

11/30/2004

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

RIGHT NUMBER: 25-4265

NAME AND ADDRESS: DEMONT CRYSTAL
197 N 3300 E
RIGBY ID 83442

SOURCE: NORTH FORK EAGLE CREEK

TRIBUTARY: EAGLE CREEK

QUANTITY: 2.860 CFS

PRIORITY DATE: 02/06/1888

POINT OF DIVERSION:

T04S R44E S18 SWSW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
05/01 10/31

QUANTITY
2.860 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T04S R43E S13	SWSW	16.0	T04S R43E S13	SESW	9.9
T04S R43E S14 Lot 3	NESW	28.0	T04S R43E S14	NWSE	4.9
T04S R43E S14	SWSE	1.2	T04S R43E S14	SESE	14.0
T04S R43E S24	NENW	41.0	T04S R43E S24	NWNW	28.0

143 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: Beneficial Use

Water Right 25-4265

PROFILED

SCANNED
SEP 28 2005

07/13/2004

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

RIGHT NUMBER: 25-4265

NAME AND ADDRESS: DEMONT CRYSTAL
197 N 3300 E
RIGBY ID 83442

SOURCE: NORTH FORK EAGLE CREEK

TRIBUTARY: EAGLE CREEK

QUANTITY: 1.580 CFS

PRIORITY DATE: 02/06/1888

POINT OF DIVERSION:

T04S R44E S18 SWSW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
05/01 10/31

QUANTITY
1.580 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T04S R43E S13	SWSW	8.0	T04S R43E S13	SESW	5.5
T04S R43E S14 Lot 3	NESW	28.0	T04S R43E S14	NWSE	4.9
T04S R43E S14	SWSE	1.2	T04S R43E S24	NENW	5.5
T04S R43E S24	NWNW	26.0			

79.1 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: Statutory Claim

VOID

PROFILED

Water Right 25-4265

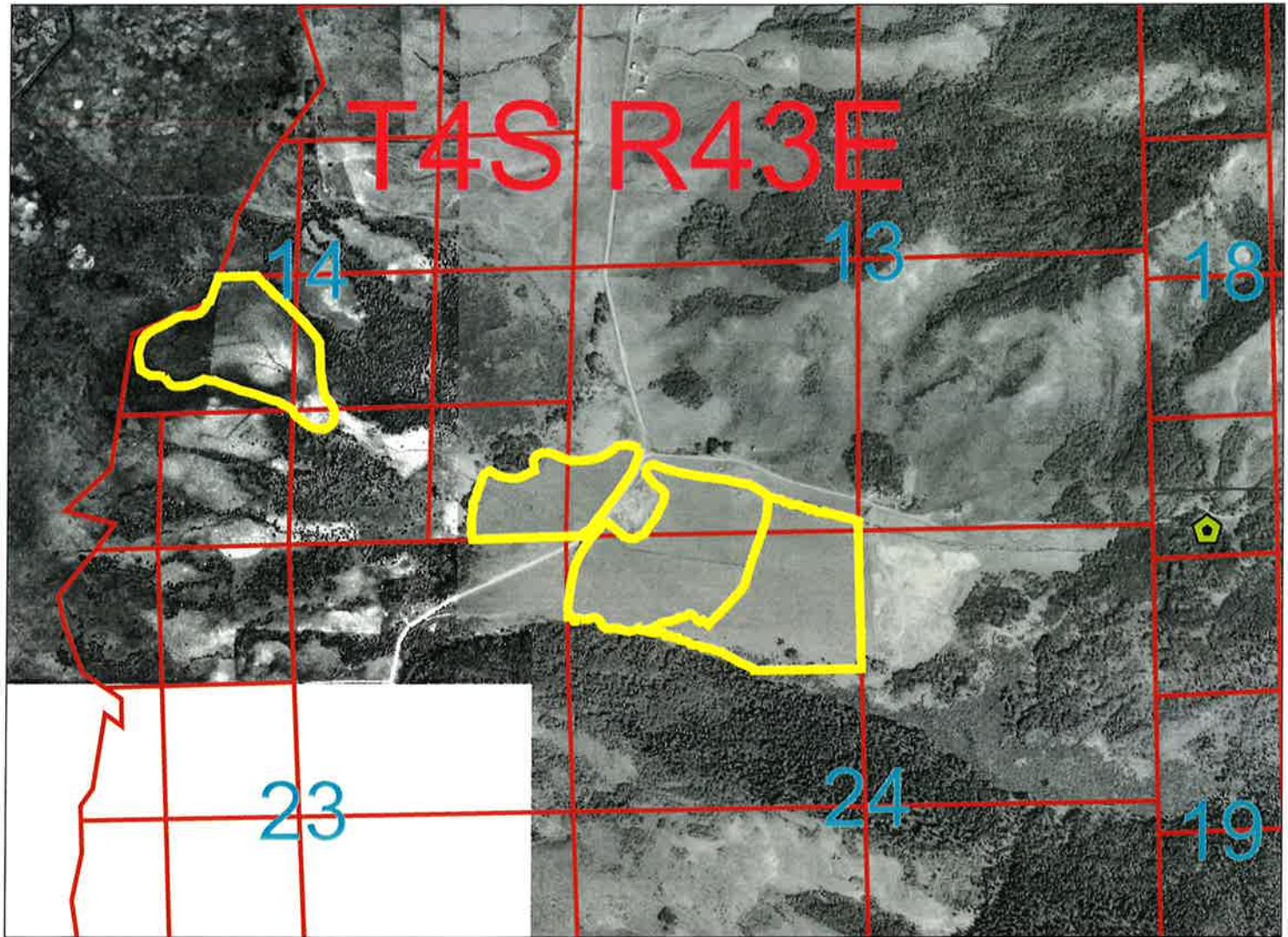
SCANNED

OCT 04 2004



Department of Water Resources

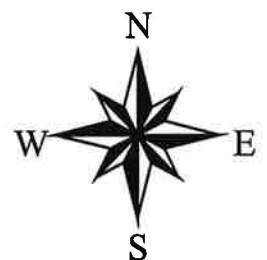
Claim No.: 25-04265



0 1320 2640 3960 5280 Feet

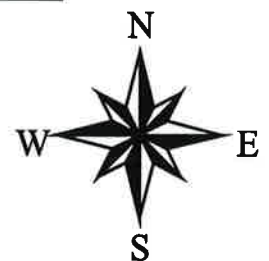
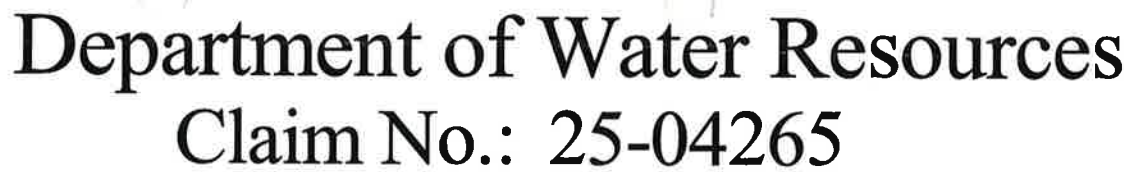


PROFILED



-  Place of Use
-  Point of Diversion
-  Grays_lake_idtm83.shp

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: December 2004

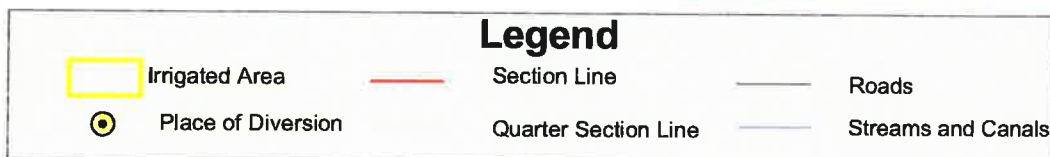
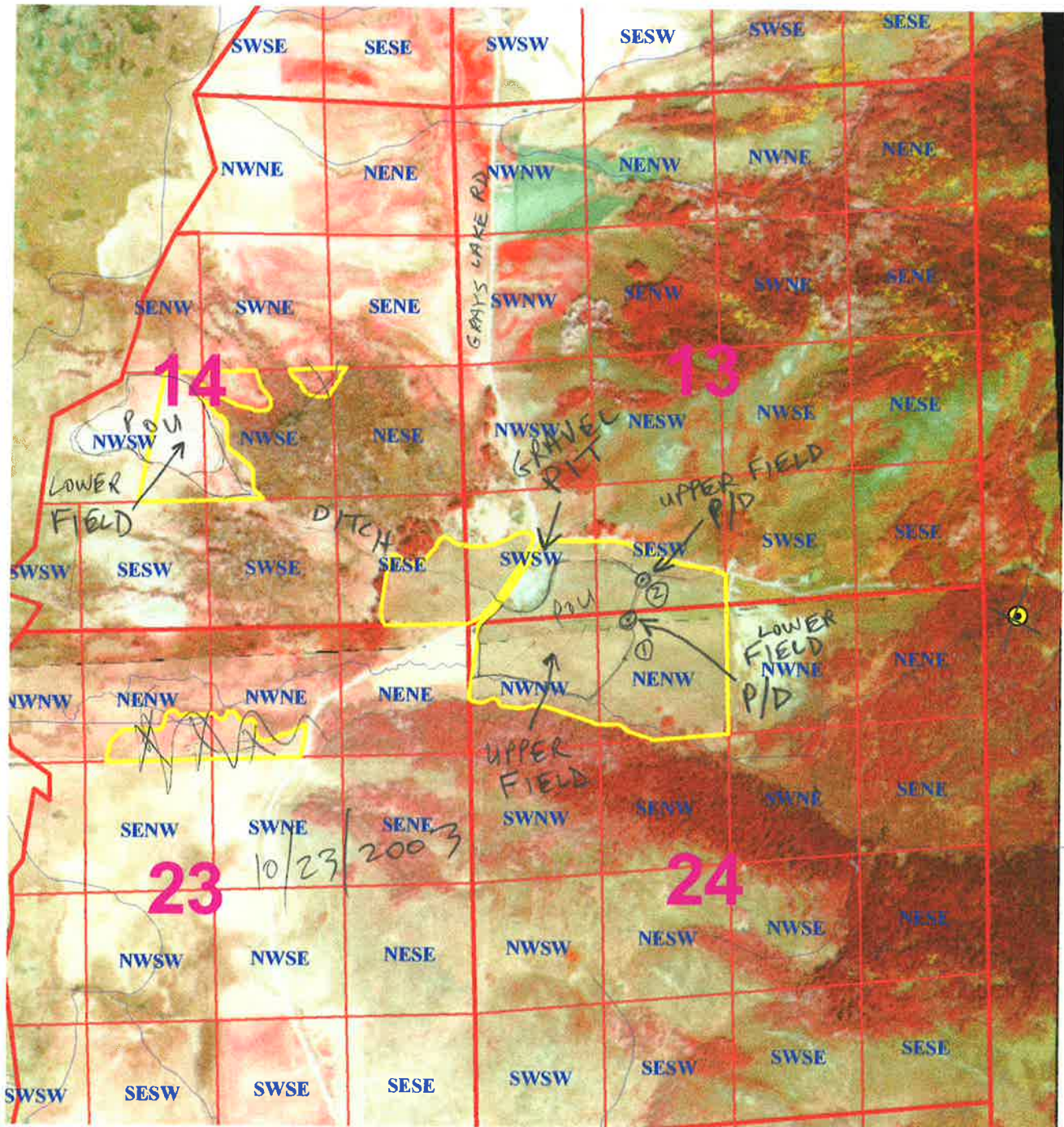


