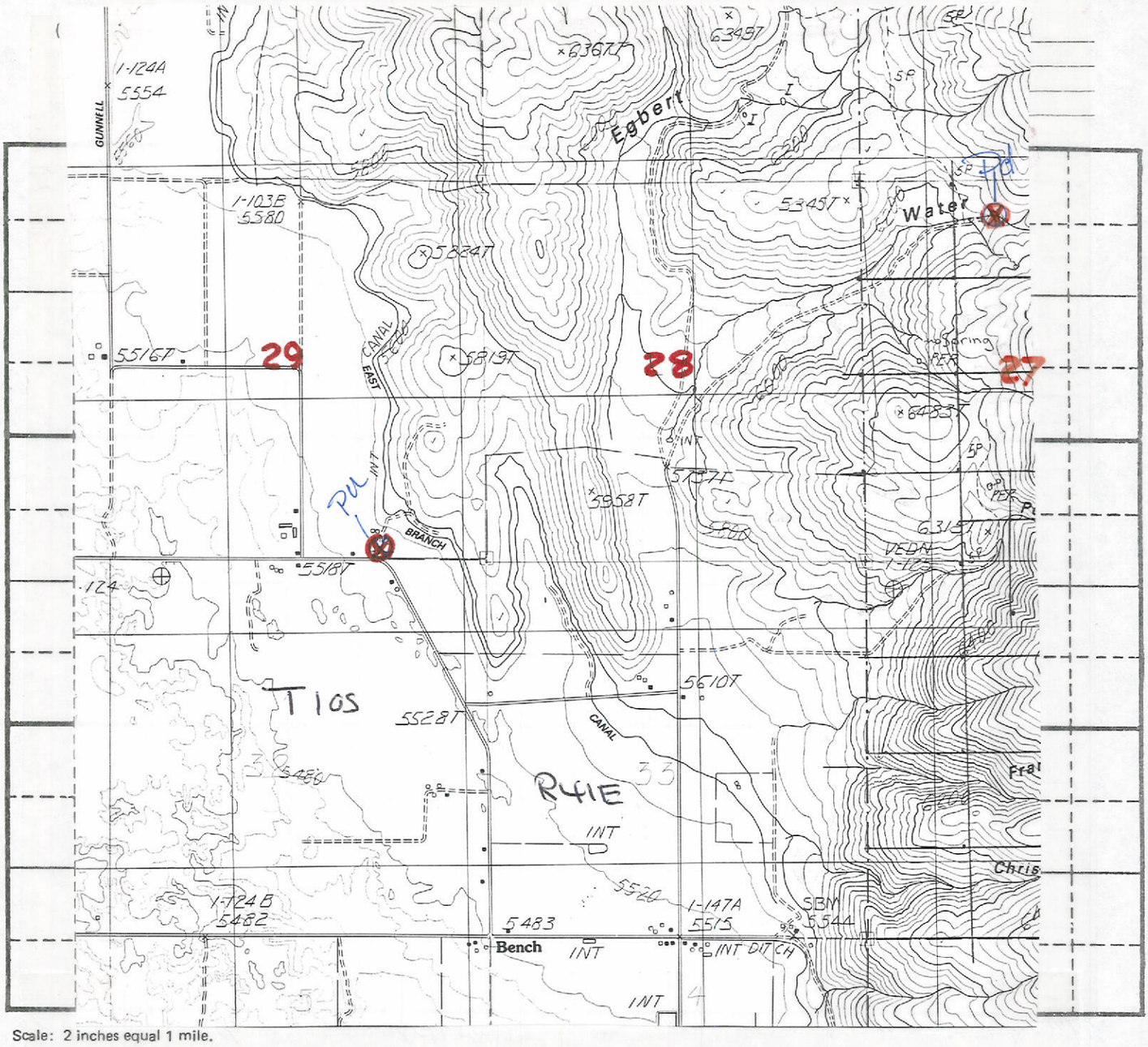


Scale: 2 inches equal 1 mile.

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)
) ss.
County of Bonneville)

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.

Elbin Hubbard
(Claimant)

Sworn to before me this 5 day of November, 1992.

Notary Public
Residing at Idaho Falls, Id.

