

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07172

Priority: February 13, 1974

Maximum Diversion Rate:

3.41 CFS

Maximum Diversion Volume:

924.0 AF

This is to certify, that J HARRIS GILBERT

PO BOX 97

BANCROFT ID 83217

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 13, 1974; and has submitted Proof of Beneficial Use on May 23, 1983. An examination indicates that the works have a diversion capacity of 3.410 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.41 CFS	924.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 5, Township 08S, Range 39E
NWSE , Sec. 5, Township 08S, Range 39E
CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	39E	5	Lot 1(NENE) 33	Lot 2(NWNE) 33	SWNE 33	
			SENE 33	NESE 33	NWSE 33	
			SWSE 33	SESE 33		264

Total number of acres irrigated: 264

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The total combined rate of diversion under this right and

RECORDED

FEB 17 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 29-07172

CONDITIONS/REMARKS:

Right 29-07371 shall not exceed 3.41 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 6TH
day of FEBRUARY, 1993.

Acting for R. Keith Higginson, Director

MICROFILMED
FEB 17 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

Comes now J. Harris Gilbert
of (address) P. O. Box 93, Bancroft, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 29-7172, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ NE ¼, Section 5, Township 8S, Range 39E, B.M.,
County of Caribou. Other points of diversion: SENE, NWSE, Sec. 5, T. 8S,
R. 39E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

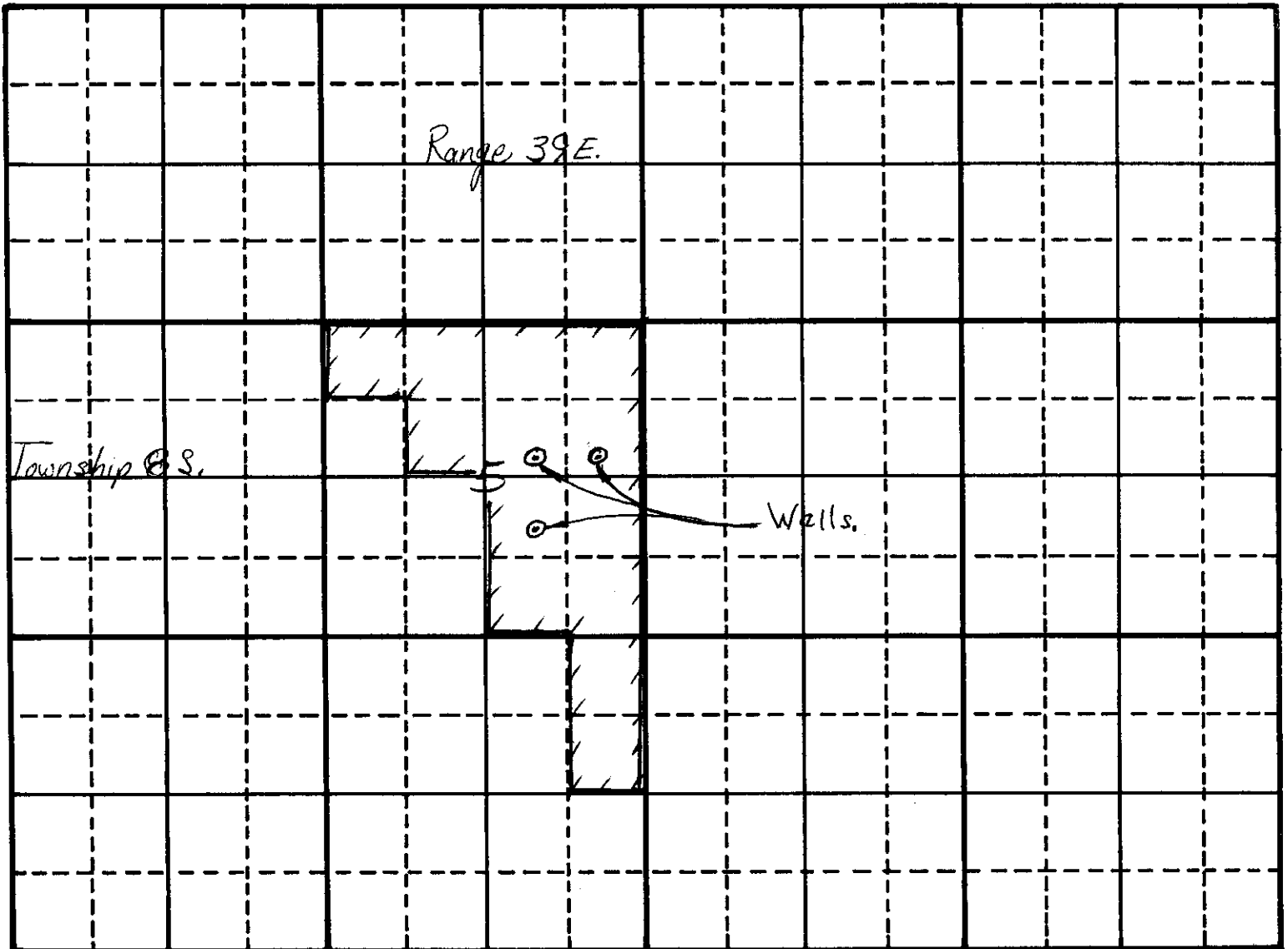
Total number of acres to be irrigated =

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing:

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls., this 27 day of November, 19 78.

J. Harris Gilbert
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by EMC Fee = \$20.00 PA

Received by dh Date 11/28/78 # 11591

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE this application for amendment on Permit No. 29-7172.

Witness my hand this 12 th day of December, 19 78.

L. Glen Saxton
Chief, Operations Bureau

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 14 1978 REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Eastern District Office

To provide additional time in which to submit
proof of beneficial use on a water right permit

J. Harris Gilbert of P.O. Box 97, Bancroft, ID
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 29-7172.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 1, 19 79.

That he has heretofore performed the following work described under said permit: _____

applicant has drilled four wells, two of which were dry; installed two
center pivots and handlines

Costing \$ 20,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: dry wells have caused delay in time. Applicant wants more time
to appropriate all of the water which has been permitted.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to March 1, 19 84.