- SCANNED
OCT 04 2004
FILED

**GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: July 2004**

Water Right Claim Number 25-04265
Township , 4S43E

11/20/2000



1000 0 1000 2000 3000 Feet



SPATIAL
DYNAMICS

SCANNED

OCT 04 2004

PROFILED

AJ5809NP
No. A25-04265

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 49

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C DEMONT CRYSTAL 06/01/1880 IRRIGATION 04-01 11-01 6.000 CFS

197 N 3300 E

RIGBY ID 83442

(208) 754-4326

TOTAL DIVERSION: 6.000 CFS

CONSUMPTIVE USE: 400.00 AFA

Water Source: EAGLE CREEK NORTH FORK

Tributary to: EAGLE CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T04S R44E S19 Lot01(NWNW)

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
04S 43E 13											20	15					35.0
04S 43E 14									15				01	15		12	43.0
04S 43E 23		08			12												20.0
04S 43E 24					31	31											62.0
																	TOTAL ACRES 160.0

POU County: BONNEVILLE

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights Listing Overlapping Place(s) of Use:
A25-04261

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

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

Audit: 09/15/89 WILSON 05/14/91 THOMPSON 03/29/95 POST-STD 09/09/99 JHOAGLAN

EAGLE CR RD
CHEVY W/D GRAY
NEXT TO BIRCH

AJ0749NP
No. A25-04265

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/09/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEMONT CRYSTAL 197 N 3300 E RIGBY ID 83442 (208) 754-4326	06/01/1880	IRRIGATION	04-01 11-01	6.000 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	6.000 CFS 400.00 AFA

Water Source: EAGLE CREEK NORTH FORK

Tributary to: EAGLE CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T04S R44E S19 Lot01(NWNW)

BONNEVILLE County

Place of use Legal Description for: IRRIGATION
NE

T	R	S	NENE				NENE				NENE				NENE				NENE				SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
04S	43E	13																					
04S	43E	14																					
04S	43E	23																					
04S	43E	24																					
TOTAL ACRES																					160.0		

POU County: BONNEVILLE

Non-Irrigation Uses: N/A

Other Rights: N/A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A25-04265	VEARL C. CRYSTAL 26 NORTH 3300 EAST RIGBY ID 83442	06/01/1880	IRRIGATION	04-01 11-01	6.00 CFS	STATUTORY CLAIM

Demont Crystal
197 N 3300 E
Rigby Idaho
83442

~~CRYSTAL BROTHERS~~
~~610~~ DEMONT CRYSTAL
197 N. 3300 E.
RIGBY ID 83442

6.00 CFS TOTAL
0.00 AFA TOTAL

SOURCE: EAGLE CREEK NORTH FORK
OTHER RIGHTS: N/A
CONDITIONS OF APPROVAL:

TRIBUTARY: EAGLE CREEK

REMARKS:

POINT OF DIVERSION:
T04S R44E S19 LOT 1 (NWNW)

PLACE OF USE: IRRIGATION
T04S R43E S13 SWSW 20.0
S14 NESW 15.0
S23 NWNW 8.0
S24 NENW 31.0
160.0 ACRES TOTAL

SESW 15.0
NESE 1.0
NENW 12.0
NWNW 31.0

NWSE 15.0

SESE 12.0

MICROFILMED
NOV 10 1992

1

IDWR Concurrence:

Ernest Carlsen *7-13-05*

Ernest Carlsen Date
IDWR Adjudication Supervisor

Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 2005, 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, Idaho 83303-2707

2. Copies to all parties in subcase:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENTAL & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, IDAHO 83724

DEMONT CRYSTAL
197 N. 3300 E.
RIGBY, IDAHO 83442

IDWR REPOSITORY
P.O. BOX 83720
BOISE, IDAHO 83720

Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-4265

NAME AND ADDRESS:

DEMONT CRYSTAL
197 N 3300 E
RIGBY ID 83442

SOURCE:

Source:
NORTH FORK EAGLE CREEK
EAGLE CREEK

Tributary:
EAGLE CREEK

QUANTITY: 2.860 CFS

PRIORITY DATE: 02/06/1888

POINT OF DIVERSION:

T04S R44E S18 Lot 6 SWSW
Within BONNEVILLE County

~~T04S R44E S18 SWSW~~
~~Within BONNEVILLE County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	05/01 10/31	2.860 CFS

EMC
D.C.

PLACE OF USE:

IRRIGATION within BONNEVILLE County
T04S R43E S13 SWSW 16.0
T04S R43E S13 SESW 9.9
T04S R43E S14 Lot 3 NESW 28.0
T04S R43E S14 NWSE 4.9
T04S R43E S14 SWSE 1.2
T04S R43E S14 SESE 14.0
T04S R43E S24 NENW 41.0
T04S R43E S24 NWNW 28.0

143 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED
SEP 28 2005

TeleFAX Transmission Cover Sheet

Mark if Applicable:

☐

Privileged

☐

Confidential

This message is intended only for the use of the addressee. As noted, this message may contain privileged and/or confidential information and may be exempt from disclosure under applicable law. If you receive this message in error, please notify us at the telephone number provided and return the original message to us at the below stated address via U.S. Mail

Deliver only to: Michael Holliday**Organization/Location:** IDWR Eastern Region**Fax Number:** (208) 525-7177**Voice Number:** (208) 525-7161**Date:** 6/16/05**Time:** 3:40 MDT**Number of Pages (incl. Cover):** 3**From:** Steve Spencer**Subject:** 25-04265

Message: Two maps as we discussed focusing attention on the far southwest
Corner of Sec 18. T4S. R44E. There is 13.91 acres of private land
That, although part of the SWSW of Sec 18. is also more accurately
Described and surveyed as Government Lot 6. I will call you
Tomorrow to discuss this with you. Thank you.

Boise Adjudication Team

U.S.D.A. Forest Service
Intermountain Region
161 E. Mallard Drive, Suite A
Boise, Id. 83706

