

**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**

RECEIVED

CIVIL CASE NUMBER: 79576

Claim ID: 11-7480

Date Received: 10/18/23

Receipt No: E049560

Claim Fee: \$76.00 By: CH

OCT 18 2023

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

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of claimant(s) Nu-West Industries Inc. Phone (208) 547-4123
Mailing address PO Box 758, Soda Springs, ID Zip 83276
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) 10/01/1895 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Ledger Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 9S, Range 42E, Section 20,
NE 1/4 of NW 1/4, Govt. Lot _____, BM, County of Caribou
Parcel no. 09S42E202401
Additional points of diversion, if any: T9S R42E SEC 20 SESW
If available, GPS Coordinates _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
Two berms that intersect Ledger Creek, allowing for water to inundate the lands within the footprint of the
POU. North berm: 500' long x 5-7' wide x 4' tall. South berm: 660' long x 24' wide x 7-8' tall (at the intersection
with Ledger Creek). Attached is an "as-built" drawing of control structure on south berm.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Recreation Storage purposes from 1/01 to 12/31 amount or 184.8

For Wildlife Storage purposes from 1/01 to 12/31 amount or 184.8

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) 184.8 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Inundation of 52.8 acres on-stream for recreation and wildlife purposes.

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	42E	20			RW		RW			RW	RW			RW		RW	RW		
9S	42E	29		RW															

RW = Recreation Storage & Wildlife Storage

Parcel no(s). 09S42E202401 Total number of acres irrigated

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

11. Do you own the property listed above as place of use? Yes (✓) No ()
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
No other storage rights or None (✓)

13. Remarks (Include an explanation of the priority date selected):

~~This claim is a combination of 11-7480 and a portion of 11-7479.~~

Attachments:

1) Maps (2)

~~2) Narrative~~

3) 11-44B Pedigree

4) Decree Excerpts

~~5) Photos~~

6) As-built of Control Structure

7) Survey

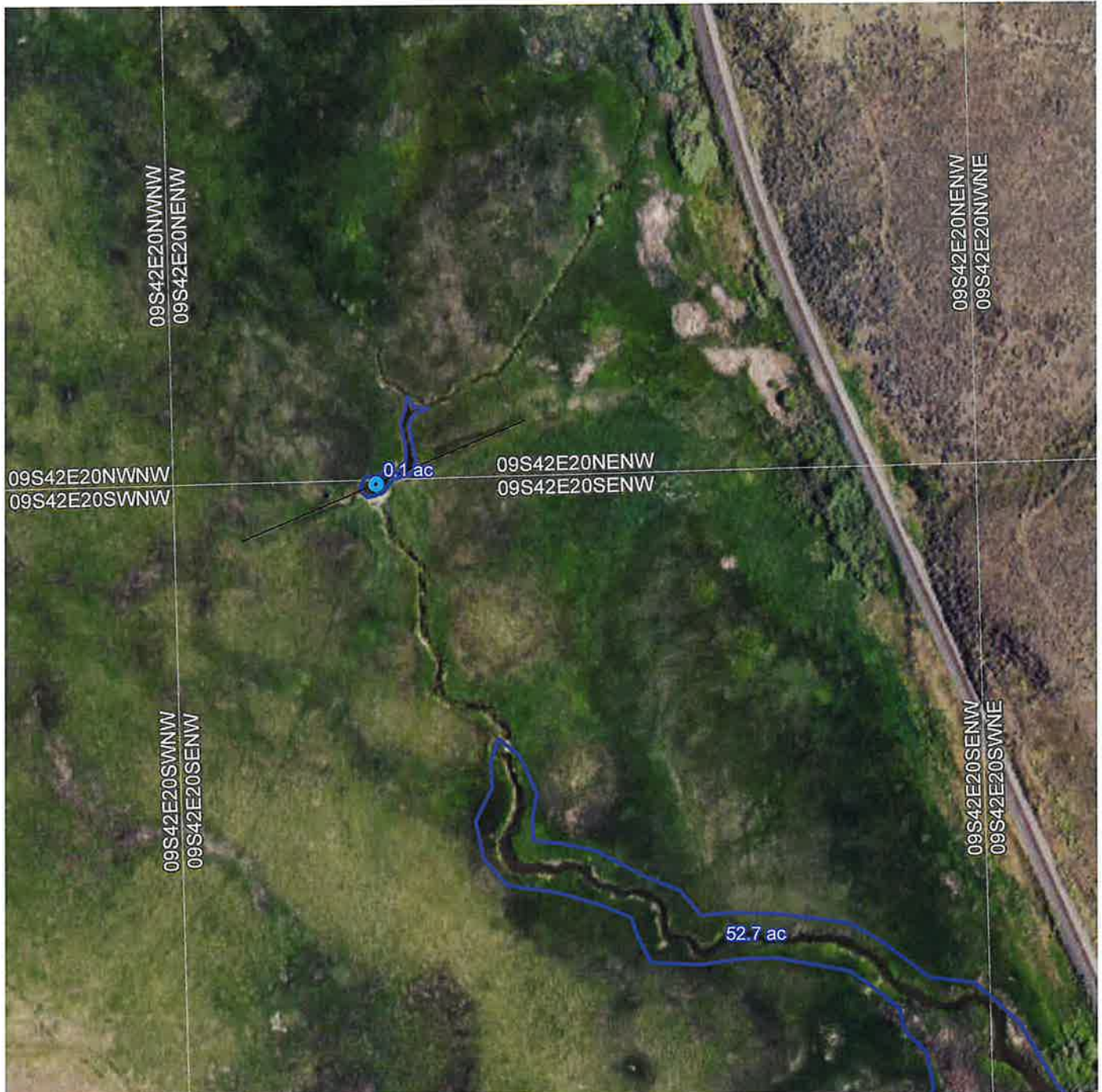
Name of claimant(s) Nu-West Industries, Inc. Claim ID

Claim Map 2 of 2

Based on WR Number: 11-7479 & 11-7480

Claimant: Nu West industries Inc.

