

RECEIVED

SEP 29 1969

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive weeks, the first publication having been made on the 18th day of September, 1969,

and the last publication having been made on the

25th day of September, 1969; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 26th

day of September, 1969.

George R. Ruppert
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires

~~XXXXXX~~ November 10, 1972

NOTICE OF CLAIM TO A WATER RIGHT No. 35-4007

Notice is hereby given that Creed M. Reasor, Pingree, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 3.2 cubic feet per second of water from a groundwater source with point of diversion in NW1/4 NW1/4, Sec. 15, T. 4S, R. 33 E, B.M., Bingham County; the water is claimed to be used from May 1 to October 15 for cattle watering and irrigation purposes with a priority of May, 1952; the place of use is within the NE1/4 of Sec. 15, T. 4S, R. 33 E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON,
State Reclamation Engineer
(2158)

Pub.: Sept. 18 and 25

*Bill submitted
9-28-69
dr*

35-4007

49810

The Connecticut Mutual

LIFE INSURANCE COMPANY

Established in 1846

Hartford, Connecticut

MORTGAGE DEED

This indenture, made this 25th day of August, 1959, between

CREED M. REASON, JR., a/k/a CREED REASON, a/k/a CREED M. REASON II

hereinafter called the Mortgagor, whether one or more than one, and The Connecticut Mutual Life Insurance Company, a corporation organized and existing under the laws of the State of Connecticut, and having its Home Office and principal place of business in the City of Hartford, State of Connecticut, hereinafter called the Mortgagee.

Witnesseth That:

The Mortgagor, for and in consideration of the sum of SEVENTY FOUR THOUSAND AND NO/100- - - - Dollars (\$74,000.00), in lawful money of the United States, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Mortgagee, its successors and assigns, forever, the following described property situated in the County of Bingham, in the State of Idaho, to-wit:

Township 4 South, Range 33 E.B.M., Bingham County, Idaho
Section 15: W/4
Section 16: S/4; S/2; S/4; NE/4; NE/2; NE/4, EXCEPT NE/4; NE/2; NE/4

Conveying with the above described lands any and all water rights belonging or in anywise appertaining thereto, and especially including, but not limited to, the following: 160 shares of the capital stock in the Aberdeen-Springfield Canal Company. All subterranean water developed under authority of Permits numbered 35-2735, 35-4006, 35-4007 issued by the State Engineer of the State of Idaho in connection with wells located on the above described lands.

Together with all right, title and interest in and to the following described pumps, motors, mainlines, lateral lines, all complete with necessary couplers, valves, reducers, and plugs, risers, shafts, bowls, panels, joints and heads.

- One Poncha Pump, serial No. M2970, with G. E. 15 H.P. Electric Motor, serial No. P330792536
- One Westinghouse Pump, serial No. 307880, with Westinghouse 75 H.P. Electric Motor, serial No. 4-34V8033
- One Johnston Pump, serial No. 0814285, with G.E. 50 H.P. Electric Motor, serial No. 08J730457
- One Jacuzzi lift pump, serial No. WHE1801
- One Jacuzzi 3 h.p. pump, serial No. 385A6

RECORDED
INDEXED
SEP 25 AM 10 32
BINGHAM TITLE & TRUST CO.

35-4007

The Mortgagor hereby further mortgages, assigns and transfers to the Mortgagee all of his right, title and interest in and under the following described leases, permits and allotments, to-wit:

together with all renewals thereof and together with all buildings, structures, fences, windmills, pumps, pumping equipment, pipes, pipe lines, wells, tanks, dams, reservoirs and other improvements of every nature and description, now or hereafter located on the lands covered by said leases, permits or allotments, or any part thereof, and all water and water rights located thereon or appurtenant thereto. The Mortgagor covenants that he is the lawful owner and holder of said leases, permits and allotments and that the same are free from encumbrance and have not been assigned; that he will procure renewals thereof upon or prior to the expiration date thereof and execute any instrument deemed by the Mortgagee necessary to effect an assignment or waiver of such renewals to the Mortgagee; that he will pay all rents and other charges and perform all acts and things necessary to preserve and keep in good standing all of said leases and permits and any renewals thereof; that he will take no action which would adversely affect any of his rights or his preference status thereunder and that in the event of the foreclosure of this Mortgage, he will waive all claims for preference in any such rights upon demand from the purchaser of the mortgaged property at foreclosure sale or any successor to such purchaser; that the lands covered by said leases, permits and allotments and renewals thereof, shall at all times be operated in conjunction with the lands hereby mortgaged and that neither shall be transferred to any other person separately from the other; and that, in case of the failure of the Mortgagor to pay all rents and other charges payable under the terms of any of said leases, permits or allotments, the Mortgagee may, at its option, make payment thereof and any amount so paid, with interest thereon at the rate of 7% per annum, shall be a part of the principal debt, and shall be secured by this Mortgage and a lien on the fee owned property hereby mortgaged.

