

**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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 11-7560
Date Received: 9/12/2023
Receipt No: P000423
Claim Fee: \$54.00
Received By: JW

RECEIVED

SEP 12 2023

IDWR/Preston

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

1. Name of Claimant(s)

SIX POINT INVESTMENTS LLC
1035 N 3650 W
OGDEN UT 84404-8820

Phone: (801) 815-7442

2. Date of Priority: 4/15/1898

3. Source:

COPENHAGEN CREEK

Trib. to:

NORTH CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
12S	42E	25	NW SE		BEAR LAKE	

5. Description of diverting works:

COPENHAGEN CREEK ADJOINS WITH DITCH SYSTEM AT THE HEADGATE AND DELIVERS WATER TO THE PROPERTY. THIS IS A SHARED SYSTEM WITH MILL CANYON NORTH CANAL COMPANY. STOCK DRINK DIRECTLY FROM THE DITCH, SOME YEARS DITCH STAYS OPEN TO SUPPLY WATER TO THE STOCK YEAR-ROUND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/15	10/31	1.5		
STOCKWATER	01/01	12/31	0.04		

7. Total Quantity Appropriated is:

1.54 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

FLOOD IRRIGATION
UP TO 50 HEAD OF MIXED STOCK BUT MOSTLY CATTLE.

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
12S	43E	29	NW		SW		15
12S	43E	30	SW		NE		33
12S	43E	30	SE		NE		20
12S	43E	30	NE		SE		35
12S	43E	30	SE		SE		40

Total Acres = 143

STOCKWATER same as IRRIGATION

10. Do you own the property listed above as place of use? Yes

11. Other Water Rights Used:

11-4047 FOR IRRIGATION, STOCK, AND DOMESTIC.

12. Remarks:

Priority Date Explanation: SEE DECREE.

13. Basis of Claim: Decreed

14. 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 BEAR River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1-MAP AND 1- COPY OF ORIGINAL DECREE

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

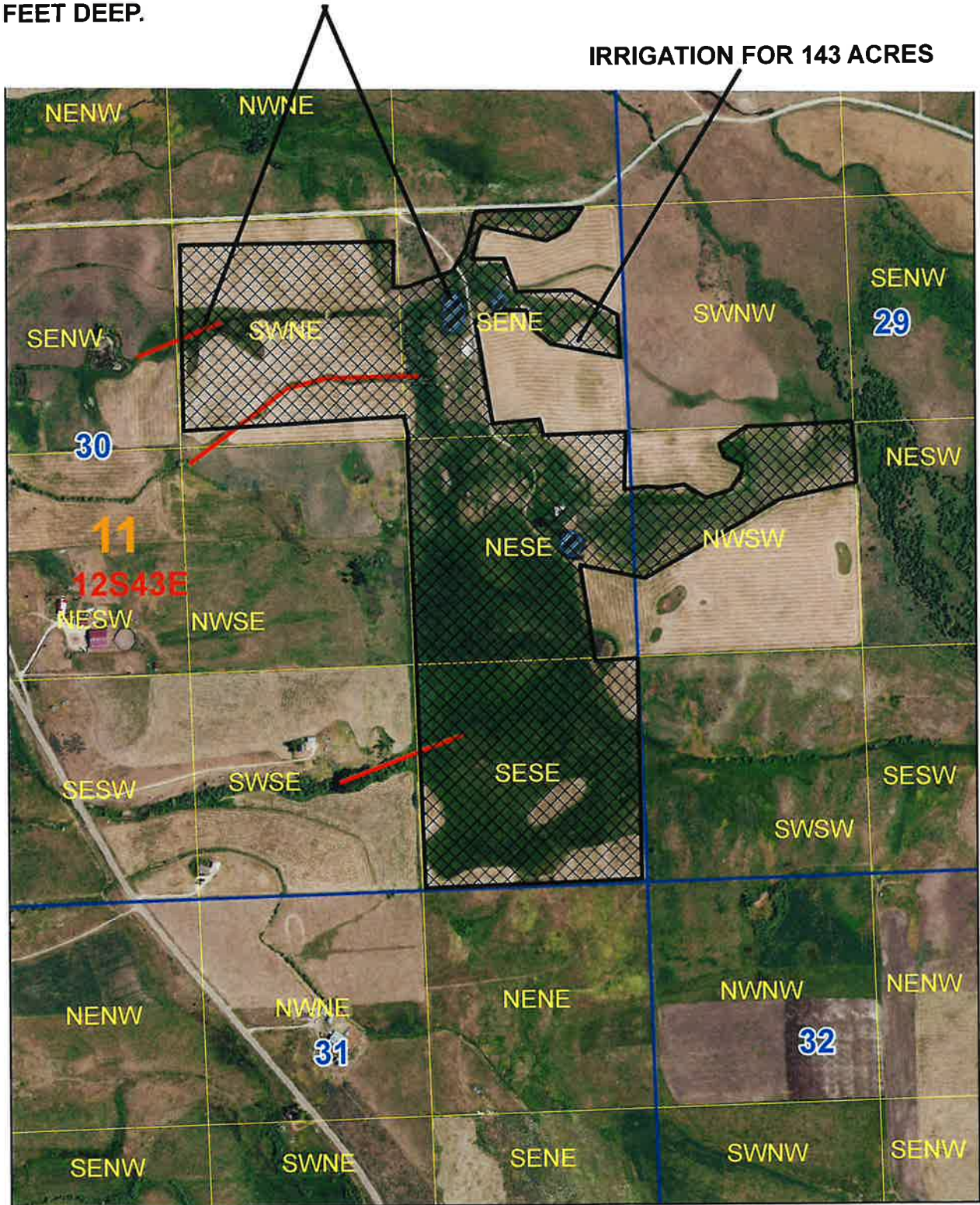
Owner of Six Point Investments
Agents Title (please print) Name of Organization (please print)