Claim No: _____



425 212.5 0 425 Feet



Date Created: 7/20/2023

- POD
- Berm
- Storage POU
- Twp & Rng
- Sections
- QQ

Base Map: USDA NAIP 2021



Claim Map 1 of 2

Based on WR Number: 11-7479 & 11-7480

Claimant: Nu West industries Inc.

Claim No: _____



1,250 625 0 1,250 Feet



Date Created: 7/20/2023

- POD
- Berm
- Storage POU
- Twp & Rng
- Sections
- QQ

Base Map: USDA NAIP 2021



14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (☒)

Court Fifth Judicial Decree Date 1/5/1940 Plaintiff v. Defendant Thuet vs. Grace Beus et al.

If applicable provide IDWR Water Right Number 11-44

15. **Signature(s)**

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

Number of attachments: 7

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____
_____ Date: _____

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

Vice-President _____ of Nu-West Industries, Inc.
Agent's 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 Bart T. Wilking Date 10/17/23

Printed Name of Authorized Agent Bart T. Wilking

16. **Notice of Appearance:**

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

Signature _____ Date _____

Address _____

Name of claimant(s) Nu-West Industries, Inc. Claim ID _____

Narrative to Accompany BRBA Water Right Claim to Provide Additional Information

Claim based on WR#s: 11-7479 & 11-7480

Claimant: Nu West Industries, Inc.

2. Priority Date. Priority date is based upon the original decreed right 11-44, the parent right from which 11-7480 was ultimately split. A copy of the pedigree is included in the attachments.

3. Source. Source claimed is Ledger Creek. The decree identifies the source as Ledge Creek. It appears this is two names for the same source. Claimed source name is based upon USGS Topographic name for the stream, recognizing that it may also be known as Ledge Creek. The two names both appear repeatedly in the records associated with this right.

4. Point of Diversion. Since the storage facility is on-stream, and there are two bodies of water, there are two points of diversion, identified to be located at the point where the berms intersect Ledger Creek. The current water right report only describes the south POD on the main reservoir. The second POD is added as an accomplished transfer for the second body of water, which was constructed at about the same time period, but not contemplated when converting water rights for storage originally.

The PLSS on the claim map represents the north berm point of diversion to be the SENW. However, in a survey completed in 2020, the licensed surveyor determined the intersection of the berm and Ledger Creek is actually located in the NENW. See the excerpt of the survey below. Hence, this claim identifies the NENW as the location of the point of diversion. The full survey is attached.



6. Purposes. In Transfer 69620, which was for the purpose of converting a portion of the irrigation right 11-44B to storage for the existing facility, it was proposed that the storage be identified as "Recreation storage." However, the goal was to also improve the habitat on the property. Thus far, the project improvements have resulted in enhanced wildlife habitats.

Since it is on-stream storage facility, no diversion rate is proposed. Volume is based upon the volume per acre under the original decreed right, which is consistent with the proportions approved under Transfer 69620, which created the split 11-7480 and changed the water right for Recreational Storage.

9. Place of Use. The place of use was mapped based on existing extent of the storage facility and wetlands created through this water right. Aerial photos and topographic maps were consulted to estimate the boundaries most accurately. Total surface area is measured to be 52.8 acres between the two ponds/reservoirs.

12. Other water rights. No other water rights for storage purposes. However, right 11-7479 is also used at the same place of use for irrigation purposes, partially overlapping.

13. Remarks. Right 11-7479 and 11-7480 are splits of 11-44B, through Transfer 69620 in 2002. The purpose of Transfer 69620 was to convert a portion of right 11-44B to be used for storage in the reservoir. In the course of preparing these claims, it was determined that additional water rights were required for the storage rights than were transferred. Therefore, portions of 11-7479 are claimed for pond storage under Adjudication Claim 11-7480 to reflect the actual development of the storage facility (see Table 1). This will result in a redistribution of 11-44B between the two split child rights 11-7479 and 11-7480. Table 2 represents the claimed quantities, accounting for a redistribution of acres. Blue highlights identifies portions relevant to this claim.

This claim is a combination of 11-7480 and a portion of 11-7479. No claim number is assumed for this claim, allowing a new claim number to be established to represent the combination of these two rights as described, if IDWR requires. However, since they are splits of the same parent right, it seems reasonable that the redistribution of the split would allow for the exiting right numbers to be used for the claims.

