

IDAHO DEPARTMENT OF WATER RESOURCES 11/13/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: ANN MARIE PHILLIPS
5250 W OLD HWY 91
POCATELLO ID 83204

DANIEL BRENT PHILLIPS
5258 W OLD HWY 91
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.13 CFS
60.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-00494L IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.30 CFS.

PRIORITY DATE: 09/02/1975

POINT OF DIVERSION:

T07S R35E S23 SWSENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/01	0.130 CFS 60.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY
1 AND AFTER OCTOBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER
RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A
PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S23 SENE 15.0

15 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00494L IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 15 ACRES IN A SINGLE IRRIGATION SEASON.

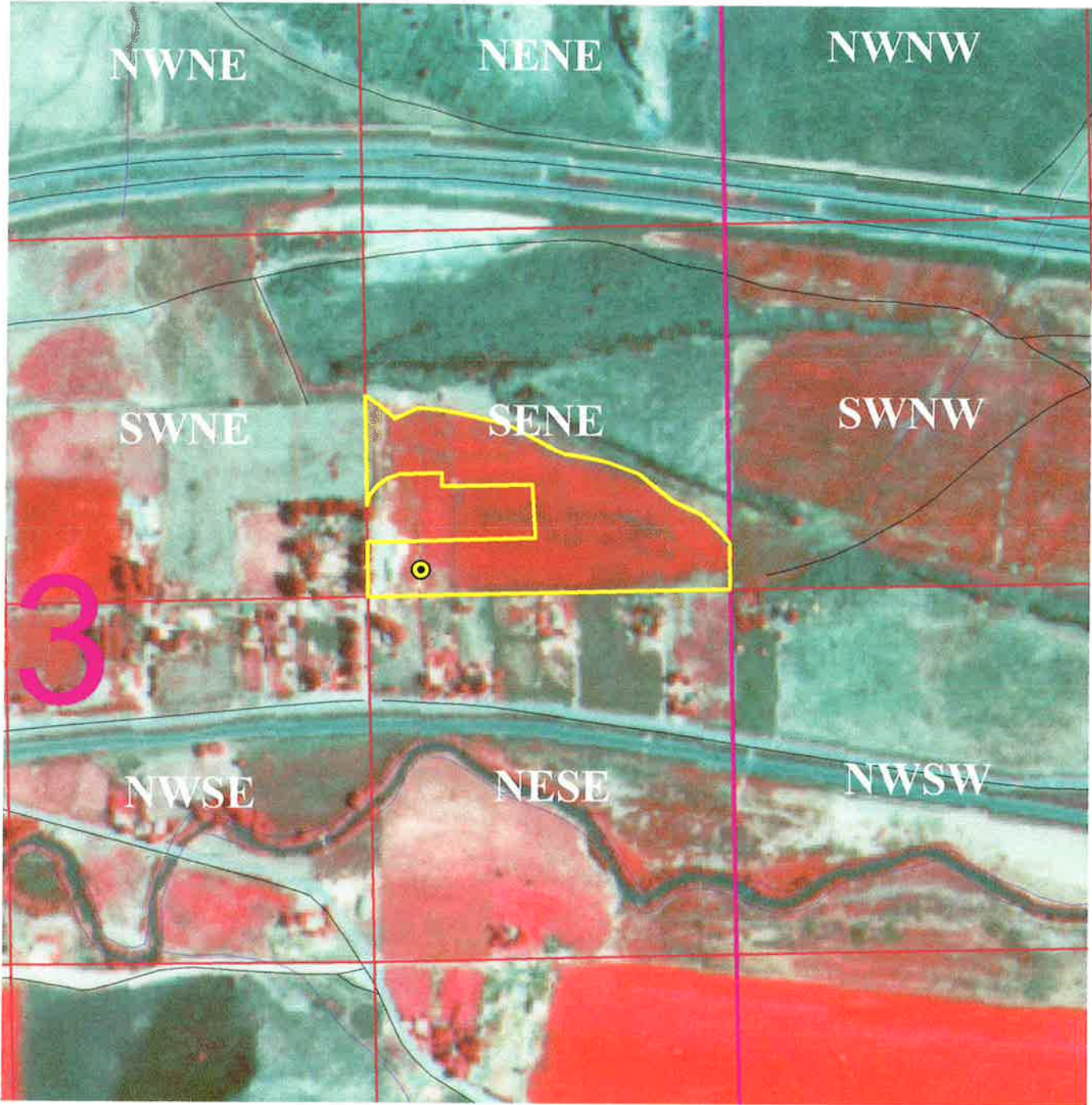
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

