTHERS 5080 E SUNNYSIDE RD IDAHO FALLS ID 83401 (208) 523-2286	04/22/1916	IRRIGATION IRRIGATION STORAGE IRRIGATION FROM STORAGE	04-01 11-01 01-01 12-31 04-01 11-01	2.800 CFS	100.00 AFA 100.00 AFA
TOTAL DIVERSION:					2.800 CFS	
CONSUMPTIVE USE:						362.50 AFA

Water Source: SQUAW CREEK

Tributary to: WILLOW CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T01S R40E S07 SENE
Point(s) of Re-diversion: T01S R40E S05 SWSE
S08 SWNW

BONNEVILLE County
BONNEVILLE County
BONNEVILLE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE						
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
01S	40E	5												16		05	05	31	14	71.0
01S	40E	8		12	28					16	12	06								74.0
TOTAL ACRES																			145.0	

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

POU County: BONNEVILLE

Non-Irrigation Uses: S/ 500 RANGE CATTLE.

Other Rights: A25-02063

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-02063

Other Water Rights Listing Overlapping Place(s) of Use:
A25-02063

Remarks: GEN TO DOCUMENT RIGHT, ORIGINALLY UNDER PERMIT 25-2154, NOW CANCELLED
SEE NOTICE A2502063 FOR EXPLANATION OF DIVERSION SYSTEM.

Dates: Exam Made Date: Verified Date: 05/20/1985 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag: Y
Presumption Flag:

Audit: 09/11/89 CARLSEN 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Reed Elkington &/or Elkington Bros.

(Name of Claimant)

Bone Star Route, Idaho Falls, ID 83401

(Mailing Address)

(Zip Code)

Telephone No. 522-8551

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 22, 1916

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Squaw Creek

tributary to

Willow Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates Inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>100 AF</u>	Use <u>Storage for Irrig.</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>100 AF</u>	Use <u>Irrig. from Storage</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity	<u>2.80 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 2.80 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NE ¼, Sec. 7 Twp. 1S Rge. 40E B.M., County of Bonneville

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 27' high dam in channel to ditches to flood irrigation and some sprinkler irrigation

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	40E	8					30	30	30	30									120
		5															20		20

No. of acres 140

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

IN THE MATTER OF:

AFFIDAVIT

State of Idaho
County of _____

being first duly sworn,

deposes and says:

We moved to the ranch on Squaw Creek in April 1924 and I have been acquainted with the ranch on Smith Creek since that time. There was a dam on Smith Creek at that time but it was enlarged later on by Monna Nance about 1944 or 45. They have used the water from Smith Creek to irrigate the ranch property since before we moved to the area and all the time since then.

(Signature)

Subscribed and sworn to before me this 30th day of May, 1991.

(Notary Public)

Residing at Shelley
My Commission Expires 6-18-97

A25-04107

May 7, 1991

ELKINGTON BROTHERS
5080 E SUNNYSIDE ROAD
IDAHO FALLS ID 83401

RE: **Evidence of Priority**

Dear Mr. Elkington:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices indicates the water usage are based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notices and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

A review of the files, for 25-04110 reveals documents have been submitted to support a priority date of January 16, 1896 for the diversion of 5.0 cfs from Rock Creek. Unfortunately, these documents make no reference to the storage of water for irrigation purposes. To recommend both the diversion of natural flow and storage evidence of when the reservoir was first used must be provided.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

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ELKINGTON BROTHERS

Page 2

Please submit the required evidence supporting the priority dates by **June 6, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,



Ernest Carlsen
Water Right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04107
ELKINGTON BROTHERS
5080 E. SUNNYSIDE RD.

IDAHO FALLS ID 83401

A25-04110
ELKINGTON BROTHERS
5080 E. SUNNYSIDE RD.

IDAHO FALLS ID 83401

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NOV 10 1992

To 125-04107

State of Idaho

License and Certificate of Water Right

Water License No. 12008 25-02063 Amount 1.9 cfs. ft.
 Water District No. 16 Priority 2/23/16

THIS IS TO CERTIFY that JULIUS BOHN of Ozone, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated February 23, 1916 that Permit No. 12008 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.9 second feet, was issued thereunder on October 17, 1916 showing that said works were completed on the 4th day of October, 1916 and that on the 9th day of March, 1918,

JULIUS BOHN, State Engineer of Idaho, of a right to the use of the waters of Squaw Creek, a tributary of Willow Creek, for the purpose of Irrigation & Domestic use 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 State Engineer of Idaho and entered of record in Volume 6 of Licenses at page 2704 on the 24th day of November, 1920.

