

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: A29-07128
Date Received: 3/27/1990
Receipt No: M006432
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L. WISE 208-234-0012
Address: 115 S. 15TH
POCATELLO, ID 83201

AND/OR

Name: SHARON B. KATZ-WISE 208-234-0012
Address: 115 S. 15TH
POCATELLO, ID 83201

2. Date of Priority: MAY 15, 1973

3. Source: CEDAR LAKE CREEK Trib. to: CEDAR LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	34E	12	SE	NW	SE		BANNOCK

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A2907128



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	34E	12	NW	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

14. Remarks:

ALTERNATE PHONE NO. 232-0714

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: -1-

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): Sharon B. Katz-Wise Date: 3-29-90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of March 19 90 Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

Log for claim A29-07128

Spatial Dynamics LTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s34e	12	NWSE	2	1.3	POD placement?
Totals:			2	1.3	

DATE: 05/18/00
PAGE: 246

Audit: 03/29/90 MOBILE2 07/25/94 THOMPSON 03/29/95 POST-STD

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that GALE B. NEVILLE

Beneficial Use Period of Use Rate of Diversion Annual Volume

Irrigation from April 1 to November 1 at 0.10 cfs and 7 acre feet

from _____ at _____ cfs and _____

from _____ at _____ cfs and _____

Description and location of place of use:

[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of February, 1979.

Director

MICROFILMED

29 7128

Identification No. _____

Application No. _____

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 Gale B. Neville,
 post office address American Falls, Idaho 83211
2. Source of water supply Cedar Lake Creek which is a tributary of Cedar Lake
3. a. Location of point of diversion is Lot # 7, Block # 1, Cedar Lake Subdivision
Bannock County, Idaho (in NW 1/4 Sec. 12 T7S, R34E B.M.)
 Range _____ B.M. _____ Township _____ County; additional points of diversion if any: _____
None
- b. If water is not consumed, it will be discharged into Cedar Lake Creek at a point in NW 1/4 1/4
 of SE 1/4 of Section 12 Township 7S Range 34E B.M. _____
4. Water will be used for the following purposes:
 Amount 0.2 cfs 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. 0.2 cubic feet per second and/or
 b. omit acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. Headgate and ditch in north-
westerly corner of Lot # 7 in Block # 1 of the Cedar Lake Subdivision
- 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 _____ 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 3 years.
 b. Estimated construction cost is \$ 100.00.
8. Description of proposed uses:
 a. If water is not for irrigation:
 (1) Give the place of use of water: _____ 1/4 of _____ 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: _____

29 7128

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	34E	12	see attached subdivision plat, attached hereto																2.0 acres
		NGY 5/17/73																	

Total number of acres to be irrigated 2.0

c. Describe any other water rights used for the same purposes as described above.

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 Applicant desires to use the a portion of the waters of Cedar Lake Creek which flow through his land to irrigate his lawn, garden and pasture. The waters of this creek have been so applied to this property for a number of years but applicant desires by this filing to protect this water right, since the former owner has now died.

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

SEE ATTACHED PLAT ATTACHED HERETO											
R 34 E											
T 9 S											
12											
* Point of diversion AND PLACE OF USE											
PCY 5/17/73											

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.

Gale B. Neville
(Applicant)

Received by af Date 5/17/73 Time 10:30 A
 Preliminary check by NCY Fee \$ 10.00
 Receipted by af Date 5/17/73 Receipt # 7797
 Publication prepared by af Date 5/17/73
 Published in Idaho State Journal, Pocatello
 Publication dates 5-24 + 31-73
 Publication approved NCY Date 6/11/73
 Priority reduced to 5/15/73 Reason —

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date: _____

Recommended for approval denial by NCY pgs

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. 29-7128, 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 August 1, 1976.
- c. Other: The volume of water diverted under this permit shall not exceed 3.5 acre feet per acre or 7 acre feet per year.

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

Witness my hand this 6th day of July, 1973.