The Mortgagor further covenants and agrees that in the event title in fee simple to any of the lands covered by the aforesaid leases, permits or allotments shall hereafter be acquired by the Mortgagor, it is understood and agreed that such lands shall, upon such acquisition, become subject to the lien of this Mortgage to the same extent as though such lands had originally been included herein as part of the fee owned lands hereby mortgaged, and, further that all of the terms, covenants, conditions, and stipulations of this Mortgage applicable to the fee owned lands hereby mortgaged, shall extend and be applicable to any such lands hereafter so acquired.

It is mutually understood and agreed that all words used in the singular number in this Mortgage shall be deemed to include the plural and the masculine gender shall include the feminine and/or neuter, as the context may require. It is further understood and agreed that all of the provisions hereof shall extend to and be binding upon the Mortgagor and the heirs, devisees, personal representatives, successors and assigns of the Mortgagor, and shall inure to the benefit of the Mortgagee, and its successors or assigns.

In Testimony Whereof, the Mortgagor has hereunto set his hand and seal this 25th day of August, 1969.

Cecil M. Riegar Jr.

Executed in the presence of:

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF Idaho

COUNTY OF Bingham

ss.

On this 27 day of August, 1969,
before me, the undersigned, a Notary Public in and
for the County of Bingham, State of Idaho, personally appeared

Creed M. Reasor, Jr

the signer... of the above instrument, known to me to be the person... whose name... is subscribed to the within instru-
ment, 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.

My Commission Expires:

Dec 30, 1969

Arnell M. Dropp

Notary Public in and for the County of
Bingham, State of Idaho.

Residence of Notary Public:

Blackfoot, Idaho

STATE OF Idaho

COUNTY OF

ss.

On this day of 19
before me, a Notary Public in and
for the County of, State of Idaho, personally
appeared, and
husband and wife, the signers of the above instrument, known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they executed the same.

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

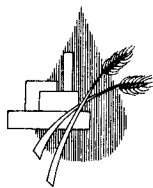
My Commission Expires:

Notary Public in and for the County of
State of Idaho.

Residence of Notary Public:

142510

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



AMENDED CLAIM TO A WATER RIGHT AMENDED

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 David W. Letham
(Name of Claimant)
Rt.1 Box 214B Pingree, ID 83262 Telephone No. 684-3376
(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) May 1, 1952

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)
groundwater tributary to _____

(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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>3.2cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-1</u>	To <u>10-15</u>
Quantity	<u>0.02cfs</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) 3.2cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 15 Twp4S Rge. 33E B.M., County of Bingham
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. Well pump and sprinkler system.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	33E	15					40	25	40	40									145

