

10/17/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2379

NAME AND ADDRESS: NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

CARL L PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.560 CFS
1,372.000 AFY

PRIORITY DATE: 10/22/1956

POINT OF DIVERSION:

T07S R39E S17 NWSW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.560 CFS
		1,372.00 AFY
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T07S R39E S17	NWSW	32.0	T07S R39E S17	SWSW	40.0
T07S R39E S18	NESE	5.0	T07S R39E S18	SESE	5.0
T07S R39E S19	Lot 3	11.0	T07S R39E S19	Lot 4	15.0
T07S R39E S19	NENE	15.0	T07S R39E S19	SWNE	28.0
T07S R39E S19	SENE	39.0	T07S R39E S19 Lot 2	SWSW	5.0
T07S R39E S19	NESE	40.0	T07S R39E S19	NWSE	20.0
T07S R39E S19	SWSE	12.0	T07S R39E S19	SESE	4.0
T07S R39E S20	NWNW	40.0	T07S R39E S20	SWNW	40.0
T07S R39E S20	NWSW	37.0	T07S R39E S24	NENE	1.0
T07S R39E S24	SENE	3.0			

T7S, R38E

STOCKWATER same as IRRIGATION

392 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

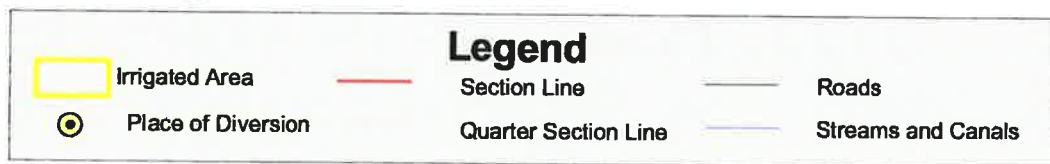
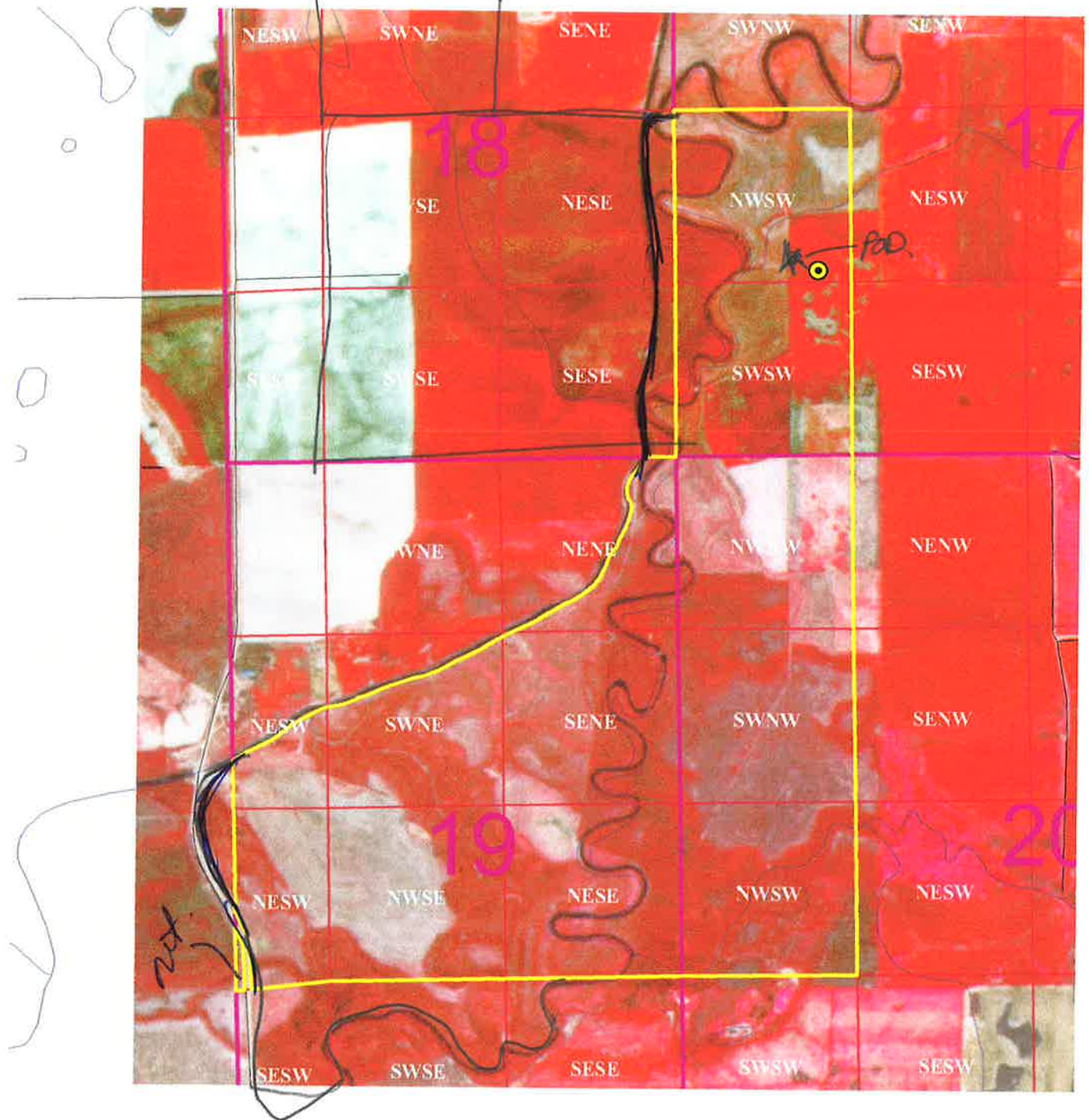
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Townships , 7S39E, 7S38E