Table 1. Portions of Right 11-7479 to be claimed

Water Right #	Nature of Use	Irrigated Acres	Diversion Rate (cfs)	Volume (afa)
Original WR 11-7479	Irrigation	116.2	1.82	406.7
Claim 11-7479	Irrigation	43	0.67	150.5
Portion Claimed under this Claim 11-7480 for conversion to Storage Purposes	Irrigation	9	0.14	31.5
Unclaimed Portion		64.2	1.01	224.7

Table 2. Redistribution of Split Portions of 11-44B as Claimed

Water Right #	Nature of Use	Acres (Irrigation or Storage Surface Area)	Diversion Rate (cfs)	Volume (afa)
Original WR 11-44B	Irrigation	116.2	1.82	406.7
Claim 11-7479	Irrigation	43	0.67	150.50
This Claim 11-7480	Recreation Storage; Wildlife Storage	52.8	0.82	184.80

Pedigree Search History

Adjudication Pedigree For 11-44 B

No pedigree information found.

Water Right Pedigree For 11-44 B

Water Right Number	Status	Reason for Split
11-44 B(parent)		Transfer
-->11-7479	Active	Transfer
-->11-7480	Active	Transfer

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

MARY THUET,

Plaintiff,

vs.

AMENDED DECREE

GRACE BEUS, Administratrix of the
Estate of E. M. Beus, deceased;
GRACE BEUS, CITY OF SODA SPRINGS,
a municipal corporation of the
State of Idaho; and OREGON SHORT
LINE RAILROAD COMPANY, a corpora-
tion;

Defendants.

This matter came on for trial before the Honorable Jay L. Downing, District Judge, sitting without a jury. Merrill & Merrill, Attorneys at Law, appeared for the plaintiff, Mary Thuet, and also for the defendant and cross-complainant, City of Soda Springs, a municipal corporation. O. R. Baum and R. J. Dygart, Attorneys at Law, appeared for Grace Beus, Administratrix of the Estate of E. M. Beus, deceased, and Grace Beus. George H. Smith and H. B. Thompson, Attorneys at Law, appeared for Oregon Short Line Railroad Company, a corporation. The action was originally commenced by the filing of a complaint by Mary Thuet against E. M. Beus and Grace Beus, husband and wife. Thereafter, upon order duly made and entered, the City of Soda Springs, a municipal corporation of the State of Idaho, and Oregon Short Line Railroad Company, a corporation, were brought in as additional defendants.

During the pendency of this action E. M. Beus died and on June 30, 1936, upon motion duly made therefor, Grace Beus, as administratrix of the Estate of E. M. Beus, deceased, was substituted

MAY 13 1936

one-fifth (1/5) of a cubic foot, or 10 miners inches, with a priority dating from April 1, 1895, which water is to be diverted through a pipe line having its intake in Ledge Creek in the Southwest quarter of the Northeast quarter, Section Eight (8), Township Nine (9) South, Range Forty-two (42), East Boise Meridian, for use by said railroad company for the operation of its trains and for the supply of its depot and stockyards in Soda Springs, Idaho, continuously throughout the year.

V.

That Grace Beus, Administratrix of the Estate of E. M. Beus, deceased, and Grace Beus, and their successors and assigns, are entitled to divert from the natural flow of Ledge Creek 3 cubic feet of water per second of time with a priority dating from October 1, 1895, for irrigation and domestic uses upon the following lands, to wit:

25 miners inches upon the Northwest quarter of the Southwest quarter of Section Eight (8), Township 9 South, Range 42, East Boise Meridian, and the remainder thereof, to wit: 125 miners inches upon the Northeast quarter of Section 18, and the South Half of the Southwest quarter of Section 8, in Township 9 South, Range 42, East Boise Meridian, in Idaho.

That the diversion of said water is through a ditch having its intake in Ledge Creek on the Westerly side thereof at a point located in the Northwest quarter of the Southeast quarter of Section 8, Township 9 South, Range 42, East Boise Meridian, and opposite the point of intake for the irrigation waters of the City of Soda Springs.

VI.

That the duty of water upon the lands hereinbefore described for irrigation purposes is one (1) miners inch per acre.

MAY 1 3 1996

I.

This decree and each and every provision thereof shall bind the heirs, administrators, successors and assigns of the respective parties hereto.

SIGNED AND DATED this 7th day of April, 1941.

JAY L. DOWNING

District Judge

MAY 1 2 1946

STATE OF IDAHO)
 : ss.
COUNTY OF CARIBOU)

I, Colin Chester, Clerk of the District Court and Ex-officio Auditor and Recorder of Caribou County, Idaho, do hereby certify that the within and foregoing is a full, True and correct copy of the Amended Decree in the case of Thuet vs. Beus et al. as the same appears of record in Book 2 of Judgment Records at page 225 of the records of Caribou County, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Soda Springs, Idaho, this 10th day of April, 1941.

Colin Chester
Clerk of the District Court and
Ex-officio Auditor and Recorder,
Caribou County, Idaho

APR 13 1941

①
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CARIBOU.

MARY THUET,

Plaintiff,

VS.

GRACE BEUS, Administratrix of the
Estate of E. M. Beus, deceased;
GRACE BEUS; CITY OF SODA SPRINGS,
a municipal corporation of the
State of Idaho; and OREGON SHORT
LINE RAILROAD COMPANY, a corpora-
tion;

Defendants.