J. Harris Gilbert
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1984.

signed this 22nd day of November, 19 78.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 29-7172

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

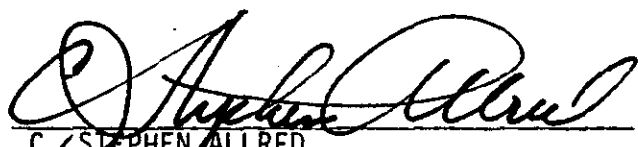
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

Receipt # 9077

APPLICATION FOR AMENDMENT

RECEIVED

OCT 31 1977

Department of Water Resources
Eastern District Office

Permit No. 29-7172

Comes now J. Harris Gilbert of (address) _____
P.O. Box 93, Bancroft, Idaho, and represents to the Director of
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7172, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5 Twp. 8S
Rge. 39E, B.M., County of Caribou. Other points of diversion:
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 8S, R. 39E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

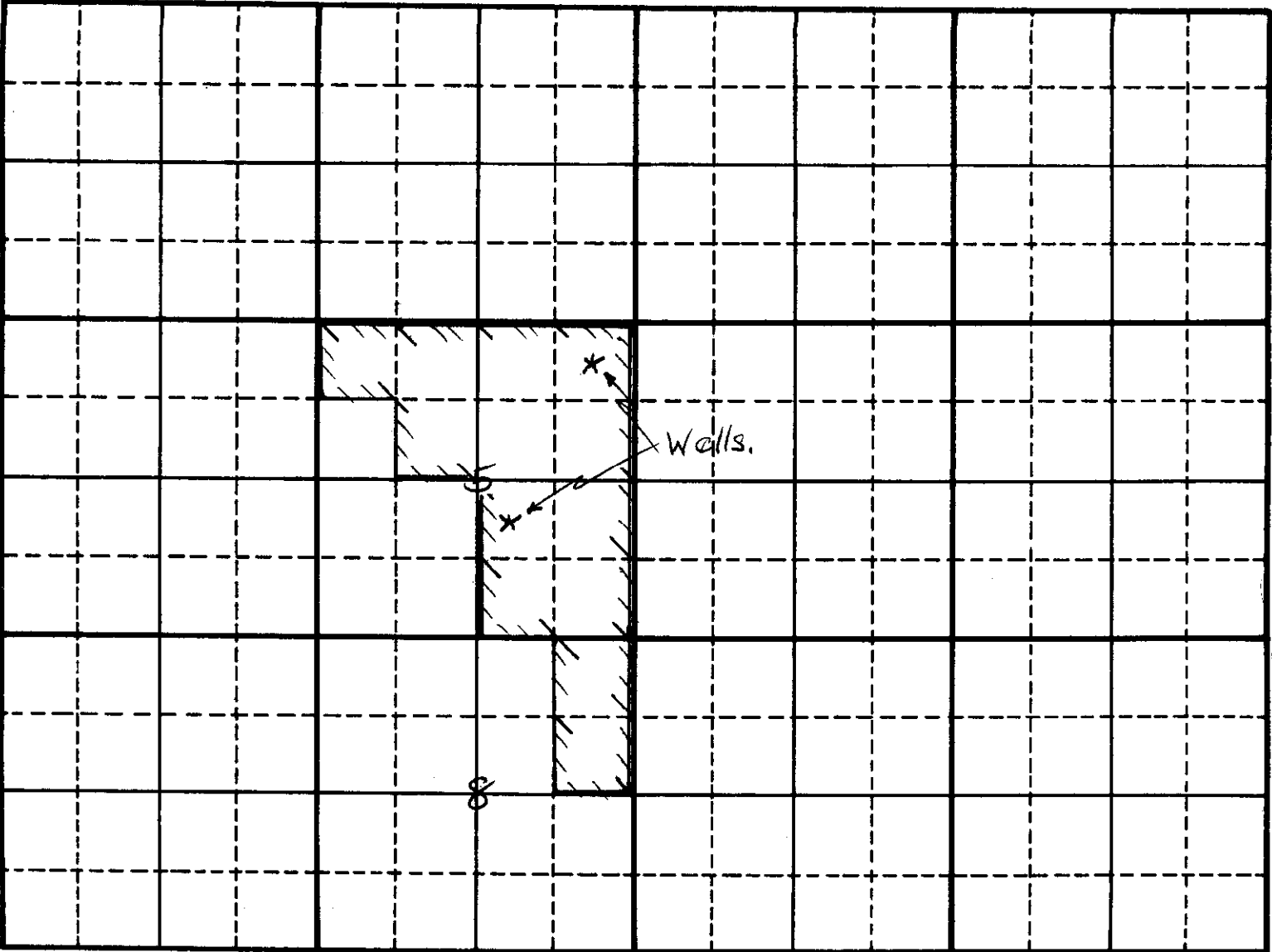
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGES

[illegible]

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Idaho Falls, this 31st day of October, 1977.

J. Harris Gilbert
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Chief, Operations Bureau

I, BOBBY D. FLEENOR, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 29-7172.

Witness my hand this 14 day of November, 19 77.