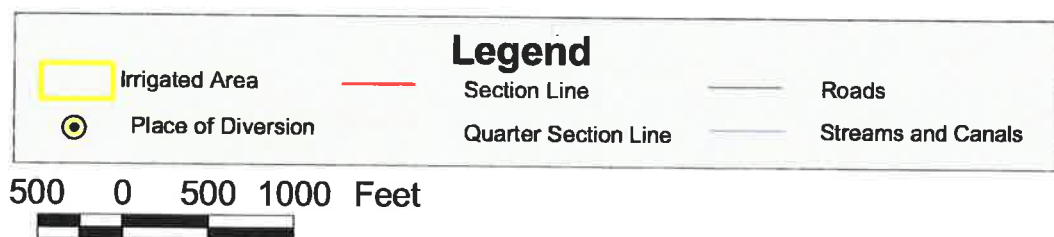
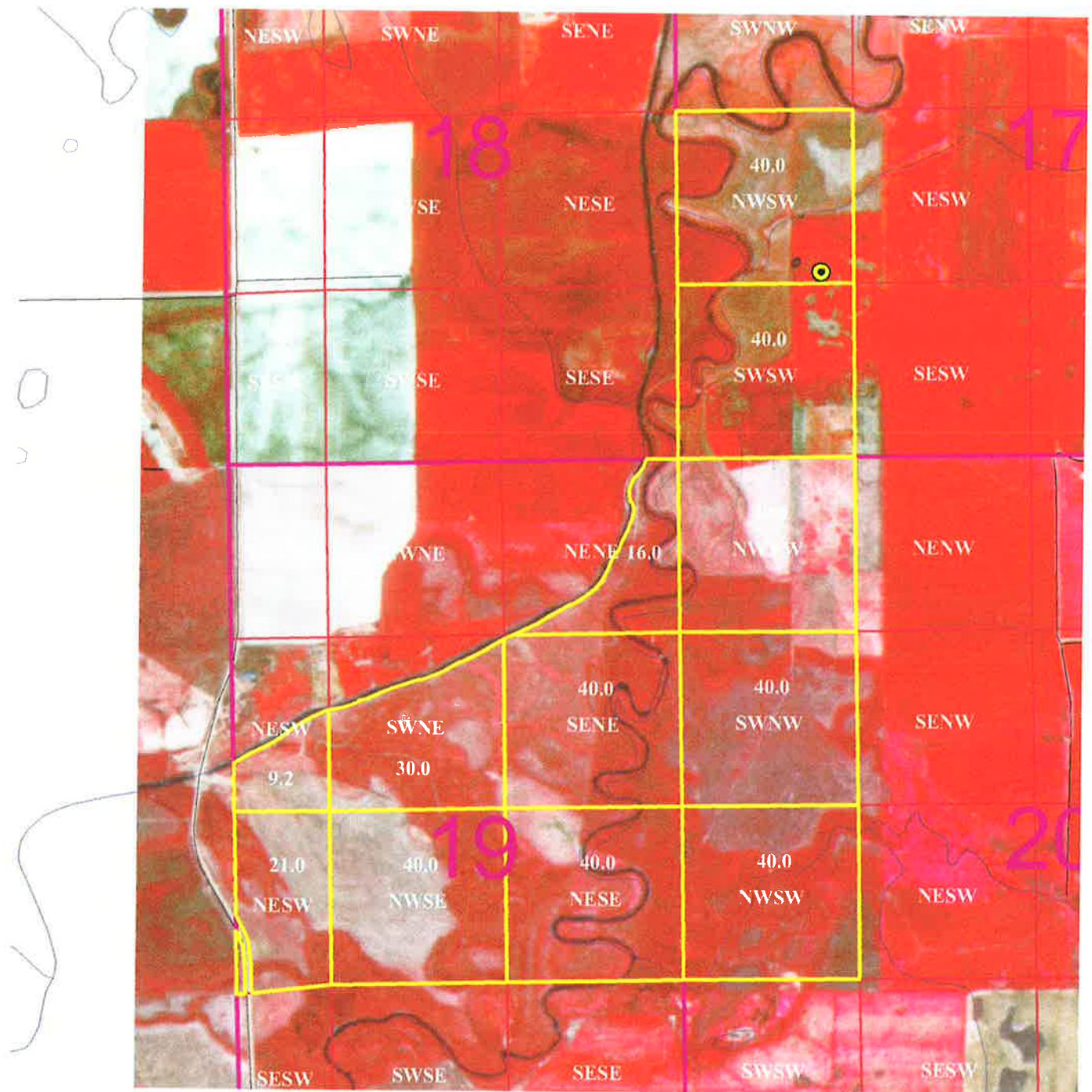
500 0 500 1000 Feet



