

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: A29-00365
Date Received: 10/ 8/1991
Receipt No: EO 23412
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J WENDELL MARLEY
Address: 11299 S HENDERSON
MCCAMMON ID 83250
208-254-9126

2. Date of Priority: MAY 1, 1886

3. Source: GARDEN CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	36E	5	SE	SE			BANNOCK
		7	NE	NW			BANNOCK

5. Description of diverting works:
DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.750		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	36E	4	SW	SW		IRR	3.0

A2900365



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	3.0
		5	SE	SE		IRR	30.0
						Section Acres	30.0
		8	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	80.0
		9	SW	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	153.0

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:
29-00366

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GARDEN CREEK IRRIG. CO.
Decree Plaintiff

THOMAS E. WOLVERTON, ET. AL.
vs Decree Defendant

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: _____

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): Wendell M. Mundy Date: 7-16-97

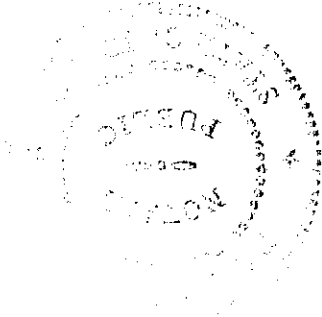
Date: _____

State of Idaho)
County of Bonneville) SS.

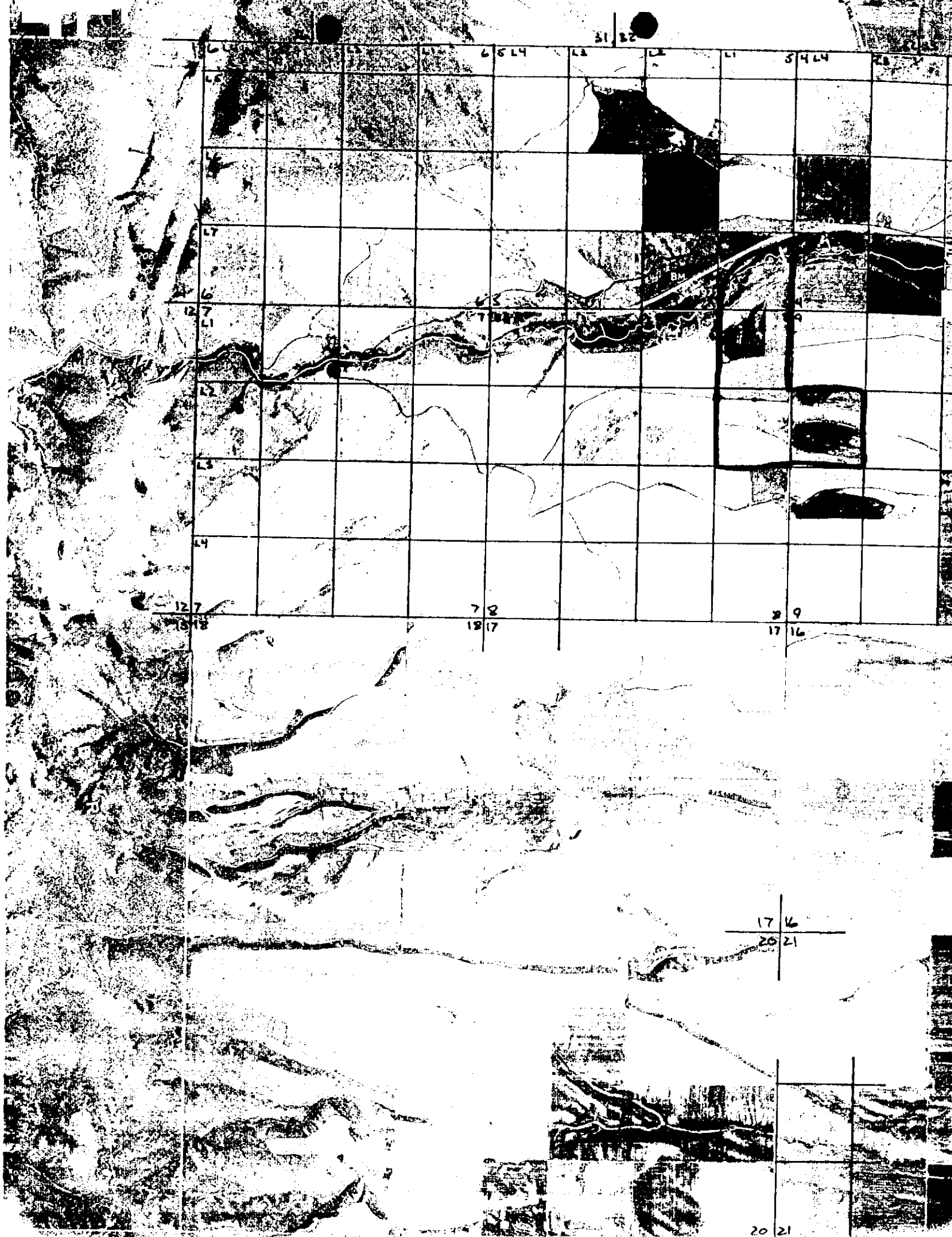
Subscribed and sworn (or affirmed) before me this 17 day
of July 19 97

Notary Public

Seal



Residing at Regby, ID
My Commission Expires 2/26/2002



through said two canal systems does not exceed the said four cubic feet per second of time, said right to date from the month of June 1877, and is prior in time and superior in right to the rights of all of the defendants in this action, and to the rights of all and every of the persons signing said stipulations, or any of them, the same being the first right to the use of the waters of said stream to the amount of four cubic feet per second of time.