P. Kirk Higgins
 Director

RECEIVED

TOTAL ACREAGE 2

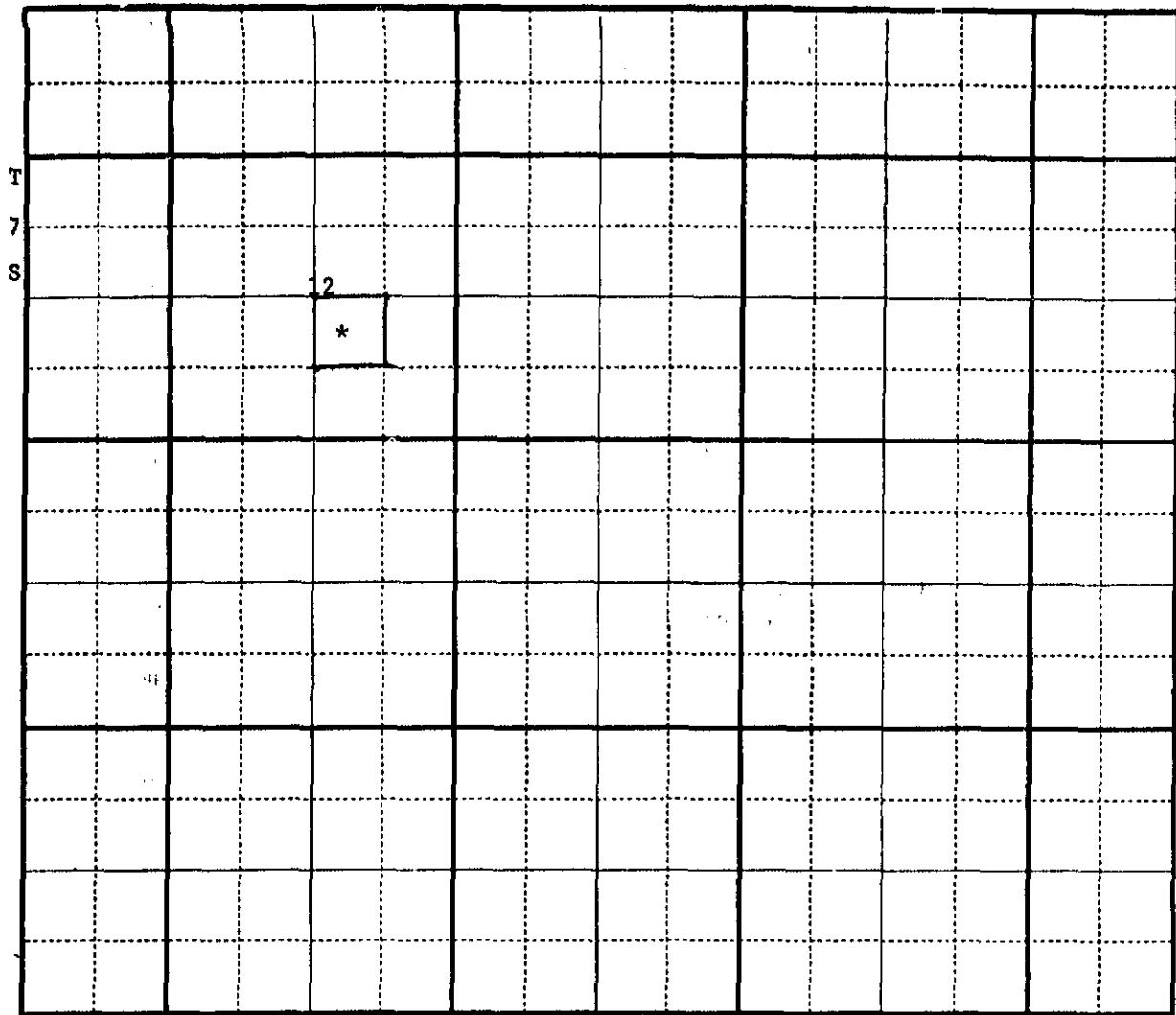


Diagram of System

REFER TO ENCLOSED LOT MAP FOR CEDAR LAKE SUBDIVISION, ^{EMC} 22 July 1976.

DATE OF EXAM 22 July, 1976

ACREAGE
Found 2.0 ac
Recommended 2.0 ac

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 0.10 c.f.s. V = 7.0 AF/Ann. from APRIL 1 to MAY 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
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 5.10 cfs. Method of measurement n/a

Total Q recommended 0.10 cfs. Meter No. n/a Type n/a Condition n/a

Total V recommended 7.0 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:
Filled a 5.45 gal bucket in 7 seconds. $Q = \frac{5.45 \text{ gal}}{7 \text{ sec}} \times \frac{60 \text{ sec}}{1 \text{ min}} = 46.7 \text{ gpm}$
 $46.7 \text{ gpm} \div 448.8 \text{ gpm/cfs} = 0.10 \text{ cfs}$
 $V = 3.5 \times 2 = 7 \text{ AF/Ann.}$ ENC 1/17/77

SYSTEM DESCRIPTION:

APPLICANT RECEIVES WATER FROM CEDAR LAKE VIA A SMALL
IRRIGATION DITCH. (SEE DIAGRAM ON PLAT MAP). FLOOD
IRRIGATES LAND BUT IS PRESENTLY CONVERTING TO SPRINKLER.
RATE OF DIVERSION CAN BE INCREASED BY ADJUSTING SCREW GATE
ON DOWN STREAM SIDE OF DAM.

REMARKS:

EXAMINATION WAS CONDUCTED IN THE PRESENCE OF GALE NEVILLE.
NOTE: APPLICANT WAS GRANTED 0.20 cfs on PERMIT DUE TO IRRIGATION
REQUIREMENTS DETERMINED BY SCS.

