

#178

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: A29-02374
Date Received: 1/18/1990
Receipt No: E011778
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAN SMITH 208-648-7330
Address: WOOD RD.
BANCROFT, ID 83217

2. Date of Priority: FEB 15, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	39E	19	SW	SE	SE		CARIBOU

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.240		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	39E	19	SW	SE		IRR	20.0
			SE	SE		IRR	28.0

Section Acres 48.0

A2902374



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	39E	30	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
						Section Acres	80.0
						Total Acres	128.0

11. Place of use in counties: CARIBOU

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

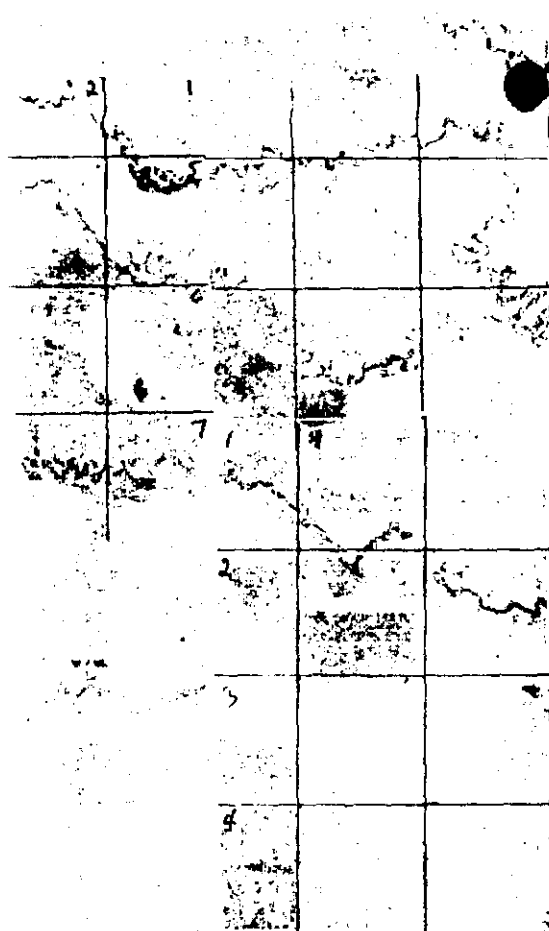
13. Other Water Rights Used:

14. Remarks:

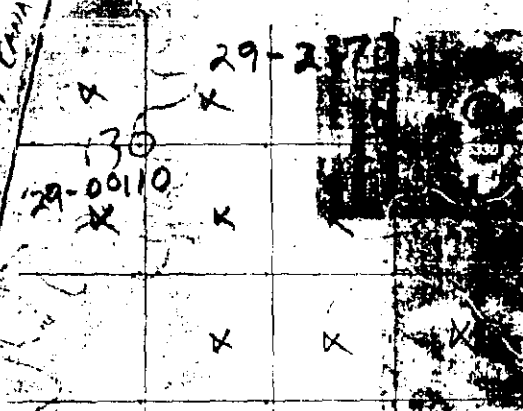
15. Basis of Claim: LICENSE
Water Right Number: 26192

(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.

MICROFILMED
NOV 13 1992



	X	X	X	-
	X	X	X	
	X	40	40	-
	X	X	X	
	X	X	X	-2



20	28
40	40

MICROFILMED
NOV 13 1992

Log for claim A29-02374

Spatial Dynamics LTD

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s39e	19	SWSE	20	17	
07s39e	19	SESE	28	28	
07s39e	30	NENE	40	40	
07s39e	30	NWNE	40	38	
Totals:			128	123	

AJ5809NP
No. A29-02374

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 61

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEAN SMITH WOOD RD BANCROFT ID 83217 (208) 648-7330	02/15/1956	IRRIGATION	04-01 11-01	1.240 CFS	
					TOTAL DIVERSION:	1.240 CFS
					CONSUMPTIVE USE:	320.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R39E S19 SWESE

CARIBOU 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	Lt	Ac	:	SUM
07S	39E	19	:																	:	48.0
07S	39E	30	:	40		40														:	80.0
																				TOTAL ACRES	128.0

POU County: CARIBOU

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	01/18/90 OLENICHA	06/23/94 COX	03/29/95 POST-STD

State of Idaho License and Certificate of Water Right

Water License No. G-26192

Amount 1.24 c.f.s.

Water District No.

Priority Feb. 15, 1956

THIS IS TO CERTIFY that

WILFORD W. LUNDBERG

of Bancroft, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 15, 1956; that Permit No. G-26192 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.24 second feet, was issued thereunder on November 18, 1959, showing that said works were completed on the 6 day of February, 1959; and that on the 6 day of February, 1959,

WILFORD W. LUNDBERG

of Logan, State of Utah, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well and domestic use, a tributary of subterranean flow, for the purpose of irrigation, stock water, under Use Permit No. G-26192 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

11 of Licenses at page 6825, on the 18 day of November, 1959;

The right hereby confirmed dates from February 15, 1956;

The Point of Diversion is located

in the NE 1/4, NE 1/4, Sec. 30, Tp. 7 S., R. 39 E., B. M. Caribou 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 1.24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	39 E.	19	SE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SW 1/4	15	15
		30	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	15	15
			Total number of acres to be irrigated:		190

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, affirmed at Boise, Idaho, this

18 day of November, 1959.

s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

20 2374

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34079
Permit No. G- 26192
District No.