The right hereby confirmed dates from February 23, 1916.
 The Point of Diversion is located 1000 ft. dist from $\frac{1}{2}$ cor. of Secs. 7 & 8 and 14 in the $\frac{1}{4}$ Sec. 7, Tp. 1 S., R. 40 E., B. M. County of Bonneville.
 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 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	40 N.	6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	35	30
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	15	30
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	20	30
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	25	30

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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 State Engineer, at Boise, Idaho, this 24th day of November, 1920.

J. S. FROST, State Engineer
 Commissioned by the Legislature of Idaho
 J. S. Frost, Deputy

REPORT OF ENGINEER

This proof is for beneficial use

In W. 5th District No. 16

1. State name of applicant and number of persons: Julius Bahn. Permit: 11008
2. State source of water supply: Squaw creek. Bohn Reservoir.
3. Location of point of diversion: 1000 ft. dist. from the 2 cor. of Sec's. 7-8
T. 1 S., R. 4 E. S. 40 N. P. M.
4. Describe works as they exist, giving dimensions and capacities of same:
Earth dam, 7' H. 30' L. Cap. 30 A.F.
of wood pipe out-let.
Ditch, 1' B. 1' D. Cap. 1.0 S.F.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location 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)
NW 1/4, Sec. 8, T. 1 S., R. 4 E. S. 40 N. P. M.
30 A. in each 40 in cultivation.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? Two.
9. Give names and amount of each right: Property is owned by J.G. Hansen and
V.R. Hansen, Orone, Idaho.
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route to the principal drainage stream.
From land to Squaw Creek, to Willow Creek, to Snake River.

Remarks:

This examination was made on the 2 th day of July 19 10.

(Signed)