Voice: (208) 331-5944
FAX (208) 387-0842



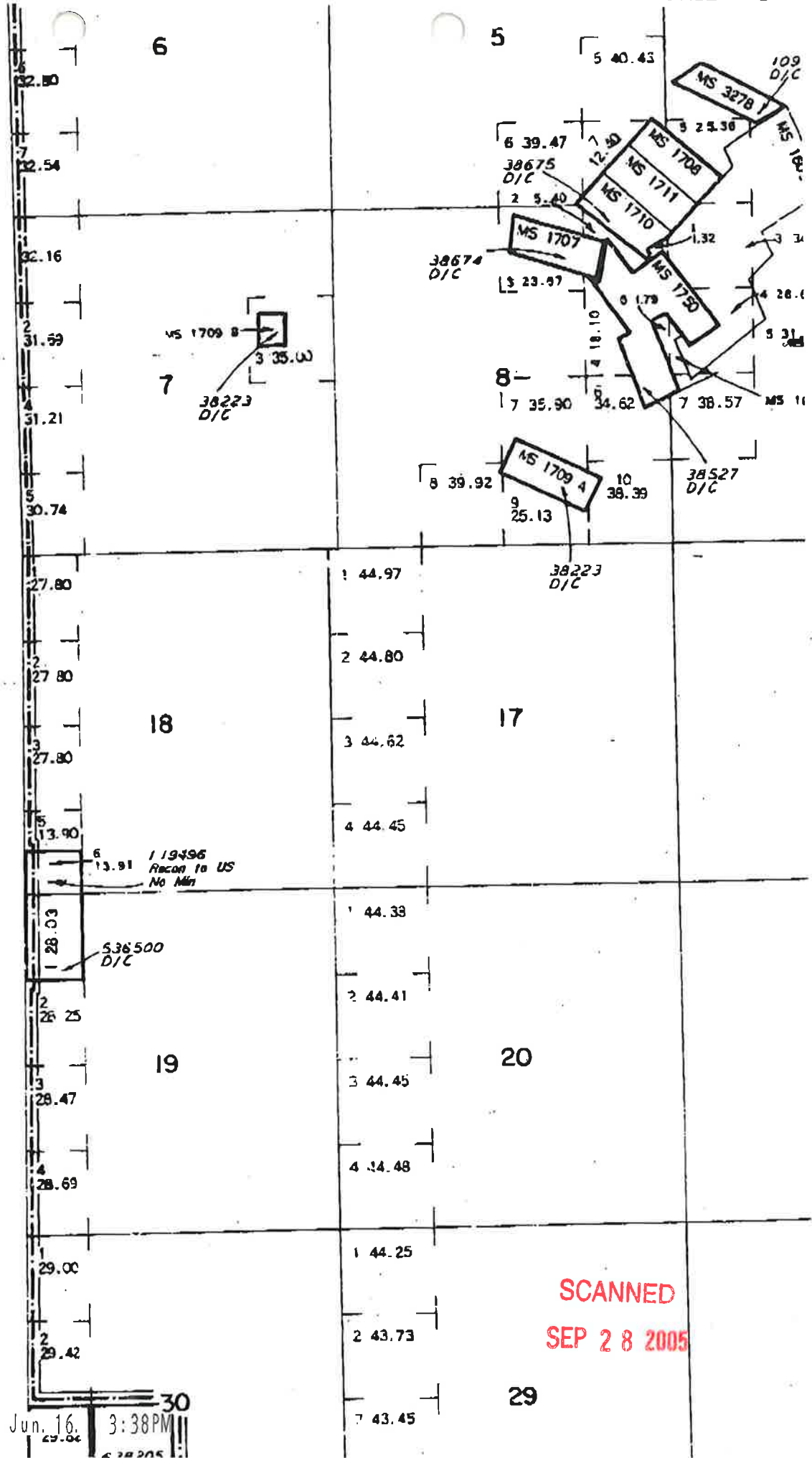
Boise Adjudication

May be: Attorney-Client and Work Product Privileged

Received Time Jun. 16. 3:38PM

SCANNED

SEP 28 2005



Received Time Jun. 16. 3:38PM

SCANNED
SEP 28 2005

2.

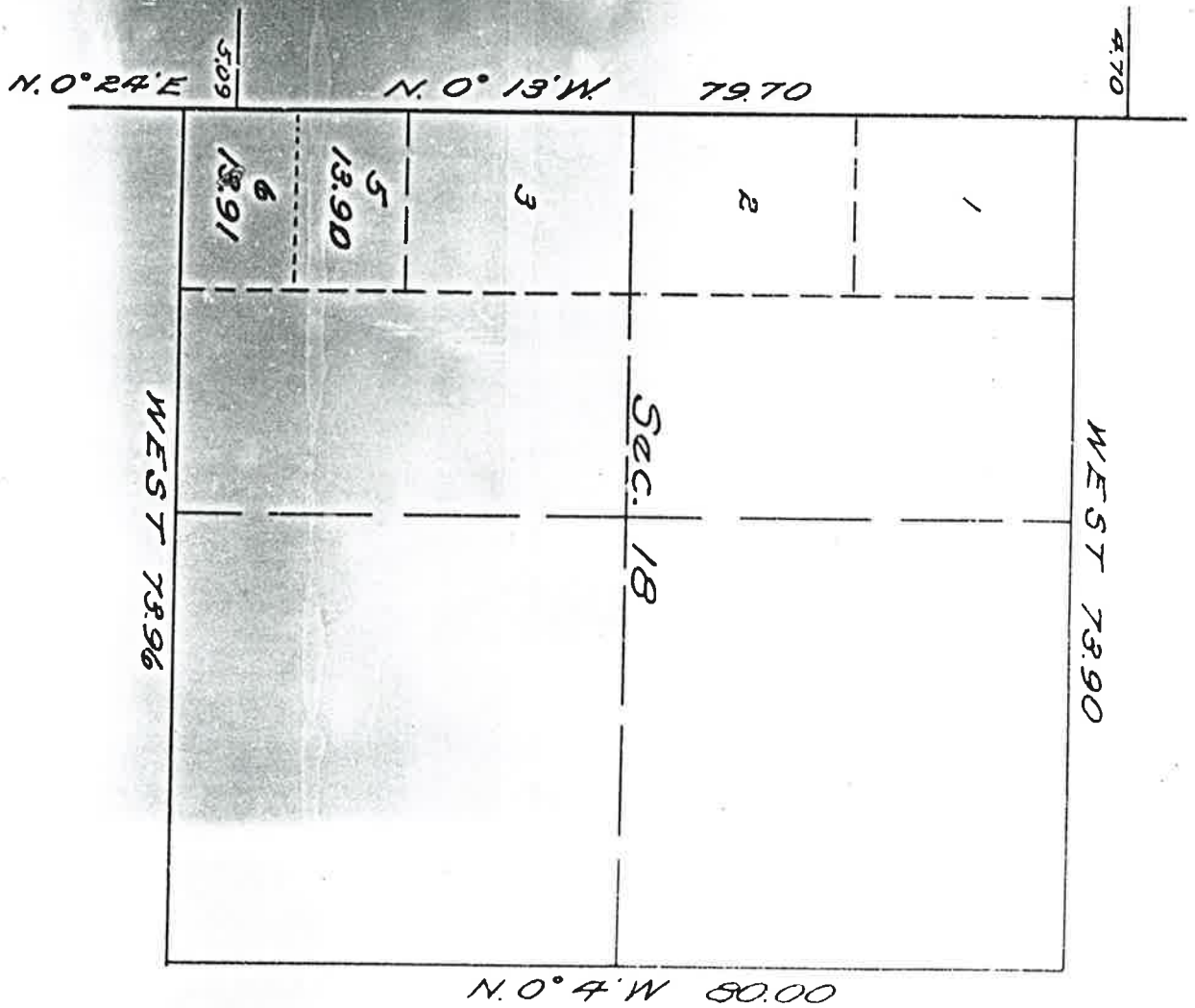
4.

105



20

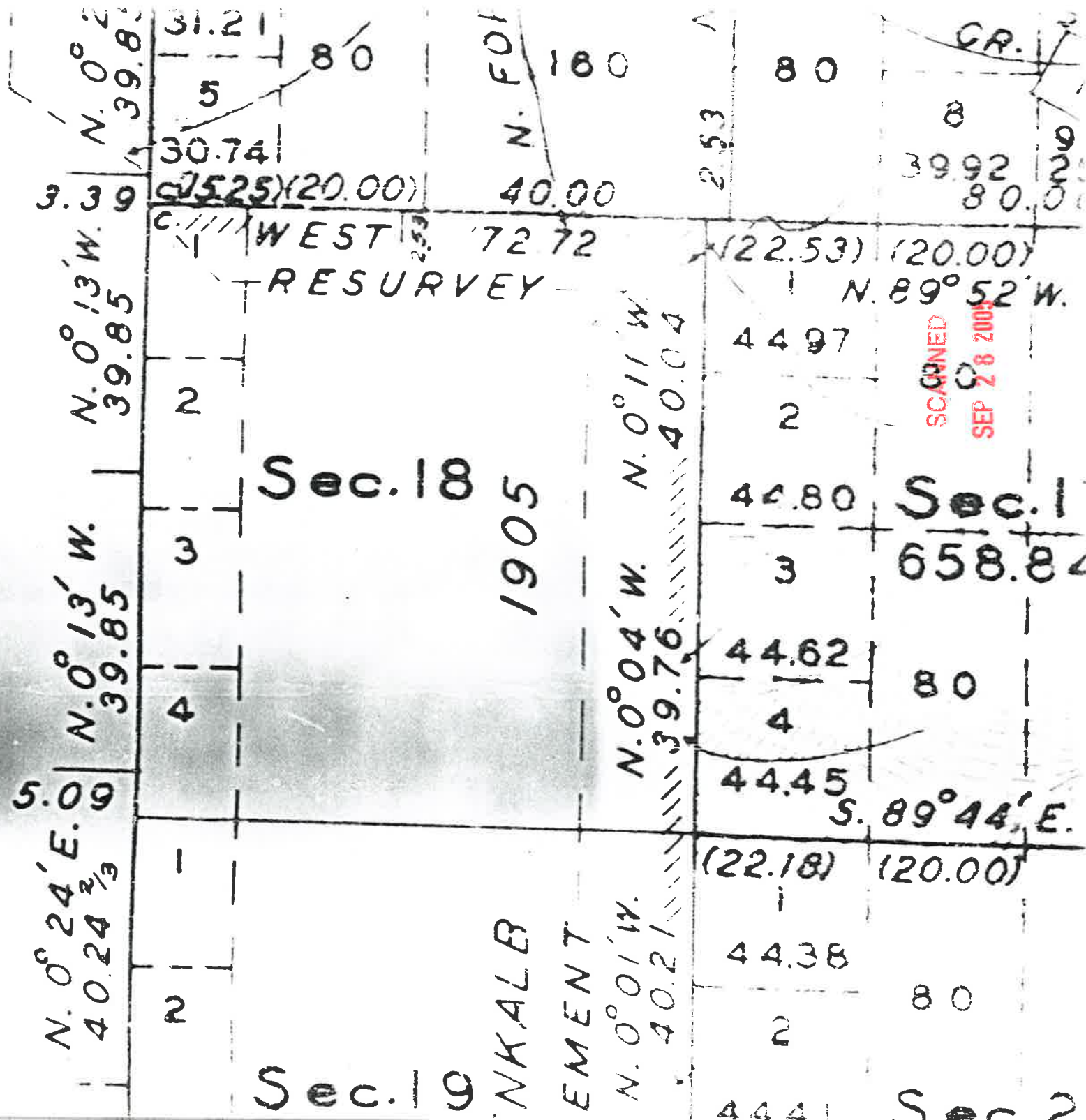
1916



SCANNED
SEP 28 2005

Sec. 13

Sec. 24



RECEIVED

NOV 29 2004

07/13/2004

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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: 25-4265

DEMONT CRYSTAL

197 N 3300 E

RIGBY ID 83442

Telephone Number: (208)754-4326

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

Quantity, Period of use, Point of Diversion, Place of use

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

Quantity should be 6.00 cfs. Period of use should be April 1 thru October 31.

Point of Diversion should be TOTS R44E S13. See attached sheet for Place of use.

