

10/17/2002

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

RIGHT NUMBER: 29-10310

NAME AND ADDRESS: JON L JONSSON
2040 IVINS RD
BANCROFT ID 83217

MARIE JONSSON
2040 IVINS RD
BANCROFT ID 83217

SOURCE: TEN MILE SPRING

TRIBUTARY: SINKS

QUANTITY: 0.800 CFS
219.600 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-586 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.80 CFS.

PRIORITY DATE: 04/01/1980

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T08S R40E S22 SESENE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS 219.60 AFY

PLACE OF USE: IRRIGATION Within CARIBOU County

T08S R40E S22	NESW	40.0	T08S R40E S22	NWSW	40.0
T08S R40E S22	SWSW	40.0	T08S R40E S22	SESW	40.0
T08S R40E S22	NWSE	40.0	T08S R40E S22	SWSE	40.0

240 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-586 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 240 ACRES 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.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-586
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

10/17/2002

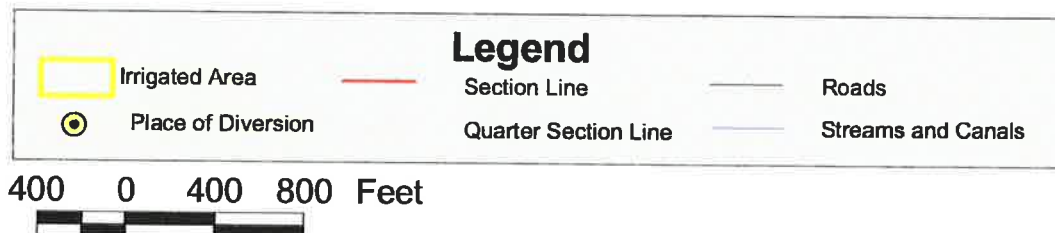
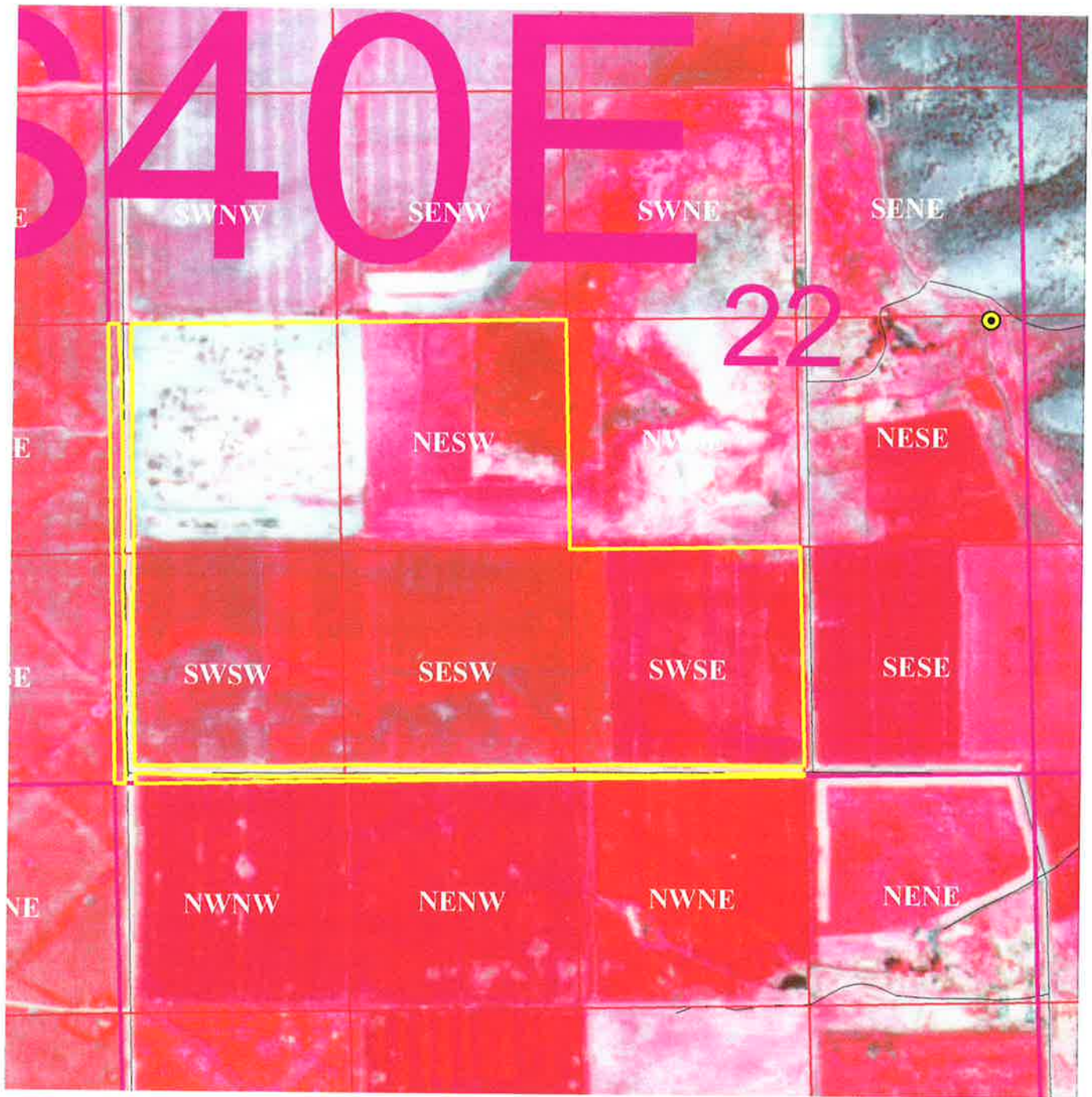
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Use of this right is combined with water from Farmers Land & Irrigation Company.

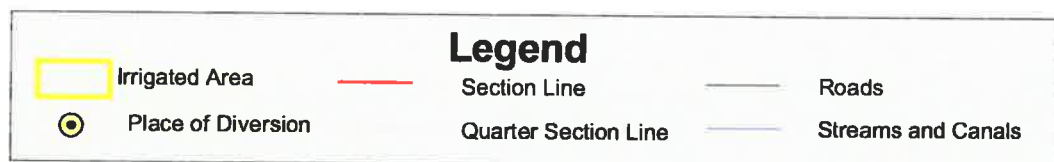
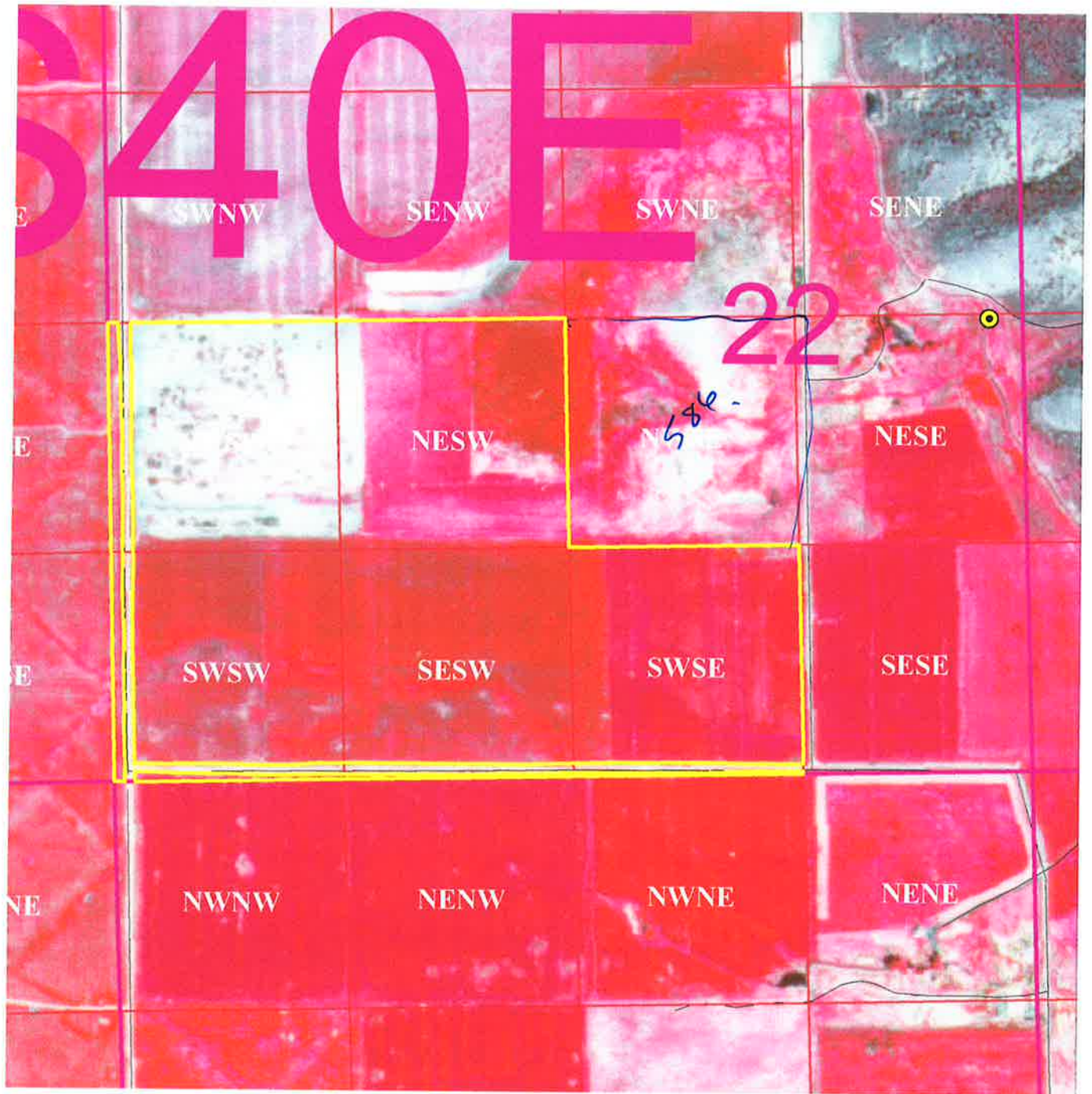
RIGHT NO. 29-586 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 200 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Township , 8S40E



