

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: A29-07479
Date Received: 4/04/1990
Receipt No: M006477
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GENE M. WISE 208-254-3133
Address: 2712 S. MARSH CK. RD.
MC CAMMON, ID 83250
OR
Name: JENNIFER A. WISE 208-254-3133
Address: 2712 S. MARSH CK. RD.
MC CAMMON, ID 83250

A2907479

2. Date of Priority: APR 03, 1979

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	36E	15	NW	NE	SW		BANNOCK

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		21.00

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 21.00 A.F.A.

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	36E	15	NE	SW	IRR	3.0
			NW	SE	IRR	3.0
					Section Acres	6.0
					Total Acres	6.0

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:
N/A

14. Remarks:

15. Basis of Claim: LICENSE

MICROFILMED

NOV 13 1992

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): Gene R. Wise Date: 4-4-90

Date: _____

State of Idaho)
County of BANNOCK) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of Apr. 19 90

Donest D. Rulby
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 11/08/1994

RIGHT NUMBER: 29-7479
NAME AND ADDRESS: GENE M WISE
2712 S MARSH CREEK RD
MC CAMMON ID 83250

JENNIFER A WISE
2712 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: WALKER CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.12 CFS
21.0 AFY

PRIORITY DATE: 04/03/1979

POINT OF DIVERSION:
T08S R36E S15 NESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.120 CFS 21.00 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County
T08S R36E S15 NESW 3.0 T08S R36E S15 NWSE 3.0

6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

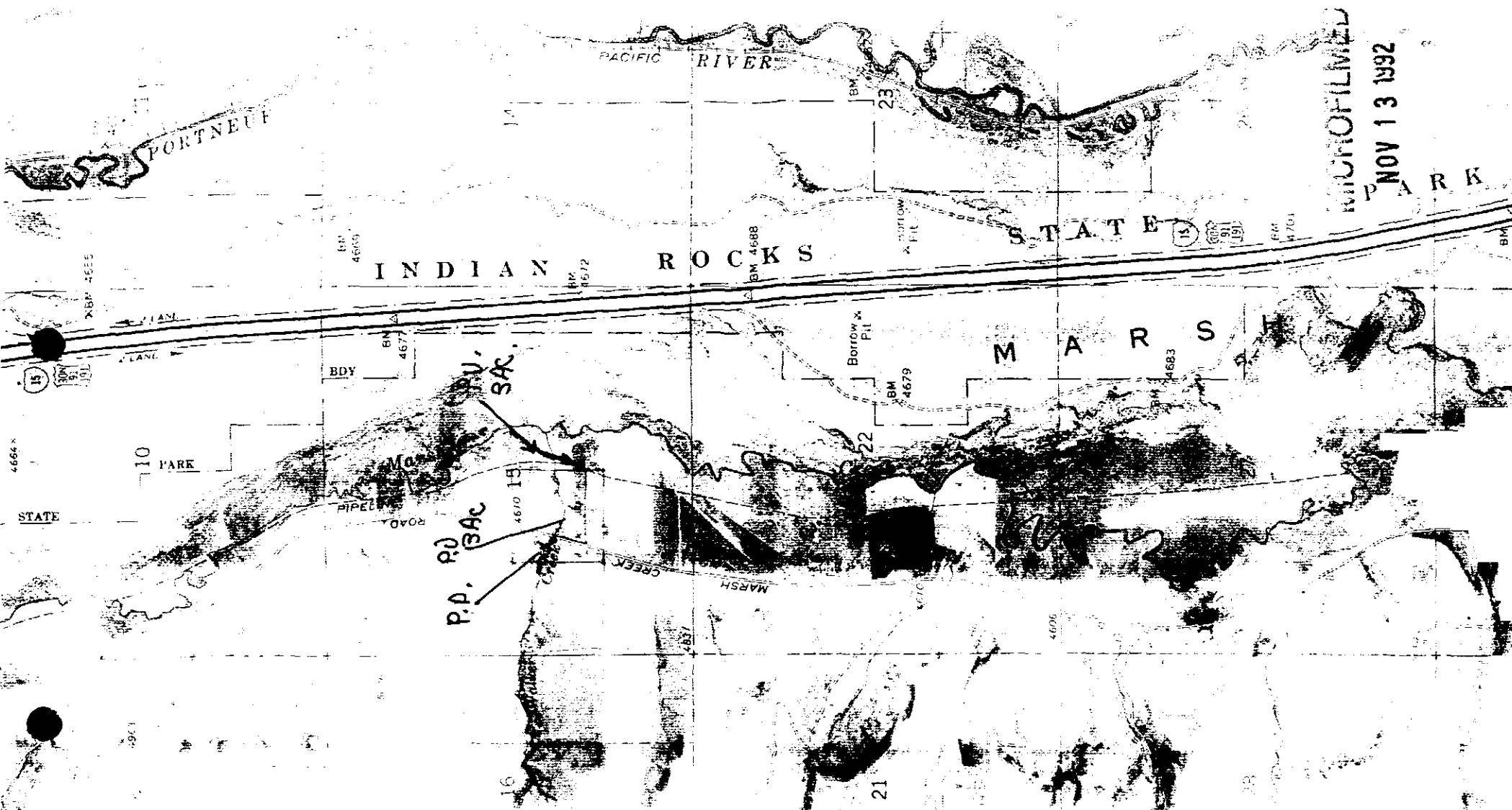
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 29H, MARSH CREEK.