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

See attached

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

DATE: November 28, 2004

SIGNATURE: Demont Crystal

Please print your name: Demont Crystal

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

PROFILED

SCANNED
DEC 02 2004

Place of Use:

Township	Range	Section	1/4 of 1/4	Acres
04S	43E	13	SE of SW	16
			SW of SW	24
		14	NE of SW	28
			NW of SE	4.9
			SW of SE	1.2
			SE of SE	13
		24	NW of NW	26
			NE of NE	36
			Total Acres	149.1

Explanation:

Because of the gravel content in the soil, we need 2 inches of water per acre. We start irrigating as soon as we can in the spring. We also haul cattle to these fields in April and use the water for stock water. Point of diversion is unclear. We are irrigating more ground than what IDWR has listed.

From 1972 to 1995, we irrigated all of the ground listed above. Since 1995, there has been less water so we irrigated less ground.

November 28, 2004



Holliday, Michael

From: Bromley, Chris
Sent: Wednesday, June 23, 2004 11:27 AM
To: Holliday, Michael
Subject: RE: Posted Notice

I need to qualify what I told you about using the posted notice as evidence of priority in my earlier email. ("Therefore, the notice could be treated as evidence of priority.")

According to the Claim's Manual, "A posted notice is evidence of the intent to appropriate water, *but is not evidence of application of water to beneficial use nor due diligence in completing the appropriation*. Some evidence of completion of the appropriation within a reasonable time after the date of posting will therefore be required before a claim may be recommended based on a posted notice."

While that statement applies to posted notice claims, it would appear that the posted notice document should not be treated as de facto proof of beneficial use. You will need to conduct further research into the right to ensure that the diversion structures were completed and the extent of the appropriation. However, the posted notice document can be used as a part of your analysis in determining the priority date, just not the entire basis.

Chris

-----Original Message-----

From: Bromley, Chris
Sent: Wednesday, June 23, 2004 10:54 AM
To: Holliday, Michael
Cc: Music, Vicky; McHugh, Candice; Hamlin Nygard, Susan; Spencer, Nick
Subject: Posted Notice

Prior to 1903, Idaho had a posted notice statute which described the means to perfect a statutory appropriation. According to the statute, the posted notice must contain the following:

1. Name of appropriator;
2. Source;
3. Amount of water;
4. Location of POD;
5. Purpose;
6. Location of POU;
7. Description of means of diversion;
8. For notices posted or recorded between March 7, 1895 and February 24, 1899, the length of time necessary to complete the appropriation may not be more than 5 years; and
9. Notices that were posted between June 1, 1887 and February 19, 1895 must have been recorded within 10 days.

In this case, the posted notice you gave me clearly meets requirements 1-7. While further research may prove that the proposed appropriation may have been completed within 5 years (see requirement #8), the notice states it was posted on February 6, 1888 and recorded February 20, 1888. Therefore, unfortunately, the notice was not recorded within the mandatory 10-day time period (see requirement #9).

According to the Department's Claims Manual, "If the posted notice does not meet these minimum requirements, then the basis of the claim *should be changed to beneficial use and the claim should be reviewed the same as a claim based on beneficial use.*" Emphasis added. Therefore, in this case, the appropriation should be treated as a claim for beneficial use, not a posted notice.

In your email, you asked whether the present tense wording of the posted notice indicates that the appropriation was already underway. Yes, it is possible that the appropriation may have been underway at the time notice was posted. Therefore, the notice could be treated as evidence of priority. Additional research may be needed on your end to find out the extent of the appropriation.

Please let me know if this answers your question, or if you need further assistance.

Thanks,

WATER LOCATION RECORD.

WATER LOCATION

—OF—

Pass
Albert Dewey

Notice is hereby given that the undersigned, a citizen of the United States, thereby claims and appropriates all the waters of what is known as North Eagle Creek in John Day's Valley near the foot of the Cariboo Mountain, in Bligh County, Idaho Territory.

Said appropriation is made by means of a dam thrown across said creek about 40 rods in an easterly direction from the cabin and improvements of the undersigned on his desert entry and the waters of said creek diverted and conveyed by means of a ditch of the following dimensions, to-wit, four feet wide in the bottom, five feet wide on top, two feet deep, with a fall common to the lay of the land, to the lands in Section 11. 13. 24 and 25 Township 4 south, of Range 44 East, for agricultural purposes.

Dated this 6 day of February A. D. 1888.

Albert Dewey.

Attest,

J. C. Rich

Recorded at the request of J. C. Rich
Febr. 20 1888 at 4 P.M.

L. A. Robethan
Recorder

Copy of the old 1888
water location for the
North Fork of Eagle Creek

10/23/2003

25-4265

P/D N 221711 UPPER FIELD
E 714513

P/D N 221522 LOWER FIELD
E 714460 ~ 30 ac

address info is correct

Met with claimant. Address info is correct.

Observed points of diversion for upper and lower fields. Dam is placed in creek for flood irrigation of pasture.

Map corrected by Ernie based on personal observation.

SCANNED

OCT 04 2004

PROFILED

PROFILED

OCT 04 2004

SCANNED

W
↓

P/D for lower field.

10/23/2003
photo 1



PROFILED

OCT 04 2004

SCANNED

↓
N

R/D for upper field.

10/23/2003
photo 2





SCANNED
OCT 04 2004

5/7/2004 Upstream view of P/D from
north branch of Eagle Cr.

PROFILE



5/7/2004 P/D from Eagle Creek, north branch

SCANNED

OCT 04 2004

PROFILE



5/7/2004

P/D from Eagle Cr, north branch

SCANNED

OCT 04 2004

PROFILE

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 Crystal Brothers, Inc. c/o Demont Crystal

Rt. #6, Box 214, Idaho Falls, ID 83401 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 754-4326

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) June 1, 1880

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)
North Fork Eagle Creek tributary to Eagle 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates Inclusive)	
				(Mo., Day)	(Mo., Day)
6.00 cfs		Use	irrigation	Period of Use From 4/1	To 11/1
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
6.00 cfs		TOTAL QUANTITY USED,			

(4) 6.00 cfs (cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 13, Twp. 4S, Rge. 43E, B.M., County of Bonneville
Additional points of diversion: NE 1/4 NE 1/4, Sec. 23, T. 4S, R. 43E

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.
dam in creek to flood 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	43E	23	20				15	15											50
		14																20	
		13											15	10					25
		24					35	30											65

No. of acres 160

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:

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

4865
May 6, 1991

VEARL C. CRYSTAL
26 N 3300 E
RIGBY ID 83442

RE: **Evidence of Priority**

Dear Mr. Crystal:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is 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 Notice 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"**.

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 Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

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

SCANNED

OCT 04 2004

PROFILED

MICROFILMED
NOV 10 1992

Vearl C. Crystal

Page 2

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

A25-04265
VEARL C. CRYSTAL
26 NORTH 3300 EAST

RIGBY

IN 83442

SCANNED
OCT 04 2004
PROFILED
MICROFILMED
NOV 10 1992

No. 11,094.

ABSTRACT OF TITLE

to

The following described Real Estate:

AG5-04265

S U P P L E M E N T A L

The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$), and the South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Thirteen (13); Lots Three (3) and Four (4) and the Southeast quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$), and the Southeast Quarter ($SE\frac{1}{4}$) of Section Fourteen (14); The North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South, Range Forty-three (43) East of the Boise Meridian, in Bonneville County, Idaho.

IDAHO TITLE AND TRUST COMPANY
IDAHO FALLS, IDAHO

MICROFILMED
NOV 10 1992

IDAHO TITLE AND TRUST COMPANY

INEZ M. SKINNER, widow, and
JAMES R. MUIR and his wife, GLADYS MUIR,
Mortgagors,

Instrument— Mortgage.

Date— August 17th, 1942.

Recorded— October 10th, 1942, at 9:22 A.M.

Book 48 of Mortgages Page 178
Records of Bonneville County, Idaho

Transcribed from Book
Records of.....County, Idaho

Consideration— \$262.00

TO

UTAH MORTGAGE LOAN CORPORATION,
Mortgagee,

XGrantees

Date of Acknowledgment— September 2nd, 1942, as to James R. Muir and wife, Gladys Muir,
Name and Title of Officer— Viola B. Hutton, Notary Public, for Salt Lake County, Utah,
Address of Officer— Salt Lake City, Utah,
Official Seal Attached? Yes.
Is Wife Separately Examined? Acknowledgment as to Inez M. Skinner, widow, on
Granting Words— August 28th, 1942, before S. E. Matthews, Notary
Covenants— Public, for Caribou County, Idaho, residing at
Conditions, Limitations and Recitals— Soda Springs, Idaho. Seal attached.

Description and Remarks

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13, Lots 3, 4, the
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 14, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of
Section 24, all in Township 4 South of Range 43 East of the Boise
Meridian, in Bonneville County, Idaho.

Together with any and all water rights and irrigating ditches thereto
belonging or in anywise appertaining, and especially including all of the
waters of North Eagle Creek as represented by water location made by
Albert Dewey, dated February 6, 1888, recorded February 20, 1888, in Book
"D" of Water Locations, page 13, of the records of Bonneville County,
State of Idaho, said water filing covering all waters of North Eagle
Creek.

Subject to a prior mortgage in the amount of \$3700.00, made to the
above Mortgagee, by the above mortgagors, on the above named date.

MICROFILMED

-2-

NOV 10 1952

IDAHO TITLE AND TRUST COMPANY

UTAH MORTGAGE LOAN CORPORATION

By Frederick P. Champ, President,
Franklin D. Richards, Secretary,
Corporate Seal,

Grantors

TO

INEZ M. SKINNER, a widow,
and
JAMES R. MUIR and GLADYS MUIR, his wife,

Grantees

Instrument— Release of Mortgages,

Date— July 8th, 1949.

Recorded— August 10th, 1949, at 11:23 A.M.

Book 27 of Releases Page 240
Records of Bonneville County, Idaho

Transcribed from Book Page
Records of County, Idaho

Consideration— Fully paid.

Date of Acknowledgment— July 8th, 1949,
Name and Title of Officer— Lucille R. Hillyard, Notary Public, for Cache County, Utah,
Address of Officer— Logan, Utah,
Official Seal Attached? Yes,
Is Wife Separately Examined?
Granting Words—
Covenants—
Conditions, Limitations and Recitals—

Description and Remarks

Releases that certain Mortgage recorded in Book 48 of
Mortgages, page 277 of the records of Bonneville County, Idaho.