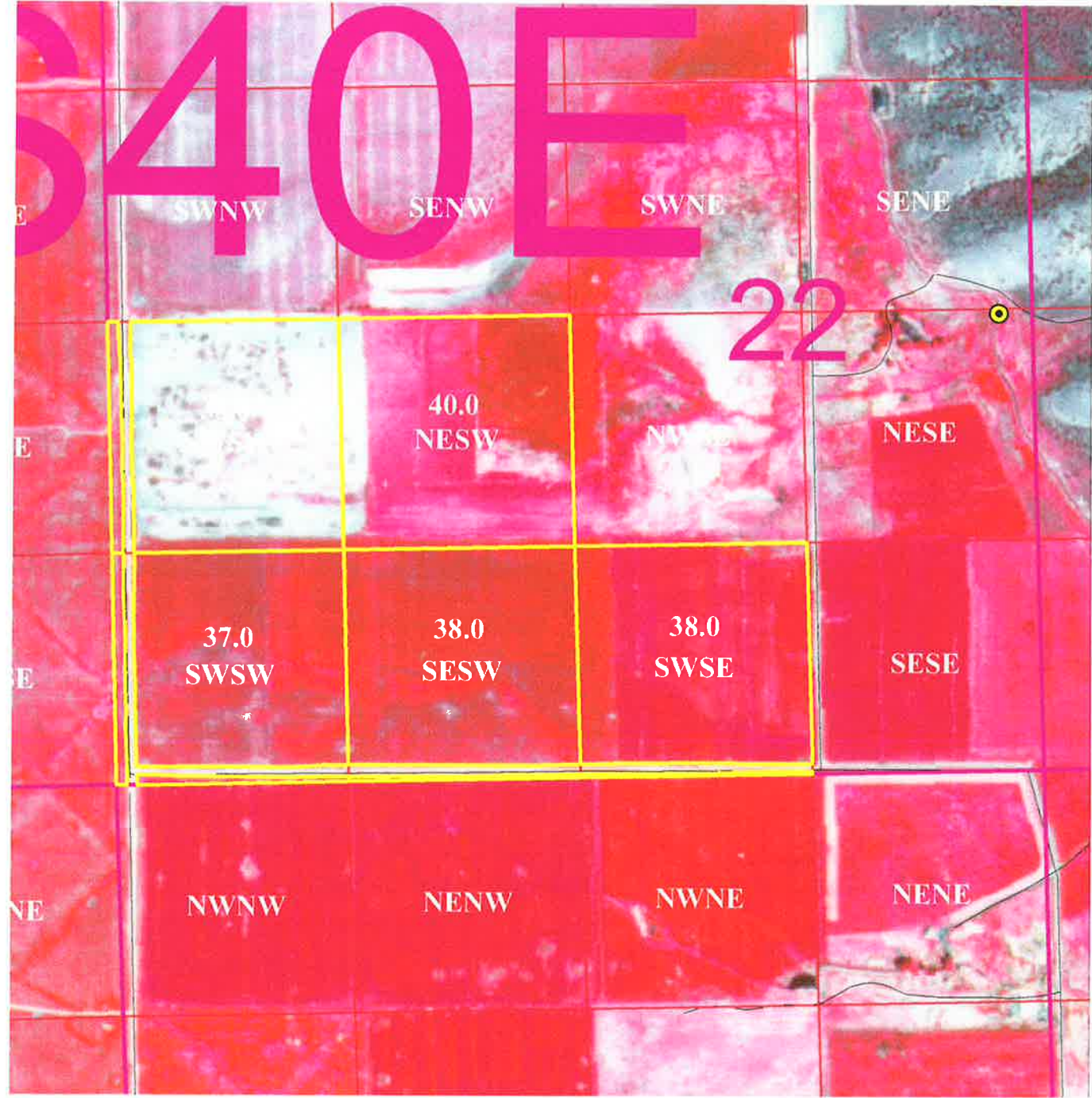
Township , 8S40E



400 0 400 800 Feet



Township , 8S40E



 Irrigated Area

 Place of Diversion

Legend

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

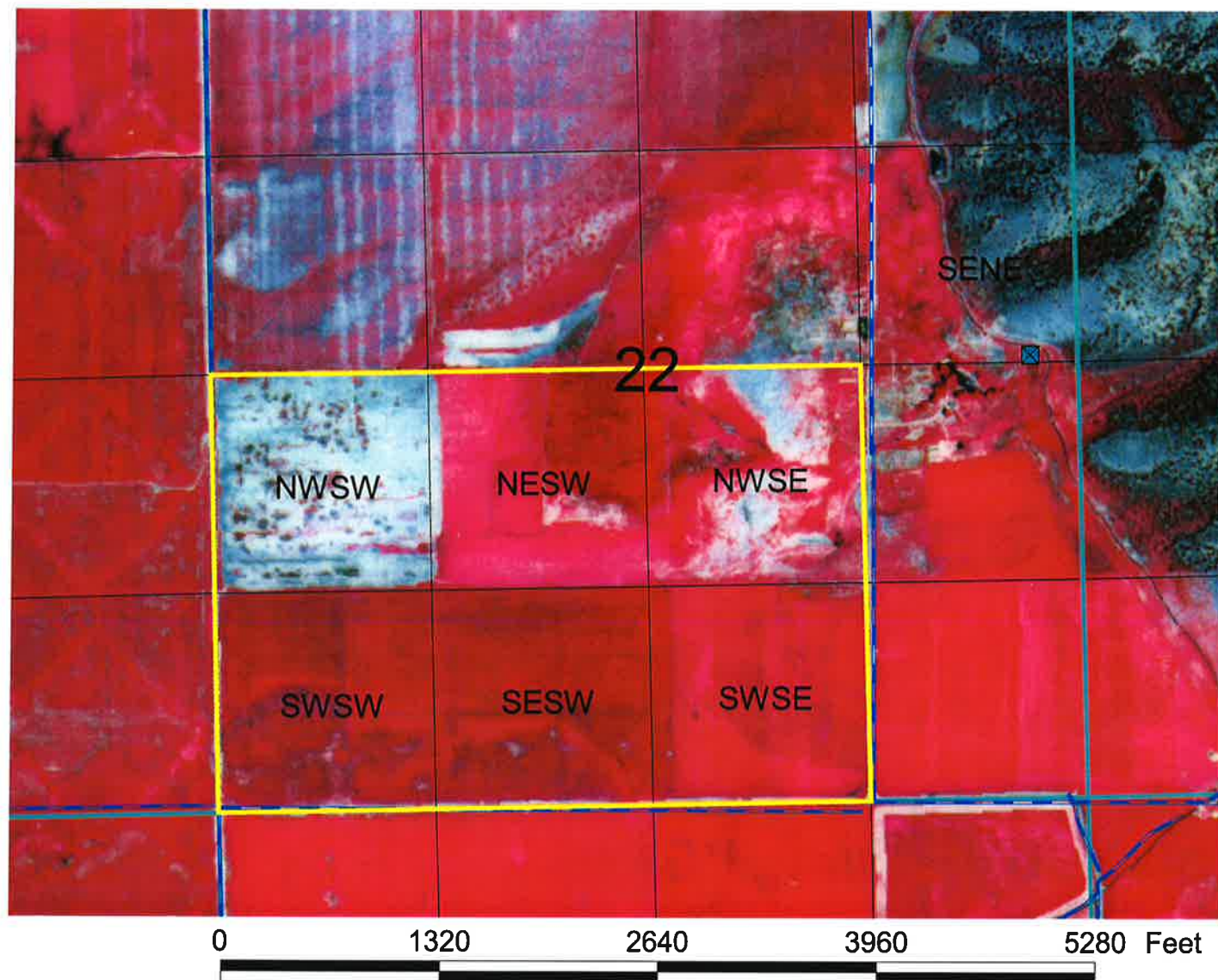




Department of Water Resources

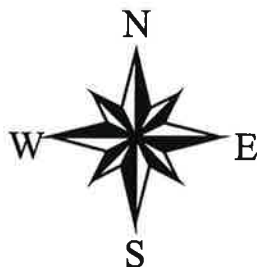
Claim No.: 29-586
29-10310

Twps 08S Rge 40E



Irrigated Acres = 240

- Diversion.shp
- Place of use.shp
- ▬ Roads.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: October 2002

02/08/2003

Cindy

NOTICE OF ERROR
REPLY

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

Water right number: 29-10310

JON L JONSSON
2040 IVINS RD
BANCROFT ID 83217

MARIE JONSSON
2040 IVINS RD
BANCROFT ID 83217
Telephone Number: (208) 425-3078

RECEIVED
APR 14 2003
Department of Water Resources
Eastern Region

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

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

DATE: 4-7-03

SIGNATURE:

Jon L. Jonsson

Please print your name:

Jon L. Jonsson

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

Cindy

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 29-10310
Date Received: 2/16/1990
Receipt No: E012089
Received By:

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

1. Name of Claimant(s)

JON L JONSSON Phone: (208) 425-3078

2040 IVINS RD
BANCROFT ID USA 83217

MARIE JONSSON Phone: (208) 425-3078

2040 IVINS RD
BANCROFT ID USA 83217

2. Date of Priority: 06/01/1948

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	40E	22	NE NE SE	CARIBOU	

5. Description of diverting works:

CONCRETE HEAD BOX, ALSO FLOWS INTO PRIVATE GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	40E	22	NE	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
					Section Acres	200
					Total Acres	200

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:

SOURCE ALSO TENMILE SPRING
THIS WATER USE IS AN EXPANSION OF A29-00586

15. Basis of Claim: Beneficial Use

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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 2001

JON L & MARIE JONSSON
2040 IVINS RD
BANCROFT ID 83217

RE: CHANGE IN OWNERSHIP FOR A29-10310

Dear Mr. & Mrs. Jonsson:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK JC 10-5-01
RECEIVED
OCT 04 2001
 Department of Water Resources
 Eastern Region

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

1. 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 (under the "split" heading), 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
	<u>A29-10310</u>	☐			☐
	<u>29-586</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *no fee. CB.*
- B. 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**.
- C. 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) is 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**.

3. Name and Address of Former Owner/Claimant(s)

Glenn H. HARPER

5986 TOLCATE LN.

4. New Owner/Claimant(s)

SALT LAKE CITY, UT 84121

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

New Mailing Address

MARIE Jonsson ; Jon L. Jonsson

City, State and ZIP Code

2040 IVINS Rd.

New Telephone Number

(208) 425-3078

5. Date you acquired the property

4-28-2000

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6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A29-10310</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>2.0 cfs</u>	<u>200 acres</u>
Stock		
Domestic		
Other		
Total	<u>2.0 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7.

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Don Dousson Co Trustee

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

SEP 13 2004

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESINSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

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SEP 13 2004
FILED

6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at Item 6. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at Item 7. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

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SEP 13 2004

PROFILED

161278

WARRANTY DEED

Order No.: 4-0335A

FOR VALUE RECEIVED

William R. Shore and Roberta S. Shore, Husband and Wife

STATE OF IDAHO
County of Caribou
Date: April 28, 2000
Time: 12:40 PM
Official Records
Recorder: Edie Izatt
Deputy: Jessie Stephens
Fee: 3.00 AT

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Marie Jonsson and Jon L. Jonsson, and the survivor and successors thereto, trustee of the Marie Jonsson Family Trust

whose current address is

2040 Ivins Road Bancroft, ID 83217

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

Township 8 South, Range 40 East of the Boise Meridian, Caribou County, Idaho

Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14: N $\frac{1}{4}$ S $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT THE SOUTH 495 FEETSection 22: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23: E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 24: W $\frac{1}{2}$ W $\frac{1}{2}$

EXCEPT: Township 8 South, Range 40 East of the Boise Meridian, Caribou County, Idaho

Section 22: NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

Including unto the grantee all oil, gas and other mineral rights.