Amended
2-7-36
DECREE

FILED: This 8th day of
Jan 1940
O'clock P.M.
Carlin E. Butler



This matter came on for final disposition before the Hon. Jay L. Downing, District Judge, sitting without a jury. Merrill & Merrill, Attorneys at Law, appeared for Mary Thuet, the plaintiff, and also for the defendant and cross-complainant, City of Soda Springs, a municipal corporation, whose rights did not conflict with those of Mary Thuet. O. R. Baum and R. J. Dygert, Attorneys at Law, appeared for and on behalf of Grace Beus, Administratrix of the Estate of E. M. Beus, deceased, and Grace Beus. George H. Smith and H. B. Thompson, Attorneys at Law, appeared for and on behalf of the Oregon Short Line Railroad Company, a corporation. This action was originally commenced by the filing of a complaint by Mary Thuet against E. M. Beus and Grace Beus, husband and wife. Thereafter, upon order duly made and entered, the City of Soda Springs, a municipal

MAY 13 1936

one-fifth (1/5) of a cubic foot, or 10 miners inches, with a priority dating from April 1, 1895, which water is to be diverted through a pipe line having its intake in Ledge Creek in the Southwest quarter of the Northeast quarter, Section Eight (8), Township Nine (9) South, Range Forty-two (42), East Boise Meridian, for use by said railroad company for the operation of its trains and for the supply of its depot and stockyards in Soda Springs, Idaho, continuously throughout the year.

V.

TRANS # 1960

1 004 That Grace Beus, Administratrix of the Estate of E. M. Beus, deceased, and Grace Beus, are entitled to divert from the natural flow of Ledge Creek 5 cubic feet of water per second of time with a priority dating from October 1, 1895, for irrigation and domestic uses upon the following lands, to wit:

25 miners inches upon the Northwest quarter of the Southwest quarter of Section eight (8), Township 9 South, Range 42, East Boise Meridian, and the remainder thereof, to wit: 125 miners inches upon the Northeast quarter of Section 18, and the South Half of the Southeast quarter of Section 8, in Township 9 South, Range 42, East Boise Meridian.

That the diversion of said water is through a ditch having its intake in Ledge Creek on the Westerly side thereof at a point located in the Northwest quarter of the Southeast quarter of Section 8, Township 9, South, Range 42, East Boise Meridian, and opposite the point of intake for the irrigation waters of the City of Soda Springs.

VI.

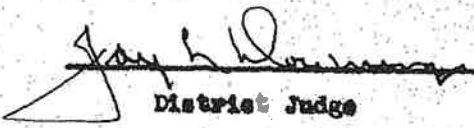
That the duty of water upon the lands hereinbefore described for irrigation purposes is one (1) miners inch per acre.

MAY 18 1996

X.

That neither party shall recover costs against the other.

DATED this ^{5th} day of January, 1940.


District Judge

STATE OF IDAHO)
 : ss.
COUNTY OF CARIBOU)

I, Colin Chester, Clerk of the District Court of the Fifth Judicial District of the State of Idaho, in and for Caribou County, and Ex-Officio Auditor and Recorder, do hereby certify that the within and foregoing is a full, true and correct copy of the original Decree as the same appears of record in Book 2 of Judgments, page 197, Caribou County Records.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Soda Springs, Idaho, this 8th day of January, 1940.


Clerk, Auditor & Recorder, Caribou County, Idaho

MAY 13 1936

Photos

Claim based on WR#: 11-7480 and a Portion of 11-7479

Claimant: Nu West Industries, Inc.



Photo 1. Looking East at the rock gabion structure of north berm, beaver activity also visible. Gabion structure is mostly submerged at this location. Water flows over the top.



Photo 2. Looking West at north berm. Beaver activity heavily built over gabion structure. Water flows over structure.



Photo 3. Looking upstream (north) from bottom of north berm.



Photo 4. Inlet Structure to large reservoir, looking upstream.



Photo 5. Submerged inlet structure of large reservoir, looking upstream.



Photo 6. Outlet structure of large reservoir, looking upstream toward south berm.



Photo 7. Outlet structure box at south berm.

**AS-BUILT**

A map of the study area showing the following features:

- BAILEY CREEK**: A line representing the creek, with an arrow pointing to it from the label.
- 8 MILE ROAD**: A line representing the road, with an arrow pointing to it from the label.
- BEAR RIVER**: A line representing the river, with an arrow pointing to it from the label.
- LEDGER CREEK**: A line representing the creek, with an arrow pointing to it from the label.
- SITE**: A small square box representing the site location, with an arrow pointing to it from the label.
- RAILROAD**: A line representing the railroad, with an arrow pointing to it from the label.

TOPO SOURCE: GOOGLE MAPS 2018

SCALE 1 IN = 1000 FT



SCALE 1 IN. = 40 FT

SITE AERIAL

MAP SOURCE: IMAGE DATED 2016 TAKEN ELECTRONICALLY FROM
GOOGLE EARTH

DRAWING INDEX	
SHEET NO	SHEET DESCRIPTION
	GENERAL
1	G-001 TITLE SHEET
2	G-002 NOTES, LEGEND, QUANTITIES
	CIVIL
3	C-100 EXISTING CONDITIONS
4	C-101 PLAN OF MODIFICATIONS
5	C-102 EMBANKMENT PROFILE & DETAILS
6	C-103 CONSTRUCTION DETAILS