Examiner's Signature Ernest H. Carlson Date 1/17/77

Checked by Anthony R. Kyzlowski Date 2/16/77

Approved by _____ Date _____

Get some 7 bars
for night

Then $\frac{1}{2} \leq \frac{1}{2} \leq \frac{1}{2}$ and $\frac{1}{2} \leq \frac{1}{2} \leq \frac{1}{2}$

13.7.18

10. 10. 1919

Chlorophyll $\frac{1}{10}$ $\frac{1}{10}$ $\frac{1}{10}$

... of school

[illegible]

A. m. m. small white bird

— 10 —

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

750.3/bucket:

5 gal / can.

$$\begin{array}{r} 27 \\ 125 \overline{) 1525} \\ \underline{25} \\ 275 \\ \underline{270} \\ 55 \\ \underline{54} \\ 10 \end{array}$$

$$\begin{array}{r} .02 \\ \hline .09 \end{array}$$

1914

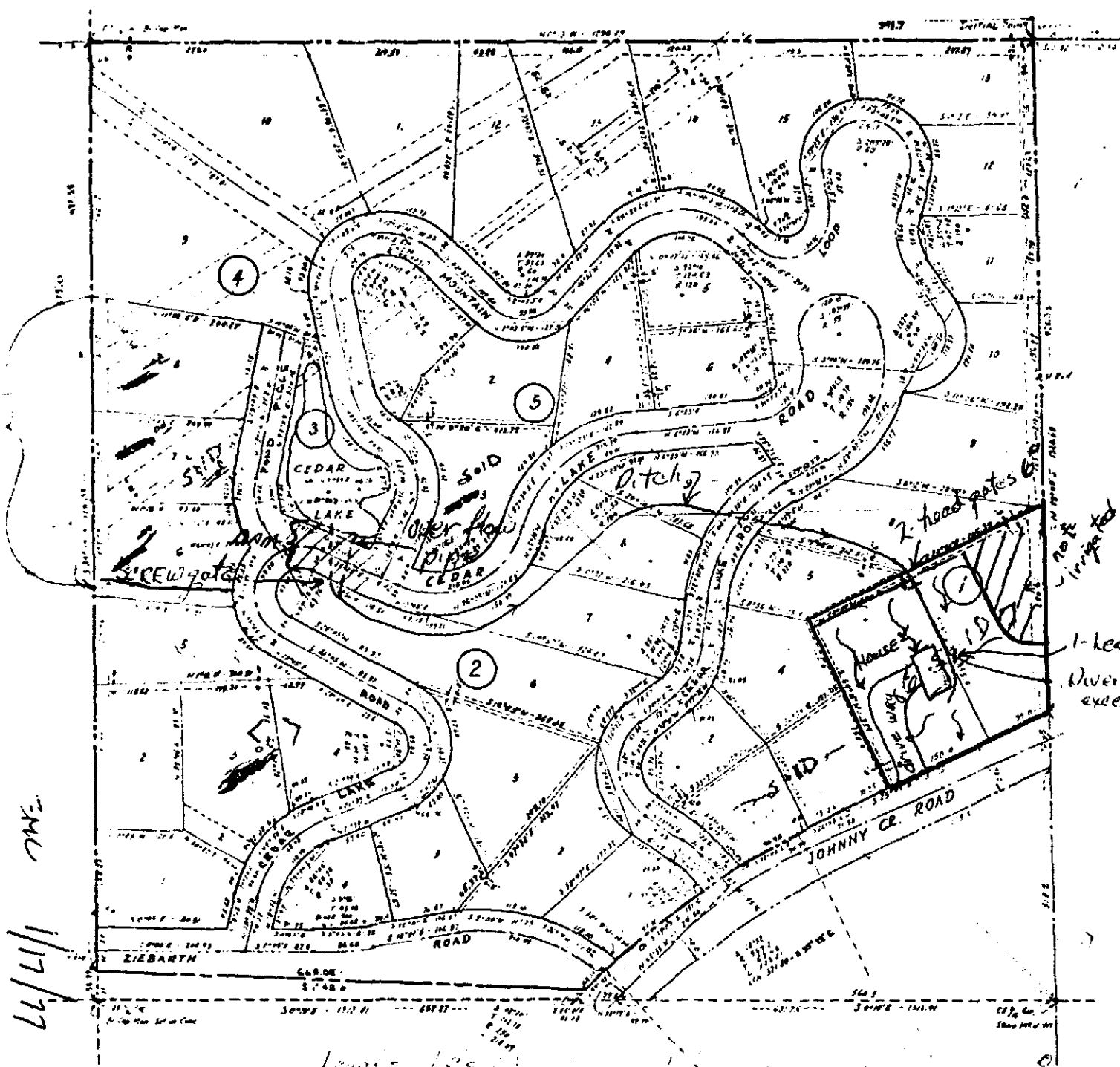
104-2-2



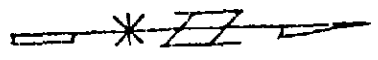
CEDAR LAKE SUBDIVISION
A SUBDIVISION IN NW 1/4 SE 1/4 SEC. 12, T. 7 S., R. 34 E., B. 1 N.,
BANNOCK COUNTY, IDAHO

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

EMC
 22 July 1976



1-foot gate 6"
 Diversion for
 excess water,



EMC
 1/17/77

Legal - 1956