

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02257
Date Received: 9/28/1989
Receipt No: E010856
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUGENE W. GRANT 208-232-2004
Address: 737 W. WHITMAN
POCATELLO, ID 83201

OR

Name: A. ELAINE GRANT KILGORE 208-232-2004
Address: 737 W. WHITMAN
POCATELLO, ID 83201

2. Date of Priority: AUG 04, 1942

3. Source: MINK CREEK, EAST FORK Trib. to: MINK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	35E	8		NE	SW		BANNOCK

5. Description of diverting works:
HEADGATE, OPEN DITCH .

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.070		

7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02257

Page 1

Date: 09/28/89

MICROFILMED

NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	35E	8	NE SW		IRR	4.0
Section Acres						4.0
Total Acres						4.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR. = 3.5.

15. Basis of Claim: LICENSE
Water Right Number: 19340

16. 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 Snake 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

For Individuals:

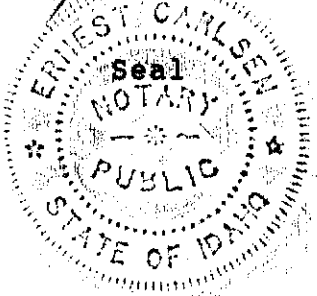
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): A Elaine Grant Kelgore Date: 9-28-89

Date: _____

State of Idaho)
County of Bonner) SS.

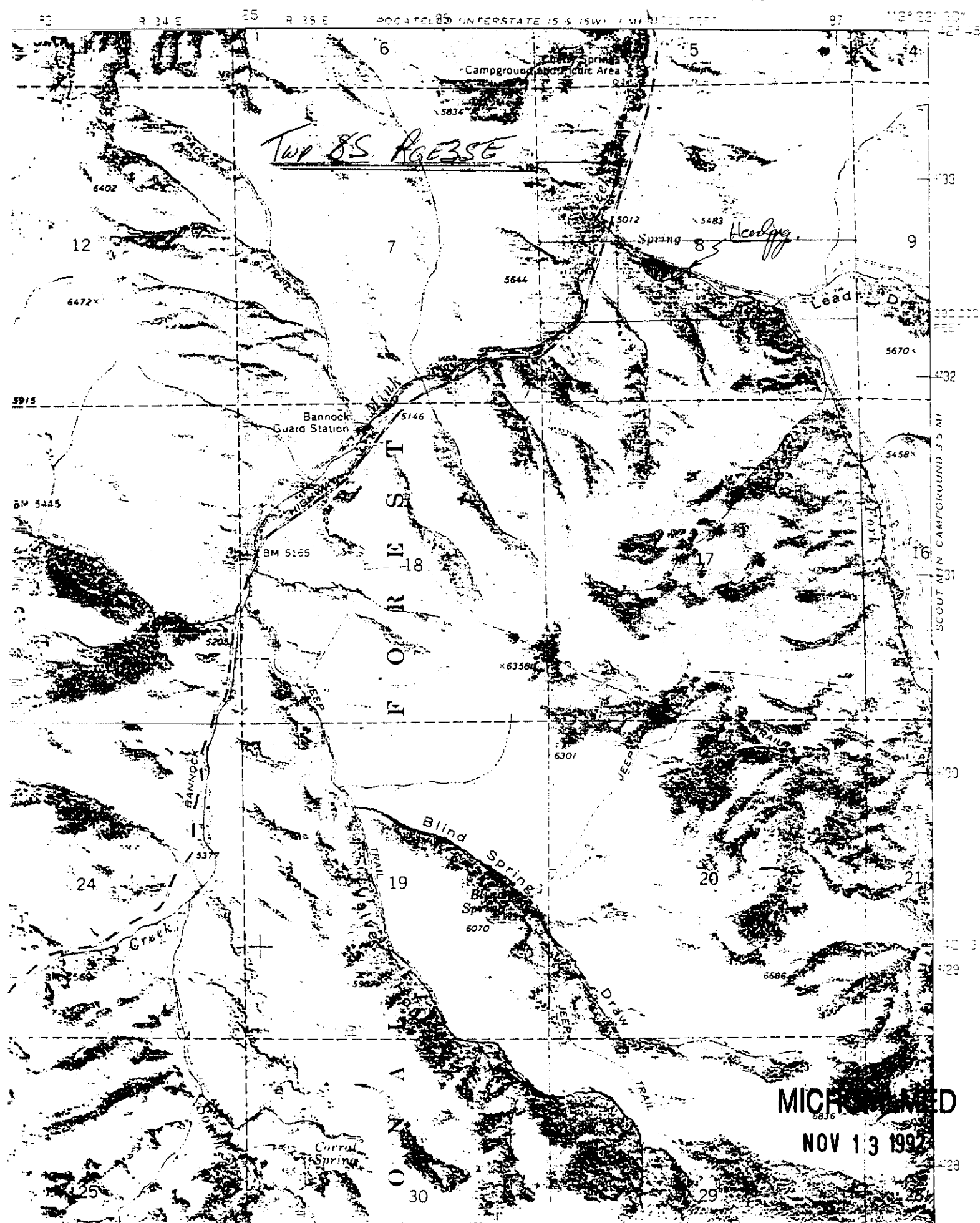
Subscribed and sworn (or affirmed) before me this 28 day
of Sept 19 89 Ernest Carlson
Notary Public



