

5252 X

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: A29-02316
Date Received: 1/30/90
Receipt No: E011892
Received By: _____

JAN 30 1990

Department of Water Resources
Eastern District Office

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

1. Name: GERTRUDE STEPHENS 208-232-8079
Address: 46 CHASE
POCATELLO, ID 83201

2. Date of Priority: APR 30, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	39E	6	NW	SW	SE		CARIBOU

5. Description of diverting works:
WELL, 75HP PUMP, HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 505.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	38E	1	NE	NE	1	IRR	8.0
			NW	NE	2	IRR	34.0
			SW	NE		IRR	30.0
			SE	NE	5	IRR	34.0

A29-02316

Page 1

Date: 01/23/90

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NOV 13 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	38E	1	NE	SE	6	IRR	10.0
						Section Acres	116.0
	39E	6	NE	SW	5	IRR	6.0
			SE	SW	6	IRR	10.0
			NW	SE		IRR	10.0
			SW	SE		IRR	40.0
			SE	SE		IRR	20.0
						Section Acres	86.0
						Total Acres	202.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.=202.16.

15. Basis of Claim: LICENSE
Water Right Number: 22756

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 _____ 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): Gertrude C. Stephens Date: 1-29-90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29 day

of Jan 19 90

Harlene Proctor
Notary Public

Seal

Residing at Key Bank Id.
My Commission Expires 3/21/92

A29-02316

38E | 39E



SS

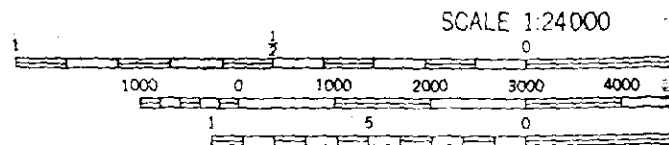
NOV 13 1992

MICROFILMED

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken September 18, 1974

Projection and 10,000-foot grid ticks, Idaho coordinate
system, east zone (transverse Mercator)
1,000-metre Universal Transverse Mercator grid ticks,
American datum



NORTH

Log for claim A29-02316

Spatial Dynamics LTD

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s38e	1	NENE	8	3.4	
08s38e	1	NWNE	34	29	
08s38e	1	SWNE	30	24	
08s38e	1	SENE	34	31	
08s38e	1	NESE	10	12	
08s39e	6	NESW	6	8.9	
08s39e	6	SESW	10	19	
08s39e	6	NWSE	10	5.1	
08s39e	6	SWSE	40	38	
08s39e	6	SESE	20	18	
Totals:			202	188.4	

State of Idaho

License and Certificate of Water Right

Water License No. G-22756

Amount 2.0 c.f.s.

Water District No. _____

Priority April 30, 1952

THIS IS TO CERTIFY that ELLWOOD J. STEPHENS
of Bancroft, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 30, 19 52; that Permit No. G-22756
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on November 12, 19 57, showing that said works
were completed on the 28th day of March, 19 57; and that on the 28th
day of March, 19 57, ELLWOOD J. STEPHENS

of Bancroft, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-22756 of the Department 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 Idaho and entered of record in Volume
10 of Licenses at page 6187, on the 12th day of November, 19 57;
The right hereby confirmed dates from April 30, 19 52;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 6, Tp. 8 S., R. 39 E., B. M. County Caribou

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 2.0 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.	39 E.	6	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	10
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
			Lot 5	--	6
	38 E.	1	Lot 6	--	10
			Lot 1	--	8
			Lot 5	--	34.03
			Lot 6	--	34.13
			Lot 2	--	10
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	--	30
			Total number of acres irrigated		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
12th day of November, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30502
Permit No. G- 22756
District No.

