

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

NAME AND ADDRESS: BARBARA GILBERT
PO BOX 151
BANCROFT ID 83217

DEAN S GILBERT
PO BOX 151
BANCROFT ID 83217

T08S R39E S14 SWSW Within CARIBOU County

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.095 CFS

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 APRIL 15 AND AFTER OCTOBER 15 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 CARIBOU County
T08S R39E S14 SWSW 7.0

7 ACRES TOTAL

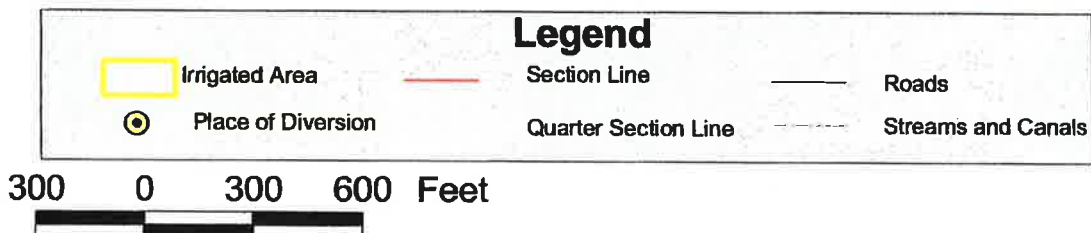
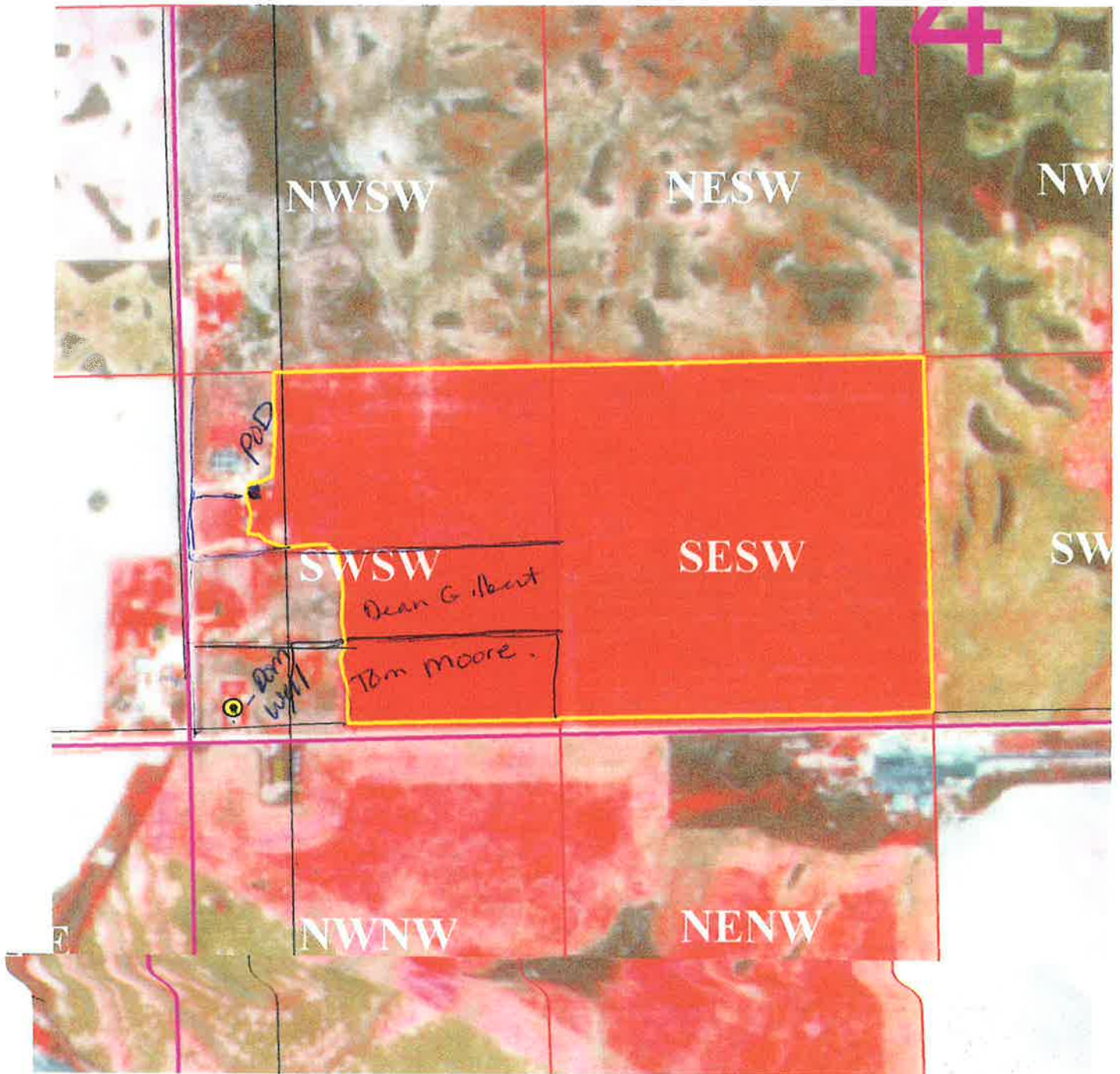
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Water Right 29-7394C