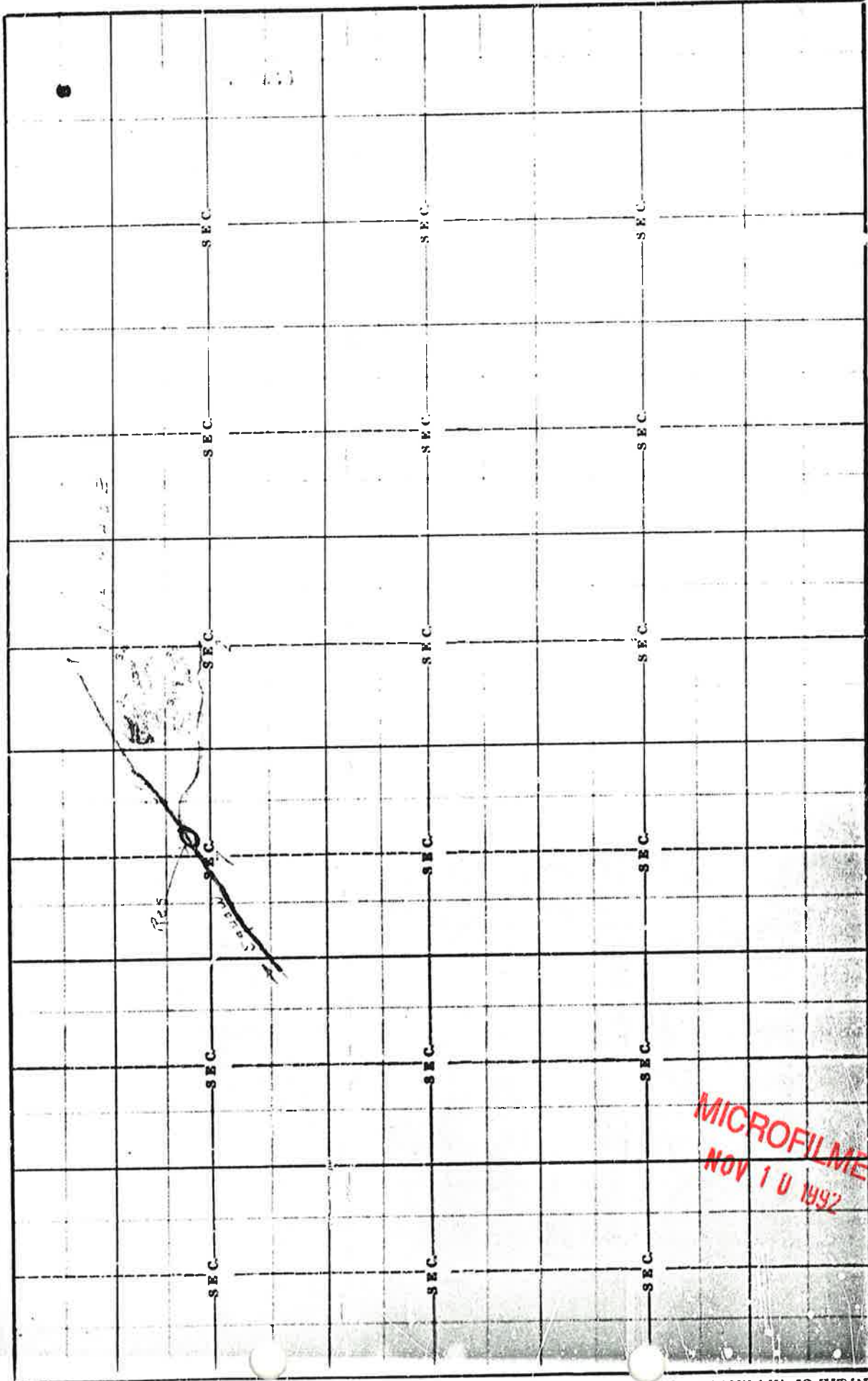
L. R. Annette

Examiner.

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12018

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.



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NAME OF APPLICANT

CONTINUATION OF INSTRUMENT OF THIS

No. -22- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

100! A25-04107

Heber A. Robison and wife,
Jennie Robison,

Grantor.

TO

Julius Bohn,

Grantee.

Character of Instrument Warranty Deed
Date June 13, 1919
Recorded June 13th, 1919 at 5:00 P.M.
Book #16 of Deeds at Page 549
Records of Bonneville County, Idaho.
Transcribed from Book xx Page
Records of Bingham County, Idaho.
Consideration \$75.00

Acknowledgement.

Date June 13th, 1919
Before C.E.Crowley, Notary Public
In and for Bonneville County, State of Idaho
Is Official Seal Affixed? yes
Is Acknowledgement regular? yes
Does Acknowledgement show separate examination of wife?xx

Residing at Idaho Falls, Idaho.

Granting words. Grant, bargain, sell, convey and confirm
Covenants. Warrant and defend
Does wife join throughout instrument? yes
Are there any irregularities or defects?xx
Are there any conditions, limitations or recitals?

Conveys: Beginning at a point 500 feet North of the Southeast corner of the Southeast Quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Seven (7) in Township One (1), South Range Forty (40) East of the Boise Meridian, running thence west eight hundred feet (800) to a point, thence North eight hundred and twenty (820) feet, thence East eight Hundred (800) feet, thence south eight hundred and twenty (820) feet to the place of beginning, containing ten acres, more or less.

It being understood and agreed and between all of the parties hereto that there is now a mortgage of record against this land, covering also other lands, and the first party hereby assumes said mortgage and agrees to pay the same when it becomes due and relieve the land herein conveyed from said mortgage.

It is further understood and agreed that these premises are conveyed to the second party and his successors, to be used by him and them as a reservoir site for the purpose of storing water for irrigation purposes.

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Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Julius Bohm, 46 years old, farmer,
Ogden, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 12008 (March 9th 1918?) - July 15th 1916

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Squaw Creek, N.W. corner of Sec. 8, T. 1
S. R. 40, E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam and Reservoir and ditches, T. 1 of our
owned ft., Bohm ditch and Reservoir
dam #1 holds 30 acre ft., & dam #2 holds 150 acre
ft.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. use for irrigation and domestic, to be
used for irrigation on the N.W. 1/4 of Sec. 8,
T. 1, S. R. 40, E. B. M., 50 acres are irrigated
cultivated land, planted with alfalfa & grain

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power required, etc.

Ans. _____

Ques. 8. What is the maximum amount of water required for the use specified above?

Ans. A. 6. of our owned ft. out of reservoir

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. used for 8 years all the water available.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Reservoir # 1 has been used 4 years and Reservoir # 2 completed the 27th of October 1917 and has not been used as far as rights claimed by any other parties.

(Sign) Julius Bohm

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Blaine Falls County of Bonneville State of Idaho, on this 9th day of March A. D. 1918

H. H. H. H.
Notary Public

My commission expires Feb. 7/1921.