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

Signature of Authorized Agent Darrin Baird Date 9-12-23
Printed Name of Authorized Agent Darrin Baird

NOTICE OF CLAIM FOR SIX POINT INVESTMENTS LLC

DITCH SYSTEM ENTERS THE PROPERTY AT THE RED LINES
AND IS USED FOR FLOOD IRRIGATION AND STOCK.
THE STOCK DRINK FROM THE DITCHES AS WELL AS SMALL
PONDS ABOUT 50' x 50' IN SURFACE AREA AND A COUPLE
FEET DEEP.



RECEIVED

MAR 13 2008

Department of Water Resources
Eastern Region

From: EWARD L. SHEPHERD
440 S O 7TH ST
MONTPELIER, IDAHO 83254

To: DAVE CARLSON
IDWR
March 12, 2008

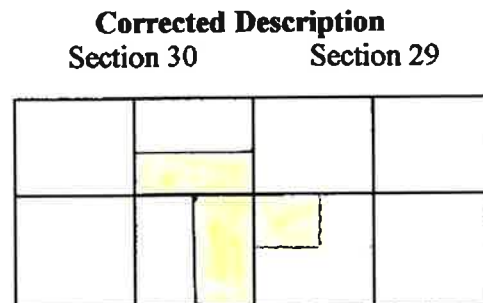
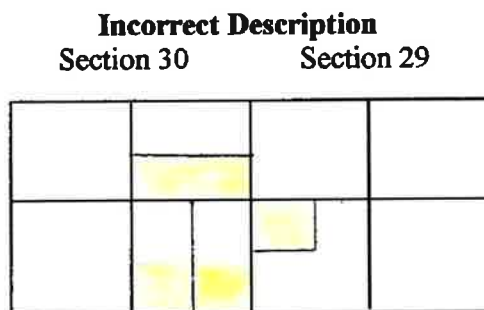
REFERENCING: Correction of error, on land description, made in 1929 Court Decree pertaining to "Claim To Water Right 11-4047" and "Water Right 11-7560". Source: Copenhagen Creek, located in Sharon, Bear Lake County, Idaho.

The Judgment in favor of L.T. Shepherd has the land description as:

The **South Half** of the Southeast Quarter, and the Southeast Quarter of the Northeast Quarter, and the Southwest Quarter **and the** of the Northeast Quarter of Section 30, and the Northwest Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East Boise Meridian, in Idaho.

The corrected description should read as follows:

The **East Half** of the Southeast Quarter, and the Southeast Quarter of the Northeast Quarter, and the Southwest Quarter **of the** Northeast Quarter of Section 30, and the Northwest Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East of the Boise Meridian, in Idaho.