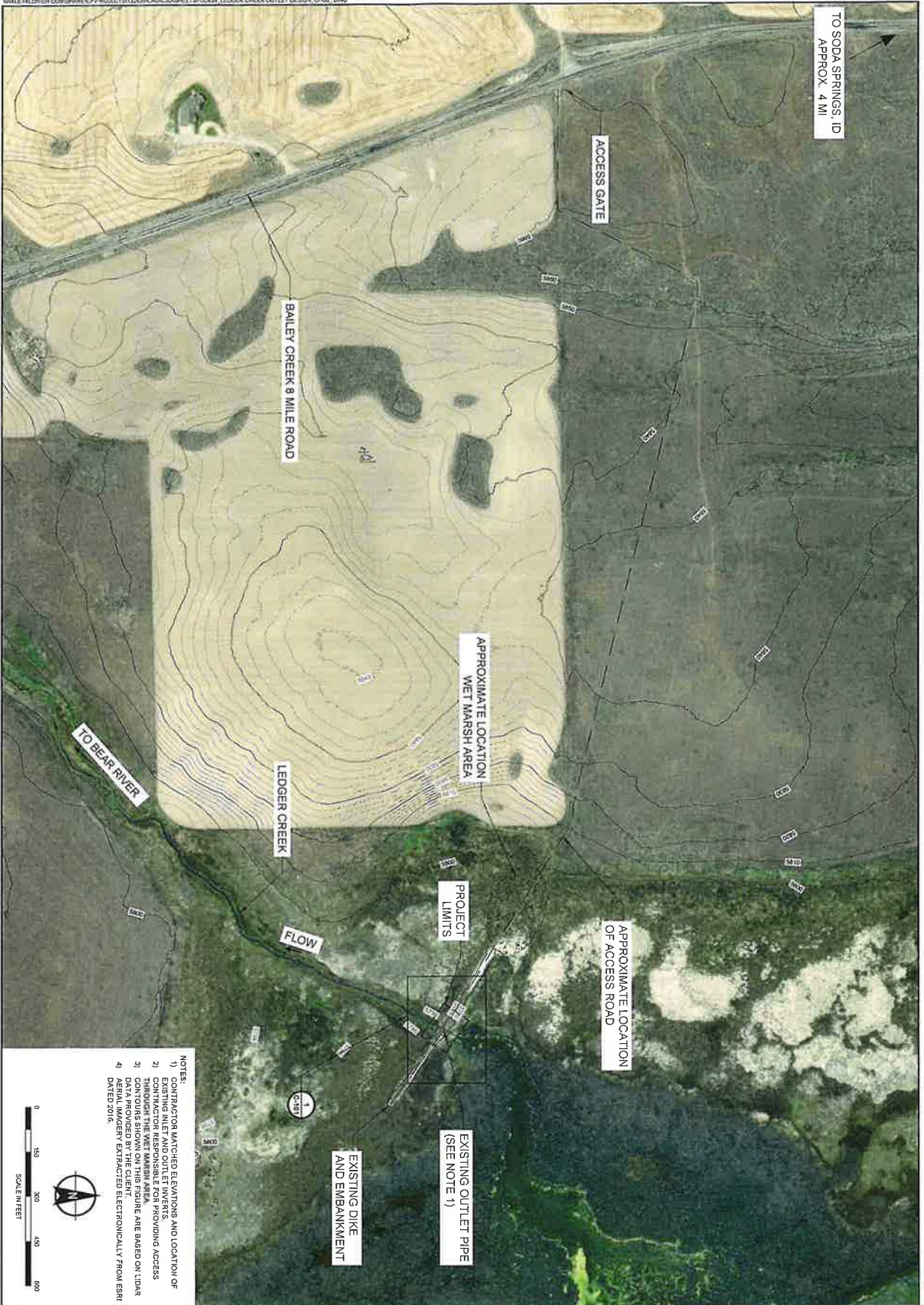
Project #	11-003
Scale	AS BUILT
DATE	NOVEMBER 2018
Drawn By	MLA
Checked by	MLD
Approved by	AWC
Stamp:	HCN

1	AS 10.1	AS 10.1	AS 10.1
2	AS 10.2	AS 10.2	AS 10.2
3	AS 10.3	AS 10.3	AS 10.3
4	AS 10.4	AS 10.4	AS 10.4
5	AS 10.5	AS 10.5	AS 10.5
6	AS 10.6	AS 10.6	AS 10.6
7	AS 10.7	AS 10.7	AS 10.7
8	AS 10.8	AS 10.8	AS 10.8
9	AS 10.9	AS 10.9	AS 10.9
10	AS 10.10	AS 10.10	AS 10.10
11	AS 10.11	AS 10.11	AS 10.11
12	AS 10.12	AS 10.12	AS 10.12
13	AS 10.13	AS 10.13	AS 10.13
14	AS 10.14	AS 10.14	AS 10.14
15	AS 10.15	AS 10.15	AS 10.15
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18	AS 10.18	AS 10.18	AS 10.18
19	AS 10.19	AS 10.19	AS 10.19
20	AS 10.20	AS 10.20	AS 10.20
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96	AS 10.96	AS 10.96	AS 10.96
97	AS 10.97	AS 10.97	AS 10.97
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99	AS 10.99	AS 10.99	AS 10.99
100	AS 11.00	AS 11.00	AS 11.00

