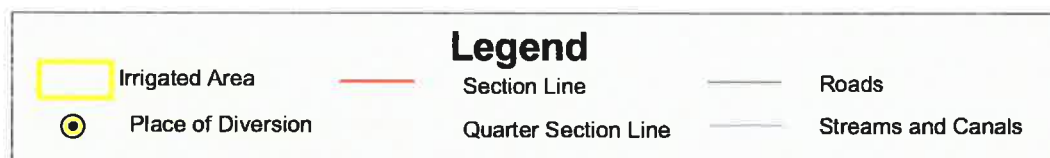
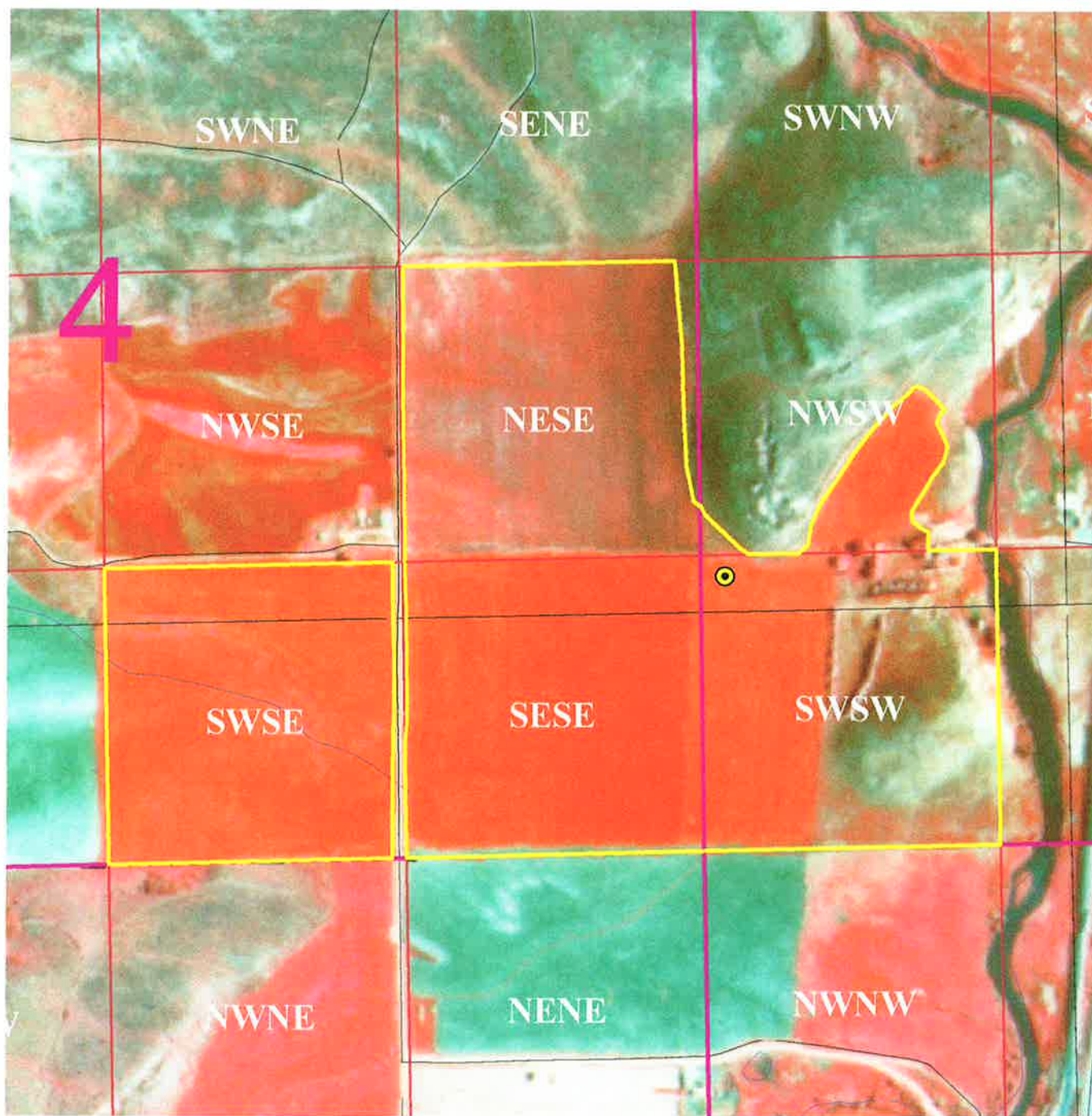


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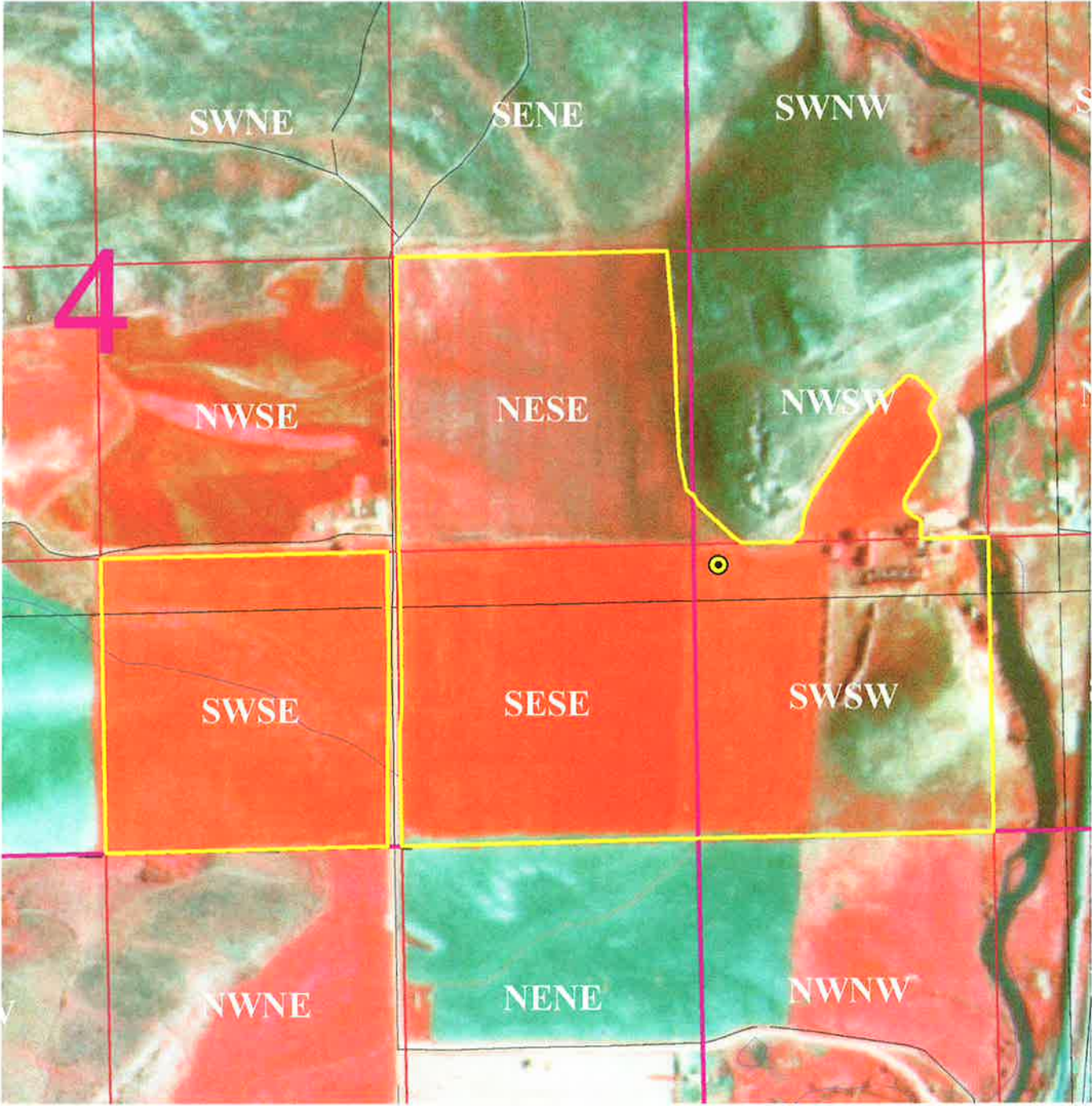
Township , 8S38E



