

02/13/2003

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

RIGHT NUMBER: 29-4201

NAME AND ADDRESS: HENDERSON RANCHES INC  
1414 DELPHIC WAY  
POCATELLO ID 83201-2293

SOURCE: UNNAMED STREAM

TRIBUTARY: MARSH CREEK

QUANTITY: 3.000 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL  
COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 29-04200,  
29-04201, 29-04202, 29-04203, 29-11089, 29-13480, 29-13481

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE  
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1924 ~~1924~~ 1923

POINT OF DIVERSION:

T10S R37E S18 SWSE Within BANNOCK County Source: UNNAMED STREAM

T10S R37E S18 SWSE Within BANNOCK County Source: UNNAMED STREAM

T10S R37E S18 SESE Within BANNOCK County Source: UNNAMED STREAM

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.030 CFS       |
| IRRIGATION            | 04/01 10/31          | 3.000 CFS       |

PLACE OF USE: IRRIGATION Within BANNOCK County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T10S R37E S18       | NENW | 19.0 | T10S R37E S18 Lot 1 | NWNW | 23.0 |
| T10S R37E S18 Lot 4 | SWNW | 13.0 | T10S R37E S18       | SENE | 30.0 |
| T10S R37E S18       | NESW | 33.0 | T10S R37E S18 Lot 5 | NWSW | 3.0  |
| T10S R37E S18       | SESW | 23.0 | T10S R37E S18       | NWSE | 28.0 |
| T10S R37E S18       | SWSE | 35.0 |                     |      |      |

STOCKWATER same as IRRIGATION

207 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 290 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04200, 29-04201,  
29-04202, 29-04203, 29-11089, 29-13480, 29-13481

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL  
BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

02/13/2003

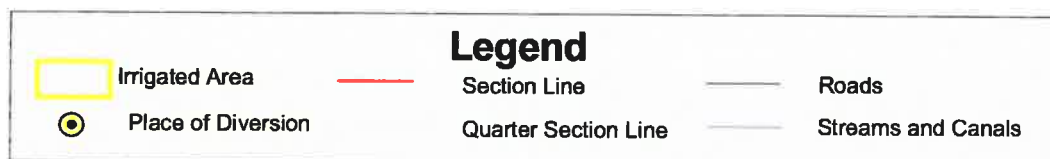
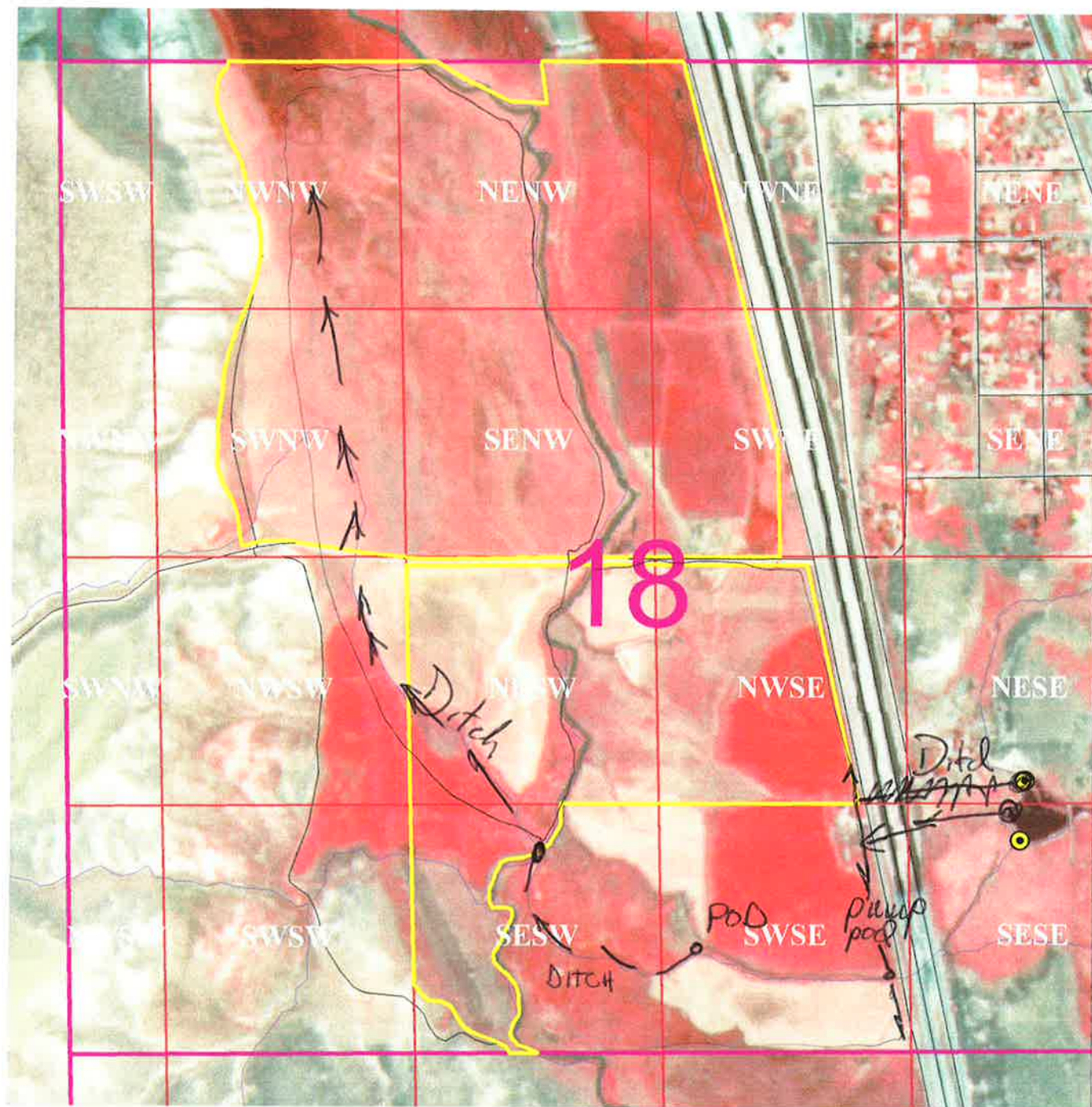
IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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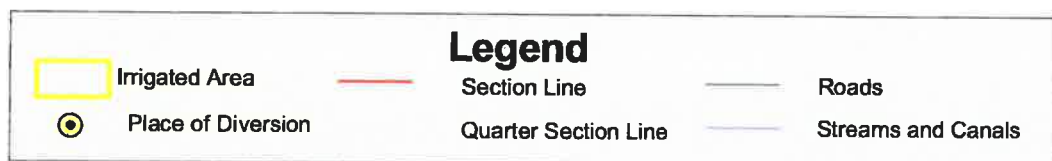
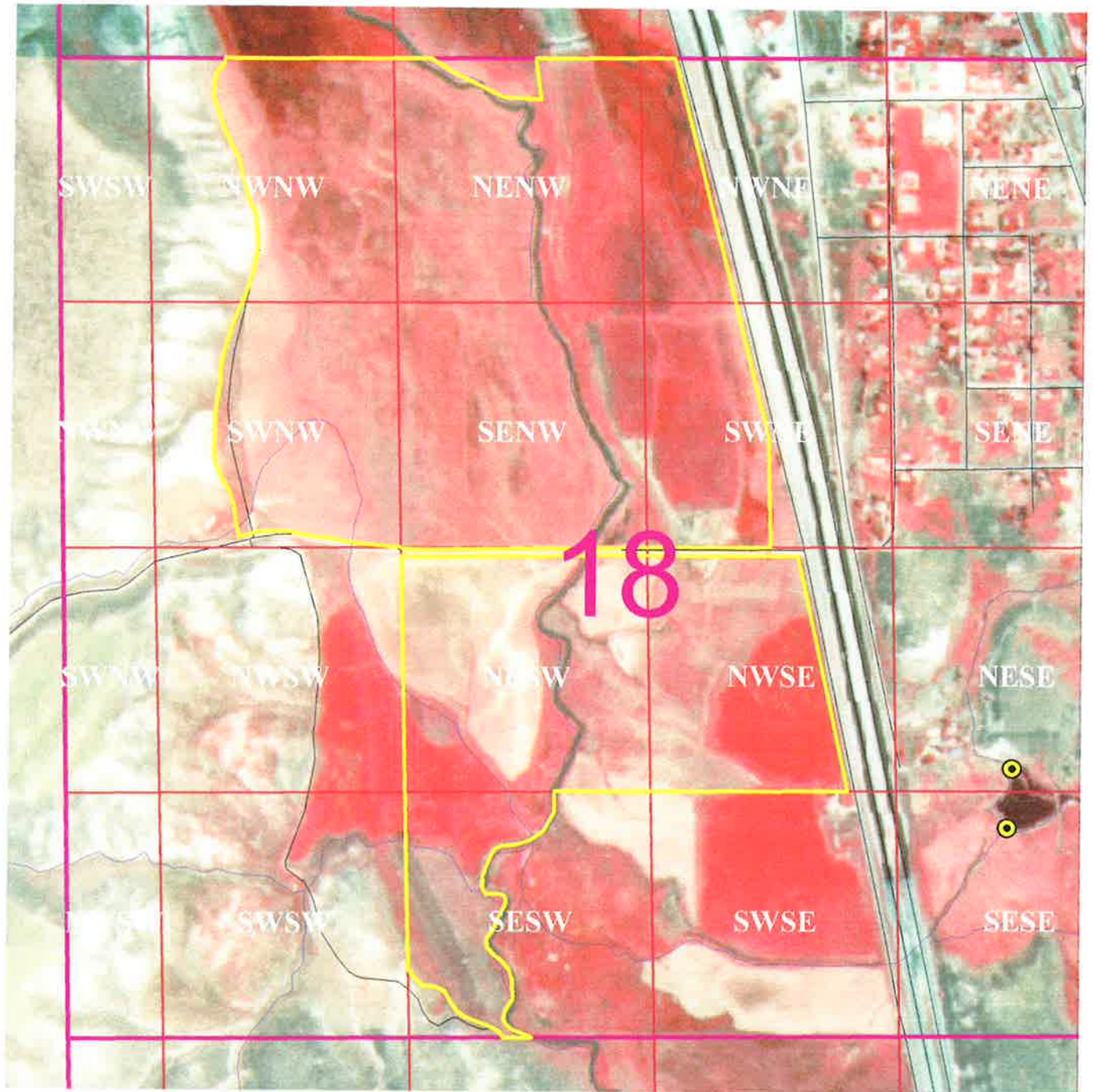
USE OF THIS RIGHT IS COMBINED WITH WATER FROM MCCAMMON DITCH  
CO.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PORTNEUF  
IRRIGATING CO.