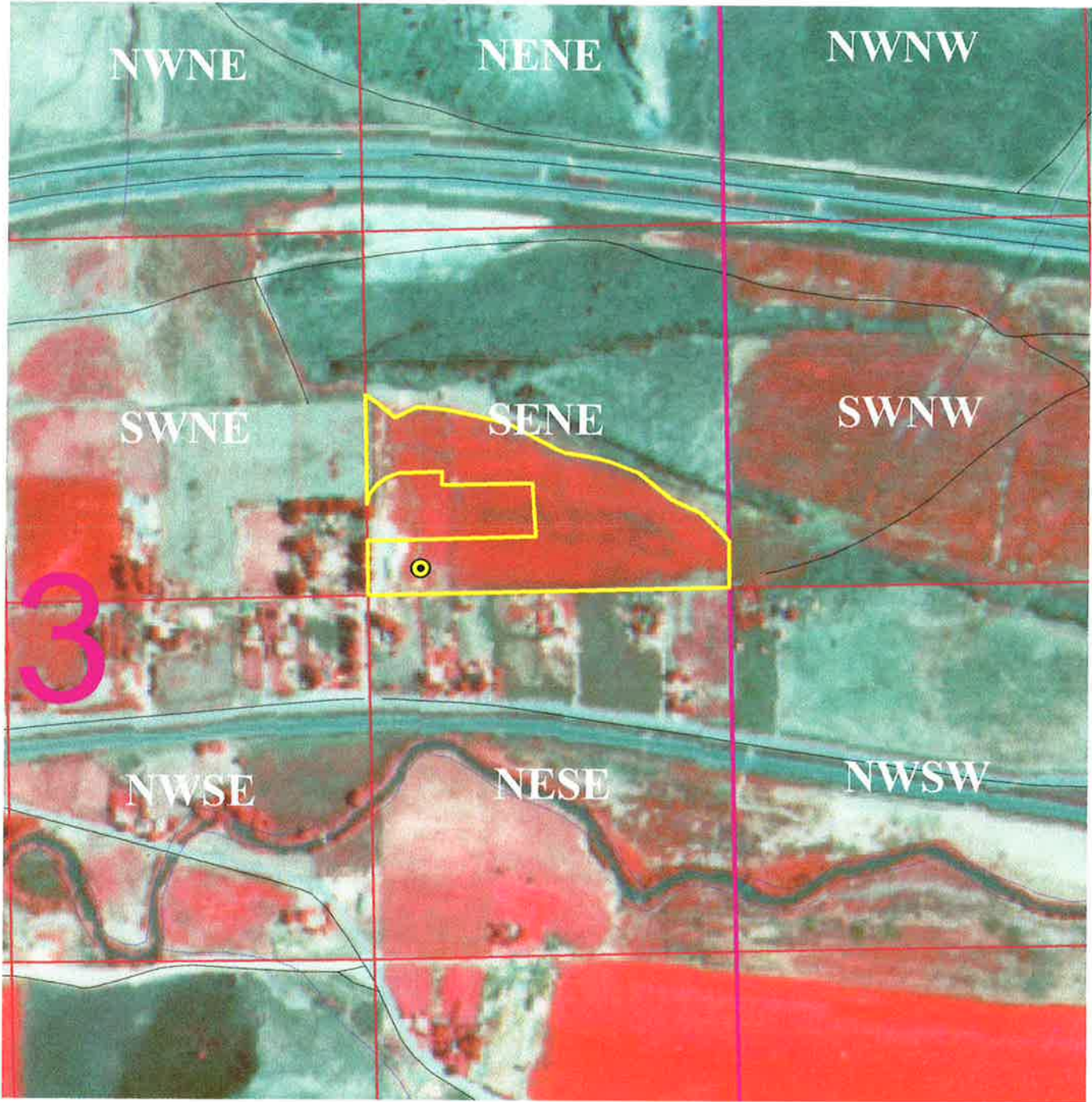
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SCANNED
APR 25 2006

