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CARIBOU COUNTY

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 N.E.O.
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. HURLBUT
District Judge

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STATE OF IDAHO)
) ss.
COUNTY OF CARIBOU)

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: Veda Mascareñas
Deputy Clerk

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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
LISTING OF RIGHTS

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: GROUNDWATER (CONT'D.)								
29-0530	WELCH, CLIFFORD WELCH, KIM BANCROFT, REMARKS: TWO SINGLE FAMILY DOMESTIC DWELLINGS. ID 83217	03-01-1947	DOMESTIC	01-01 12-31	2.40 AFA .04 CFS	SESW S17 T09S R40E S17	SESW T09S R40E S17 T09S R40E	BENEFICIAL USE
13-0489	HARRISON, CHARLES R. HARRISON, GENEVA L. RT. #1 BOX 82, GRACE, REMARKS: SINGLE FAMILY DOMESTIC. ID 83241	06-01-1948	DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	SWNE S12 T10S R39E S12	SWNE T10S R39E S12 T10S R39E	BENEFICIAL USE
29-0562	JENKINS, JAY DELL LUND ROAD BANCROFT, REMARKS: SINGLE FAMILY DOMESTIC. ID 83217	07-15-1951	DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	SWSE S34 T08S R39E S34	SWSE T08S R39E S34 T08S R39E	BENEFICIAL USE
29-2313	SILVER, LOUIS A. 7226 N. 16TH AVE. PHOENIX, AZ 85021	04-14-1952	IRRIGATION	04-01 11-01	2.34 CFS	NESW S15 T08S R39E SWSW(37) NWSW(39) SWSW(06) SESW(12) S15 T08S R39E * 174 ACRES*	SWNW(40) SENW(40) NESW(37) NWSW(39) SWSW(06) SESW(12) S15 T08S R39E * 174 ACRES*	LICENSE
13-0449	OLSEN, VESTER A. BOX 218 GRACE, REMARKS: SINGLE FAMILY DOMESTIC. ID 83241	05-01-1952	DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	NENE S02 T10S R40E S02	LT01 (NENE) S02 T10S R40E	BENEFICIAL USE
29-2315	WELCH, CLIFFORD BANCROFT, ID 83217	07-17-1952	IRRIGATION	04-01 11-01	2.14 CFS	SESE S02 T09S R39E NENE(40) NWSE(40) S02 T09S R39E NENE(40) NWNE(40) NENW(40) S11 T09S R39E * 280 ACRES*	NESE(40) NWSE(40) SWSE(40) SESE(40) S02 T09S R39E NENE(40) NWNE(40) NENW(40) S11 T09S R39E * 280 ACRES*	LICENSE
29-0580	SILVER, LOUIS A. 7226 N. 16TH AVE. PHOENIX, AZ 85021	04-14-1953	IRRIGATION	04-01 11-01	2.34 CFS	NESW S15 T08S R39E NESE(40) NWSE(40) S15 T08S R39E * 160 ACRES*	SWNE(40) SENE(40) NESE(40) NWSE(40) S15 T08S R39E * 160 ACRES*	BENEFICIAL USE
13-0504	BASSETT, LOREN DEE RT. #1 BOX 34A, GRACE, REMARKS: TWO SINGLE FAMILY DOMESTIC. IRR. LAWN. ID 83241	11-01-1953	DOMESTIC	01-01 12-31	2.40 AFA .04 CFS	NENE S34 T09S R40E S34	NENE T09S R40E S34 T09S R40E	BENEFICIAL USE

* INDICATES TOTAL *

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