(Mortgage not shown in Supplemental Abstract.)

Also Releases that certain Mortgage recorded in Book 48 of
Mortgages, page 178 of the records of Bonneville County, Idaho.

Shown at No. 2.

MICROFILMED
NOV 10 1992

IDAHO TITLE AND TRUST COMPANY

JAMES R. MUIR and GLADYS MUIR,
his wife,

Grantors

TO

INEZ M. SKINNER, a widow,

Grantees

Instrument— Warranty Deed.

Date— October 3, 1942,

Recorded— June 9th, 1950, at 2:46 P.M.

Book 72 of Deeds Page 131
Records of Bonneville County, Idaho

Transcribed from Book Page
Records of County, Idaho

Consideration— \$10.00 and O. V. C.
No I. R. S. Attached.

Date of Acknowledgment— October 3, 1942,
Name and Title of Officer— Charles O. Dunn, Notary Public, for Cache County, Utah,
Address of Officer— Logan, Utah,
Official Seal Attached? Yes,
Is Wife Separately Examined?
Granting Words— Grant, bargain, sell, convey, and confirm.
Covenants— Warranty and defend.
Conditions, Limitations and Recitals—

Description and Remarks

Conveys: The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13; Lots 3, 4; the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 14, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 24, all in Township 4 South, Range 43 East of the Boise Meridian, in Bonneville County, Idaho.

Together with any and all water rights and irrigating ditches thereto belonging or in anywise appertaining, and especially including all of the waters of North Eagle Creek as represented by water location made by Albert Dewey, dated February 6, 1888, recorded February 20, 1888, in Book "D" of Water Locations, page 13 of the records of Bonneville County, Idaho, said water filing covering all waters of North Eagle Creek.

MICROFILMED
NOV 10 1952

IDAHO TITLE AND TRUST COMPANY

JOHN E. MUIR and INEZ S. MUIR (Sometimes known as INEZ M. SKINNER MUIR, formerly INEZ M. SKINNER, a widow)
husband and wife,
Mortgagors

~~Grants~~

TO

JOHN W. LAURITSON or VIOLA LAURITSON,
or the survivor thereof.
Mortgagee,

XXXXXX
Grantees

Instrument— Mortgage.

Date— February 1st, 1954.

Recorded— February 13, 1954, at 11:05 A.M.

Book 96 of Mortgages Page 47
Records of Bonneville County, Idaho

Transcribed from Book Page
Records of County, Idaho

Consideration— \$10,600.00

Date of Acknowledgment— February 5, 1954.
Name and Title of Officer— S. E. Matthews, Notary Public, for Caribou County, Idaho,
Address of Officer— Soda Springs, Idaho,
Official Seal Attached? Yes,

Is Wife Separately Examined?

Granting Words—

Covenants—

Conditions, Limitations and Recitals— Due as follows: \$500.00 on Feb. 1st, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, and \$6,100.00 on February 1st, 1964. The privilege to pay multiples of \$500.00 to account principal on any interest paying date is hereby granted.

Description and Remarks

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13; Lots 3 and 4, the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 14; and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 24, all in Township 4 South of Range 43 East of the Boise Meridian, in Bonneville County, Idaho; together with any and all water rights and irrigating ditches thereto belonging or in anywise appertaining, and especially including all of the waters of North Eagle Creek as represented by water location made by Albert Dewey, dated February 6, 1888, recorded February 20, 1888, in Book "D" of Water Locations, page 13 of the records of Bonneville County, State of Idaho, said Water filing covering all waters of North Eagle Creek.

(and property in Caribou County, Idaho,)

MICROFILMED

NOV 10 1992

IDAHO TITLE AND TRUST COMPANY

Certificate of Abstracter

No. 11,094.

STATE OF IDAHO }
County of Bonneville } ss.

Idaho Title and Trust Company, Abstracters of Titles in and for said County, does hereby certify that the foregoing ^{Supplemental} abstract, consisting of -6- entries, numbered from -1- to -6- inclusive, sets forth a true and correct abstract of the records in the office of the County Recorder of Bonneville County, Idaho, which in any way affect the title to the property described in the caption of this abstract. to-wit: NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13; Lots 3 and 4, and SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 14; N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 24, all in Township 4 South, Range 43 East of the Boise Meridian, in Bonneville County, Idaho.

SUBSEQUENT TO: September 8th, 1942 at 5:00 P.M.

We further certify that there are no judgements or other liens of record in the office of the Recorder or Clerk of the District Court of said County, which are a lien against the said lands described in caption of this abstract, except as herein shown. Further, that there are no taxes due and unpaid upon the lands described in the caption of this abstract at the date hereof, except:

As shown herein.

~~Further, that there are no special assessments by the City of Idaho Falls, Idaho, against the property described in the caption of this Abstract, at the date hereof, appearing of record in the office of the County Treasurer of Bonneville County, Idaho, or in the office of the Clerk or Treasurer of the City of Idaho Falls, Idaho, except:~~

This certificate is made to JOHN W. LAURITSON or VIOLA LAURITSON, or the survivor thereof at the request of S. E. Matthews.
Witness our hands this 13th day of February, 1954, at 11:05 o'clock A.M.

IDAHO TITLE AND TRUST COMPANY

By

Stanley E. Ligon

Vice-

President

MICROFILMED

NOV 10 1952

CAPTION



Abstract of Title

PREPARED BY
THE BONNEVILLE ABSTRACT CO. LTD.

Idaho Falls, Idaho.

The following described Real Estate

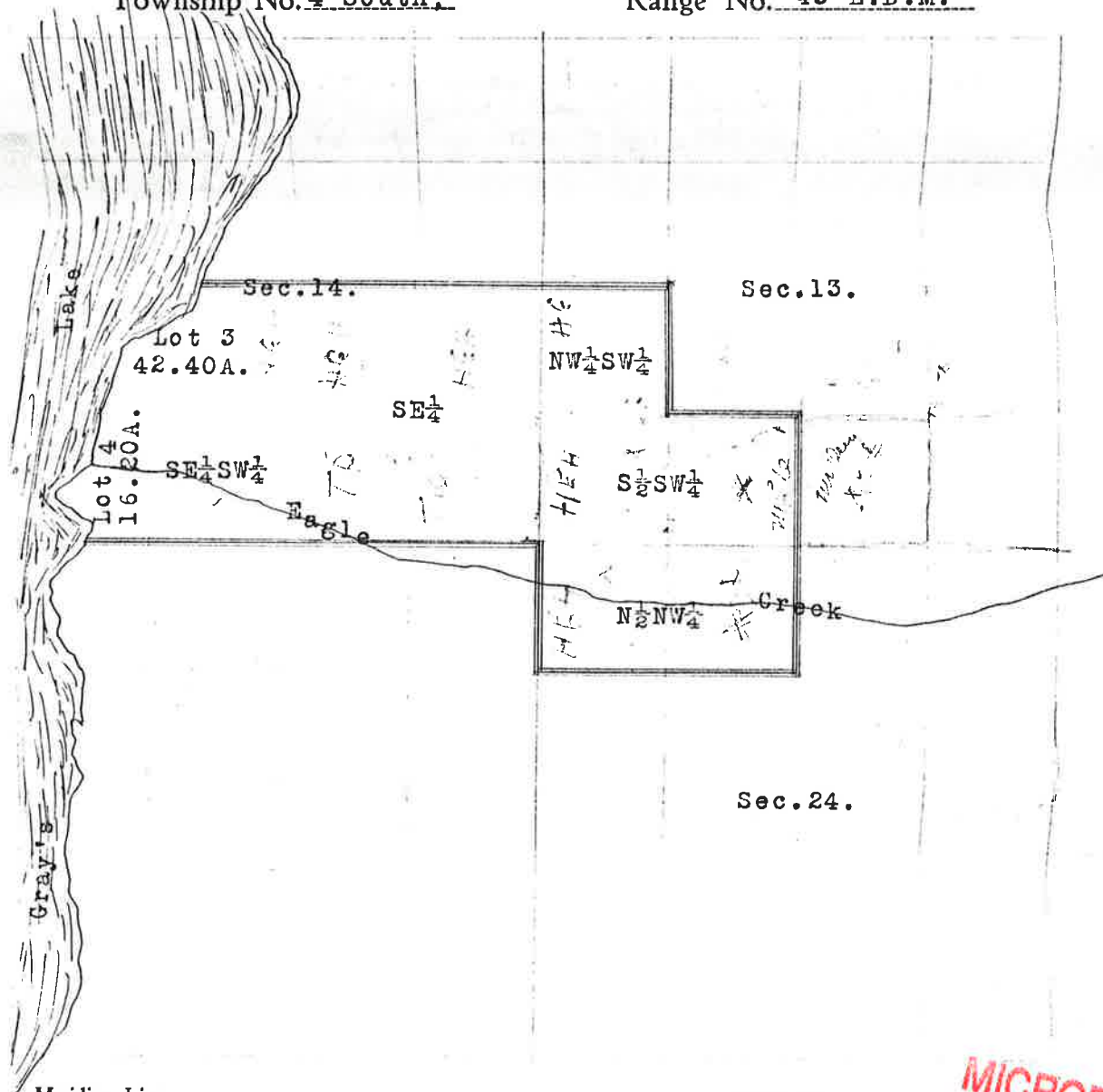
The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Thirteen (13), Lots Three (3), Four (4), the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$), and the Southeast Quarter ($SE\frac{1}{4}$) of Section Fourteen (14), and the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South, of Range Forty-three (43) East of the Boise Meridian, in Bonneville County, Idaho.

oooooooooooooooooooo

MICROFILMED
NOV 10 1992

Township No. 4 South.

Range No. 43 E.B.M.



Meridian Line,

Base Line,

Standard Line,

Township Lines,

Section Line,

Meander Lines,

Office Work,

Ranch Lines Re-Survey,

MICROFILMED
NOV 1 U 1992

No. 0-

CAPTION No. 3842-



Abstract of Title

PREPARED BY
THE BONNEVILLE ABSTRACT CO. LTD.

