

# 99 per acre  
50 for claim  
4/49. By August 15<sup>th</sup>

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: A22-02178  
Date Received: 7/06/1988  
Receipt No: E002454  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DARRELL C. NEVILLE 208-356-6178  
Address: 945 N. 2000 W.  
REXBURG, ID 83440  
OR  
Name: THEDA C. NEVILLE 208-356-6178  
Address: 945 N. 2000 W.  
REXBURG, ID 83440

A2202178

2. Date of Priority: MAY 17, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06N      | 40E   | 29      | SE     | SW     |     |     | MADISON |

5. Description of diverting works:  
WELL/APPROXIMATELY 280' DEEP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 3.680 |      | 644.00 |

7. Total Quantity Appropriated is:  
3.680 C.F.S. (and/or) 644.00 A.F.A.

8. Total consumptive use is 247.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A22-02178

Page 1

Date: 07/06/88

DEPARTMENT OF WATER RESOURCES  
EASTERN DISTRICT OFFICE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 06N      | 40E   | 29      | SW     | SW  |               | IRR | 29.0  |
|          |       |         | SE     | SW  |               | IRR | 30.0  |
|          |       |         |        |     | Section Acres |     | 59.0  |
|          |       | 32      | NE     | NW  |               | IRR | 40.0  |
|          |       |         |        |     | Section Acres |     | 40.0  |
|          |       |         |        |     | Total Acres   |     | 99.0  |

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:  
THIS CLAIM IS FOR A PORTION OF LICENSE 22-2178. THE REMAINDER  
HAS BEEN DEVELOPED AND NO LONGER IRRIGATED.

15. Basis of Claim: LICENSE  
Water Right Number: 28717

RECORDED  
OCT 28 1988

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):

David C. Neville Date: 8-8-88  
Theda C. Neville Date: 8-8-88

State of Idaho )

County of Madison )

SS.