Residing at Stelo Falls, ID
My Commission Expires 6-14-1994

R34E R35E

CLIFTON CREEK ORTHOPHOTOQUAD
IDAHO



MICROFILMED

NOV 13 1992

Log for claim A29-02257

Spatial Dynamics BTD

8/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s35e	8	NESW	4	4.2	
Totals:			4	4.2	

AJ5809NP
No. A29-02257

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 131

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=====
OWNER                                PRIORITY          USE PERIOD          DIVERSION          DIVERSION
CODE      NAME & ADDRESS             DATE             WATER USE          FROM    TO          RATE          VOLUME
-----
C  EUGENE W GRANT                    08/04/1942      IRRIGATION          03-15  11-15      0.070 CFS
C  A ELAINE GRANT KILGORE
   737 W WHITMAN
   POCATELLO ID 83201
   (208) 232-2004

                                     TOTAL DIVERSION:    0.070 CFS
                                     CONSUMPTIVE USE:    10.00 AFA
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Water Source: MINK CREEK, EAST FORK

Tributary to: MINK CREEK

Stage: LICENSE

Point(s) of Diversion: T08S R35E S08

NESW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	---	
08S	35E	8	:															:	4.0	
																			TOTAL ACRES	4.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-11060 A29-02323 A29-02327 A29-04442 A29-10060 A29-11060

Other Water Rights Listing Overlapping Place(s) of Use:

A29-02327 A29-04442 A29-10060

Remarks: GEN AC. IRR. = 3.5.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29C

Field Inspection Flag:

Presumption Flag:

Audit: 09/28/89 CARLSEN 06/02/94 COX 03/29/95 POST-STD

License and Certificate of Water Right

Water License No. 19340
 Water District No.

Amount .07 second foot
 Priority August 4, 1942

THIS IS TO CERTIFY that LOUIS A. LEHRBAS
 of Pocatello, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated August 4, 1942; that Permit No. 19340
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.1 second feet, was issued thereunder on September 30, 1942, showing that said works
 were completed on the 28th day of September, 1942; and that on the 5th
 day of November, 1942,

LOUIS A. LEHRBAS

of Pocatello, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of East Fork of
 Mink Creek, a tributary of Mink Creek, for the purpose of irrigation
 under Use Permit No. 19340 of the Commissioner of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the State Reclamation Engineer
 of Licenses, at page 4191, on the 29th day of January, 1944;
 The right hereby confirmed dates from August 4, 1942;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ Sec. 8, Tp. 8 S., R. 35 E., B. M. Bannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .07
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 S.	35 E.	8	SW $\frac{1}{4}$	3 $\frac{1}{2}$	3 $\frac{1}{2}$

P/D & P/U determined
 by review of
 the field exams.
 kw
 3-7-85

use of the water aforesaid hereby confirmed is restricted to the lands or place of use
 provided by the laws of Idaho.