1. Name of Applicant: ELLWOOD J. STEPHENS
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 5.48 or Idaho
Miners' inches 274 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6
Twp. 8 S. , Rge. 39 E. , B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased, pump and motor.
8. Estimated cost of works: \$ 10,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five (5) years.
11. If applicant is a corporation, give:
 - I. (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:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 42 shares of Last Chance Canal stock
 - (a) 5.48 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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 S.	39 E.	6																200	
		7																40	
8 S.	38 E.	1																34	
Total Number of Acres to be Irrigated - - 274																			
Application for Amendment To Permit to Appropriate the Public Waters of the State of Idaho, No. G-22756																			
Comes now ELLWOOD J. STEPHENS, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. G-22756, and request that the list of lands to be irrigated, as described in said permit, be changed to read as follows: The location of the well is 400 feet South, 160 feet East from the NW Corner of the S½SE¼, of Section 6, Township 8 S., Range 39 E. The location of the land to be irrigated: S½SE¼, N½SE¼, Lots 5 and 6, of Section 6, Township 8 S., Range 39 E; also S½NE¼, Lots 1, 2, 5, and 6, of Section 1, Township 8 S. Range 38 E., making a total of 200 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.																			
Signed at Soda Springs, Idaho this 5th day of December, 1956.																			
Francis J. Rasmussen /s/ Agent for Applicant, Ellwood J. Stephens																			
Date of receipt at office of Department of Reclamation December 6, 1956.																			
APPROVAL OF STATE RECLAMATION ENGINEER (continued on next page G-22756)																			

APPROVAL OF STATE RECLAMATION ENGINEER

(Continued from P. G-22756)

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-22756. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Received and filed for record in the Department of Reclamation at Boise, Idaho, December 6, 1956.

Mark R. Kulp /s/
State Reclamation Engineer

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Permit No. G-22756

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ELLWOOD J. STEPHENS of Bancroft, County of Caribou, and State of Idaho, the holder of Permit No. G-22756, issued upon Application No. G-30502 bearing date of priority of April 30, 1952, authorizing the diversion of 5.48 second feet of the waters of subterranean flow from a well County of Caribou, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.0 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 8 South, Range 39 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 202 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 5 and 6, Township 8 South, Range 39 East, B.M., Lots 1, 2, 5 and 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 8 South, Range 38 East, B.M. Proof of Completion of Works made: March 28, 1957

Witness my hand this 12th day of November, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: March 28, 1957

Certificate of Completion of Works issued: November 12, 1957.

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Page - 6187

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. Q-22756

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Elwood J. Stephens,

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the NW corner of S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6

T. 8 S. R. 39 E. B.M. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same: Drilled Well

Pump: Layne & Bowler #29572

Motor: H.S. 1025362 - TP 75

Motor: Westinghouse #27093998 - Demand 75 KW (According to Raoul Wistisen)

Sprinkler system: Main: 1 1/2 Miles 10" - 8" + 6" - 118' Sprinkler heads - 1/4" - 3/32"

Nozzles

5. Water is used for: Irrigation and stock watering and culinary

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 other than irrigation):

S $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 5 and 6, of Sec. 6., Twp. 8 S., Rge. 39 E., B.M.

SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 1, 2, 5, and 6 of Sec. 1., Twp. 8 S., Rge. 38 E., B.M.

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

8. What large stream would the water here appropriated finally reach?

Remarks: Owner has given up farming and leased his farm to Raoul Wistisen an adjoining farmer. Mr Wistisen was present during engineer's examination. The land and crop were in good condition. The irrigation season had terminated + the switch was pulled on the pump. The cost of starting the pump for this examination according to Mr. Wistisen would have been \$75.00

This examination was made on the 19th day of August, 1957

(Signed)

James M. Marx

Examiner.

22756

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 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.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 3 0 1957

Department of Reclamation

Elwood J. Stephens
Bancroft, Idaho
1147 N Hwy 1 - Tel 6655
Permit No. G-22756

Road - Wistisen (Lousis)

Examination for Completion of Works & Beneficial Use

County Caribon

6-82-39E

Q = 5.48 cfs

S = Well

P.D. = NW corner of S2SE1/4, Sec. 6
T. 82 - R. 32E

Use = Irrigation

Filed = April 30, 1952

Done = May 6, 1957

Shut down for reason
switches pulled
Aug. 20, 57
J.C.M.

Well depth

Meter U.S. #1025322 P. 75

0.00
0.01 4.00
15.00 P.E.M.

