

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: **A29-11005**
Date Received: 4/ 3/1990
Receipt No: M006458
Received By: _____

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

1. Name: ORVILLE O SALVESEN 208-897-5970
Address: PO BOX 334
DOWNEY ID 83234
OR
Name: HERMAN D SALVESEN 208-897-5310
Address: RT 1 BOX 13
DOWNEY ID 83234

A2911005

2. Date of Priority: SEP 8, 1924

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	37E	6	SE	NE	SE		BANNOCK

5. Description of diverting works:
IMP.SPRG.W/EXC.& BURMED POND,HDGATE,DITCH TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR UP TO 30 HD/MIXED.

RECEIVED
OCT 01 1996
Department of Water Resources
Eastern Region

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	37E	6	NE	SW		IRR	10.0
			NE	SW		STOCK	

Section Acres 10.0

Total Acres 10.0

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:
N/A

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Owille Salvesen Date: Sept 30 1996
Herman P. Salvesen Date: Sept 30 1996

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of September 19 96

Barbara A. Byers
Notary Public

Seal

Residing at Downey Id
My Commission Expires 12-22-99

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
A29-11005	12S 37E	6	SE	NE	SE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
A29-04241			29-10070			29-02167				
A29-10070						29-04241				

SOURCE: SPRING

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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: _____

=====

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
12S	37E	6	SE	NE	SE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-11005

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	6	NE	SW		SALVESEN, ORVILLE O	A29-11005 / 10.0	- /	11.0		
12S	37E	6	NE	SW		SALVESEN, ORVILLE O	A29-11005 /	- /	11.0		

ADDITIONAL POU FOUND

TOTAL ACRES A29-11005 10.00 22.00

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: N/A

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()

Log for claim A29-11005

Spatial Dynamics TWB

6/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s37e	6	NESW	10	6.7	
Totals:			10	6.7	

AJ5809NP
No. A29-11005

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 169

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORVILLE O SALVESEN PO BOX 334 DOWNEY ID 83234 (208) 897-5970	09/08/1924	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.200 CFS 0.020 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.220 CFS	25.00 AFA
C	HERMAN D SALVESEN RT 1 BOX 13 DOWNEY ID 83234 (208) 897-5310					

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R37E S06 SENESE

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
12S	37E	6	:											10						10.0
TOTAL ACRES																			10.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
12S	37E	6	:											S						

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER FOR UP TO 30 HD/MIXED.

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10070 A29-04241 A29-10070

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

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

Audit: 04/03/90 MOBILE3 08/04/94 THOMPSON 03/29/95 POST-STD

STATE OF IDAHO
Department of Water
Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

of Bannock

Edward J. Phillips.

First: That he is the holder and owner of Permit to Appropriation No. 16102 and that his postoffice address is Downey Idaho State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Third: That the point of diversion of said water is

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 10

Fifth: That the use for which said water is intended is Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

1. Kind of works: ditch

2. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 10 feet, length of dam at bottom feet. Material used in construction dirt

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line feet.

(e) Depth of water feet; diameter of pipe inches; average grade

per mile is feet; length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 0.19 acre feet of water.

Eighth: That water appropriated under said permit is available for 9 acres of land described as follows:

Ninth: That

Edward J. Phillips
(Sign here)

Subscribed and sworn to before me this 6th day of June 1927

My commission expires June 7th 1927

Notary Public.

RECEIVED

Approval of Commissioner of Reclamation JAN 30 1995

The number of this permit is 16102

Department of Water Resources
Eastern District Office

Recorded in Book 57 Page 16102 Approved September 18, 1924.

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 November 17, 1924, 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 March 18, 1925.

The whole of said work to be completed on or before September 18, 1926

Beneficial use of water appropriated in accordance herewith, to be made on or before September 18, 1927.

Witness my hand this 18th day of September, 1924.