Water Right Claim Number A29-02379

06/12/2000

Townships , 7S39E, 7S38E



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2379
NAME AND ADDRESS: NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

CARL L PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.560 CFS
1,372.00 AFY

PRIORITY DATE: 10/22/1956

POINT OF
DIVERSION: T07S R39E S17 NWSW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.560 CFS
		1,372.00 AFY
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

<u>T07S R38E S24</u>	<u>NENE</u>	<u>1.0</u>	<u>T07S R38E S24</u>	<u>SENE</u>	<u>3.0</u>
~~T07S R39E S24~~	~~NENE~~	~~1.0~~	~~T07S R39E S24~~	~~SENE~~	~~3.0~~
T07S R39E S17	NWSW	32.0	T07S R39E S17	SWSW	40.0
T07S R39E S18	NESE	5.0	T07S R39E S18	SESE	5.0
T07S R39E S19 Lot 3		11.0	T07S R39E S19 Lot 4		15.0
T07S R39E S19	NENE	15.0	T07S R39E S19	SWNE	28.0
T07S R39E S19	SENE	39.0	T07S R39E S19 Lot 2	SWSW	5.0
T07S R39E S19	NESE	40.0	T07S R39E S19	NWSE	20.0
T07S R39E S19	SWSE	12.0	T07S R39E S19	SESE	4.0
T07S R39E S20	NWNW	40.0	T07S R39E S20	SWNW	40.0
T07S R39E S20	NWSW	37.0			

STOCKWATER same as IRRIGATION

392 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

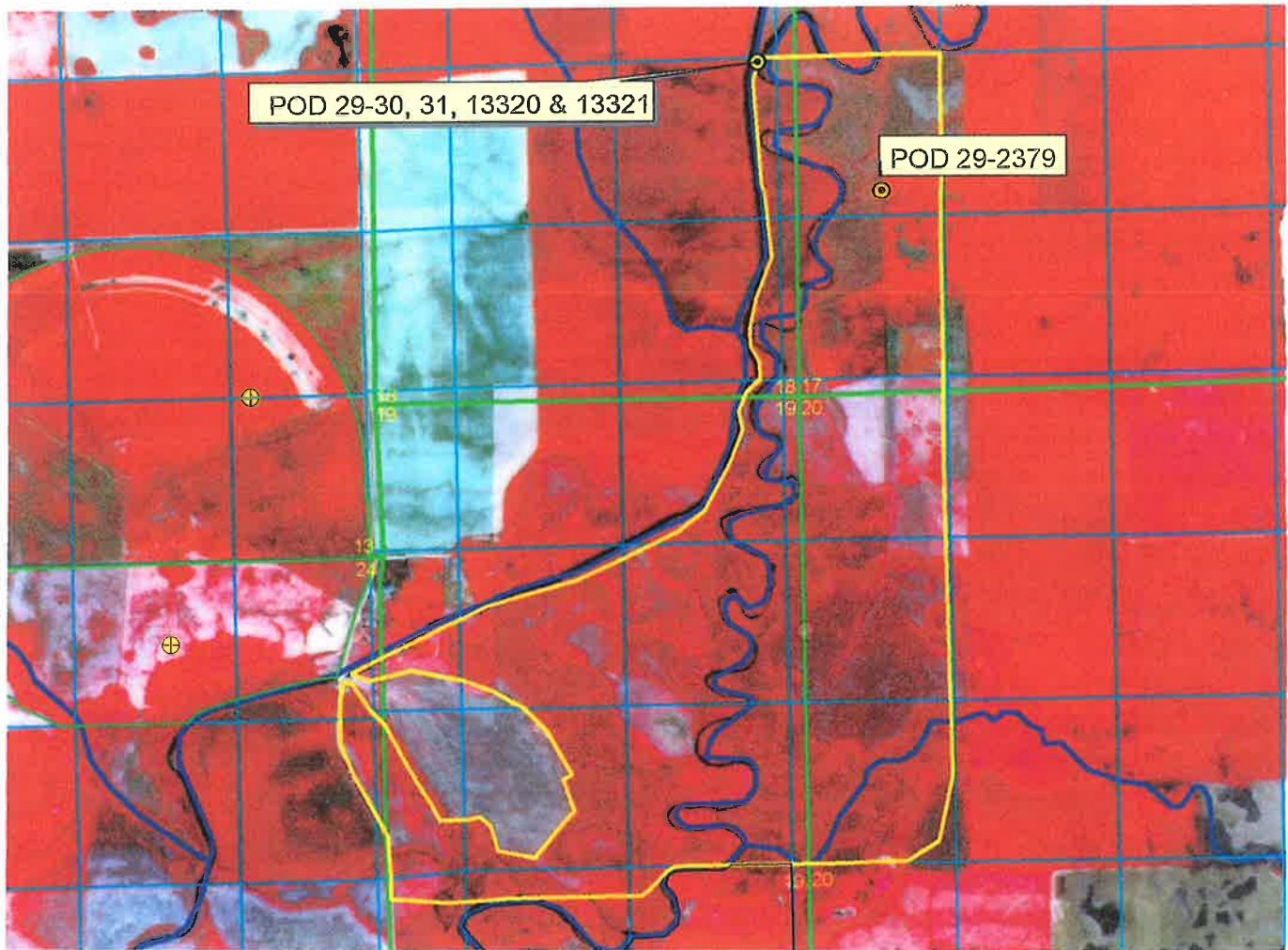
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