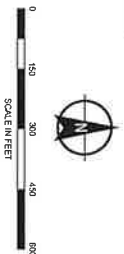
LEDGER CREEK WETLAND
OUTLET CONTROL
STRUCTURE REPLACEMENT

TITLE SHEET

G-001



- NOTES:
- 1) CONTRACTOR MATCHED ELEVATIONS AND LOCATION OF EXISTING INLET AND OUTLET INVERTS
 - 2) CONTRACTOR RESPONSIBLE FOR PROVIDING ACCESS THROUGH THE WET MARSH AREA
 - 3) ELEVATIONS AND LOCATIONS ARE BASED ON LIDAR DATA PROVIDED BY THE CLIENT
 - 4) AERIAL IMAGERY EXTRACTED ELECTRONICALLY FROM ESRI DATED 2016



HAMEY ALDRICH

HAMEY & ALDRICH, INC.
702 West 14th Street, Suite 210
Bozeman, MT 59702
406.592.8888
www.hameyaldrich.com

AS-BUILT

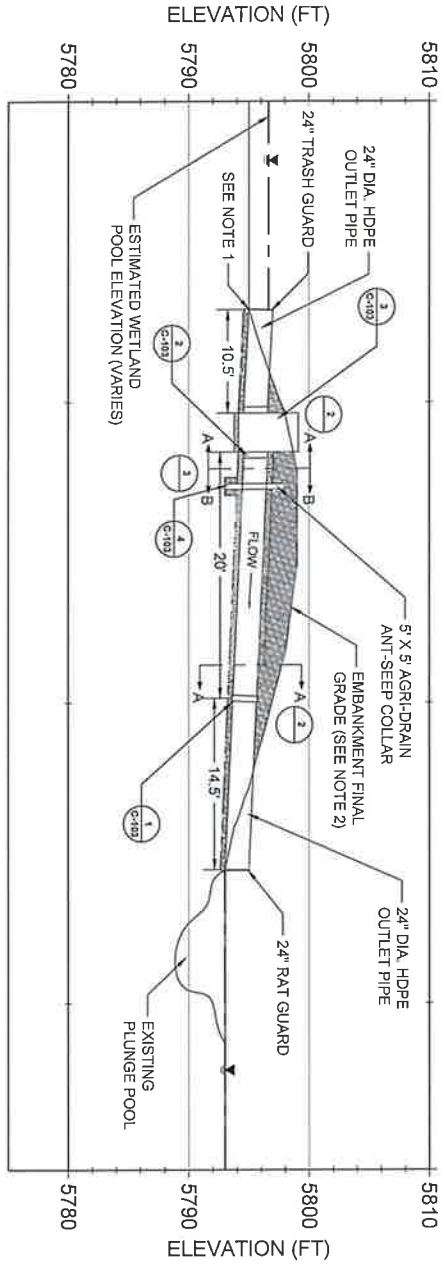
Project No.: 150718
Title: AS-BUILT
Drawn By: AKS
Checked By: PAK
Reviewed By: AKS
Approved By: AKS
Date: 11/5/2018

Rev	Description	Date
1	AS-BUILT	11/5/2018

EXISTING CONDITIONS

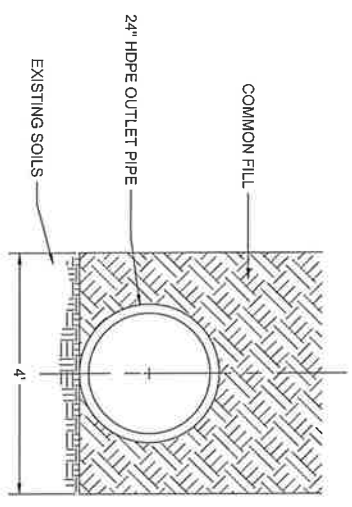
C-100

Sheet: 3 of 8

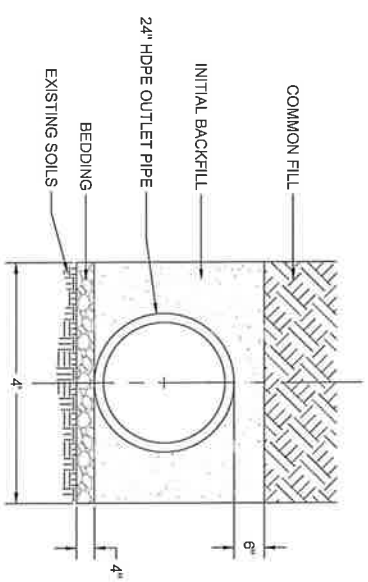


1 EMBANKMENT PROFILE
 SCALE IN FEET
 0 5 10 15 20

- NOTES:
1. ELEVATIONS PROVIDED ON THIS FIGURE ARE BASED ON LIDAR DATA AND WERE NOT SURVEYED DURING CONSTRUCTION.
 2. CONTRACTOR MATCHED THE NEWPIPE INLET ELEVATION TO EXISTING PIPE INLET.
 3. CONTRACTOR MATCHED THE EMBANKMENT FINAL GRADE TO EXISTING GRADE.
 4. EXISTING GRADE LINE SHOWN ON THIS FIGURE WERE FIELD FIT TO MATCH THE EXISTING PIPE.
 5. CONTRACTOR FIELD FIT LOCATION OF ANTISEEP COLLAR TO MAINTAIN 1 FOOT MINIMUM OF COVER AT TOP OF COLLAR.
 6. FILL SHOWN IN SECTION B-B IS BASED ON MANUFACTURER RECOMMENDATIONS FOR 24\"/>