400 0 400 800 Feet



Township , 8S38E

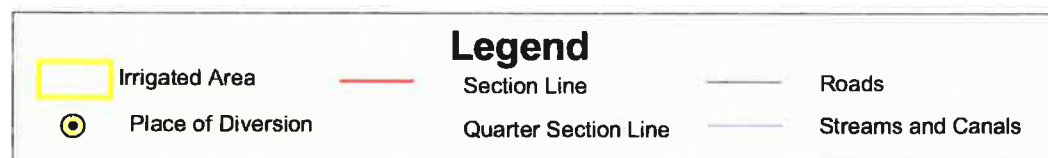
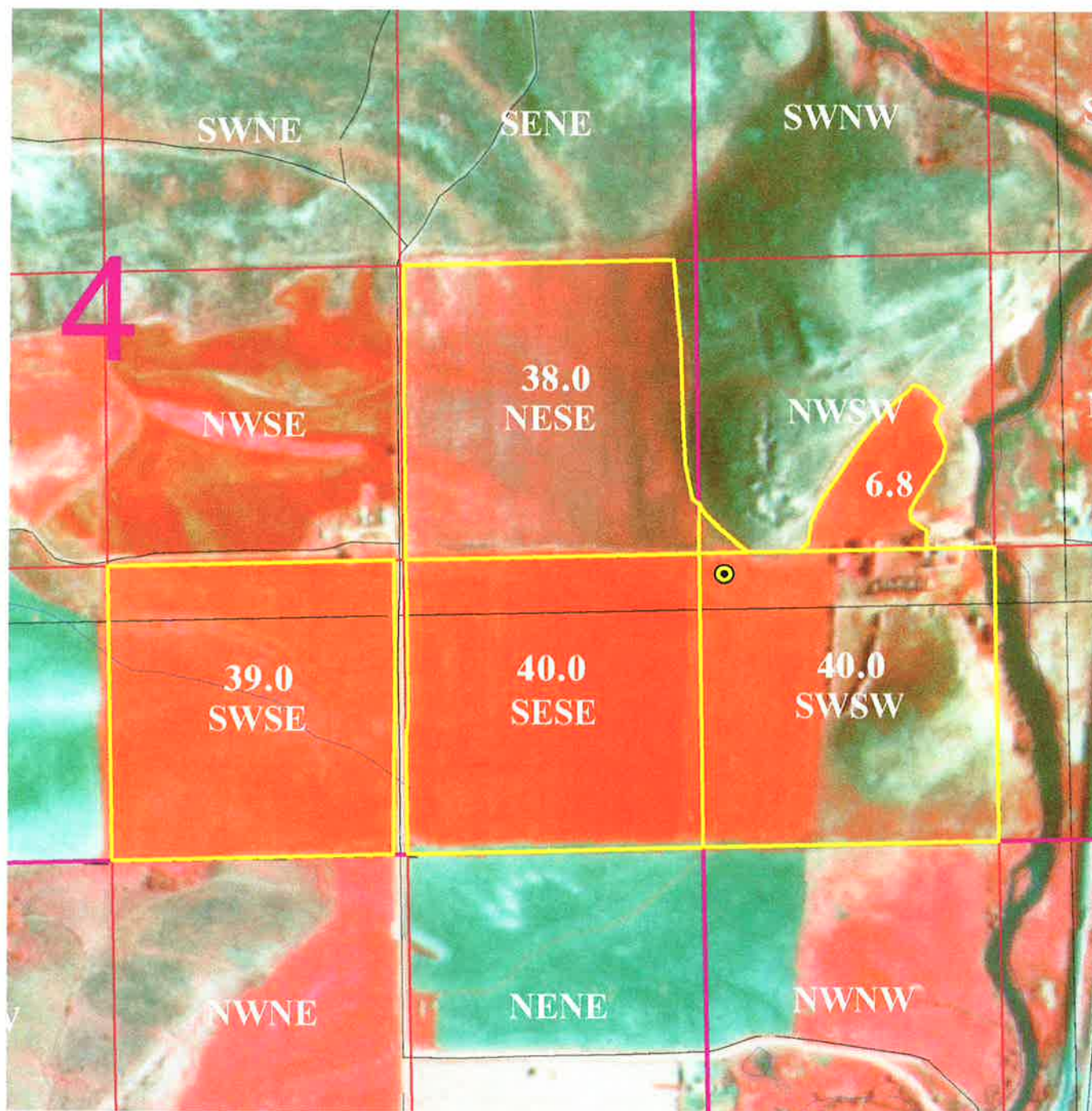


Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



Township , 8S38E



400 0 400 800 Feet



AJ5809NP
No. A29-02449

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 77

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONNA RAE MABEY 387 E 450 S CLEARFIELD UT 84015	11/03/1961	IRRIGATION	04-01 10-31	2.220 CFS	474.00 AFA
TOTAL DIVERSION:					2.220 CFS	474.00 AFA
CONSUMPTIVE USE:						395.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R38E S03 NWSWSW

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	
08S	38E 3	:		:		:		:		:		:		:		:		43.0
08S	38E 4	:		:		:		:		:		:		:		:		115.0
TOTAL ACRES																	158.0	

POU County: CARIBOU

Other Rights: A29-00131/00133/02048.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-12918

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00131 A29-00133 A29-02048

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

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

Audit: 01/24/90 MOBILE3 07/13/94 COX 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

June 4, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LANNY B HOLBROOK AND
JOANN M HOLBROOK
2181 W 1780 S
SYRACUSE, UTAH 84075

RE: CHANGE IN OWNERSHIP FOR WATER RIGHTS NOS. 29-131, 29-133,
29-2449, & 29-2048.

Dear Mr. and Mrs. Holbrook:

I received the recent updated warranty deed for the Mabey property. Please find enclosed copies of the revised recommendations reflecting you as the current owners.

If you have any questions regarding this matter, please feel free to call me at 525-7161.

Respectfully submitted,



W. Roger Warner
Adjudication Specialist

Enclosure(s) Copies of Revised Preliminary Recommendations for
Water Rights 29-131, 29-133, 29-2449, & 29-2048.