**Water Rights 29-30, 29-31, 29-2379,
29-13320 and 29-13321.**



0.09 0 0.090.18 Miles



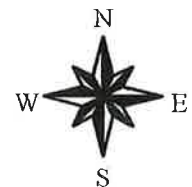
IRRIGATED ACRES: 382.2

LEGEND

- Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T7S, R39E,
(part of) Sections 17, 18, 19, 20 and 24

Points of Diversion: T7S, R39E
Sec. 17 SENWSW and Sec. 18
NENESE



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: June, 2003

PROFILED

SCANNED
FEB 02 2006



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

RECEIVED

DEC 15 2004

Department of Water Resources
Eastern Region

December 8, 2004

Eric Wildman
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Re: SRBA Subcase Nos. 29-2379 (Phillips)

Dear Eric:

The partial decree for this water right was issued March 22, 2004. The Department, however, recently discovered a clerical error in the place of use element in its recommendation and the partial decree.

The original claim for this water right did not claim Section 24, of Township 7S, Range 38E. However, upon investigation of the place of use, the Department determined a portion of the place of use for this right was in Section 24, Township 7S, Range 38E. Yet, the Department recommended the incorrect range. The original recommendation and partial decree for the place of use listed Township 7S, Range 39E, Section 24. A corrected recommendation changing the place of use to reflect Township 7S, Range 38E, Section 24 is attached hereto.

I am sending a copy of this letter to the claimants for their information. If you have any questions concerning this matter, please contact me at (208) 287-4810.



Very Truly Yours,

Candice M. McHugh
Deputy Attorney General, IDWR

cc: Carl Phillips
Cindy Bird

PROFILER

Natural Resources Division - Water Resources Section
P.O. Box 83720 Boise, Idaho 83720-0098
Telephone: (208) 287-4801; Legal FAX: (208) 287-6700

SCANNED

FEB 02 2006

Bird, Cindy

287-4810.

From: McHugh, Candice
Sent: Wednesday, December 01, 2004 12:00 PM
To: Bird, Cindy; Carlsen, Ernie
Subject: RE: 29-30,31, 2379

Thank you Cindy. I'm thinking we need to correct his priority date to 8/7/1932. I will make a note of that on the record at our next status conference and then we will change it on an SF5 when the thing settles. If settlement doesn't seem likely, we will have to do an Am. Director's Report.

As for the typo, I will write a letter to the court to correct the Range and let you review it before I send it .

I will contact Carl about what he wants to do about more acres in section 19. He needs to file a motion to set aside the partial decree to do that.

Candice

-----Original Message-----

From: Bird, Cindy
Sent: Wednesday, December 01, 2004 11:45 AM
To: Carlsen, Ernie
Cc: McHugh, Candice
Subject: RE: 29-30,31, 2379

The rationale on recommending the 8/8/1932 was just an error on my part. I was thinking the decree date was 8/7 not 8/6 and 8/7 was the extended SOU date not the decree date.

Carl is correct the area in section 24 are in T7S, R38E. They are in the NENE AND SENE of section 24. It's a little tip that crosses the range line.

As far as the additional acres he wants in section 19, that is also news to me.
Cindy

-----Original Message-----

From: Carlsen, Ernie
Sent: Tuesday, November 30, 2004 3:16 PM
To: Bird, Cindy
Cc: McHugh, Candice
Subject: FW: 29-30,31, 2379

Cindy since the claim files identified below are not at Eastern I hope you have them at Soda Springs. If you will provide me with the answers to Candice's questions I will complete the data entry.

Thanks
Ernie

-----Original Message-----

From: McHugh, Candice
Sent: Tuesday, November 30, 2004 1:47 PM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: 29-30,31, 2379

I spoke with Mr. Phillips. It seems there's a typo in the POU for 29-2379, should be Range 38E Section 24 NOT Range 39E Section 24. Since this water right has been partially decreed, I need to write a letter to the court with a corrected recommendation. I want to first confirm that there's a typo. Second, Mr. Phillips wants more acres in section 19. This issue is unclear to me. He's sending some information that Keith Wilson has apparently sent to him. This would not be a typo and would require Mr. Phillips to file a motion to set aside the partial decree in order to add more acres.

