

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: A29-07054
Date Received: 9/05/1990
Receipt No: E015199
Received By: SS/

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELVIN L. CUDABACK 208-775-3786
Address: P.O. BOX 159
INKOM, ID 83245

2. Date of Priority: MAY 28, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	29	SW	SW	NW		BANNOCK

5. Description of diverting works:
WELL AND PUMP. PIPELINE TO HOME AND OUTSIDE HYDRANTS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	29	SW	NW		IRR	1.0
			SW	NW		DOMEST	

A29-07054

Page 1

Date: 09/05/90

MICROFILMED
NOV 13 1992

A2907054



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					Total Acres	1.0

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:

NONE

14. Remarks:

15. Basis of Claim: LICENSE

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: 0

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): Edwin Z Cudabock Date: 9-5-90
_____ Date: _____

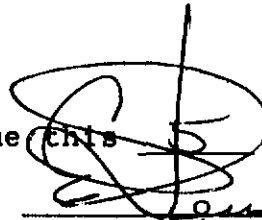
State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of September 19 90

Seal

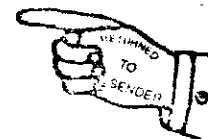
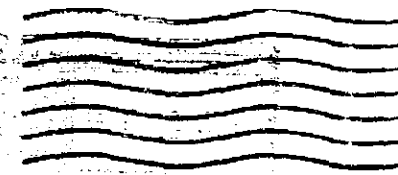
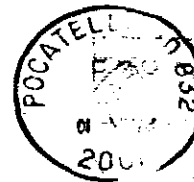


Notary Public

Residing at Idaho Falls, ID.
My Commission Expires 22 Aug 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED



NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

29-7054 - Dam.

CUDABACK, ELVIN L
PO BOX 159
INKOM ID 83



Log for claim A29-07054

Spatial Dynamics LTD

9/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	29	SWNW	1	3.5	POD placement? / Indiscernible
Totals:			1	3.5	

AJ5809NP
No. A29-07054

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 234

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELVIN L CUDABACK PO BOX 159 INKOM ID 83245 (208) 775-3786	05/28/1970	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	0.020 CFS 0.040 CFS	
TOTAL DIVERSION:					0.060 CFS	
CONSUMPTIVE USE:						3.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R36E S29

SWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
07S	36E	29	:	:	:	:	:	:	:	:	01	:	:	:	:	:	:	:	:	:	:	:	:	:	:	1.0
																							TOTAL ACRES	1.0		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
---	---	---	---	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07S	36E	29	:	:	:	:	:	:	:	:	D	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: BANNOCK

Non-Irrigation Uses: ONE NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11366 A29-07745 A29-11366

Other Water Rights Listing Overlapping Place(s) of Use:
A29-07745

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 09/06/90 BLOOM 07/25/94 THOMPSON 03/29/95 POST-STD

Identification No. 29-7054

Application No. _____

LICENSE ISSUED FOR .06 SEC. FT.
LICENSE PAGE NO. _____STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Elvin L. Cudaback and Norman L. Cudaback
post office address 333 Park Avenue, Pocatello, Idaho 83201
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 NW $\frac{1}{4}$ of Section 29 Township 7S
Range 36E B.M. Bannock County; additional points of diversion if any: _____
(this well will be approx. 200 ft. from the Portneuf Road and in the middle
of the property described above)
- 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 .04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.08 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drilled well, pump and motor

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 8 inches; proposed depth of well is _____ 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 \$ _____.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 7S
Range 36E 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 We will have just enough stock to
feed our families.
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water two.
(5) If water is to be used for other purposes describe: for garden and a strip of hay
300 ft. by 150 ft.