Bobby D. Fleenor
~~Director~~
Chief, Operations Bureau

DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR AMENDMENT

Permit No. 29-7172

Comes now J. Harris Gilbert of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7172, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5 Twp. 8S
Rge. 39E, B.M., County of Caribou. Other points of diversion:

2. ~~Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)~~
NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

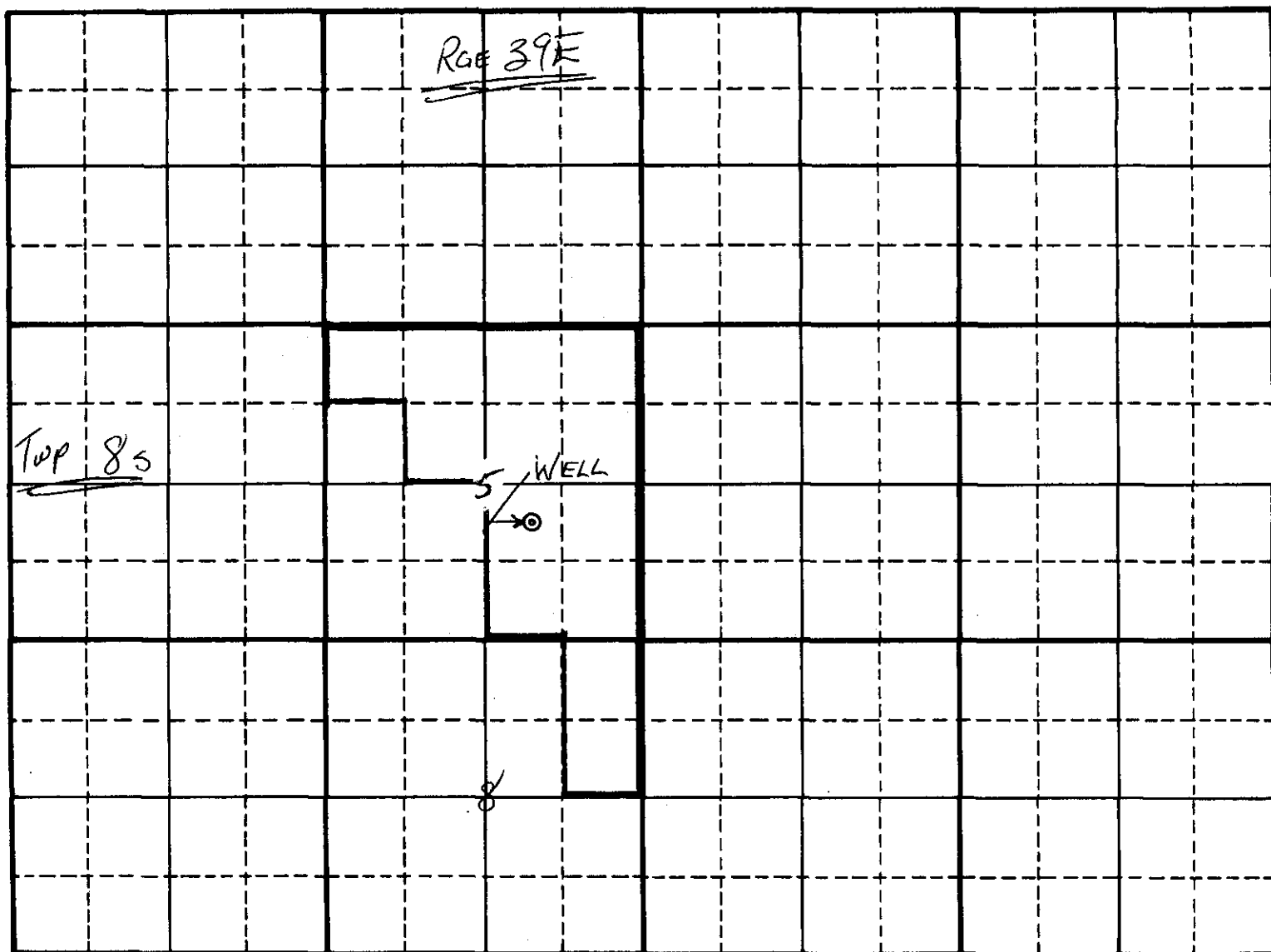
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Idaho Falls, this 14 day of February, 1977.

J. Harris Gilbert
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 29-7172.

Witness my hand this 23 day of February, 19 77.

Bobby D. Fleener
~~DIRECTOR~~

for A. KENNETH DUNN
Administrator, Operations Division

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant J. Harris Gilbert
post office address P. O. Box 93, Bancroft, Idaho PH: 648-7879
2. Source of water supply ground water which is a tributary of - - - - -
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 8S
Range 39E B.M. Caribou County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 6.0 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or ~~acre-feet per annum~~)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Existing works from previous
development and new pump motor and sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 45,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: N.A.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	39E	5	40	40	40	40	40	40		40					40	40	40	40	440
"	"	8	40			40													80

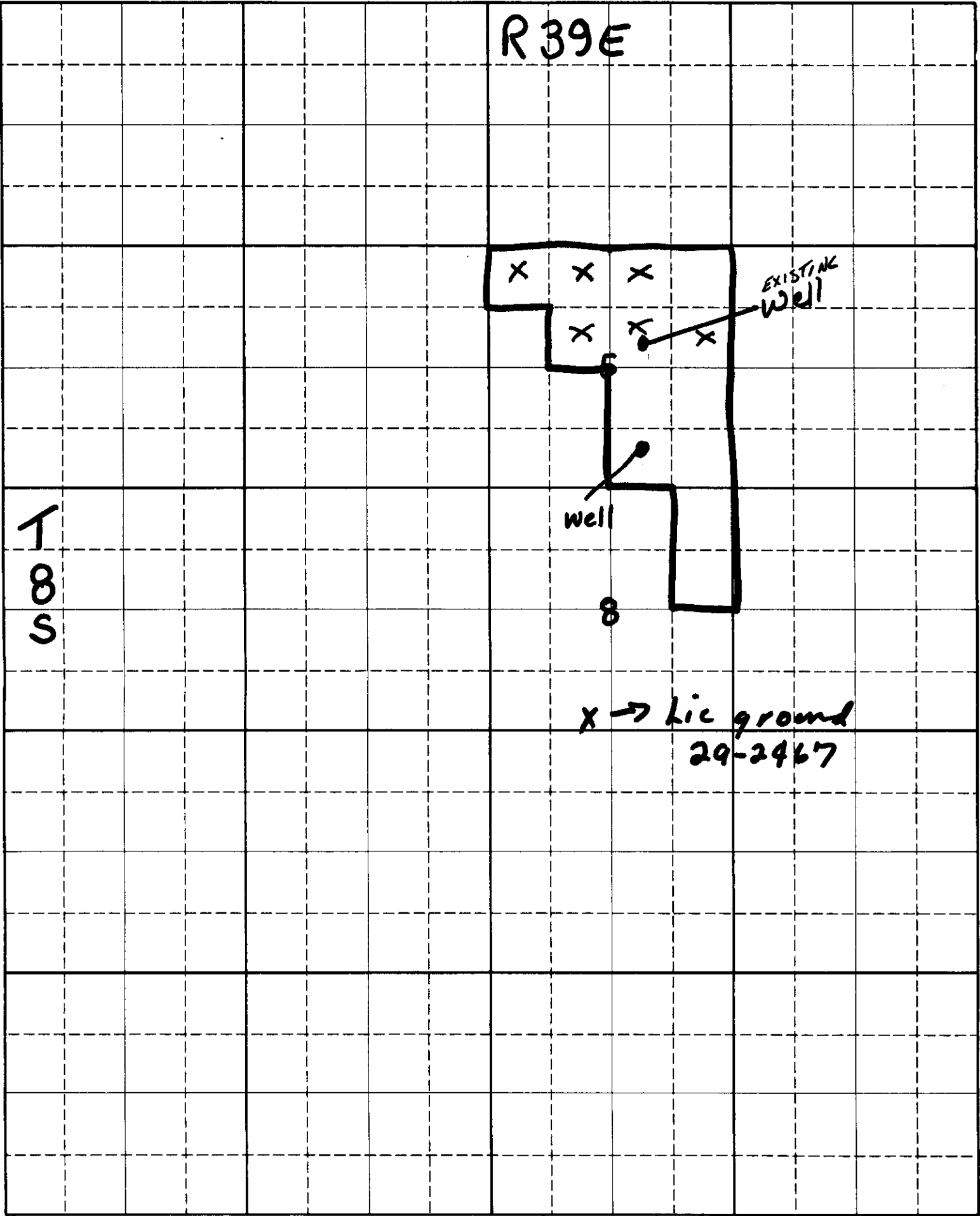
Total number of acres to be irrigated 520

