

01/07/2003

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

RIGHT NUMBER: 29-13392

NAME AND ADDRESS: DEMAR H GILBERT
PO BOX 103
INKOM ID 83245

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.940 CFS

PRIORITY DATE: 04/01/1955

POINT OF DIVERSION:

T07S R36E S21 SWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.940 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S20	NESE	17.0	T07S R36E S20	SESE	1.9
T07S R36E S21	NWSW	21.0	T07S R36E S21	SWSW	7.0

46.9 ACRES TOTAL

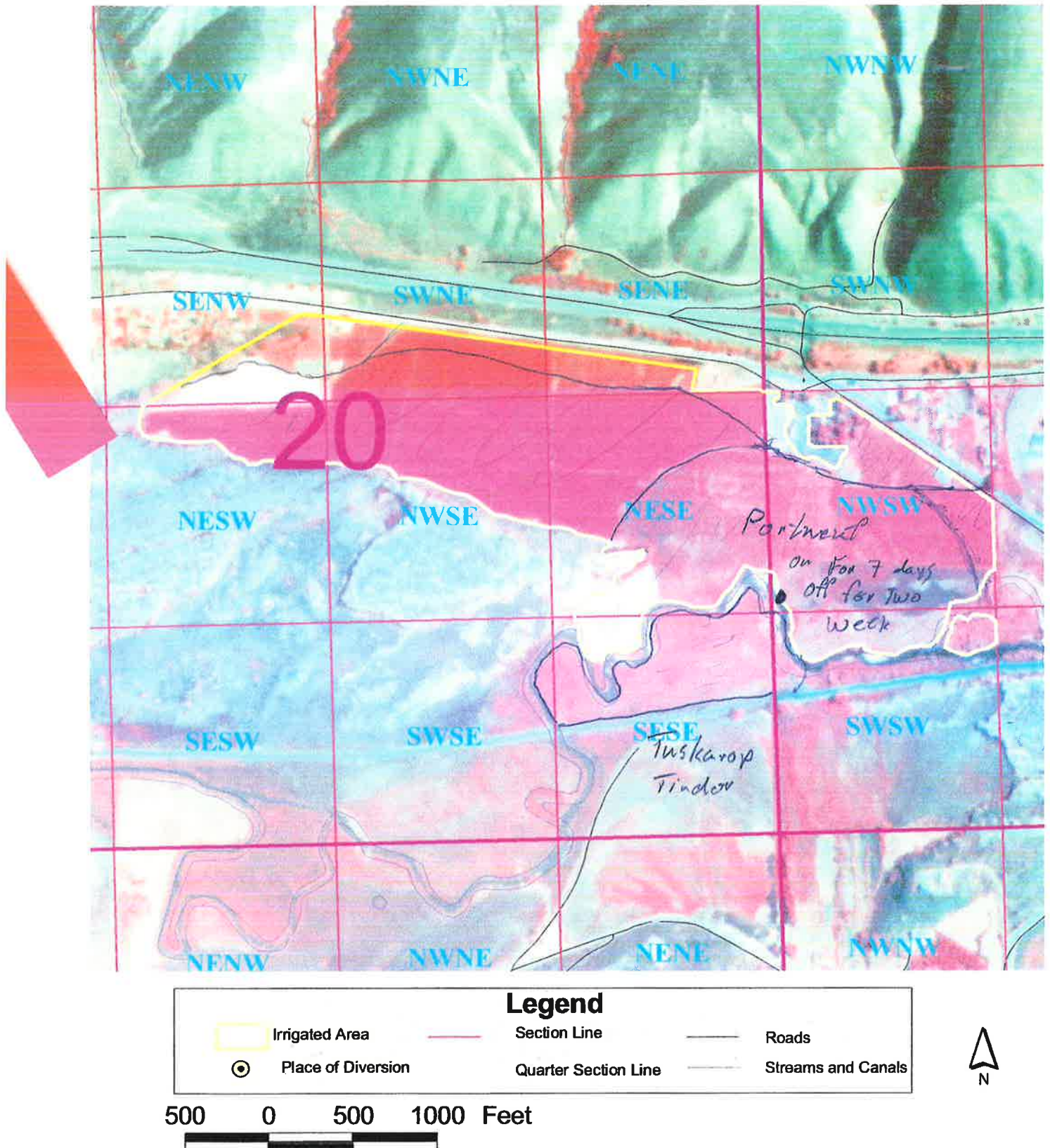
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-11813
Township , 7S36E