And the remaining waters of said stream are decreed as follows, to-wit:

- 29 0363 To Thomas E. Wolverton, three-fourths second foot of water to date from the 1st day of May, 1886 and one second foot of water to date from the 1st day of May 1904, said water to be used upon the S.W. 1/4 of the S.E. 1/4 of Sec. 4, and the N. Half of the S.E. 1/4 of Sec. 9 in Township 10, South of Range 36 E.B.M.
- 29 0365 To John Morley, three-fourths second foot of water to date from the 1st day of May, 1886, and one second foot of water to date from the 1st day of May, 1904, to be used on the E. half of the N.E. 1/4, Sec. 8, the S.E. 1/4 of the S.E. 1/4 of Sec. 5, and the S.W. 1/4 of the N.W. 1/4 of Sec. 9, in Township 10 South of Range 36 E. B. M.
- 29 0367 To Thomas C. Smith, three-fourths second foot of water to date from the 1st day of May, 1890 and one second foot of water to date from the 1st day of May, 1904, to be used on the N.W. 1/4 of Sec. 10, Township 10 South of Range 36 E.B.M.:-
- 29 0369 To William J. Millard, three-fourths second foot of water to date from the 1st day of May, 1893, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.E. 1/4 of Sec. 3, Township 10 South of Range 36 E.B.M.:-
- 29 0371 To Albert Evans, three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1898; also one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N.W. 1/4 of Sec. 8, Township 10 South of Range 36 E.B.M.:-
- 29 0374 To L. S. Whitney three-eighths second foot of water to date from the 1st day of May, 1893, and three-eighths second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 of Sec. 8, Township 10, South of Range 36 E.B.M.
- 29 0376 To J. S. Wheeler, three-fourths second foot of water to date from the 1st day of May, 1887 and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the S. W. 1/4, and the N.W. 1/4 of the S.E. 1/4 and S.W. 1/4 of the N.E. 1/4 in Sec. 2, Township 10, South of Range 36 E. B. M.:- Also the S.W. 1/4 of the N. W. 1/4 and the West half of the S. W. 1/4 of Sec. 2, Township 10 South of Range 36 E.B.M.:-
- 29 0378 To David Armstrong, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the S.W. 1/4 of Sec. 10; also three-sixteenths second foot of water to date from the 1st day of May, 1895, and one-fourth of second foot of water to date from the 1st day of May, 1904, to be used on the S. W. 1/4 of the S.E. 1/4 of Sec. 9, all in Township 10, South of Range 36 E.B.M.:-
- 29 0381 To Andrew N. Thacker, three-fourths second foot of water to date from the 1st day of May, 1895 and one second foot of water to date from the 1st day of May, 1904, to be used upon the S. W. 1/4 of Sec. 9; also three-fourths second foot of water to date from the 1st day of May 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the West half of the N.W. 1/4 and the N.W. 1/4 of the S.W. 1/4 of Sec. 8, Township 10, South, of Range 36 E. B. M.
- 29 0385 To Thomas Exeter, three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the South half of the S. E. 1/4 Sec. 8, and the North half of the N.E. 1/4 Sec. 17, Township 10 South of Range 36 E. B. M.
- 29 0387 To William Jenkins, Jr., three-fourths second foot of water to date from the 1st day of May, 1895, and one second foot of water to date from the 1st day of May, 1904, to be used on the East half of the N. E. 1/4 and the East half of the S. E. 1/4 Sec. 10, Township 10, South of Range 36 E. B. M.:-
- 29 0389 To P. M. Larson, three-fourths second foot of water to date from the 1st day of May, 1896, and one second of water to date from the 1st day of May, 1904, and to be used on the East half of the N. W. 1/4 and the East half of the S. W. 1/4 Sec. 11 Township 10, South of Range 36 E. B. M.
- 29 0391 To Annie Crowshaw, three-fourths second foot of water to date from the 1st day of May, 1898, and one second foot of water to date from the 1st day of May, 1904, to

Log for claim A29-00365

Spatial Dynamics BTD

6/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s36e	4	SWSW	3	4.8	
10s36e	5	SESE	30	31	
10s36e	8	NENE	40	39	
10s36e	8	SENE	40	39	
10s36e	9	SWNW	40	39	
Totals:			153	152.8	

AJ5809NP
No. A29-00365

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J WENDELL MARLEY 11299 S HENDERSON MC CAMMON ID 83250 (208) 254-9126	05/01/1886	IRRIGATION	03-15 11-15	0.750 CFS	
TOTAL DIVERSION:					0.750 CFS	

Water Source: GARDEN CREEK

Tributary to: MARSH CREEK

Stage: DECREED

Point(s) of Diversion: T10S R36E S05 SESE
S07 NENW

BANNOCK County
BANNOCK County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE														
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
10S	36E	4	:																														3.0	
10S	36E	5	:																											30		30.0		
10S	36E	8	:	40					40																							80.0		
10S	36E	9	:									40																				40.0		
TOTAL ACRES																												153.0						

POU County: BANNOCK

Other Rights: 29-00366

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

29-10621	29-12045	29-12233	A29-00362	A29-00366	A29-00371	A29-00372	A29-00373	A29-00374	A29-00375
A29-00381	A29-00383A	A29-00383B	A29-00384	A29-00425	A29-00426	A29-04402	A29-10621	A29-10642	A29-11442
A29-11462	A29-11615	A29-11616	A29-12045	A29-12233					

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00366 A29-02450 A29-04402 A29-11442 A29-11462

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 07/23/97 DCARLSON 04/13/00 CVANDERM