c. Describe any other water rights used for the same purposes as described above. License No. 29-2467 for 238 acres for 1.90 c.f.s.

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Harris Gilbert
(Applicant)

Proposed Priority 2-13-1974Received by MB Date 2-13-74 Time 3:25 pPreliminary check by NR Fee \$ 75.⁰⁰Receipted by MB Date 2-13-74 Receipt # 12740Publication prepared by MB Date 2-12-74Published in Caribou County StarPublication dates Feb. 21 & 28, 1974Publication approved MB Date 3-4-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY M SDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

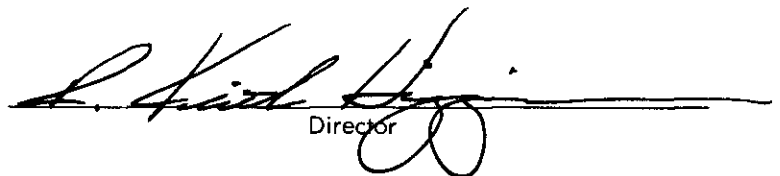
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7172, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 79.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 26 day of March, 19 74.


Director

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Larry D. Anderson

being first duly sworn on his
oath, states:

That he is **assistant editor**
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterru-
ptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for **two** successive weekly
issues thereof, the date of the
first publication being the

21st day of
February, 19 **74**

The date of the last publication
being the **28th** day of
February, 19 **74**

Larry D. Anderson

Subscribed and sworn to be-
fore me this **1st** day
of **March**, 19 **74**

E. L. Anderson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of **November**
19 **74**

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
J. Harris Gilbert, P. O. Box 93,
Bancroft, Idaho, has on Feb. 13,
1974, submitted Application No.
29-7172 for a permit to appro-
priate 6.0 cubic feet per second
of water from a ground-water
source by means of well and
pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 5, T. 8S, R. 39E, B. M. Cari-
bou County; to be used from
April 1 to Nov. 1 for the irri-
gation of 520 acres within the
NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$, Sec. 5, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8,
T. 8S, R. 39E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, 1515 Lincoln
Road, Idaho Falls, Idaho, 83401
on or before March 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
February 21 and February 28,
1974.

29 7172



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 8, 1993

J HARRIS GILBERT
PO BOX 97
BANCROFT ID 83217

RE: WATER RIGHT NO. 29-07172

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED

FEB 17 1993

LICENSE REVIEW CHECKLIST

Permit # 29-7172

Date 02-03-93

28

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u> </u>
	<u> </u>	<u>✓</u>	Memo to Advance
	<u> </u>	<u>✓</u>	Order to Reinstate Needed?
TOTAL CFS	<u> </u>	<u>NA</u>	Pre 86
	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u> </u>	<u>✓</u>	Disagree with Actual Measurement?
	<u> </u>	<u>NA</u>	<u>264 x .02 = 5.28 / 3.41 cfs (IRR)</u>
	<u>✓</u>	<u> </u>	Disagree with Theoretical? <u>175 x 8.8 x .7 = 4.52</u>
	<u> </u>	<u> </u>	Limited by Capacity? <u>3.41 cfs 100' + (2.31 x 60)</u>
			(measured)
TOTAL VOLUME			Rate/ac <u>3.5</u> AFA Irr. Season <u>R</u>
			<u>4-15 to 10-15</u> Standard Irr. Season
			<u>Same / Reduced</u> Season Recommended
	<u>✓</u>	<u> </u>	Disagree with Examiner's Calculations?
	<u> </u>	<u>✓</u>	Limited by Flow? <u>264 x 3.5 = 924 gfa (IRR)</u>
			<u>3.41 x 184 x 1.9835 = 1244.5 > 924</u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u>
	<u> </u>	<u>✓</u>	<u>Intended</u> source
	<u> </u>	<u>✓</u>	Notice of Intent to Void.
P/D	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u>Drop SWNE</u>
	<u>✓</u>	<u> </u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u>Drop all but NE & SE, SS</u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use? <u> </u>
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u> </u>	<u>✓</u>	Non-Irr. Uses <u> </u>
	<u>WBI</u>	<u> </u>	Special Overlap Condition <u>29-7371 / 3.41 cfs</u>
	<u> </u>	<u>✓</u>	Other <u> </u>
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u>R30</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
			<u> </u> <u> </u> Water Dist.
			<u>✓</u> <u> </u> App Rec'd
			<u>✓</u> <u> </u> Exam Made