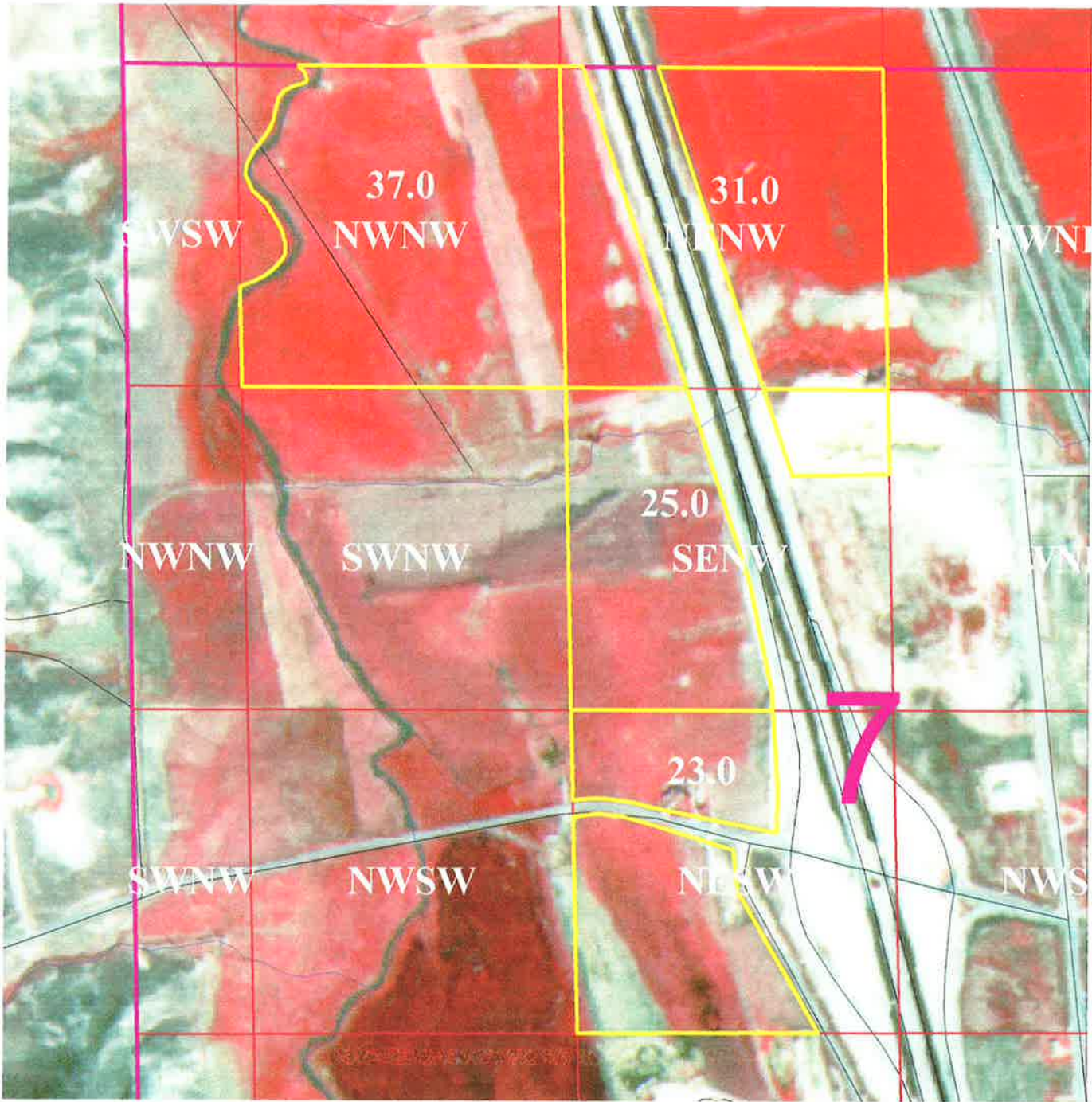
Township , 10S37E



Township , 10S37E



Township , 10S37E



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

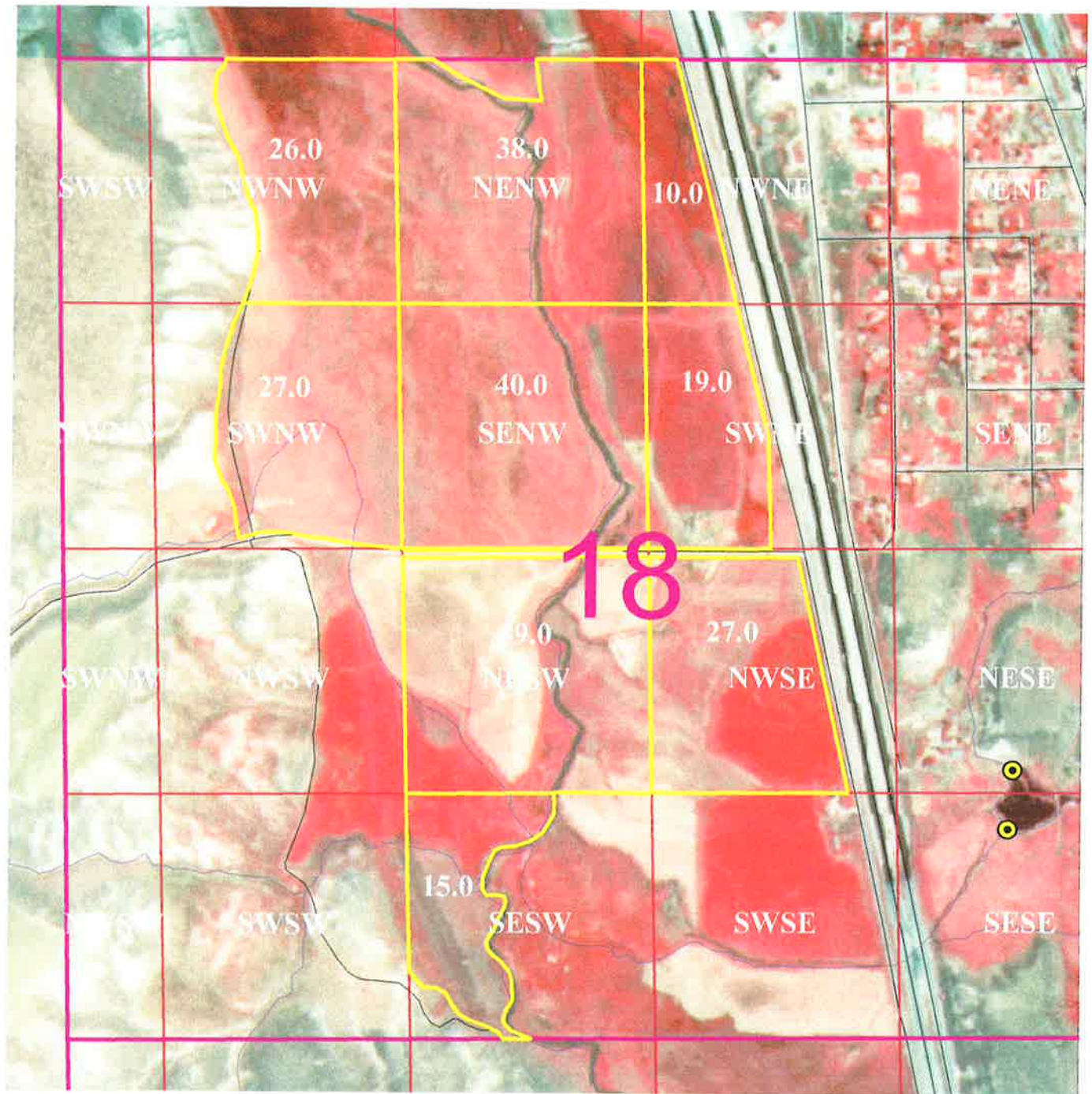
Roads

Streams and Canals

### Legend



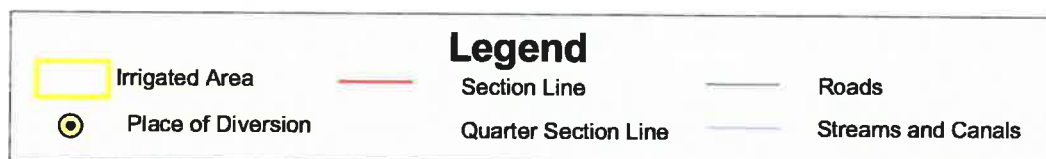
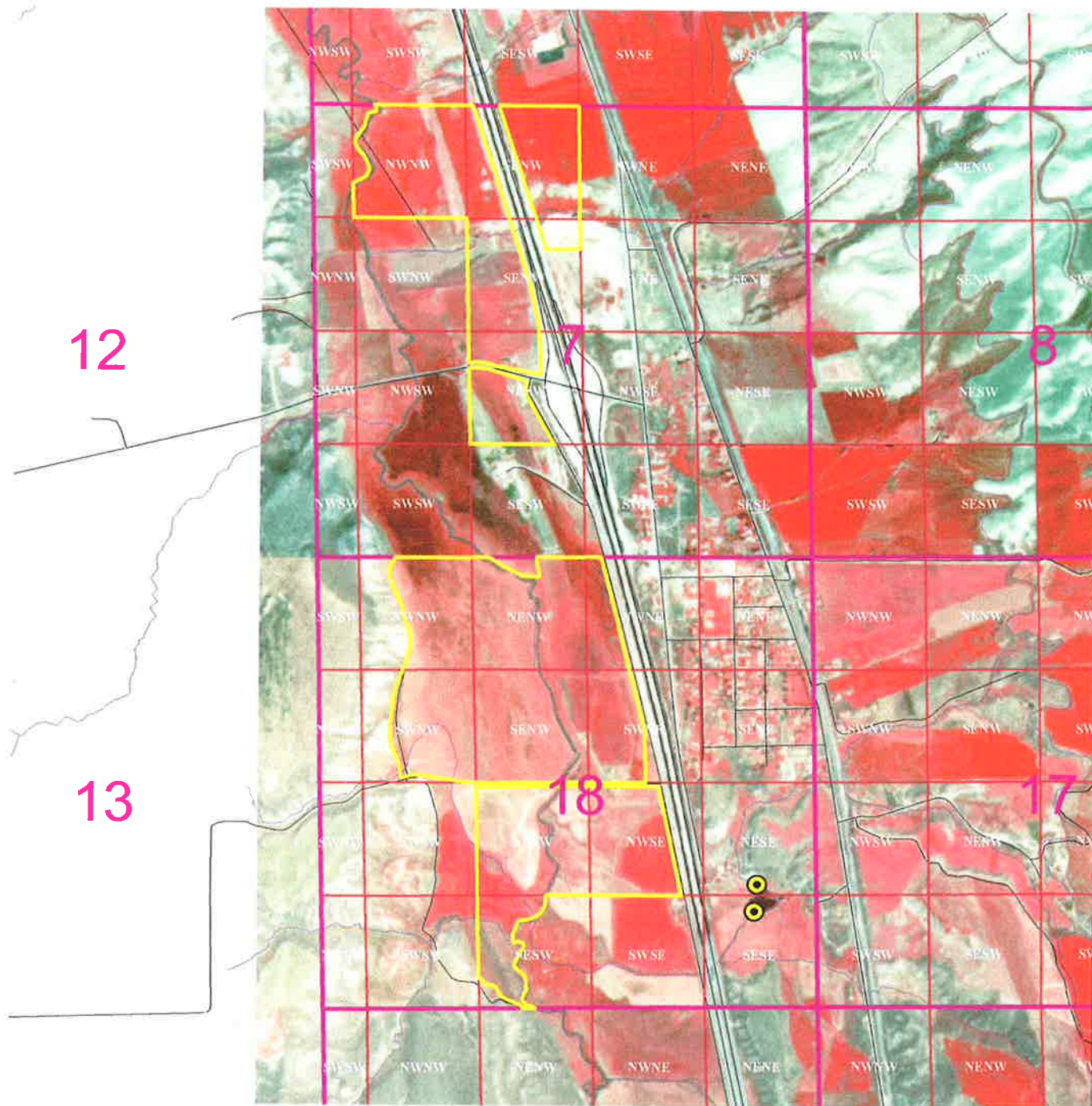
Township , 10S37E



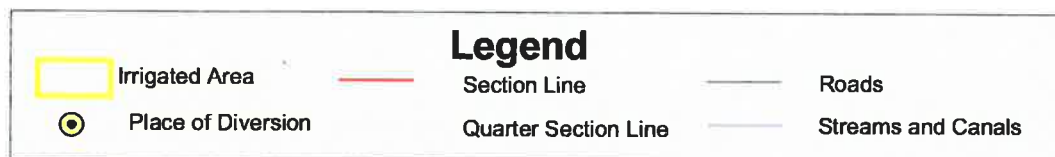
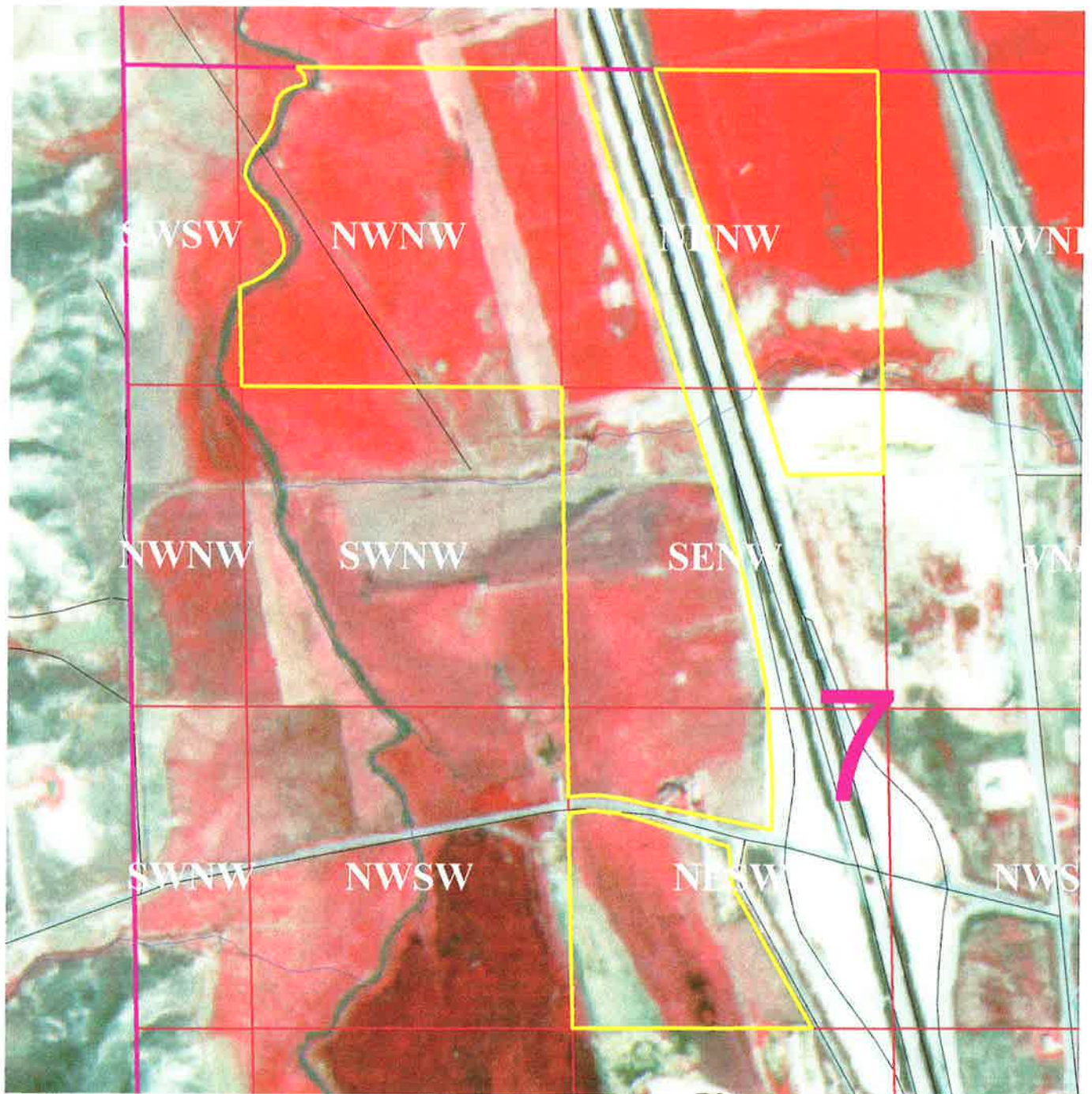
| Legend                                                                              |                    |                                                                                     |                      |                                                                                   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



