

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: A29-02379
Date Received: 1/26/1990
Receipt No: EQ11865
Received By: dmb

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL L PHILLIPS 208-397-4690
Address: 2884 W 1400 S
ABEERDEEN, ID 83210

OR

Name: NOLA RAE PHILLIPS 208-397-4690
Address: 2884 W 1400 S
ABEERDEEN, ID 83210

2. Date of Priority: OCT 22, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	39E	17	NW	SW			CARIBOU

5. Description of diverting works:
WELL AND PUMP TO A SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.560		

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

8. Total consumptive use is 950.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 CATTLE

A29-02379

Page 1

Date: 01/26/90

MICROFILMED

NOV 13 1992

A2902379



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	39E	17	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
						Section Acres	80.0
		19			2	IRR	8.0
					3	IRR	20.0
			NE	NE		IRR	6.0
			SW	NE		IRR	30.0
			SE	NE		IRR	38.0
			NE	SE		IRR	38.0
			NW	SE		IRR	40.0
						Section Acres	180.0
		20	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	120.0
						Total Acres	380.0

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:
A29-00030/00031

14. Remarks:

15. Basis of Claim: LICENSE

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:

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): Carl Phillips Date: 1-26-90
Date:

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Jan 19 90

[Signature]
Notary Public

Seal

Residing at 10110 1st St
My Commission Expires 9-12-94

R38E R39E

18

17

40

40

40

20

19

40

40

NO. 13

Log for claim A29-02379

Spatial Dynamics LTD

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s39e	17	NWSW	40	40	
07s39e	17	SWSW	40	40	
07s39e	19	NENE	6	16	
07s39e	19	SWNE	30	30	
07s39e	19	SENE	38	40	
07s39e	19	NESW	20	21	
07s39e	19	NESW	8	9.2	
07s39e	19	NESE	38	40	
07s39e	19	NWSE	40	40	
07s39e	20	NWNW	40	40	
07s39e	20	SWNW	40	40	
07s39e	20	NWSW	40	40	
Totals:			380	396.2	

AJ5809NP
No. A29-02379

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL L PHILLIPS	10/22/1956	IRRIGATION	04-01 11-01	2.560 CFS	
C	NOLA RAE PHILLIPS 2884 W 1400 S ABEERDEEN ID 83210 (208) 397-4690					
					TOTAL DIVERSION:	2.560 CFS
					CONSUMPTIVE USE:	950.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R39E S17

NWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM																				
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:																			
07S	39E	17	:					:					:			40	40	:						:	80.0																			
07S	39E	19	:	06			30	38	:				:					:	38	40				:	152.0																			
07S	39E	20	:					:	40	40			:	40				:						:	120.0																			
																							TOTAL ACRES																					380.0

Lots Without 1/4 1/4 Description: IRRIGATION
07S 39E 19 02-08 03-20

SUM
28.0

POU County: CARIBOU

Non-Irrigation Uses: STOCKWATER, 400 CATTLE

Other Rights: A29-00030/00031

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10299 A29-00030 A29-00031 A29-10299

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00030 A29-00031 A29-00104 A29-00105 A29-00106 A29-02529

Dates: Exam Made Date: Verified Date: 07/15/1985 Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag: C

Audit: 01/26/90 DUNN 03/29/95 POST-STD

State of Idaho

License and Certificate of Water Right

Water License No. G-26601

Amount 2.56 c.f.s.

Water District No.

Priority October 22, 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 October 22, 1956; that Permit No. G-26601
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.56 second feet, was issued thereunder on November 18, 1959, showing that said works
were completed on the 29 day of June, 1959; and that on the 29
day of June, 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
, a tributary of subterranean flow, for the purpose of irrigation and stock
watering, under Use Permit No. G-26601 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 6826, on the 18 day of November, 1959;

The right hereby confirmed dates from October 22, 1956;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 17, Tp. 7 S., R. 39 E., B. McCaribou 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 2.56 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.	17	NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SW 1/4 NE 1/4	40	40
		18	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
		20	SE 1/4 SE 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
		Total number of acres to be irrigated:			400

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
18 day of November, 1959.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

2 / -

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34505
Permit No. G- 26601
District No.

Wilford W. Lundberg
119 W. 3rd St.
Logan, Utah

1. Name of Applicant: WILFORD W. LUNDBERG
Postoffice address: 70 Bar Ranch, Bancroft County: Caribou State: Idaho
2. Quantity of water claimed: 260 inches
(a) Rate of withdrawal in cubic feet per second. 5.20 or Idaho
Miners' inches 260 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Waters
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18
Twp. 7 S, Rge. 39 E, B.M., County of Caribou
5. Water is to be used for: Irrigation and Stock Watering
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: Well, Pump and Sprinkler System
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 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 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: 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: for fall winter and spring feeding.

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

WILFORD W. LUNDBERG

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. October 22, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26601.

Recorded in Book 94 Page 26601 Approved Nov. 13, 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 January 13, 1957 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 May 13, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before November 1

Witness my hand this 13th day of November, 1956

FARE H. FULL
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SNYLLIE, Governor of the State of Idaho,
and JAS. F. YOUNG, 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 10th
day of November, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG
Secretary of State.

