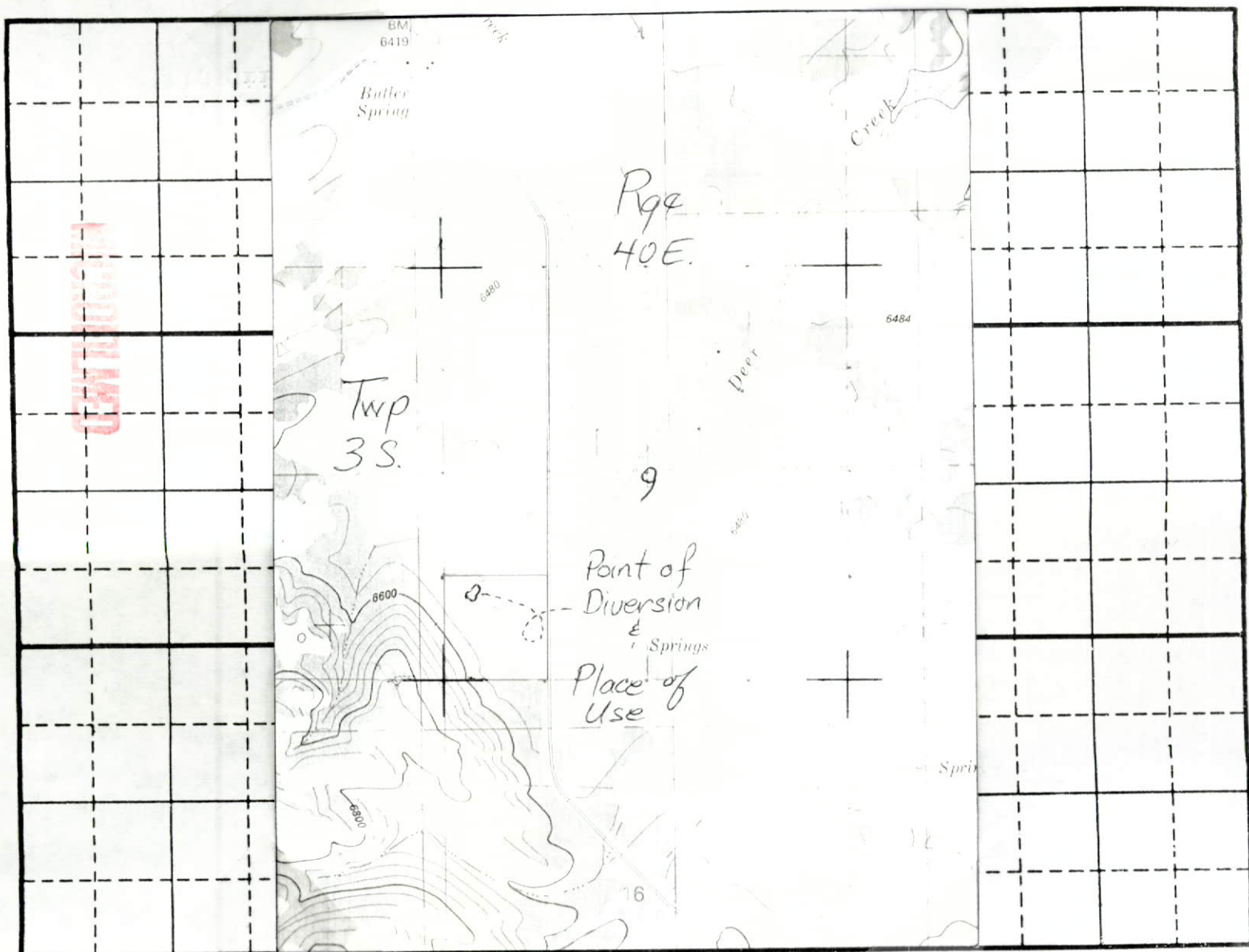


(8) Remarks _____



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 Sonneville) 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 30th day of June

[Signature]
(Claimant)

[Signature]
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY
Received by Asst Emc Date 6-30-83 Exception filed by: _____ Date _____
Prelim. check by Kew Date 7-14-83 claimant by: _____
\$30.00 fee received by Asst Date 6-30-83
Published in Blackfoot News # 25732
Dates 10/6 - 10/13/83

RECEIVED

NOV 22 1983

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 25-4278 in the name of Deer Creek Land & Cattle Co. was advertised incorrectly on 10/6 & 10/13/83. The claimant's name was advertised as being Deer Creek Land & Title Co.

WHEREAS, the claimants actual name is Deer Creek Land & Cattle Co.