My commission expires 22 AUG 1994

FOR DEPARTMENT USE ONLY

Received by SMD	Date 5 NOV 92	Exception filed by:	Fowarded to claimant by:	Date
Prelim. check by	Date			
$30.00 fee received by SMD	Date 5 NOV 92	E018063		
Published in Caribou County Sun				
Dates 12-3 & 10-92				

MICROFILMED

FEB 17 1993

Form No. 243
9/81

Claim No. 13 4315

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 Elvin C. Hubbard (Name of Claimant)

PO Box 605 Hyde Park, Utah 83418 (Mailing Address) (Zip Code) Telephone No. 801-563-6176

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) 1 January 1942

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)
Water Canyon tributary to Trout Creek

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

	(cfs, ~~af~~)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive) (Mo., Day)		(Mo., Day)
Quantity	.04	Use	Domestic	Period of Use From	1 January	To	31 December
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) .04 TOTAL QUANTITY USED.
(cfs, ~~af~~)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 27 Twp. 10S Rge. 41E B.M., County of Caribou
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. Headbox and pipeline & 8000 gallon cistern

(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	
10S	41E	29															D		

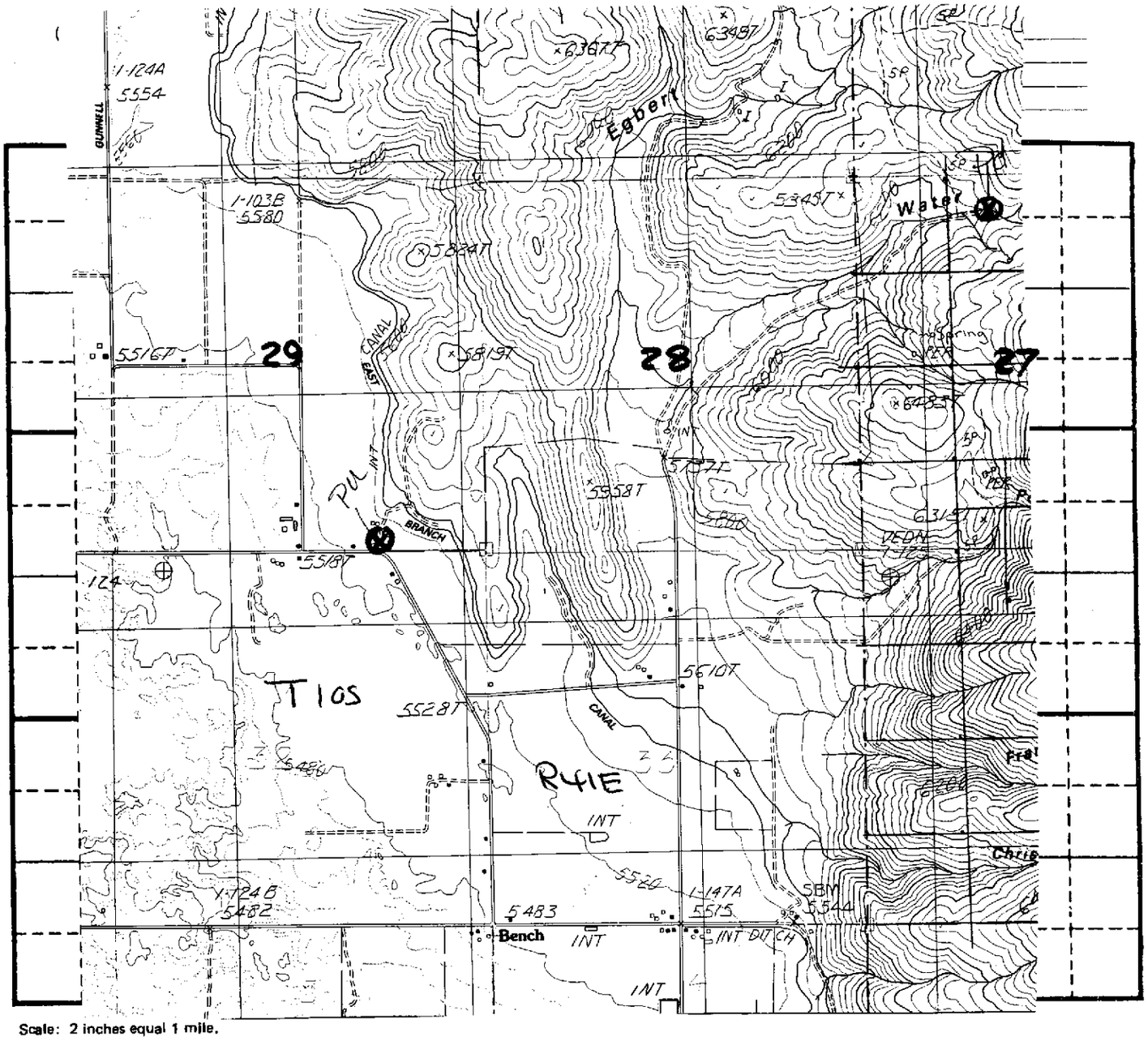
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use for 1 home

FEB 17 1993

NOTE: Include here the type and number of stock watered: 150 head cows + calves

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



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)
) ss.
County of Bonneville)

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.

Elvin C. Hubbard
(Claimant)

Sworn to before me this 5 day of November, 1992.

Notary Public
Residing at Idaho Falls, Id.

My commission expires 22 AUG 1994

FOR DEPARTMENT USE ONLY

Received by SMD	Date 5 NOV 92	Exception filed by:		Fowarded to claimant by:	Date
Prelim. check by	Date				
$30.00 fee received by SMD	Date 5 NOV 92	E018063			
Published in Caribou County Sun					
Dates 12-3 & 10-92					

APPROVED
FEB 17 1993

Warranty Deed

THIS INDENTURE, *Made this* Sixth (6th) *day of* December, *in the year of our Lord One Thousand Nine Hundred and* Fifty-four, *between*

ALVIN L. CHRISTENSEN and NYDA CHRISTENSEN, husband and wife,

of Grace, *County of* Caribou, *State of* Idaho,

the parties of the first part, and

ELVIN C. HUBBARD and HELEN HUBBARD, husband and wife,

of Grace, *County of* Caribou, *State of* Idaho,

the parties of the second part:

WITNESSETH: *That the said parties of the first part, for and in consideration of the sum of* #TEN AND NO/100THS ($10.00)# - DOLLARS, *lawful money of the United States of America, to* them *in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged*, together with other good and valuable considerations, *do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to* their heirs *and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of* Caribou, *State of Idaho, bounded and more particularly described as follows, to-wit:*

The West half of the Northwest quarter of Section Twenty-nine, in Township Ten South, Range Forty-one East of the Boise Meridian;

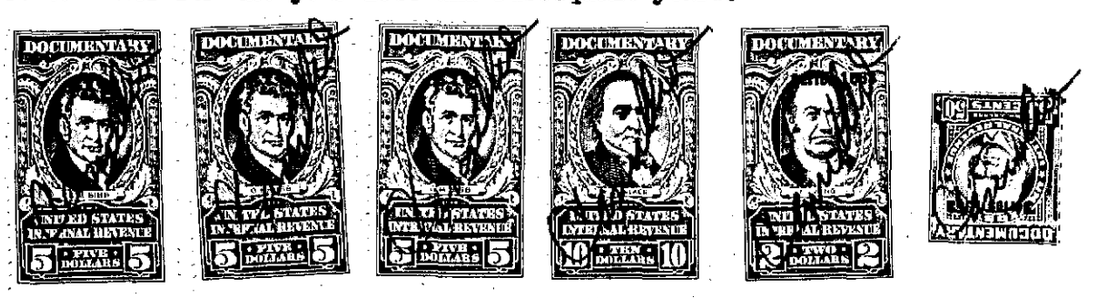
Together with any and all water and water rights appurtenant to the above described premises, or in any way used in connection therewith, and including, BUT NOT LIMITED TO, the following:

That certain Culinary Water Right which has been used on said premises for over 12 years last past. It being the intent of this document to convey ALL OUR RIGHT, TITLE AND INTEREST in and to said Culinary Water in the same amounts which we have been using during the period above mentioned, TO THE GRANTEES HEREIN; and

200 shares of Capital Stock of the LAST CHANCE CANAL COMPANY, LTD., a corporation; and

240 shares of Capital Stock of the EAST BRANCH CANAL COMPANY.

Subject to reservations contained in Patent from the United States of America; and subject to all rights-of-way and easements, as the same now exist, whether conveyed by Deed or otherwise; and subject to taxes for the year 1955 and subsequent years.



Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, *all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to* their heirs *and assigns forever. And the said parties of the first part, and* their heirs *the said premises in the quiet and peaceable possession of the said parties of the second part* their heirs *and assigns against the said parties of the first part, and* their heirs *and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.*

IN WITNESS WHEREOF, *The said parties of the first part have hereunto set* their *hands and seals the day and year first above written.*

Signed, Sealed and Delivered in the Presence of

D. L. Beck

Alvin L. Christensen [Seal]

Nyda Christensen [Seal]

~~[Seal]~~

~~[Seal]~~

FEB 17 1993

2

RECEIVED
JAN 19 1993
Department of Water Resources
Eastern District Office

Affidavit of Publication

PUBLIC NOTICE

First Time Published

NOTICE OF CLAIMS TO WATER RIGHTS

13-04315

HUBBARD, ELVIN C. OK
P.O. BOX 605
HYDE PARK, UT 84318
Source: WATER CANYON
Tributary: TROUT CREEK
Diversion Pt: NENW Sec. 27 T 10S R 41E in CARIBOU COUNTY
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 1/1/1942
In: CARIBOU COUNTY, T10S R41E S29 SWSE

13-04315

HUBBARD, ELVIN C.
P.O. BOX 605
HYDE PARK, UT 84318
Source: WATER CANYON
Tributary: TROUT CREEK
Diversion Pt: NENW Sec. 27 T 10S R 41E in CARIBOU COUNTY
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 1/1/1942
In: CARIBOU COUNTY, T10S R41E S29 SWSE

13-04316

ANDREASEN, VAL GENE
751 HARWOOD RD
GRACE, ID 83241
Source: WATER CANYON
Tributary: TROUT CREEK
Diversion Pt: NENW Sec. 27 T 10S R 41E in CARIBOU COUNTY
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 1/1/1942
In: CARIBOU COUNTY, T10S R41E S30 SENE

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON,
Director

Published Dec. 3 and 10, 1992 in the Caribou County Sun.