2 SECTION A-A
 SCALE IN FEET
 0 1 2 3 4



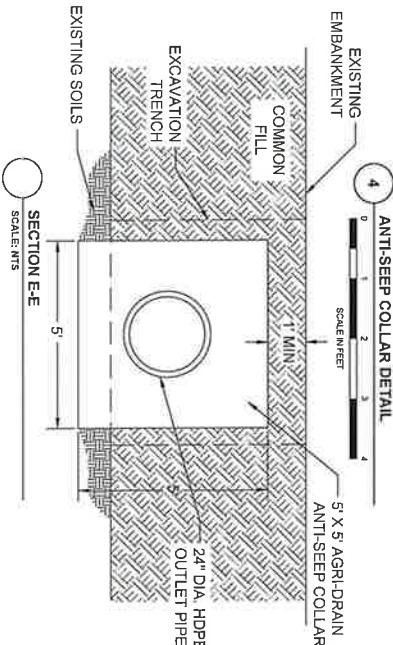
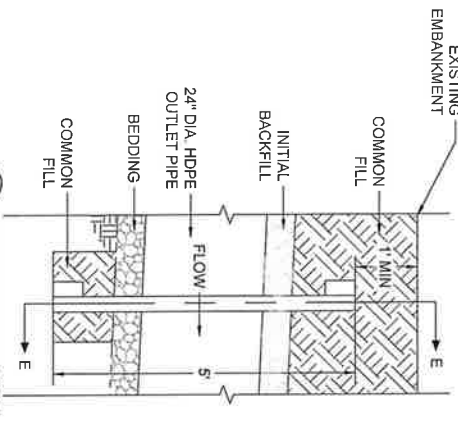
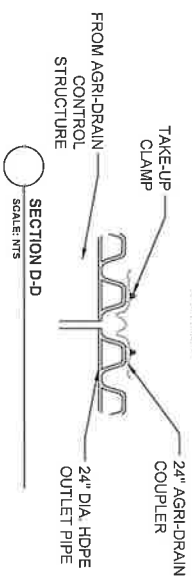
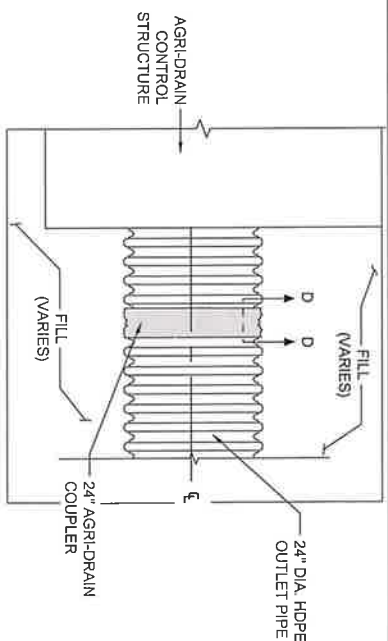
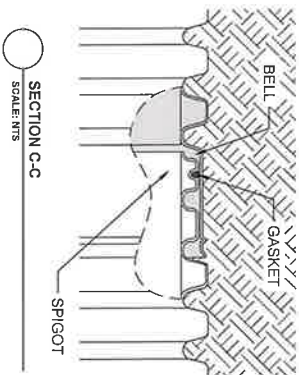
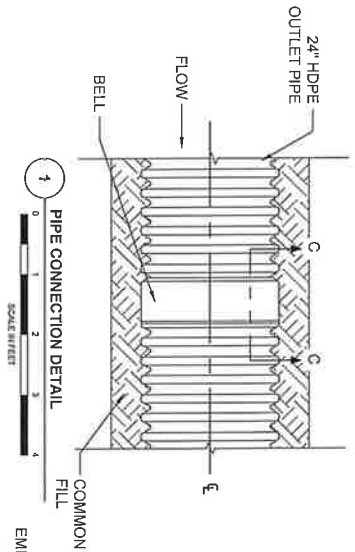
3 SECTION B-B (FILL TO SUPPORT VEHICULAR LOADING)
 SCALE IN FEET
 0 1 2 3 4

HAILEY ALDRICH
 1401 E. 1400TH, INC.
 702 West Idaho Street, Suite 210
 Boise, ID 83702
 208.333.4060
 www.haileyaldrich.com

AS-BUILT

PROJECT:	112518
DATE:	11/15/18
DESIGN:	AS-BUILT
BY:	HAILEY ALDRICH
CHECKED BY:	HAILEY ALDRICH
DATE:	11/15/18
APPROVED BY:	HAILEY ALDRICH
DATE:	11/15/18

LEADER CREEK WETLAND OUTLET CONTROL STRUCTURE REPLACEMENT
EMBANKMENT PROFILE & DETAILS
C-102
Sheet 5 of 6



NOTE: 1. VERTICAL ELEVATION OF AGR-DRAIN CONTROL STRUCTURE FIELD FIT TO PROMOTE POSITIVE DRAINAGE FROM THE RESERVOIR TO THE CONTROL STRUCTURE AND THROUGH THE OUTLET PIPE.

NORTHWEST CORNER OF SECTION 20,
FOUND 1/2 INCH SQUARE
CORNER PERMANENT INST. NO.
100712, PLACED 2.5 INCH
SPRINGS 2000 SET PERMANENT
PERMANENT INST. NO.

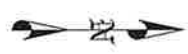
WILDER OF SOON
SPRINGS 2000 SET PERMANENT
PERMANENT INST. NO.