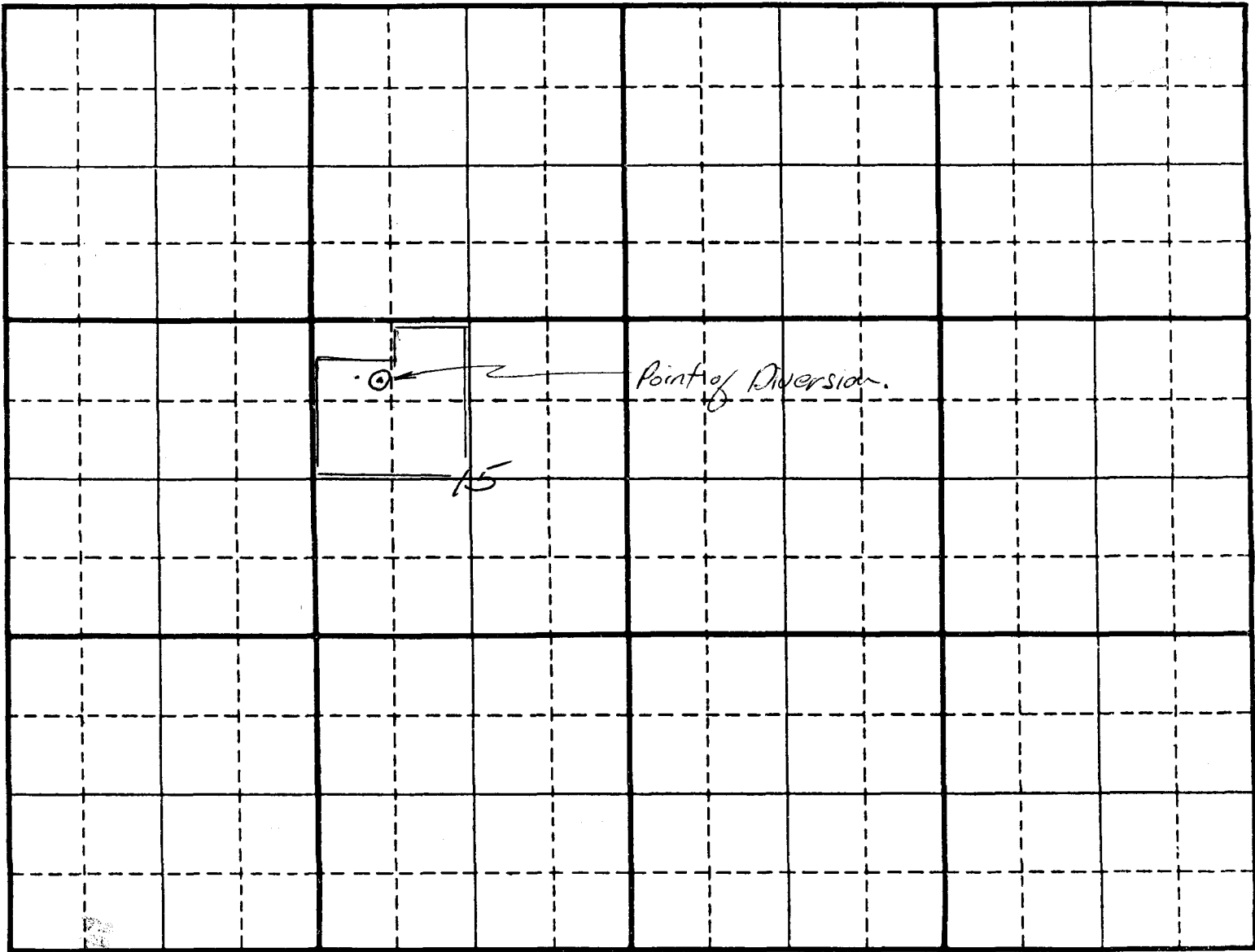
No. of acres 145

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

NOTE: Include here the type and number of stock watered: 200 Range

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

(8) Remarks Mr. Reasor, the original claimant never owned the NE $\frac{1}{4}$ of Sec.15
and the well has always been used in the NW $\frac{1}{4}$ of said section. As the
current property owner I am amending claim 35-4007 to correctly
reflect historic practices.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BINGHAM) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 22 day of APRIL

David Letham
(Claimant)
19 83
James K. Matson
Notary Public
Residing at BLACKFOOT IDAHO

My commission expires 12-21-85

FOR DEPARTMENT USE ONLY

Received by <u>AW</u>	Date <u>5-31-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>6-03-83</u>		claimant by:	
\$30.00 fee received by <u>N.A.</u>	Date			
Published in <u>Blackfoot News</u>				
Dates <u>6/16 - 6/23/83</u>				

RECEIVED

JUN 29 1983

Department of Water Resources
Eastern District Office

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 35-4007**

Notice is hereby given that Claim to a Water Right No. 35-4007 in the name of Creed M. Reasor, Pingree, Idaho, was filed with a priority date of May 1, 1952, for the diversion and application to beneficial use of 3.2 cfs of water from a groundwater source with the point of diversion within the NW 1/4 NW 1/4 Sec. 15, T. 4S, R. 33E, B.M. Bingham County; the water is claimed to be used from 5-1 to 10-15 for Irrigation and stockwater purposes within the NE 1/4 Sec. 15, T. 4S, R. 33E, B.M.

The claimant, David W. Letham now proposes to amend Claim No. 35-4007 amending the place of use to 145 acres within the NW 1/4, Sec. 15, T. 4S, R. 33E, B.M.

Any exception to any claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

(7811)
Pub.: 6-16, 23

24

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho David Mark Brown)

I, _____ do
solemnly

Publisher

swear that I am the _____ of
The Morning News which is a daily newspaper of general
circulation published each day except Sunday at
Blackfoot, Bingham County, Idaho, said newspaper hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions Laws of Idaho of 1933, approved March 11, 1933,
and duly designated, pursuant to law, a particular day of
the week as the day on which legal notices required by
law or by the order of any Court of competent jurisdiction
within the State of Idaho shall be published to-wit: Thursday
of each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of
publication was published in said issue or said
newspaper 2 consecutive weeks,

the first publication having been made on the
16th day of June, 19 83,

and the last publication having been made on the
23rd day of June, 19 83;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this 23rd

day of June, 19 83.