PROFILED

SCANNED

FEB 10 2006

5-28-03

Roger Warner

The error in the property description you found has been corrected. . . Thanks !!

The problem now is to get the water rights 29-131, 29-133, 29-2449, 29-2048 into my name.

I paid \$185,000 on Nov 21, 2000 for an undivided one-half interest of 3 parcels of property that made up the Mahay farm. This warranty deed protected my interest as well as Dona Rae Mahay's interest in the farm.

I paid \$165,000 on Feb 14, 2002 for an undivided one half interest of 3 parcels of property that made up the Mahay farm. This gave me full ownership. In order to obtain this information for getting water rights, both warranty deeds need to be looked at by DWR to determine that water rights need to be in my name.

I am sending a copy of the latest warranty deed dated May 14, 2003 to clarify this. I hope this last warranty deed doesn't confuse the issue. There seems to be enough warranty deeds even before this last deed of May 15, 2003 to substantiate this. It would be nice however to have 1 warranty deed.

Hope you can get water rights in my name only. I am sending the latest warranty deed (copy) dated 5-15-2003. Thanks Sammi Holbrook



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

April 3, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LANNY B HOLBROOK AND
JOANN M HOLBROOK
2181 W 1780 S
SYRACUSE, UTAH 84075

RE: CHANGE IN OWNERSHIP FOR WATER RIGHTS NOS. 29-131, 29-133,
29-2449, & 29-2048.

Dear Mr. and Mrs. Holbrook:

Thank you for returning the change-of-ownership form to our office. In our review of the transfer of ownership of the property, we recognized that the land descriptions in the warranty deeds did not entirely match those of the above referenced water rights. Your warranty deed list included the following (problem areas highlighted in red and underlined):

40 ACRES: NW ¼ OF NE ¼ SEC 9 SEC9 T82-R38E

120 ACRES: SW ¼ OF SE ¼, E ½ SE ¼ LESS 2.27 ACRES HW.
SEC 4 T8S R38 E

148 ACRES: W ½ OF THE SE ¼, SW ¼ OF THE NW ¼ TR SE ¼
OF NW ¼ W OF RR, TR NE ¼ OF SW ¼ W OF
RIVER SEC 3 T8S R38E

The 40-acre tract described above is not a problem. It only shows the section number duplicated and the T82 appears to be a typographical error that should read T8S. The problem is the description of the 148-acre tract. This description details two forty-acre tracts that are beyond the areas of the reference water rights thereby stranding two-quarter sections that cover the irrigated areas. It appears that this should have read "SW ¼" instead of "SE ¼." This leaves two options:

1. Correct the warranty deeds and submit a new change of ownership form with the new warranty deeds, or
2. Commence a water right transfer to split the above referenced water rights between yourselves and whoever continues to own the W ½ of the SW ¼ of section 3, T8S R38E.

As a courtesy, I have included a 1987/1988 infrared aerial photo layout of your property showing the quarter sections and the lands irrigated from the referenced

SCANNED

FEB 10 2006

PROFILED

RECEIVED
MAY 08 2003
Department of Water Resources
Eastern Region

water rights.

A second matter, in the materials that were returned to us, a note was attached to water right claim no. 29-2048 indicating that you would like to retain this water right. Unfortunately, this water right was not claimed in the prior adjudication of the Union Grain and Elevator Decree (circa 1930) and is therefore NOT considered valid.

If you have any questions regarding this matter, please feel free to call me at 525-7161.

Respectfully submitted,



W. Roger Warner

Adjudication Specialist

Enclosure(s) 1987/1988 color infrared layout of Water Right 29-131, 29-133, 29-2449, & 29-2048., and
Change of Ownership form.

SCANNED

FEB 10 2006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK per
Roger
date rec'd
Jen
5/13/03

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
WR 29-131					
WR 29-133					
WR 29-2449					
WR 29-2048					

The following **REQUIRED** information must be submitted with this form:

- The appropriate **FILING FEE**. See instructions for fee amounts.
- A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former
Owner/Claimant(s)

DONA RAE MABEY

1178 W. SHASHAS AVE.

RIVERTON, UT 84065

New Owner/Claimant(s)

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

LANNY B. HOLBROOK JOANN M. HOLBROOK

2181 W. 1780 S.

New Mailing Address

SYRACUSE, UTAH 84075

City, State and ZIP Code

New Telephone Number

(801) 825-7311

Date you acquired the property

1/2 INTEREST ON 1-12-2000

1/2 INTEREST ON 3-1-2002

SCANNED

FEB 10 2000

PROFILED

When Recorded Return to:
Mark D. Palmer, Esq.
PALMER & PALMER, L.C.
975 West 1700 South, Suite 201
Syracuse, Utah 84075

STATE OF IDAHO 168635-
County of Caribou
I hereby certify that this instrument was filed at the request
of Palmer & Palmer L.C.
at 12:55 o'clock P m this 22 day of
May in my office and duty
recorded official Records
Recorder Edie Bush
Signature [Signature] Deputy [Signature] \$ 6.00

WARRANTY DEED

Dona Rae Mabey, Trustee of the Dona Rae Mabey Family Protection Trust, dated the 28th day of March, 1994, grantor, of 1178 West Shashas Avenue, Riverton 84065, Salt Lake County, State of Utah conveys and warrants to Lanny B. Holbrook and JoAnn M. Holbrook, Trustees of the Lanny B. Holbrook Family Protection Trust, dated the 11th day of February, 1999, grantee, of 2207 West 1700 South, Syracuse 84075, Davis County, State of Utah, for the sum of \$10.00 and other good and valuable consideration, the following-described tract of land in Caribou County, State of Idaho:

An undivided one-half interest in and to the following:

40 ACRES: NW 1/4 OF NE 1/4 SEC 9 T8S-R38E

120 ACRES: SW 1/4 OF SE 1/4, E 1/2 SE 1/4 LESS 2.27 ACRES HW.
SEC 4 T8S R38 E

148 ACRES: W 1/2 OF THE SW 1/4, SW 1/4 OF THE NW 1/4 TR SE
1/4 OF NW 1/4 W OF RR, TR NE 1/4 OF SW 1/4 W OF
RIVER SEC 3 T8S R38E

Excepting therefrom all liens and encumbrances of record.

Witness the hand of grantor this 14 day of May, 2003.

THE DONA RAE MABEY
FAMILY PROTECTION TRUST

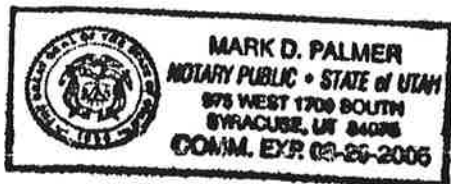
[Signature]
DONA RAE MABEY, TRUSTEE

SCANNED

FEB 10 2006

STATE OF UTAH)
 (ss.
COUNTY OF DAVIS)

On the 14 day of May, 2003, personally appeared before me Dona Rae Mabey, Trustee of the Dona Rae Mabey Family Protection Trust, dated the 28th day of March, 1994, the signer of the within instrument, who duly acknowledged to me that she executed the same.