Together with all improvements thereon and appurtenances thereunto belonging, including 711 shares of Farmers Land & Irrigation Company; and all rights in Ten Mile Spring [WR0749NP; No. 29-00586]; and all rights under a Statutory Claim to an unnamed spring which is tributary to the Sinks [WR0749NP; No. 29-00586] in NENESE of T8S, R40 E, S22

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

And that the above described water shares and water rights are free from all liens and encumbrances except current year assessments.

Dated: 4/28/2000

William R. Shore
William R. Shore

Roberta S. Shore
Roberta S. Shore

State of Idaho

County of Caribou

} ss.

On this 28th day of April, 2000, before me, a Notary Public in and for said state, personally appeared William R. Shore and Roberta S. Shore

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that (s)he/they executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Jurisa Rigby
Notary Public for the State of Idaho
Residing at: Grace
Commission Expires: June 17, 2002

SCANNED

SEP 13 2004

PROFILED
J.S.
m.k.

Recorded at Request of Roberta Shore
 at 1455A M. Fee Paid \$ 3.00 May 1, 1992
 by Glenn H. Harper Dep. Book _____ Page _____ Ref. _____
 Mail tax notice to William L. Shore Address 2055 Ivins Rd Bancroft

WARRANTY DEED

GLENN H. HARPER AND ELMINA M. HARPER, husband and wife
 of Salt Lake City, County of Salt Lake, State of Utah, hereby
 CONVEY and WARRANT to

WILLIAM R. SHORE AND ROBERTA S. SHORE, husband and wife, as joint
 tenants with full rights of survivorship, and not as tenants in
 common,

of 2055 Ivins Road, Bancroft, Idaho
 TEN (\$10.00)
 and other good and valuable consideration,
 the following described tract of land in Caribou
 State of ~~UTAH~~ IDAHO:

grantee
 for the sum of
 DOLLARS,
 County,

Township 8 South, Range 40 East of the Boise Meridian:

Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 Section 14: N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 22: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 23: E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 24: W $\frac{1}{2}$ W $\frac{1}{2}$.

Including unto the grantee all oil, gas and other mineral
 rights.

Together with all improvements thereon and appurtenances
 thereunto belonging, including 311 shares of Farmers
 Land & Irrigation Co.

WITNESS, the hand of said grantor, this 9th
APRIL, A. D. 19 92 day of

Signed in the Presence of

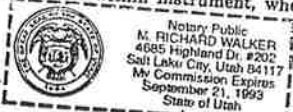
Glenn H. Harper
Glenn H. Harper
Elmina M. Harper
Elmina M. Harper

STATE OF UTAH,

County of SALT LAKE

ss.

On the 9th day of APRIL, A. D. 19 92
 personally appeared before me
GLENN H. HARPER and ELMINA M. HARPER
 the signers of the within instrument, who duly acknowledged to me that they executed the
 same.



My commission expires 9/23/94
M. Richard Walker Notary Public.
 Residing in SI County Utah

SCANNED

SEP 13 2004

PROFILED

07/17/2002

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

RIGHT NUMBER: 29-10310

NAME AND ADDRESS: JON L JONSSON
2040 IVINS RD
BANCROFT ID 83217

MARIE JONSSON
2040 IVINS RD
BANCROFT ID 83217

VOID

SOURCE: TEN MILE SPRING

TRIBUTARY: SINKS

QUANTITY: 0.80 CFS
~~100.0 AFS~~ *219.6*

USE OF THIS RIGHT WITH RIGHT NO. 29-586 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.80 CFS.

PRIORITY DATE: 03/28/1980

POINT OF DIVERSION:

T08S R40E S22 SESENE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS <i>219.6</i>

PLACE OF USE: IRRIGATION Within CARIBOU County

T08S R40E S22	NESW	40.0	T08S R40E S22	NWSW	40.0
T08S R40E S22	SWSW	40.0	T08S R40E S22	SESW	40.0
T08S R40E S22	SWSE	40.0			

NWSE 40

240
~~200~~ ACRES TOTAL

EIT USE OF THIS RIGHT WITH RIGHT NO. 29-586 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF ~~40~~ *240* ACRES 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.

Delete - ~~THIS RIGHT WAS NOT CLAIMED IN THE PRIOR ADJUDICATION.~~

~~This right when combined with all other rights shall provide no more than
0.02 cfs nor more than 2.5 afa at the field headgate for irrigation of the
land described above.~~

K02

EXPLANATORY MATERIAL: Beneficial Use

Use of this right is combined with water from Farmers Land & Irrigation
Company.

RIGHT NO. 29-586 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

K09

Water Right 29-10310

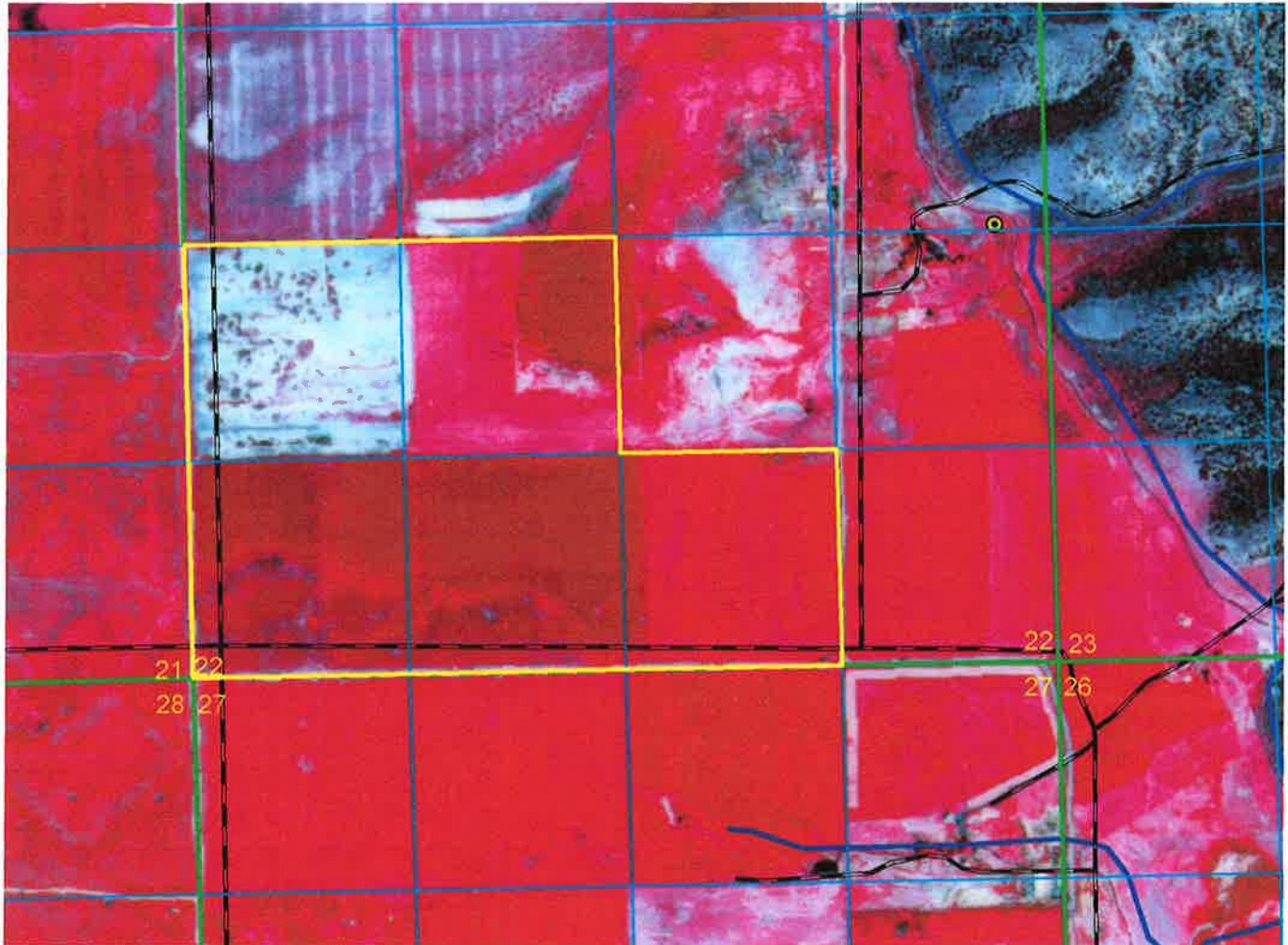


STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-10310

VOID



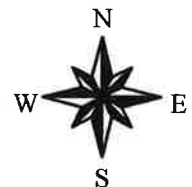
700 0 700 1400 2100 Feet

LEGEND

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

Place of Use: T8S, R40E,
(part of) Section 22

Points of Diversion: T8S, R40E
Sec. 22 SESENE



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

Priority Date Data Entry Form

Claim Number: 29-10310

Water Right Priority Date: _____

Water Right Basis: _____

Claimed Priority Date: June 1 - 1948Claimed Basis: B. U.Recommended Priority Date: 3-28-1980Recommended Basis: B. U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

- This was not claimed in the Bancroft-Lund
- adjudication. The priority date is being advanced to 1 day after the complaint date per Candice McHugh 7/17/02.
- Vicky will confirm the complaint date.

10/17/02 Complaint signed 3-28-1980. Advance the priority to the first day of the irrigation season in 1980. i.e. 4-11-1980. Ernie.

Reviewer: CBDate: 7/17/02

Claim Number: 29-10310

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 8S, R 40E, Sec. 22, NE, NE, SE. County: Caribou

Source: Unnamed Spring Tributary: Sinks

Recommended Point of Diversion: T 8S, R 40E, Sec. 22, SE, SE, NE. County: Caribou

Source: Topmile Spring Tributary: Sinks

_____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
8S	40E	22		SESENE	Carbon	Tennile Spring
GPS Coordinates:			42.7144345		-111.7602850	

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? 29-586

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

- field exam
- B-L decree

Transfers Changing POD _____

Reviewer: CB

Date: 1/17/02

Place Of Use Data Entry Form

Claim Number: 29-10310☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
85	40E	22	NESW		Carson		40	Irrigation
			NWSW				40	
			SWSW				40	
			SESW				40	
			SWSE				40	

Total Acres 200

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
8								

Total Acres 200

Document how the POU was verified:

limited to 40 acres when combined with
29-586 in a single irrigation season.

E29 farmers land + irrigation to Canal Dams
are also used.