EXPLANATORY MATERIAL: License

1997, 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, 26

[illegible]

Abstract The purpose of this study was to determine whether there were differences in the prevalence of risk factors for coronary artery disease among men who had been exposed to asbestos compared with those who had not. A case-control study was conducted in which 100 men with myocardial infarction (MI) were matched with 100 controls by age, sex, and residence. Data were obtained from questionnaires completed by the subjects and their spouses. The results showed that exposure to asbestos was associated with a higher prevalence of smoking, hypertension, hypercholesterolemia, and diabetes mellitus. These findings suggest that exposure to asbestos may be associated with an increased risk of developing coronary artery disease.



REPROFILMED
NOV 13 1992
PARK

TOS
R36E
SEC. 15

Log for claim A29-07479

Spatial Dynamics BTD

7/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	15	NESW	3	3.2	
08s36e	15	NWSE	3	2.6	
Totals:			6	5.8	

AJ5809NP
No. A29-07479

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 188

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GENE M WISE	04/03/1979	IRRIGATION	03-15 11-15	0.120 CFS	21.00 AFA
C	JENNIFER A WISE					
	2712 S MARSH CREEK RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.120 CFS	21.00 AFA
	(208) 254-3133			CONSUMPTIVE USE:		15.00 AFA

Water Source: WALKER CREEK

Tributary to: MARSH CREEK

Stage: LICENSE

Point(s) of Diversion:

T08S R36E S15

NWNESW

BANNOCK County

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	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	---
08S	36E	15	:																	:	6.0
																			TOTAL ACRES	:	6.0

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER INCIDENTAL TO IRRIGATION

Other Rights: N/A

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

29-10013 29-10952 29-11729 A29-04101A A29-04101B A29-07205 A29-07647 A29-10013 A29-10952 A29-11647
A29-11729 A29-12514

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

A29-04101 A29-04101A A29-04101B A29-04103 A29-07205 A29-07647 A29-10014 A29-11730 A29-11740

Conditions of Approval:

- R02 - A lockable device subject to the approval of the Department
 - shall be maintained on the diverting works in a manner that will
 - provide the watermaster suitable control of the diversion.
- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 29H.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29H

Field Inspection Flag:

Presumption Flag:

Audit: 04/04/90 MOBILE3 07/28/94 THOMPSON 03/29/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. Priority April 3, 1979 Amount 0.12 cfs

THIS IS TO CERTIFY, that Gene M. Wise
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 29-7479 issued pursuant to Application for Permit dated April 3, 1979,
and has submitted proof to the Department of Water Resources on July 23, 1982,
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 0.53 cfs of water from Walker Creek,
tributary to Marsh Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.12</u> cfs and	<u>21.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.12 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
21.0 acre feet per year, said waters to be diverted within the NE1SW1 Section 15,
Twp 8S, Rge 36E in the County of Bannock

Description and location of place of use:

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	36E	15									3					3			6

Total number of acres irrigated 6

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CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Use of water under this license is subject to control by the watermaster of State Water District No. 29H, Marsh Creek.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of JULY, 19 86.

Acting for the Director

Norman C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Gene M. Wise Phone 232-4806
Post office address 345 South 10th, Pocatello, Idaho 83201
2. Source of water supply Walker Creek which is a tributary of Marsh Creek trib Portneuf River
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 8S
Range 36E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.16 for Irrigation purposes from Apr. 1 to Nov. 1 (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)

5. Total quantity to be appropriated:

- a. 0.16 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. diversion ditches to place of use
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:
- (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: _____ horsepower 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: _____

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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	36E	15									4					4			8
Total number of acres to be irrigated																			8

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion George Henricks

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 the point of diversion is same as when land was
in a single ownership.

10. Remarks

Proposed Priority 4/3/79

Received by _____ dh _____ Date 4-3-79 Time 4:30 p.m.