Idaho Falls, Idaho.

The following described Real Estate

The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$), the North Half of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4}$) of Section Fourteen (14), the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2} SW\frac{1}{4}$) of Section Thirteen (13), the North Half of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South of Range Forty-three (43) East of the Boise Meridian, containing 320 Acres, more or less.

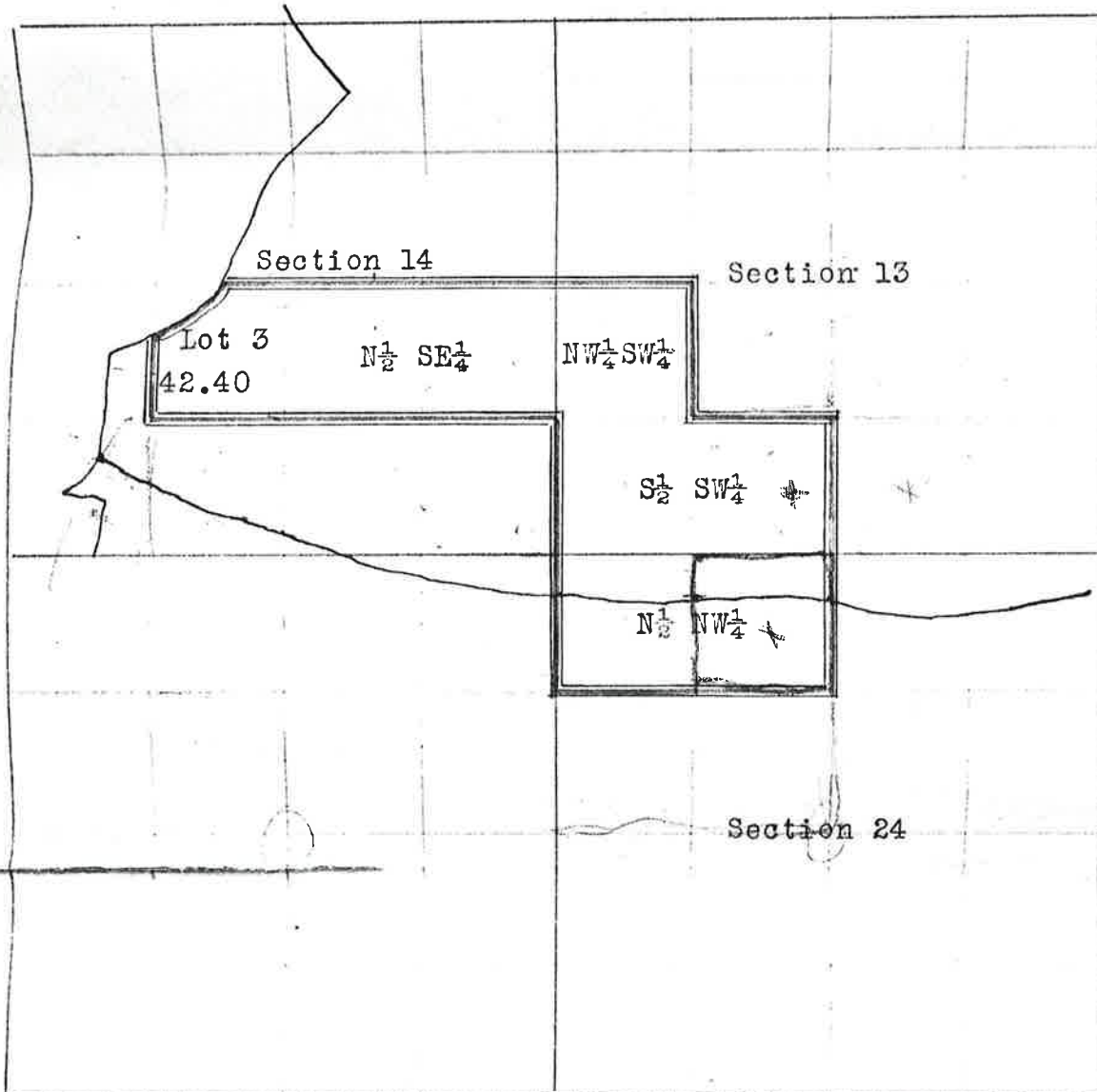
00000

MICROFILMED
NOV 10 1992

No. $\frac{1}{2}$

Township No. 4 South

Range No. 43 E.B.M.



Meridian Line,

Base Line,

Standard Line,

Township Lines,

Section Line,

Meander Lines,

Office Work,

Ranch Lines Re-Survey,

MICROFILMED
NOV 10 1992

THE UNITED STATES OF AMERICA.

Grantors

TO

Maria L. Dewey.

Grantees

Character of Instrument FINAL RECEIPT.

Date of Instrument July 26th, 1902-

Date of Record Oct. 4th, 1902 at 9:00 A.M.

Book "V" of Deeds at Page 469-

Records of Bonneville County, State of Idaho.

Consideration, \$ 4.50

NO - Acknowledgement:

Date

, acknowledged before

in and for

County, State of

Is official seal attached?

Is the acknowledgement regular?

Does wife duly acknowledge on examination without the hearing of
her husband? Issued by the

U. S. Land Office.

Does wife join throughout instrument?

Is instrument sealed?

Name of witness

Granting Words

Covenants, if any

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

Acknowledges receipt of the final payment on SW 1/4 of
SE 1/4; SE 1/4 of SW 1/4 of section 13, NE 1/4 NW 1/4
of section 24, Township 4 South of Range 43 E. B. M.,
containing 120 Acres, more or less.

MICROFILMED
NOV 10 1992

2-

The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Maria L. Dewey, a widow.

Grantors

TO

Theodore Dewey.

Grantees

Character of Instrument **WARRANTY DEED.**
 Date of Instrument **July 26th, 1902-**
 Date of Record **October 3rd, 1902-11:10 A.M**
 Book **#3** of Deeds at Page **518-**
 Records of Bonneville County, State of Idaho.
 Consideration, \$ **2.00**

Acknowledgement:

Date **July 26th, 1902-** acknowledged before
Jno. W. Jones, a notary public-
 in and for **Bingham** County, State of Idaho
 Is official seal attached? **yes-**
 Is the acknowledgement regular? **yes-**
 Does wife duly acknowledge on examination without the hearing of
 her husband? **.....**

Is wife join throughout instrument? **.....**
 Name of witness **Jno. W. Jones.**

Is instrument sealed?

Granting Words **grant, bargain, sell, convey and confirm-**
 covenants, if any **warrant and defend-**
 there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys the SW 1/4 of the SE 1/4 and the SE 1/4 of the
 SW 1/4 of section 13 and the NE 1/4 of the NW 1/4 of sec-
 tion 24 in Township 4 South of Range 43 E. B. M., con-
 taining 120 Acres.

MICROFILMED
NOV 10 1992

Page of Record
Date of Recording
Book of Record

THE BONNEVILLE ABSTRACT COMPANY, LTD. 1900 1901 1902

No. 3- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Maria L. Dewey, widow.

Grantors

TO

Theodore Dewey.

Grantees

Character of Instrument WARRANTY DEED.
Date of Instrument July 26th, 1902-
Date of Record Oct. 3rd, 1902 at 11:10 A.M.
Book "Y" of Deeds at Page 518-
Records of Bonneville County, State of Idaho.
Consideration, \$ 2.00 and O. V. C.

Acknowledgement:

Date July 26th, 1902- , acknowledged before
John W. Jones, a Notary public-
in and for Bingham County, State of Idaho
Is official seal attached? YES-
Is the acknowledgement regular? YES-
Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument?
Name of witness J. W. Jones-

Is instrument sealed? yes-

Granting Words grant, bargain, sell, convey and confirm-
Covenants, if any warrant and defend-
Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys the SW 1/4 of the SE 1/4, the SE 1/4 of SW 1/4
of section 13, NE 1/4 of NW 1/4 of section 24, Township
4 south, Range 43 E. B. M., containing 120 Acres, more
or less.

MICROFILMED
NOV 10 1992

4-

The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Albert Dewey-

Character of Instrument WATER LOCATION.
 Date of Instrument February 6th, 1888-
 Date of Record February 20th, 1888 at 4:PM
 Book "B" of water location Page 131-
 Records of Bonneville County, State of Idaho.
 Consideration, \$

Grantors

TO

whom concerned.

Grantees

NO- Acknowledgement:

Date , acknowledged before

in and for County, State of

Is official seal attached?

Is the acknowledgement regular?

Does wife duly acknowledge on examination without the hearing of her husband?

Does wife join throughout instrument?
 Name of witness

Is instrument sealed?

Granting Words

Covenants, if any

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

Notice is hereby given that the undersigned a citizen of the United States, hereby claims and appropriates all the water of what is known as the North Eagle Creek in John Pay's valley near the foot of the Cariboo Mountain in Bingham County, Idaho Territory. Said appropriation is made by means of a dam thrown across said creek about 40 rods in an easterly direction from the cabin and improvements of the undersigned on his desert entry and the waters of said creek diverted and conveyed by means of a ditch of the following dimensions, to-wit: four feet wide in the bottom, five feet wide on top, two feet deep, with a fall common to the lay of the land; to the lands in sections 11, 13, 24 and 33 in Township 4 south of Range 44 E. B. Meridian, for agricultural purposes.

MICROFILMED
NOV 10 1992

5- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Albert dewey-

Grantors

TO

Theodore dewey.

Grantees

Character of Instrument WARRANTY DEED.
Date of Instrument December 21st, 1896-
Date of Record Dec. 23, 1896 at 9:10 AM
Book "U" of Deeds at Page 311-
Records of Bonneville County, State of Idaho.
Consideration, \$ 1.00
Transcribed from book "S" page 408-
records of Bingham county- Idaho.