09/13/2000

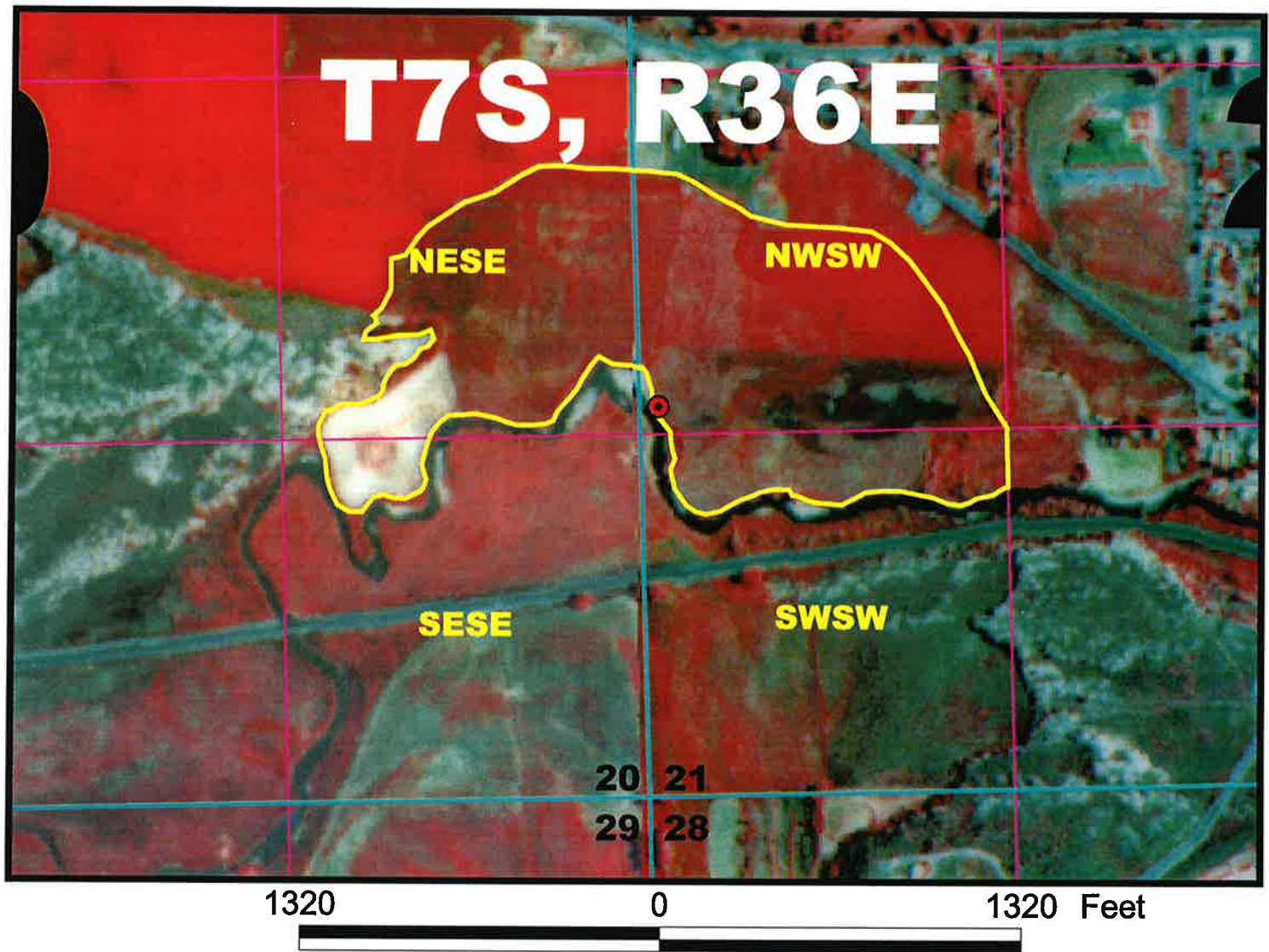




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-13392



Total Irrigated Acres: 46.9

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



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13392 V1

WATER RIGHT NUMBER: 29-13392 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEMAR H GILBERT PO BOX 103 INKOM, ID 83245 (208)775-3676

Priority Date: 04/01/1955
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
PORTNEUF RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.940 CFS	
	<u>Total Diversion:</u>	0.940 CFS	

Location of Point(s) of Diversion

PORTNEUF RIVER	SW1/4NW1/4SW1/4	Sec. 21, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	20													17.0			1.9	18.9
07S	36E	21									21.0	7.0							28.0

Total Acres: 46.9

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13392 V1

Dates and Other Information:

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/7/2003 3:24:00 PM	csaxton			Active
Priority Date	1/7/2003 3:24:28 PM	csaxton			Active
POD	1/7/2003 3:34:46 PM	csaxton			Active
Source	1/7/2003 3:36:48 PM	csaxton			Active
POU	1/7/2003 3:38:28 PM	csaxton			Active
Use	1/7/2003 3:40:35 PM	csaxton			Active
Season	1/7/2003 3:40:51 PM	csaxton			Active
Quantity	1/7/2003 3:42:53 PM	csaxton			Active
Summary			01/07/2003	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/7/2003 3:24:02 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam 5/30/02
Priority Date	1/7/2003 3:24:29 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Statement from Claimant

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13392 V1

POD	1/7/2003 3:34:48 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	1/7/2003 3:35:24 PM	csaxton	Edited point location
POD	1/7/2003 3:35:43 PM	csaxton	Edited PLS
Source	1/7/2003 3:36:49 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE 5/30/02