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	36E	29							1										1

Total number of acres to be irrigated 1

c. Describe any other water rights used for the same purposes _____

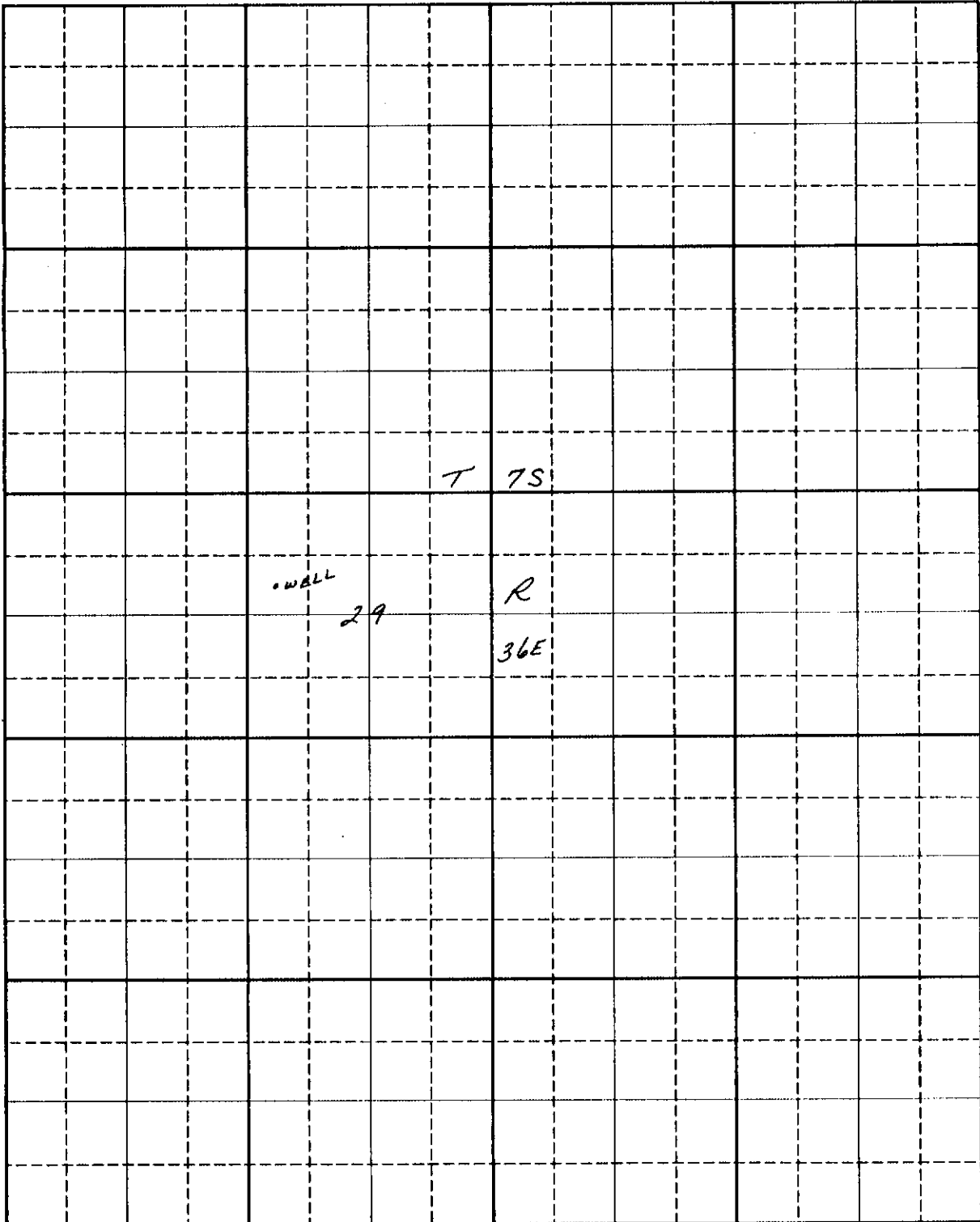
9. a. Who owns the property at the point of diversion Elvin & Catherine Cudaback and

b. Who owns the land to be irrigated or place of use Norman & Shirley Cudaback

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 We need the water for household use for two homes, as we are brothers and joint owners of this ten-acre property, we are not going to farm it, just live there, with just enough stock to feed our families. We want one well drilled.

11. Map of proposed project:



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.

Edwin Gundersen

(Applicant)

29-7054

Received by _____ Date _____ Time _____
Preliminary check by DLH Fee \$ 10.00
Receipted by DLH Date 5-29-70
Publication prepared by DLH Date 6-3-70
Published in Idaho State Journal
Publication dates 6-11-18-70
Publication approved DLH Date 6-23-70
Priority reduced to _____ Reason _____

APPROVED

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DLH DLH

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7054, 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 July 1, 19 75.
- c. Other: _____

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

Witness my hand this 2nd day of July, 19 70.

R. Keith Higgs
State Reclamation Engineer

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 29-7054 Priority May 28, 1970 Amount 0.06 cfs

THIS IS TO CERTIFY, that Elvin L. Cudaback & Norman L. Cudaback
of Inkom, Idaho, have ~~not~~ complied with the terms and conditions of Permit
No. 29-7054 issued pursuant to Application for Permit dated May 28, 1970,
and has submitted proof to the Department of Water Administration on April 3, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.06 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.04</u> cfs and <u>1.2 acre feet</u>			
<u>Irrigation</u> from <u>April 1</u> to <u>Oct. 31</u> at <u>0.02</u> cfs and <u>3.5 acre feet</u>			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 29,
Twp. 7 S, Rge. 36 E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	36 E	29						X											One

Total number of acres irrigated One

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
May, 19 74.