Also, Ernie, Mr. Phillips claimed his decreed priority dates (1889, 1887?) for water right nos. 29-13320, 13321. I

1
FILED

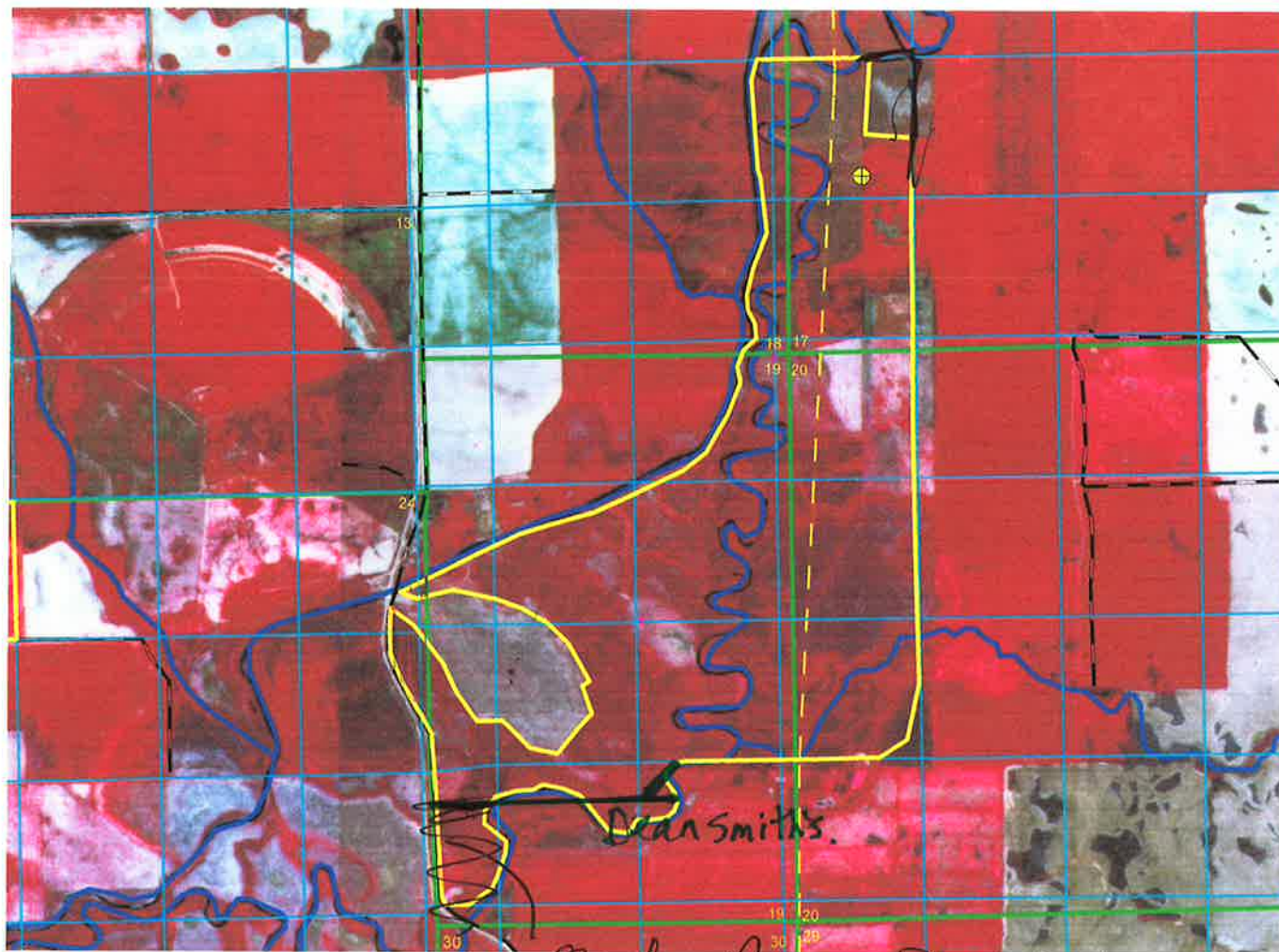
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FEB 02 2006



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-2379



800 0 800 1600 2400 Feet

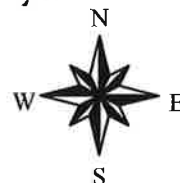
LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T7S, R39E
(part of) Sections 17, 18, 19, 20 and 24.

Points of Diversion: T7S, R39E
Sec. 17 SENWSW

out Dean Smith's
Per Preston Phelps
6/13/03.



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: July 2002

10/4/02 NOON: Ernie Carlson phone conversation

License 29-2379 was licensed for 400 acres so Carl can irrigate 400 acres under the license. The surface water combined will only do 364 acres so if he can irrigate all of the 392 acres with surface water then he will need to file an enlargement claim. Otherwise, he doesn't need to.

The filing fee for the enlargement would only be \$50.00, no late fee because he did file and this is an additional claim to include additional acres.

6/13/03 12:07pm Preston Phelps - Caribou Co. Assessors office, Dean Smith does own the dog leg north of the river in Section 19. Actually it doesn't follow the river it goes straight across.