WITNESS CORNER, COMPLETED
POSITION LANDS IN MARSH

WITNESS CORNER, COMPLETED
POSITION LANDS IN LAVA Boulders

RECORD OF SURVEY FOR
NU-WEST INDUSTRIES, INC.
A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 19, 20, AND 29,
TOWNSHIP 9 SOUTH, RANGE 12 EAST, B.M., CARBON COUNTY, IDAHO

NORTHWEST CORNER OF SECTION 20,
FOUND 5/8 INCH REBAR WITH 2 INCH
ALUMINUM CAP STAMPED LS 8022
2000, SEE CORNER PERMANENT
INST. NO. 100712



BASIS OF BEARING
THE WEST BOUNDARY LINE OF SECTION 20 WAS
ASSUMED N 00° 18' 09" W BETWEEN THE WEST 1/4
CORNER AND THE NORTHWEST CORNER PER CENTRAL
MERIDIAN OF THE STATE PLANE
COORDINATE SYSTEM

LEGEND

- FOUND SECTION CORNER AS NOTED
- FOUND 1/4 CORNER AS NOTED
- CENTER 1/4 CORNER AS NOTED
- 1/16 CORNER AS NOTED
- FOUND 1/16 CORNER OF W&N MONUMENT
- SET 5/8 INCH BY 24 INCH REBAR W/2 INCH
ALUMINUM CAP ON LINE PER CLIENTS
REMARKS NOTED AS WITNESS CORNER AS
NOTED
- SET 5/8 INCH BY 24 INCH REBAR W/2 INCH
ALUMINUM CAP ON LINE PER CLIENTS
REMARKS NOTED AS WITNESS CORNER AS
NOTED
- FOUND 5/8 INCH REBAR W/2 INCH
ALUMINUM CAP STAMPED LS 9169
- SURVEYED EXTERIOR BOUNDARY LINE
- 200' WIDE RAILROAD R.O.W. LINE
- EXISTING SECTION LINE
- EXISTING FENCE LINE

- (S1-) DISTANCE AND BEARING PER RECORD OF
SURVEY INST. NO. 179083
- (S2-) DISTANCE AND BEARING PER RECORD OF
SURVEY INST. NO. 179079
- (S3-) DISTANCE AND BEARING PER RECORD OF
SURVEY INST. NO. 200050
- (R1-) RAILROAD STATIONING, SPIRAL CURVE
DATA, AND DISTANCES PER OREGON SHORT
LINE RAILROAD ALIGNMENT MAP
DRAWING NO. 1585N, FILE NO. 5-A

SEE SHEET 1 OF 3



THE RANCH LITIGATION
INST. NO. 179083

THE RANCH LITIGATION
INST. NO. 179083

SOUTHWEST CORNER OF SECTION 20,
FOUND 5/8 INCH REBAR WITH 2 INCH
ALUMINUM CAP STAMPED LS 9169
2000, SEE CORNER PERMANENT
INST. NO. 179083 & 100712



RECORD OF SURVEY FOR
NU-WEST INDUSTRIES, INC.
A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 19, 20, AND 29,
TOWNSHIP 9 SOUTH, RANGE 12 EAST, B.M., CARBON COUNTY, IDAHO



NOTARIZED BY: PHILIP L. BAKER
DATE: 10/15/2020
DRAWING LOCATION: 2000/Gunnell/C&N/Summit/Inst. No. 1585N
DATE OF FIELD WORK: 10/15/2020
DATE OF OFFICE WORK: 10/15/2020
DRAWING NO. 1585N

SEE SHEET 3 OF 3

Nu-West Industries, Inc.

OCT 18 2023

Remember that only the first four de minimis stockwater claims require the \$25 fee.

Claim ID	\$ for Claim
11-7479	\$93.00
11-7480	\$76.00
11-XXXX (BU - Stockwater on Ledger Creek)	\$25.00
11-YYYY (BU - Stockwater from Unnamed Stream)	\$25.00
0	\$0.00
Total	\$219.00

Claimant:
Claim ID:

Nu-West Industries, Inc.
11-7480

Instructions for Form No. 42-1409-1

Revised January 30, 2023

	Rate/Unit	Unit	# Units	\$ Amount
<i>De Minimis</i>				
Non-De Minimis			1	\$50.00
Irrigation	\$25 Claim			
Power Generation	\$50 Claim			
	\$1 Acre			
	\$3.50 KW of Capacity			
Aquaculture	\$10 cfs			
Municipal, industrial, commercial, mining, heating, cooling	\$100 cfs			
Public instream flow, public lake level maintenance, wildlife	\$100 cfs	0.26		\$26.00
Fire protection	\$0 cfs			
Groundwater recharge	\$0 cfs or afa			
Total				<u>\$76.00</u>

Duplicate this worksheet once
for each claim.

Storage Volume 184.80 afa
Daily AF (afa/365) 0.51 af/day
AF/day div. 1.9835 0.26 cfs

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than 13,000 gallons per day in total \$25.00
100 acres irrigation, domestic and stockwater as above . . . \$150.00
Fish propagation, 4.2 cfs \$92.00
Multiple family domestic, 1.6 cfs, irrigation of yards and gardens, 14 acres \$224.00

TABLE 3. VARIABLE FEE SCHEDULE

Irrigation	\$1.00 per acre	Each acre is charged only once.
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less.
Aquaculture	\$10.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	

Exceptions: No variable fee is charged for fire protection or ground water recharge.

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OCT 18 2023

DWR/Preston