Water Right Claim Number A29-07286
Township , 7S35E

09/07/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

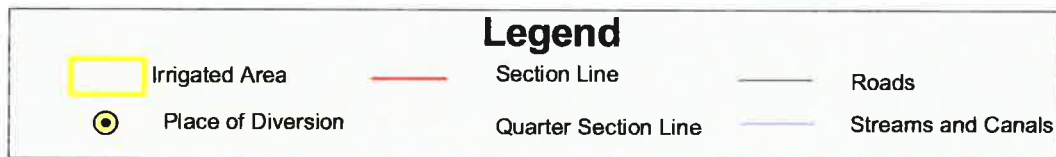
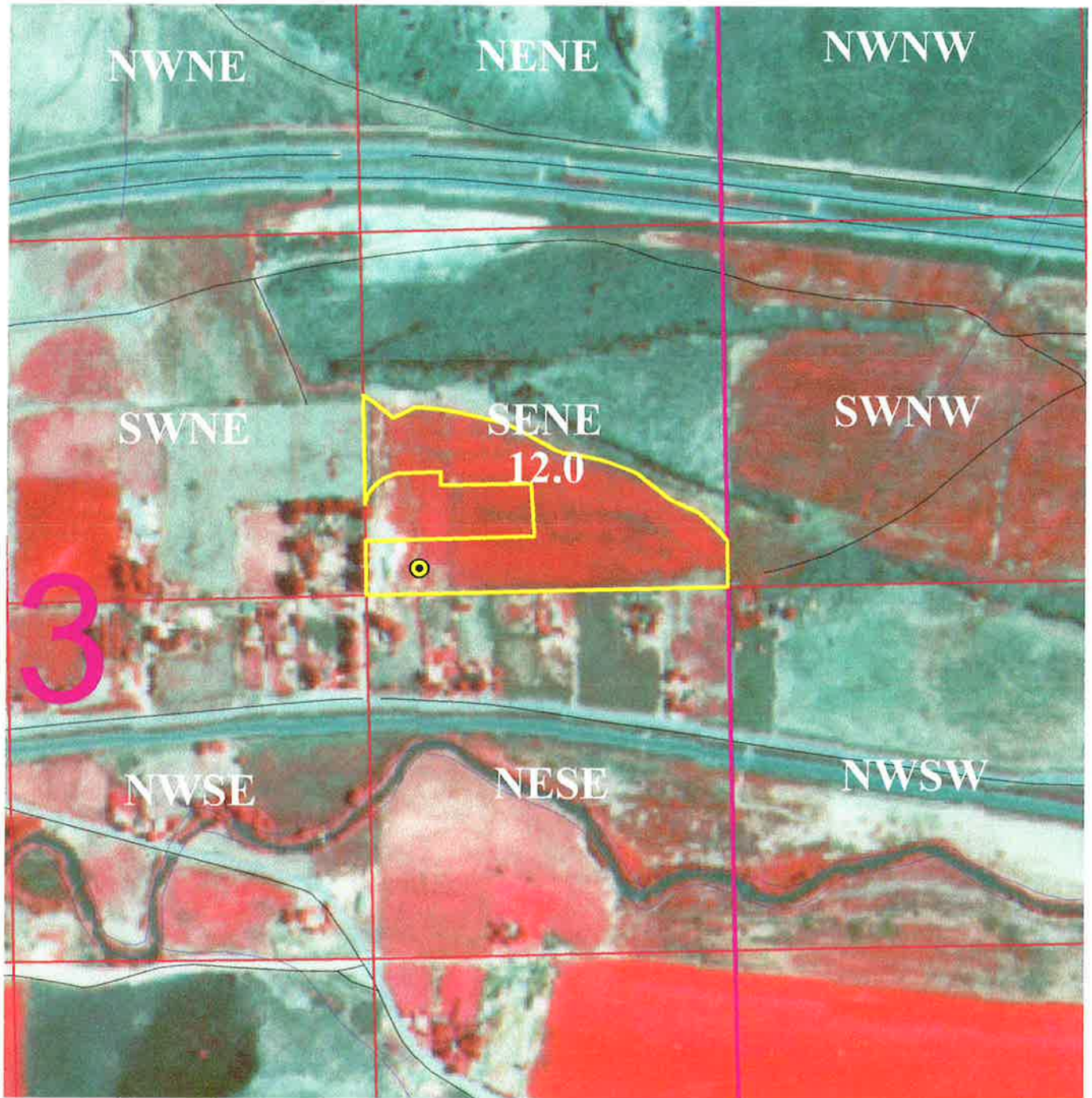
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SCANNED
APR 25 2006

Water Right Claim Number A29-07286
Township , 7S35E

09/07/2000



SCANNED
APR 25 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7286 V1

WATER RIGHT NUMBER: 29-7286 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANN MARIE PHILLIPS 5250 W OLD HWY 91 POCATELLO, ID 83204
Current Owner	DANIEL BRENT PHILLIPS 5258 W OLD HWY 91 POCATELLO, ID 83204 (208)775-3489

Priority Date: 09/02/1975

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	05/01 to 10/01	0.130 CFS	60.00 AF
	<u>Total Diversion:</u>	0.130 CFS	60.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NE1/4	Sec. 23, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T07S R35E S23 SENE 15.0

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER OCTOBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-00494L IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 15 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7286 V1

3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-00494L IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.30 CFS.
4. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. csaxton 8/8/2001 Domestic

Comment: Domestic use that was licensed was not claimed. Original licensed domestic trailer homes are not served by this well.

2. csaxton 8/8/2001 Diversion Rate

Comment: Full Licensed diversion rate recommended for 15 acres. 3 additional acres shown on license were not claimed by any party. Land appruant to the 3 additional acres have not been irrigated under this right. Seems to be an error in the licensing exam map.

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: OR

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	8/8/2001 12:52:56 PM	csaxton			Active
Priority Date	8/8/2001 12:53:21 PM	csaxton			Active
POD	8/8/2001 1:03:12 PM	csaxton			Active
Source	8/8/2001 1:13:09 PM	csaxton			Active
Use	8/8/2001 1:13:34 PM	csaxton			Active
POU	8/8/2001 1:14:55 PM	csaxton			Active
Season	8/8/2001 1:37:44 PM	csaxton			Active
Quantity	8/8/2001 1:40:17 PM	csaxton			Active
Summary	8/8/2001 1:50:46 PM	csaxton	8/8/2001 1:50:46 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7286 V1

Season	8/8/2001 1:37:42 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard. 15. (YES) Period of Use remark was required. 16. (NO) Period of Use condition was not required.
Contacts	8/8/2001 12:52:54 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Spoke with claimant on 8/8/01
Priority Date	8/8/2001 12:53:19 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
POD	8/8/2001 1:03:09 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: Brent Phillips bought the property in 1985. Well had been moved to its current location at that time. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: Field Exam 8/7/01 and GPS 8. (NO) Point of Diversion remark was not required. 9. (YES) Point of Diversion condition was required.
POD	8/8/2001 1:05:23 PM	csaxton	Edited point location
Source	8/8/2001 1:13:07 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Use	8/8/2001 1:13:32 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7286 V1

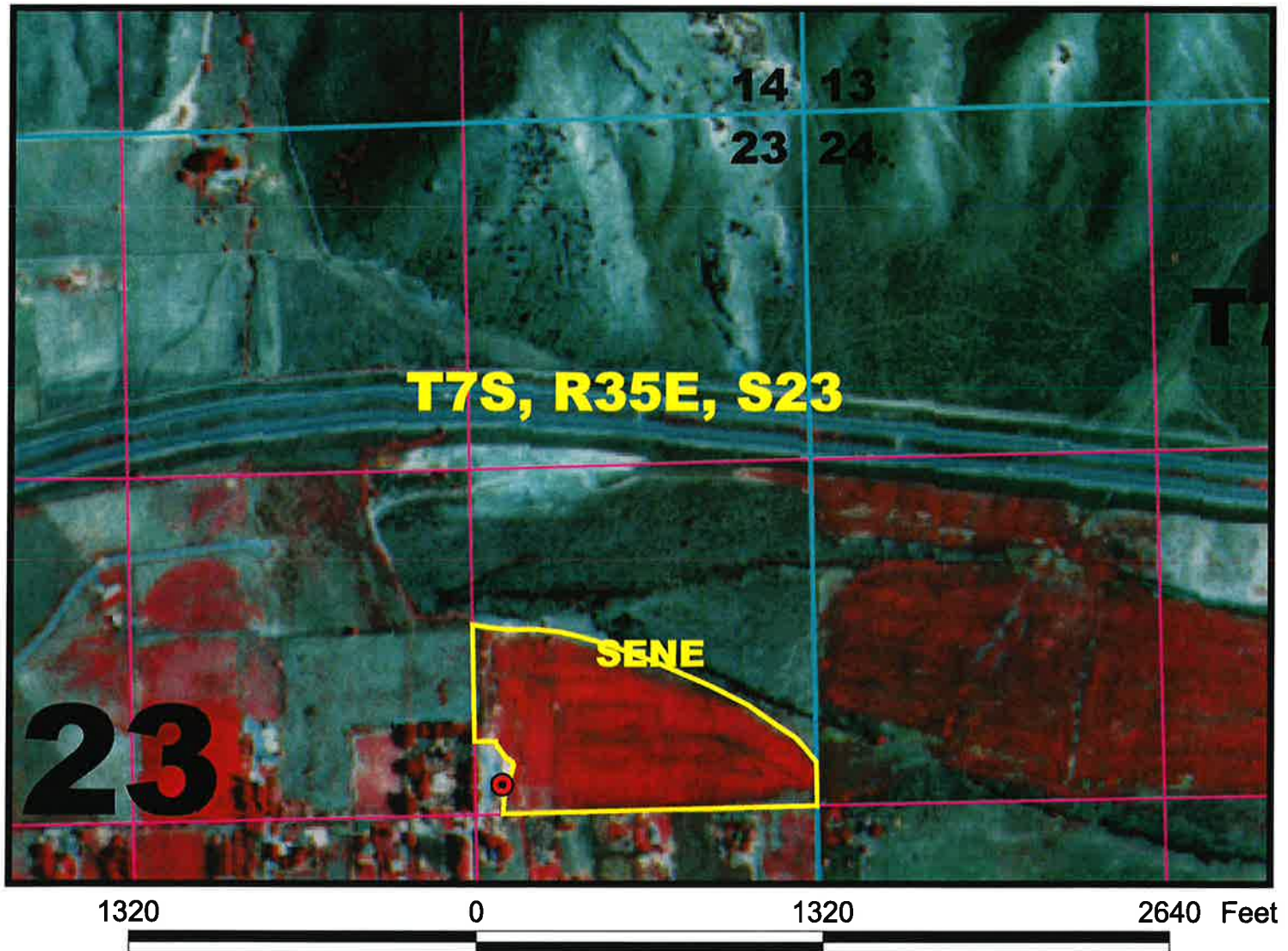
POU	8/8/2001 1:14:52 PM	csaxton	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
POU	8/8/2001 1:34:28 PM	csaxton	Edited shape boundary
POU	8/8/2001 1:34:58 PM	csaxton	Edited PLS
Quantity	8/8/2001 1:40:15 PM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Summary	8/8/2001 1:50:44 PM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.



