

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: A29-02323
Date Received: 9/28/1989
Receipt No: E010856
Received By: EWC

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
Address: 737 W. WHITMAN
POCATELLO, ID 83201

2. Date of Priority: OCT 06, 1952

3. Source: SPRING Trib. to: MINK CREEK, EAST FC

4. Point of Diversion:

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

5. Description of diverting works:
PIPELINE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
DOMESTIC	01/01	12/31	0.020		

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

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

9. Non-irrigation uses:
D/ ONE HOME.

A29-02323

Page 1

Date: 09/28/89

MICROFILMED
NOV 13 1992

A2902323



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	35E	8	SW	NW		IRR	1.0
			NW	SW		IRR	3.0
					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:

15. Basis of Claim: LICENSE
Water Right Number: 23140

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:

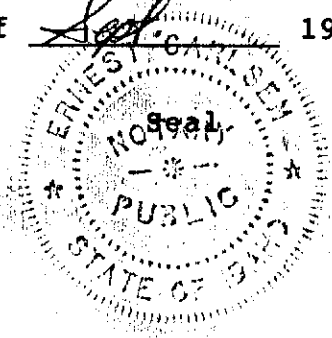
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

Date: _____

State of Idaho)
County of Bonneville) SS.

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



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

Log for claim A29-02323

Spatial Dynamics BTD

8/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s35e	8	SWNW	1	1.1	
08s35e	8	NWSW	3	3.8	
Totals:			4	4.9	

AJ5809NP
No. A29-02323

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 136

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=====
OWNER                                     PRIORITY      USE PERIOD      DIVERSION      DIVERSION
CODE      NAME & ADDRESS                 DATE          WATER USE      FROM   TO        RATE        VOLUME
-----
C  EUGENE W GRANT                        10/06/1952    IRRIGATION      03-15  11-15      0.040 CFS
    737 W WHITMAN                        DOMESTIC       01-01  12-31      0.020 CFS
    POCATELLO ID 83201
    (208) 232-2004
                                     TOTAL DIVERSION: 0.040 CFS
                                     CONSUMPTIVE USE: 10.00 AFA

C  A ELAINE GRANT KILGORE
    737 W WHITMAN
    POCATELLO ID 83201
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Water Source: SPRING

Tributary to: MINK CREEK, EAST FORK

Stage: LICENSE

Point(s) of Diversion: T08S R35E S08

NWNESW

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

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BANNOCK

Non-Irrigation Uses: D/ ONE HOME.

Other Rights: NONE

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

29-11060 A29-02257 A29-02327 A29-04442 A29-11060

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 09/28/89 CARLSEN 06/16/94 COX 03/29/95 POST-STD

State of Idaho

License and Certificate of Water Right

Water License No. 23140

Amount 0.04 second foot

Water District No.

Priority October 6, 1952

THIS IS TO CERTIFY that BISMARCK M. LEHRBAS
 of Pocatello, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated October 6, 1952; that Permit No. 23140
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.04 second foot, was issued thereunder on July 15, 1954, showing that said works
 were completed on the 1st day of August, 1953; and that on the 1st
 day of August, 1953,

BISMARCK M. LEHRBAS

of Pocatello, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
 spring, a tributary of East fork Mink Creek, for the purpose of irrigation and
 domestic use under Use Permit No. 23140 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

9 of Licenses at page 5298, on the 15th day of July, 1954;

The right hereby confirmed dates from October 6, 1952;

The Point of Diversion is located

in the NE 1/4 SW 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 0.04 cubic foot per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
B S.	35 E.	8	SW 1/4 NW 1/4 NW 1/4 SW 1/4	1 1	1 3
			Number of Acres Actually Irrigated	-	4

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

15th day of July, 1954.

MARK R. KILP

State Reclamation Engineer.

(SEAL)

29-2323 23140

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 30917
PERMIT No. 23140
DISTRICT No.