Patricia A. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1984

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 17, 1969

RE: Permit and Claim Nos. 35-2735, 35-4006 and 35-4007

Bingham Title and Trust Company
P. O. Box 591
Blackfoot, Idaho 83221
Attn: Michael K. Ferrin

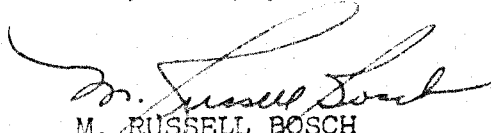
Gentlemen:

Please be advised that we have received your letter regarding the above numbered permit (or permits).

We have filed your letter in the permit folder, however, we cannot refuse to process any request for transfer, amendment, or change. We would attempt to notify you of the action taken or being taken, but could not accept any responsibility for failure in case you failed to receive the information.

The only way to guarantee that no changes would occur would be to have the permit assigned to the company holding the loan.

Very truly yours,


M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

35-4007

Identification No.

Claim No.

Map No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Creed M. Reasor
 post office address Pingree, Idaho 83262
2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15 Township 4 S
 Range 33 E B.M. located on Well
 (name of source)
 tributary to _____ in Bingham County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 1952 amount: 3.2 c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 Total claimed 3.2 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from May 1 to Oct 15 (both dates inclusive)
 use Cattle watering period of use from May 1 to Oct 15 (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of Concrete
reception hole for pump water then to ditches. Concrete dam at 2 ditches.
 length is 4' feet; height is 30" feet;
 width at bottom is 4' feet; width at top is 4.6" feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known Since 1952 until now the pump has dumped into the reception hole and then water moved thru ditches to the NW $\frac{1}{4}$ Section 15, Tp 4S, R33 EBM, Bingham County, Idaho. At this time a new well has been drilled at the same diversion point, NW $\frac{1}{4}$ NW $\frac{1}{4}$, but 800' SE in order to be in the center of the NW $\frac{1}{4}$. This application is made to save the 1952 water right, or priority day. Mainline and laterals are being installed for the 160 acres, NW $\frac{1}{4}$, Sec 15.
- b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 80 feet; diameter of well is 16 inches; type of pump is Turbine.
 capacity of pump is 1400 g.p.m.; name and address of well driller is Richard Webb, Rt4, Blackfoot, Idaho.

35-4007

(Ditches were 1 3/4 miles altogether, with average width of 4' at top and 3 1/2' at the bottom, and depth of water about 2 feet. Grade of ditches per 1000' was approximately 15 feet. All ditches were dirt, with some concrete headgates. Mostly canvas dams were used. No pipe was used except about 5' from pump discharge. maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches;

type of pipe _____; grade of pipe per 1000 feet is _____.

if feeder canal is used give maximum carrying capacity none c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known. Until 1964 this water was used on some of the SW 1/4 Sec 15, Tp 4S, R 33, but in 1964 a sprinkler system was installed on the SW 1/4. At that time the amount of acreage irrigated with the pump decreased.

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch _____ . The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____
50 head of milk cows, calves, heifers,

7. Where water is used for domestic or municipal purposes give number of families served none
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

This well and pump that is being replaced with a new well and pump on the same 40 acre tract was in existence when I bought the farm in 1952. I bought 280 acres adjacent to this 320. Until 1964 I irrigated the 320 acres in Sec 15 with the 15 HP pump, water setting at about 22'. In 1964 I installed a sprinkler system from a well on the SW 1/4 for 160 acres. I continued to irrigate the 160 acres in the NW 1/4 Sec 15 until this summer, and am now going under sprinkler.

State of Idaho

County of Bingham

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Creed M. Prosser
Claimant

Sworn to before me this 8 day of August, 1969.

Creed M. Prosser
Notary Public
Residing at Blackfoot, Idaho

My commission expires Dec 30, 1970

For Department Use Only

Received by <u>ef</u>	Date <u>8-27-69</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>Dum</u>	Date _____			
Fee received by <u>ef</u>	Date <u>9-8-69</u> Fee \$ <u>10⁰⁰</u>			
Approved for publication by _____				
Published in <u>Blackfoot News</u>	Dates <u>9-18+25-69</u>			

35-4007

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 35-4007**

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R. KEITH HIGGINSON,
State Reclamation Engineer
(2158)
Pub.: Sept. 18 and 25

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County of Bingham
State of Idaho

} ss.