By ROBERT F. SMALLEY
Governor

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	
7 S	39 E.	18	40	40	40	40	260
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-26601 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-26601. That the point of diversion is described in said permit as being located: SE¼SE¼, Sec. 18, T. 7 S., R. 39 E. That he now requests that the point of diversion be changed to a point located NW¼SW¼, Sec. 17, T. 7 S., R. 39 E. That the reason for desiring to make such change is as follows: to correct the location of the pump as per recommendation of the State Engineer, Mr. Humphreys 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. s/ Wilford W. Lundberg Date of Receipt at Department of Reclamation: November 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-26601. 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 Recorded: November 18, 1959							

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-26601

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-26601, requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W¹/₄SW¹/₄, Sec. 17; SE¹/₄, SW¹/₄NE¹/₄, Sec. 18; W¹/₂NW¹/₄, NW¹/₄SW¹/₄, Sec. 20. T. 7 S., R. 39 E., B. M.

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 Logan, Utah, this 5th day of October, 1959.

s/ Wilford W. Lundberg

of Receipt at office of Department of Reclamation: November 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-26601. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it forms 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

Recorded: November 18, 1959

Permit No. G-26601
CERTIFICATE OF COMPLETION OF WORKS

ALL WHOM IT MAY CONCERN:

This is to certify that WILFORD W. LUNDBERG, of Bancroft, County of Caribou, State of Idaho, the holder of Permit No. G-26601, issued upon Application No. G-34505, bearing date of priority of October 22, 1956, authorizing diversion of 5.20 second feet of the waters of a well, County of Caribou, state of Idaho, for irrigation and stock watering 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 2.56 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW¹/₄SW¹/₄, Sec. 17, 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:

400 acres in W¹/₂SW¹/₄, Sec. 17; SW¹/₄NE¹/₄, SE¹/₄, Sec. 18; W¹/₂NW¹/₄, NW¹/₄SW¹/₄, Sec. 20, 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

Recorded: Proof of Completion of Works Made: June 29, 1959

LICENSE ISSUED FOR 2.56 SEC. FT.
Page 6826

WATER RIGHT NUMBER 29-2379

OWNER LAST NAME - LUNDSEB ✓
ADDRESS LINE 1 -
ADDRESS LINE 2 -
ADDRESS LINE 3 -
SOURCE - GROUNDWATER ✓
STAGE - LICENSE ✓
TOTAL DIV. VOLUME -
DIVERSION POINT - NWSW 17 07S 39E 10T ✓
FROM - TO -
FROM - TO -
USE - IRRIGATION ✓
USE - IRRIGATION ✓
USE - IRRIGATION ✓
DEGREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE -
DIVERSION MEANS -

FIRST NAME - WILFORD W. ✓
ADDRESS LINE 2 -
CITY - LOGAN ✓
TRIBUTARY OF -
PRIORITY - 10-22-1956 ✓
COUNTY - CARIBOU ✓
WATER DIST. -
0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. RATE - 2.5600 CFS ✓
USE DIV. RATE - 0.0000 CFS ✓
PLACE OF USE - T4N 07S 39E 10T SEC 20 ✓
PLACE OF USE - T4N 07S 39E 10T SEC 18 ✓
PLACE OF USE - T4N 07S 39E 10T SEC 17 ✓
DATE -

ORIG OWNER -
STATE - UT ✓
ZIP CODE -
TOTAL DIV. RATE - 2.5600 CFS ✓
RIGHT BASIS -
AC 40 TRACT S4NW 10T AC 40 ✓
AC 40 TRACT N4SW 10T AC 40 ✓
AC 40 TRACT NESE 10T AC 40 ✓
AC 40 TRACT SWSE 10T AC 40 ✓
AC 40 TRACT S4SW 10T AC 40 ✓
TOTAL ACRES 400 ✓

PERMIT/DENIED -
CONC. OF APPROVAL -
PROTESTED -
HEARING -
OLD NO. - 26601 ✓

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

Permit No. G-26601

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

1. Name of applicant: Wilford W. Lundberg
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18
T. 7 S R. 39 E.B.M. County of Caribou
4. Describe works as they exist, giving dimensions and capacities of same: 18" x 110' H-15' d=20'
7' by 6' L. 4' H. 1' R. 5' 6' 8' 7' 3' 8' 2' demand = 5500 x 3
Pipeline 15' H. 17' 10" dia. to West. 2nd. 6' inch. at 100'
well house 8' x 8' x 7' 4' base floor [?] gravel in house 15' 7' dia
5. Water is used for: irrigation and stock watering
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):

E $\frac{1}{2}$ of Sec. 18., Twp. 7 S., Rge. 39 E.B.M.

This region does not need too much water to produce a good crop. They have considerable extra portable 6" main and then the water wherever they need it most.

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

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

Remarks: Mr. Lundberg & Son, Blatz, well direction is long.
System was not in operation.
Shift of 60' was made.
By calculation.

See G-26601

Farm has been sold to Roman Menden and Son, Rantersham.

This examination was made on the 9 day of Sept, 1959

(Signed) E. J. Humphrey Examiner.

G-26601

Wilford W. Lundberg
70 Bar Ranch
Bancroft, Idaho
Permit No. G-26601

Examination for Completion of Works & Beneficial Use

County Caribou

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
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26601

REPORT ON PROOF OF Completion of Works & Beneficial Use

Wilford W. Lundberg, % 70 Bar Ranch, Bancroft, Idaho

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 26601 1 29-2319
 Old No. New No.

Record

1. Original Owner: W. Wilford W. Lundberg

Present Owner: _____

2. Address: _____

3. City: Paria Logan State: UT Zip: _____

4. A. Source of Water: gpc

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 10-22-1954

D. County: 29

E. Total Diversion Rate: 2.56

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW SW</u>	<u>17</u>	<u>7</u>	<u>39E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 2.56
 (cfs or AC-FT/yr)

from _____ to _____ for S purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

81079

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 26601

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):