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Priority Date Data Entry Form

Claim Number: 29-2379Water Right Priority Date: 10-22-1956 Water Right Basis: licenseClaimed Priority Date: 10-22-1956 Claimed Basis: license

Recommended Priority Date: _____ Recommended Basis: _____



Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

licenseReviewer: CBDate: 7/2/02

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Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T 7S, R 39E, Sec. 17, _____, NW, SW. County: CaribouSource: Ground water Tributary: _____Claimed Point of Diversion: T 7S, R 39E, Sec. 17, _____, NW, SW. County: CaribouSource: G.W. Tributary: _____

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____



Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? NO

Document how the POD and Source were verified and/or Pump and Motor data:

license

Transfers Changing POD NOReviewer: CBDate: 7/2/02

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FEB 02 2006

Place Of Use Data Entry Form

Claim Number: 29-2379☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 380

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
7								

Total Acres 443 ~~380~~ .392

Document how the POU was verified:

- 1987/88 MAPP Photography
IN 1964 Christianson drilled a new well in section 19
to irrigate that land. The land in section 19 is owned
by the LDS Church. It's operated by another
person.

- Accomplished POU Remark required. (C05)

Transfers Changing POU NOReviewer: CBDate: 7/2/02

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FEB 02 2006

Purpose of Use Data Entry Form

Claim Number: 29-2379.☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			400	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation				

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation.			~~380~~ 392	
stock		400		

Document how the Purpose of Use was verified:

1987/88 NAPP Photography.

Transfers Changing Purpose of Use NOReviewer: CBDate: 2/2/02

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FEB 02 2006

Period of Use and Quantity Data Entry Form

Claim Number: 29-2379

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation			2.56	—
Stock				

Overall Diversion Rate 2.56 Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	2.56	—

Overall Diversion Rate 2.56 Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	2.56	1330 A-F
Stock	1/1	12/31	—	

Overall Diversion Rate 2.56 Overall Diversion Volume 1330 A-F

Document how the Period of Use and/or Diversion Rate were verified:

administrative season used.
-diversion verified with license. (2.56 cfs)
-diversion volume 3.5 ac/Acres * 380 Acres = 1330 A-F.

Reviewer: CB

Date: 7/2/02

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FEB 02 2006

Contacts Data Entry Form

Owner Type Full Name Address City State Zip Phone

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 7/2/02 Time: 5:15pm.

Directions to Property (if different from above) and/or update owner information:

drove by the property-
claimant had wheel line going.

Reviewer: CB

Date: 7/2/02

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FEB 02 2006

Warranty Deed

THIS INDENTURE, Made this 23rd day of May, in the year of our Lord One Thousand Nine Hundred and EIGHTY-EIGHT, between

LADELL HASLAM AND AMARYLIS B. HASLAM, husband and wife,
of Bancroft, County of Caribou, State of Idaho,
the parties of the first part, and

CARL L. PHILLIPS AND NOLA R. PHILLIPS, husband and wife, 2884 West 1400 South,
of Aberdeen, County of Bingham, State of Idaho,
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100 - - - - - DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain lot piece or parcel of land situate, lying and being in the County of Caribou State of Idaho, bounded and more particularly described as follows, to-wit:

Township 7 South, Range 39 East of the Boise Meridian:

Section 17: W $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 18: All that portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying East of the Portneuf Marsh Valley Irrigation Company Canal.

Section 19: All that portion of Section 19 lying East of the Portneuf Marsh Valley Irrigation Company Canal and ALSO, Beginning at a point 1300 feet South of the Northwest corner of Section 19 and running thence East 500 feet; thence South approximately 500 feet to the Portneuf Marsh Valley Irrigation Company Canal; thence Southwest along the North side of the Portneuf Marsh Valley Irrigation Company Canal to County Road; thence North along East side of County Road, to the point of beginning.

EXCEPT, any portion of the following described tract lying within Section 19, to-wit:

Beginning at a fence corner which is the accepted Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, and running thence South 89°36' West 678.48 feet; thence South 40°21' West 531.03 feet; thence South 53°22' West 543.3 feet; thence North 89°44' West 1892.22 feet to the Easterly right of way of County Road; thence following said right of way South 2°59' East 407.19 feet; thence following said right of way to a point South 30° East 1543.07 feet, said right of way consists of a series of irregular curves;

(CONTINUED OVER)

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal s the day and year first above written.

Signed, Sealed and Delivered in the Presence of

SCANNED

FEB 02 2006

La dell Haslam [Seal]
LADLELL HASLAM
Amarylis B. Haslam [Seal]

STATE OF IDAHO,
County of CARIBOU.

ss.

On this

23rd

day of

May

in the year 1988, before me

the undersigned,

a

Notary Public

in and for said County and State, personally appeared

LaDell Haslam and Amarylis B. Haslam, husband and wife,

known to me to

be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Rona Jean Senon

Notary Public.

Residence and P. O. Address: Soda Springs, Idaho.

My commission expires: August 15, 1991.

134386 WARRANTY DEED

LADELL HASLAM AND AMARYLIS B.

HASLAM, husband and wife,

TO

CARL L. PHILLIPS AND NOLA R. PHILLIPS,
husband and wife,

Dated May 23rd 1988

STATE OF IDAHO,

County of Caribou.

ss.

I hereby certify that this instrument was filed for
record at the request of

CARIBOU TITLE

at SD minutes past 4

o'clock P. M., this 23rd

day of May, A. D. 1988

in my office and duly recorded in Book

of Deeds at page

MYRNA W. ARCHIBALD

Ex-Officio Recorder.

Becky Staker

Deputy.