12048

1111018

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NOV 10 1992

PROOF OF COMPLETION OF WORKS

IN FAVOR OF HOLDER

STATE OF IDAHO

County of Bonneville

Julius Bohn

being first duly sworn upon his oath deposes and says

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 12008, and that his postoffice address is Ozone, Idaho
State of Idaho

Second: That under the terms and conditions of said permit, construction hereunder was required to be completed by October 6th, 1916, 1916

Third: That the use for which said water is intended is Irrigation & Domestic use.
before

Fourth: That ~~on~~ the date above mentioned, the works constructed under said permit were ~~for~~ were not fully completed and consisted of the following:

I. Kind of work: One main ditch and four laterals and four head-gates.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 1.5 feet, height 2 feet.

(d) Conduit ditches width at bottom 1 feet, width at water line 2.4 feet, depth of water 0.5 feet; diameter of pipe _____ inches;
(State whether ditch, flume or pipe.)

average grade per mile is 17 feet. Length of conduit is 2.3 miles.

Fifth: That said works are capable of conducting to the place of intended use 3 second feet of water.

Sixth: That water appropriated under said permit is available for _____ acres of land described as follows: 35 acres in NE 1/4, 15 acres in NW 1/4, both in the NW 1/4 of Section 8, and 25 acres in each of the SW 1/4 and SE 1/4 respectively of the NW 1/4 of Section 8, all in Range 40, Township 1 S. E.B.M.

Seventh: Remarks: That The main head-gate is larger than the dimensions above given, but these given are the dimensions of the average size head-gate

Julius Bohn
Sign here.

Subscribed and sworn to before me this 4th day of October, 1916

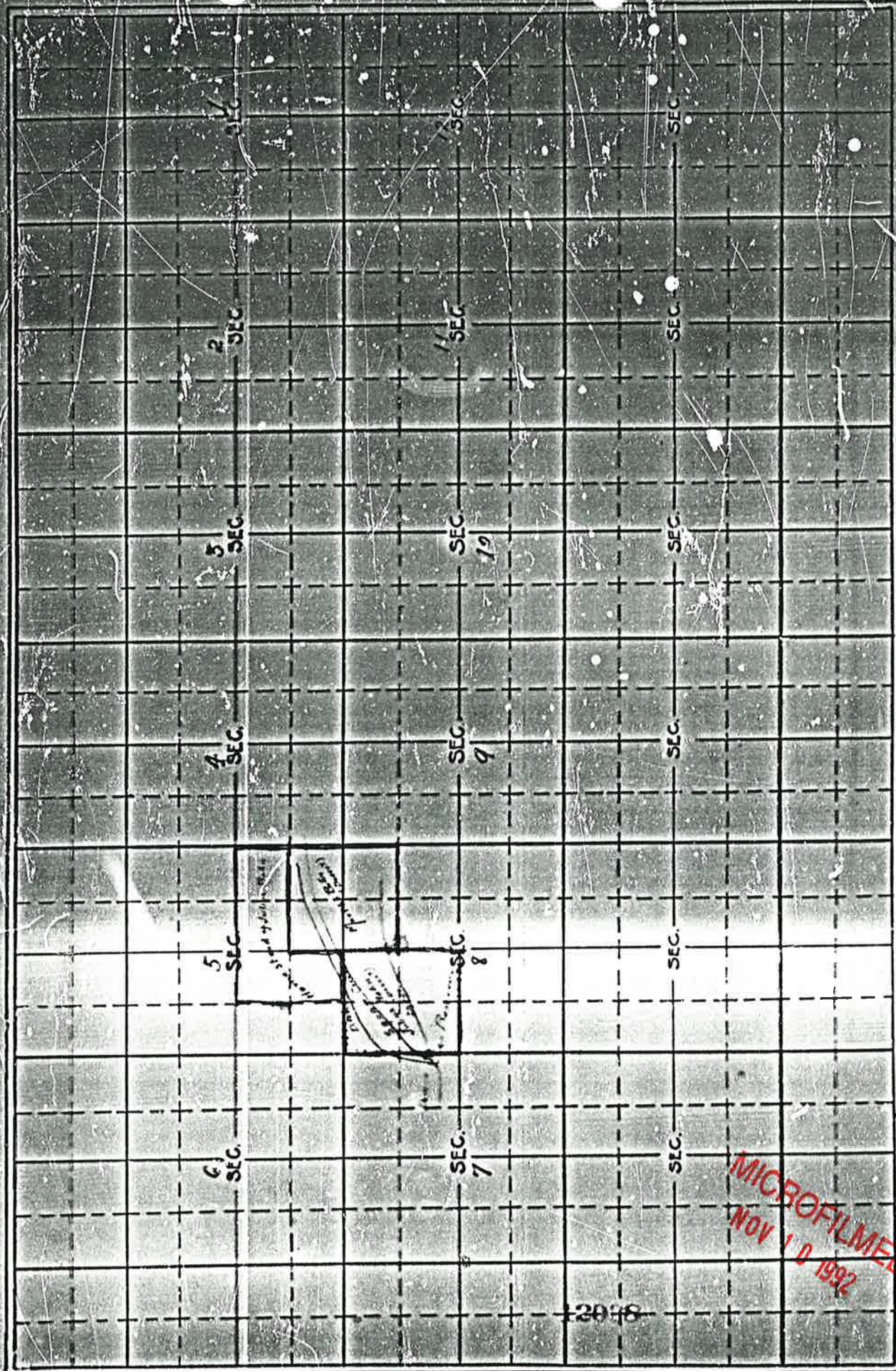
Shuttleworth
Notary Public.