COMMENTS:

Estimated 100' dynamic level (SW) 48' - (Well 187') + 60 psi IRR system -
Supports measurement

LICENSE ✓ AMEND SPECIAL PARAGRAPH

WR0749NP
No. L29-07172

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 02/03/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J HARRIS GILBERT PO BOX 97 BANCROFT ID 83217	02/13/1974	IRRIGATION	04-15 10-15	3.41 CFS	924.0 AFA
TOTAL DIVERSION:					3.41 CFS	924.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 3.41 CFS

Point(s) of Diversion: T08S R39E S05 SE NE NW SE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
08S	39E	5	:	01-33	02-33	33	33	:	:	:	:	:	:	:	:	33	33	33	33	:	264.0
TOTAL ACRES																			264.0		

Pou County: CARIBOU

Other Rights: 29-2467.

Other Water Rights with Same Point(s) of Diversion and Source:
29-07172 29-07371 A29-07172 A29-07371

Other Water Rights Listing Overlapping Place(s) of use:
29-02467 29-07172 A29-02467 A29-07172

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

Remarks: The total combined rate of diversion under this right and
Right 29-07371 shall not exceed 3.41 cfs.

Dates: App. Received: 02/13/1974 Priority Date: 02/13/1974
Proof Due Date: 03/01/1984 Proof Made Date: 05/23/1983
Exam Made Date: 07/17/1984 Exam Sent to S.O.: 11/20/1984
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 02/03/93 SKAGGS



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 15, 1986

RE: Permit No. 29-7172

J. Harris Gilbert
Box 52
Bancroft, ID 83217

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
FEB 17 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
NOV 27 1984

29-7172
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

By McCrometer meter - East Well

600 gpm or 1.34 cfs ✓

0.001 af/33 secs or $\frac{43.560}{33 \text{ secs}} = 1.32 \text{ cfs}$ ✓

By Eagle Eye meter - West Well

0.971 corr. Factor x 3.2 meter reading
 $\sqrt{3.1472 \times 3.85 \times (11.75 \text{ ID})^2}$

936.96 gpm or 2.09 cfs ✓

Total 3.41 cfs ✓

b) Volume Calculations for Irrigation:

214 day season
3.0 af/a

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 264 \times 3.0 \text{ af/a} = 792 \text{ af}$ ✓
 $V_{DR} = [\text{Diversión Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.41 \text{ cfs} \times 214 \times 1.9835 = 1447$ ✓
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 792 \text{ af}$ ✓

c) Volume Calculations for Other Uses:

2. Overlap Review *per VAX 6/25/86:*

a) Other water rights with same place of use: 29-2467

b) Other water rights with same point of diversion: 29-7371

~~SENE = NONE~~ NWSE = 29-7371 (also being licensed)

c) Analysis:

License 29-2467 overlaps on 29-7172 but the points of diversion are different. Therefore R16 (3.0 af/a) - Use R29

License 29-7371 shares the same PD but water different ground than 29-7172. Therefore R17 (29-7371) (3.41 cfs) ✓ yes

RECEIVED
FEB 17 1983

10 day

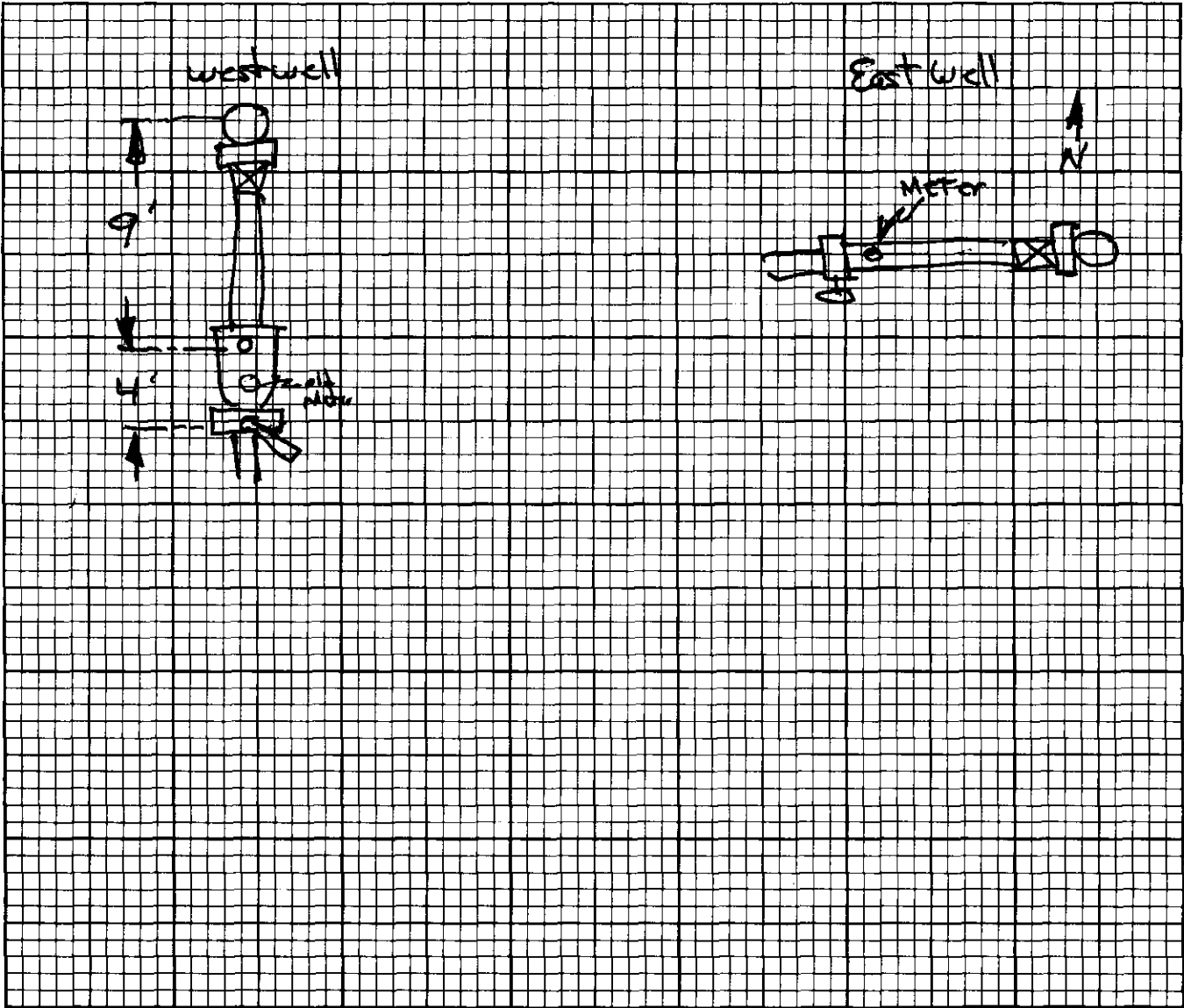
Date 11-13-84
Date 16 Nov 1984
Date 6/25/86

