

Idaho Department of Water
Resources

On Aug. 1st 1991 I Dan Gilbert
called Idaho Power, Blackfoot office.
In regard to the evidence of priority
on my water right for my farm.

I spoke to Jim Johnstone in
said office. In searching their files
he found water was first pumped
in the year 1950. my pump # is G29-2

A35-11578
RECEIVED

AUG 2 1991

De _____ es
Law _____

Dan Gilbert

FORM No. 313—ACKNOWLEDGMENT—INDIVIDUAL.

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

STATE OF IDAHO,
County of BINGHAM } ss.

On this 1st day of August in the year 1991, before me
ARNOLD J DANCE, a Notary Public in and for said State, personally appeared

DAN GILBERT

known to me to be the person whose name IS subscribed to the within instrument, and acknowledged
to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year in this certificate first above written.

MICROFILMED

APR 15 1994

Notary Public for the State of Idaho,
Residing at BLACKFOOT, Idaho.

Comm Exp: 14 SEP 93

~~MICROFILMED~~
DEC 9 1992

B. PRIVATE WATER RIGHT, WATER SUPPLY DATA

- 1 Type and number of right (Cert., Lic., Permit, Use, Decreed, etc.)
- 2 Amount of water
- 3 Priority
- 4 Source of water (well, creek, etc.)
- 5 Acres of right
- 6 Acres irrigated (for appraisal)
- 7 Verification source
- 8 Water supply class
- 9 Distance of water source to farm
- 10 What interest in private ditch do you own?
- 11 Number of other users on private ditch
- 12 Number of years water right has been used continuously
- 13 Is there any controversy presently existing on the water rights or ditch rights? (If yes, explain under Section E)
- 14 Is there any regulation or shortage of water? (If yes, explain)

Lic 35-2366*
 6-24-659*
 7.5 cfs
 1-12-54
 WELL
 640
 275
 Water Res Dept
 I
 ON FARM
 N/A
 N/A
 20 yrs
 NO
 NO

C. FARM DISTRIBUTION

	Data	Annual Cost
1 WELL DATA WELL # 2		
2 Location	SWSW 1/4 SE 29-2S-33E	
3 Year drilled	1949	
4 Depth	18" x 175'	
5 Drilling cost	2500	
6 SWL when drilled	~120'	
7 SWL at start of season	~120'	
8 SWL at end of season	~120'	
9 PUMPING PLANT DATA		
10 Year purchased	1947	
11 Cost: Total & Annual	12,500	700
12 Power unit (elec., gas, etc.)	ELEC	
13 Horsepower	125	
14 RPM	1770	
15 Manufacturer (power unit)	A.O. SMITH	
16 Serial number (power unit)	71945	
17 Type pump (turb., cent.)	DWT	
18 Manufacturer (pump)	LAYNE	
19 Serial number (pump)	15476	
20 Bowl setting	135	
21 Pumping lift	120	
22 Total head (TDH)	225	
23 Discharge (GPM)	1650	
24 Power company	ID. POWER Co.	
25 Annual power-fuel cost		2500

	Data	Annual Cost
26 PERMANENT IRRIGATION EQUIPMENT		
27 Type mainline pipe	CTE-STEEL	
28 Total length	5200	
29 Sizes	6, 6 3/8, 8 3/8, 10, 12"	
30 Other (describe including Circular)		
31 Cost: Total & Annual	20,800	1560
32 PORTABLE IRRIGATION EQUIPMENT		
33 Mainline (type)		
34 Total length		
35 Sizes		
36 Type lateral	HAND LINES	
37 Total length (or # of 1/4 mile lines)	10	
38 Size lateral pipe	4"	
39 GPM/sprinkler	50	
40 Spacing	40x60	
41 Cost: Total & Annual	15,000	1725
42 TOTAL COST		
43 Complete irrigation facilities including project cost		
Cost: Total & Annual	50,800	6485
44 Annual \$/AC (Incl. Proj. cost)		24

D. REQUIREMENTS note page 1 of FLB 208

E. COMMENTS

Discuss adequacy of drainage, flood and erosion hazards, and adequacy of water supply, pumps and irrigation facilities. If more than one water right present, show lands which each is appurtenant to: (Use back side if more space is needed)

The license covers two points of diversion, which are the two existing wells.

MICROFILMED

MICROFILMED

APR 15 1994

DEC 11 1992 10-76

Appraiser's signature *Dean F. ...*

28-Jun-1991

DAN GILBERT
114 N 1600 W
BLACKFOOT, ID 83221

RE: **Evidence of Priority** A35-11578

Dear Claimant:

The Notice of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority date by JULY 29, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED
APR 15 1994 DEC 11 1992

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

MICROFILMED/MICROFILMED
APR 15 1994 DEC 11 1992

CLAIMANT'S NAME: GilbertDATE: 8-18-89EMPLOYEE: Anna Baumhoff

RE: from the map on claim P.O.D. should have
been NE 1/4, SW 1/4, SW 1/4 SEC. 29. T2S R33E
(Map is drawn with South to the Top of Page)

this claim resembles a portion of License
35-023666 & claims same priority date

however: (A) only claims 1 of the P.O.D. (SW 1/4 SW 1/4 SEC. 29)

(B) license was for 480 acres at 7.5 cfs.

(C) Claimants' 315 acres are all in S 1/2 of
Section 29 and license was for
75 acres SW 1/4 and 148 acres in SE 1/4 = 223.

* should this be a partial claim from License
35-023666 for the 223 Acres
and a beneficial use claim for the ^{remaining} 131 acres

* the diversion rate from the license 7.5 cfs
was from two wells is this valid?

Claim was entered with P.O.D. showing
claimform - probably wrong.

MICROFILMED

APR 15 1994

MICROFILMED

DEC 11 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Gilbert

CLAIM IDENT. NO. A35 - 11578

DATE RECEIVED 5-22-89

CK # _____

AMOUNT \$ _____

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? Beneficial Use ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: rad

Date: 5-26-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: AB

Date: _____

Claim data entered by: AB

Date: 5/18/89

Sent to claimant by: _____

Date: _____

Checked by: APR 15

Date: _____

Comments: They completed claim for beneficial use. List as such.

this may ultimately match up w/ a portion of 35-02366.

E007749

DEC 11 1992

ACTION REQUIRED

FROM: A.C.J.

TO: 35-2366 (ask for #15)

1-12-1954 - Priority

7.5 cfs - groundwater

(we had SW 1/4 of NE 1/4 of NW 1/4)

Point of Diversion → PD - NW NE } Sect 29 T2S R33E
SW SW }

Place of use → P.O.U. T2S R33E Sect. 29 - whole Section - less than 640 acres though

MICROFILMED MICROFILMED

APR 15 1994

DEC 11 1992

FOR: Township 25, Range 33E, Section 29 (see of S 1/2)

Mr. Gilbert:

Here is the information you requested. I am "including" a "tension of time" form. Return it to the office when completed.