Fee, \$ 6.00

REC. PHILLIPS SPRINGS, I.D. 100-1111111111111111

thence along said right of way South 1°44' West 164.87
feet to the intersection of the North line of
another County Road right of way;
thence North 88°38' East along said right of way 2569.87
feet to East line of Section 30;
thence North along East line of Section 30, 2575.18 feet,
to the point of beginning.

Section 20:

W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPT ANY PORTION THEREOF lying within right of way of
County Road.

RECEIVED
SEP 12 2002

SCANNED
FEB 02 2006

29-2379 6/26/02 MOON. - Office visit
with Carl Phillips.
licensed for irrigation is section 18,
all of the SE $\frac{1}{2}$ SWNE.

Was not licensed for irrigation in section
19 but claimed 180 acres, also irrigates
and owns to the canal in T7S, R38E Sec.
24.

Nothing is irrigated west of the road.

The POD is moved slightly NW from the
spatial dynamics point. $\frac{1}{2}$

Carl irrigates to Portneuf (Downey Canal)
boundary.

- Carl is going to get a copy of his warranty
deed and find out when the POD was
changed to section 19. The LDS Church
currently owns the property in section
18 under this license. it's not irrigated
from this well.
- 6/28/02 Carl Phillips - Carbon County Courthouse
recorded the deed 5/23/1988.

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FEB 02 2006

WR5809NP
No. 29-02379

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/23/01
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILFORD W. LUNDBERG	10/22/1956	IRRIGATION STOCKWATER	00/00 00/00 00/00 00/00	2.560 CFS	
TOTAL DIVERSION:					2.560 CFS	

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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
07S	39E 17																															80.0			
07S	39E 18							40														40					40		40			200.0			
07S	39E 20											40		40								40										120.0			
																																		400.0	
																TOTAL ACRES																			

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: CARIBOU

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

Other Water Rights Listing Overlapping Place(s) of use:
29-00030 29-00031 29-00103 29-00104 29-00105 29-00106 29-02529

Dates:	App. Received:	Priority Date:	10/22/1956
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	08/14/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 02/26/85 05/22/88 CONVERT

MAY 4 2001

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			TOTAL DIVERSION:	2.560 CFS	
	ABEERDEEN ID 83210			CONSUMPTIVE USE:		950.00 AFA
	(208) 397-4690					

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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
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
 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
			NE 1/4 SE 1/4	40	40
		20	NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			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)

211 1179

21-

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 No.
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 onhand: \$
(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.

This irrigation project is to increase the productivity of existing crop land and for the watering of stock

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

MARK R. FULL
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLTIE, Governor of the State of Idaho,
and JAS. H. 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 13th
day of November, 1956.

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG
Secretary of State.

By ROBERT F. SMYTHE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	39 E.	18	40	10	10	40								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:				
G-26601.			That he is the owner and holder				of permit to appropriate the public waters				of the State of Idaho, No.								
			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.								
recommendation of the State Engineer, Mr. Humphreys			That the reason for desiring to make such change is as follows: to correct the location of the pump as per																
			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.								
Date of Receipt at			Department of Reclamation				on: November 10, 1959				s/ Willford W. Lundberg								
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 is 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 a 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 - LUNDBERG ✓

FIRST NAME - WILFORD W. ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - LOGAN ✓

STATE - UT ✓ ZIP CODE -

SOURCE - GROUNDWATER ✓

TRIBUTARY OF -

STAGE - LICENSE ✓

STATUS - ✓

PRIORITY - 10-22-1956 ✓

COUNTY - CARIBOU ✓

TOTAL DIV. RATE -

2.5600 ✓ CFS

TOTAL DIV. VOLUME -

.00 ✓ AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWSW 17 07S 39E LOT 17 ✓

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

FROM - TO -

USE - IRRIGATION ✓

USE DIV. RATE -

2.5600 ✓ CFS

USE DIV. VOLUME -

.00 ✓ AFA

FROM - TO -

USE - STOCKWATER ✓

USE DIV. RATE -

.0000 ✓ CFS

USE DIV. VOLUME -

.00 ✓ AFA

USE - IRRIGATION ✓

PLACE OF USE - TWN 07S 39E SEC 20 ✓

TRACT NWNW 1/4 LOT

AC 40 ✓

TRACT SWNW 1/4 LOT

AC 40 ✓

USE - IRRIGATION ✓

PLACE OF USE - TWN 07S 39E SEC 18 ✓

TRACT NWSW 1/4 LOT

AC 40 ✓

TRACT NESE 1/4 LOT

AC 40 ✓

USE - IRRIGATION ✓

PLACE OF USE - TWN 07S 39E SEC 17 ✓

TRACT SWSE 1/4 LOT

AC 40 ✓

TRACT SWSW 1/4 LOT

AC 40 ✓

DECREE NAME -

DATE -

TOTAL ACRES

400 ✓

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 26601 ✓

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

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 1/4 of Section 18
T. 7 S. R. 39 E.B.M. County of Caribou @ 1320 ft
4. Describe works as they exist, giving dimensions and capacities of same: 18' x 110' H=15' d=90'
Twp. 7 S. R. 39 E.B.M. demand = 2000 x 3
Loc. 101617 10' d. to west side of well
well house 8' x 8' x 7' h. base plan [D] pencil in house 101617
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 1/2 of Sec. 18., Twp. 7 S., Rge. 39 E.B.M.