Phone No. 648-7654

- [illegible]

10. Other water rights on these lands 29-2467
11. Other water right diverted from same p.d. 29-7371

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Use Both P.D.s

15. Recommended Amendments
- ☐ Change P.D. as reflected above
- ☒ Add P.D. as reflected above
- ☐ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other

16. Examiner's/Consultant's Signature [Signature] Date 1-05-84

Consultant's License Number _____

IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date _____

CONSULTANT SEAL

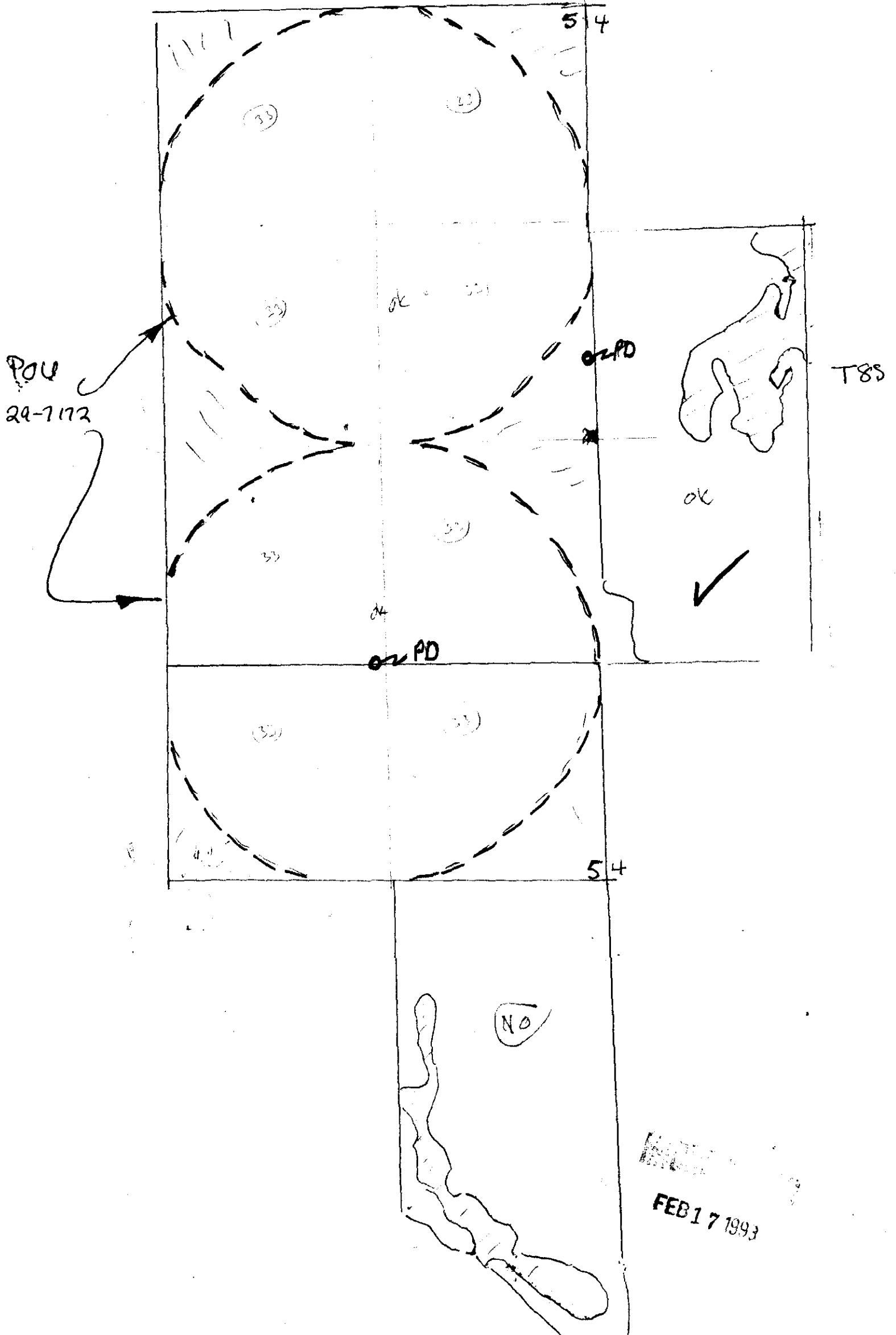
NOT RECORDED

FEB 17 1984

29-7172 + 29-7271

RECEIVED

R39E



Gov. Lot Plat

#29-7172

R39E ✓

L-4	L-3	L-2	L-1	4	3	2	1
40.44	40.48	40.32	40.10				
5				4			

T
8
S

MICROFILMED

FEB 17 1993

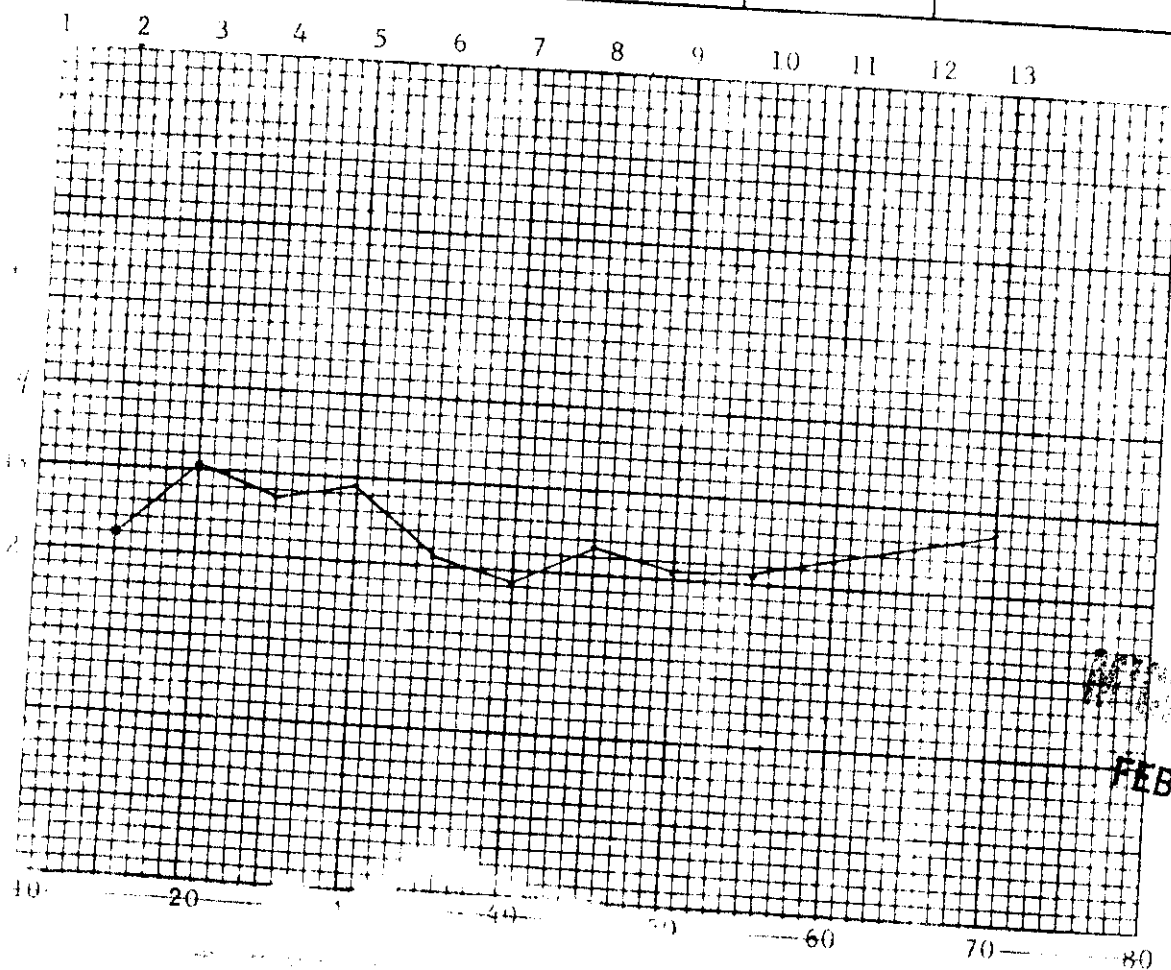
METER NO. 091461 RANGE 2-13

29-7172

EASTERN

DATE TESTED 5/29/84

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
2.00	1.83	1.92	2	+2.20	.979
2.90	2.75	2.83	3	+3.05	.970
3.90	3.68	3.79	4	+2.73	.973
4.84	4.61	4.73	5	+2.87	.972
5.87	5.64	5.76	6	+2.11	.979
6.86	6.64	6.75	7	+1.84	.982
7.76	7.51	7.64	8	+2.36	.977
8.78	8.48	8.63	9	+2.12	.979
9.72	9.46	9.59	10	+2.12	.979
10.65	10.36	10.51	11	+2.33	.977
11.54	11.30	11.42	12	+2.51	.976
12.33	12.30	12.32	13	+2.74	.973



RECEIVED
FEB 17 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 18, 1985

J. Harris Gilbert
Box 97
Bancroft, ID 83217

Re: Water Right Identification No. 29-7172 and 29-7371

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

- ☒ Proof of beneficial use has already been submitted for the water rights.