Any exception to any claim of water right may be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

(7986)

Pub.: 11-3, 10

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)ss

I, David Mark Brown do
solemnly

swear that I am the Publisher 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
3rd day of November, 19 83,

and the last publication having been made on the
10 day of November, 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 18th

day of November, 19 83.

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

RECEIVED

MICROFILMED

25-4278-

DEER CREEK LAND & CATTLE CO.

RT. 1, BOX 116, IDAHO FALLS, ID 83401

Source: SPRING trib. to SINKS

Priority Date: 05/01/1905

Diversion Pt: SWSW Sec 09 T 03S R 40E

Use. STOCKWATER STORAGE (3.0 AF)
STOCKWATER FROM STORAGE (3.0 AF)

In. SWSW Sec 09 T 03S R 40E

25-4278

DEER CREEK LAND
& TITLE CO.

Rt. 1, Box 116

Idaho Falls, Id. 83401

Source: SPRING trib. to SINKS

Priority Date: 05/01/1905

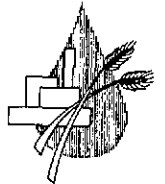
Diversion Pt.: SWSW, Sec. 09, T. 03S, R.
40E.

Use: STOCKWATER STORAGE (3.0 AF)

STOCKWATER FROM STORAGE (3.0 AF)

In: SWSW, Sec. 09, T. 03S, R. 40E.

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 Deer Creek Land & Cattle Co. c/o Ralph Steele

(Name of Claimant)

Rt. 1, Box 116

Idaho Falls, ID 83401

Telephone No. 523-5424

(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, 1905

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

tributary to

Sink

- (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>3.0AF</u>	Use <u>Storage for</u>	Period of Use From	To
Quantity		Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>3.0AF</u>	Use <u>Stockwater from</u>	Period of Use From	To
Quantity		Use <u>Storage</u>	Period of Use From <u>5-1</u>	To <u>12-15</u>
Quantity		Use	Period of Use From	To

- (4) 3.0AF TOTAL QUANTITY USED.

(cfs, af)

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

SW ¼ SW ¼, Sec. 9 Twp. 3S Rge. 40E 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.

- (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	
3S	40E	9											S						

No. of acres

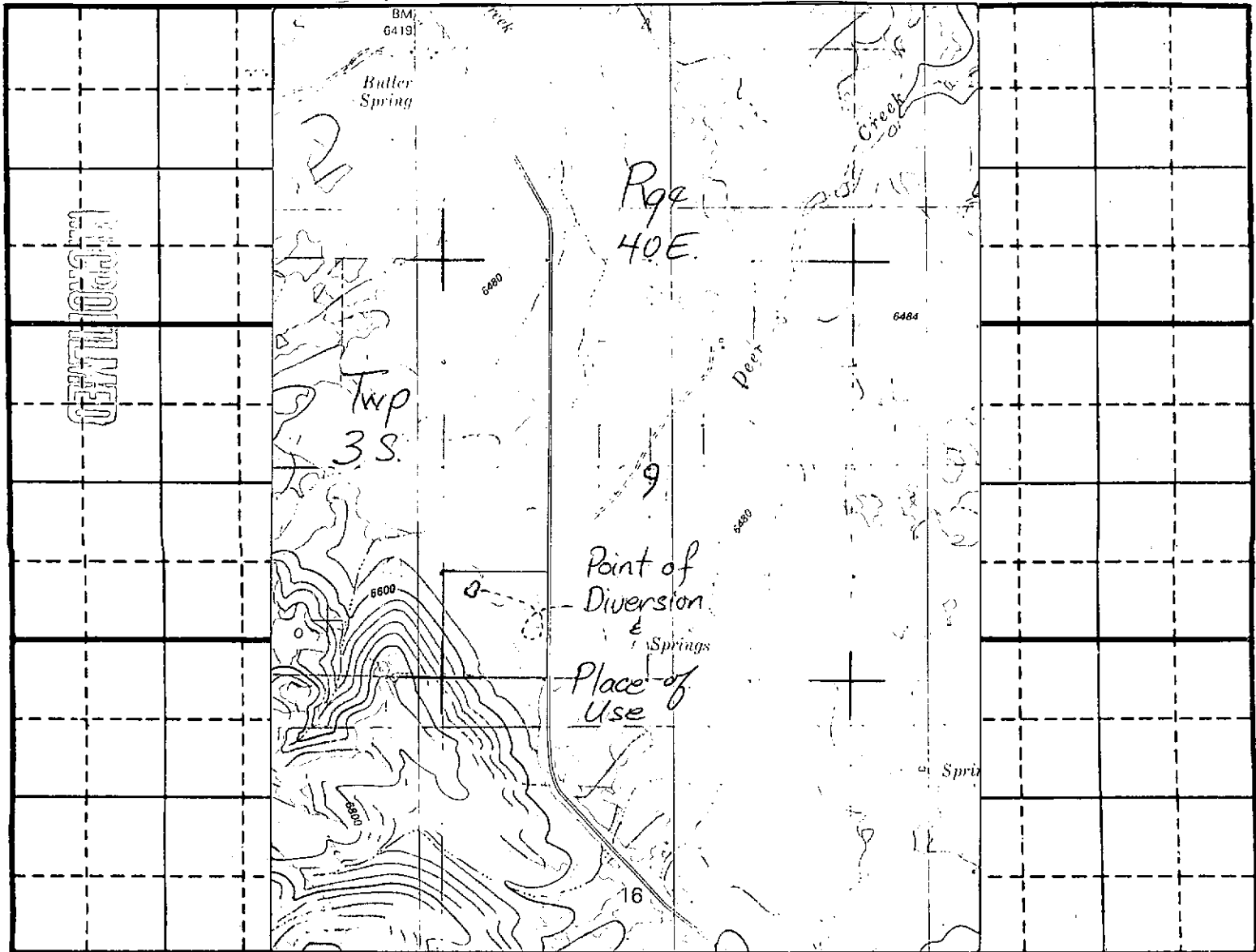
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Cattle drink directly from pond.

NOTE: Include here the type and number of stock watered: 1200 range cattle

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

(8) Remarks _____



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 Bonneville) 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 30th day of June

[Signature]
(Claimant)

[Signature]

Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY			
Received by <u>CS</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>Kew</u>	Date <u>7-14-83</u>		claimant by:
\$30.00 fee received by <u>CS</u>	Date <u>6-30-83</u>		
Published in <u>Blackfoot News</u>	<u>#25732</u>		
Dates <u>10/6 - 10/13/83</u>			

In: NENE, Sec. 32, T. 02S, R. 35E.

35-4234

KLEMPER, Howard
RR Box 183
Aberdeen, Id. 83210.
Source: GROUNDWATER
Priority Date: 07/09/1962
Diversion Pt.: SWSW, SWNW, Sec. 13, T.
05S, R. 30E.
Use: IRRIGATION (1.10 CFS)
In: SWNW, SENW, NESW, NWSW, Sec. 13,
T. 05S, R. 30E, for 55 ACRES.

27-4142

HERRES, Roy A.
Rt. 1, Box 163
Pingree, Id. 83262
Source: SPRING trib. to SNAKE RIVER
Priority Date: 05/01/1970
Diversion Pt.: SWSW, Sec. 29, T. 03S, R.
34E.
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
In: SWSW, Sec. 20, T. 03S, R. 34E, for 1
ACRE.

27-4140

DEER CREEK LAND &
CATTLE CO.
Rt. 1, Box 116
Idaho Falls, Idaho 83401
Source: UNNAMED STREAM trib. to
STRAWBERRY CREEK
Priority Date: 05/01/1958
Diversion Pt.: SENE, Sec. 08, T. 03S, R.
40E.
Use: IRRIGATION STORAGE (4.0 AF)
IRRIGATION FROM STORAGE (4.0 AF)
STOCKWATER (0.26 CFS)
In: SENE NESE, Sec. 08, T. 03S, R. 40E,
NWSW, Sec. 09, T. 03S, R. 40E, for 20 ACRES.

27-4138

JENSEN, Stanley J.
&/or LOIS B.
Rt. 4, Box 6
Blackfoot, Idaho 83221
Source: GROUNDWATER
Priority Date: 04/10/1900
Diversion Pt.: NWNW, Sec. 33, T. 02S, R.
35E.
Use: STOCKWATER (0.07 CFS)
DOMESTIC (0.04 CFS)
In: NWNW, Sec. 33, T. 02S, R. 35E.

25-4278

DEER CREEK LAND
& CATTLE
Rt. 1, Box 116
Idaho Falls, Id. 83401
Source: SPRING trib. to SINKS
Priority Date: 05/01/1905
Diversion Pt.: SWSW, Sec. 09, T. 03S, R.
40E.
Use: STOCKWATER STORAGE (3.0 AF)
STOCKWATER FROM STORAGE (3.0 AF)
In: SWSW, Sec. 09, T. 03S, R. 40E.

25-4277

DEER CREEK LAND
& TITLE CO.
Rt. 1, Box 116
Idaho Falls, Idaho 83401
Source: UNNAMED STREAM trib. to DEER
CREEK
Priority Date: 04/01/1954
Diversion Pt.: NESE, Sec. 16, T. 03S, R.
40E.
Use: IRRIGATION (1.00 CFS)
IRRIGATION STORAGE (5.0 AF)
IRRIGATION FROM STORAGE (5.0 AF)
STOCKWATER (0.26 CFS)
In: SENE, NESE, Sec. 16, T. 03S, R. 40E, for
22 ACRES.