STATE OF IDAHO

Department of Water Resources
Eastern Region

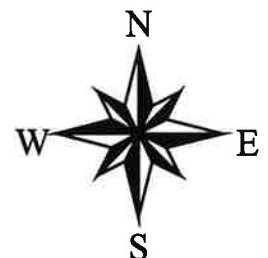
Water Right(s): 29-07286



Total Irrigated Acres: 15

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

PROFILED
SCANNED
APR 25 2006



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2001

JUL 03 2001

Department of Water Resources
Eastern Region

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 29-07286

A29-00494LA29-13107

[] Old Mailing Address: 5258 W. Old Hwy 91

Daniel
[X] New Mailing Address: Brent Phillips

5250 W. Old Hwy 91Pocatello ID 83204

[] Telephone Number: No Change

[X] Signature of Claimant: Daniel Brent Phillips

[X] Date: 6-19-01

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Please change name from "Brent" to "Daniel Brent"
and address from 5258 to 5250

PROFILED

SCANNED

Thanks!

APR 25 2006

29-07286

POD

Field Exam 8/7/01



Looking West. Well is located just inside of the cinder block barn. Claimant was not available to unlock building so I could take a picture of the actual well. However, I was on the phone with her while I was in the field and she confirmed well location. (csaxton 8/8/01).

FILED

SCANNED
APR 25 2006

29-07286

POD

Field Exam 8/7/01



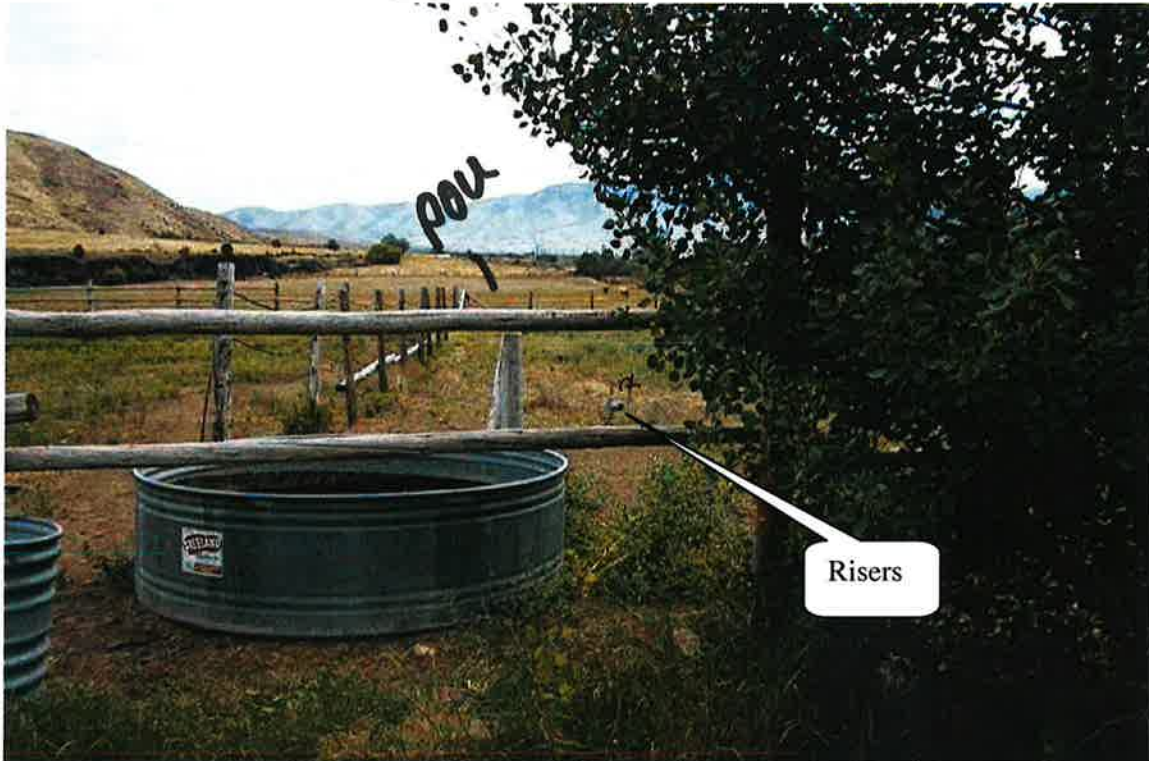
Looking West. Well is located just inside of the cinder block barn. Claimant was not available to unlock building so I could take a picture of the actual well. However, I was on the phone with her while I was in the field and she confirmed well location. (csaxton 8/8/01).

SCANNED
APR 25 2006

29-07286

POU

Field Exam 8/7/01



Looking East at main POU. Can See risers where hand lines are attached. POD behind me in picture. (csaxton 8/8/01).

SCANNED

APR 25 2016

Log for claim A29-07286

Spatial Dynamics BTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	23	SENE	12	12	
Totals:			12	12	

5/11/01 / claimed 12 ac = licensed for 18?

PROFILED

SCANNED

APR 25 2006

 SPATIAL
DYNAMICS

AJ5809NP
No. A29-07286

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 251

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRENT PHILLIPS	09/02/1975	IRRIGATION	05-01 10-01	0.130 CFS	39.50 AFA
C	ANN MARIE SMITH 5250 W OLD HWY 91 POCATELLO ID 83204 (208) 775-3489					
TOTAL DIVERSION:					0.130 CFS	39.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R35E S23

SWSENE

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: 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 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 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	SUM		
07S	35E	23	: 12	:	:	:	:	:	:	:	:	:	:	12.0		
TOTAL ACRES													12.0			

POU County: BANNOCK

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

29-10094 29-11505 29-12199 A29-10094 A29-11505 A29-12199 A29-13107

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00494 A29-00494A A29-00494K A29-00494L A29-07094

Remarks: EXP IN 1985 PROPERTY WAS PURCHASED BY BRENT PHILLIPS. THE POINT
OF DIVERSION HAD ALREADY BEEN MOVED TO THE WELL LISTED IN ITEM 4.

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

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

Audit: 01/28/00 ECARLSEN

SCANNED

APR 25 2006

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7286 Priority September 2, 1975 Amount 0.17 cfs

THIS IS TO CERTIFY, that Myrld F. Gabrielson
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7286 issued pursuant to Application for Permit dated September 2, 1975,
and has submitted proof to the Department of Water Resources on October 5, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.17 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1</u> to <u>October 1</u>	at <u>0.13</u> cfs and	<u>39.5</u> acre feet
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.17 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
40.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Twp.
7S, Rge. 35E in the County of Barnock

Description and location of place of use:

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 $\frac{1}{4}$	
7S	35E	23			3	15													18

Total number of acres irrigated 18

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

STATE OF IDAHO

LICENSING

RECEIVED

AUG 24 1982

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Myrld F. Gabrielson Phone 208 775 3597
of (address) Route #3, Box 245, Pocatello, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 29-7286, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ NE ¼, Section 23, Township 7S, Range 35E, B.M.,
County of Bannock. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.13 for irrigation purposes from 5/1 to 10/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.04 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (1 unit)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	35E	23			3	15													18

Total number of acres to be irrigated = 18

4. a. Who owns the property at the point of diversion? Gabrielson
b. Who owns the land to be irrigated or the place of use? Gabrielson
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