Township , 10S37E



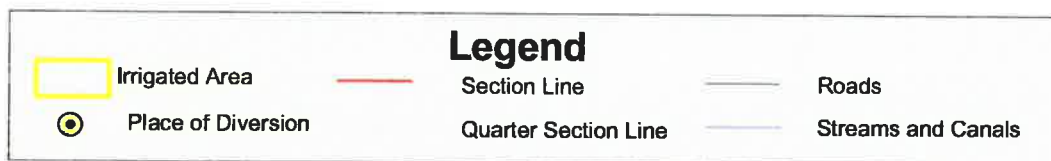
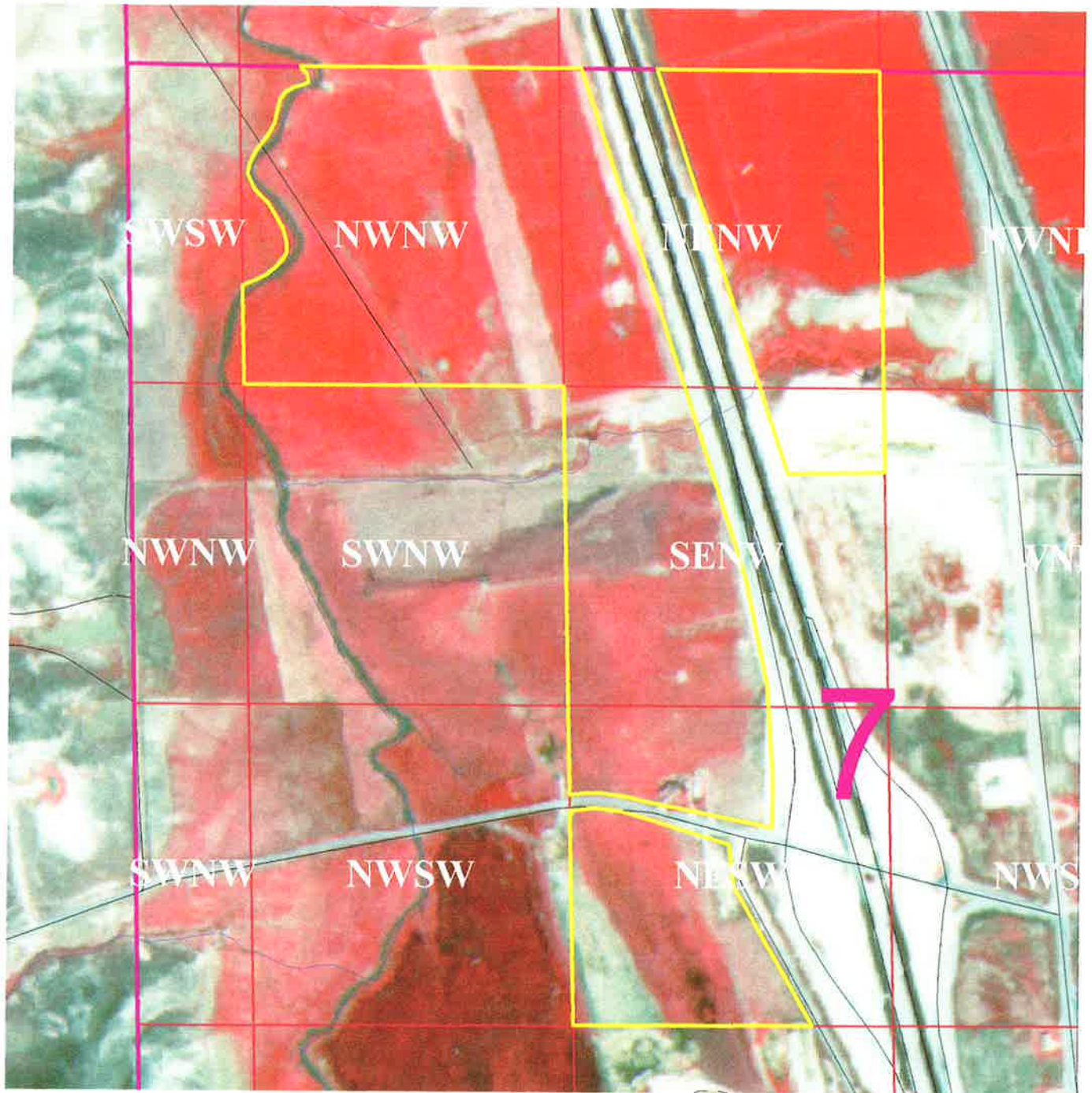
Township , 10S37E



300 0 300 600 Feet



Township , 10S37E



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

RIGHT NUMBER: 29-4201  
NAME AND ADDRESS: HENDERSON RANCHES INC  
1414 DELPHIC WAY  
POCATELLO ID 83201-2293

SOURCE: UNNAMED STREAM TRIBUTARY: MARSH CREEK

QUANTITY: 3.000 CFS  
Use of the rights listed below is limited to a total combined diversion rate of 5.80 cfs. Combined right nos.: 29-04200, 29-04201, 29-04202, 29-11089, 29-13480, 29-13481, 29-13688 and 29-13689

~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 29-04200, 29-04201, 29-04202, 29-11089, 29-13480, 29-13481, 29-13688 and 29-13689~~

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1923

POINT OF DIVERSION:  
T10S R37E S18 SWSE Within BANNOCK County  
T10S R37E S18 SWSE Within BANNOCK County  
T10S R37E S18 SESE Within BANNOCK County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| STOCKWATER     | 01/01 12/31   | 0.030 CFS |
| IRRIGATION     | 04/01 10/31   | 3.000 CFS |

PLACE OF USE:

IRRIGATION Within BANNOCK County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T10S R37E S18       | NENW | 19.0 | T10S R37E S18 Lot 1 | NWNW | 23.0 |
| T10S R37E S18 Lot 4 | SWNW | 13.0 | T10S R37E S18       | SENW | 30.0 |
| T10S R37E S18       | NESW | 33.0 | T10S R37E S18 Lot 3 | NWSW | 3.0  |
| T10S R37E S18       | SESW | 23.0 | T10S R37E S18       | NWSE | 28.0 |
| T10S R37E S18       | SWSE | 35.0 |                     |      |      |

STOCKWATER same as IRRIGATION

207 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 290 acres in a single irrigation season. Combined right nos.: 29-04200, 29-04201, 29-04202, 29-11089, 29-13480, 29-13481, 29-13688 and 29-13689

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 290 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04200, 29-04201, 29-04202, 29-04203, 29-11089, 29-13480, 29-13481~~

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

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

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM      Beneficial Use

Use of this right is combined with water from McCammon Ditch Co.

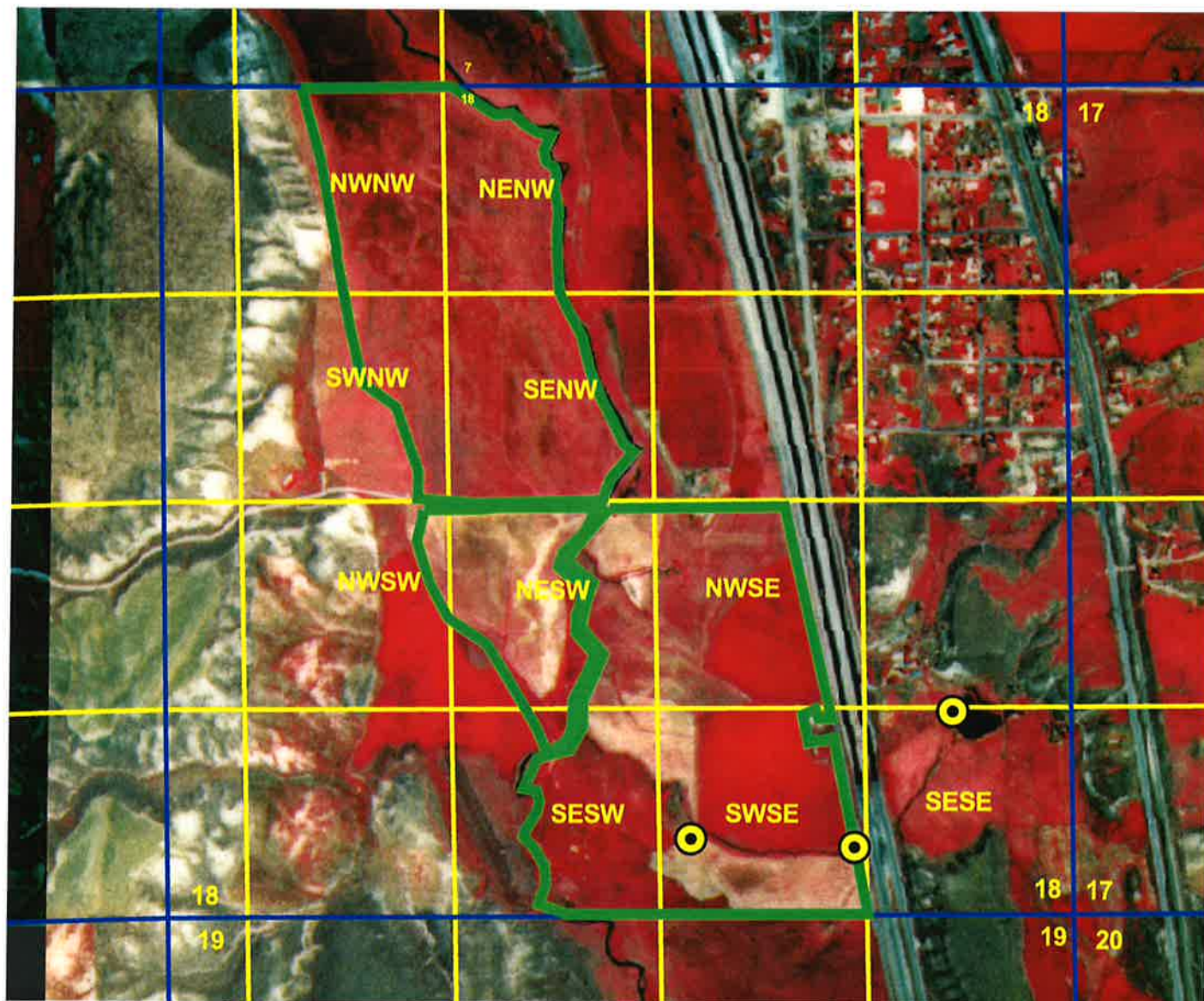
Use of this right is combined with water from Portneuf Irrigating Co.

*EMR*  
*REB*

# IDAHO DEPARTMENT OF WATER RESOURCES

29-04201

T10S, R37E SEC. 18



**POINT OF DIVERSION**



**PLACE OF USE**

PROFILED

**ACRES IRRIGATED- 207**

SCANNED

MAR 09 2005

**GIS: PLACE OF USE**

**POINT OF DIVERSION**

**1987/1988 NAPP PHOTOS**

**DAVE CARLSON**

Dave  
02/18/2003

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: April 21, 2003

Water right number: 29-4201

HENDERSON RANCHES INC  
1414 DELPHIC WAY  
POCATELLO ID 83201-2293

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

1-Source  
2-Point of diversion

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

1- Springs

2- Besides the points of diversion shown in S18 SWSE + SES one of the springs is in NESE.

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

The original right for this water was for the springs that feed into Capell's pond which was built with my father's blessing in the 1940s. Calling it an unnamed stream and showing the point of diversion at the outlet from that pond could mean loss of part of the water if someone else claimed it within or above the pond. Capell's pond was built for fish, not irrigation.

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

DATE: March 19, 2003

SIGNATURE:

Alice H. Dunn

Please print your name:

Alice H. Dunn, secretary, Henderson Ranches, Inc.

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

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APR 2  
Department of Water Resources  
Eastern Region

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APR 21 2003  
Department of Water Resources  
Eastern Region

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MAR 09 2005

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29-4201 pump in unnamed stream  
Baldor Super  
25 hp  
Cornell pump

DC  
2002



Minutes of the annual meeting of Henderson Ranches, Inc. held April 25, 1999 at the home of Helen Henderson (Howard) with Helen, Robert H. and Marguerite, Thomas H. and Merle Henderson, Wendell and Alice Dunn, and Willis Howard attending. Stanley Henderson was excused due to the illness of his wife Ruth.

Meeting was called to order by President Helen Henderson. Minutes of the 1998 annual meeting were read and approved, and minutes of the settlement meeting with Don Marley were read for information purposes.

Willis reported that he had assisted Don Marley in installation of pipe in the pasture west of the ranch house. The ranch paid for materials and back hoe work. Backfilling around the pipe was not completed as it should have been before winter, and it washed out badly this spring. Don will take full responsibility for completing the project, including back hoe work. The project should prevent further erosion of the creek at the difficult curve before emptying into Marsh Creek.

It cost us about \$400.00 to have Bannock County spray for the dyers wode growing on the hill in the vicinity of the old dump last year. Willis will supervise this year, and it should cost us less. He will also use Round-up around the ranch where needed as well as at the trailer park. Weeds around the out-buildings at the ranch house are under much better control due to his 1998 efforts.

Robert said the trailer park looked trashy. After a discussion of various alternatives, Marguerite moved that we notify the tenants of a raise in the rent to \$50.00 per month and intent to make improvements to upgrade the appearance. Wendell said we would have to comply with terms of the lease agreements. Tom seconded the motion, and it carried. Wendell was instructed to talk to Dale Evans about the junk in the spaces he rents for his employees, especially the old cars and trash in the irrigation ditch.

Tom moved that we retain present officers Helen Henderson (Howard), president; Stanley Henderson, vice-president; and Alice H. Dunn, secretary. Marguerite seconded, motion, carried.

Wendell reported that the ranch is finally out of debt but will have to borrow operating funds from when the next expenses come due until the end of the year. He presented a proposed 1999 budget (copy attached.) There should be a carry-over of \$4656.00 at the end of 1999 to begin paying year 2000 expenses. This budget also provides for some money for improvements. We can look forward to the ranch being completely self-sustaining within a few years. Robert suggested that we put any profit into improvements to cut taxes. Helen reminded us that we could use some of those profits to reimburse her for expenses for the new roof and paint, needed improvements to her home during 1998 as planned in the 1998 annual meeting.

Larry Christensen signed a copy of the original lease dated 1990 which gave him three years, not the new lease which Alice wrote up for him in January. No one seemed to know where the two copies of it went in the interim. The new lease separated the Rocks from the rest of the ranch. Originally, Christensen's was set up as a sublease, but he has always dealt directly with us.

Larry reported to Helen that he had beaten off some sagebrush preliminary to planting new grass. He grazes 100 cattle there until he can put them on the range. He also indicated that the perimeter fences are in adequate shape and that he is using the irrigation water.

Helen asked about selling Winfred's shares. Based on county assessments, the value appears to be about \$1394.00/share. Terms of the articles of incorporation limit buyers to members of the family. Tom would like to buy the ranch, but none of us has the money to buy any shares.

Willis reported that he had found sale of the machinery not feasible.

Meeting adjourned at 4 p.m.