(SEAL)



NOTARY PUBLIC
Residing at: Syracuse, Utah
My Commission Expires: 08/29/05

SCANNED

FEB 10 2006

PALMER & PALMER

ATTORNEYS AT LAW
975 WEST 1700 SOUTH, SUITE 201
SYRACUSE, UTAH 84075
TELEPHONE (801) 825-2202
FACSIMILE (801) 773-5060

MARK D. PALMER*

*ALSO ADMITTED IN WASHINGTON, D.C.

J. DUFFY PALMER

(1921-1996)

May 27, 2003

Lanny Holbrook
2207 West 1700 South
Syracuse, Utah 84075

RE: QUIT CLAIM DEED

Dear Lanny:

Enclosed you will find the original Warrant Deed recorded in Caribou County, Idaho. I think the full amount has now been transferred, but you may want to call and double check with the County Recorder in Idaho. If you have any further questions, please call our office.

Very truly yours,

Palmer & Palmer



Secretary to
Mark D. Palmer

enclosure

SCANNED

FEB 10 2006

PALMER & PALMER

ATTORNEYS AT LAW
975 WEST 1700 SOUTH, SUITE 201
SYRACUSE, UTAH 84075
TELEPHONE (801) 825-2202
FACSIMILE (801) 773-5060

MARK D. PALMER*

LARON J. LIND+

*ALSO ADMITTED IN WASHINGTON D.C.

+ALSO ADMITTED IN CALIFORNIA

J. DUFFY PALMER

(1921-1996)

March 11, 2002

Lanny & JoAnn Holbrook
2207 West 1700 South
Syracuse, Utah 84075

RE: WARRANTY DEED

Dear Mr. and Mrs. Holbrook:

Enclosed please find your original Warranty Deed which has been recorded with the Caribou County Recorder's Office in Idaho. I sent a copy of the deed to Dona Rae Mabey, as well as kept a copy for our office files. I have enclosed a bill for the deed work. Please feel free to call with any questions you may have.

Thank you very much.

Very truly yours,

Palmer & Palmer



Secretary to
Mark D. Palmer

enclosures

SCANNED

FEB 10 2006

STATE OF IDAHO } ss 165442
County of Caribou

I hereby certify that this instrument was filed at the request
of Mark D. Palmer
at 11:15 o'clock A m this 16th day of
March, 2002 in my office and duly
recorded official Records
Recorder Edie Izatt

Signature

Jessie Stephens
Deputy 6.00 Ad

When Recorded Return to:
Mark D. Palmer, Esq.
PALMER & PALMER, L.C.
975 West 1700 South, Suite 201
Syracuse, Utah 84075

WARRANTY DEED

Dona Rae Mabey, Trustee of the Dona Rae Mabey Family Protection Trust, dated the 28th day of March, 1994, grantor, of 387 East 450 South, Clearfield, Davis County, State of Utah conveys and warrants to Lanny B. Holbrook and JoAnn M. Holbrook, Trustees of the Lanny B. Holbrook Family Protection Trust, dated the 11th day of February, 1999, grantee, of 2207 West 1700 South, Syracuse, Davis County, State of Utah, for the sum of \$10.00 and other good and valuable consideration, the following-described tract of land in Caribou County, State of Idaho:

An undivided one-half interest in and to the following:

40 ACRES: NW 1/4 OF NE 1/4 SEC 9 ⁵~~SEC 9~~ T8²~~2~~-R38E ✓

120 ACRES: SW 1/4 OF SE 1/4, E 1/2 SE 1/4 LESS 2.27 ACRES HW. ✓
SEC 4 T8S R38 E

148 ACRES: ⁸⁰W 1/2 OF THE SE 1/4, ⁴⁰SW 1/4 OF THE NW 1/4 TR SE 1/4
₂₀OF NW 1/4 W OF RR, TR NE 1/4 OF SW 1/4 W OF
RIVER SEC 3 T8S R38E

Excepting therefrom all liens and encumbrances of record.

Witness the hand of grantor this 1st day of March, 2002.

THE DONA RAE MABEY
FAMILY PROTECTION TRUST

Dona Rae Mabey
DONA RAE MABEY, TRUSTEE

SCANNED
FEB 10 2006

When Recorded Return to:
Mark D. Palmer, Esq.
PALMER & PALMER, L.C.
975 West 1700 South, Suite 201
Syracuse, Utah 84075

WARRANTY DEED

Dona Rae Mabey, Trustee of the Dona Rae Mabey Family Protection Trust, dated the 28th day of March, 1994, grantor, of 387 East 450 South, Clearfield, Davis County, State of Utah conveys and warrants to Lanny B. Holbrook and JoAnn M. Holbrook, Trustees of the Lanny B. Holbrook Family Protection Trust, dated the 11th day of February, 1999, grantee, of 2207 West 1700 South, Syracuse, Davis County, State of Utah, for the sum of \$10.00 and other good and valuable consideration, the following-described tract of land in Caribou County, State of Idaho:

40 ACRES: NW 1/4 OF NE 1/4 SEC 9 SEC 9 T82-R38E

120 ACRES: SW 1/4 OF SE 1/4, E 1/2 SE 1/4 LESS 2.27 ACRES HW. SEC 4
T8S R38 E

148 ACRES: W 1/2 OF THE SE 1/4, SW 1/4 OF THE NW 1/4 TR SE 1/4 OF
NW 1/4 W OF RR, TR NE 1/4 OF SW 1/4 W OF RIVER SEC 3
T8S R38E

Excepting therefrom all liens and encumbrances of record.

Witness the hand of grantor this 12th day of January, 2000.

THE DONA RAE MABEY
FAMILY PROTECTION TRUST

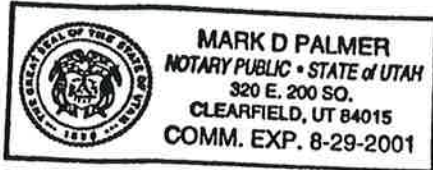

DONA RAE MABEY TRUSTEE

SCANNED

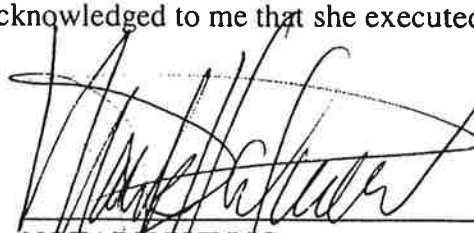
FEB 10 2006

STATE OF UTAH)
 (ss.
COUNTY OF DAVIS)

On the 12th day of January, 2000, personally appeared before me Dona Rae Mabey, Trustee of the Dona Rae Mabey Family Protection Trust, dated the 28th day of March, 1994, the signer of the within instrument, who duly acknowledged to me that she executed the same.



