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CARIBOU COUNTY CLERK

DEPUTY

STATE OF IDAHO }
County of Caribou } SS.

I hereby certify that this instrument was filed at the request
of Department of Water Resources
at 10:00 o'clock A m this 5th day of
August, 1992 in my office and duly
recorded in Microfilm Records
Rebecca Jenkins-Smith
Stephanie Lansberry NEL
Ex-Officio Recorder Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CARIBOU

In the Matter of General	)	Civil No. 2919
Determination of the Rights to	)	
the Use of Surface and	)	
Groundwater in the Bancroft-Lund	)	FINAL DECREE
Area.	)	
	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, filed a Motion for Final Decree on July 1, 1992, 1992. The motion came on for hearing July 28, 1992.

Based on the motion and the argument presented at hearing, the court finds and concludes as follows:

The Director's Report for the Bancroft-Lund Area was filed November 15, 1992. The court entered an Order Amending Report, which amended Finding of Fact No. 14 and Conclusions of Law 16 and 18, and amended the List of Claims/Rights Not Recommended.

Last Chance Canal Company and Utah Power & Light Company filed objections to the report.

The adjudication statute provides for entry of partial decree of uncontested matters, entry of further partial decrees as

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necessary to resolve objections and final decree incorporating all partial decrees. Idaho Code §42-1412(8)(9)(10). A List of the Uncontested Portions of Director's Report has been filed with the court as required by Idaho Code §42-1412(9), and hearing on the partial decree of uncontested matters is set for July 28, 1992.

A Stipulation Resolving Objections of Utah Power & Light Company and Last Chance Canal Company has been filed with the court along with a motion seeking approval of the stipulation. Hearing on the motion was set for July 28, 1992, immediately preceding hearing on partial decree of uncontested matters. Upon entry of the order approving stipulation there were no contested matters remaining to be resolved. Therefore, no partial decrees are necessary and the court may proceed with entry of the final decree completing the Bancroft-Lund adjudication.

THEREFORE, IT IS HEREBY ADJUDGED AND DECREED that:

All rights to the use of surface and groundwater from the Bancroft-Lund Area are as described in the Director's Report, except that:

1. The Findings of Fact and Conclusions of Law attached hereto are substituted for the Findings of Fact and Conclusions of Law in the Director's Report.

2. List of Claims/Rights Not Recommended attached hereto are substituted for the List of Claims/Rights Not Recommended in the Director's Report.

DATED this 28th day of July, 1992.

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DANIEL C. HURLBUTT
District Judge

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STATE OF IDAHO)
)
COUNTY OF CARIBOU) SS.

I, Rebecca A. Jenkins, Clerk of the District Court of the Sixth Judicial District of this State of Idaho, in and for the County of Caribou, do hereby certify the foregoing to be a full, true and correct copy of the Judgment duly made and entered on the minutes of the said District Court in the above entitled action, and that I have compared the same with the original, and the same in a correct transcript therefrom, and or the whole thereof.

ATTEST, my hand and the Seal of said District Court this 28th day of July 1992.

REBECCA JENKINS-SMITH, Clerk

by: Keda Mascareñas
Deputy Clerk

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-12-1991
PAGE: A-42

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
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SOURCE: GROUNDWATER

29-02467
J. HARRIS GILBERT
P.O. BOX 97
BANCROFT ID 83217

11/09/1962 IRRIGATION

04-15 10-15

1.9 CFS
714.0 AFY
LICENSE

TOTAL QUANTITY:

1.9 CFS
714.0 AFY

CONSUMPTIVE USE:

595.0 AFY

POINT OF DIVERSION:
T08S R39E S05
PLACE OF USE: IRRIGATION

SANE

T08S R39E S05

Lot 2 (NENE)40.0
Lot 4 (NENE)38.0
238.0 ACRES TOTALSANE 40.0
SENE 40.0

SENE 40.0

Lot 3 (NENE)40.0

29-00528
DALE WELCH
1378 WELCH RD.
BANCROFT ID 83217

06/01/1963 DOMESTIC

01-01 12-31

.04 CFS
1.8 AFY
BENEFICIAL USE

TOTAL QUANTITY:

.04 CFS
1.8 AFYNON-IRRIGATION-USES:
DOMESTIC, 2 HOMES
POINT OF DIVERSION:
T09S R39E S03
PLACE OF USE: DOMESTIC

SESW

T09S R39E S03

SESW

13-02259
GEN VALLEY FARMS
264 WEST 700 NORTH
MALAD ID 83252

08/05/1963 IRRIGATION

04-15 10-15

2.1 CFS
462.0 AFY
LICENSE

TOTAL QUANTITY:

2.1 CFS
462.0 AFY

CONSUMPTIVE USE:

385.0 AFY

POINT OF DIVERSION:
T09S R40E S20
PLACE OF USE: IRRIGATION

NENW

T09S R40E S20
154.0 ACRES TOTAL

NENW 38.0

NENW 37.0

SENE 39.0

SENE 40.0

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