Transfers Changing POU _____

Reviewer: CBDate: 7/17/02

Purpose of Use Data Entry Form

Claim Number: 29-10310☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

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

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			200	

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			240 40	10/17/02 EPC

Document how the Purpose of Use was verified:

- acre limit of 40 when combined w/ 29-586.
240 10/17/02 EPC

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 7/17/02

Period of Use and Quantity Data Entry Form

Claim Number: 29-10310☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	2.0	

Overall Diversion Rate 2.0

Overall Diversion Volume _____

.80 cfs.
 x 1.9835 AF
 1.5868 AF/day
 x 214 days
 339.6 AFA.
 - 120.0 (AFA FROM 29-586)

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.80	219.6

Overall Diversion Rate 0.80Overall Diversion Volume 219.6

219.6 AFA.
 10/17/02
 Eric

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

- This right when combined with 29-586 is limited to 0.80 cfs

E25 Combines farmers land & elongation stores.
 cond. enlargement claim to 29-586

Reviewer: CBDate: 7/17/02

Contacts Data Entry Form

<u>Owner Type</u>	<u>Full Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>
Individual	[Name]	[Address]	[City]	[State]	[Zip]	[Phone]
Company	[Name]	[Address]	[City]	[State]	[Zip]	[Phone]

Current Owner _____

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Reviewer: _____

Date: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18 - Gen. Cond.

~~K09~~ - Exp. Remark Enlargement 42-1426F05 - Exp Remark 29-586 is also diverted
through the POD listed.PO2 - Gen. Remark - Not Claimed in a prior
adjudication

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

CB

Date

7/17/02

Noon 4-17-02 Jon Jonsson.

~~B35, 63~~ no other basin w/ general adj.

711 acres - (Shares)

North property - Spring. Canal.
South Canal/Spring.

→ 480 acres.

Pipeline: K & R ^{Irrigation} Nidder alvin. Kingsford.
1977 pipeline.

Needs the use of water in the
200 acres under 16310 -
no additional flow needed.

Affidavit

I, KC Lewis bear witness that in 1948, my father Dick Lewis did divert water from Spring Source ID # 29-10310 from concrete head box to gravity ditch. For the purpose of irrigating land in $\frac{1}{4}$ sections of 08 S Township range 40 E section 22 Caribou County

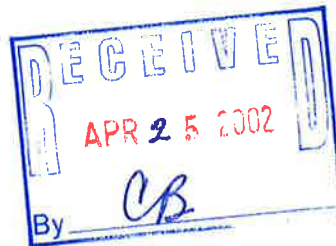
NE SW 40 acres

SE SW 40 acres

SW SE 40 acres

NW SW 40 acres

SW SW 40 acres



K.C. Lewis

Date 4/24/02



Notary Heidi Watkins

Date 4/24/02

Commission exp- 1/10/07

IRRIGATION PIPELINE
~~High Pressure Underground Plastic~~
Steel

CERTIFICATION AND GUARANTEE

I, the undersigned contractor, completed the installation of 3380
feet of high pressure underground plastic irrigation pipe on the _____
K. C. Lewis farm Bancroft Idaho on May 15, 1977
(farmer's name) (farm address) (date)

and do certify that the materials and installation comply with requirements
of Soil Conservation Service Engineering Standard, dated April 1971,
Engineering Specifications for Materials dated April 1971, and Construc-
tion Specifications, dated April 1975 for Irrigation Pipelines, High
Pressure Underground Plastic.

The pipe used in the installation was manufactured by Beall Pipe and
Tank Corporation P.O. Box 7907, Boise Idaho 83707
(name and address of pipe manufacturer)

and marked as follows:

Manufacturer's Identification: Beall Pipe Nominal Size 12" O.D.
(inches)

Steel, Type Cold Tax Enamel, Grade A
(PE, ABS or PVC)

Working Head 360 ft. SDR No. _____

I guarantee the above installation against defective materials and workman-
ship for a period of 1 years from above date.

Signed:

Alvin Kingford

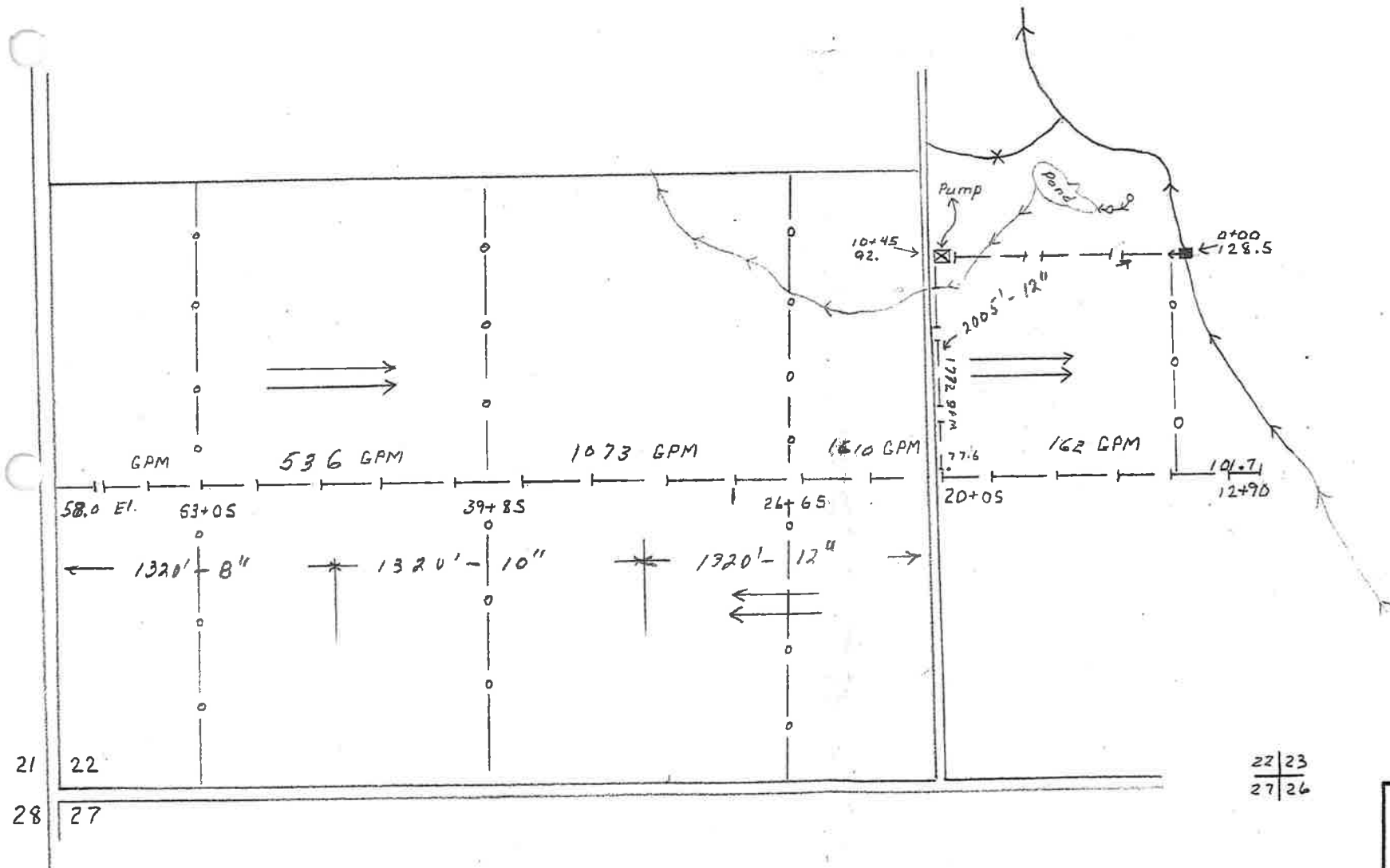
Address:

Boise Idaho - Star Route
Box 408 83241

Date:

Dec 12, 1977

R. 40 E.



22	23
27	26

K. C. Lew
System De:

Scale - 1" = 6'

CONSERVATION PLAN MAP



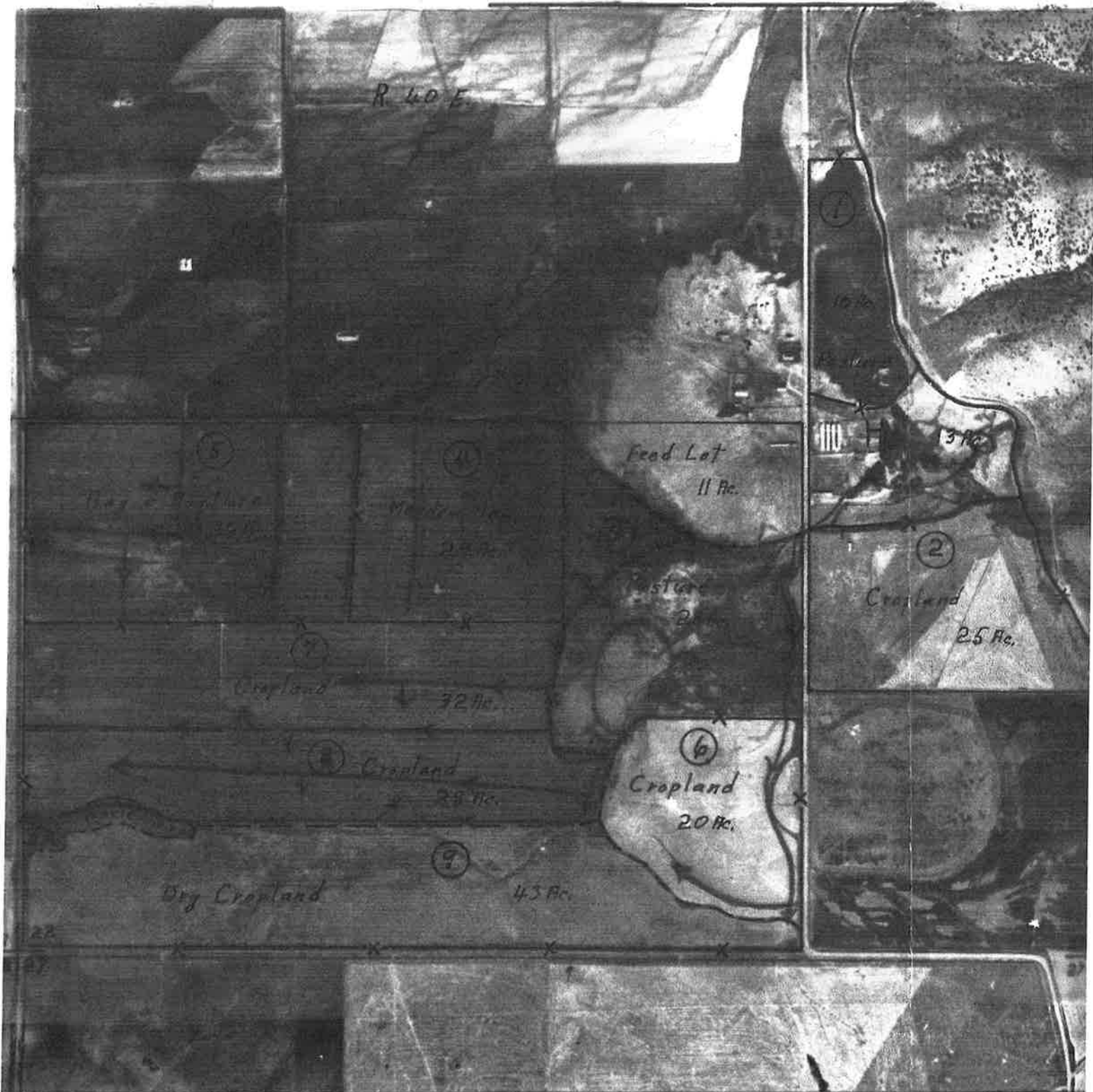
Prepared by UNITED STATES DEPARTMENT of AGRICULTURE ★ SOIL CONSERVATION SERVICE
cooperating with
Portneuf
S.C. DISTRICT