(SEAL)



NOTARY PUBLIC
Residing at: Syracuse, Utah
My Commission Expires: 08/29/01

SCANNED

FEB 10 2006

When Recorded Return to:
Mark D. Palmer, Esq.
PALMER & PALMER, L.C.
975 West 1700 South, Suite 201
Syracuse, Utah 84075

RECEIVED
MAY 08 2003
Department of Water Resources
Eastern Region

CORRECTED WARRANTY DEED

Dona Rae Mabey, Trustee of the Dona Rae Mabey Family Protection Trust, dated the 28th day of March, 1994, grantor, of 387 East 450 South, Clearfield, Davis County, State of Utah conveys and warrants to Lanny B. Holbrook and JoAnn M. Holbrook, Trustees of the Lanny B. Holbrook Family Protection Trust, dated the 11th day of February, 1999, grantee, of 2207 West 1700 South, Syracuse, Davis County, State of Utah, for the sum of \$10.00 and other good and valuable consideration, the following-described tract of land in Caribou County, State of Idaho:

An undivided one-half interest in and to the following:

40 ACRES: NW 1/4 OF NE 1/4 SEC 9 T8S-R38E

120 ACRES: SW 1/4 OF SE 1/4, E 1/2 SE 1/4 LESS 2.27 ACRES HW.
SEC 4 T8S R38 E

148 ACRES: W 1/2 OF THE SW 1/4, SW 1/4 OF THE NW 1/4 TR SE
1/4 OF NW 1/4 W OF RR, TR NE 1/4 OF SW 1/4 W OF
RIVER SEC 3 T8S R38E

Excepting therefrom all liens and encumbrances of record.

This deed is filed to correct the inadvertent mistake in the legal description on the original Warranty Deed that was recorded on March 6, 2002 as Entry Number 165442.

Witness the hand of grantor this 16th day of April, 2003.

THE DONA RAE MABEY
FAMILY PROTECTION TRUST

STATE OF IDAHO } ss 168357
County of Caribou

I hereby certify that this instrument was filed at the request
of Mark D. Palmer
at 10:05 o'clock a m this 21 day of
April, 2003 in my office and duly

recorded official Records

Recorder Edie Bush

Signature

Deputy 62

Dona Rae Mabey
DONA RAE MABEY, TRUSTEE

SCANNED

FEB 10 2006

02/13/2003

NOTICE OF ERROR
REPLY

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

WELL Water right number: 29-2449

DONNA RAE MABEY
387 E 450 S
CLEARFIELD UT 84015

NEW ADDRESS
DONA RAE MAYBE
1178 W. SHASHAS AVE
RIVERTON, UT 84065

NEW OWNER
LANNY B. HOLBROOK
2181 W. 1780 S.
SYRACUSE, UT 84075

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PHONE 801-825-7311

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-19-03

SIGNATURE:

Lanny B. Holbrook
~~LANNY B. HOLBROOK~~

Please print your name:

LANNY B. HOLBROOK

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PLEASE CHANGE
MAILING ADDRESS.
SOMETIME I DON'T
GET MAILED ITEMS
FOR A MONTH.

I WILL SOON HAVE
WATER RIGHTS IN
MY NAME.

Thanks
Lanny Holbrook

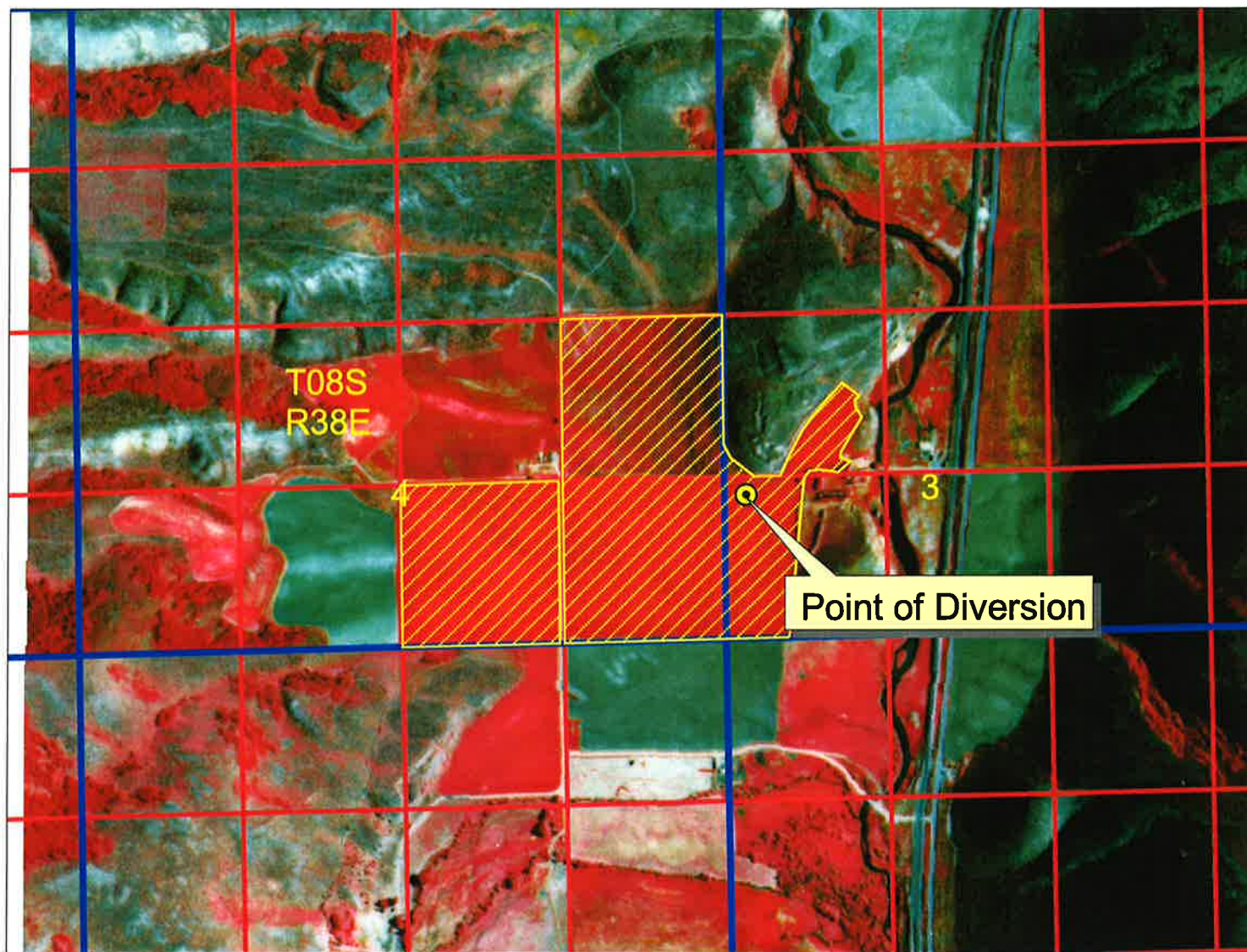
SCANNED
FEB 10 2006

PROFILED

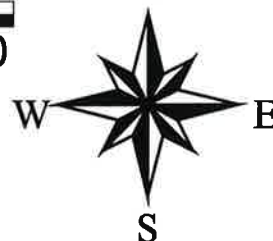


State of Idaho
Department of Water Resources
Eastern Region

WR 29-2449



1:16000



- Point(s) of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

SCANNED
FEB 10 2006

PROFILED

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: R. Warner
Date: October 2002

04/02/2003

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

RIGHT NUMBER: 29-2449

NAME AND ADDRESS: DONNA RAE MABEY
387 E 450 S
CLEARFIELD UT 84015

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.220 CFS
474.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.87 CFS. COMBINED RIGHT NOS.: 29-131, 29-133, AND
29-2449.