Acknowledgement:

Date December 21st, 1896- , acknowledged before
Wm. M. Lacey, a justice of peace-
in and for Bingham County, State of Idaho
Is official seal attached? Yes-
Is the acknowledgement regular? Yes-
Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument?
Name of witness Wm. Lewis, Lester Decker-

Is instrument sealed?

Granting Words grant, bargain, sell, convey and confirm-
covenants, if any warrant and defend-
Are there any conditions, limitations or recitals?

Are there any irregularities or defects? Not stated whether grantor is single or married.

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys 120 miners inches of the water of North Eagle
creek in Bingham county, Idaho, claimed by first party
and recorded in book "B" water locations page 131.

MICROFILMED
NOV 10 1954

The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Theodore Dewey, single.

Grantors

TO

Wallace Hunter Stocks.

Grantees

Character of Instrument WARRANTY DEED.

Date of Instrument Oct. 1st, 1902-

Date of Record Oct. 3rd, 1902 at 11:15 AM

Book "Y" of Deeds at Page 519-

Records of Bonneville County, State of Idaho.

Consideration, \$ 1.00

Acknowledgement:

Date Oct. 1st, 1902- , acknowledged before
John Frebauer, a notary public
in and for Bannock County, State of Idaho.

Is official seal attached? YES-

Is the acknowledgement regular? YES-

Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument?

Is instrument sealed?

Name of witness S. H. Winters, John Frebauer-

Granting Words grant, bargain, sell, convey and confirm-
covenants, if any warrant and defend-

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

SW 1/4 of SE 1/4, SE 1/4 of SW 1/4 of section 13, NE 1/4
of NW 1/4 section 24, Township 4 south of Range 43 East
Boise Meridian, containing 120 Acres, more or less.

MICROFILMED
NOV 10 1992

No. 7- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

wallace Hunter stocks, single.

Grantors

TO

The American Mortgage Company
of Scotland, Limited.

Grantees

Character of Instrument MORTGAGE.
Date of Instrument September 29th, 1902-
Date of Record Oct. 3, 1902 at 11:20 AM
Book "p" of Mortgages at Page 116-
Records of Bonneville County, State of Idaho.
Consideration, \$ 600.00

Acknowledgement:

Date October 1st, 1902- . acknowledged before
John Perebauer, a Notary public
in and for Bannock County, State of Idaho
Is official seal attached? yes-
Is the acknowledgement regular? yes-
Does wife duly acknowledge on examination without the hearing of
her husband?

What is the date of Maturity? Oct. 1st, 1905
When is the Interest Payable?

Rate of Interest? 9%
Where Principal and Interest Payable?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys the SW 1/4 of SE 1/4 and SE 1/4 of SW 1/4 section
13, and NE 1/4 of NW 1/4 of section 24, Township 4 south,
Range 43 E. B. M. containing 120 Acres, more or less, to-
gether with all ditch and water rights, especially from
Eagle creek.

If released on margin of records, give VERBATIM COPY OF RELEASE

R

MICROFILMED
NOV 10 1992

James R. Muir and Gladys Muir,
his wife,

Grantor

To

Union Bond and Finance Company, a
Utah Corporation,

Grantee

Character of Instrument Assignment

Date December 1, 1931

Recorded April 19, 1932 at 9:06 A.M.

Book #5 of Assignment at Page 60

Records of Bonneville County, Idaho

Transcribed from Book xx Page

Records of Bingham County, Idaho

Consideration \$1.00 & O.V.C.

Subscribed and ~~sworn to:~~ ~~Acknowledgment~~

Date December 1, 1931.

Before J. O. Stone, Notary Public

In and for xx County, State of xx

Residence Salt Lake City, Utah

Is Official Seal Affixed? yes

Is Acknowledgment regular? yes

Does Acknowledgment show separate examination of
wife? xx

Granting words.

Covenants.

Does wife join throughout instrument?

Are there any irregularities or defects?

Are there any conditions, limitations or recitals?

IN CONSIDERATION of One Dollar, cash in hand paid the undersigned, receipt of which is hereby acknowledged, and other good and valuable consideration WE, the undersigned, hereby assign, transfer and set-over to UNION BOND AND FINANCE COMPANY, a Utah Corporation, of Salt Lake City, Utah, all our right, title and interest in and to a certain contract, agreement, dated May 1st, 1931, executed at Soda Springs, Idaho, between J. R. Muir and Gladys Muir, his wife, of Salt Lake City, Utah, as parties of the first part and J. A. Trimble and Edna Trimble, his wife, as parties of the second part, wherein the parties of the first part convey to the parties of the second part a parcel of land (together with water-right etc.) partially described as follows: The North half of the Northwest quarter of Section Twenty-four; the West half of the Southwest quarter, the Southeast quarter of the Southwest quarter of Section Thirteen; the North half of the Southeast quarter, the etc. --- for the sum of \$629. etc.--- as set forth in said contract or agreement.

This assignment is given to the Union Bond and Finance Company as additional security for the payment of a certain promissory note, date Dec. 1st 1931, in the amount of One Thousand Dollars, signed by James Muir and Gladys Muir, his wife, in favor of the Union Bond and Finance Company.

If said note is paid in full as stipulated in the terms of the said

-2-

note, together with all interest and any other charges that may accrue, then this agreement shall be returned to the makers, together with the contract dated May 1st, 1931 mentioned above.

To Recorder,
Bonneville Co.,
Idaho Falls, Idaho

Dear Sir:

The following is a complete described of the property partially described in the enclosed and attached assignment:

-----all those certain lots, pieces or parcels of land, situate, lying and being in the county of Bonneville and State of Idaho, and bounded and particularly described as follows, to-wit: The North half of the Northwest quarter of Section Twenty four; the West half of the Southwest quarter, the Southeast quarter of the Southwest Quarter of Section Thirteen; the North half of the Southeast quarter, the Northeast Quarter of the southwest quarter, Lot three, the Southeast quarter of the Southwest quarter, the South half of the of the Southeast quarter and lot Four of Section Fourteen. All in Township four south of Range Forty-three east of the Boise Meridian, in Idaho, together with all ditch and water rights of every nature and kind, however evidenced, used on said lands and premises, or belonging to the same; It being mutually understood and agreed by and between the parties hereto that said water rights consist of all the waters of North Eagle Creek, and if, at the completion of the terms of this contract, by no act or omission on the part of the second parties herein, any of the waters of said North Eagle Creek shall have been decreed to any other lands than the lands herein described, then and in that event a rebate shall be made under this contract by the parties of the first part to the parties of the second part on the basis of Two and 50/100 Dollars for each inch of water that may have been decreed to lands other than the lands as are herein described; for the sum of Sixty-Two Hundred Ninety-four and 55/100 Dollars ----- etc.

Yours very truly,

Union Bond and Finance Company,

By J. R. McDonnell, Secy.

MICROFILMED
NOV 10 1992

Continuation of Abstract of Title
The Bonneville Abstract Company, Idaho Falls, Idaho

James R. Muir,

Grantor

To

Gladys Muir,

Grantee

Character of Instrument Quitclaim Deed

Date November 12, 1932

Recorded November 26, 1932 at 11:12 A.M.

Book #33 of Deeds at Page 157

Records of Bonneville County, Idaho

Transcribed from Book xx Page

Records of Bingham County, Idaho

Consideration \$10.00 & O.V.C.

Acknowledgment

Date November 12, 1932

Before Irwin Mrnovitz, Notary Public

In and for Salt Lake County, State of Utah

Residence Salt Lake City, Utah

Is Official Seal Affixed? yes

Is Acknowledgment regular? yes

Does Acknowledgment show separate examination of wife? xx

Granting words. Quitclaims and conveys

Covenants. xx

Does wife join throughout instrument? xx

Are there any irregularities or defects? xx

Are there any conditions, limitations or recitals?

Conveys: The North half of the Northwest Quarter ($N\frac{1}{2}$ - $NW\frac{1}{4}$) of Section twenty-four (24); the West half of the Southwest quarter ($W\frac{1}{2}$ - $SW\frac{1}{4}$) the Southeast quarter of the Southwest quarter ($SE\frac{1}{4}$ - $SW\frac{1}{4}$) of Section thirteen (13), the North half of the Southeast quarter ($N\frac{1}{2}$ - $SE\frac{1}{4}$) the Northeast quarter of the Southwest Quarter ($NE\frac{1}{4}$ - $SW\frac{1}{4}$), Lot three (3), the South-quarter ($S\frac{1}{2}$ - $SE\frac{1}{4}$) and Lot four (4) of Section fourteen (14), all in Township four (4) South of Range Forty-three (43) East of the Boise Meridian, in Idaho, together with all ditch and water rights of every nature and kind, however evidenced, used on said lands and premises, or belonging to the same; it being mutually understood and agreed by and between the parties hereto that said water rights consist of all the waters of North Eagle Creek and if, at the completion of the terms of this contract by no act or omission on the part of the second part herein, any of the waters of said North Eagle Creek have been decreed to any other lands than the lands herein described then and in that event a rebate shall be made under this contract to the party of the second part on the basis of \$2.50 for each inch of water that may have been decreed to lands other than those as are herein described.

(Also other property not included in the caption of this abstract.)

John A. Trimble and Edna Trimble,
his wife,

Grantor

To

James R. Muir,

Grantee

Character of Instrument Quitclaim Deed
Date April, 1933
Recorded March 5, 1934 at 12:00 N.
Book #31 of Deeds at Page 446
Records of Bonneville County, Idaho
Transcribed from Book xx Page
Records of Bingham County, Idaho
Consideration \$1.00

Acknowledgment

Date April 18, 1933
Before John P. Madsen, Justice of Peace
In and for Bonneville County, State of Idaho
Residence Gray, Idaho
Is Official Seal Affixed? no seal
Is Acknowledgment regular? yes
Does Acknowledgment show separate examination of
wife? xx

Granting words. Demise, release and forever quitclaim
Covenants. To have and to hold
Does wife join throughout instrument? yes
Are there any irregularities or defects? xx
Are there any conditions, limitations or recitals?

Conveys: The North half of the Northwest quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24); and the West half of the Southwest quarter ($W\frac{1}{2}SW\frac{1}{4}$), the Southeast quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Thirteen (13); the North half of the Southeast quarter ($N\frac{1}{2}SE\frac{1}{4}$), the Northeast quarter of the Southwest quarter ($NE\frac{1}{4}SW\frac{1}{4}$), Lots Three (3), the Southeast quarter of the Southwest quarter ($SE\frac{1}{4}SW\frac{1}{4}$), The South half of the Southeast quarter ($S\frac{1}{2}SE\frac{1}{4}$) and Lot Four (4) of Section Fourteen (14), all in Township Four (4) South of Range Forty-three (43) East of the Boise Meridian, in Idaho.

Together with all ditch and water rights of every nature and kind, however evidenced, used on said lands and premises, or belonging to the same.

MICROFILMED
NOV 10 1992

Inez M. Skinner, widow, and
James R. Muir and wife, Gladys
Muir,

Mortgagor.

TO

Utah Mortgage Loan Corporation,
a corporation,

Mortgagee.

Character of Instrument Mortgage

Date August 17, 1942

Recorded September 8, 1942 at 9:45 A.M.

Book #48 of Mortgages Page 277

Records of Bonneville County, Idaho.

Transcribed from Book xx Page

Records of Bingham County, Idaho

Consideration \$3700.00

Inez M. Skinner
widow: *Acknowledgment*

Date August 28, 1942

Before S. E. Matthews, Notary Public

In and for Caribou County, State of Idaho

Residence Soda Springs, Idaho

Is Official Seal Affixed? yes

Is Acknowledgment regular? yes

Does Acknowledgment show separate examination
of wife? xx

\$400.00 due Oct. 1, 1943, \$400.00 due Oct. 1 of each year thereafter,
Date of Maturity final payment due Oct. 1, 1949
Rate of Interest $4\frac{1}{2}\%$ per annum
Where Payable Utah Mortgage Loan Corp. office, Logan City, Utah
When is Interest payable? semi-annually
Optional \$300.00 or any multiple thereof may be paid Oct. 1, 1943 or
on Oct. 1, each year thereafter

James R. Muir and wife, Gladys Muir, acknowledge September 2, 1942 before
Viola B. Hutton, Notary Public, in and for Salt Lake County, State of
Utah, residing at Salt Lake City, Utah. Seal affixed; ack. regular.

Conveys: The northwest quarter of the southwest quarter
and the south half of the southwest quarter of section 13,
lots 3, 4, the southeast quarter of the southwest quarter
and the southeast quarter of section 14, and the north half
of the northwest quarter of section 24, all in township 4
south of range 43 east of the Boise Meridian, in Bonneville
County, Idaho.

Together with any and all water rights and irrigating ditches
thereto belonging or in anywise appertaining, and especially
including all of the waters of North Eagle Creek as represent-
ed by water location made by Albert Dewey, dated February 6,
1888, recorded February 20, 1888 in book "D" of Water Locations
page 13 of the records of Bonneville County, State of Idaho,
said water filing covering all waters of North Eagle Creek.

Certificate of Abstracter

STATE OF IDAHO, }
BONNEVILLE COUNTY, } ss.

THE BONNEVILLE ABSTRACT COMPANY, Abstracter of Titles in and for the said County does hereby certify that the foregoing abstract, consisting of Pages numbered ~~.....113..~~ to ~~.....117..~~ both inclusive, sets forth a true and correct abstract of all instruments that appear of record in the office of the County Recorder of Bonneville County, which in any way affect the title of the property described in the caption hereof, to-wit: The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Thirteen (13), Lots Three (3), Four (4), the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$), and the Southeast Quarter ($SE\frac{1}{4}$) of Section Fourteen (14), and the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South, of Range Forty-three (43) East of the Boise Meridian, in Bonneville County, Idaho,

FROM AND AFTER November 19, 1931 at 1:00 P.M.

Further, that there are no judgments or liens of record in the office of the Recorder, or in any Court of Record of said County, of any kind, which are a lien against the lands described in the caption of this abstract except as herein shown.

Further, that there are no taxes due and unpaid upon the lands described in the caption of this abstract at date hereof, except as follows:

1941 and all prior taxes fully paid.

1942 taxes are now a lien, but not yet due or payable.

This Certificate is made to Utah Mortgage Loan Corporation, a corporation,

At the request of Utah Mortgage Loan Corporation.

WITNESS my hand and the seal of said Company this 8th day of Sept., 1942.
at 5:00 P.M.



THE BONNEVILLE ABSTRACT COMPANY,

By

W. H. Jagon

Sec.

MICROFILMED
NOV 14 1952

SCANNED

JUL 30 2000

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: A25-04265
Date Received: 9/15/1989
Receipt No: E010544
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRYSTAL BROTHERS 208-754-4326
Address: C/O DEMONT CRYSTAL
198 N. 3300 E.
RIGBY, ID 83442

OR

Name: VEARL C. CRYSTAL 208-754-4705
Address: 26 NORTH 3300 EAST
RIGBY, ID 83442

2. Date of Priority: JUN 01, 1880

3. Source: EAGLE CREEK NORTH FORK Trib. to: EAGLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04S	44E	19	NW NW	1	BONNEVILLE

5. Description of diverting works:
DAM IN CREEK FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A25-04265

Page 1

Date: 09/15/89

MICROFILMED
NOV 10 1992

A2504265



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	43E	13	SW	SW		IRR	20.0
			SE	SW		IRR	15.0
			Section Acres				
		14	NE	SW		IRR	15.0
			NE	SE		IRR	1.0
			NW	SE		IRR	15.0
			SE	SE		IRR	12.0
		Section Acres					43.0
		23	NW	NE		IRR	8.0
			NE	NW		IRR	12.0
		Section Acres					20.0
		24	NE	NW		IRR	31.0
			NW	NW		IRR	31.0
		Section Acres					62.0
		Total Acres					160.0

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:
N/A

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Neal C. Crystal Date: 9/15/89

Date: _____

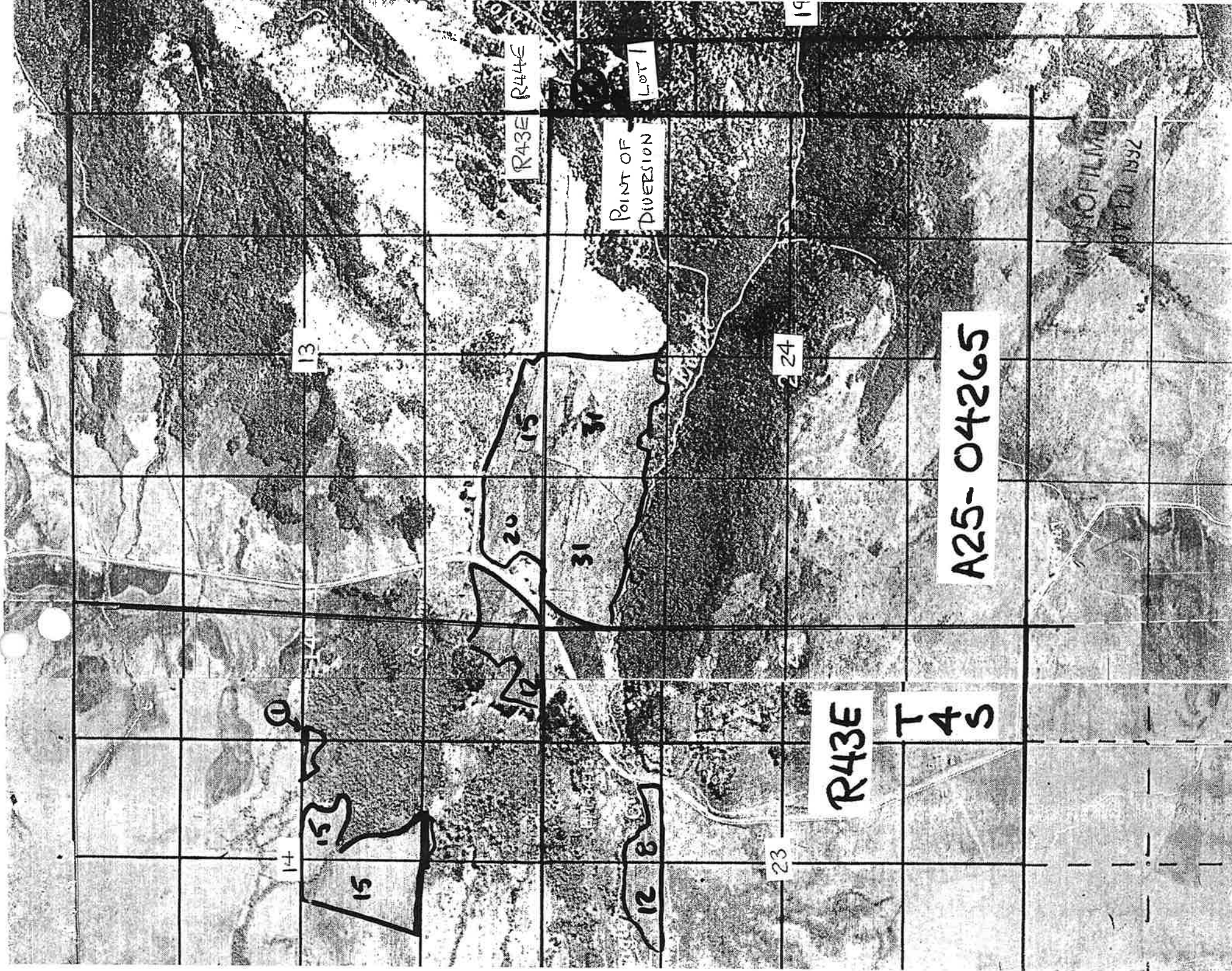
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Sept 19 89

Calvin Wray
Notary Public

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





①

14

15

15

13

15

20

15

31

31

31

R43E

R44E

12

8

12

POINT OF
DIVERSION

LOT 1

23

R43E

24

19

T 4 S

A25-04265

ANALOG FILM
JUL 17 1992