Respectfully submitted

*Alice H. Dunn*  
Alice H. Dunn, secretary

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MAR 09 2005

PROFIT

Dave

A29-04200

A29-04201

A29-04202

A29-04203

A29-11089

A29-11090 Partially Decreed

A29-11091 Partially Decreed

A29-11092 Partially Decreed

A29-11093 Partially Decreed

A29-11095 Partially Decreed

A29-11096 Partially Decreed

A29-11097 Partially Decreed

A29-11098 Partially Decreed

A29-11099 Partially Decreed

A29-11100 Partially Decreed

A29-11101 Partially Decreed

A29-11102 Partially Decreed

A29-11103 Partially Decreed

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MAR 09 2005

1414 Delphic Way  
Pocatello, ID 83201-2293  
May 18, 2001

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MAY 21 2001

Department of Water Resources  
Eastern Region

Dave Carlson, Senior Water Rights Agent  
State of Idaho Department of Water Resources  
900 No. Skyline Dr.  
Idaho Falls, ID 83402-1719

Pursuant to your request, enclosed please find a copy of Henderson Ranches 1999 minutes naming the officers of the corporation. The 2000 minutes did not name us, merely noted that we were re-elected.

With this information at hand, please change the mailing address for communications from your office to us to

Henderson Ranches, Inc.  
1414 Delphic Way  
Pocatello, ID 83201-2293  
ph. (208)238-7547

Thank you.

Very truly yours,

*Alice*

Alice H. Dunn, secretary

This would be an  
address addition for all  
Henderson Ranch Inc. basin 29  
Add this new address with  
the PO Box 25 Arimo

PROFILE

SCANNED

MAR 09 2005

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE & BAILEY  
CHARTERED**

CENTER PLAZA-CORNER FIRST & CENTER  
POST OFFICE BOX 1391  
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101  
FACSIMILE (208) 232-6109

SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

LOUIS F. RACINE, JR.  
WILLIAM D. OLSON  
W. MARCUS W. NYE  
RANDALL C. BUDGE  
JOHN A. BAILEY, JR.  
JOHN R. GOODELL  
JOHN B. INGELSTROM  
DANIEL C. GREEN  
BRENT O. ROCHE  
KIRK B. HADLEY  
FRED J. LEWIS  
MITCHELL W. BROWN  
ERIC S. HUNN  
DAVID E. ALEXANDER  
LISA M. CHRISTON  
RICHARD A. HEARN, M.D.  
ERIC L. OLSEN  
LANE V. ERICKSON  
PATRICK N. GEORGE  
SCOTT J. SMITH

RECEIVED

NOV 14 2001

Department of Water Resources  
BOISE OFFICE  
Eastern Region  
CONRAD J. AIKEN

101 SOUTH CAPITOL  
BOULEVARD  
U.S. BANK PLAZA, SUITE 202  
BOISE, IDAHO 83702  
TELEPHONE: (208) 395-0011  
FACSIMILE: (208) 433-0167

November 7, 2001

Dave Carlson  
Idaho Department of Water Resources  
900 N. Skyline Drive  
Idaho Falls, Idaho 83402

RE: Request for supporting documents for Henderson Ranches Inc.  
SRBA Water Right Claims 4200, 4201, 4202, 4203.

Dear Mr. Carlson:

I'm writing in response to your request to Alice Dunn for supporting documentation for Henderson Ranches Inc. claims to the water rights described in SRBA No. 4200, 4201, 4202, and 4203. The notations on the original filings of these claims (in 1981) stated that the claims are "supported by abstracts which will be provided if desired and necessary."

After making a through review of the abstracts we have on file, I have located several documents supporting these claims, particularly the priority dates, place of use, and actual use as described in the claims at issue. I've attached a copy of the documents for your review, and trust this is sufficient additional proof to enable the Department to recommend these claims.

The documents attached, all from Abstract No. 10906, consist of a 1929 Decree, where a portion of the place of use in the decree is some of the land in the Henderson's claim (see Exhibit "1"). The second document is a 1932 court decree relating to the same place of use as the prior decree (see Exhibit "2"). However, the place of diversion in the two court documents is directly from the Portneuf River, while Henderson's Claims are for diverted water from tributaries of the Portneuf River, while, the place of use is the same. The other two documents I have located are mortgages. Both documents describe a piece

PROFILED

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MAR 09 2005

Dave Carlson  
November 7, 2001  
Page 2

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of property which makes up some of the place of use in the Henderson's SRBA claims. (See Exhibits "3" and "4".) The mortgages, contain a description of water rights "including but not limited to the use of the waters of two private springs and Marsh Creek."

I have also included a computer generated plat map, illustrating roughly where the water rights claimed by the Henderson are located (see Exhibits "5" and "6"), and approximately where the places of use described in the supporting documentation are located. (see Exhibits "7" and "8").

If you have any further question on this matter please advise.

Sincerely,



RANDALL C. BUDGE

RCB:rr  
Enclosures  
cc: Alice Dunn (w/enclosures)

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MAR 09 2005

Abstract No. 10906

IN DISTRICT COURT OF UNITED STATES IN AND FOR DISTRICT OF IDAHO,  
EASTERN DIVISION.

United States of America, upon  
the relation of H. E. Ray,  
United States Attorney for the  
District of Idaho, Plaintiff,

In Equity No. 478

DECREE

v.

Dated: April 8, 1929

Filed: April 8, 1929

Julia Hibner, Kepler Sessions,  
Merchants Trust Company, corporation,  
successor in interest to A. J. Knollin,  
Continental National Bank of Salt Lake  
City, a corporation, successor in  
interest to Thomas J. Mipper, John W.  
Symons, George A. Whitworth, George  
John, Cordelia Warner, Dempsey  
Irrigating Company, a corporation, Topaz  
Irrigation Company, corporation, Thomas  
Hilliman, F. A. Reed, James H. Byington,  
Noah Reese, Lava Irrigation Company, a  
corporation, Mrs. A. A. Fairchild,  
Portneuf Irrigating Company, a corporation,  
Portneuf Marsh valley Canal Company, a  
corporation, A. T. Shumway, J. T. Gitton  
J. J. Lewis, McCammon Ditch Company, a  
corporation, Ameziah Jensen, Brigham R.  
Green, Orson V. Robbins, Royal T. Hale,  
Samuel Orgill, G. H. Romriell, William J.  
Lewis, Ed. Murphy, Thomas Orgill, George  
Goodenough, Oregon Short Line Railroad  
Company, A. J. Butterfield, Parley P.  
Jensen, Ben D. Jensen, George Brangham,  
Westside Canal Company, corporation, Toponce  
Canal Company, a corporation, First National  
Bank of Pocatello, a corporation, successors  
in interest of Joseph and William F. Purvis,  
J. A. Eldridge, Union Grain & Elevator  
Company, a corporation, Michael Whitworth,  
National Loan Company, a corporation, O. R.  
Brangham, and Village of McCammon, a municipal  
corporation, Defendants.

SCANNED

MAR 09 2005

This cause came on to be further heard at this term, additional  
proofs being submitted and the cause being further argued by counsel and

FILED

BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

FLB 136

thereupon upon consideration thereof;

It is ordered, adjudged and decreed as follows, viz:

I.

1. The plaintiff herein, the United States of America, is, pursuant to law, the trustee for the rights of certain Indians hereinafter named, who are wards of the government, and the adjudication of the rights hereinafter particularly recited are for the use and benefit of the respective Indian wards.

2. That the decree of the water for Indian wards hereinafter adjudicated is fixed at one miners inch per second of time per acre measured at the point of diversion and the right to the use of such water upon Indian lands is continuous and the failure of any of the Indians to use the water hereinafter adjudicated will not cause either an abandonment or a forfeiture of their rights thereto, provided however, the next appropriator in point of time shall have the right to the use of the water hereinafter adjudicated to the Indians when said water is not diverted and used for irrigation or domestic purposes by said Indians, but the relief from forfeiture or abandonment shall not extend to the ownership of said lands in persons other than Indians.

II.

"C.F.S." is used herein to designate a flow of one cubic foot of water per second of time.

Allotment numbers used herein are the numbers of the allotments made by the United States Government to Indians on the Fort Hall Indian Reservation.

INDIAN'S RIGHTS

The names of the Indian wards of the government, the date of priority, the point of diversion and the lands upon which the water is to be used are as hereinafter set forth under specified headings as follows, to-wit:

(Certain property not now under search)

III.

(Indian Rights Owned by Others Than Indians)

(Certain property not now under search)

IV.

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BANNOCK TITLE-ABSTRACT COMPANY

PAGE NUMBER

137

FLB 137

Rights of Others Than Indians, Under State Court Decree, to-wit:  
The Case of Union Grain & Elevator, Plaintiff, v. McCammon Ditch Company,  
et al, Defendants, Filed December 4, 1922, In District Court of Fifth  
Judicial District of State of Idaho in and for Bannock County:

(Certain property not now under search) and

No. 40. Name of Claimant and date of Priority: Portneuf Irrigating  
Company, March 27, 1889.

Amount in second feet: .55 c.f.s.

Point of diversion and place of use: Said water to be diverted  
through the Portneuf Irrigating Company's Canal which diverts water from  
the Portneuf River in Southeast quarter of Northwest quarter, Sec. 22,  
Twp. 9 South, Range 37 East, from the Southwest corner of Sec. 22, the  
point of diversion bears North 44°45' East 3550 feet.

The water is carried from the point of diversion through a short  
stretch of canal, to the Portneuf-Marsh Valley Irrigation Company's canal,  
through which it is delivered to points of diversion of the Company's  
laterals and main canals, diverting directly from the Portneuf Marsh Valley  
Irrigation Company's main canal. The point of diversion of the main  
lateral, called the Portneuf Irrigating Company's ditch, is located in the  
Northwest quarter of the Northeast quarter, Sec. 30, Twp. 9 South, Range  
37 East, from the North quarter corner of Sec. 30, the point of diversion  
bears South 9°30' East 1170 feet.

The water entering the headgates of the Portneuf-Marsh Valley  
Irrigation Company's canal shall be delivered free from transit losses to  
the several laterals and the main canal above described, for the irrigation  
of 3236.7 acres located as follows:

75.7 acres in West half of Southeast quarter, 41.5 acres in  
East half of Southwest quarter Section 18, Twp. 10 South,  
Range 37 East.

No. 46. Name of Claimant and Date of Priority: McCammon Ditch  
Company, June 11, 1889, June 28, 1901.

Amount in second feet: .50 c.f.s., 18.95 c.f.s.,

Point of diversion and Place of use:

Said water to be diverted through the McCammon Ditch Company's ditch  
which diverts water from the Portneuf River in the Southwest quarter of the  
Northeast quarter Section 21, Twp. 9 South, Range 37 East, from the  
south quarter corner of Sec. 21, the point of diversion bears North 22°45'

PROFILED

BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

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MAR 09 2005

FLB 138

Abstract No. 10906

East 3020 feet for the irrigation of 2447.57 acres of land in the legal subdivisions described as follows:

Northeast quarter, Northwest quarter, Southwest quarter, Northwest quarter of Southeast quarter Sec. 26, Twp. 9 South, Range 26 East.

C. C. Cavanah, District Judge.

SCANNED

MAR 09 2005

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BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

139

FLB 139

Abstract No. 10906

IN DISTRICT COURT OF FIFTH JUDICIAL DISTRICT OF STATE OF IDAHO,  
IN AND FOR THE COUNTY OF BANNOCK.

Union Grain & Elevator Company,  
corporation, Plaintiff,

vs.

McCammon Ditch Co., corporation,  
et al, Defendants.

JUDGMENT

Dated: August 6, 1932  
Filed: August 8, 1932  
at 3:45 P. M.  
Recorded: Book 11 Judgment  
Book Page 202

This cause came on regularly for trial on 26th day of September, 1932 before Honorable John C. Rice, Judge of Seventh Judicial District of State of Idaho, presiding as Judge of above entitled court, sitting without a jury, a jury having been expressly waived by respective parties;

And the court having previously fixed the time and place for the hearing of the cause, and having caused the Clerk of the court to give notice in writing to the attorneys of record for all the parties to said action prior to the date set for the hearing of the same, \* \* \*

It is further ordered, adjudged and decreed, that the following named persons and corporations, defendants and cross-complainants in this action have the right to the use of the waters of the said Portneuf River, and the tributaries thereof, and springs, the sources of said tributaries, such amount and amounts of water continuously, during and throughout the irrigating season of each and every year and from the date of appropriation and priority, with the point of diversion and means of diversion as set forth in the following schedule, to-wit:

(certain property not now under search) and

40. Portneuf Irrigating Company

Date of Priority: 1889, Mar. 27

Amount in second feet: 55 c.f.s.

Point of diversion and place of use: Said water to be diverted through the Portneuf Irrigating Company's canal, which diverts water from the Portneuf River in the Southeast quarter of Northwest quarter, Section 22, Township 9 South, Range 37 East; from the Southwest corner of Section 22, the point of diversion bears North 44°45' East 3350 feet. The water carried from the point of diversion through a short stretch of canal to the Portneuf-Marsh valley Irrigation Company's canal, through which it is delivered to points of diversion of the company's laterals and main canal diverting directly from the Portneuf-Marsh valley Irrigation Company's main canal, the point of diversion of the main laterals ~~CANAL~~ the Portneuf

BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

MAR 09 2005 FLB 140

PROFILED

Abstract No. 10906

Irrigating Company's ditch, is located in Northwest quarter of Northeast quarter, Section 30, Township 9 South, Range 37 East, from the North quarter corner of Section 30, the point of diversion bears south 9°30' East 1170 feet. The water entering the headgates of the Portneuf-Marsh valley Irrigation Company's canal, shall be delivered free from transit losses to the several laterals and the main canal above described, for the irrigation of 3236.7 acres located as follows:

(Certain property not now under search) and

75.7 acres in West half of Southeast quarter, 41.5 acres in East half of Southwest quarter Section 18, Township 10 South, Range 37 East.

46. McCammon Ditch Company.

Date of priority: 1889, June 11  
1901, June 28

Amount in second feet: 50 c.f.s.  
18.95 c.f.s.

Said water to be diverted through the McCammon Ditch Company's ditch which diverts water from the Portneuf River in Southwest quarter of Northeast quarter Section 21, Township 9 South, Range 37 East, from the south quarter corner of section 21, the point of diversion bears north 22° and 45' East 3020 feet for irrigation of 2447.57 acres of land in the legal subdivisions described as follows:

(Certain property not now under search) and

Northeast quarter, Northwest quarter, Southwest quarter, Northwest quarter of Southeast quarter Section 26 in Township 9 South, Range 36 East.

John C. Rice, District Judge.