W. G. Swendsen
Commissioner of Reclamation.

No. 16102

PERMIT

Date of first receipt at office of Commissioner of Reclamation

J. H. M. Sept. 8, 1924

Returned to applicant for correction

Sept. 8, 1924

Corrected application received

Sept. 13, 1924

Fees, \$1.00 Paid.

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$1.00

For each additional Sec. Ft. or fraction thereof .10

GIVE APPLICATION NUMBER AND

RETURN FOR Application

SEP 18 1924

(Form No. 1)

P. O.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 22856Permit No. 16102District No. 17-H

RECEIVED

JAN 30 1995

Department of Water Resources

Eastern District Office

1 Name of Applicant: Edward J. Phillips.Postoffice address Downey 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: (a) Cash on hand: \$

(b) Treasury stock: \$ (c) Bonds to be issued: \$

(d) Other resources:

2 Quantity of water claimed: one 9/8 cubic feet per second.3 Source of water supply: Springwhich is a tributary of its self4 Location of point of diversion: N. 7 1/2 S. E. 1/4 feet distant from the cornerof Section 6, T. 12, R. 37 E., B. M., and is in the NW 1/4 SE 1/4of Section 6, T. 12 N., R. 37 E., B. M., County of Bannock.5 Water is to be used for: Irrigation6 If for mining, milling, power or manufacturing purposes, give: no

(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: \$ none \$25008 Kinds of works: Ditch
(Reservoir, dam, ditch, flume, pipe, etc.)9 Height of dam one feet; length of dam at top six feet; length of dam at bottom
(If height of dam will exceed 10 feet, send to Department of Reclamation for Regulations)

feet; material used in dam

10 Size of headgate: Width none feet; height feet.11 Ditch: Width at bottom two feet; Width at water line feet; Depth of water one feet;

Dimensions of flume Diameter of pipe inches;

Length of conduit one 1/2 miles. Average grade per mile 5.28 feet

SEP 12 1924

Geo N. Carter

15. (a) Is reservoir to be used?.....(If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:.....

(c) Date of filing of Application for Storage Permit and Name of Applicant:.....

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Edward J Phillips
Applicant.

By Agent.

16.

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I,, of, County of, State of, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of is located, to-wit: and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO,

County of Bannock

ss.

On this 6 day of Sept, 1924, before me, a Notary Public for the State of Idaho, residing at Downey Idaho, personally appeared Edward J Phillips known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Will Evans
Notary Public.

My commission expires.....

Dept of Water Resources
900 W. Skyline Dr.
Idaho Falls, Idaho

Downey Idaho
Jan 27, 1995.

RECEIVED

JAN 30 1995

Department of Water Resources
Eastern District Office

Dear Sirs,

In regards to spring No. AJ5809 NP A29-11005

I am inclosing a zerox copy of the
Permit issued Sept. 8, 1924.

We purchased the property Feb. 10, 1961.
from the E. J. Phillips estate.

The ditches and springs were in use at
that time. We have used the water constantly
for cattle since, and when available we use
it for irrigation.

Yours truly,

Orville Salvesen

Herman Salvesen

by Orville Salvesen

INDIVIDUAL

STATE OF _____
COUNTY OF Bannock ss.

On this 27th day of January, in the year 1995, before me, a Notary Public
in and for said State, personally appeared Orville Salvesen
known to me to be the person whose name is/are subscribed
to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Paulina A. Byline
Notary Public for _____
Residing at Downey, Id

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORVILLE O SALVESEN PO BOX 334 DOWNEY ID 83234 (208) 897-5970	09/08/1924	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.20 CFS 0.02 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.22 CFS	25.00 AFA
C	HERMAN D SALVESEN RT 1 BOX 13 DOWNEY ID 83234 (208) 897-5310					

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T12S R37E S06

SENESE

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
12S	37E	6	:																	:	10.0
																				TOTAL ACRES	10.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
12S	37E	6	:																	:	

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER FOR UP TO 30 HD/MIXED.

Other Rights: N/A

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: