

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: A29-11925
Date Received: 5/01/1990
Receipt No: 2013991
Received By: HCO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELIASON LAND & CATTLE CO. 801-257-3756
Address: 350 E. 780 N.
TREMONTON, UT 84337

2. Date of Priority: JUN 01, 1953

3. Source: UNNAMED STREAM Trib. to: MARSH CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DITCHES TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/15	2.480		

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

8. Total consumptive use is 310.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
12S	37E	31	SW	NW		IRR	2.0
			NE	SW		IRR	35.0
			NW	SW		IRR	19.0
			NW	SE		IRR	17.0

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Date: 05/01/90

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A2911925



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	37E	31	SW	SE	IRR	40.0
			SE	SE	IRR	11.0

Section Acres 124.0

Total Acres 124.0

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: 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Director of Elkison Land & Cattle Co., that I have signed the foregoing Organization document in the space below as Director of Elkison Land & Cattle Co. and that the statements contained in the Organization foregoing document are true and correct.

David Elmer
Signature of Authorized Agent
Director, Elkison Land & Cattle Co.
Title and Organization

5-1-90

Date

State of Idaho

County of Bonneville) SS.

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

of May 19 90

Seal

Robert Wray
Notary Public

Residing at Idaho Falls

My Commission Expires 5/29/1991

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
A29-11925	12S 37E	6		NE	NE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD							WR RECORDS IN SAME 40 ACRE TRACT			
A PREFIX			R PREFIX			NONE				
NONE			NONE							

SOURCE: UNNAMED STREAM

TRIB: MARSH CREEK

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		NE	NE			BANNOCK		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

=====

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

A. ROOT WATER RIGHT NUMBERS: A29-11925

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12S	37E	31	SW	NW		ELIASON LAND & CATTLE CO	A29-11925 / 2.0	- /			
12S	37E	31	NE	SW		ELIASON LAND & CATTLE CO	A29-11925 / 35.0	- /			
12S	37E	31	NW	SW		ELIASON LAND & CATTLE CO	A29-11925 / 19.0	- /			
			NW	SW		US DEPT OF AGRICULTURE		15-04103 /			
12S	37E	31	NW	SE		ELIASON LAND & CATTLE CO	A29-11925 / 17.0	- /			
12S	37E	31	SW	SE		ELIASON LAND & CATTLE CO	A29-11925 / 40.0	- /			
12S	37E	31	SE	SE		ELIASON LAND & CATTLE CO	A29-11925 / 11.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A29-11925 124.00

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: 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?

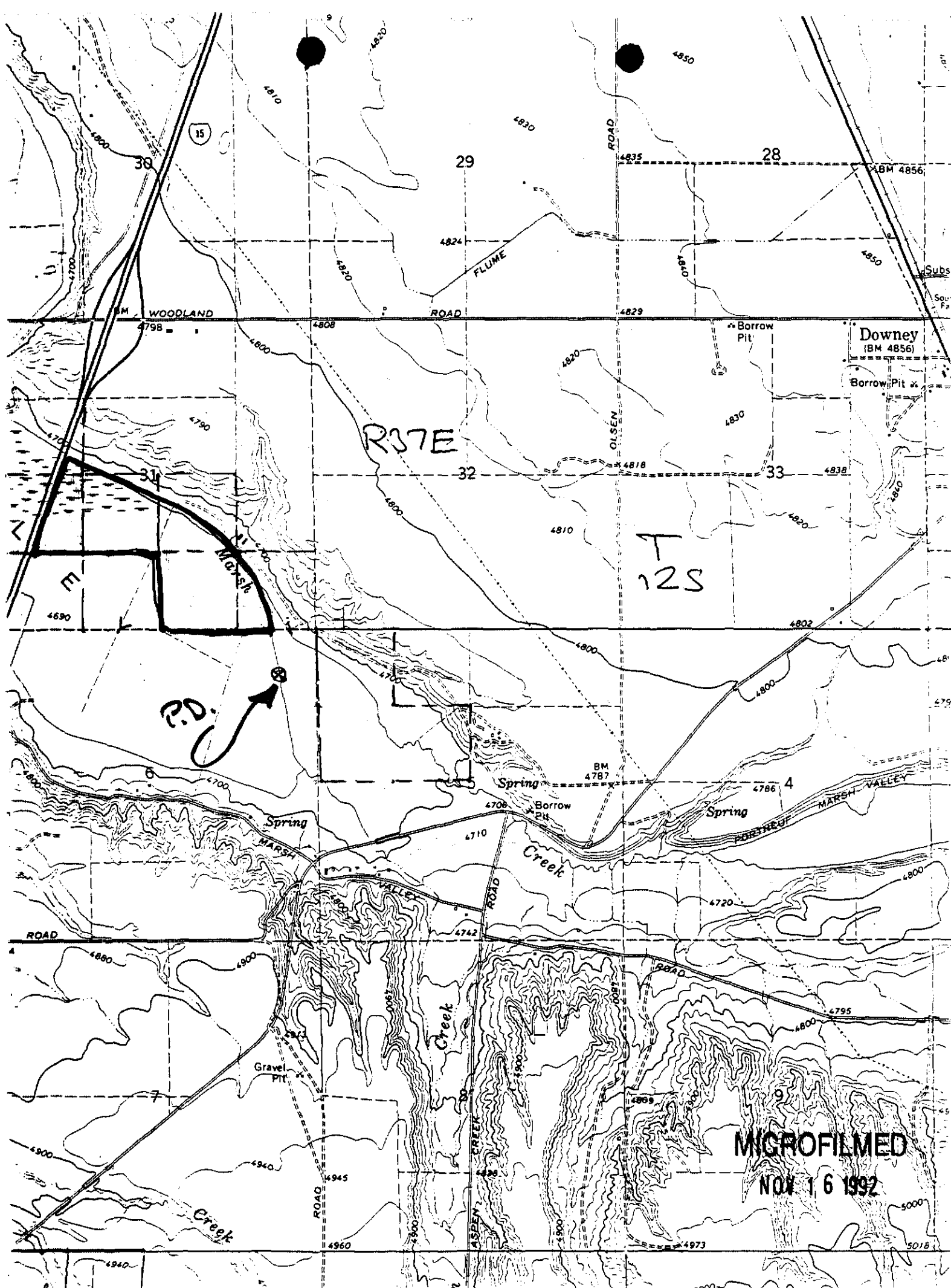
N/A() Y() N()

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 A29-11925

Spatial Dynamics TWB

6/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	0		0	0	Wrong tract in database, parcel should be located i
11s37e	31	SWNW	2	2	
11s37e	31	NESW	35	36	
11s37e	31	NWSW	19	19	
11s37e	31	NWSE	17	16	
11s37e	31	SWSE	40	40	
11s37e	31	SESE	11	11	
Totals:			124	124	

AJ5809NP
No. A29-11925

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 192

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELIASON LAND & CATTLE CO 350 E 780 N TREMONTON UT 84337 (801) 257-3756	06/01/1953	IRRIGATION	04-01 07-15	2.480 CFS	
					TOTAL DIVERSION:	2.480 CFS
					CONSUMPTIVE USE:	310.00 AFA

Water Source: UNNAMED STREAM

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T12S R37E S06

NENE

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 31 :								02				:				35 19				:				17 40 11 :				124.0
																			TOTAL ACRES								124.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

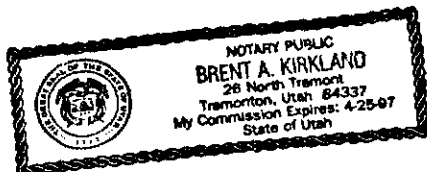
Audit: 05/01/90 JONES 09/15/94 JTHOMPSO 03/29/95 POST-STD

I, David Eliason have witness the irrigation and use of the water in Bannock county since the time my father purchased the ranch in the mid 1950's. The two water adjudication numbers are #A29-11925 and #A29- 04398. We have used and irrigated these two water claims for as long as we have owned it. I know that they irrigated this land before we bought it.

David Eliason

State of Utah, County of Box Elder) ss

On the 24th day of March, 1995 personally appeared before me DAVID ELIASON, the signer of the within document, who duly acknowledged to me that he executed the same.



Brent A. Kirkland
Notary Public in and for said
County and State

RECEIVED

MAR 28 1995

Department of Water Resources
Eastern District Office

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NOV 14 1996

I, Von Bloxham have been a resident of Bannock county, living west of Downey for almost fifty years. During this time I have lived nexted to the Eliason Ranch and have witnessed the irrigation of their upper meadow which is number A29-04398. This meadow has been irrigated from a stream that flows into Marsh creek. Also during this time I have watched and helped irrigate the lower meadow which is #A29-11925. This meadow is irrigated from a stream that springs up on my property and also flows into marsh creek. I am very acquainted with this Ranch and know that it has been continually irrigated for at least fifty years.

Von G. Bloxham

On this 22nd day of March 1995 before me, a notary public residing in Bannock County, Idaho, appeared Von G. Bloxham known to me personally. My commission expires 3-11-97.

Calvin C. Deber

RECEIVED

MAR 28 1995

Department of Water Resources
Eastern District Office

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NOV 14 1996