FEB 17 1993

County of Caribou
State of Idaho } ss.

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the 3rd day of December, 19 92

The date of the last publication being the 10th day of December, 1992

On this 31st day of December in the year of 1992 before me, a Notary Public, personally appeared

[signature]

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[signature]
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:
March 11, 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 30, 1993

ELVIN C HUBBARD
PO BOX 605
HYDE PARK UT 83418

RE: Claim Nos. 13-04314, 13-04315, & 13-04316

Dear Mr. Hubbard:

We are in receipt of exceptions filed by Stan Christensen on the above referenced claims. We have placed a copy of the exception in each of the claim files for reference of possible future adjudication action. I have enclosed a copy of Mr. Christensen's letter for your reference.

Idaho statute does not provide for the Department to initiate action on the exceptions at this time. We would suggest that the issue be resolved privately between you and Mr. Christensen.

If you have any questions, or we may be of further assistance, please feel free to contact our offices.

Respectfully,

Cindy Zimmerman

CINDY ZIMMERMAN
Clerical Specialist

RECEIVED

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 30, 1993

STAN CHRISTENSEN
STAR RT BOX 286
GRACE ID 83241

RE: Claim Nos. 13-04314, 13-04315, & 13-04316

Dear Mr. Christensen:

We are in receipt of your exceptions to the above referenced claims. We have included a copy of your letter in each of the claim files for reference of possible future adjudication action.

Idaho statute does not provide for the Department to initiate action on the exceptions at this time.

If you have any questions, please feel free to contact our offices.

Respectfully,

Cindy Zimmerman

CINDY ZIMMERMAN
Clerical Specialist

APR 05 1993

From the Desk of Stan Christensen
Star Route, Box 286
Grace, Idaho 83241

RECEIVED
MAR 30 1993
Department of Water Resources

RECEIVED
MAR 25 1993
Department of Water Resources
Eastern District Office

Dept. of water Resources
150 Shop Ave.
Idaho, Falls, Id.
83402

Dear Sirs;

I would like to file an exception on claims 13-04315, 13-04314, and 13-04316.

The objection is there should not be three claims. There should be one (1) claim.

The history is that there is one(1) one (1)inch pipe servicing these three claims. There should be but one claim to this water. The amount should be 15 gpm. This is the historical amount that this pipe has delivered to this claim.

Sincerely

Stanley Christensen
664 Bench Lago Rd.
Grace, Idaho
83241

STATE OF IDAHO

County of Caribou
ON this 24th day of March 19 93, before me, a Notary Public, personally appeared Stanley Christensen known to me to be the person who signed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal.

Karen C. Thomas
NOTARY PUBLIC
Residing at: Grace
Commission Expires: 10-19-93

Form 243a
11/78

	INITIAL	DATE
Distributed for Staffing		11-13-92
Submitted for Advertising	HWJ	11-17-92

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 13 4315 Applicant Elvin Hubbard

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.
- ☑ W.D. 13-Q

FINAL REGIONAL PROCESSING REVIEW:

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

By H.G. Date 1-21-93

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By C. Zimmerman Date 2/1/93

RECEIVED
JAN 28 1993
Department of Water Resources

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Avenue, Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAIL-DATE

ELVIN C HUBBARD
PO BOX 605
HYDE PARK, UT 83418

Re: Claim No. 13-04315

Dear Claimants(s):

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have the information or evidence added at any time. Please refer to the claim identification number when corresponding with the office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

RONALD CARLSON
Eastern Regional Manager

rb
Enc

FEB 17 1993

01-Dec-1992

ELVIN C HUBBARD
PO BOX 605
HYDE PARK, UT 84318

RE: Application No. 13-04314 & 13-04315

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Caribou County Sun on 12-3 & 10-1992. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ:rb

13-04315

HUBBARD, ELVIN C
PO BOX 605
HYDE PARK, UT 83418

Source: WATER CANYON Tributary: TROUT CREEK

Diversion Pt: NENW Sec 27 T 10S R 41E in CARIBOU County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 1/ 1/1942

In: CARIBOU County
T10S R41E S29 SWSE