SCANNED

MAR 09 2005

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BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

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FLB 141

Abstract No. 10006

Benjamin W. Henderson and Dicy  
W. Henderson, husband and wife,  
and Robert W. Henderson and  
Winifred C. Henderson, husband  
and wife,

to

Land Bank Commissioner, acting  
pursuant to Part 3 of Act of  
Congress known as Emergency Farm  
Mortgage Act of 1933.

## MORTGAGE

Dated: November 1, 1935  
Filed: March 9, 1934  
at 5:35 P. M.  
Instrument No.: 169970  
Recorded: Book Mortgage  
Record Page

That in consideration of a loan to the mortgagors, evidenced as  
hereinafter described, mortgagors do hereby grant, bargain, sell and convey  
to mortgagee following described real property situated in Bannock County,  
Idaho:

Southwest quarter of Northeast quarter, Northwest quarter of  
Southeast quarter and Northeast quarter of Southwest quarter  
of Section twenty-six, Township nine South, Range thirty-six  
and East half of Southwest quarter and West half of Southeast  
quarter of Section eighteen, Township ten South, Range thirty-  
seven East of Boise Meridian, according to official plat thereof,  
subject to rights of way for roads;  
Subject to pole line easement;  
Together with all water rights, and rights in ditches, canals  
and laterals, and rights of way therefor, appurtenant to said  
premises or used in connection therewith now and/or at any time  
during existence of this mortgage, including (but not limited  
to) the following: The right to the use of the waters of two  
private springs and Marsh Creek.

This conveyance is intended as mortgage and is given as security for  
performance of covenants hereinafter contained and for payment to mort-  
gagee at his, (the Commissioners) office in City of Spokane, State of  
Washington, of the debt evidenced by one promissory note executed by  
mortgagors to order of mortgagee of even date herewith, for principal  
sum of \$4000.00, together with interest thereon at rate of five per cent  
per annum from date hereof until paid, payable semi-annually on whole of  
said principal sum from time to time remaining unpaid, the principal sum  
being due in semi-annual installments of \$200.00 each, beginning on May  
1st, 1937, the last of such installments being due on November 1, 1946;  
the mortgagors having privilege of paying at any time one or more install-  
ments of principal or the entire unpaid balance of said principal sum;  
said note providing for payment of a reasonable attorney's fee in addition  
to other costs of suit thereon, and further providing that principal pay-

FILED

BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

SCANNED

MAR 09 2005



Abstract No. 10006

ments in addition to those therein contracted to be made shall operate to discharge the debt evidenced thereby at an earlier date and shall not reduce the amount or defer the due date of any installment of principal therein provided.

This mortgage is junior to a mortgage to The Federal Land Bank of Spokane, a corporation, in sum of \$6000.00, dated November 1, 1935, now of record in the proper office of the County where said land is situated.

Benjamin W. Henderson  
Dicy W. Henderson  
Robert W. Henderson  
Winifred S. Henderson

Acknowledged: Bannock County, Idaho, March 8, 1936; by Benjamin W. Henderson and Dicy W. Henderson, husband and wife, and Robert W. Henderson and Winifred S. Henderson, husband and wife; before Henry J. Nelson, Notary Public for State of Idaho. Residing Arimo, Idaho. (Notarial Seal) My commission expires Aug. 12, 1936.

SCANNED

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PROFILED

BANNOCK TITLE-ABSTRACT COMPANY  
PAGE NUMBER

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Benjamin W. Henderson and  
Dicy W. Henderson, husband  
and wife, and Robert W.  
Henderson and Winifred S.  
Henderson, husband and wife,

to

The Federal Land Bank of Spokane,  
corporation organized and  
existing under Federal Farm  
Loan Act as amended.

## MORTGAGE

Dated: November 1, 1933  
Filed: March 9, 1934  
at 3:34 P. M.  
Instrument No.: 169969  
Recorded: Book 61 Mortgage  
Record Page 98

Grant, bargain, sell and convey following described real estate in  
Bannock County, Idaho:

Southwest quarter of Northeast quarter, Northwest quarter of  
Southeast quarter and Northeast quarter of Southwest quarter  
of Section twenty-six, Township nine South, Range thirty-six  
and

East half of Southwest quarter and West half of Southeast  
quarter of Section eighteen, Township ten South, Range thirty-  
seven East of Boise Meridian, according to official plat  
thereof, subject to rights of way for roads; subject to pole  
line easement;

Together with all water rights, and rights in ditches, canals,  
and laterals, and rights of way therefor, appurtenant to said  
premises or used in connection therewith now and/or at any time  
during existence of this mortgage including (but not limited to)  
the following: The right to the use of the waters of two  
private springs and Marsh Creek.

This conveyance is intended as a mortgage to secure performance of  
covenants and agreements hereinafter contained, and the payment of the  
debt represented by one promissory note made by mortgagors to order of  
mortgagee, of even date herewith, for principal sum of \$6000.00, with  
interest thereon from date until maturity at rate of 5½ per cent per ann  
payable semi-annually, on whole of said principal sum from time to time  
remaining unpaid, both principal and interest being payable to said mort  
gagee at its office in City of Spokane, State of Washington, on an  
amortization plan in 38 semi-annual installments of \$255.00 each and a  
final installment of \$100.09, which is due in 19½ years from date hereof  
unless matured sooner by extra payments on account of principal; and  
providing also for reasonable attorney's fees in addition to other costs  
in case of suit thereon. Installments not paid when due shall bear  
interest thereafter until paid at rate of 8 per cent per annum.

SCANNED

Loan secured by this instrument having been made by second party in reliance upon fact that portion of land herein described is irrigable and for irrigation of which first parties have made proper provision, both as to water supply and drainage, it is expressly stipulated and agreed that if at any time after five years from date hereof directors of said bank shall deem such provision for water supply or drainage no longer adequate and shall so declare by appropriate action entered on their minute book, bank shall be entitled to call upon first parties to, at their option either reduce balance due on loan to fifty per cent of then value of security as determined by federal appraiser, or to give such additional security as shall upon valuation of federal appraiser provide security in double amount of balance due on loan; and in event first parties shall, within sixty days after receiving such written notice, fail or refuse to meet such requirements, bank may at its option, and after four months notice in writing to first parties, declare note hereby secured due and payable and be entitled to foreclose this mortgage.

Mortgagors hereby covenant and agree that whenever there are 10 or more borrowers (including the mortgagors) who have obtained from the mortgagee direct loans under the provisions of Section 7 of the Federal Farm Loan Act as amended, whose loans aggregate not less than \$20,000, and who reside in a locality which may, in the opinion of the Land Bank Commissioner, be conveniently covered by the charter of and served by a national farm loan association, the mortgagors will unite with such other borrowers to form a national farm loan association; and that they, together with such other borrowers or any of them, will organize such association subject to the requirements and conditions specified in Section 7 of the Federal Farm Loan Act as amended, so far as the same may be applicable, and in accordance with the rules and regulations of the Land Bank Commissioner.

This rider is attached to and made a part of mortgage executed this 1st day of November, 1935.

Benjamin W. Henderson  
Dicy W. Henderson  
Robert W. Henderson  
Winifred S. Henderson

Acknowledged: Bannock County, Idaho, March 8, 1936; by Benjamin W. Henderson and Dicy W. Henderson, husband and wife, and Robert W. Henderson and Winifred S. Henderson, husband and wife; before Henry J. Nelson, Notary Public for State of Idaho. Residing at Arimo, Idaho. (Notarial Seal) My commission expires Aug. 12, 1936.

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BANNOCK TITLE-ABSTRACT COMPANY  
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SCANNED

MAR 09 2005

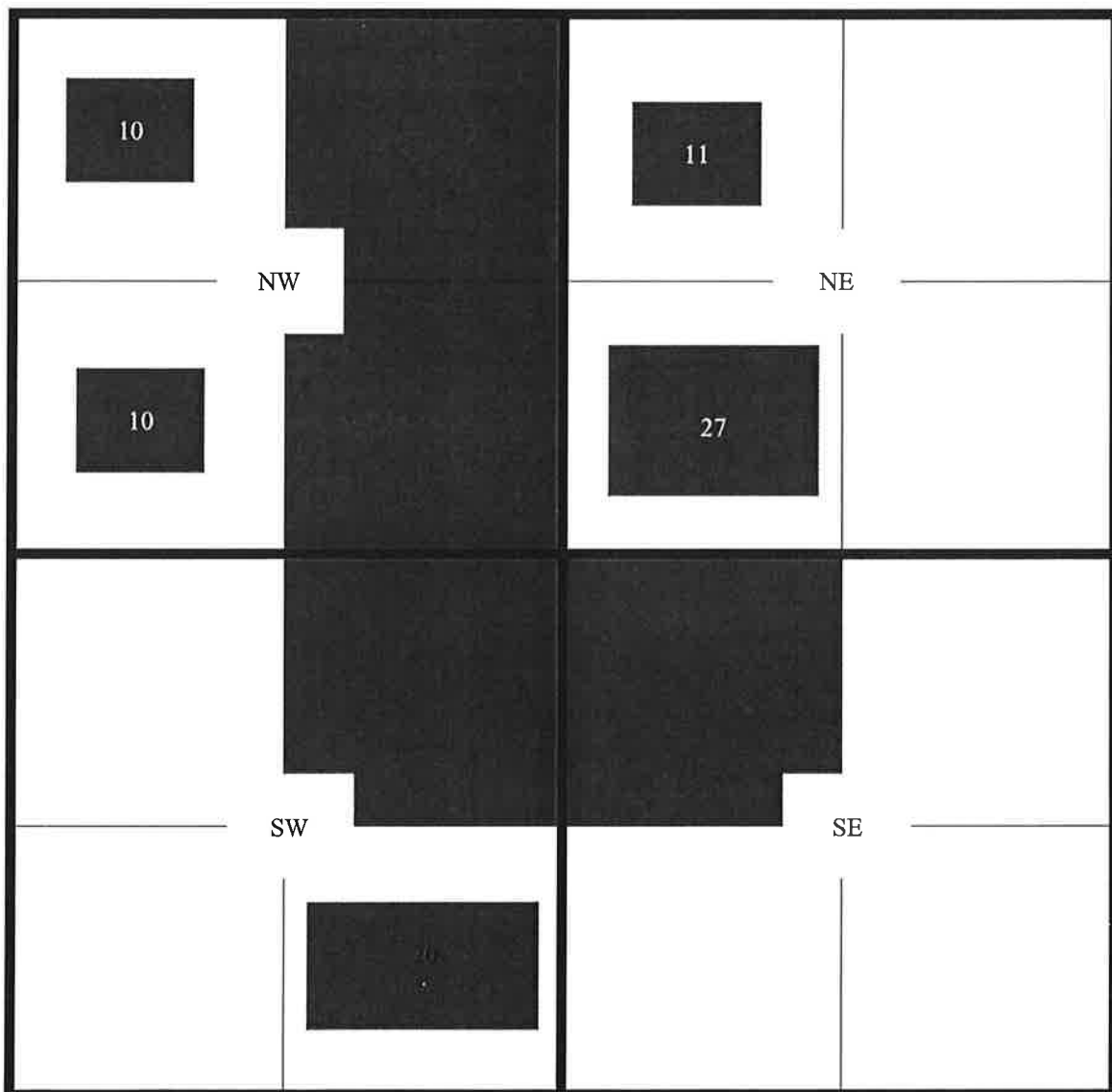


Township 10 S.B.M.

Range 37 E.B.M.

Section 18

Water rights (place of usage) claimed in Section 18  
(SRBA No. 4200, 4201, 4202, 4203)



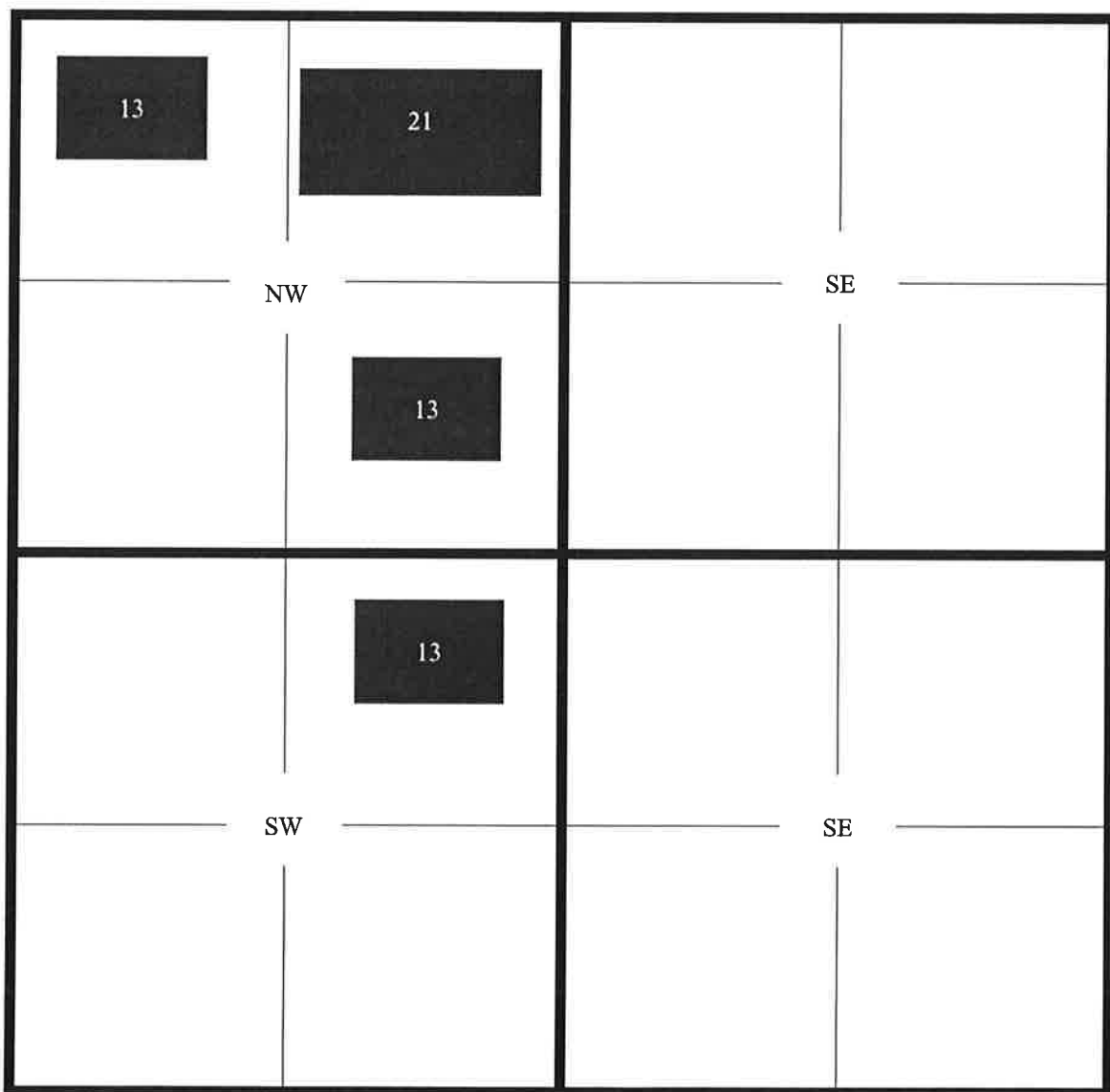
PROFILED

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MAR 09 2005

Township 10 S.B.M.

Range 37 E.B.M.

Section 7

Water rights (usage) claimed in Section 7  
(SRBA No. 4200, 4201, 4202, 4203)

PROFILED

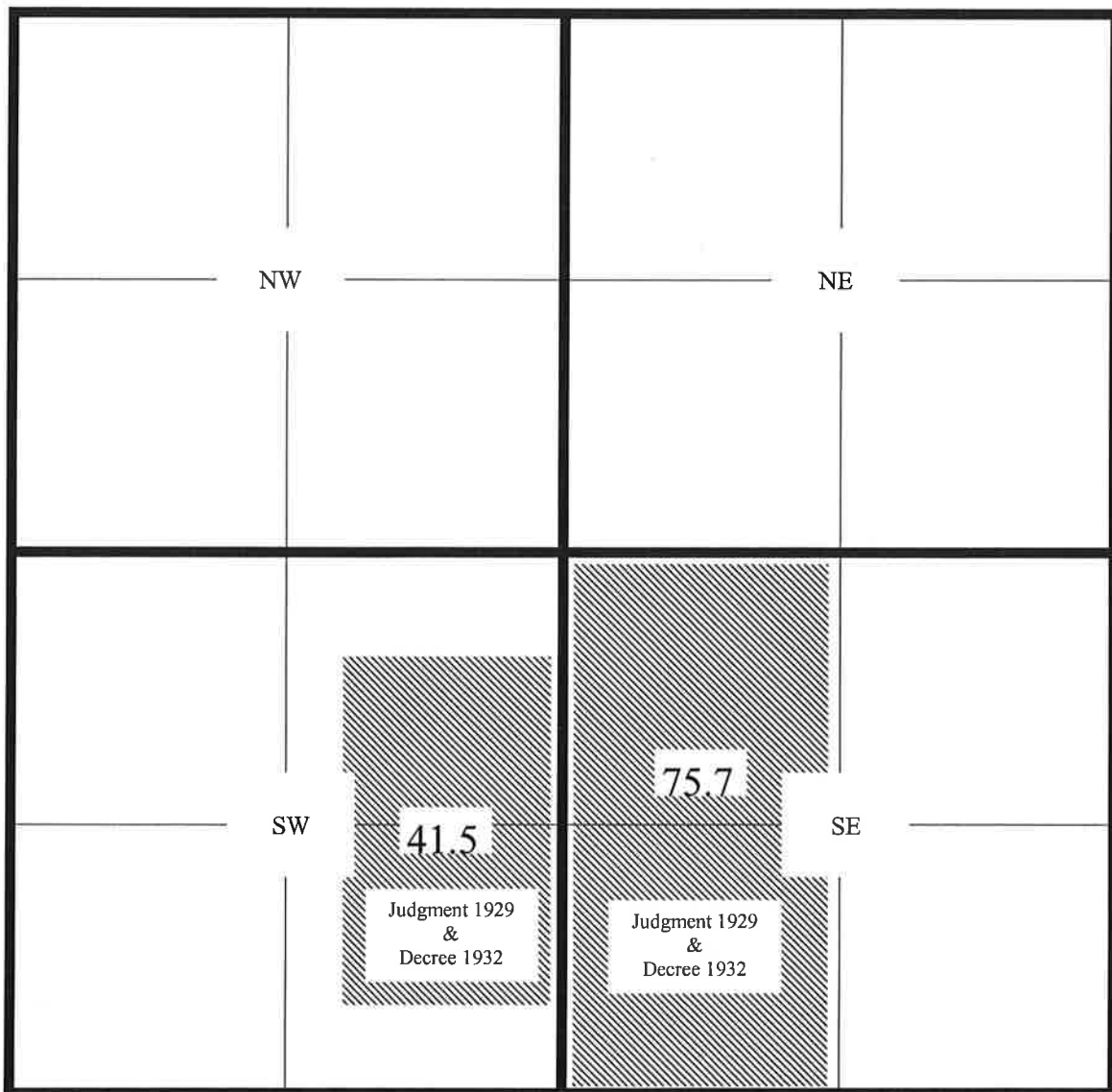
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MAR 09 2005

Township 10 S.B.M.

Range 37 E.B.M.

Section 18

Water Rights From Abstract Documents claimed in Section 18



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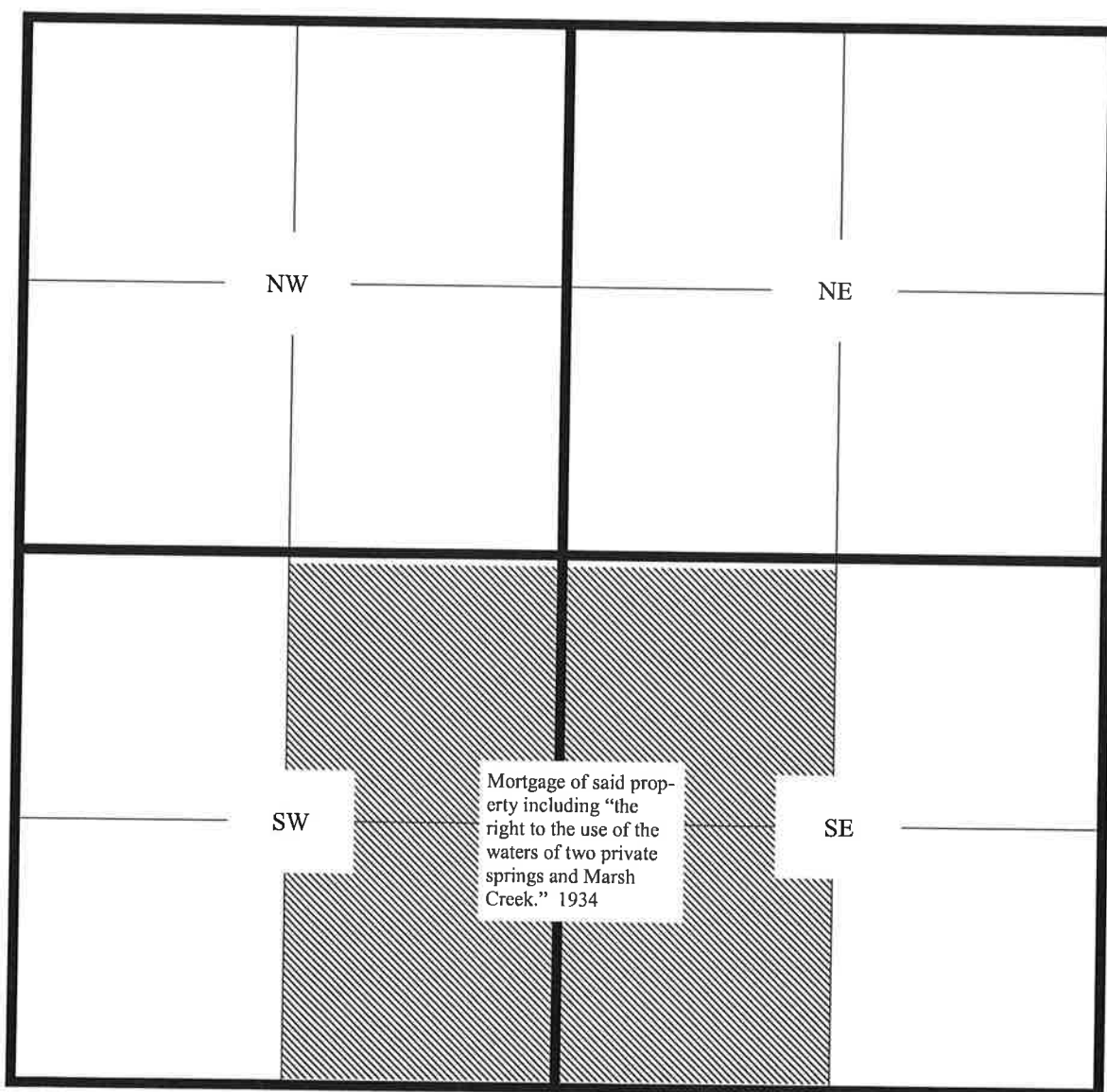
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MAR 09 2005

Township 10 S.B.M.

Range 37 E.B.M.

Section 18

Documents supporting Water Right Claims From Abstract Documents for  
Section 18



PROFILE

SCANNED  
MAR 09 2005

MAY 31 2001

Log for claim A29-04201

Spatial Dynamics BTD

6/30/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|----------------|-----|------|------------------|----------------|---------------|
| 10s37e         | 7   | NENW | 21               | 31             | Indiscernible |
| 10s37e         | 7   | NWNW | 13               | 37             | Indiscernible |
| 10s37e         | 7   | SEnw | 13               | 25             | Indiscernible |
| 10s37e         | 7   | NESW | 13               | 23             |               |
| 10s37e         | 7   | SWSW | 0                | 0              |               |
| 10s37e         | 7   | SESW | 0                | 0              |               |
| 10s37e         | 7   | SWSE | 0                | 0              |               |
| 10s37e         | 18  | NWNE | 11               | 10             |               |
| 10s37e         | 18  | SWNE | 27               | 19             | Indiscernible |
| 10s37e         | 18  | NENW | 40               | 38             |               |
| 10s37e         | 18  | NWNW | 10               | 26             | Indiscernible |
| 10s37e         | 18  | SWNW | 10               | 27             | Indiscernible |
| 10s37e         | 18  | SEnw | 40               | 40             |               |
| 10s37e         | 18  | NESW | 40               | 39             |               |
| 10s37e         | 18  | SESW | 20               | 15             | Indiscernible |
| 10s37e         | 18  | NWSE | 40               | 27             |               |
| <b>Totals:</b> |     |      | 298              | 357            |               |

(3) Three ponds in UNAMED stream.

① SWSE pump

② SWSE ditch - to pipeline  
ACROSS Marsh Crk

③ SESE ditch in Capelle  
pond across  
interstate below ranch  
house

AJ5809NP  
No. A29-04201

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00  
PAGE: 130

| OWNER<br>CODE    | NAME & ADDRESS                                                         | PRIORITY<br>DATE | WATER USE                | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE      | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------------|------------------|--------------------------|----------------------------|------------------------|---------------------|
| C                | HENDERSON RANCHES INC<br>PO BOX 25<br>ARIMO ID 83214<br>(208) 254-3557 | 06/01/1918       | IRRIGATION<br>STOCKWATER | 03-15 10-15<br>01-01 12-31 | 3.000 CFS<br>0.030 CFS |                     |
| TOTAL DIVERSION: |                                                                        |                  |                          |                            | 3.030 CFS              |                     |

Water Source: SPRING

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R37E S18

NESE

SESE

BANNOCK 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   |       |
| 10S | 37E | 7  | : |    |    |    |    | 21 | 13 |    |    | 13 |    |    |    | 13 |    |    |    | :           | 60.0  |       |
| 10S | 37E | 18 | : |    |    | 11 | 27 |    |    | 40 | 10 | 10 | 40 |    |    | 40 |    |    |    | :           | 238.0 |       |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES |       | 298.0 |

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

POU County: BANNOCK

Non-Irrigation Uses: S/UP TO 700 BEEF CATTLE FROM SPGS,PONDS,DITCHES,MARSH CREEK

Other Rights: A29-04200, A29-04202, A29-04203

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
29-10977 29-11093 A29-04434 A29-10977 A29-11093

Other Water Rights Listing Overlapping Place(s) of Use:  
A29-00051 A29-02416 A29-04200 A29-04202 A29-04203 A29-11089 A29-11277 A29-12055

Remarks: GEN MARSH CREEK WATER PLUS WATER FROM 4 SPGS ARE DIVERTED INTO EXTENSIVE AND COMPLEX SYS OF DITCHES PERMITTING FLOOD IRR. OF DESCRIBED PROPERTY, STOCKWATERING OF UP TO 700 BEEF CATTLE, AND/OR DIVERSION BACK INTO MARSH CREEK WHEN NOT USED. THIS CLAIM IS FOR 1 SPRING, BUT REFLECTS ALL IRRIGATED LAND AND STOCKWATERING.

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

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

Audit: 05/23/94 DCARLSON 03/29/95 DSMITH 03/29/95 POST-STD 09/30/98 ECARLSEN

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 HENDERSON RANCHES, INC.  
(Name of Claimant)  
Arimo, Idaho 83214 Telephone No. 254-3591  
(Mailing Address) (Zip Code)

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, 1918

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)  
Spring which is tributary to Marsh Creek and Portneuf River
- (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)<br>(Mo., Day) |                 |
|----------|-----------------|-------------------------------------|--------------------------------------|-----------------|
| Quantity | <u>3 cfs</u>    | Use <u>Irrigation</u>               | Period of Use From <u>4/1</u>        | To <u>11/1</u>  |
| Quantity | <u>.1 cfs</u>   | Use <u>stockwater</u>               | Period of Use From <u>1/1</u>        | To <u>12/31</u> |
| Quantity |                 | Use                                 | Period of Use From                   | To              |
| Quantity |                 | Use                                 | Period of Use From                   | To              |
| Quantity |                 | Use                                 | Period of Use From                   | To              |

- (4) 3 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)  
E 1/2 Sec. 18 Twp. 10 S Rge. 37 E B.M., County of Bannock  
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. one-quarter mile ditch

- (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 |       |
| 10 S | 37 E | 18   | 40     |        |        |        |        |        |        |        |        |        |        |        |        |        | 40     | 40     | 120   |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres 120

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

NOTE: Include here the type and number of stock watered: 400 cattle

- (7) If you are claiming water as a member of an organization, list name of organization: Claim is for a family corporation which is successor to rights of individuals.