Richard Lewis
Same
Caribou
COUNTY

Idaho
STATE

FARM NO. _____ DATE 6/66
SCALE 8" = 1 Mi. ACRES 277
APPROXIMATE

PHOTO NO. _____





OUR SOIL ★ OUR STRENGTH

Owner Richard Lewis

Operator Same

Soil and Capability Map
~~CONSERVATION PLAN~~ ~~MAP~~
 UNITED STATES DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE
 cooperating with
Portneuf
 Soil Conservation District

Plan No. _____ Date 6/66

Scale 8" = 1 Mi. Acres 277
 Approximate

Photo No. _____

GPO : 1963 O-668828

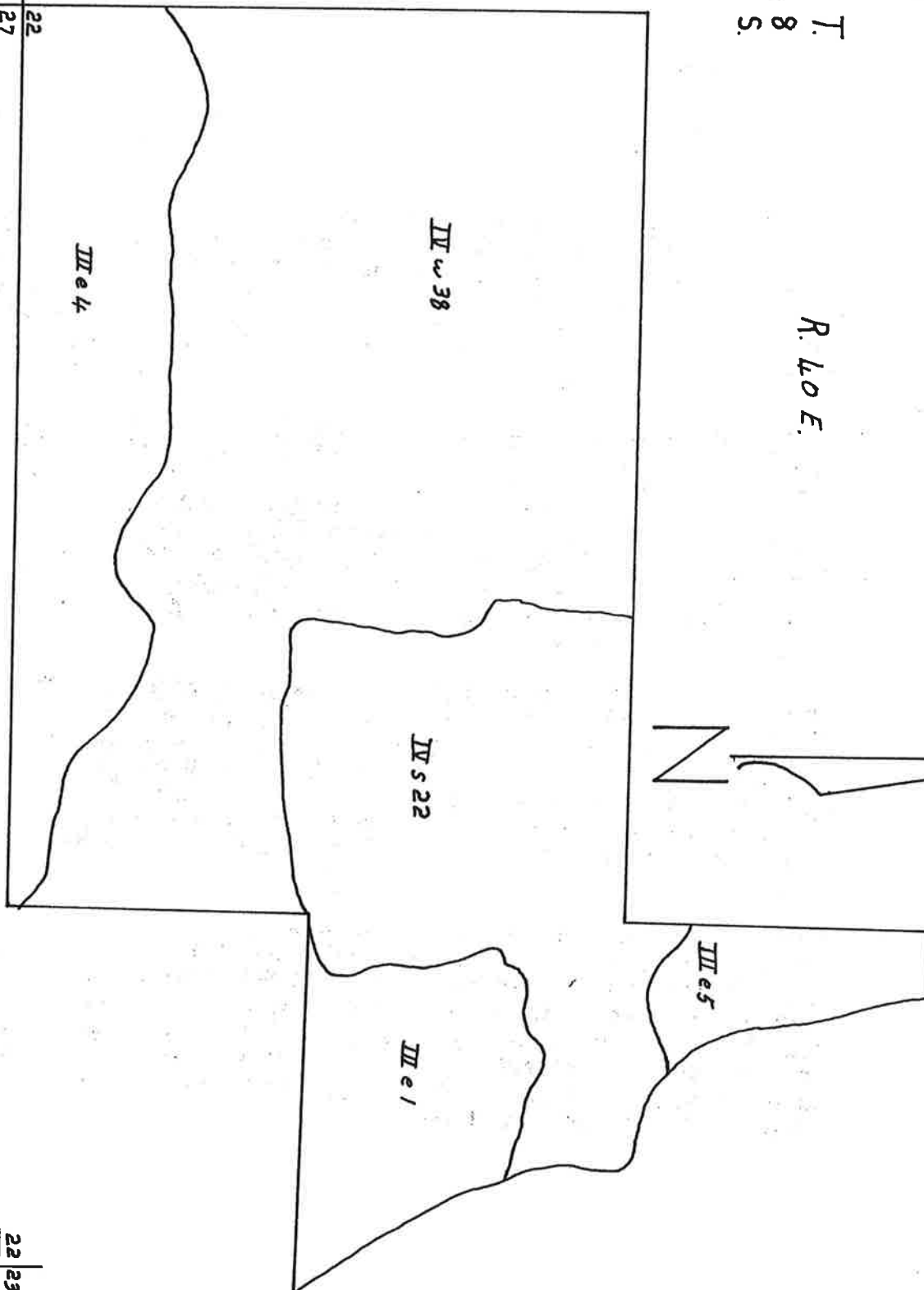
Caribou
 County

Idaho
 State

21
22
29
27

T. 8 S.

R. 40 E.



22 23
27 26

CONSERVATION RANCH PLAN

Dick Lewis
Bancroft, Idaho

277 Acres

Location

This ranch is located about 2 miles west and 4 miles north of the Grace-Soda Springs junction.

General Description of Ranching Enterprise

This ranch will be operated as a livestock enterprise. Both cattle and sheep will be raised. Except for a small amount of dryland in the south part, the ranch is flood irrigated. The range land involved in the operation is in dual ownership with Rao Sorenson. Stock is also run with the Windmill Flat Grazing Association. These ranges are being improved and livestock numbers will be adjusted depending on success of improvements. Crops that will be grown on the ranch are hay and grain.

Conservation Problems

1. Erosion in irrigation ditches of Fields 2 and 3 because ditches are on too steep of grade.
2. Irrigation water management.
3. Land smoothing in Fields 2 and 6.
4. Invasion of quack grass in hay stands of Field 7.

4.3
1945
1806
157
450

RECORD OF COOPERATOR'S DECISIONS
AND PROGRESS IN APPLICATION

OPERATOR Dick Lewis
 ASSISTED BY Lewis L. Pence
 DATE May, 1966

FIELD NUMBER	PLANNED		APPLIED		LAND USE AND TREATMENT
	AMOUNT	YEAR	AMOUNT	MONTH AND YEAR	
2,6,7, 8,9	¹⁴⁸ ~~105~~ Ac.		105	6-69	<u>IRRIGATED CROPLAND</u> <u>Conservation Cropping System:</u> A crop rotation of three years grain and three years hay will be used on these fields. Three pounds of Latar Orchard grass and six pounds of Inoculated Alfalfa seed will be seeded in the next hay seeding. If this hay mixture is preferred to straight alfalfa hay, it will be used. This rotation will give good control of invading quack grass.
2,6,7, 8	105 Ac.		⁴⁷ 52 ~~528~~	6-69 10/69	<u>Crop Residue Use:</u> While these fields are in grain, all crop residues will be left on the fields or returned to the fields in the form of manure after being used as feed or bedding. No residues will be burned.
2,6,7, 8	105 Ac.				<u>Minimum Tillage:</u> Cultivation will be limited to those only needed to prepare seedbeds, and control weeds. This practice will minimize soil compaction, reduce breakdown of organic matter, maintain good soil tilth, improve water movement in the soil, promote good soil aeration, and reduce soil erosion.
6,2	45 Ac.				<u>Land Smoothing:</u> In the future, these fields may be smoothed over to improve irrigation management.
2	25 Ac.				<u>Field Ditches:</u> When this field is broke out of hay, the irrigation ditches will be surveyed to establish non-erosive ditches.

RECORD OF COOPERATOR'S DECISIONS
AND PROGRESS IN APPLICATION

OPERATOR Dick Lewis
ASSISTED BY _____
DATE _____

FIELD NUMBER	PLANNED		APPLIED		LAND USE AND TREATMENT
	AMOUNT	YEAR	AMOUNT	MONTH AND YEAR	
3	28 Ac.				<u>Irrigation Reservoir:</u> The possibility of constructing a reservoir as shown on the Conservation Plan Map will be looked into. This will stop erosion in the irrigation ditch of Field 3.
9	No. 1		1-266A-	12-77	<u>Sprinkler Irrigation System:</u> If the reservoir in Field 3 is constructed, Field 9 may be put under sprinkler irrigation. If this is done, it will be managed similar to Fields 2, 6, 7, & 8.
2-8	198 Ac.		3325	12-77	<u>Irrigation pipeline</u> <u>Irrigation Water Management:</u> Irrigation water will be applied evenly over these fields according to the needs of the crop and characteristics of the soil and topography. As a general rule, each field will be irrigated when 40-50% of the available soil moisture has been used. (Check job sheet to help estimate this.) Effective root zone depths for medium textured, well drained soils are: Grass Pasture a. Ladino Clover 2 feet b. Alfalfa 5 feet Small Grains 4 feet Alfalfa 5 feet
9	43 Ac.		43	10/69	<u>DRY CROPLAND</u> <u>Conservation Cropping System:</u> A grain-fallow cropping system will be used on this field.

RECORD OF COOPERATOR'S DECISIONS
AND PROGRESS IN APPLICATION

OPERATOR Dick Lewis
ASSISTED BY _____
DATE _____

FIELD NUMBER	PLANNED		APPLIED		LAND USE AND TREATMENT
	AMOUNT	YEAR	AMOUNT	MONTH AND YEAR	
9	43 Ac.				Contour Farming: Contour or cross slope tillage and planting will be used on these fields.
9	43 Ac.		21 Ac 22 10/69	1967 10/69	<i>Crop Residue Mgt.</i> Stubble Mulching: Harvesting and tillage on these fields will be performed in such a way to keep straw, stubble, and other crop residues on the surface until time of seeding the next year.
9	43 Ac.		143	10/69	Minimum Tillage: Cultivation will be limited to those only needed to prepare seedbeds and control weeds.
1,3,4, 5, 30	103 Ac.		36	10/69	<u>HAY AND PASTURE LANDS</u> Pasture and Hayland Management: Fields 4 and 5 will be cut for hay and grazed in the fall. At the end of grazing, a 5 inch grass stubble will be left. These fields will not be grazed in the spring when the ground is not firm enough to prevent damage from trampling. Fields 1,3,5, and 30 will be managed in the following manner: They will not be grazed in the spring until 5 inches of forage has developed and the soil is firm enough to prevent trampling damage. A 4 to 5 inch grass stubble will be left in the fall, after grazing has stopped. The meadow hay in Field 4 will have a nitrogen fertilizer trial placed on it to see if nitrogen would give an increase in yields.