Water Right Claim Number A29-07394A, B & C
Township , 8S39E

09/11/2000



PROFILED

SCANNED
MAY 03 2000

AJ5809NP
No. A29-07394A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/28/00
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WISTISEN LIVESTOCK CORP PO BOX 128 BANCROFT ID 83217 (208) 648-7834	05/13/1977	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.790 CFS 0.100 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.790 CFS	147.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R39E S14

SWSW

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	
08S	39E	14	:																	:	59.0	
																				:	59.0	
																				:	TOTAL ACRES	59.0

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

POU County: CARIBOU

Non-Irrigation Uses: S/500 RANGE.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-07394 29-10193 A29-10193

Other Water Rights Listing Overlapping Place(s) of Use:
29-07394 A29-07394

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

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

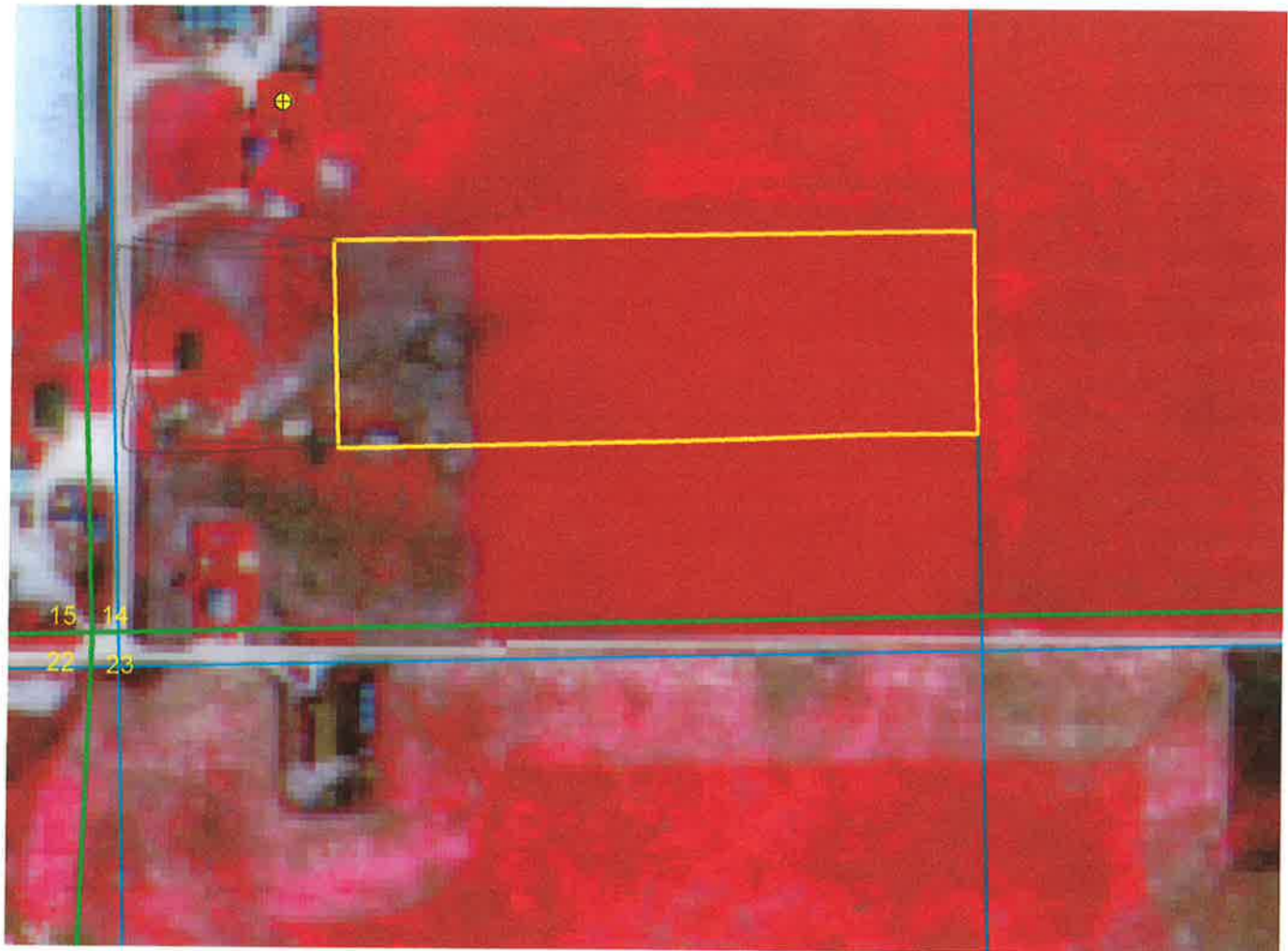
Audit: 01/22/90 MOBILE3 07/27/94 THOMPSON 03/29/95 POST-STD 04/18/00 CVANDERM



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s) 29-7394C



100 0 100 200 Feet

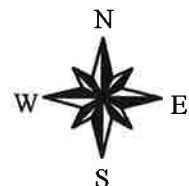


LEGEND

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

Place of Use: T8S, R39E
(part of) Section 14

Point of Diversion: T8S, R39E
Sec. 14 SWSW



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

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SCANNED

MAY 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 20, 2003

Dale and Nuelene Wistisen
P.O. Box 128
Bancroft, ID 83217

REF: 29-7394

Subject: Place of use.

Dear Dale and Nuelene;

Thanks for returning your notice of error on 29-7394A. However, the Caribou County records indicate that you do not own the west strip of the SWSW of section 14, township 8 south, range 39 east. That area is within the city limit of Bancroft. Is any part of your land in this quarter-quarter irrigated by the city? Please return a copy of your warranty deed with the legal description of your property. If you have any further questions, please feel free to call me at 547-3993.

Sincerely;

Cindy E. Bird
Adjudication Bureau

CC: Thomas Moore (29-7394B)
Dean Gilbert (29-7394C)

*Couple hundred feet
from the city
boundary.*

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MAY 03 2003

3/5/02 Claim 29-17394C.

When Dean Shultz was in my office filing a notice of claim to a water right, he felt that he was negotiating more than 7 acres. So he filed for 9 acres.

When I checked the 1987/88 MAP Photo-graphy we believe it showed 6 acres and about 1 acre. So, recommend the 7 acres that remains under this lease.