POU	1/7/2003 3:38:29 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - FE 5/30/02, NAPP photography and claimant contact.
POU	1/7/2003 3:39:45 PM	csaxton	Edited shape boundary
POU	1/7/2003 3:40:03 PM	csaxton	Edited PLS
Use	1/7/2003 3:40:36 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - FE 5/30/02

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13392 V1

Season	1/7/2003 3:40:53 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/7/2003 3:42:54 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Theoretical based on pump information.
Summary	1/7/2003 3:43:57 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

I bought a little Ford tractor
in 1947 and few ^{years} after that
I started pumping at the river to
water the pasture. I didn't have
to lift the water very high
because Buck Stanger used to
dam the river and it would back
the water up into our place.

We could have been pumping
as ~~late~~ early as in the 1950's
but claimed 1955 cause we
fairly certain we were pumping
by that date.

Demar H. Gilbert

1-7-02 : Found 46.9 acres.

: on 8-29-02 Todd Gilbert (son of Claimant) called and said not to recommend this right as a PPU with 29-11812 and 29-11813 since they are used on different POU's.

: Claimant helped determine irrigated POU from this source.

: Priority Good.

: POU recommended location determined by locating on map @ time of FE.

5-30-02 Early 50's Parma Pump - Per Charmant
FE

: Hooks Ford Tractor hooked to Parma Pump

: Annie had 80 acs and got 50'

: Stewart - Townside - No use of Water

: Portneuf River Pump - 4" Pipe Line

Case Corporation

Model 4-3911

4391T

: PSI 50

Lift 6" (85 HP.) 0.395 lbs/HP/Hr

= 429-00603A = Same Pump As Denass

= South of Road

= A POD in Dec 1986 according to deed

= Sornell Creek Water used since the Indians
owned property. Probably trip to Portneuf
according to Owner.