8" pipe

Pump Lynet Bowler #29512

Meter Westinghouse #27093998

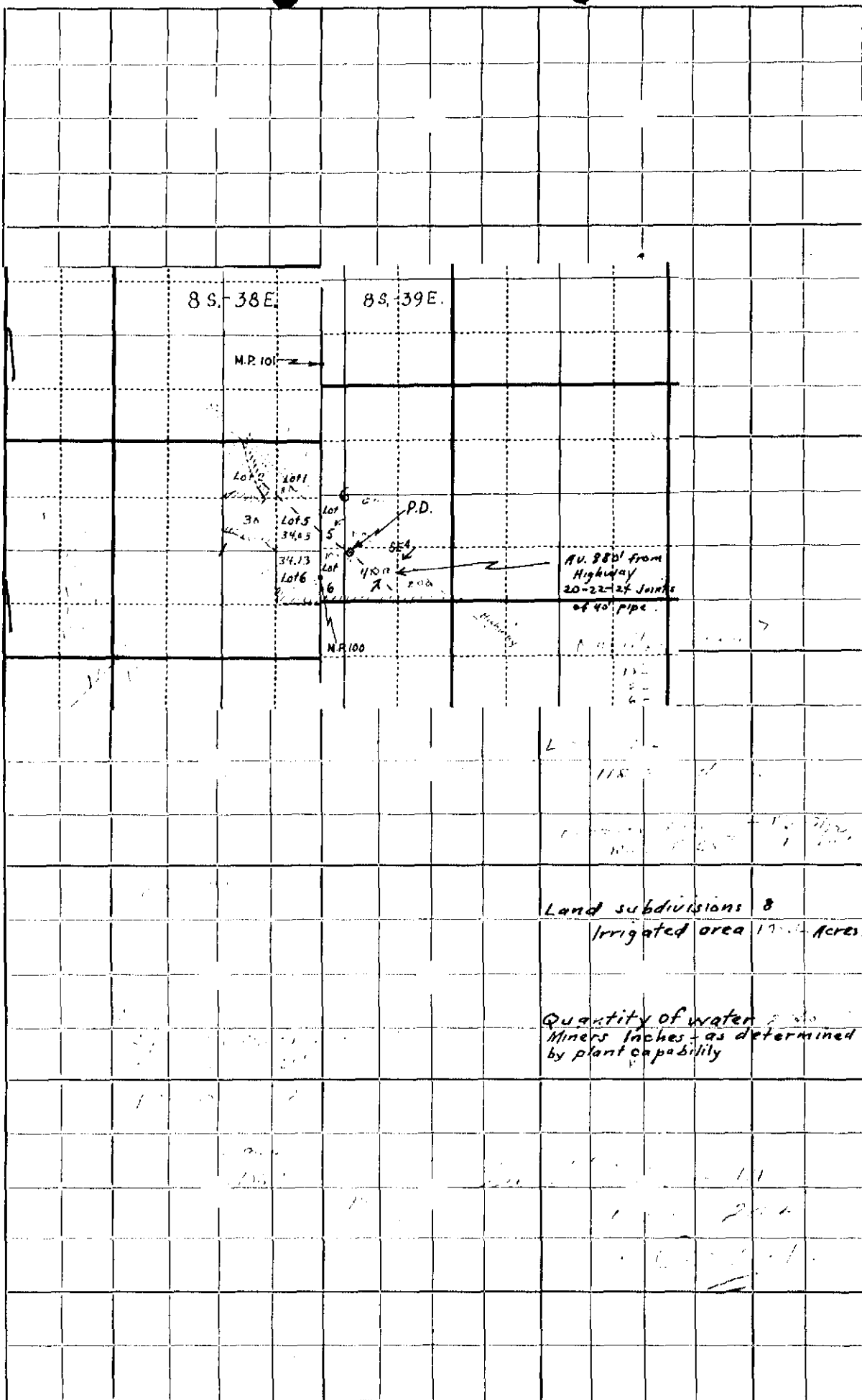
0.50 P.E.M.

KH = 26.3

KH input 75.0

sprinkler line
8"