Cindy Bird.

4/16/02 Ownership of Property in T8S, R40E
Sections, 14, 15, 22 & 23 approximately 800
acres. Copy of warranty deeds are included
in this file from Caribou County Courthouse.

Harold Varley → Richard Lewis. 9-5-1946

Richard Lewis → Kelly C. Lewis 1-29-1976

Kelly C. Lewis. → Glenn H. Harper 7-2-1984.

Glenn H. Harper → William Shore 5-1-1992.

William Shore → Marie & Jon Jonsson 4-28-2000

During the Bancroft-Lund Adjudication Kelly
C. Lewis owned the property in the SW, SWSE
of Section 22, T8S, R40E. and didn't file on
the Spring for the purpose of irrigation. Kelly C.
Lewis was a party to the decree on a piece of
property in the NWSE of Section 22.

Per Ernie's ^{and Candice} email dated 4/16/02. This right will
be recommended for disallowal because it wasn't
claimed in the prior A.J. at Remark & Condition
POZ and meets all the conditions that it should
have been claimed in the prior adjudication.

Warranty Deed

THIS INDENTURE, Made this 2nd day of July
in the year of our Lord One Thousand Nine Hundred and Eighty-four, between

KELLY C. LEWIS AND ANN LEWIS, husband and wife.
of Bancroft, County of Caribou, State of Idaho
the parties of the first part, and

GLENN H. HARPER AND ELMINA M. HARPER, husband and wife, of 5986 Tolcate Lane,
of Salt Lake City, County of Salt Lake, State of Utah
the parties of the second part:

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

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

Caribou County, Idaho:

Township 8 South, Range 40 East of the Boise Meridian:

Section 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 14: N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 22: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 23: E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
Section 24: W $\frac{1}{2}$ W $\frac{1}{2}$.

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

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

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and
seals the day and year first above written.
Signed, Sealed and Delivered in the Presence of

_____)
_____) KELLY C. LEWIS
_____) ANN LEWIS
_____)
_____)
_____)

STATE OF IDAHO,
County of Caribou

ss.

On this third (3rd) day of July in the year 19 84, before me
the undersigned a Notary Public in and for said County and State, personally appeared

Kelly C. Lewis and Ann Lewis, husband and wife, known to me to
be the person s whose name s are subscribed to the within instrument, and acknowledged to me that t he y executed the same.

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

Bonnie J. Luger

Notary Public.

P.O. Box 81

Residence and P. O. Address Bancroft, Idaho 83217

My commission expires: Lifetime

123243
WARRANTY DEED

Kelly C. Lewis and Ann Lewis,
husband and wife,

70

Glenn H. Harper and Elmina M.
Harper, husband and wife,

Dated July 2, 19 84

STATE OF IDAHO,

County of Caribou

ss.

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

at 25 minutes past 12:00
o'clock P. M., this 3rd day
of July, A. D. 19 84

in the microfilm records of Caribou
County, Idaho.

Bonnie J. Luger

Notary Public

By *David L. Luger*
Deputy.

Fee, \$ 4.00

THIS INDENTURE, made this 24 day of January, 1976,
 between RICHARD S. LEWIS and AFTON C. LEWIS, husband and wife,
 of Soda Springs, County of Caribou, State of Idaho,
 the party of the first part and KELLY C. LEWIS and ANN L. LEWIS, husband and wife,
 of Soda Springs, County of Caribou, State of Idaho,
 the party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of
 TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION-----Dollars
 lawful money of the United States of America
 to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
 has granted, bargained, sold, and by these presents, does grant, bargain, sell and convey and confirm unto the said
 party of the second part, and to party of the second part's heirs and assigns, forever, all the following described real
 estate situated in Soda Springs, County of Caribou,
 State of Idaho, to-wit:

E $\frac{1}{2}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, Township 8 South, Range 40 East, B.M.,
 containing approximately 200 acres.
 SW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22, Township 8 South, Range 40 East,
 B.M., containing approximately 320 acres.
 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 8 South, Range 40 East, B.M., containing
 approximately 40 acres.
 N $\frac{1}{2}$ S $\frac{1}{2}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 8 South, Range 40 East,
 B.M., containing approximately 240 acres.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or
 in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits
 thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said
 party of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the
 appurtenances unto the party of the second part, and to party of the second part's heirs and assigns forever. And the
 said party of the first part, and said party of the first part's heirs shall and will warrant and by these presents for-
 ever defend the said premises in the quiet and peaceable possession of the said party of the second part, and party
 of the second part's heirs and assigns, against the said party of the first part, and party of the first part's heirs, and
 against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.
 IN WITNESS WHEREOF, the said party of the first part hereunto has set his hand.

Richard S. Lewis
Afton C. Lewis

STATE OF IDAHO.

County of Caribou
 On this 29th day of January, 1976, in the year 1976, before me
 the undersigned, a Notary Public in and for said State, personally appeared
 RICHARD S. LEWIS and AFTON C. LEWIS, husband and wife,

known to me to be the person whose name is subscribed to the within instru-
 ment, and acknowledged to me that he executed the same.

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

Clyde S. Nelson
 Notary Public for the State of Idaho
 Residing at Soda Springs, Idaho.

No. 116525

WARRANTY DEED
 (FORM No. 321)

TO

Dated 29th day of January, 1976.

STATE OF IDAHO.

County of Caribou
 I hereby certify that this instrument
 was filed for record at request of
Nelson & Harding
 at 15 minutes past 11:00
 o'clock A M., this 26 day of
May, 1983, in my
 office, and duly entered in Book
of Microfilm
 at page 57

By *Clara Archibald*Fees, \$ 2.00

Mail to

Bannock County, Idaho

INSTRUMENT No. 255476

WARRANTY DEED

This Indenture, Made this fifth day of September in the year of Our Lord
One Thousand Nine Hundred and Forty-six, between
HAROLD VARLEY and RUTH VARLEY, his wife,

of Bancroft, County of Bannock, State of Idaho, the parties of the
first part, and **RICHARD S. LEWIS and AFTON LEWIS, his wife,**

of Lewiston, County of Cache, State of Utah, the parties of the
second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

THIRTY THOUSAND (\$30,000.00)

lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The South Half of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter; and the Northwest Quarter of the Southwest Quarter of Section 36, Township 8 South, Range 40 East of the Boise Meridian, containing 160 acres.

Also, the North half of the Southeast Quarter; and the Southeast Quarter of the Northeast Quarter of Section 35, Township 8 South, Range 40 East of the Boise Meridian, containing 120 acres.

Also, the East half of the Northeast Quarter; the West half of the Northwest Quarter; and the Northwest Quarter of the Southwest Quarter of Section 23, Township 8 South, Range 40 East of the Boise Meridian, containing 200 acres.

Also, the Southeast Quarter of the Northeast Quarter of Section 22, Township 8 South, Range 40 East of the Boise Meridian, containing 40 acres.

Also, the Northeast Quarter of the Southeast Quarter of Section 15, Township 8 South, Range 40 East of the Boise Meridian, containing 40 acres.

Also, The North half of the Southwest Quarter; the Northwest Quarter of the Southeast Quarter; and the East half of the Southeast Quarter of Section 14, Township 8 South, Range 40 East of the Boise Meridian, containing 200 acres.

Also, The Southwest Quarter; the Southwest Quarter of the Southeast Quarter; and the North half of the Southeast Quarter of Section 22, Township 8 South, Range 40 East of the Boise Meridian, containing 280 acres.

Also, the Southwest Quarter of the Southwest Quarter of Section 14, Township 8 South, Range 40 East of the Boise Meridian, containing 40 acres.

Together with 310 shares of water in the Farmers Land and Irrigation Company of Alexander, Idaho, and together with all other irrigation water and water rights now used upon the above described property.

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

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

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Alvin Whitehead

Harold Varley (SEAL)

Ruth Varley (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of BANNOCK

On this 5th day of September, in the year 19 46, before me,
a Notary Public in and for said County and State, personally appeared

HAROLD VARLEY and RUTH VARLEY, his wife,

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

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

(SEAL)

Alvin Whitehead Notary Public

Residence: Grace, Idaho

I hereby certify that this instrument was filed for record at the request of Dow Lewis, Lewiston, Utah
at 25 minutes past 1 o'clock P.M., this 30 day of Sept., A.D. 19 47.
In Book 101 of Deeds. Page 464.



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

April 16, 2002

Marie & Jon L. Jonsson Trustees
Marie Jonsson Family Trust
2040 Ivins Road
Bancroft, ID 93217

REF: Snake River Basin Adjudication (SRBA)

Subject: Private Water

Dear Jon and Marie,

I got back a response from the Department of the issue of private water. Unless the use is de minimus and falls within the definition of a "deferred use" our position is to recommend filing a claim. The deferred uses are ground water for domestic use or stock water all other uses need to be claimed in the SRBA.

The adjudication statute 42-1401A(12) defines water systems to include springs and lakes and does not exclude private springs and lakes. The SRBA commencement order requires all rights to the use of water within the boundaries of the water system to be adjudicated, and does not exempt claimants of private springs and lakes from the adjudication. If the claimant wants a determination by the court that the spring or lake is "private", the claimant should indicate on the "source" blank on the claim form.

Idaho Code 42-101 declares, "All the waters of the state, when flowing in their natural channels, including the water of all natural springs and lakes within the boundaries of the state are declared to be property of the state...." All natural springs and lakes are therefore public water, subject to appropriation, subject to the laws that establish the procedures for making an appropriation, subject to the laws that govern the distribution of water, and subject to the laws that govern the adjudication of water rights. The state constitution declares natural streams to be public and therefore subject to the appropriation laws. A natural channel is "a stream of water flowing in a definite channel, having a bed, and sides or banks."

Can it be recommended in the SRBA if it wasn't claimed in the Bancroft-Lund Decree? The Bancroft-Lund was a general adjudication and falls under the adjudication statute 42-1401A(12) described above. Which means that if the point of diversion and place of use falls within the Bancroft-Lund boundaries then it required you file on in the prior

adjudication. The only other way it can be recommended in the SRBA is if you or the predecessor was not a party to the Bancroft-Lund Decree.

If you don't agree with my recommendation to the SRBA court you have the right to object to the recommendation in the SRBA and have the judge make a ruling on the claim.

I understand your frustration in this matter but remember don't shoot the messenger. If you have any additional question, please feel free to contact me at 547-3993.

Sincerely,

Cindy E. Bird
Adjudication Bureau.