I, Drury R. Brown do solemnly

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Friday issue of said newspaper 2 consecutive weeks, the first publication having been made on the 18th day of September, 19 69,

and the last publication having been made on the

25th day of September, 19 69; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown
Subscribed and sworn to before me this 26th

day of September, 19 69.

George R. Hight
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires

~~XXXXXX~~ November 10, 1972

Handwritten:
1969

Handwritten:
35-4007

April 28, 1983

RECEIVED

MAY 2 1983

Department of Water Resources

Department of Reclamation
State of Idaho
Boise, ID 83720

Re: Loan No. 96905-H
Water Permit #35-7664, Claim
#35-4007, License # 35-2735 &
35-7112

Gentlemen:

This loan has been paid in full. Therefore, we wish to inform you that we are no longer interested in water permit number 35-7664, Claim #35-4007, License Nos. 35-2735 & 35-7112 as described in Mortgage Deed dated January 23, 1978, given by Lorin W. Casper and Dorothy S. Casper.

Said mortgage was recorded in the Public Records of Bingham County in O.R. No. 4 under instrument #235321.

Sincerely,

Jean Wright

Jean Wright
Administrative Assistant

jw

cc: Ag-Land Mortgage

July 14, 1983

RE: Amended Claim to a Water Right No. 35-4007

David W. Letham
Rt. 31, Box 214B
Pingree, ID 83262

Dear Mr. Letham:

The Department of Water Resources has completed the processing of your amended claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your amended claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your amended claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 35-4007

Notice is hereby given that Claim to a Water Right No. 35-4007 in the name of Creed M. Reasor; Pingree, Idaho, was filed with a priority date of May 1, 1952 for the diversion and application to beneficial use of 3.2 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 4S, R. 33E, B.M. Bingham County; the water is claimed to be used from 5-1 to 10-15 for Irrigation and stockwater purposes within the NE $\frac{1}{4}$ Sec. 15, T. 4S, R. 33E, B.M.

The claimant, David W. Letham now proposes to amend Claim No. 35-4007 amending the place of use to 145 acres within the NW $\frac{1}{4}$ Sec. 15, T. 4S, R. 33E, B.M.

Any exception to any claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401.

A. KENNETH DUNN

Director

Published in the Blackfoot News on 6/16 & 6/23/83.

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
NO. 35-4007**

Notice is hereby given that Claim to a Water Right No. 35-4007 in the name of Creed M. Reasor, Pingree, Idaho, was filed with a priority date of May 1, 1952, for the diversion and application to beneficial use of 3.2 cfs of water from a groundwater source with the point of diversion within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 4S, R. 33E, B.M. Bingham County; the water is claimed to be used from 5-1 to 10-15 for Irrigation and stockwater purposes within the NE $\frac{1}{4}$ Sec. 15, T. 4S, R. 33E, B.M.

The claimant, David W. Letham now proposes to amend Claim No. 35-4007 amending the place of use to 145 acres within the NW $\frac{1}{4}$, Sec. 15, T. 4S, R. 33E, B.M.

Any exception to any claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

(7811)
Pub.: 6-16, 23

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

Amended

INITIAL REVIEW BY: HWJ

Right Number _____ Applicant Letham

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

July 5, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By RDC Date 7/13/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 7/20/83

RECEIVED
JUL 20 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

August 6, 1970

Mr. Mike Ferrin
THE BINGHAM TITLE & TRUST COMPANY
Blackfoot, Idaho 83221

Dear Mr. Ferrin:

Pursuant to our telephone conversation of July 31, 1970, please find enclosed copies of Claim to a Water Right No. 35-4007, Water License No. 35-2645, Water License No. 35-2214, and Application for Permit No. 35-7069.

If we can be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/cm

Enclosure: copy of Claim to a Water Right No. 35-4007
copy of Application for Permit No. 35-7069
copy of Water License No. 35-2645
copy of Water License No. 35-2214

35-4007

The Connecticut Mutual

LIFE INSURANCE COMPANY

Established in 1846

Hartford, Connecticut

MORTGAGE DEED

This indenture, made this 25th day of August, 1969, between

CREED M. REASON, JR., ~~CREED M. REASON~~, d/x/a CREED M. REASON II

hereinafter called the Mortgagor, whether one or more than one, and The Connecticut Mutual Life Insurance Company, a corporation organized and existing under the laws of the State of Connecticut, and having its Home Office and principal place of business in the City of Hartford, State of Connecticut, hereinafter called the Mortgagee.