- ☐ Proof of beneficial use is not applicable for existing licensed rights.
- ☐ Proof of beneficial use is not applicable for existing decreed rights.
- ☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.
- ☐ Other:

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

cc: Region

RECEIVED
FEB 17 1993

April 4, 1984

Bonnie J. Ruger
Federal Land Bank Association of Preston
P. O. Box 386
Preston, ID 83263

Dear Ms. Ruger:

Re: Permit No. 29-7172 -- J. Harris Gilbert

Enclosed is the Proof of Affidavit of Water to Beneficial Use form submitted to this office on February 6, 1984.

Please be advised that the permit holder has fulfilled the requirement of beneficial use by submitted a Statement of Beneficial Use postcard on May 20, 1983. Enclosed is a copy of the postcard along with a copy of the department's acknowledgement letter.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

RECEIVED
FEB 17 1984

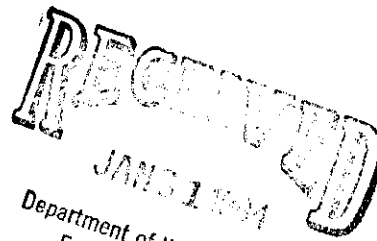
Federal Land Bank Association of Preston

P. O. Box 386, 102 North State
Preston, Idaho 83263
Telephone: (208) 852-2145
J. P. GARNER, Manager



SODA SPRINGS BRANCH

P. O. Box 747, West Highway 30
Soda Springs, Idaho 83276
Telephone: (208) 547-4956
DALE N. CLARK, Branch Manager



January 30, 1984

Re: Loan No. 176697-6
J. Harris Gilbert

Department of Water Resources
Eastern District Office

State of Idaho
Idaho Dept. of Water Administration
Eastern District Office
150 Shoup
Idaho Falls, ID 83401

29-7172

Dear Sirs:

Enclosed is the original copy of the Proof of Application of Water to Beneficial Use signed by J. Harris Gilbert and dated December 21, 1978.