Director

29-7054

FIELD REPORT

TOTAL ACREAGE 1

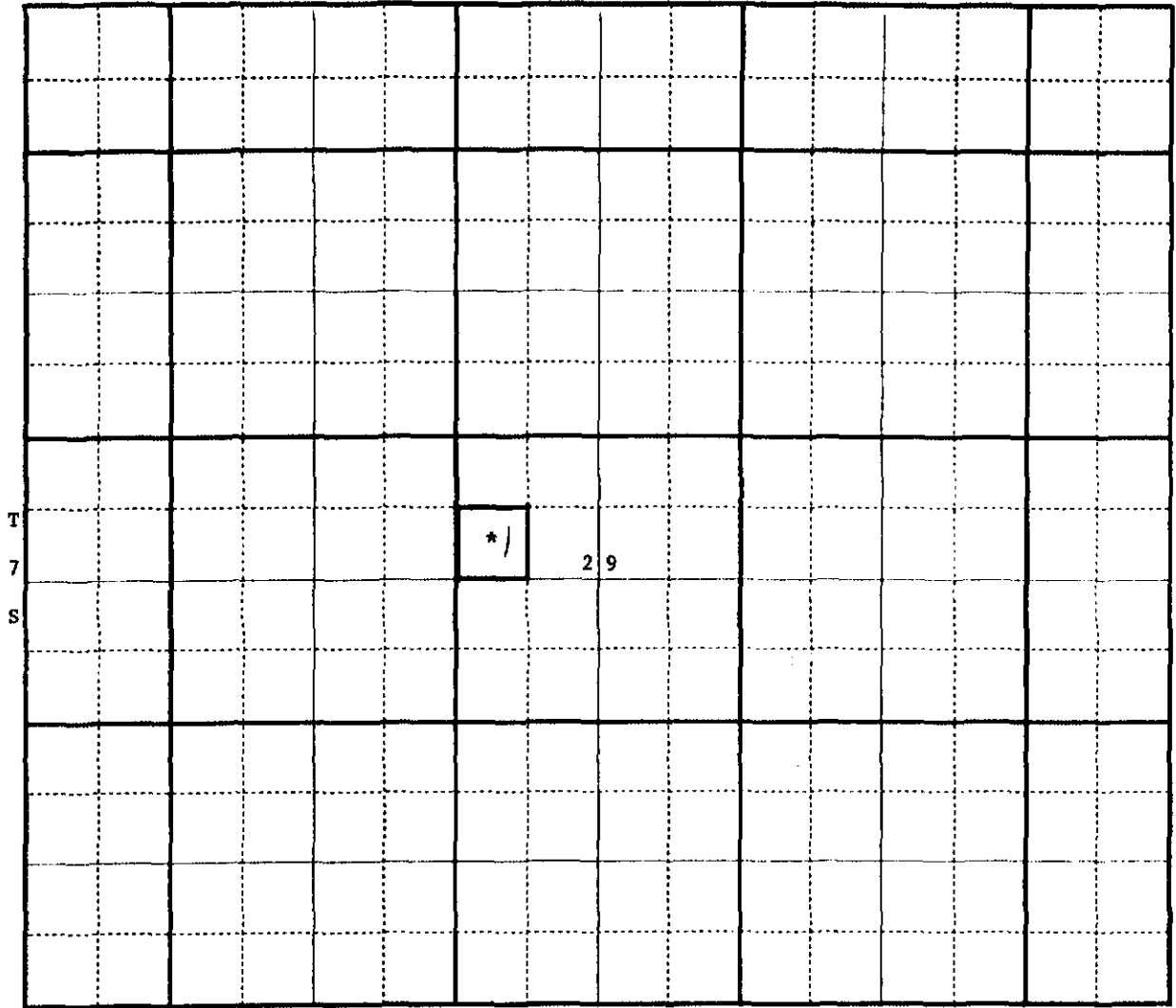


Diagram of System

DATE OF EXAM April 25, 1974

ACREAGE
Found 1
Recommended 1

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = .02 c.f.s. V = 4.0 AF/Ann. from _____ to _____
Domestic Q = .04 c.f.s. V = 1.0 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured None Taken Method of measurement NONE

Total Q recommended .06 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 5.0 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION: NONE

SYSTEM DESCRIPTION: Pump Model #4P2-B152 Peerless Pump
" Serial # JDA 2672081 1.75 Hp

Well depth 148 ft Pump at 130 ft.

REMARKS: No stock watering development, nor livestock on property

System & Land shown by E.L. Cudaback

Examiner's Signature William Rhoads Date April 25, 1974

Checked by RDC Date "

Approved by _____ Date _____

272 7251