My commission expires 4-23-1917

12008

MICROFILMED
NOV 14 1936

Name of Applicant *T. B. ...*



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SCALE 2 INCHES = 1 MILE DRAW PLAN IN INK

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 9th day of March, 1918
at Idaho Falls County of Bonneville, State of Idaho
before Herman Schwarz, Notary Public proof will be submitted
of the application to beneficial use of 0.6 of one ^{foot} cubic ~~foot~~ per second of the
waters of Squaw Creek in accordance with the terms and conditions of
Permit No. 12008 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are: 10
Julius Bohn, Ozone, Idaho.
2. The use to which said water has been applied is domestic and irrigation
3. The amount applied to beneficial use is 0.6 of one second foot
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 95 acres divided as follows: 25 acres in NW $\frac{1}{4}$, 15 acres in NW $\frac{1}{4}$, 20 acres in SW $\frac{1}{4}$ and 35 acres in SE $\frac{1}{4}$ all in the NW $\frac{1}{4}$ of Sec. 8 T 41 S., R. 40 E., BM.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Bohn ditch from Bohn reservoir in channel of Squaw Creek
6. The right to take water from such works is based upon Permit No. 12008
7. The source of supply from which such water is diverted is Squaw Creek
8. The date of the priority which said user is prepared to establish is July 20th 1916

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State Engineer.