Wilford W. Lundberg
119 West 3 North
Logan, Utah

1. Name of Applicant: WILFORD W. LUNDBERG
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed: Four cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. or Idaho
Miners' inches 200 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground (Well)
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30
Twp. 7 S. , Rge. 39 E. , B.M., County of Caribou
5. Water is to be used for: Irrigation, Livestock and Domestic Use
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: Pump and Sprinkling System
8. Estimated cost of works: \$ 7500.00
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 three 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 onhand: \$
(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: None
 - (a) (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.

Remarks:

WILFORD W. LUNDBERG - 70 Bar Ranch *Applicant.*

By

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-26192

Recorded in Book 92 Page 26192 Approved Feb. 17, 1956

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before April 17, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 17, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February

Witness my hand this 17th day of February, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th
day of February, 19 56

Countersigned:

STATE OF IDAHO

(SEAL)

By PAULA L. FLEENOR
Acting Secretary of State.

By ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼		NW¼		SW¼		SE¼		Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	39 E	30	40	40							80
7 S	39 E	30			15						15
7 S	39 E	19								40 40	80
7 S	39 E	19					15				15
Total Number of Acres to be Irrigated 190											
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-26192											
Comes now WILFORD W. LUNDBERG, 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-26192											
That the point of diversion is described in said permit as being located: NW¼, Sec. 30, T. 7 S., R. 39 E.											
That he now requests that the point of diversion be changed to a point located: NE¼, Sec. 30, T. 7 S., R. 39 E.											
That the reason for desiring to make such change is as follows That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.											
Signed at Logan, Utah, this 5th day of October, 1959											
Wilford W. Lundberg											
Date of Receipt at Department of Reclamation Nov. 10, 1959											
APPROVAL OF STATE RECLAMATION ENGINEER											
I, Geo. N. Carter, 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-26192. 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.											
s/ GEO. N. CARTER State Reclamation Engineer											

Permit No. G-26192
CERTIFICATE OF COMPLETION OF WORKS ✓

TO ALL WHOM IT MAY CONCERN:

This is to certify that WILFORD W. LUNDBERG, of Bancroft, County of Caribou, and State of Idaho, the holder of Permit No. G-26192, issued upon Application No. G-34079, bearing date of priority of February 15, 1956, authorizing the diversion of 4.0 second feet of the waters of a well, County of Caribou, State of Idaho, for irrigation livestock and domestic 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 1.24 second feet of the waters of a well from subterranean flow, that the point of diversion of said waters is NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7 S., R. 39 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

190 acres in S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 7 S., R. 39 E., B. M.

Witness my hand this 18 day of November, A. D., 1959

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: February 6, 1959

LICENSE ISSUED FOR 1.24 SEC. FT.
Page 6825

WATER RIGHT NUMBER 29-2374 ✓

OWNER LAST NAME - LUNDBERG

FIRST NAME - WILFORD W.

ORIG OWNER -

ADDRESS LINE 1 - 349 N. MAIN ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - LOGAN ✓

STATE - UT ✓ ZIP CODE - 84321

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 02-15-1956

COUNTY - CARIBOU

TOTAL DIV. RATE -

1.2400 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENE 30 07S 39E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

1.2400 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - STOCKWATER

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - TO -

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 39E SEC 30 TRACT NENE LOT

AC 40 TRACT NWNE LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 39E SEC 19 TRACT NENE LOT

AC 15

TRACT NENE LOT

AC 15

TRACT SESE LOT

AC 15 TRACT SWSE LOT

AC 40

TRACT SESE LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES

190

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 26192

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

WRD 417

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26192This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Wilford W. Lundberg2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NW 1/4 NE 1/4 of Section 30T. 7 S. R. 39 E. B.M. County of Caribou4. Describe works as they exist, giving dimensions and capacities of same: 160' x 13' - 16" V Q = 256"F. Morse 30 hp #F 258855 23' demandPV 2717 F. Morse Femora TurbWell house 8' x 8' x 7' 1/2 sheet metal H.P. Controls 6" d. to wellinto closed sprinkler line. Two 1/2" min. lines operatingwith 60' x 40' sprinkling system. Crop = better5. Water is used for: Irrigation, livestock and domestic use6. 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):

N 1/4 NE 1/4, NE 1/4 NW 1/4 Section 30, SE 1/4 SW 1/4, S 1/4 SE 1/4 Section 19, Township 7 South,Range 39 East, B. M.Mrs. Lundberg has sold farm toLyman Maason of Idaho Falls andWm. Burtonshaw, Bancroft.

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

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

Remarks: _____

Mrs. Lundberg and Mr. A. Prost driller alongQ = by calculationSee G-26601 alsoThis examination was made on the 9 day of Sept, 19 53(Signed) E. M. Humphrey Examiner.

G26192

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
SEP 22 1959
Department of Reclamation

Wilford W. Lundberg
Bancroft, Idaho

Permit No. G-26192

Examination for Completion of Works &
Beneficial Use Proof

County Caribou

30-7S.-30E

Q = 4.0 c.f.s.

S = Well

P.S. = NW NE, Sec. 30, T. 7 S., R. 39 E.

Use = Irrigation, Stock &
Domestic

Filed = Feb. 15, 1956

Due = Feb. 17, 1959

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26192

REPORT ON PROOF OF Completion of Works & Beneficial Use
Wilford W. Lundberg
Bancroft, Idaho