Bird, Cindy

From: McHugh, Candice
Sent: Tuesday, April 16, 2002 11:59 AM
To: Carlsen, Ernie; Bird, Cindy
Subject: RE: Private Water

Because the Bancroft Lund was a general adjudication the key inquiry is whether or not the sources of water fall within the boundary that was adjudicated. There is a map titled Bancroft Lund Area in our Director's Report. If the point of diversion AND place of use of the water right both fall within the boundary then it was required to be filed on whether or not their predecessors were defendants.

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

From: Carlsen, Ernie
Sent: Tuesday, April 16, 2002 11:48 AM
To: Bird, Cindy
Cc: McHugh, Candice
Subject: RE: Private Water

Cindy, Need more information to determine if a favorable recommendation can be made on the SRBA claims. Were the sources of water in question subject to the Bancroft Lund? Were the parties or their predecessors defendants in the Bancroft Lund? (Jon Jonnson is not listed) You will need to research the ownership to determine who owned the property at the time of the B-L. Candice will need to address the source question. It is my understanding that a "no" answer to either question means you can pursue a favorable recommendation. A "yes" answer to both questions means that without a supporting right in the B-L the recommendation will be to disallow the SRBA claims using code P02 for both a general remark and condition.

Ernie

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

From: Bird, Cindy
Sent: Tuesday, April 16, 2002 9:47 AM
To: Carlsen, Ernie
Subject: RE: Private Water

But what happens if they didn't claim it in the Bancroft-lund decree? Can we recommend it in the SRBA?

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

From: Carlsen, Ernie
Sent: Monday, April 15, 2002 5:07 PM
To: Bird, Cindy
Subject: Private Water

Cindy

Unless the use is de minimus and falls within the definition of a deferred use our position is to recommend filing a claim. The claimant needs a water right in order to legally irrigate even from a "private source." The term private water merely refers to who can appropriate that water, not whether a water right is needed in order to use it. The water user can not be denied the opportunity to file a claim in the SRBA even without a water right in the Bancroft Lund.

The issue of private water is discussed in Adjudication Memo #11. Note that because the spring you and I visited last fall actually flows into a natural channel, Memo #11 suggests it does not fit the definition of private water. Also, without a water right, in the context of conjunctive management the water user could face curtailment unless the court decrees the springs as a separate source and without a claim before the court the water user can not pursue such a ruling. And, even though a water right is from a private source does not mean that it will be decreed as separate; it is presumed that all rights are interconnected and the only basis for decreeing them as a separate source is because they are in fact not tributary or were decreed earlier as non-tributary and the rest is on a case-by-case basis.

<< File: ADJUDICATIONS MEMO #11.doc >>

TELEPHONE & VISITOR LOG

Date: 4-10-02

Time: 2:04 pm to 2:10 pm

Call Visit ✓

Name:

Jon Jonsson

Address:

Bancroft, ID.

Phone No.:

221-5212

Claim No(s):

29-10310

=====

RE:

B.U. claim

Conversation:

Jon came in the office angry & upset because he didn't understand what I was asking for. Because F.F. sent him a copy of the Notice of Claim for his records. So, he thought it was all taken care off. I tried to explain to Jon that this is a B.U. claim and we need evidence of priority. He explained that he purchased the property 2 years ago and doesn't know where to get this information. I explained to him

=====

Action Required:

None at this time. Jon needs to get additional info to me on the priority date.

- piping in the 1970's.

K.C. Lewis owned the property.

that as the new owner unfortunately it's his responsibility to provide this information. Jon was very upset about this and I tried to calm him down by explaining that I have a lot of claimants in the same situation.

I also tried to explain to Jon that this is one of the major problems with B.H. claims because they are only statements of intent. This claim was made in 1990 for a 1948 priority date.

Jon also expressed this is private water. I explained to Jon that according to the statute we can't allocate the water to anyone else without your written permission but it doesn't say that you (the landowners) must claim the water. I don't know because the code is gray in that area.



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

March 27, 2002

Marie & Jon L Jonsson Trustees
Marie Jonsson Family Trust
2040 Ivins Road
Bancroft, ID 83217

REF: Snake River Basin Adjudication
Claim 29-10310

Subject: More recent adjudication

RESPONSE DATE: APRIL 22, 2002

Dear Claimants;

Water rights from the source claimed in the Notice of Claim listed above were adjudicated in the Bancroft-Lund Decree in the District Court of the Sixth Judicial District of the State of Idaho in and for the Country of Caribou, civil case number 2919 on July 28, 1992.

To establish the priority date claimed in the Notice of Claim, you must submit evidence showing that the owner of the water right at the time of the case listed above was not joined as a party in the adjudication.

If you do not submit such evidence, then your Notice of Claim will be treated as claiming a water right based on beneficial use with a priority date after the cut-off date for claiming rights in the case listed above. To establish a priority date for a claim base on beneficial use, you must submit some evidence tending to show the earliest date the water right was actually used. A brochure describing the types of evidence that can be submitted for this purpose is enclosed.

This office must receive your response by the response date shown above. If no response is received, then your claim will be recommended for disallowal on the basis that it was lost when it was not claimed in the later adjudication.

If you have any additional questions please feel free to contact me at 547-3993.

Sincerely,

Cindy E. Bird
Adjudication Bureau

Enclosure: Evidence of Priority Brochure

ANALYSIS

Changing point of diversion.

List of lands.

Public interest.

Standing to contest change.

Unsatisfactory permit conditions.

Changing Point of Diversion.

It was error for the district court to enjoin landowners from changing the point of diversion of water from a well located on one section of land owned by them to another section of their land, where such owners had filed a proper application for such change with the state reclamation engineer (now the director of the department of water resources), who declined to hear or process the application. *State ex rel. Tappan v. Smith*, 92 Idaho 451, 444 P.2d 412 (1968).

List of Lands.

Amendment of list of lands to be reclaimed is properly allowed where rights of others are not adversely affected and no additional water is claimed. *Big Wood Canal Co. v. Chapman*, 45 Idaho 380, 263 P. 45 (1927).

Public Interest.

Under § 42-203A, any application to appropriate water in Idaho is subject to the local public interest standard. Likewise, any change to a water right under § 42-222 is also subject to a determination that the change is

in the local public interest as stated in § 42-203A; as is an amendment to a water permit under this section. *Hardy v. Higginson*, 123 Idaho 485, 849 P.2d 946 (1993).

Standing to Contest Change.

Where the Box Canyon area was designated by the Bureau of Land Management (BLM) as an Area of Critical Environmental Concern (ACEC), and where the values justifying the ACEC designation included the identification of four candidate threatened and endangered aquatic species and the scenic and unique natural qualities of the area, the protection of this habitat fell within the local public interest as defined in *Shokal v. Dunn*, 109 Idaho 330, 770 P.2d 441 (1985); therefore, the protestants, although having no water rights within Box Canyon, sought to protect these locally important factors and thus their interests were properly considered by the Director of the Idaho Department of Water Resources. *Hardy v. Higginson*, 123 Idaho 485, 849 P.2d 946 (1993).

Unsatisfactory Permit Conditions.

If a permittee finds the conditions imposed on an amendment to a water permit to be unsatisfactory, the permittee shall be allowed to withdraw the application and be left with what the permittee had before submitting the application to the Idaho Department of Water Resources (IDWR). *Hardy v. Higginson*, 123 Idaho 485, 849 P.2d 946 (1993).

42-212. Diversion of private waters. — The department of water resources is hereby prohibited from issuing or granting permits to divert or appropriate the waters of any lake not exceeding five (5) acres in surface area at highwater mark, pond, pool or spring in this state, which is located or situated wholly or entirely upon the lands of a person or corporation, except to the person or corporation owning said land, or with his or its written permission, executed and acknowledged as required for the conveyance of real estate. [1911, ch. 230, § 1, p. 782; reen. C.L., § 3255a; C.S., § 5572; I.C.A., § 41-206.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been changed to the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and S.L. 1974, ch. 20, § 28 (§ 42-1801a).

ANALYSIS

Percolating waters.

Private waters.

Spring waters.

Water from mine portal.

Percolating Waters.

from owner of fee without compensation. *Public Utils. Comm'n v. Natatorium Co.*, 36 Idaho 287, 211 P. 533 (1922).

Private Waters.

Where waters of creek consisted primarily of spring runoff which arose in the mountains on U.S. government property, and where but for farmer's actions of capturing those waters and putting them to use on his farmland the stream would have flowed into a river, the creek was not a private stream within the definition of this section. *Olson v. Bedke*, 97 Idaho 825, 555 P.2d 156 (1976).

form a natural stream or streams flowing off of the premises on which they arise are public waters, subject to acquirement by appropriation, diversion and application to beneficial use. *Jones v. McIntire*, 60 Idaho 338, 91 P.2d 373 (1939); *Mahe v. Gentry*, 67 Idaho 559, 186 P.2d 870 (1947); *Nordick v. Sorensen*, 81 Idaho 117, 338 P.2d 766 (1959).

The waters of spring on land where they arose and sank were private waters and owner of adjoining land had no right to the use of same in absence of a showing of strict compliance with this section. *Mahe v. Gentry*, 67 Idaho 559, 186 P.2d 870 (1947).

Where an owner of land diverted water from a spring on the land and applied it to a beneficial use, the appropriation was valid when made, and the water right thus per-

fect was appurtenant received the benefit of it passed on to the person who benefited land. *Parke*, 539 P.2d 995 (1975).

Water From Mine Portal

An open flow of water mine portal which would development of the nonappropriable private this section. *Branson v.*, 221, 687 P.2d 1348 (1984).

Collateral Reference Waters, §§ 281-296.

Propriety of injunctive sion of water by munic public utility. 42 A.L.R.3d

42-213. Diversion of private waters — Applicant right of way. — All applications to the department of water permits to divert or appropriate the waters of any lake, pond, pool or spring is wholly the land of any person or corporation other than the applicant that it is, such application shall state that the applicant has written permission from such owner, executed and acknowledged by the provisions of the preceding section to divert such water. [1911, ch. 230, § 2, p. 783; reen. C.L., § 3255; I.C.A., § 41-207.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been changed to the department of water resources on the authority of S.L. 1974, ch. 20, § 25.

42-214 — 42-216. Proof of completion — Department to report on work — Issuance of certificate from department's decision. [Repealed]

Compiler's notes. These sections, which comprised 1903, p. 223, §§ 4-6; reen. R.C., §§ 3257-3259; am. 1913, ch. 144, § 1, p. 509; am. 1913, ch. 83, § 1, p. 340; reen. C.L., §§ 3257-3259; C.S., § 41-208 — 41-210, w 1967, ch. 374, §§ 5-7.