1414 DelphicWay  
Pocatello, ID 83201  
September 14, 1998

RECEIVED

SEP 15 1998

Department of Water Resources  
Eastern Region

Ernest Carlsen, Water Rights Supervisor, Adjudication  
State of Idaho, Department of Water Resources  
900 Skyline Dr.  
Idaho Falls, ID 83402-1718

Dear Ernie,

The signed and notarized amendment to Henderson Ranches claim 11-04201 is enclosed. I have spoken to Randy Budge at last, and he seemed to think I was doing the right thing. He said that my brother was so ill during their conferences that they had to have a number of sessions, and errors could have easily occurred.

Regarding the needed corrections on places of use, I feel a little uneasy about having this notarized when it appears to me that the only way the spring water described in this claim could be used in any of section 7 or in section 18 north of Sublette Rd. would be to let it flow into Marsh Creek and then pump it out again. I don't know if that would be allowed. Randy said that he expected places of use to be sorted out by the field inspections. Since water from several sources is mixed and put into an extensive system of ditches, his descriptions of them were what could possibly be irrigated through that system. With that in mind and since you instructed me to make the correction on the source pending the field inspection, I have gone ahead with the notarization.

Thank you so much for your help and your kind and helpful manner. I appreciate it greatly.

Very truly yours



Alice H. Dunn, secretary  
Henderson Ranches, Inc.

September 9, 1998

ALICE H DUNN  
1414 DELPHIC WAY  
POCATELLO ID 83201

RE: Amending Notice of Claim A29-04201

Dear Alice:

*Per your request I have prepared an amended version of Notice of Claim A29-04201 with a different legal description for the point of diversion. A printout of this changed Notice is enclosed for your review and signature. Though your letter indicated the description for the place of use also needs modifying, we agreed it would be best to wait until a field inspection can be done before changing this element of the claim.*

*Naturally if you have questions concerning the Amended Notice of Claim feel free to contact me. Absent questions, please sign the Notice in the organization signature block and return the notarized document to this office.*

*Respectfully submitted,*

Ernest Carlsen  
Water Rights Supervisor, Adjudication

Enclosure (1)

emc

cc: RANDY BUDGE  
RACINE OLSON NYE COOPER BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391

1414 Delphic Way  
Pocatello, Idaho 83201  
September 2, 1998

ph. (208)238-7547

RECEIVED  
SEP 03 1998

Department of Water Resources  
Eastern Region

Idaho Department of Water Resources  
900 N. Skyline Dr.  
Idaho Falls, ID 83401

I spoke by telephone with two people from your office on Friday, August 29 regarding several problems with the adjudication process for Henderson Ranches at Arimo. I apologize for my poor memory and lack of foresight in not writing their names down.

At their recommendations, I called Ms. Delaney, Clerk of the Court, in Twin Falls since most of my questions involved water rights for which a partial decree has been made. However, water right #29-4201 is not in that group. I did send Ms. Delaney the data regarding it because she thought maybe she should have it along with the other problems, but she also said that your office would still be taking care of the claims for which a partial decree has not been made and I should therefore work through you on this particular claim.

#29-4201 describes this claim in T10S R37E S18 SENENW. This would be on Henderson Ranches property about where a ditch can bring water from several sources (possibly including this one via a ditch and pipe bordering I-15) onto the land for irrigation purposes. However, the source for this water is a spring on the neighbor's land across Interstate 15. With my father's blessing, the neighbor built a fish pond on his land along the spring bed, but the water was never usable for irrigation of his land. The spring always naturally flowed onto our land in the SESWSE quarter quarter of section 18 and thence rambles westward into Marsh Creek. The water is used for irrigation and stockwater along the streambed between those two locations. When my father and brother, both deceased, advertised for adjudication purposes in August, 1981, the descriptions given for this water right number were NESE [probably the spring source] and SESE [near the pond.] Wouldn't one or both of these descriptions be the correct one(s) to use as the source? Wouldn't SESWSE and SWSW describe the place of use correctly?

I am enclosing photocopies of the newspaper advertisement, the claim, and a map/chart that I made of Henderson Ranches land showing the various water right claims at least approximately. Perhaps it will help you visualize the problem. I'm sure you have larger maps that show more of the topography with which you can compare mine.

It would speed up discourse about this matter if you would send your reply to or contact me by telephone at the above address instead of by way of the official ranch address. Those living there at the moment don't deal with these problems, and it takes quite a while for me to get mail from there.

Thank you very much for your consideration of our problems. I do hope we can straighten things out satisfactorily.

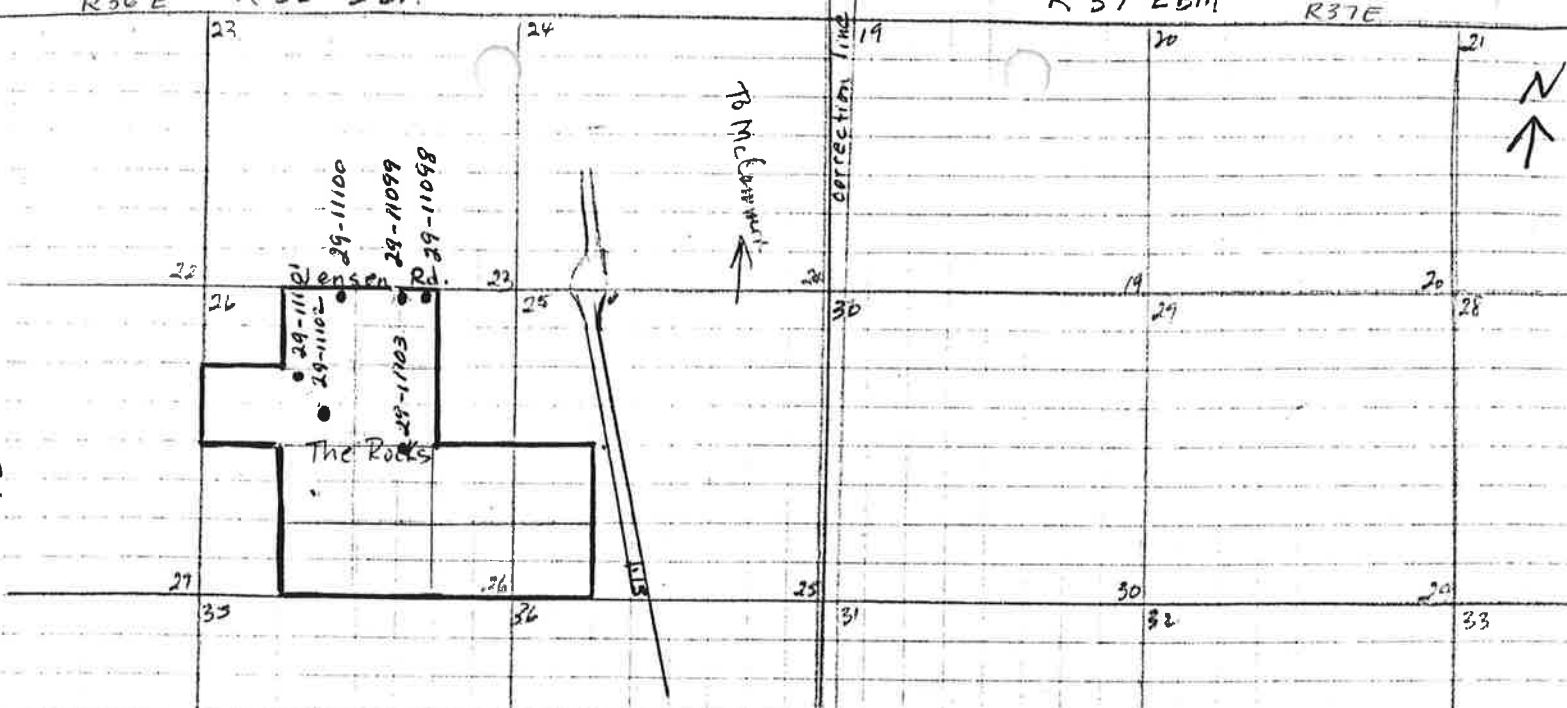
Very truly yours,



Alice H. Dunn, secretary  
Henderson Ranches, Inc.

T 9 S

T 10 S

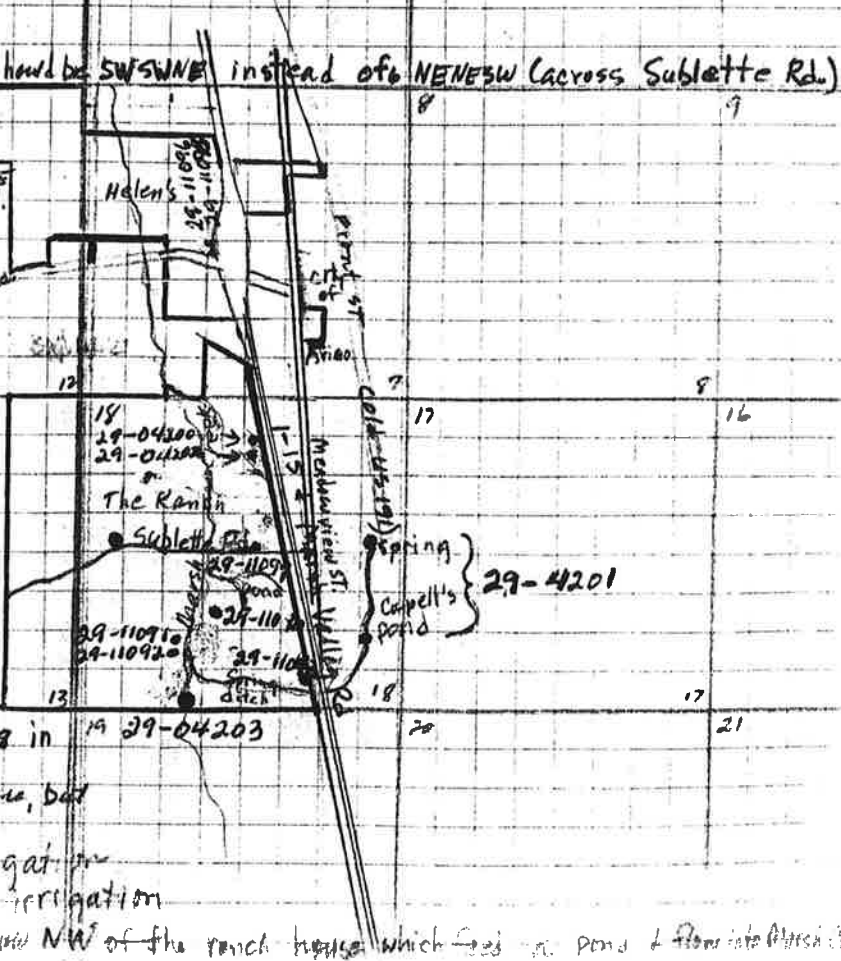


# Henderson Ranches, Inc.

Locations of water sources  
as identified for adjudication

Bad description  
at 'The Rocks'  
which is wrong  
at the source

- A29-11090 - old well NW of Ranch House - stock water
- 11091 - " " across creek from ranch house - stock water
- 11092 - " " " " " " " " " "
- 11093 - Well at Ranch House - domestic - Should be SE SW SE of T10S R37E S1W
- 11095 - Well at Helen's house - stock water
- 11096 - " " " " - domestic
- 11097 - If at storage building, location should be SWSWNE instead of NENESW (across Sublette Rd.)
- 11098 - should be NENWNE, not NENE
- 11099 - middle source near Jensen Rd. (description NENWNE could be correct, but likely should be NWNWNE)
- 11100 - Westmost source near Jensen Rd.
- 11101 - } Springs near lake
- 11102 - }
- 11103 - described NENWSE, Easter spring
- 04203 - Marsh Creek" irrigation
- 04201 - Spring that flows through Capell's Pond into ranch for irrigation purposes there. Source should be described on Capell's land. Legal advertisement Aug. 13, 1981 described it "NESE (location of spring) SESE (Capell's pond)" which seems correct, not SEENW as on claim Sublette Rd.
- There is a well in T10 R37 S12 in SESENE for which I see no claim filed. The casing is there, but no water flows out of it.
- 04200 - Springs - Stock + irrigation
- 04202 - Springs + pond - Stock + irrigation
- There are springs in the meadow NW of the ranch house which feed the pond + flow into Armo's



# AFFIDAVIT

To: Idaho Department of Water Resources

From: Robert W. Henderson, P.O. Box 15, Arimo, Idaho 83214, January 11, 1995

Regarding: Ajudication claim AJ5809NP, #A 29-04201

The home place of Henderson Ranches contains in excess of 1100 acres of land in T 10S, R37E, S7 and S18 and adjoining sections in R36E. Most of it is irrigated but some is dry farm land. Another irrigated part of the ranch lies in sections 25 and 26 in T9S, R36E. The irrigated parcels were acquired with water rights in separate parcels over a long period of time beginning in 1913 when my father and uncle purchased the first 360 acres and our family took up residence in the house in which I still live. I was nine years old at that time. The various water sources have been developed into an "extensive and complex system" mentioned in A29-04201. This system also includes water from shares owned in Arimo Ditch Company, an extension of Portneuf Irrigating Company.

Both irrigation and stock watering are indeed carried out on the same described locations which constitute parts of the irrigated portions of the ranch.

The spring described in the document under consideration lies in parcels purchased from Bill and Zina Hatch in 1945 or from Jesse and Bertha Kelley in 1954. The water from spring mixes with water from the pond and has been transported through a hill to the west by means of a ditch since before 1924. Zeb Gunter, owner at that time, and my father-in-law Thomas Charles Smith, whom he employed, built the ditch. Before that time for many years, the water was transported by a ditch which had been constructed around the north side of the hill. The water irrigates land west of that hill on both the east and west sides of Marsh Creek where it is carried by three pipes that cross the creek, 298 acres, a correction from the error in the original claim.