Identification No. 29 7286

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

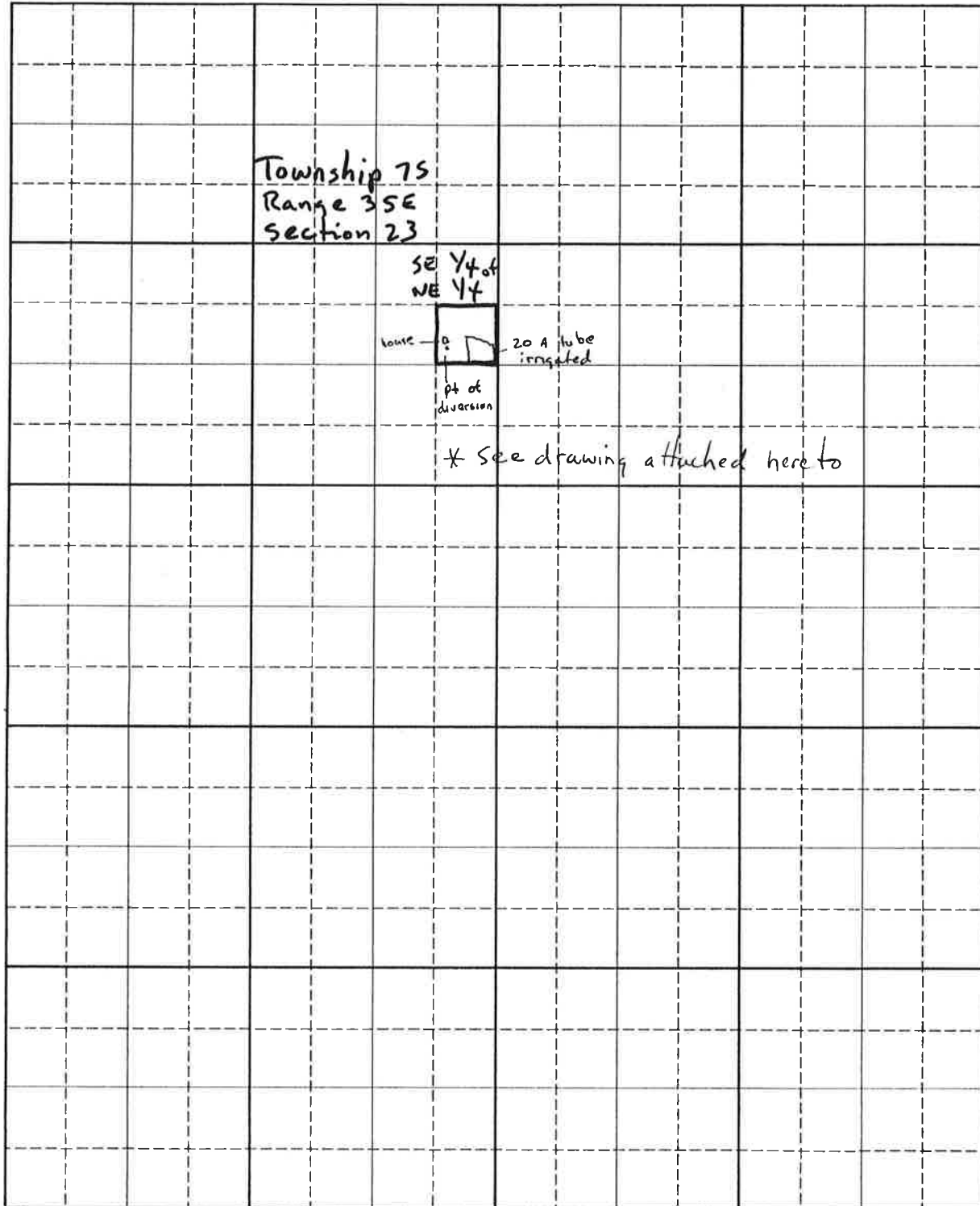
1. Name of applicant Myrlid F. Gabrielson
post office address Route # 3, Box 245, Pocatello, Idaho 83201 775-3597
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 7 South
Range 35 E. B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into (will be consumed) at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .40 for Irrigation purpose from May 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for domestic purpose from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for stock purpose from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .46 cubic feet per second and/or
b. N/A acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 5 HP Meyers submersible pump (#C6552); 10" pipe casing at depth of 93 feet; irrigation water to be applied to 20 A by sprinkler.

b. Height of storage dam N/A feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 93 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years.
b. Estimated construction cost is \$3,500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 7 South
Range 35 E. B.M.
(2) Amount of power to be generated: N/A hp under _____ feet of head.
(3) List number of each kind of livestock to be watered six head of cattle

(4) Name of municipality to be served N/A, or number of families to be supplied with domestic water 1.
(5) If water is to be used for other purposes describe: Part of water, as set forth above, to be used for domestic, culinary uses.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Myrd F. Gabrielson
(Applicant)

1. Name of permit holder Mildred J. Thorsen
Post office address Rt. 5, Box 945, Pocatello Phone 775-3597
Person to contact _____ Phone _____

3. Water will be used for the following purposes:

Period of Use: from 5-1 to 10-1
(mo.-day) inclusive (mo.-day)

Period of Use: from 1/1 to 12/31
(mo.-day) inclusive (mo.-day)

Period of Use: from 1/1 to 12-31
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.46 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 75 N/S, Range 35E E/W, B.M., Section 03, Subdivision SE ¼ NE ¼ C&N
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼ _____
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼ _____
County _____

Other Points of Diversions: _____

Description of diverting works: 10" x 93' 5Hp Mayers sub. pump, sprinkler irrigation