Subscribed and sworn (or affirmed) before me this 8 day

of August 19 88

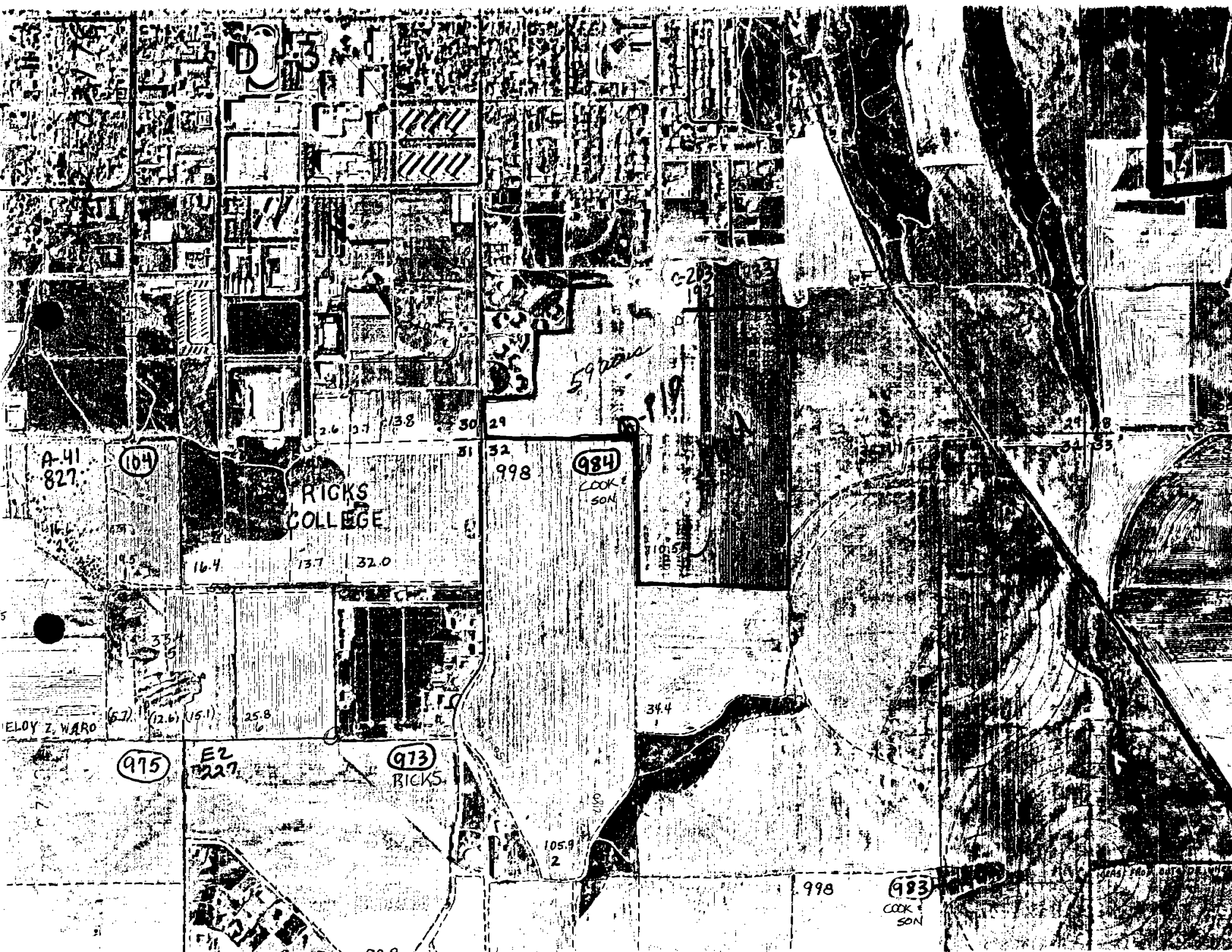
Bonnie Baume  
Notary Public

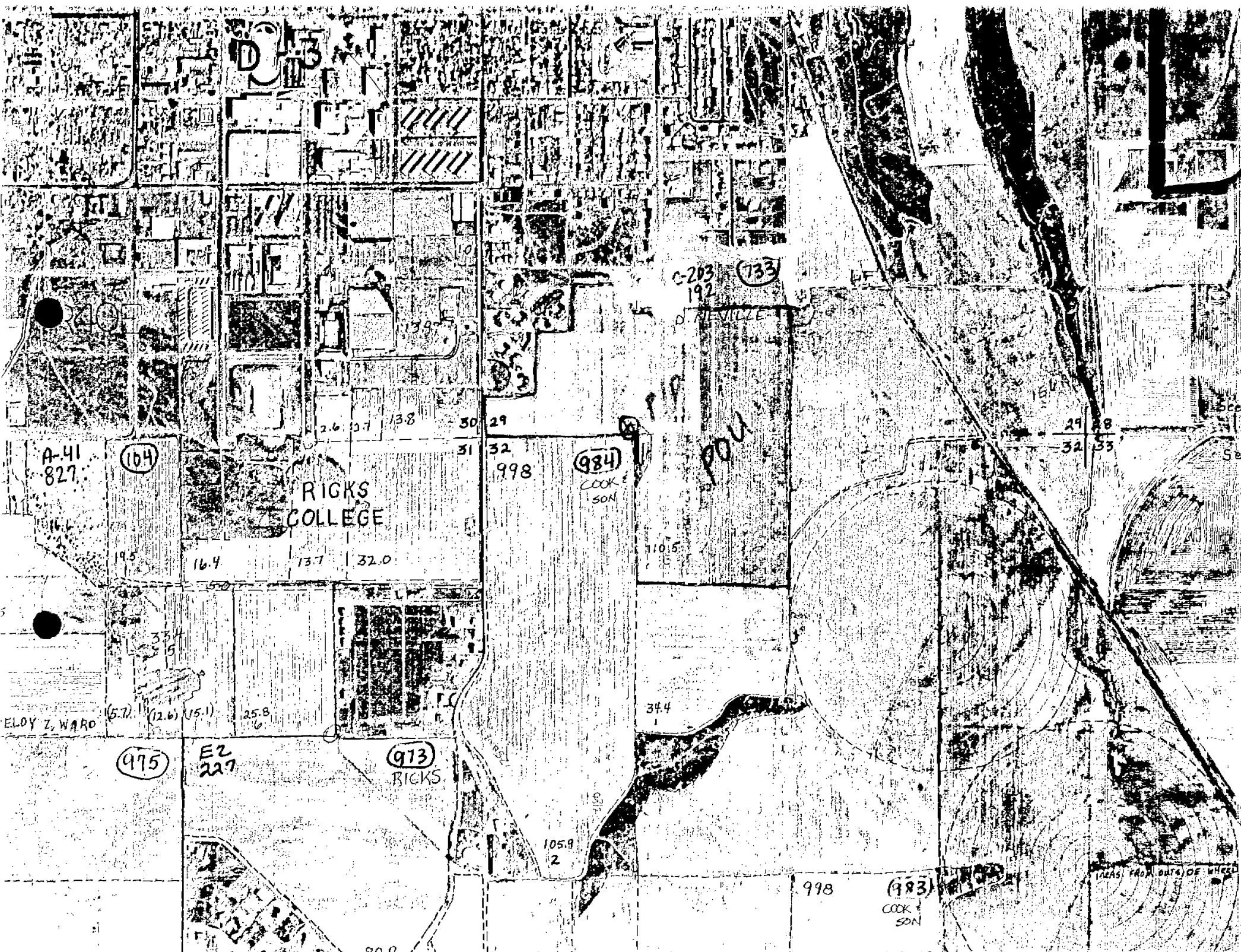
Seal

Residing at Rexburg

My Commission Expires 9/13/94

RECEIVED  
OCT 28 1988





Log for claim 22-02178

Spatial Dynamics BTD

6/25/01

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 06n40e  | 29  | SWSW | 29               | 24             |         |
| 06n40e  | 29  | SESW | 30               | 32             |         |
| 06n40e  | 32  | NENW | 40               | 39             |         |
| Totals: |     |      | 99               | 95             |         |

 SPATIAL  
DYNAMICS

State of Idaho

Department of Water Administration

\*\*\*\* AMENDED \*\*\*\*

WATER RIGHT LICENSE

License of Water Right No. 28717/22-2178 Priority May 17, 1960 Amount 3.68 cfs

THIS IS TO CERTIFY, that DARRELL C. NEVILLE

of Rexburg, Idaho, has complied with the terms and conditions of Permit

No. 28717/22-2178 issued pursuant to Application for Permit dated May 17, 1960,

and has submitted proof to the Department of Water Administration on April 2, 1963,

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 4.25 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>Irrigation</u> from <u>April 1</u> to <u>Nov. 1</u> at <u>3.68</u> cfs and |               |                   | <u>644 acre feet or</u> |
|                                                                               |               |                   | <u>3.5 af per acre</u>  |
| from _____ to _____ at _____ cfs and                                          |               |                   |                         |
| from _____ to _____ at _____ cfs and                                          |               |                   |                         |

(both dates inclusive)

Subject, however, to the condition that no more than 3.68 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

mentioned and is limited to the amount which can actually be beneficially used and shall not exceed

644 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 29,