..... the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 29th day of January, 1944

(SEAL)

JAMES SPOFFORD

Commissioner of Reclamation,
 State Reclamation Engineer

27-2257

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26834
Permit No. 19340
District No.

1. Name of Applicant: LOUIS A. LEHRBOS
Postoffice address: Pocatello P.O. 1344 County: Bannock State: Idaho
- I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:
- II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:
2. Quantity of water claimed: 0.1 cubic feet per second.
3. Source of water supply: East Fork of Mink Creek which is a tributary of Mink Creek
4. Location of point of diversion: feet distant from the
corner of Section 8, T. 8 S., R. 35 E., B. M., and is the SW¹₄
of Section 8, T. 8 S., R. 35 E., B. M., County of Bannock
5. Water is to be used for: Irrigation
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T., R., B. M., in the of Section, T., R., B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section, T., R., B. M., in the
of Section, T., R., B. M.
7. Estimated cost of works: \$ 40.00
8. Kind of works: Ditch 1600 feet long.
9. Height of dam 4 feet; length of dam at top 8 feet; length of dam at bottom 8
feet; material used in dam: Rock and Dirt
10. Size of headgate: Width 12" feet; height 12" feet
11. Ditch: Width at bottom 8" feet; width at water line 15" feet; depth of water 4"
feet; dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is Completed ~~years~~.
13. The time required for the complete application of the water to the proposed use is None additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8	35	8													3½				
PERMIT NO. 19340 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that LOUIS A. LEHRBOS, of Pocatello, County of Bannock, and State of Idaho, the No. 19340, issued upon Application No. 26834 bearing date of priority of August 4, 1942, authorizing the second feet of the waters of East Fork of Mink Creek, County of Bannock State of Idaho for Irrigation purposes, complied with the provisions of the laws of the State of Idaho relating to proof of completion of the work set out and described in said Permit; that said works are adequate for diverting and conveying to the place of second feet of the waters East Fork of Mink Creek that the point of diversion of said waters is in the SW¼, S. Range 35 E. B. M. and that the lands proposed to be irrigated by the use of said water are described as Fr. SE¼, SW¼, Section 8, Township 8 S. Range 35 E. B. M. Approximately 3½ acres. Witness my hand this 30th, day of September, A. D. 1942. Completion of Works proof made, September 28, 1942 Certificate of Completion of Works issued Sept. 30, 1942 E. V. Berg Commissioner of Reclamation																			
INDEXED, ISSUED FOR, 07--SEC. FT. P. 4191																			

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19340

This proof is for Beneficial Use.

In Water District No. _____

1. Name of applicant Louis A. Lehrbas 222 West Gould St, Pocatello, Idaho.
2. Source of water supply: East Fk. Mink Creek
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ of Section 8
T. 8.S R. 35.E. County of Bannock
4. Describe works as they exist, giving dimensions and capacities of same: Check Dam of rocks and earth 10ft. long X 6ft. high; Wing Dam of logs and earth 40ft. long X 2ft. high. Ditch-head Flume 12" X 12" X 14ft. long; Ditch 1ft. deep X 1ft. wide.
5. Water is used for: Irrigation.
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): 3 $\frac{1}{2}$ Acres in the SW $\frac{1}{4}$ Sec. 8. Twp. 8.S. R. 35 E.

(Submit map on attached plat, showing location and details of above description.

8. What large stream would the water here appropriated finally reach? Snake River via Portneuf.
- Remarks: Alfalfa and Garden crops.

This examination was made on the 8th. day of June, 1943.

(Signed)

Frederick A. Tolman

Examiner.