PRIORITY DATE: 11/03/1961

POINT OF DIVERSION:

T08S R38E S3 NWSWSW Within CARIBOU County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	2.220 CFS 474.00 AFY

PLACE OF USE: IRRIGATION Within CARIBOU County

T08S R38E S03	NWSW	6.6	T08S R38E S03	SWSW	18.0
T08S R38E S04	NESE	40.0	T08S R38E S04	SWSE	39.0
T08S R38E S04	SESE	40.0			

143.6 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 162.6 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-131, 29-133, AND 29-2449.

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.

EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 29-2449 V1

WATER RIGHT NUMBER: 29-2449 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA RAE MABEY 387 E 450 S CLEARFIELD, UT 84015
Original Owner	JAMES W MABEY BANCROFT, ID 83217

Priority Date: 11/03/1961

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.220 CFS	474.00 AF
	<u>Total Diversion:</u>	2.220 CFS	474.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4SW1/4 Sec. 3, Twp 08S, Rge 38E, B.M.
 CARIBOU County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	38E	3	6.6	18.0			24.6
08S	38E	4					
			40.0	39.0	40.0		119.0

Total Acres: 143.6

Conditions of Approval:

1. C18 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.

Remarks:

1. Quantity ^{3.87} USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.25 CFS. COMBINED RIGHT NOS.: 29-131, 29-133, AND 29-2449.
2. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 162.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-131, 29-133, AND 29-2449.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2449 V1

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/1/2002 3:29:19 PM	rwarner			Active
Priority Date	11/1/2002 3:30:04 PM	rwarner			Active
POD	11/1/2002 3:32:12 PM	rwarner			Active
Source	11/1/2002 3:32:34 PM	rwarner			Active
POU	11/1/2002 3:33:18 PM	rwarner			Active
Use	11/1/2002 3:50:29 PM	rwarner			Active
Season	11/1/2002 3:51:13 PM	rwarner			Active
Quantity	11/1/2002 4:29:38 PM	rwarner			Active
Summary			11/01/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/1/2002 3:29:21 PM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
Priority Date	11/1/2002 3:30:06 PM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2449 V1

POU	11/1/2002 3:43:28 PM	rwarner	Edited PLS
POD	11/1/2002 3:45:18 PM	rwarner	Edited point location
POU	11/1/2002 3:45:51 PM	rwarner	Edited shape boundary
Use	11/1/2002 3:50:31 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	11/1/2002 3:32:14 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	11/1/2002 3:32:36 PM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/1/2002 3:33:20 PM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Season	11/1/2002 3:51:14 PM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2449 V1

Quantity	11/1/2002 4:29:40 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Licensure exam 1961
Summary	11/1/2002 4:31:15 PM	rwarnar	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POU	11/1/2002 12:23:06 PM	rwarnar	Edited shape boundary
POU	11/1/2002 12:26:08 PM	rwarnar	Edited PLS
POU	11/1/2002 12:29:43 PM	rwarnar	Edited shape boundary
POU	11/1/2002 12:30:13 PM	rwarnar	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2449

WATER RIGHT NUMBER: 29-2449

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES W MABEY
	BANCROFT, ID 83217

Priority Date: 11/03/1961

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.220 CFS	474.00 AF
	<u>Total Diversion:</u>	2.220 CFS	474.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 3, Twp 08S, Rge 38E, B.M.
CARIBOU County		

Place of UseIRRIGATION Within CARIBOU County

T08S R38E S03	NWSW	7.0	T08S R38E S03	SWSW	36.0
T08S R38E S04	NESE	38.0	T08S R38E S04	SWSE	38.0
T08S R38E S04	SESE	39.0			
Total Acres: 158					

Conditions of Approval:Remarks:Comments:Dates and Other Information:

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/23/01 08:28:58
Page 1

Water Right Number - 29-02449

Prefix Translation: WATER RIGHT

Old (D) Number - 29951

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MABEY

JAMES W.

1 -
2 -
3 -

City- BANCROFT

State- ID Zip- 83217

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
11/03/1961 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
08S 38E 3 SW SW (29) CARIBOU

+ - - - - - - - - - - - - - Water Use - - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.220 474.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.220 474.00 0.0

+ - - - - - - - - - - - - - Place of Use - - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 38E 3 NW SW 7.0 01 IRRIGATION (29) CARIBOU
08S 38E 3 SW SW 36.0 01 IRRIGATION (29) CARIBOU
08S 38E 4 NE SE 38.0 01 IRRIGATION (29) CARIBOU
08S 38E 4 SW SE 38.0 01 IRRIGATION (29) CARIBOU
08S 38E 4 SE SE 39.0 01 IRRIGATION (29) CARIBOU

Total Acres: 158.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - Remarks - - - - - - - - - - - +
No Remarks found.

+ - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - +
No Old Water Right Numbers found.

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/23/01 08:28:58
Page 2

Water right number - 29-02449

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 03/12/85 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

| | | |
|--------------------------------|------------------------------|---------------------|
| Proof Due Date - 00/00/0000 | Field Exam Made - 00/00/0000 | Field Exam Fee - |
| Approved/Denied - 00/00/0000 | Protested Date - 00/00/0000 | Swan Falls - |
| Proof Made Date - 00/00/0000 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Exam to S.O. Date - 00/00/0000 | Verified Date - 03/12/1985 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - |
| Licensed Date - 08/21/1979 | Appl Received - 00/00/0000 | Transfer/Amended - |
| Presumption Flag - | Name Connector - | POU Ownership Flag- |
| SRBA Decreed Flag - | | |

MAY 7 2001

Log for claim A29-02449

Spatial Dynamics LTD

6/13/00

| TR | SEC | QQ | Acres
Claimed | Acres
Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 08s38e | 3 | NWSW | 7 | 6.8 | |
| 08s38e | 3 | SWSW | 36 | 40 | |
| 08s38e | 4 | NESE | 38 | 38 | |
| 08s38e | 4 | SWSE | 38 | 39 | |
| 08s38e | 4 | SESE | 39 | 40 | |
| Totals: | | | 158 | 163.8 | |

WATER LICENSE

Water License No. G-29951/29-2449 Priority November 3, 1961 Amount 2.22 c.f.s.
(late proof)

THIS IS TO CERTIFY, that JAMES W. MABEY

of Bancroft, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 14, 1961; that Permit G-29951/29-2449 was issued pursuant to said application; that the proposed works were completed on or about July 1967 with a storage/or carrying capacity of 2.22 c.f.s., said works consisting of well, pump, motor, and sprinkler system; and that on December 20, 1967 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 474 acre feet per season, with a maximum rate of diversion of 2.22 cubic feet per second of the waters of ground water, tributary of _____, for the purpose of Irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SW 1/4 SW 1/4, Sec. 3, T. 8 S., R. 38 E., B.M., and other additional points _____, in the County of Caribou; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 474 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 8 S | 38 E | 3 | | | | | | | | | 7 | 36 | | | | | | | 43 |
| | | 4 | | | | | | | | | | | | | 38 | 38 | 39 | | 115 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 158

The right to the use of the water 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

13th day of August, 1969

P. Fred H. [Signature]
State Reclamation Engineer

29951

29-2449

29-2449

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37971
Permit No. G- 29951
District No.