4/24/02 I didn't recommend stock water under this portion of the right because it is fully claimed by the location in the "4" portion of the right. The stock well is located on Delta property and I don't think the water there's stock from his well. I think it's done from more domestic well,



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2002

Dean Gilbert
200 Gilbert Lane
Bancroft, ID 83217

RE: Snake River Basin Adjudication (SRBA)
Adjudication No. A29-7394

Dear Mr. Gilbert;

We have been advised that you own 7.5 acres of the property in the SWSW of section 14, township 8 south, range 39 east. As the property owner you must file an adjudication claim to protect the water right. I've enclosed form 42-1409(2) "Notice of Claim to a Water Right" for your convenience.

Please feel free to call me at 547-3993, if you have any questions.

Sincerely,

Cindy Bird
Adjudication Bureau

Enclosures:
Form 42-1409(2)

PROCESSED

SCANNED
MAY 03 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 29-7394C
Date Received: 3/7/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

BARBARA GILBERT Phone: (208) 648-7759

PO BOX 151
BANCROFT ID USA 83217

DEAN S GILBERT Phone: (208) 648-7759

PO BOX 151
BANCROFT ID USA 83217

2. Date of Priority: 05/13/1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	39E	14	SW SW	CARIBOU	

5. Description of diverting works:

WELL PUMP, SPRINKLERS, PIPELINE

6. Water is used for the following purposes:

Purpose
IRRIGATION
STOCKWATER

From	To	C.F.S.	(or) A.F.A
04/15	10/15	0.1	
01/01	12/31	0.02	

0.095 claimed completely by no stockwater

7. Total Quantity Appropriated is:
0.1 C.F.S.



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8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
08S	39E	14	SW	SW		IRRIGATION	9
			SW	SW		STOCKWATER	
						Section Acres	9
						Total Acres	9

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:

14. Remarks:

STOCKWATER 20 CATTLE & HORSES

15. Basis of Claim: License

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:

Ident. Number

Date Received

Receipt Number

39576

29-7394C

3-7-02

E027510

RECEIVED
MAR 07 2002
Department of Water Resources
Eastern Region

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Dean S. Gilbert/Barbara Gilbert Phone (208) 648-7759
Mailing Address P.O. Box 151 Bancroft, Idaho Zip 83217

2. Date of Priority (Only one (1) per claim) 5-13-1977

3. Source of water supply (a) Ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 8S Range 39E Section 14,
_____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Caribou

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. well, pump, sprinklers,

pipeline

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MAY 03 2006

Scale: 2 inches equals 1 mile

Copies: White-State, Yellow-Claimant

SCANNED

Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 0.10 or 21

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) 21 (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Cattle Horses 20 Head

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>85</u>	<u>39E</u>	<u>14</u>											<u>9</u>						<u>9</u>
		<u>14</u>											<u>S</u>						

Total number of acres irrigated 9

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: This is part of water right 29-7394/
acreage overclaimed.

Last Name Gilbert Ident No. 29-7394C

SCANNED
Copies: White -State, Yellow-Claimant
MAY 03 2006

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Dean S. Gilbert Date 3-5-02

Barbara K. Gilbert Date 03-05-02

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

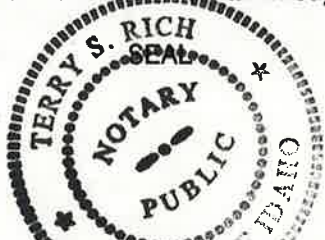
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 5th day of March 2002



Notary Public Jerry S. Rich

Residing at Caribou County

My Commission Expires 01 February 2007

Please Print Name

17. Notice of Appearance.

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Gilbert Ident. Number 29-7394C

8-39

600'

ORVAL D
LESTER

296.1

12.4 AC
Terra!

657.8

8.0 AC
Outside

4.471 AC

C/O Joe W
Lewis

2.776 AC

230.1

407.8

657.8

4.471 AC

2.23 AC

Dean S. Gilbert
2746

2.123 AC

Moores

2.776 AC

4.471 AC

2.23 AC

Dean S. Gilbert
2746

2.123 AC

Moores

SCANNED

MAY 08 2006