IN WITNESS WHEREOF, the party of the second part has hereunto set his hand.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF )

  
Robert W. Henderson

)  
)  
)

STATE OF IDAHO

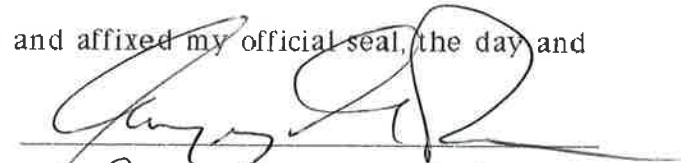
County of Bingham

On this 11th day of January, in the year 1995, before me  
a Notary Public in and for said County and State, personally appeared  
Robert W. Henderson

known to me to be the person whose name is subscribed to the within instrument, and  
acknowledged to me that he executed the same.

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

(seal)

  
Blackfoot, Idaho  
Commission Expires 5/28/96  
NOV 13 1995

COPIED  
MAY 31 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: A29-04201  
Date Received: 4/ 4/1990  
Receipt No: E012838  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HENDERSON RANCHES INC 208-254-3557  
Address: PO BOX 25  
ARIMO ID 83214

2. Date of Priority: JUN 1, 1918

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 10S      | 37E   | 18      | NE     | SE     |     |     | BANNOCK |
|          |       |         | SE     | SE     |     |     | BANNOCK |

5. Description of diverting works:  
SPGS FLOW INTO POND, IRR DITCH SYS ONTO PROPERTY

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 10/15 | 3.000 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.030 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
S/UP TO 700 BEEF CATTLE FROM SPGS, PONDS, DITCHES, MARSH CREEK

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 10S      | 37E   | 7       | NE     | NW  |     | IRR | 21.0  |
|          |       |         | NW     | NW  |     | IRR | 13.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 10S      | 37E   | 7       | SE            | NW  |     | IRR | 13.0  |
|          |       |         | NE            | SW  |     | IRR | 13.0  |
|          |       |         | Section Acres |     |     |     | 60.0  |
|          |       | 18      | NW            | NE  |     | IRR | 11.0  |
|          |       |         | SW            | NE  |     | IRR | 27.0  |
|          |       |         | NE            | NW  |     | IRR | 40.0  |
|          |       |         | NW            | NW  |     | IRR | 10.0  |
|          |       |         | SW            | NW  |     | IRR | 10.0  |
|          |       |         | SE            | NW  |     | IRR | 40.0  |
|          |       |         | NE            | SW  |     | IRR | 40.0  |
|          |       |         | SE            | SW  |     | IRR | 20.0  |
|          |       |         | NW            | SE  |     | IRR | 40.0  |
|          |       |         | Section Acres |     |     |     | 238.0 |
|          |       |         | Total Acres   |     |     |     | 298.0 |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:  
A29-04200, A29-04202, A29-04203

14. Remarks:  
MARSH CREEK WATER PLUS WATER FROM 4 SPGS ARE DIVERTED INTO EXTENSIVE AND COMPLEX SYS OF DITCHES PERMITTING FLOOD IRR. OF DESCRIBED PROPERTY, STOCKWATERING OF UP TO 700 BEEF CATTLE, AND/OR DIVERSION BACK INTO MARSH CREEK WHEN NOT USED. THIS CLAIM IS FOR 1 SPRING, BUT REFLECTS ALL IRRIGATED LAND AND STOCKWATERING.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do        do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

**For Organizations:**

I do solemnly swear or affirm that I am Secretary of

Title

Henderson Ranches, Inc., that I have signed the foregoing  
Organization

document in the space below as Secretary of

Title

Henderson Ranches, Inc. and that the statements contained in the  
Organization

foregoing document are true and correct.

Alan H. Dunn

Signature of Authorized Agent

Secretary

Title and Organization

9-14-98

Date

State of Idaho )

County of Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 14 day

of Sept. 19 98

Dianna Sterner  
Notary Public

Seal

Residing at Idaho

My Commission Expires 10-27-03

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: **A29-04201**  
Date Received: 9/15/1992  
Receipt No: **E012838**  
Received By: \_\_\_\_\_

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

1. Name: HENDERSON RANCHES INC. 208-254-3557  
Address: PO BOX 25  
ARIMO ID 83214

2. Date of Priority: JUN 1, 1918

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 10S      | 37E   | 18      | SE     | NE     | NW     |     | BANNOCK |

5. Description of diverting works:  
SPGS FLOWW INTO POND, IRR DITCH SYS ONTO PROPERTY

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 10/15 | 3.000  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.030  |      |        |

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

8. Total consumptive use is 870.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/UP TO 700 BEEF CATTLE FROM SPGS, PONDS, DITCHES, MARSH CREEK

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 10S      | 37E   | 7       | NE     | NW     |     | IRR | 21.0  |
|          |       |         | NW     | NW     |     | IRR | 13.0  |
|          |       |         | SE     | NW     |     | IRR | 13.0  |

**MICROFILMED**  
**NOV 13 1992**

10. Place of Use: Continued

|          |       |         |        |     |     |               |       |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
| 10S      | 37E   | 7       | NE     | SW  |     | IRR           | 13.0  |
|          |       |         |        |     |     | Section Acres | 60.0  |
|          |       | 18      | NW     | NE  |     | IRR           | 11.0  |
|          |       |         | SW     | NE  |     | IRR           | 27.0  |
|          |       |         | NE     | NW  |     | IRR           | 40.0  |
|          |       |         | NW     | NW  |     | IRR           | 10.0  |
|          |       |         | SE     | NW  |     | IRR           | 40.0  |
|          |       |         | NE     | SW  |     | IRR           | 40.0  |
|          |       |         | SW     | SW  |     | IRR           | 10.0  |
|          |       |         | SE     | SW  |     | IRR           | 20.0  |
|          |       |         | NW     | SE  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 238.0 |
|          |       |         |        |     |     | Total Acres   | 298.0 |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:  
A29-04200, A29-04202, A29-04203

14. Remarks:

ATTACHMENTS ARE WITH 29-04200  
 \*\*ACREAGE AND VARIOUS OTHER INFO DOES NOT MATCH PREPRINTED CLAIM.  
 ACREAGE ADDED WRONG ON PREPRINTED CLAIM.9-15-92/JT  
 TOTAL CONSUMPTIVE USE (870) 2.5 AF/ACRE/SEASON INCLUDES THIS  
 CLAIM, PLUS 3 OTHER SPRINGS & MARSCH CK USED ON SAME LAND.  
 MARSH CREEK WATER PLUS WATER FROM 4 SPGS ARE DIVERTED INTO  
 EXTENSIVE AND COMPLEX SYS OF DITCHES PERMITTING FLOOD IRR. OF  
 DESCRIBED PROPERTY, STOCKWATERING OF UP TO 700 BEEF CATTLE,  
 AND/OR DIVERSION BACK INTO MARSH CREEK WHEN NOT USED. THIS CLAIM  
 IS FOR 1 SPRING, BUT REFLECTS ALL IRRIGATED LAND AND STOCKWATER-  
 ING.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

NOV 13 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
\_\_\_\_\_, Title  
\_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of  
\_\_\_\_\_ Title  
\_\_\_\_\_ and that the statements contained in the  
Organization  
foregoing document are true and correct.

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
Date

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**MICROFILMED**

**NOV 13 1992**

Date: 09/15/92

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be  
Print Name

acting as attorney at law on behalf of the claimant signing above, and that  
all notices required by law to be mailed by the director to the claimant  
signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

**MICROFILMED**

**NOV 13 1992**

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

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

CIVIL CASE NUMBER: 39576

Ident. Number A29-04201

Date Received 4-4-90

Receipt Number E012838

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

APR - 4 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Henderson Ranches, Inc. Phone ( 208 ) 254-3557

Mailing Address P. O. Box 25, Arimo, Idaho Zip 83214

2. Date of Priority (Only one (1) per claim) June 1, 1918

3. Source of water supply (a) Spring

which is tributary to (b) Marsh Creek

4. a. Location of existing point of diversion is: Township 10 S. Range 37 E. Section 18,  
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, E. B.M., County of Bannock

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_  
\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. Springs flow directly into pond  
which flow into irrigation ditch system which can then be directed  
throughout property or into Marsh Creek.



MICROFILMED  
NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 10/15 amount 3.0 or \_\_\_\_\_  
 For stockwater purposes from 1/1 to 12/31 amount .03 or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 3.03 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 870\* acre feet per annum. (2.5 A.F./Acre/Season)

\* (includes this claim, plus 3 other springs & Marsh Creek claim used on same land.)

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) up to 700 beef cattle from springs, ponds, ditches and Marsh Creek

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 10S | 37E | 18  |        | 11    | 27    |       | 40     | 10    | 10    | 40    | 40     |       |       | 20    |        | 40    |       |       | 288    |
| 10S | 37E | 7   |        |       |       |       | 21     | 13    |       | 13    | 13     |       |       |       |        |       |       |       | 60     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 348

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Claims simultaneously filed on 3 additional springs & Marsh Creek None ( )

Also 6.2 shares Portneuf Irrigating Co., 24 shares McCammon Ditch Co.

14. Remarks:

Marsh Creek water plus water from (4) springs are diverted into

extensive and complex system of ditches permitting flood irrigation of  
described property, stockwatering of up to 700 beef cattle and/or di-

version back into Marsh Creek when not used. This claim is for 1 spring

but reflects all irrigated land and stockwatering.

**MICROFILMED**

**NOV 13 1992**

Last Name Henderson Ranches, Inc. Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 29-4201  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am Vice President \_\_\_\_\_  
Title

of Henderson Ranches, Inc. \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as Vice President of Henderson Ranches, Inc.  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Robert S. Henderson

Title and Organization

Robert S. Henderson, V.P.

Henderson Ranches, Inc.

Date 3-16-90

State of Idaho/or \_\_\_\_\_ )  
County of Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 16<sup>th</sup> day of March 19 90

SEAL

Notary Public Randall C. Budge

Residing at Pocatello, Idaho

My Commission Expires 10/15/90

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Randall C. Budge will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Randall C. Budge

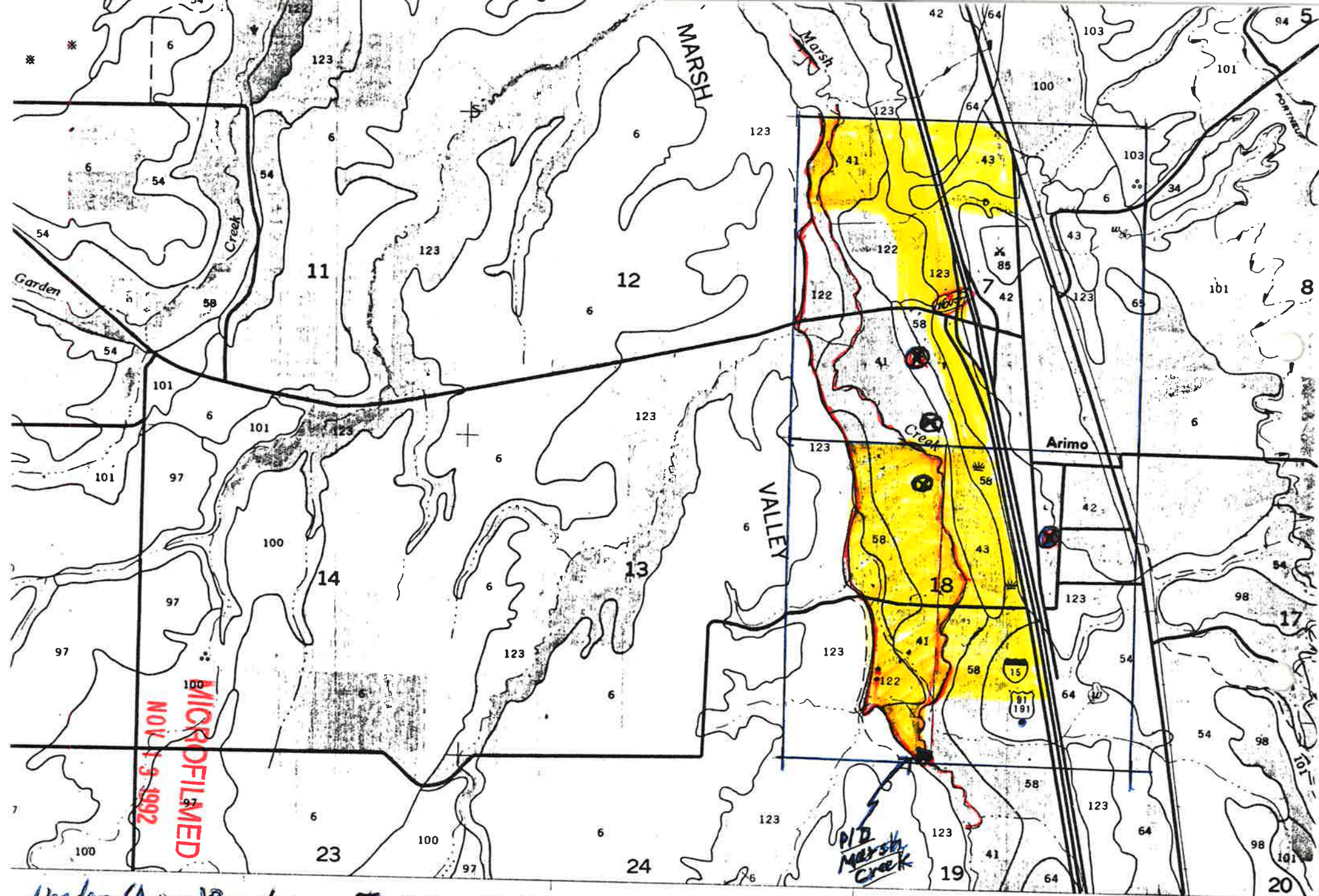
Address P.O. Box 1391, Pocatello, ID 83204

Date March, 1990

**MICROFILMED**  
**NOV 13 1992**

Last Name Henderson Ranches Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant



Henderson (Armo) Ranch

T. 10 S. R. 37 E.  
Sections 7, 18, BANNOCK CO.

⊙ (4) Springs - stockwater + irrigation.  
▶ Marsh Creek P/D