1. Name of Applicant: James W. Mabey
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed: 3.72 cubic feet per second
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3
Twp. 8 S , Rge. 38 E , B.M., County of Caribou
5. Water is to be used for: Irrigation
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: Drilled well
8. Estimated cost of works: \$ 5,000
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 5 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 on hand: \$
(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:
Dist. No. 17 Right No. 98 and 100
(a) 3.2 cu.ft. (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) 26 miners' inches (cubic feet per second, inches or gallons per minute) is for new lands.

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.

Applicant.

Agent.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

Recorded in Book 105 Page 29951 Approved July 18, 1961

Bond in the sum of \$ _____ to be filed on or before _____

to be filed on or before

Work to begin on or before

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 January 18, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 18, 1966

Witness my hand this

18th

day of

July, 1961

S/ GEO. N. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, 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 18th
day of January, 1961

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ROBERT E. SMYLLIE

By ...s/.....ARNOLD...WILLIAMS.

Governor

Secretary of State.

12.

| Twp. | Range | Sec. | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | Totals |
|---|-------|--------|--|--|--|--|----------------------------|
| | | | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | |
| 8 S | 38 E | 3
4 | | | 10 16 40 | 40 40 40 | 66
120

TOTAL 186 |
| <p style="text-align: center;">EXTENSION OF TIME ✓</p> <p>I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of works under Permit to Appropriate the Public Waters of the State of Idaho, No. G-20951 to September 1, 1967.</p> <p>Witness my hand this 17th day of August, 1966.</p> <p style="text-align: right;">/s/ R. KEITH HIGGINSON, Deputy
State Reclamation Engineer</p> <p>Recorded: August 17, 1966.</p> | | | | | | | |
| <p style="text-align: right;">LICENSE 1. SU D FOR 2.22. EC. FT.
LICENSE PAGE NO. _____</p> | | | | | | | |

MEMORANDUM

TO: File 29-02449
FROM: Donna Corless
RE: TRANSFER # 3820
DATE: August 6, 1993

=====

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within file
29-00131.

This transfer was denied July 30, 1993.



13

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29951

This proof is for Completion of Works and Beneficial Use In Water District No.

1. Name of applicant James W. Mabey

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3
T. 8 S R. 38 E County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same:

100 HP US HO-205 HAFI # 1401908
4 B VTP # D15958 1000 gpm 3.4' 1770 RPM
8" DIAPHRAGM - CV CV INTO TEE & 6" TO HOUSE
KIST - 6" 1/2 TWIN 8" 1/4 - SPRINKLER SYSTEM

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

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):

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 3; E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 4, T. 8 S, R. 38 E, B.M.

Grass hay. Berth (22 AC) & PASTURE

186 acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: 610-7814

HEL BROWN OF GAGE TEST - 1800 gpm

PUMP DATA - 2.22 cfs

DEPOSITIONS - 2.68 cfs

1/4 mile 11.5
IRRIGATION REQUIREMENT = 3.0 AC-FT / ACRES / Season
1/4 - 70' W 1/4" RAIN BIRD @ 10 lbs. $Q_1 = (11.5 \text{ gpm}) (1.6 \text{ NOZ}) = 41$
100' - 1/4" RAIN BIRD 30W @ 15 lbs. $Q_2 = (8.07 \text{ gpm}) (1.05 \text{ NOZ}) = 16.8$
W.L. 35' D.D. TO 60'

This examination was made on the

day of

(Signed)

John Reynolds
Examiner.
29951
29-2449

185

4



15

113

158

Area - 158 acres

Subd - 5
2. RR

Q - ~~2.50~~ c.f.s. ^{car}

Vol - 474 ac-ft/season

Priority - (late proof)

~~December 16, 1962~~

~~Nov. 3, 1961~~

November 3, 1961

State of Idaho

WATER LICENSE

Water License No. G-38951/28-2419 Priority November 1, 1961 Amount \$2.23 c. i. b. (Late proof)

THIS IS TO CERTIFY that JAMES W. MADLEY,
of Bannock, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated July 17, 1961, that Permit G-29951/29-2449 was issued pursuant
to July 1967

to said application, that the proposed works were completed on or about _____, 1967, said works consisting of _____, with a storage or carrying capacity of _____, 2, 22 c.f.s., and that on _____, December 20, 1967, well, pump, motor, and sprinkler system _____.

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of _____ 474 _____
acre feet per season, with a maximum rate of diversion of _____ 2.22 _____ cubic feet per second of the waters
of _____ ground water _____, tributary of _____
for the purpose of _____ Irrigation _____ from _____ April _____ to _____ October 31 _____; and for _____
and for _____ from _____ to _____; and for _____

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SIV 1/4 SW 1/4 Sec 3 1/4, 8 S., 38 E., B.M., and other additional point is Caribou, and that the amount of water to which such right is entitled to an amount actually beneficially

emitted and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually generated by the land in the year 1975, or such lesser amount as may be determined by the Commission, and shall not exceed 175 _____ acre feet per year.

[illegible]

| | | |
|--|---------------------------------|-----|
| | Total number of acres irrigated | 158 |
|--|---------------------------------|-----|

as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamator Engineer, affixed at Boise, Idaho, this _____ day of August, 1969.

[Signature]
State Reclamation Engineer

13th day of August 1969
State Recording Engineer
29951
29-2449
449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-29951

This proof is for Completion of Works and Beneficial Use in Water District No.

1. Name of applicant James W. Mabey

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW1/4 of Section 3

T. 8 S. R. 38 E. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same:

100 HP US Motors Unit # 1401408
LB VTP # D15958 1000 gpm 3.4' 17.12 ft
8" DRILLING - 6" CV INTO T&E & 4" 6" to house
AST - 6" 1/2 T&E 8" 1/4" SPRINGER SYSTEM

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

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):

N1/2SW1, SW1/4SW1, sec. 3; E1/2SE1, SW1/4SE1, sec. 4, T. 8 S., R. 38 E., B.M.

Common May Beet (22 A) & Pasture

186 acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: 618-7814

Well Brown OF GRACE TEST - 1800 gpm

PUMP DATA - 2.22 ft

DEPOSITIONS - 2.68 ft

WATER REQUIREMENT = 3.0 AC-Ft / Acre / Season

100 - 7000 1/4" RAINBOW @ 40 lbs. G (11.5 gpm) (1.602) - 41

100 - 13/64 RAINBOW 30W @ 15 lbs. G (8.5 gpm) (1.045) - 18.1

W.L. 35' D.D. TO 60'

This examination was made on the day of

(Signed) John Reynolds

Examiner.