Witnesseth That:

The Mortgagor, for and in consideration of the sum of SEVENTY FOUR THOUSAND AND NO/100- - - Dollars (\$74,000.00), in lawful money of the United States, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Mortgagee, its successors and assigns, forever, the following described property situated in the County of Bingham, in the State of Idaho, to-wit:

Township 4 South, Range 53 S.B.M., Bingham County, Idaho
Section 15: W/4
Section 16: SW/4; SE/4; NE/4, EXCEPT REMAINS

Conveying with the above described lands any and all water rights belonging or in anywise appertaining thereto, and especially including, but not limited to, the following: 100 shares of the capital stock in the Aberdeen-Springfield Canal Company; All subterranean water developed under authority of Permits numbered 35-1735, 35-4006, 35-4007 issued by the State Engineer of the State of Idaho in connection with wells located on the above described lands.

Together with all right, title and interest in and to the following described pumps, motors, machines, lateral lines, all complete with necessary couplers, valves, reducers, and pipes, risers, shafts, bowls, panels, joints and heads.

The Irrigation Pump, serial No. 4277, with G. E. 15 H.P. Electric Motor, serial No. 1029706

The Water-lifting Pump, serial No. 107839, with Westinghouse 75 H.P. Electric Motor, serial No. 4-174033

The Irrigation Pump, serial No. 381428, with G.E. 50 H.P. Electric Motor, serial No. 1029707

The Irrigation Pump, serial No. 1029701

The Irrigation Pump, serial No. 1029702

10500 10511
FROM THE RECORDS OF
BINGHAM TITLE & TRUST CO.

35-4007

On this _____ day of _____, 19____, _____, a Notary Public in and for the County of _____, State of Idaho, personally appeared _____

the signers of the above instrument, 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.

My Commission Expires:

Dec 30, 1969

Arnell M. Droper
Notary Public in and for the County of _____
_____ State of Idaho

Residence of Notary Public:

Blackfoot, Idaho

STATE OF Idaho

COUNTY OF _____

On this _____ day of _____, 19____, _____, a Notary Public in and for the County of _____, State of Idaho, personally appeared _____ and _____, husband and wife, the signers of the above instrument, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

My Commission Expires:

Notary Public in and for the County of _____
_____ State of Idaho

Residence of Notary Public:

149 10

35-4007

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 17, 1969

RE: Permit and Claim Nos. 35-2735, 35-4006 and 35-4007

Bingham Title and Trust Company
P. O. Box 591
Blackfoot, Idaho 83221
Attn: Michael K. Ferrin

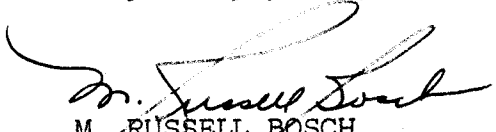
Gentlemen:

Please be advised that we have received your letter regarding the above numbered permit (or permits).

We have filed your letter in the permit folder, however, we cannot refuse to process any request for transfer, amendment, or change. We would attempt to notify you of the action taken or being taken, but could not accept any responsibility for failure in case you failed to receive the information.

The only way to guarantee that no changes would occur would be to have the permit assigned to the company holding the loan.

Very truly yours,


M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

35-4007

Abstracts of Title

Escrows

Title Insurance

*The Bingham
Title & Trust Co.*

Phone 785-0320

156 West Judicial Street

Box 591

Blackfoot, Idaho 83221

December 15, 1969

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit 35-2735
35-4006
Claim 35-4007

Gentlemen:

Would you please sign the enclosed statement and return it to this office as soon as possible.

Thank you.

Very truly yours,

Michael K. Ferrin

Michael K. Ferrin
Escrow Department.

encl:

35-4007

The Connecticut Mutual Life Insurance Company
140 Garden Street
Hartford, Connecticut 06115

Re: Permit 35-2735
Permit 35-4006
Claim 35-4007
Creed M. Reasor
Bingham County, Idaho
#95880-H

Gentlemen:

You are hereby assured that your security interest in the above permits and claim issued by this Agency has been noted on our records.

We will notify your office and Utah Mortgage Loan Corporation, P.O. Box 488, Logan, Utah, 84321, in advance of any assignments, amendments or transfers or any other alterations in connection with these permits.