L. A. Lehrbas
P.O. Box 1444
Pocatello, Idaho

1. Name of Applicant: **BISMARCK M. LEHRBAS**

Postoffice address: **Pocatello**

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:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **Two inches or 0.04**

cubic feet per second.

3. Source of water supply: **Un-named spring**

which is a tributary of **East fork of Mink Creek**

4. Location of point of diversion: **970 feet West**

feet distant from the center

corner of Section 8, T. 8 S., R. 35 E., B.M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 8, T. 8 S., R. 35 E., B.M., County of Bannock

5. Water is to be used for **Irrigation and domestic purposes. (10 gallons daily for domestic purposes-
Balance 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: \$ **250.00**

8. Kind of works: **Digging ditch, buying and laying pipe.**

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom

feet; width at water line

feet; depth of water

feet;

dimensions of flume:

Diameter of pipe 2

inches; length of conduit 700 ft.

miles.

Average grade per mile

feet.

Irrigation starts 1953

12. The time required for the completion of such work is **2 days after /** years.

13. The time required for the complete application of the water to the proposed use is **2 days**

additional years.

14. The land to be irrigated is described in the following tabulation: **See remarks.**

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

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

By L. A. Lehrbas Agent.

Corrected application received: October 15, 1952

MARK R. KULP
State Reclamation Engineer.

Governor.

REMARKS: I am using a two inch pipe at the intake, then I have reduced the pipe to $1\frac{1}{2}$ inches to get more pressure. There is 400 ft. of the above pipe. The other 300 feet I will reduce to $3/4$ inch and lay on the top of the ground. The first 400 feet is buried. All waste water will go back into the East fork of Mink Creek, 400 feet West of the spring the $1\frac{1}{2}$ inch pipe will be reduced to a one inch pipe 400 ft. from the spring. 1 lateral pipe $3/4$ inch will tap the $1\frac{1}{2}$ inch pipe 370 ft. from the spring and the other $3/4$ inch pipe will tap the 1 inch pipe 420 ft. from the spring. The spring empties into the East fork of Mink Creek.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
8 S.	35 E.	8		1	1		2
			Permit No. 23140 CERTIFICATE OF COMPLETION OF WORKS				
TO ALL WHOM IT MAY CONCERN:							
This is to certify that BISMARCK M. LEHRBAS of Pocatello, County of Bannock, and State of Idaho, the holder of 23140 issued upon Application No. 30917 bearing date of priority of October 6, 1952, authorizing the diversion of foot of the waters of an un-named spring, tributary to the east fork of Mink Creek, County of Bannock, State of Idaho for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting to the place of intended use 0.04 second foot of the waters of said spring; that the point of diversion is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B. M. and that the lands proposed to be irrigated by said water are described as follows, to-wit: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 8 South, Range 35 East, B. M.							
Witness my hand this 15th day of July, A. D. 1954.							
			MARK R. KUIP State Reclamation Engineer				
Proof of Completion of Works made August 1, 1953 Certificate of Completion of Works issued July 15, 1954.							
LICENSE ISSUED FOR 0.04 SEC. FT. Pg. 5198							

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 23140

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

1. Name of applicant Bismarck M. Lehrbas, Box 1441, Pocatello, Idaho (L.A. Lehrbas, Agent)
2. Source of water supply: An un-named spring, tributary to East Fork Mink Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ 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:

5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion:

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):

SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Twp. 8 South, Range 35 East, 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:

This examination was made on the 24 day of June, 1934(Signed) E. M. Humphrey (Examiner)

23140

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.