29951

22-2448

MAY 7 2001

850 X
(ACREAGE PAID ON
A29-00131)

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: A29-02449

Date Received: 1/24/1990

Receipt No: E012070

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONNA RAE MABEY
Address: 387 E. 450 S.
CLEARFIELD, UT

84015

(Lanny Holbrook 1/4 interest)

RECEIVED

FEB 15 1990

Department of Water Resources
Eastern District Office

2. Date of Priority: NOV 03, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| | | | | | | | |
|----------|-------|---------|--------|--------|--------|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
| 08S | 38E | 3 | NW | SW | SW | | CARIBOU |

5. Description of diverting works:
WELL/PUMP

6. Water is used for the following purposes:

| | | | | | |
|------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 10/31 | 2.220 | | 474.00 |

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

474.00 A.F.A.

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

9. Non-irrigation uses:

10. Place of Use:

| | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
| 08S | 38E | 3 | NW | SW | | IRR | 7.0 |
| | | | SW | SW | | IRR | 36.0 |

Section Acres 43.0

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 08S | 38E | 4 | NE | SE | | IRR | 38.0 |
| | | | SW | SE | | IRR | 38.0 |
| | | | SE | SE | | IRR | 39.0 |
| Section Acres | | | | | | | 115.0 |
| Total Acres | | | | | | | 158.0 |

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:
A29-00131/00133/02048.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 29951

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): *Hon. R. Mahay* Date: 2/12/90

Date: _____

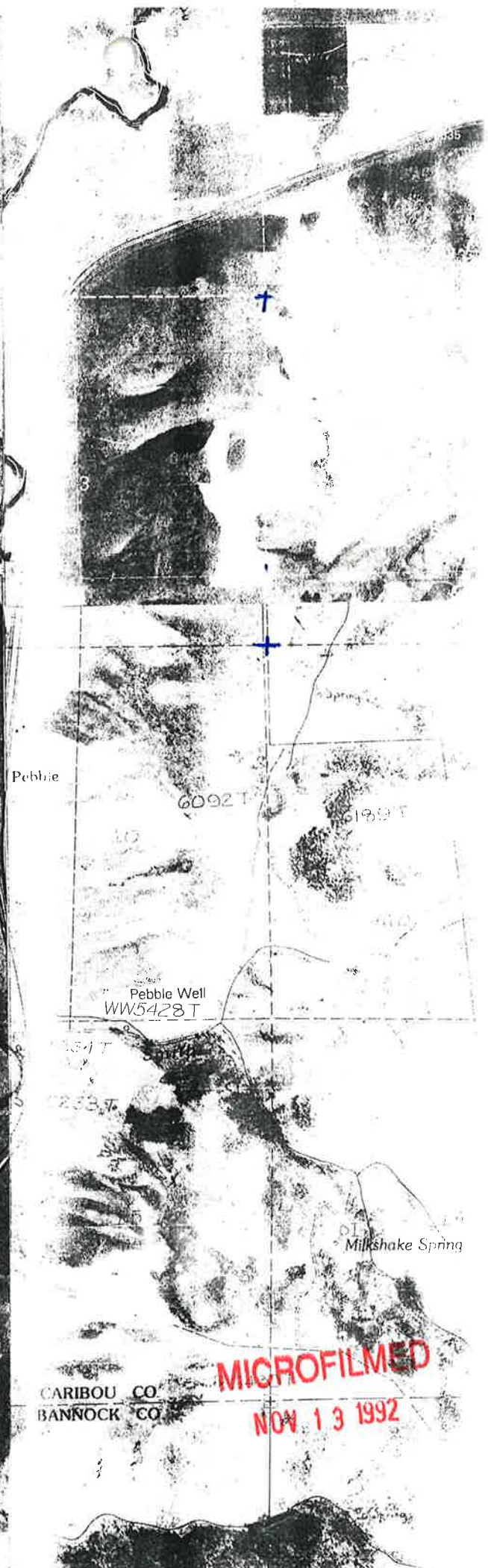
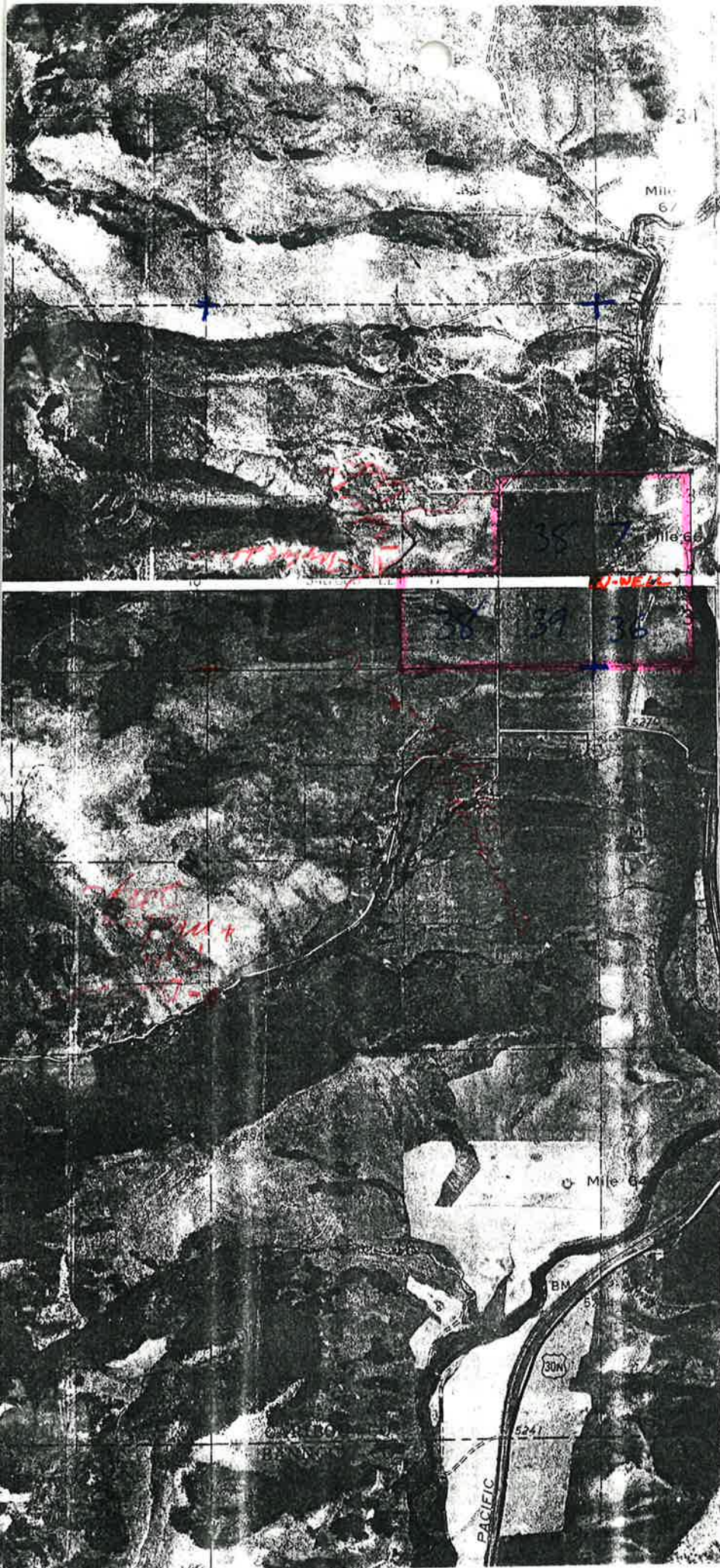
State of ~~Idaho~~ UTAH)
County of DAVIS) SS.

Subscribed and sworn (or affirmed) before me this 12TH day
of FEBRUARY 19 90

Harold C. Steed
Notary Public

Seal

Residing at CLEARFIELD, UTAH
My Commission Expires JUNE 18, 1990



Pebble

Pebble Well
WW5428T

Milkshake Spring

CARIBOU CO
BANNOCK CO

MICROFILMED
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