Will you please place this on record and then send written proof of this being done to this office and also to J. Harris Gilbert, Box 97 Bancroft, ID 83217.

Thank you for your help concerning this matter.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie J. Ruger".
Bonnie J. Ruger
Secretary

bjr
enclosure

RECEIVED

FEB 17 1993





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

June 20, 1983

J. Harris Bilbert
Box 52
Bancroft, ID 83211

RE: Permit #29-7172/7171

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:JK

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 29-7172.

Name(s) of Permit Holder: J Harris Gilbert

Post Office Address: Box 52 Bancroft Id 83217

Tel. No. 648-7877 or 654

Source of Water: Surface

Intended Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 270 (acres)
☐ Other

MAY 20 1983

Department of Water Resources
 Measuring Device: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

5 20 83
 Date

J Harris Gilbert
 Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



RECEIVED
MAY 23 1983

RECEIVED
MAY 23 1983

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 28, 1981

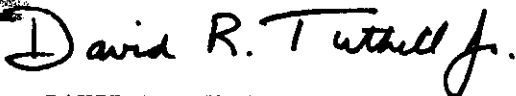
Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,



DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

December 13, 1978

J. Harris Gilbert
P. O. Box 93
Bancroft, ID 83217

Dear Mr. Gilbert:

Re: Permit No. 29-7172

Enclosed is a copy of the approved application for amendment
submitted on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc: 1

MILWAUKEE DELIVERED



STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720 (208) 384-2215

November 27, 1978

J. Harris Gilbert
P. O. Box 97
Bancroft, ID 83217

Dear Mr. Gilbert:

Re: Permit No. 29-7172

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 1, 1984/

Sincerely,

Jan Grover
Water Rights Supervisor

cc: Joe Kennedy, Federal Land Bank, Box 386, Preston, ID 83263

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Nov. 7, 1978

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 29-7172

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

November 14, 1977

Re: Permit No. 29-7172

J. Harris Gilbert
P. O. Box 93
Bancroft, Idaho 83217

Dear Mr. Gilbert:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JGR

Encl.

March 21, 1977

29-7172

Mr. J. Harris Gilbert
Bancroft
Idaho 83217

Dear Mr. Gilbert:

We have received a well driller's report indicating that a well was drilled for you in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 8S, R. 39E, B.M., Caribou County. In reviewing Application No. 29-7172 filed by you, we find a discrepancy in the location. The permit shows the point of diversion to be located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 8S, R. 39E, B.M.

Would you please recheck your records to see which location is correct, and notify this office? Your cooperation in this matter will be greatly appreciated.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:ME

cc: IDWR - State Office

February 24, 1977

Re: Permit No. 29-7172

J. Harris Gilbert
Box 97
Bancroft, Idaho 83217

Dear Mr. Gilbert:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

JANICE RENK
Water Rights

Jr

Encl.

MICROFILMED

March 28, 1974

Re: Permit No. 29-7172

J. Harris Gilbert
P. O. Box 93
Bancroft, Idaho 83217

Dear Mr. Gilbert:

Enclosed is a copy of your approved Application for Permit No. 29-7172. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

29 7172

BDF/bjg

Enclosures

~~29-7172~~

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JG</u>	<u>2/13/74</u>	Application No. <u>29-7172</u> <u>J.H. Pelbert</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>JG</u> <u>JG</u>	<u>2/13/74</u> "	In form to receipt <u>Yes</u> Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>JG</u>	"	☐ Request Special Use Permit from U. S. F. S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>JG</u>	"	In form for advertising <u>Yes</u>
(6)	<u>JG</u>	<u>N/A</u>	Located within Water District No. _____
(7)	<u>JG</u>	"	Critical groundwater area: yes _____ no ☒
(8)	<u>JG</u>	"	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) <u>No close obs wells</u> ☐ Increasing (comment) _____
(9)	<u>JG</u>	<u>2/13/74</u>	Comments: <u>29-2467 conflicts but combined flow under both that license & this app will not exceed or cfb/As</u>
(10)	<u>MB</u>	<u>3/4/74</u>	Affidavit of Publication received (date) <u>March 4, 1974</u>
(11)	<u>GB</u>	<u>3/11/74</u>	Final date for protests <u>March 11, 1974</u> Protests received: yes _____ no ☒
(12)	"	"	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(13)	<u>NCY</u>	"	All requested information received from agencies or applicant yes ☒ no _____
(14)	"	"	Action recommended: ☒ Approve ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>E</u>	By <u>NCY</u>	Date <u>3/11/74</u> Priority <u>2/13/74</u>

29 7172

RECEIVED
MAR 15 1974
Department of Water Administration

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

February 15, 1974

Re: Application for Permit No. 29-7172 GILBERT

Caribou County Sun
P. O. Box 815
Soda Springs, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 3-4-74 by MB

NCY:MB
Enc: Legal Notice (1)

29 7172

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that J. Harris Gilbert, P. O. Box 93, Bancroft, Idaho, has on Feb. 13, 1974, submitted Application No. 29-7172 for a permit to appropriate 6.0 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 8S, R. 39E, B. M. Caribou County; to be used from April 1 to Nov. 1 for the irrigation of 520 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 11, 1974.

R. KEITH HIGGINSON,
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on February 21 and February 28, 1974.

29 7172

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. Harris Gilbert,

P. O. Box 93, Bancroft, Idaho

has on 2/13/74 submitted Application No. 29-7172

for a permit to appropriate 6.0 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 8S, R. 39E, B.M. Caribou County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 520 acres

within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before March 11, 1974.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on February 21 and February 28, 1974.

29 7172

CB-H. J.
CB-F. 11