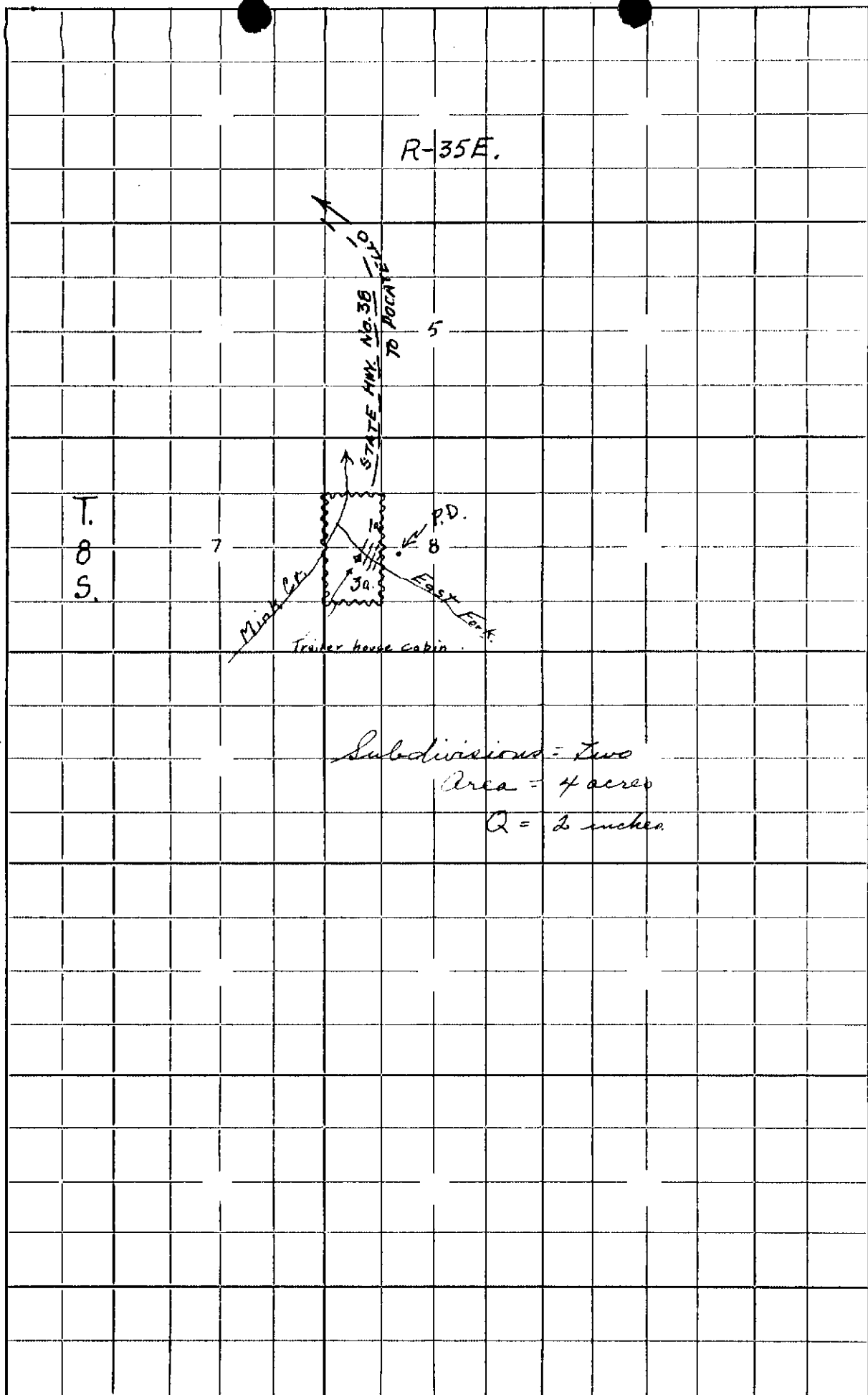
Bismarck M. Lehrbas
Box 11114, Pocatello, Idaho
Permit No. 23110

Examination for Completion of Works and
Beneficial Use
County Bannock

11-11-11
2-2-11
390x14
12-1-11
H. J. ...
tr. 177-11

0.04
H. J. ...
A. E. ...

11-11-11
11-11-11



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 23140

REPORT ON PROOF OF Completion of Works and Beneficial Use

BISMARCK M. LEHRBAS, Box 1444, Pocatello, Idaho

OK efs
MNR...

2 1/2" x 2"

1/2" x 1/2"
2.00"