Preliminary check by Log Fee \$ 20.00

Receipted by _____ dh _____ Date 4-3-79 # 12997

Publication prepared by 4-6-79 dh _____ Date 4-6-79

Published in Idaho State Journal

Publication dates April 12 & 19, 1979

Publication approved gf Date 5/9/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EKL 3.5

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7479, 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, 19 84.

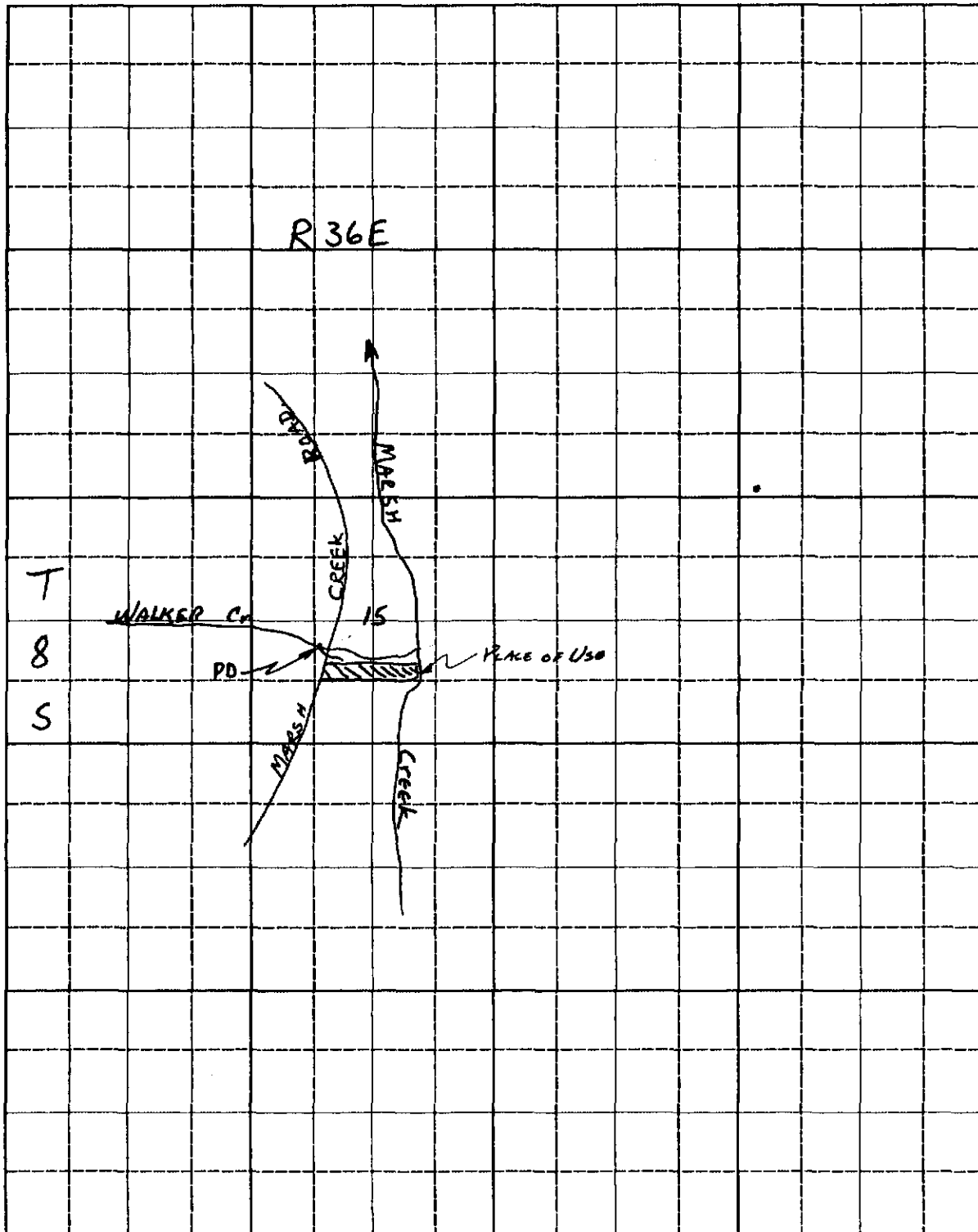
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) Use of water under this permit is subject to control by the watermaster of State Water District # 29 H Marsh Creek (3) A measuring device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Witness my hand this 17th day of August, 1979

A. Glen Saylor
Chief, Operations Bureau

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.