= Send New claim for Portneuf Water

8-29-02 : Todd called and they don't want claim
Recommended as PPK

Same as about



Looking S. @ DOD + Pump. Portneuf River
in Pic



29-13392
FF: 5-30-02

29-133 92
FE: 5-30-02



Looking West at Concrete structure used to
Hold historical Pump. Portneuf River in
Picture.

GROUNDWATER THEORETICAL ANALYSIS

FILE: 29-13392

DATE: 8/26/02

BY: Craig Saxton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (\text{HP}) \times (\text{EFF.}))}{\text{TDH}}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster).

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (25) \times (0.70) = 523.6}{[(6) + (50 \times 2.31)]} = 4.31$$

LIFT FROM:

Measurement ()

Owner ()

Area estimate (✓)

Well Logs ()

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner ()

Estimate ()

Owner Gage (✓)

NOTES ON PUMP:

Motor Make, Serial or ID

model = 41 - 3911

Pump Make, Serial or ID, rating

0,395 165 / H₀ / H_U

REMARKS:

T7S, R36E

20

4.0

11.0

5.6

7.4

17.0

18.0

11.0

17.0

21.0

1.9

7.0

SESE

SWSW

20

21

29

28



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2002

DEMAR H GILBERT
HARRIET GILBERT
PO BOX 103
INKOM ID 83245

RE: New Snake River Basin Adjudication (SRBA) claim.

Dear Mr. and Ms. Gilbert,

I met with you on 5-30-02. During our conversation we spoke about the need to file a claim for use of water from the Portneuf River. I have taken the time to prepare a claim for this use.

Please look over the claim and initial any changes you wish to make. In particular, I would ask to you look at the priority date on the claim. Based on our conversation, you stated the Portneuf river water was used for flood irrigation sometimes in the 1950's. Since I didn't have a specific date, I have entered April 1, 1959. If you feel this priority date should be a different date, please cross out the priority date on the claim, write in the date you wish to claim, and return the signed claim with a short statement of why you claimed that priority date.

When satisfied, sign the claim in front of a notary and return it to this office with the filing fee of \$50.

Please feel free to contact me if you have any further questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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
Date Received:
Receipt No:
Received By:

29-13392
9/3/02
WB29664
Kb

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DEMAR H GILBERT Phone: (208) 775-3676

PO BOX 103
INKOM ID USA 83245

HARRIET GILBERT Phone: (208) 775-3676

PO BOX 103
INKOM ID USA 83245

RECEIVED

SEP 03 2002

WATER RESOURCES
WESTERN REGION

Deceased
2. Date of Priority: ~~04/01/1959~~

4/1/1955

3. Source: PROTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	21	SW NW SW	BANNOCK	

5. Description of diverting works:

PUMP IN RIVER FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.94	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	20	SW	NE	IRRIGATION	10
			SE	NE	IRRIGATION	4.6
			SE	NW	IRRIGATION	4.0
			NE	SW	IRRIGATION	7.3
			NE	SE	IRRIGATION	34
			NW	SE	IRRIGATION	17
			SE	SE	IRRIGATION	1.9
Section Acres						78.8
07S	36E	21	NW	SW	IRRIGATION	31
			SW	SW	IRRIGATION	7
Section Acres						38
Total Acres						116.8

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

29-11812 and 29-11813

14. Remarks:

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

This right is limited to irrigation of 46.9 acres within the place of use described above.

15. Basis of Claim: Beneficial Use

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): + Donald H. Gilbert Date: 8.30.02

_____ Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th
of Aug. 2002 Quanna Aterner

Notary Public

Residing at Idaho

My commission Expires Oct. 27, 2003