25-4276

DEER CREEK LAND
& CATTLE CO.
Rt. 1, Box 116
Idaho Falls, Id. 83401
Source: DEER CREEK trib. to WILLOW CREEK
Priority Date: 04/01/1970
Diversion Pt.: SWNE, Sec. 09, T. 03S, R.
40E.
Use: IRRIGATION (1.40 CFS)
In: NWNE SWNE NENW SENW NWSW,
Sec. 09, T. 03S, R. 40E, for 70 ACRES.
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, Idaho, 83402.
KEN DUNN, Director

RECEIVED

OCT 19 1983

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

solemnly

I, David Mark Brown do
swear that I am the Publisher 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
6th day of October, 19 83

and the last publication having been made on the
13th day of October, 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.

Subscribed and sworn to before me this 17th

day of October, 19 83

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

35-4237

WILLIAMS, LeGrande
Rt. 5, Box 17
Blackfoot, Idaho 83221
Source: GROUNDWATER
Priority Date: 05/15/1955
Diversion Pt.: SWSW, NWSW, Sec. 08, T.
02S, R. 34E.
Use: IRRIGATION (3.20 CFS)
In: NESW NWSW SWSW SESW, Sec. 08, T.
02S, R. 34E, for 160 ACRES.

35-4236

JENSEN, Stanley J.
&/or LOIS B.
Rt. 4, Box 6
Blackfoot, Idaho 83221
Source: GROUNDWATER
Priority Date: 04/01/1902
Diversion Pt.: NENE, Sec. 32, T. 02S, R.
35E.
Use: STOCKWATER (0.07 CFS)
DOMESTIC (0.04 CFS)

MICROFILMED

RECEIVED

NOV 22 1983

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 25-4278 in the name of Deer Creek Land & Cattle Co. was advertised incorrectly on 10/6 & 10/13/83. The claimant's name was advertised as being Deer Creek Land & Title Co.

WHEREAS, the claimants actual name is Deer Creek Land & Cattle Co.

Any exception to any claim of water right may be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

(7986)
Pub.: 11-3, 10

17

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss

I, David Mark Brown do solemnly

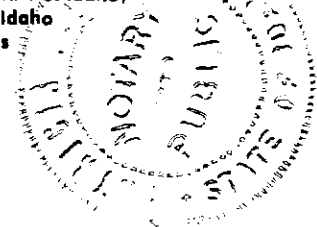
swear that I am the Publisher of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied 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: 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 3rd day of November, 19 83,

and the last publication having been made on the 10 day of November, 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 18th day of November, 19 83.

Patricia A. Johnson
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 24, 1983

DEER CREEK LAND & CATTLE CO.
RT. 1, BOX 116
IDAHO FALLS ID 83401

RE: Claim No. 25-4278

Dear Claimant:

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 that information or evidence added at any time. Please refer to the claim identification number when corresponding with this 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.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 25-4278 in the name of Deer Creek Land & Cattle Co. was advertised incorrectly on 10/6 & 10/13/83. The claimants name was advertised as being Deer Creek Land & Title Co.

WHEREAS, the claimants actual name is Deer Creek Land & Cattle Co.

Any exception to any claim of water right may be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15 Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Blackfoot News on 11/3 & 11/10/83.

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C Wilson
Right Number 25 4278 Applicant DEER CREEK LAND & CATTLE CO.

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Wilson Date Nov. 28, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By pc Date 12-2-83

RECEIVED
DEC 2 1983

Department of Water Resources

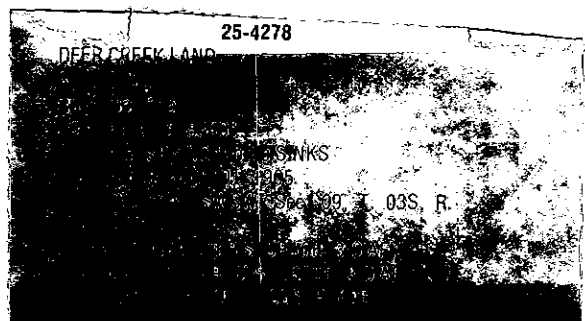
MICROFILMED

aw

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]



25-4278-

DEER CREEK LAND & CATTLE CO.

RT. 1. BOX 116. IDAHO FALLS. ID 83401

Source: SPRING trib. to SINKS

Priority Date: 05/01/1905

Diversion Pt: SMSW Sec 09 T 03S R 40E

Use. STOCKWATER STORAGE (3.0 AF)
STOCKWATER FROM STORAGE (3.0 AF)

In. SMSW Sec 09 T 03S R 40E