State of Idaho
Department of Reclamation

By:

35-4007

Abstracts of Title

Escrows

Title Insurance

*The Bingham
Title & Trust Co.*

Phone 785-0320

156 West Judicial Street

Box 591

Blackfoot, Idaho 83221

December 15, 1969

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit 35-2735
35-4006
Claim 35-4007

Gentlemen:

Would you please sign the enclosed statement and return it to this office as soon as possible.

Thank you.

Very truly yours,

Michael K. Ferrin

Michael K. Ferrin
Escrow Department.

encl:

35-4007

The Connecticut Mutual Life Insurance Company
140 Garden Street
Hartford, Connecticut 06115

Re: Permit 35-2735
Permit 35-4006
Claim 35-4007
Creed M. Reasor
Bingham County, Idaho
#95880-H

Gentlemen:

You are hereby assured that your security interest in the above permits and claim issued by this Agency has been noted on our records.

We will notify your office and Utah Mortgage Loan Corporation, P.O. Box 488, Logan, Utah, 84321, in advance of any assignments, amendments or transfers or any other alterations in connection with these permits.

State of Idaho
Department of Reclamation

By:

35-4007

Abstracts of Title

Escrows

Title Insurance

*The Bingham
Title & Trust Co.*

RECEIVED

Phone 785-0320

156 West Judicial Street

Department of Reclamation

Box 591

Blackfoot, Idaho 83221

November 25, 1969

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

Would you send us your usual letter addressed to Utah Mortgage Loan Corporation and The Connecticut Mutual Life Insurance Company agreeing to notify them of any proposed action in connection with Permit No. 35-2735, 35-4006 and Claim No. 35-4007.~

Thank you.

Very truly yours,

Michael K. Ferrin

Michael K. Ferrin
Escrow Department.

35-4007

December 17, 1969

RE: Permit No. 33-2735, 33-4006 and 33-4007

Bingham Title and Trust Company
P. O. Box 591
Blackfoot, Idaho 83821
Attn: Michael K. Ferrin

Gentlemen:

Please be advised that we have received your letter regarding the above numbered permit (or permits).

We have filed your letter in the permit folder, however, we cannot refuse to process any request for transfer, amendment, or change. We would attempt to notify you of the action taken or being taken, but could not accept any responsibility for failure in case you failed to receive the information.

The only way to guarantee that no changes would occur would be to have the permit assigned to the company holding the loan.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

35-4007

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 6, 1969

Re: Claim to a Water Right No. 35-4007

Creed M. Reasor
Pingree,
Idaho

Dear Mr. Reasor:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. The information in your claim has been filed under claim no. 35-4007, please refer to this number when you add or change information in your claim.

You should be aware that the filing of the claim completes the Department's work in processing the claim. Under Idaho Statutes no further processing is pending at this time. Your claim will merely be filed on record with the Department until such time you or a court may be in need of the information.

Enclosed is departmental receipt #3592 in the amount of \$10.00 covering the filing fee.

If we may be of help at any time, please feel free to contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWMT:DR

Enc: Receipt #3193
Copy of claim

cc: Mr. Arvel Draper

35-4007

September 26, 1969

Re: Claim to a Water Right No. 35-4007
Creed M. Reasor

Mr. Arvel Draper
P.O. Box 407
Blackfoot, Idaho 83221

Dear Mr. Draper:

In answer to your letter of September 11, 1969.

The above referenced claim to a water right is now being processed. The legal notice was published in the Blackfoot News on September 18th and 25th, 1969. As the Department pays for the publication, the newspaper will forward the affidavit to us for our file.

Around the second week of October, we will send Mr. Reasor a copy of the processed claim.

Hoping this answers your questions, we remain

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

35-4007

HOME PHONE: 785-2462
69 KIRBY ST.

BUSINESS PHONE: 785-0800
50 NORTH ASH



Arvel Draper INSURANCE & LOANS

FARM, HOME AND COMMERCIAL LOANS
LIFE AND FIRE INSURANCE

P. O. BOX 407

BLACKFOOT, IDAHO 83221

RECEIVED

Sept 11, 1969

SEP 11 1969

Donald W. McEldowney
Appropriations Examiner
Dept of Reclamation
Statehouse Annex2
Boise, Idaho 83707

Department of Reclamation

RE: Creed Reasor, claim to a Water
Right. Your letter of 9.10.69.

Dear Mr. McEldowney,

I'm not sure whether your letter of the 10th was intended to tell me that Mr. Reasor's claim is alright and that you are processing it or not. You mentioned that Mr. Reasor should make sure that he prepares his claim in such a manner as it will be completely representative of his water right and so complete that when it is submitted to the court it will be accepted without question.

