

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: A29-04328
Date Received: 4/09/1990
Receipt No: E012949
Received By: J.C.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERVIN GILBERT 208-597-5707
Address: 17535 S. OLD HWY 91
DOWNEY, ID 83234

2. Date of Priority: APR 01, 1934

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	37E	30		SE	SE		BANNOCK

5. Description of diverting works:
DITCHES & 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	2.000		

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

8. Total consumptive use is 395.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 200 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	37E	29	NW	NW		IRR	5.0
			SW	NW		IRR	21.0
			NW	SW		IRR	12.0
						Section Acres	38.0

A29-04328

Page 1

Date: 04/09/90

MICROFILMED

NOV 13 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	37E	30	NE	NE	IRR	20.0
			SW	NE	IRR	22.0
			SE	NE	IRR	20.0
			NE	SE	IRR	10.0
			NW	SE	IRR	13.0
			SW	SE	IRR	15.0
			SE	SE	IRR	20.0

Section Acres 120.0

Total Acres 158.0

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: STATUTORY CLAIM

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): *Erin L. Litch*

Date: 4/9/90

Date: _____

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this

9 day

of April 19 90

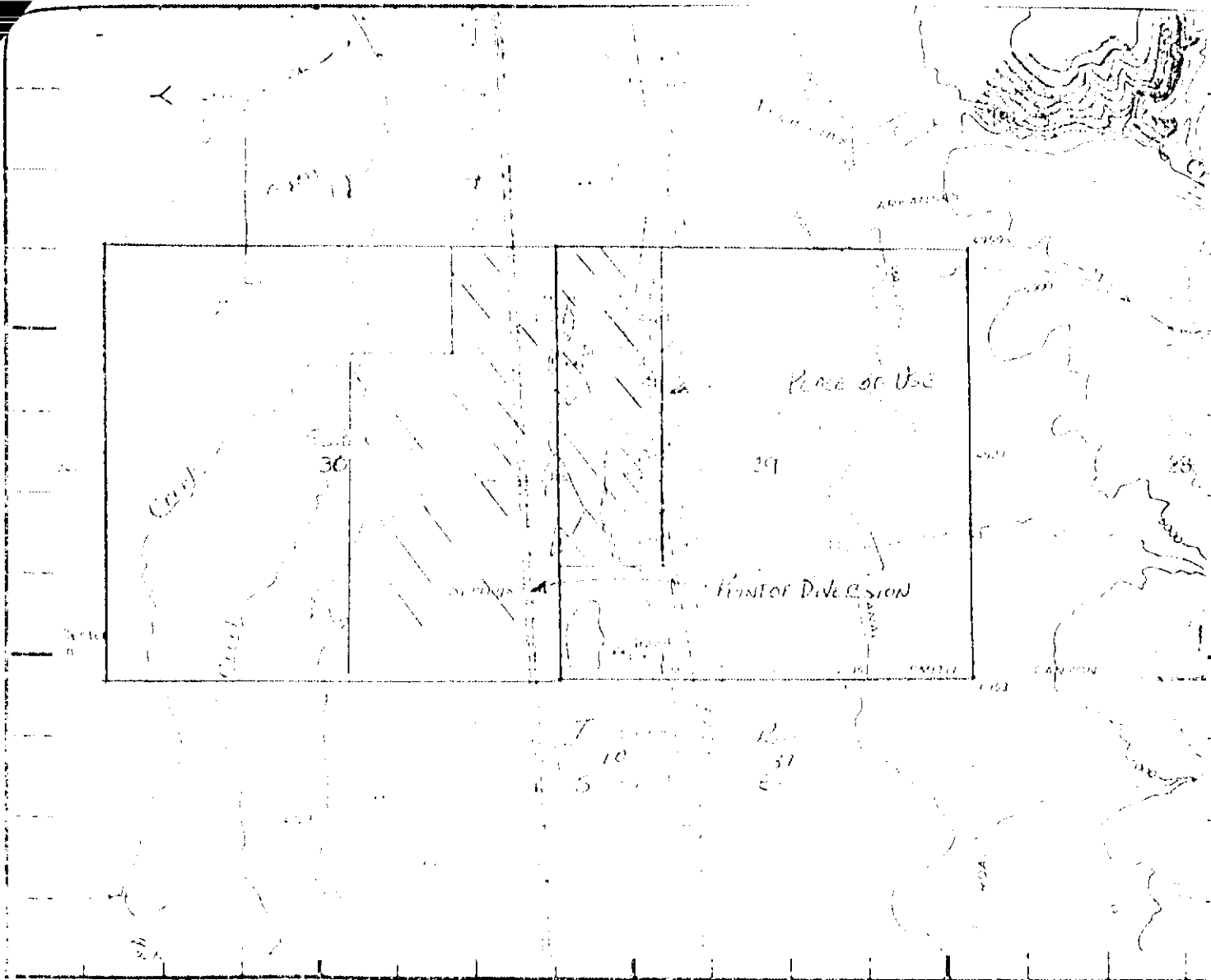
Dave Carlson
Notary Public

Seal

Residing at Heise, Id

My Commission Expires 4/26/96

Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40 acre subdivisions section, township and range of the public land survey system.

State of Idaho)
) ss.
County of)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Edwin Hilbert
(Claimant)

NOV 13 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-04328	10S 37E	30		SE	SE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
NONE			NONE			NONE				

SOURCE: SPRINGS

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-04328	10S 37E	30		SE	SE			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD			AJ CLAIMS IN SAME 40 ACRE TRACT							
						A PREFIX R PREFIX				
NONE						NONE NONE				

SOURCE: SPRINGS

TRIB: SINKS