42-217. Proof of application to beneficial use. — The date set for the beneficial use of waters appropriated under this chapter, the permit holder shall submit a statement of such water for the beneficial purpose allowed by the permit shall include:

1. The name and post-office address of the permit holder.
2. The permit number.
3. A description of the extent of the use.
4. In the case of a municipal provider, a revised estimate of anticipated future needs, a revised description of the

form a natural stream or streams flowing off of the premises on which they arise are public waters, subject to acquirement by appropriation, diversion and application to beneficial use. *Jones v. McIntire*, 60 Idaho 338, 91 P.2d 373 (1939); *Maher v. Gentry*, 67 Idaho 559, 186 P.2d 870 (1947); *Nordick v. Sorensen*, 81 Idaho 117, 338 P.2d 766 (1959).

The waters of spring on land where they arose and sank were private waters and owner of adjoining land had no right to the use of same in absence of a showing of strict compliance with this section. *Maher v. Gentry*, 67 Idaho 559, 186 P.2d 870 (1947).

Where an owner of land diverted water from a spring on the land and applied it to a beneficial use, the appropriation was valid when made, and the water right thus per-

fect was appurtenant to the land which received the benefit of the water and thus passed on to the person who acquired title to the benefited land. *Parke v. Bell*, 97 Idaho 67, 539 P.2d 995 (1975).

Water From Mine Portal.

An open flow of water emanating from a mine portal which would not exist absent development of the mine was not nonappropriable private water as defined by this section. *Branson v. Miracle*, 107 Idaho 221, 687 P.2d 1348 (1984).

Collateral References. 78 Am. Jur. 2d, Waters, §§ 281-296.

Propriety of injunctive relief against diversion of water by municipal corporation or public utility. 42 A.L.R.3d 426.

42-213. Diversion of private waters — Applicants must show right of way. — All applications to the department of water resources for permits to divert or appropriate the waters of any lake, pond, pool or spring shall state whether such lake, pond, pool or spring is wholly or entirely upon the land of any person or corporation other than the applicant, and, in the event that it is, such application shall state that the applicant has the written permission from such owner, executed and acknowledged as required by the provisions of the preceding section to divert or appropriate such water. [1911, ch. 230, § 2, p. 783; reen. C.L., § 3255b; C.S., § 5573; I.C.A., § 41-207.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been

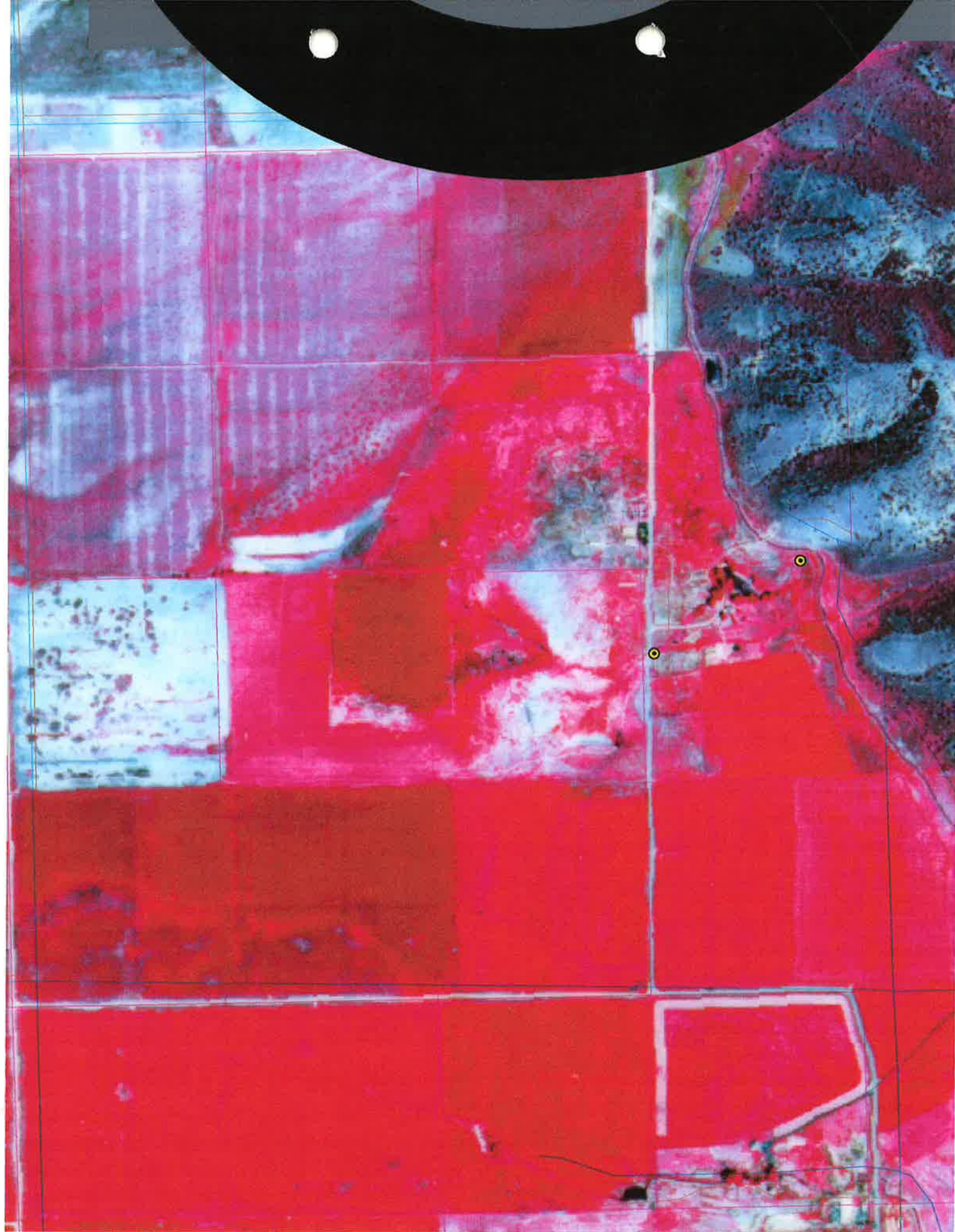
changed to the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and S.L. 1974, ch. 20, § 28 (S. 42-1801a).

42-214 — 42-216. Proof of completion — Department of reclamation to report on work — Issuance of certificate — Appeal from department's decision. [Repealed.]

Compiler's notes. These sections, which comprised 1903, p. 223, §§ 4-6; reen. R.C., §§ 3257-3259; am. 1913, ch. 144, § 1, p. 509; am. 1913, ch. 83, § 1, p. 340; reen. C.L., §§ 3257-3259; C.S., §§ 5574-5576; I.C.A., §§ 41-208 — 41-210, were repealed by S.L. 1967, ch. 374, §§ 5-7.

42-217. Proof of application to beneficial use. — On or before the date set for the beneficial use of waters appropriated under the provisions of this chapter, the permit holder shall submit a statement that he has used such water for the beneficial purpose allowed by the permit. The statement shall include:

1. The name and post-office address of the permit holder.
2. The permit number.
3. A description of the extent of the use.
4. In the case of a municipal provider, a revised estimate of the reasonably anticipated future needs, a revised description of the service area, and a planning horizon, together with appropriate supporting documen-



Jon Jonsson



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID

POD ID

Quad

Claim Type

Easting

Northing

GPSID

Diversion Description

CONCRETE HEAD BOX, ALSO FLOWS INTO PRIVATE GRAVITY DITCH. Spring water is source of diversion. 4' x 4' metal lid covers concrete diversion structure. Outflow is a 1 foot wide by 1 foot deep ditch.

Assumptions

Assume depth of water to be 0.5 feet (average), and assume slope at 1%.

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☒ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☒ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☒ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Serviv, Inc.

CONVERSATION MEMORANDUM

EMPLOYEE: Cindy E. Bird

FILE: A29-10310

RE: development of sprinklers (handlines).

DATE: 10/1/01

NAME OF PARTY: Jon Jonsson

Jon is going to find out from Kelly Lewis when ~~he~~ installed the handlines on this 200 acres.

- Jon will get back to me when he finds out.

A29-10310

7/31/01 2:47pm Carbon County Assessors office 547-4749
Terri - verifying ownership.

T8S, R40E, Section 22 SW, $\frac{1}{4}$ SWSE is owned by
Marie Jonsson.

3:30pm. Sandy Egbert Current owner: Glenn Harper

4:24pm phone number for Jon + Marie Jonsson in
Bancroft is 425-3078

8/1/01

11:58am. Marie Jonsson's attorney sent into
Water Resources a request about a year ago to
change the ownership on the water rights for
William R. Shore. at the time the only water right
listed in the name of Shore was 29-586, from
the Bancroft-Lund decree. The attorney's letter
however did reference 2 water rights, one a
decree and one beneficial use claim. But only
referenced on water right number, 29-586.

Since the land described in claim file
29-10310 is owned by Marie + Jon Jonsson
am going to request a change of ownership from
the party.

documents for ownership are located in 29-586.

8/7/01

221-5212. Jon's Cell phone.

MAY 7 2001

Log for claim A29-10310

Spatial Dynamics LTD

6/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s40e	22	NESW	40	40	
08s40e	22	NWSW	40	38	
08s40e	22	SWSW	40	37	
08s40e	22	SESW	40	38	
08s40e	22	SWSE	40	38	
Totals:			200	191	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 153

Water Source: UNNAMED SPRING Tributary to: SINKS Stage: BENEFICIAL USE

Place of use Legal Description for: IRRIGATION

POU County: CARIBOU

Other Rights: FARMERS LAND AND IRR. CANAL CO., A29-00586

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-00586 A29-00586

Remarks: GEN SOURCE ALSO TENMILE SPRING.
THIS WATER USE IS AN EXPANSION OF A29-00586.

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

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

Audit: 02/12/90 ESRBA 08/01/94 THOMPSON 03/29/95 POST-STD

MAY - 7 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10310

Date Received: 2-16-90/90

Receipt No: E012089

Received By: RRR

envelope postmarked
2-15-90

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENN H. HARPER 801-277-2105
Address: 5986 TOLCATE LN.
SALT LAKE CITY, UT 84121

2. Date of Priority: JUN 01, 1948 3-28-1980

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	40E	22	NE	NE	SE		CARIBOU

5. Description of diverting works:
CONCRETE HEAD BOX, ALSO FLOWS INTO PRIVATE GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

A.F.A.

8. Total consumptive use is 500.0 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	40E	22	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

A29-10310

Page 1

Date: 02/12/90

A2910310



MICROFILMED

NOV 16 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	40E	22	SW SE		IRR	40.0

Section Acres 200.0

Total Acres 200.0

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:

FARMERS LAND AND IRR. CANAL CO., A29-00586

14. Remarks:

SOURCE ALSO TENMILE SPRING.

THIS WATER USE IS AN EXPANSION OF A29-00586.

15. Basis of Claim: BENEFICIAL USE *enlargement*

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Glenn H. Harper Date: Feb 15 1890
Date: _____

State of Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of February 19 90

Ludger Christensen
Notary Public

Seal



Residing at Salt Lake City, Utah
My Commission Expires Oct 17, 1991