Are you asking that the claim be resubmitted, or is it going to be processed as it was sent in on August 30th? If the claim is being processed I assume we will be getting an affidavit of publication.

May I hear from you at your earliest convenience.

Sincerely yours,

Arvel Draper.

35-4007

September 10, 1969

Re: Claim to a Water Right No. 35-4007

Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

NOTICE OF CLAIM
TO A WATER RIGHT
No. 35-4007

Notice is hereby given that Creed M. Reasor, Pingree, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 3.2 cubic feet per second of water from a groundwater source with point of diversion in NW1/4 NW1/4, Sec. 15, T. 4S, R. 33 E, B.M., Bingham County; the water is claimed to be used from May 1 to October 15 for cattle watering and irrigation purposes with a priority of May, 1952; the place of use is within the NE1/4 of Sec. 15, T. 4S, R. 33 E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON,
State Reclamation Engineer
(2158)

Pub.: Sept. 18 and 25

35-4007

NOTICE OF CLAIM TO A WATER RIGHT

No. 35-4007

Notice is hereby given that Creed M. Reasor, Pingree,
Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of 3.2
cubic feet per second of water from a groundwater source
with point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$.
Sec. 15, T. 4S, R. 33E, B.M., Bingham County; the water is
claimed to be used from May 1 to October 15 for cattle watering
and irrigation purposes with a priority of May, 1952
; the place of use is within the
NE $\frac{1}{4}$ of Sec. 15, T. 4S, R. 33E, B.M.
.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Blackfoot News, Blackfoot, Idaho,
on September 18 and September 25, 1969.

KH.

35-4007

September 10, 1969

Re: Claim to a Water Right - Creed Reasor

Mr. Arvel Draper
INSURANCE AND LOANS
P.O. Box 407
Blackfoot, Idaho 83221

Dear Mr. Draper:

We are in receipt of your letter of August 30, 1969, Mr. Reasor's check in the amount of \$10.00 and your notarized Claim to a Water Right for Mr. Reasor.

In as much as he is apparently entitled to a 1952 priority for the source of water, it would be of little value for him to file an application for permit and get a 1969 priority. The only thing that Mr. Reasor should do is to make sure that he prepares his claim in such a manner as it will be completely representative of his water right and so complete that when it is submitted to court it will be accepted without question. He should also be advised that his file will be open and once we have processed it, we will notify him of the number of his claim so he can file additional information at any time with no additional charge.

Contact us if we can be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

35-4007

HOME PHONE: 785-2462
69 KIRBY ST.

BUSINESS PHONE: 785-0800
50 NORTH ASH



Arvel Draper INSURANCE & LOANS

FARM, HOME AND COMMERCIAL LOANS
LIFE AND FIRE INSURANCE

P. O. BOX 407

BLACKFOOT, IDAHO 83221

August 30, 1969

Donald W. McEldowney
Appropriations Examiner
State of Idaho
Department of reclamation
Statehouse -Annex 2
Boise, Idaho 83707

RECEIVED
SEP 2 1969
Department of Reclamation

Dear Sir,

I am returning the claim forms with my notary seal attached and with the check for \$10.00. Wouldn't you know that when we are in a hurry I would forget the seal and hold it up another week.

Your letter mentioned returning the check since you were unable to process the claim at this time. I take it you mean while the notary seal was not affixed. Now that it is I assume you can go ahead at once with the processing. If for some reason you cannot do so kindly let me know at once.

We understand there has never been a permit requested on this well and are therefore trying to protect the priority. If you feel it will be best to apply for a water permit and let the earlier priority go please advise me.

I will look forward to hearing from you at once if there is a problem with immediate processing of the claim or if you think we should apply for a permit.

Thanks for your help at all times.

Sincerely yours,

Arvel Draper

35-4007

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 27, 1969

Re: Claim to A Water Right
Creed Reasor

Mr. Arvel Draper
INSURANCE AND LOANS
P. O. 407
Blackfoot, Idaho 83221

Dear Mr. Draper:

Please find enclosed a claim submitted by your office in behalf of Mr. Reasor. Before we can accept and process this claim to a water right, we will need you to include your notary seal on the claim form. We have also enclosed Mr. Reasor's check in the amount of \$10, since we are not able to process the claim at this time.

Please be advised also that the Department has no authority under Idaho State Law to hold hearings or evaluate the claim for conformation or final censorship. The claim system is merely a system by which the public is enabled to record historic information about a water right.

Please contact this office, if we may be of further assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: claim form
\$10.00 check from
Mr. Creed Reasor

35-4007