Kennedy gate valve



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

2756

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

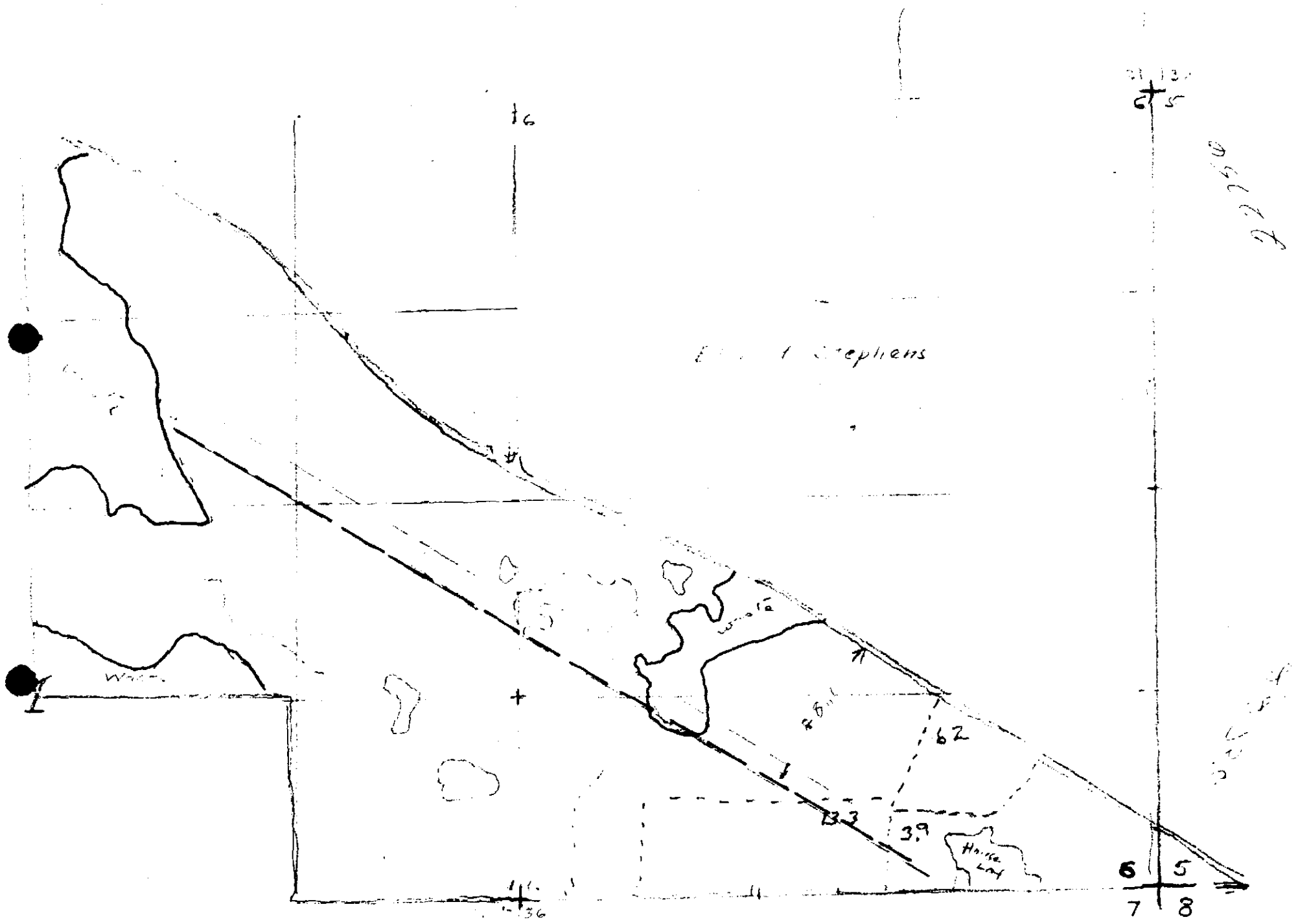
PERMIT NO. G-22756

REPORT ON PROOF OF Completion of Works & Beneficial Use

Elwood J. Stephens, Bancroft, Idaho

all 5.4.
10
5.2.

2001
new



IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

01/23/90 13:54:19
Page 1

Water Right Number - 29-02316

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 22756

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STEPHENS

ELLWOOD J.

1 -
2 -
3 -

City- BANCROFT
Phone -

State- ID Zip- 83217

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/30/1952 15 L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
08S 39E 6 SW SE (29) CARIBOU

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	38E	1	NE NE	1	8.0	01	IRRIGATION	(29) CARIBOU
08S	38E	1	NW NE	2	10.0	01	IRRIGATION	(29) CARIBOU
08S	38E	1	SW NE		30.0	01	IRRIGATION	(29) CARIBOU
08S	38E	1	SE NE	5	34.0	01	IRRIGATION	(29) CARIBOU
08S	38E	1	NE SE	6	34.0	01	IRRIGATION	(29) CARIBOU
08S	39E	6	NE SW	5	6.0	01	IRRIGATION	(29) CARIBOU
08S	39E	6	SE SW	6	10.0	01	IRRIGATION	(29) CARIBOU
08S	39E	6	NW SE		10.0	01	IRRIGATION	(29) CARIBOU
08S	39E	6	SW SE		40.0	01	IRRIGATION	(29) CARIBOU
08S	39E	6	SE SE		20.0	01	IRRIGATION	(29) CARIBOU

Total Acres: 202.0

+ Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 29-02316 Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - -
AC. IRR.=202.16.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/26/85 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/14/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				