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 80

DATE OF EXAM 30th day of May, 1979

ACREAGE
Found 18a 18a ✓
Recommended 18a

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .13 c.f.s. V = 39.45 AF/Ann. from May 1 to Oct 1
Domestic Q = .04 c.f.s. V = 2.40 AF/Ann. from Jan 1 to Dec 31
Livestock Q = 1.2 c.f.s. V = 1.2 AF/Ann. from to
Q total = .17 cfs V total 41.85
40.7

Is water co-mingled? yes no X

Name source: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 County

Exchange? yes no X

Name source exchanged with: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 County

Point of injection: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 County

Point of exchange: n/a
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 County

Total Q measured .13 cfs (irrigation only) ✓ Method of measurement Pitot Tube

Total Q recommended .17 cfs Meter No. MR-111 Type Marshall Condition std.

Total V recommended 41.85 Aft/yr 40.7 Pitot tube

Recommended Amendments:

P.D. Should be S.W.N.E.-23-7S-35E. B.M. Bannock ✓
Place of Use See rough draft amendment.
Other
None

MEASUREMENT CALCULATION

See reverse side for pitot tube measurement Q = .13 cfs
Q_{irr} = .13 cfs Q_{domestic} = .04 cfs (by assignment - delivered by a separate pump -
Volume irrigation = 18a x 3.5 = 63 Aft/yr > 1.9835 x 153.45 x .13 cfs = 39.45 Aft/yr
V_{irr} = 39.45 Aft/yr

23

23

14929

A_{6.0}E_{8.1}D_{3.5}C_{3.0}B_{7.8}J_{17.6}F_{12.6}G_{4.7}H_{18.6}I_{9.5}

A

15a

A_{14.0x}

H of division

14922

14944

B_{5.6}A_{9.7}A_{8.8}B_{2.1}F_{1.4}A_{14.5}F_{5.8}E_{7.8}B_{7.8}C_{1.5}B_{2.8}A_{6.9}

14924

22 23
21 2623 24
26 2D_{2.3}C_{19.1}A_{15.3}

Gabrielson

29-1986

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 29-7286
Date Received: 1/20/00
Receipt No: E025564
Received By:

RECEIVED

JUL 03 2001

Department of Water Resources
Eastern Region

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRENT PHILLIPS Phone: (208)775-3489

5250 W OLD HWY 91
POCATELLO ID USA 83204

ANN MARIE PHILLIPS Phone: (208)775-3489

5250 W OLD HWY 91
POCATELLO ID USA 83204

2. Date of Priority: 09/02/1975

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07S	35E	23	SW	SE	NE	BANNOCK	

5. Description of diverting works:

WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/01	0.13	39.5

7. Total Quantity Appropriated is:
0.13 C.F.S. and/or 39.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	23	SE	NE	IRRIGATION	15
					Section Acres	15
					Total Acres	15

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

IN 1985 PROPERTY WAS PURCHASED BY BRENT PHILLIPS. THE POINT OF DIVERSION HAD ALREADY BEEN MOVED TO THE WELL LISTED IN ITEM 4.

CLAIM AMENDED TO ADD ADDITIONAL ACRES ON PARCEL # R4013039708 (CSAXTON 6/19/01)

15. Basis of Claim: License

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): Daniel B Phillips Date: 7-2-01
Ann Marie Phillips 7-2-2001 Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 2.

of July 2001

Dianna Sterner

Notary Public

Residing at Idaho

My commission Expires Oct. 27, 02

SCANNED

APR 25 2006

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: **A29-07286**
Date Received: 1/20/2000
Receipt No: E025564
Received By: Emc

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

1. Name: BRENT PHILLIPS 208-775-3489
Address: 5250 W OLD HWY 91
POCATELLO ID 83204
OR
Name: ANN MARIE SMITH 208-775-3489
Address: 5250 W OLD HWY 91
POCATELLO ID 83204

2. Date of Priority: SEP 2, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	35E	23	SW	SE	NE		BANNOCK

5. Description of diverting works:
WELL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.130		39.50

7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) 39.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	35E	23	SE	NE		IRR	12.0

A29-07286

Page

1

Date: 01/20/00

A2907286



SCANNED

APR 25 2006

186750

10. Place of Use: Continued

Section Acres 12.0

Total Acres	12.0
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11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

IN 1985 PROPERTY WAS PURCHASED BY BRENT PHILLIPS. THE POINT OF DIVERSION HAD ALREADY BEEN MOVED TO THE WELL LISTED IN ITEM 4.

15. Basis of Claim: LICENSE

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): Ann Marie Smith Date: 1-20-00

Date: _____

SCANNED
APR 25 2006

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of Jan 20 00

Ernest Carlson
Notary Public



Residing at Alho Falls

My Commission Expires 6-14-2000