Twp. 6 N, Rge. 40 E, B. M. in the County of Madison

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 $\frac{1}{4}$ |        |
| 6 N  | 40 E  | 29   |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 27               | 37               | 40               |                  |                  |                  |                  | 144    |
|      |       | 32   |                  |                  |                  |                  | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

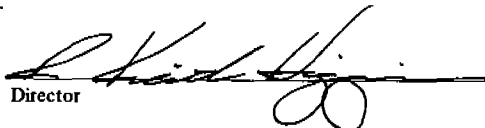
Total number of acres irrigated 184

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 22 day of

May, 19 74.

Director 

22-2178'

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Darrell C. Neville  
Rt. 1,  
Rexburg, Idaho.

32-2178

Application No. G- 36699  
Permit No. G- 28717  
District No.

1. Name of Applicant: Darrell C. Neville  
Postoffice address: Route 1, Rexburg, County: Madison State: Idaho

2. Quantity of water claimed: 225 Miners' inches or 4-1/2 cubic ft. of water per sec.

(a) Rate of withdrawal in cubic feet per second or Idaho  
Miners' inches or gallons per minute  
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Underground water

4. Location of point of diversion or well is in the SE 1/4 of the SW 1/4 of Section 29  
Twp. 6 N , Rge. 40 E , B.M., County of Madison

5. Water is to be used for: irrigation purposes

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.  
Rge. , B.M.,

(b) Waste water or sewage effluent is to be returned to  
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: 125-150 horsepower electric motor & pump, together with mains and laterals for sprinkling.

8. Estimated cost of works: \$ 25,000.00

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is five years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash onhand: \$

(b) Treasury stock:

(c) Bonds to be issued:

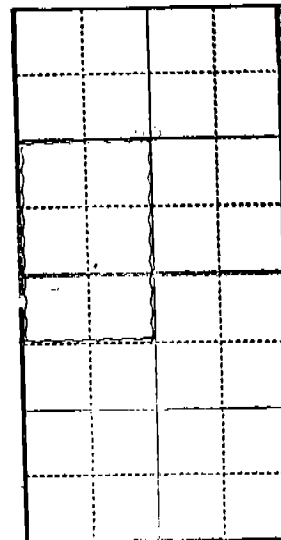
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 4.5 (cubic feet per second, inches or gallons per minute) is for new lands.



BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By \_\_\_\_\_ Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G— 28717

Recorded in Book 101 Page 28717 Approved May 17, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ \_\_\_\_\_ to be filed on or before \_\_\_\_\_

Work to begin on or before \_\_\_\_\_ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 17, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 17, 1965

s/ GEO. M. CARTER

Witness my hand this 17th day of May, 1960

S/ GEO. M. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to  
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th  
day of May, 1960

**Countersigned:**

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. BYLIE

*Governor*

Secretary of State.

12.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Range | Sec. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 6 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 40 E  | 29   |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | 145                            |        |
| 6 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 40 E  | 32   |                                |                                |                                |                                | 40                             | 40                             |                                |                                |                                |                                | 40                             | 30                             | 35                             | 40                             |                                | 80                             |        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | Total                          | 225                            |        |
| Permit No. G-28717                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| CERTIFICATE OF COMPLETION OF WORKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| TO ALL WHOM IT MAY CONCERN:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| This is to certify that DARRELL C. NEVILLE of Rexburg, County of Madison, and State of Idaho, the holder of Permit No. G-28717, issued upon Application No. G-36699, bearing date of priority of May 17, 1960, authorizing the diversion of 4.5 second feet of waters of a well, County of Madison, State of Idaho, for irrigation purposes, has complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the point of intended use 4.25 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> , Section 29, Township 6 North, Range 40 E., B. M., and that the lands proposed to be irrigated by use or place of use of said water are described as follows, to-wit: SW <sup>1</sup> / <sub>4</sub> , Section 29; N <sup>1</sup> / <sub>2</sub> NW <sup>1</sup> / <sub>4</sub> , Section 32, Township 6 North, Range 40 E., B. M. |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| Proof of Completion of Works Made: April 2, 1963                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| Witness my hand this 22nd day of March, A. D. 1968                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| s/ R. KEITH HIGGINSON<br>State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
| LICENSE ISSUED FOR 4.25 SEC. FT.<br>LICENSE PAGE NO. 28717                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

STATE OF IDAHO

## DEPARTMENT OF RECLAMATION

BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. G-28717

This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_1. Name of applicant Darrell C. Neville2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SE 1/4 SW 1/4 of Section 29T. 6 N R. 40 E.B.M. County of Madison4. Describe works as they exist, giving dimensions and capacities of same: U.S. Hello Shaft Motor200 HP Ser. # 1275 432Layne Pump #44037 P. of Layne & Powell Inc.Discharge 10" Steel pipe to 8" Alum. Sprinkler main line5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

14.5 acres in SW 1/4 Sec. 29., 80 acres in NW 1/4 Sec. 32 all in Twp. 6 N., Rge. 40 EBM

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? \_\_\_\_\_

Remarks: \_\_\_\_\_

1. The water from the above described well is used for theirrigation of the above described lands.(1) = (6.17 gpm) (2.92 ft) = 18.26 = f.s.118.4 gpm 4.25This examination was made on the 10th day of Aug, 1944(Signed) [Signature] Examiner.28717 DW  
Plat

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INSTRUCTIONS TO EXAMINERS

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1. Always carefully note the location of the point of diversion and accurately plat same.
  2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
  3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
  4. If any unusual conditions are discovered, make plain statement of them under remarks.
  5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
  6. Give general characteristics of soils, topography, and crops raised.
- 

Darrell C. Neville  
Route #1  
Rexburg, Idaho  
Permit No. G-2717

Examination for Completion of Works & Beneficial Use

County Madison

Sec. 29 T. 6N R. 40 E

Quantity: 4.5 c.f.s.

Source: Well

P.D.: SE 1/4 Sec. 29 T. 6S, R. 40E

Use: Irrigation

Filed: May 15, 1960

Due: May 17, 1965

Extension: \_\_\_\_\_

Completion of Works: \_\_\_\_\_

Other Rights: \_\_\_\_\_

MADE: April 2, 1963

PRIORITY: May 17, 1960



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28737

REPORT ON PROOF OF Completion of Works & Beneficial Use

Darrell C. Neville, Rt. #1, Rexburg, Idaho