Attached to this document are the Court Decree and the Affidavit.

I appreciate your help and thank you very much!

Sincerely,

Edward L. Shepherd

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR BEAVER LAKE COUNTY.

L. T. SHEPHERD, as EXECUTOR of the
ESTATE OF EDWARD T. SHEPHERD, Deceased.

PLAINTIFF,

vs.

DECREE

MILL CANYON NORTH CANAL COMPANY,
a corporation. R. D. ORR and DAVID KING.

DEFENDANTS,

and

C. H. MOREHOUSE,
Substituted Defendant.

This cause came on regularly to be heard on this 19 day of February, 1929, Geriant Humphreys, Esq., of Montpelier, Idaho, appearing as attorney for plaintiff, and D. C. Kunz, Esq., appearing as attorney for the defendants and cross-complainants. It appearing to the Court that on the 16th day of February, 1929, a stipulation of facts was entered into, signed and filed herein, which it was agreed between the parties should be and the same is hereby adopted as the findings of fact herein, and the Court, from said stipulation and findings of fact, being fully advised in the premises, and conclusions of law being waived:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the respective parties hereto do, and each of them is hereby accorded and decreed the quantity of water hereinafter specified, with date of priority and for the irrigation of lands as hereinafter set forth:

L. T. SHEPHERD AS EXECUTOR OF THE ESTATE OF EDWARD T. SHEPHERD, DECEASED:

APRIL 15th, 1898 - One and one-half cubic foot per second to be taken from and through the natural channel of Copenhagen Creek, and by the construction thereof by such ditches and canals as have been used and built, and are now used, for the conveyance and use of water from said Copenhagen Creek for the irrigation of the following described lands, to-wit:

(East)
The South Half of the Southeast Quarter, and the Southeast Quarter of the Northeast Quarter, and the Southwest Quarter and the of the Northeast Quarter of Section 30, and the Northwest Quarter of the Southwest Quarter of Section 29, Township 12 South, Range 43 East Boise Meridian, in Idaho.

DAVID C. KING:

APRIL 15th, 1908 - One-half cubic foot per second to be diverted through ditches and canals from said Copenhagen Creek, having their intake at or near a point about rods north from the southeast corner of the northeast quarter of the southwest quarter of Section 25, Township 12 South, Range 43, East Boise Meridian, and also at a point about rods east of the aforesaid point of diversion, for the irrigation of twenty-five acres of land in the Southeast Quarter of the Northeast Quarter of Section 25, Township 12 South, Range 43 East Boise Meridian, in Idaho.

C. H. MOREHOUSE, Substituted defendant for R. D. ORR:

APRIL 15th, 1908 - One-half cubic foot per second to be diverted through ditches and canals from said Copenhagen Creek at a point near the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 25, Township 12 South, Range 42 East Boise Meridian, for the irrigation of approximately twenty-four acres of land in the Southwest Quarter of the Northeast Quarter of Section 25, Township 12 South, Range 42 East Boise Meridian, and approximately four acres in the Southeast Quarter of the Northeast Quarter of Section 25 and Township aforesaid.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all rights hereinbefore decreed shall have date of priority as of April 15th of the respective years hereinbefore specified, and that all such rights shall be for the irrigation season each and every year, to-wit, from May 1st to October 1st.

In accordance with said stipulation. IT IS HEREBY ADJUDGED that all pleadings have been deemed amended to conform to said stipulation and proof, and that pleadings have been filed as a basis for the awards made to C. H. Morehouse substituted defendant for the defendant and cross-complainant R. D. Orr.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the several persons to whom water is awarded under this decree shall at his own cost and expense install and maintain a measuring device at or near each point of diversion in order that it may be readily determined what quantity of water is being used and diverted. Such measuring devices shall be under the exclusive control of those who install or own the same and all others are hereby restrained and enjoined from molesting, tampering or interfering with (but may at any time inspect) any such device.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party pay its own costs herein. Dated this 19 day of February, 1929.

Jay L. Downing
District Judge.

Filed March 8, 1929
AMY MUNK, Clerk District Court,
By W. H. [Signature] Deputy