Elkington Dam 5/14 Volume

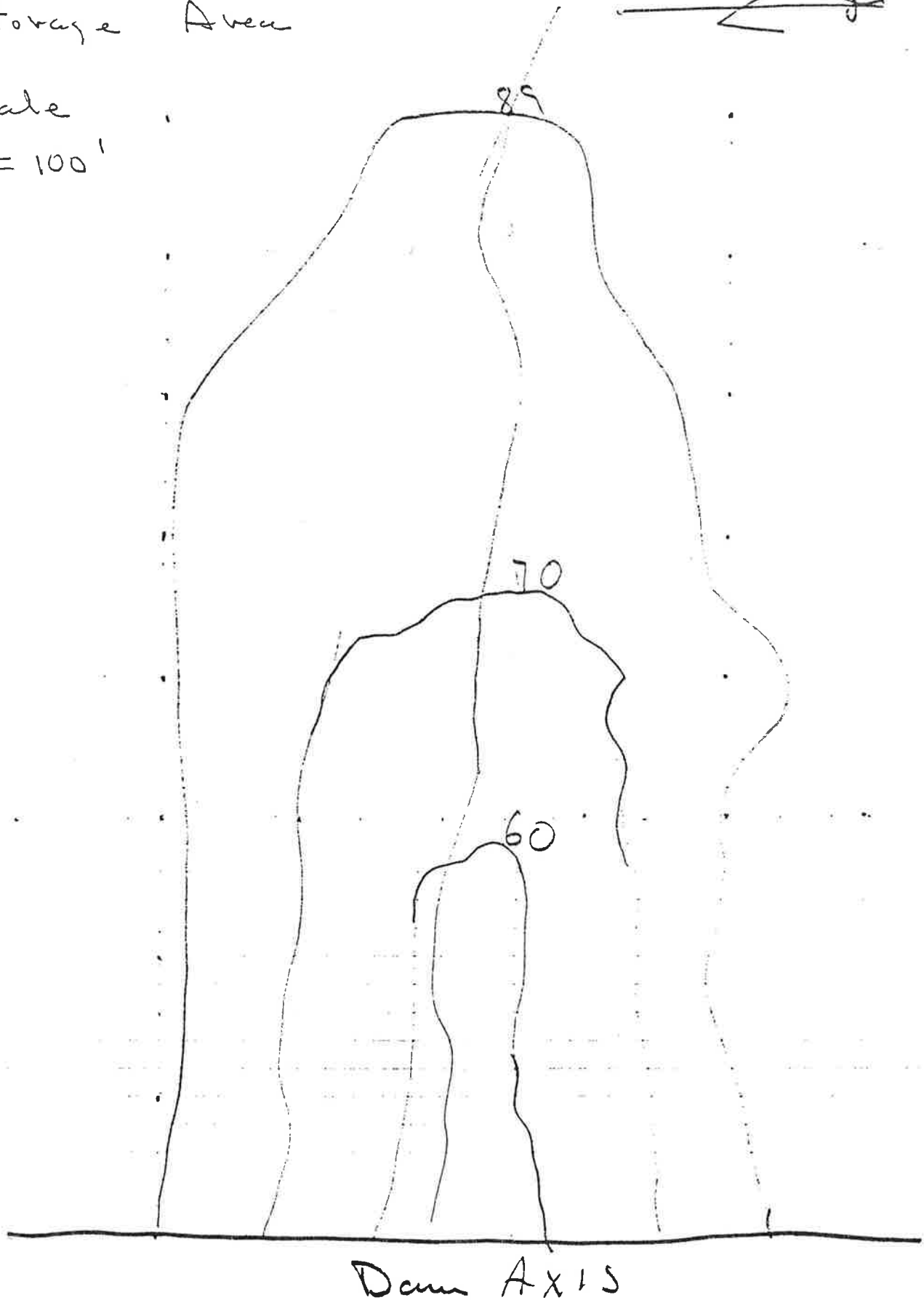
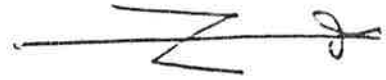
Release	fz2	fz3	Acc - ft
60	191,600	538,000	12.4
70	881,000		36.2
89	262,500	1,577,250	76.4
		1,637,856	88.8 ft
Total Storage			
Useful above output approx			
48.6			
40.0 acc-ft			

Elkington Dam 5/94
TSS.

Storage Area

Scale

1" = 100'



SCANNED

JUL 30 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: A25-04107
Date Received: 9/11/1989
Receipt No: E010211
Received By: Ene.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELKINGTON BROTHERS 208-523-2286
Address: 5080 E. SUNNYSIDE RD.
IDAHO FALLS, ID 83401

2. Date of Priority: APR 22, 1916

3. Source: SQUAW CREEK Trib. to: WILLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	40E	5	SW	SE		R	BONNEVILLE
		7	SE	NE			BONNEVILLE
		8	SW	NW		R	BONNEVILLE

5. Description of diverting works:
DAM, FLOOD & SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.800		
IRRIGATION STORAGE	01/01	12/31			100.00
IRRIGATION FROM STORAGE	04/01	11/01			100.00

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

8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 500 RANGE CATTLE.



A25-04107

Page 1

Date: 09/11/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	40E	5	SE		SW		IRR	16.0
			NE		SE		IRR	5.0
			NW		SE		IRR	5.0
			SW		SE		IRR	31.0
			SE		SE		IRR	14.0
							Section Acres	71.0
		8	NE		NE		IRR	12.0
			NW		NE		IRR	28.0
			NE		NW		IRR	16.0
			NW		NW		IRR	12.0
			SW		NW		IRR	6.0
							Section Acres	74.0
							Total Acres	145.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
A25-02063

14. Remarks:
TO DOCUMENT RIGHT, ORIGINALLY UNDER PERMIT 25-2154, NOW CANCELLED
SEE NOTICE A2502063 FOR EXPLANATION OF DIVERSION SYSTEM.

15. Basis of Claim: STATUTORY CLAIM

(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.

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NOV 10 1992

BINGHAM CO
BONNEVILLE CO

Temp. 15 Rice 40°F.

Dem

—anubS

15
200.10

BASE