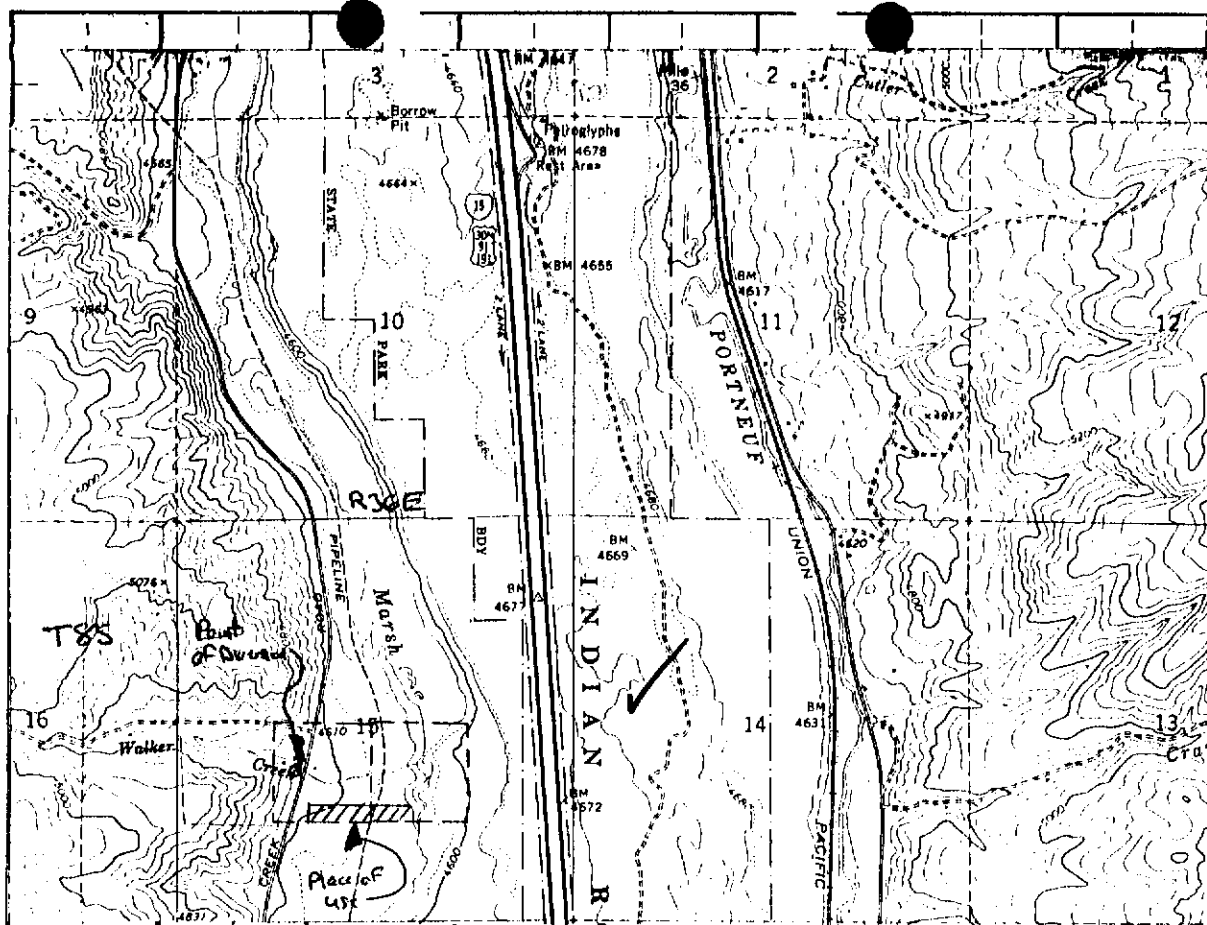
Gene R. Wise
(Applicant)

REMARKS

- (Date, time, location)

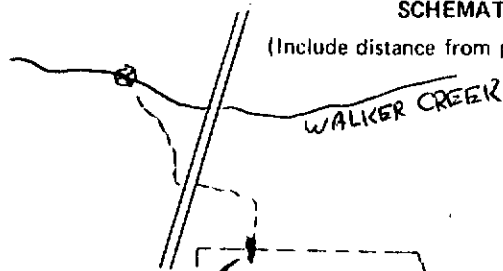
per review
of Files.

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion ☒ NE 1/4 Sec. 15 T8S R36E

Place(s) of Use ☒

TWP.	RGE.	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	
8S	36E	15									3					3			6 ☒

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

Examiner's Signature

Checked by

Approved by

W. Jones
Keith C. Wilson
Kay Walker

Date

Date

Date

4-27-84

19 Sept 1984

6-25-86



0749