135' x 10'

107' x 60'

75' x 80' x 70' x 55'

145'

150'

150'

150'

This region does not need too much water to produce a good crop. They have considerable extra portable 6" main and throw the water whenever 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 & Joan Bortz, well drilling along
system was not in operation.
lift of 60' was used.

Q = by calculation

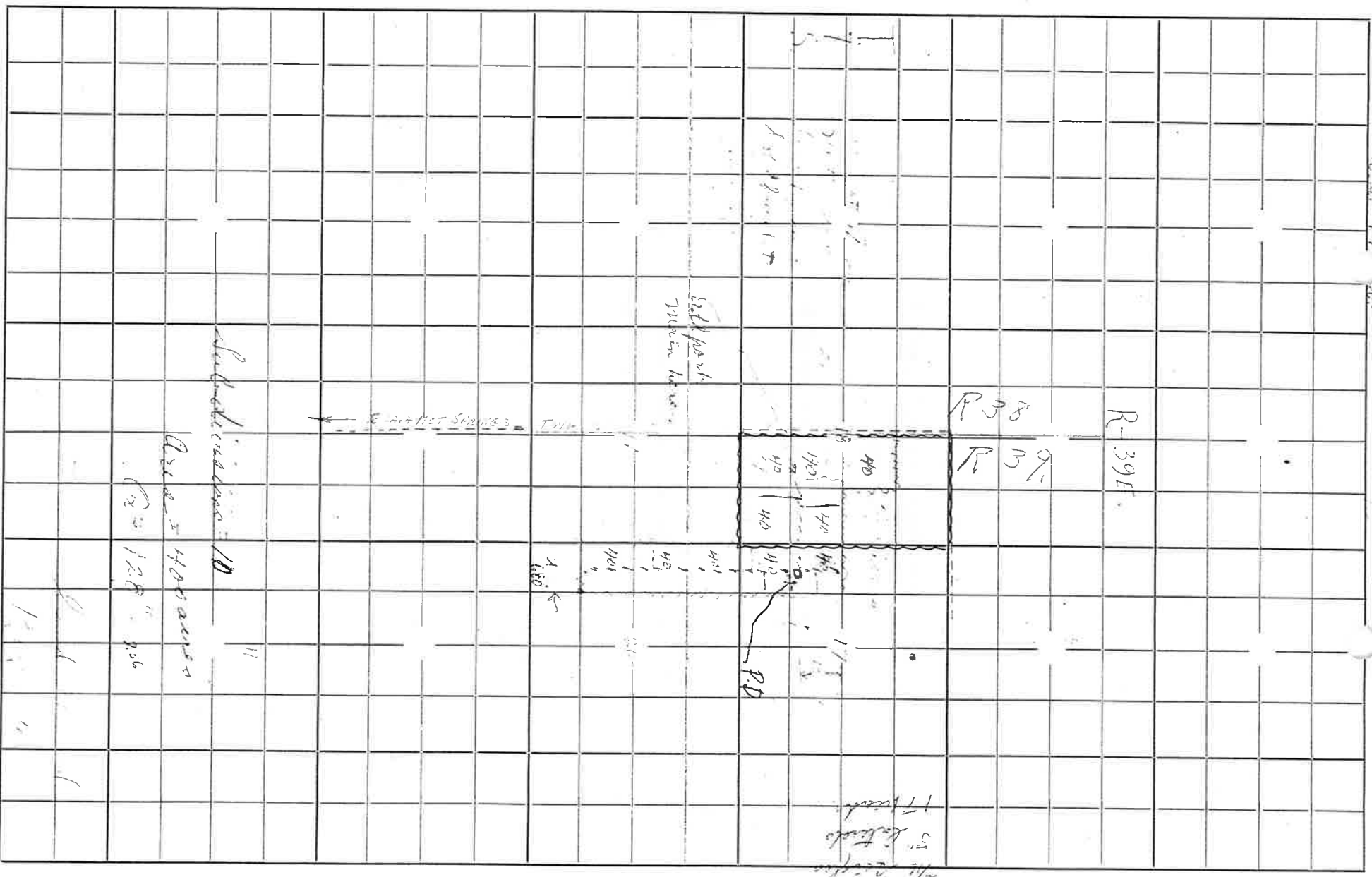
See G-26192

Farmer has been sold to Eugene Nelson and then Renteria

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

(Signed) E. H. Thompson Examiner.

G-26601



WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

26601

1 29-2379

Old No.

New No.

Record

1. Original Owner: W. Wilford W. Lundberg

Present Owner: _____

2. Address:

3. City: Bancroft Logan State: UT Zip:4. A. Source of Water: gr

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: 10-22-1956D. County: 29E. 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 S</u>	<u>39 E</u>		

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

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

SCANNED
MAY 4 2001

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: E011865

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

(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.

NOV 13 1992

R38E R39E

18

Fd
17

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40

40

MICROFILMED
NOV 13 1982