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
10S	37E	30		SE	SE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: SPRINGS

TRIB: SINKS

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-04328

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	37E	29	NW	NW		GILBERT, ERVIN	A29-04328 / 5.0	29-04328 / 5.0	16.0		
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 8.0	29-04060 /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 8.0	- /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 8.0	- /			
			NW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 8.0	- /			
			NW	NW		MYERS, NORMAN		29-04053 / 10.0			
10S	37E	29	SW	NW		GILBERT, ERVIN	A29-04328 / 21.0	29-04328 / 21.0	28.0		
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 11.0	- /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 11.0	29-04060 /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 11.0	- /			
			SW	NW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 11.0	- /			
10S	37E	29	NW	SW		GILBERT, ERVIN	A29-04328 / 12.0	29-04328 / 12.0	37.0		
			NW	SW		BUCK, MARSHA R	A29-11502 /	- /			
			NW	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00052 / 16.0	- /			
			NW	SW		PORTNEUF MARSH VALLEY CANAL	COA29-04060 / 16.0	- /			
			NW	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00053 / 16.0	- /			
			NW	SW		PORTNEUF MARSH VALLEY CANAL	COA29-00589 / 16.0	- /			
			NW	SW		BUCK, MARSHA R	29-11502 /	- /			
10S	37E	30	NE	NE		GILBERT, ERVIN	A29-04328 / 20.0	29-04328 / 20.0	9.0		
			NE	NE		LISH, NORMAN	A29-04053 / 8.0	29-04053 / 40.0			
			NE	NE		MYERS, NORMAN		29-04052 / 11.0			
10S	37E	30	SW	NE		GILBERT, ERVIN	A29-04328 / 22.0	29-04328 / 22.0	29.0		
			SW	NE		LISH, NORMAN	A29-04053 / 30.0	29-04053 / 30.0			
10S	37E	30	SE	NE		GILBERT, ERVIN	A29-04328 / 20.0	29-04328 / 20.0	32.0		
			SE	NE		MYERS, NORMAN		29-04053 / 10.0			
10S	37E	30	NE	SE		GILBERT, ERVIN	A29-04328 / 10.0	29-04328 / 10.0	25.0		
10S	37E	30	NW	SE		GILBERT, ERVIN	A29-04328 / 13.0	29-04328 / 13.0	37.0		
10S	37E	30	SW	SE		GILBERT, ERVIN	A29-04328 / 15.0	29-04328 / 15.0	9.0		
10S	37E	30	SE	SE		GILBERT, ERVIN	A29-04328 / 20.0	29-04328 / 20.0	11.0		