Permit No. 193 40

Examination for Beneficial Use

County Bannock,

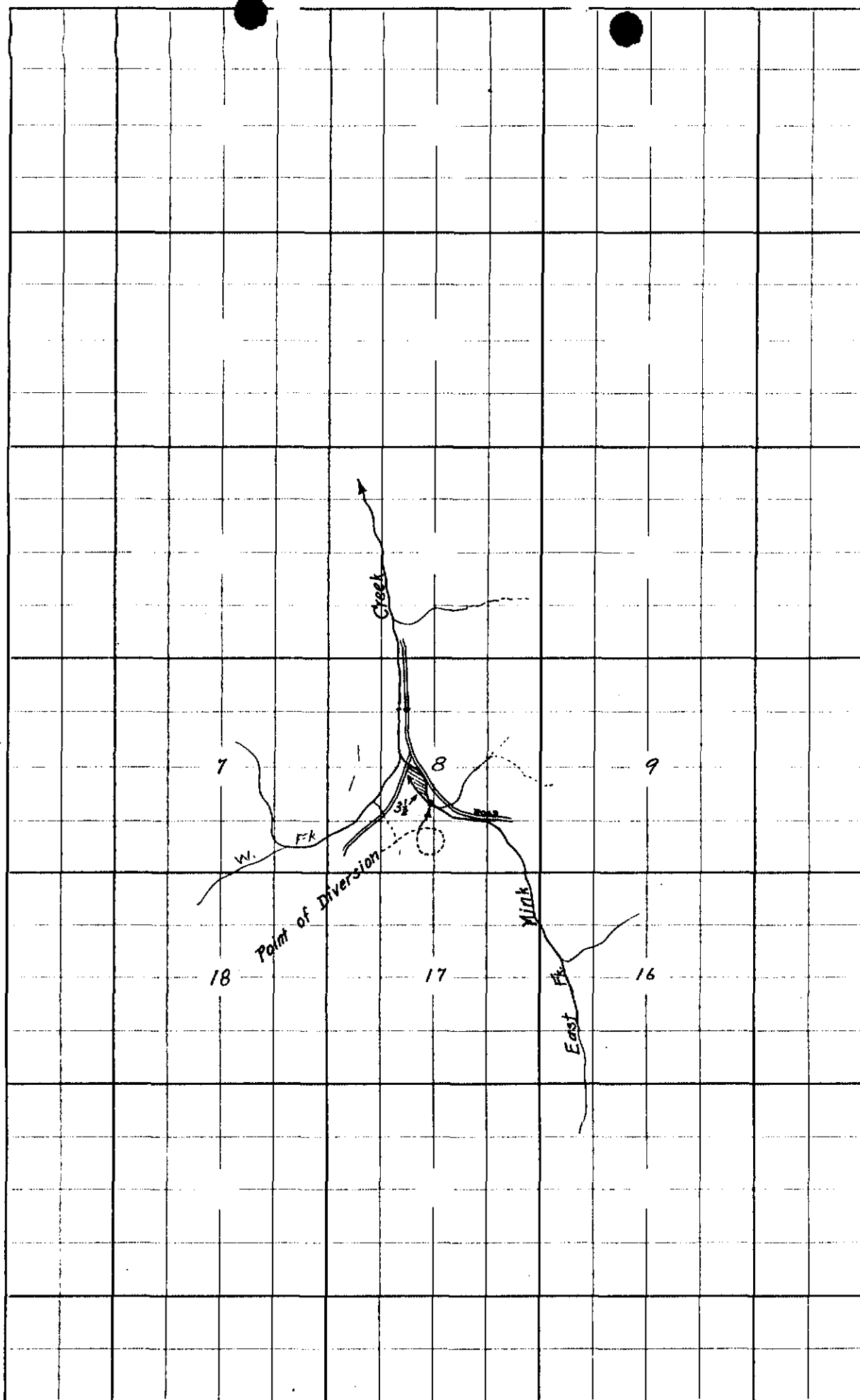
Louis A. Lehrbas,

222 West Gould St.

Pocatello, Idaho.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
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SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

19340

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19340

REPORT ON PROOF OF Beneficial Use,

*W. H.
COY. & S.
1934.*