ADDITIONAL POU FOUND

TOTAL ACRES	A29-04328	158.00	158.00	233.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-04328	SPRINGS	GILBERT, ERVIN	2.000	0.012		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-04053	PECK CREEK	LISH, NORMAN	5.440	0.030		
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-11502	DOMESTIC	BUCK, MARSHA R	FROM 01-01 TO 12-31	0.040 CFS	
A29-11502	STOCKWATER	BUCK, MARSHA R	FROM 01-01 TO 12-31	0.010 CFS	
29-11502	DOMESTIC	BUCK, MARSHA R	FROM 01-01 TO 12-31	0.040 CFS	
29-11502	STOCKWATER	BUCK, MARSHA R	FROM 01-01 TO 12-31	0.010 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

Log for claim A29-04328

Spatial Dynamics LTD

6/30/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s37e	29	NWNW	5	25	Indiscernible
10s37e	29	SWNW	21	29	Indiscernible
10s37e	29	NWSW	12	36	Indiscernible
10s37e	30	NENE	20	31	Indiscernible
10s37e	30	SWNE	22	40	Indiscernible
10s37e	30	SENE	20	31	Indiscernible
10s37e	30	NESE	10	30	Indiscernible
10s37e	30	NWSE	13	40	Indiscernible
10s37e	30	SWSE	15	37	Indiscernible
10s37e	30	SESE	20	29	Indiscernible
10s37e	31	NWNE	0	0	
Totals:			158	328	

SPATIAL
DYNAMICS

AJ5809NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 04/27/00
PAGE: 136

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERVIN GILBERT 17535 S OLD HWY 91 DOWNEY ID 83234 (208) 597-5707	04/01/1934	IRRIGATION	04-01 11-01	2.000 CFS	
					TOTAL DIVERSION:	2.000 CFS
					CONSUMPTIVE USE:	395.00 AFA

Water Source: SPRINGS

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T10S R37E S30

SESE

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	Lt	Ac	:	SUM	
10S	37E	29	:									05	21			12				:	38.0	
10S	37E	30	:	20				22		20								10	13	15	20	120.0
																			TOTAL ACRES	158.0		

POU County: BANNOCK

Non-Irrigation Uses: S/ UP TO 200 HEAD CATTLE

Other Rights: NONE

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

A29-00052 A29-00053 A29-00589 A29-04053 A29-04060

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/11/90 DCARLSON 07/20/94 THOMPSON 03/29/95 POST-STD

CLAIM NO. A29-04328

AFFIDAVIT

Water has been put to beneficial use on this property since the date of priority.

Signature of affiant

Date _____

State of Idaho/or Ida)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 10 day

of March 19 95

Notary Public

Residing at

My Commission Expires

SEAL

MICROFILMED

NOV 13 1950

AJ5809NP
No. A29-04328

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94
PAGE: 7

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERVIN GILBERT 17535 S OLD HWY 91 DOWNEY ID 83234 (208) 597-5707	04/01/1934	IRRIGATION	04-01 11-01	2.00 CFS	
TOTAL DIVERSION:					2.00 CFS	
CONSUMPTIVE USE:						395.00 AFA

Water Source: SPRINGS

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R37E S30

SESE

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	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
10S	37E	29	:								:		05	21	:		12	:							:	38.0
10S	37E	30	:	20				22		20	:								:	10	13	15	20	:	120.0	
TOTAL ACRES																							:	158.0		

POU County: BANNOCK

Non-Irrigation Uses: S/ UP TO 200 HEAD CATTLE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

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