

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-4377

<u>Owner Type</u> Current Owner	<u>Name and Address</u> NEELEY CEMETERY 727 FALLS AVE AMERICAN FALLS, ID 83211 (208)226-5697
Original Owner	NEELEY CEMETERY BOX 366 AMERICAN FALLS, ID 83211

Priority Date: 05/01/1941
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.12 CFS	21.6 AFA	
Total Diversion			0.12 CFS	21.6 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWNESE Sec. 14 Township 08S Range 30E POWER County

IRRIGATION Use:
Acre Limit: 5.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	30E	14		NESE	5.4									

Total Acres: 5.4

Conditions of Approval:

1. C18 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.

Dates:

Licensed Date:
Claim Received Date: 03/06/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:

SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	6/7/01 3:27:17 PM	ECarlsen			In Process
POU	6/7/01 3:07:06 PM	ECarlsen			In Process
Priority Date	6/7/01 2:29:41 PM	ECarlsen			In Process
Quantity	6/7/01 4:51:08 PM	ECarlsen			In Process
Season	6/7/01 4:47:08 PM	ECarlsen			In Process
Source	6/7/01 3:33:12 PM	ECarlsen			In Process
Summary	6/7/01 4:54:04 PM		6/7/01 4:54:04 PM	ECarlsen	Complete
	6/7/01 2:25:18 PM	ECarlsen			In Process
Use	6/7/01 3:33:39 PM	ECarlsen			In Process

Other Information:

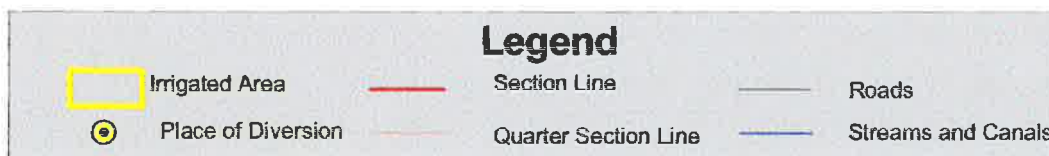
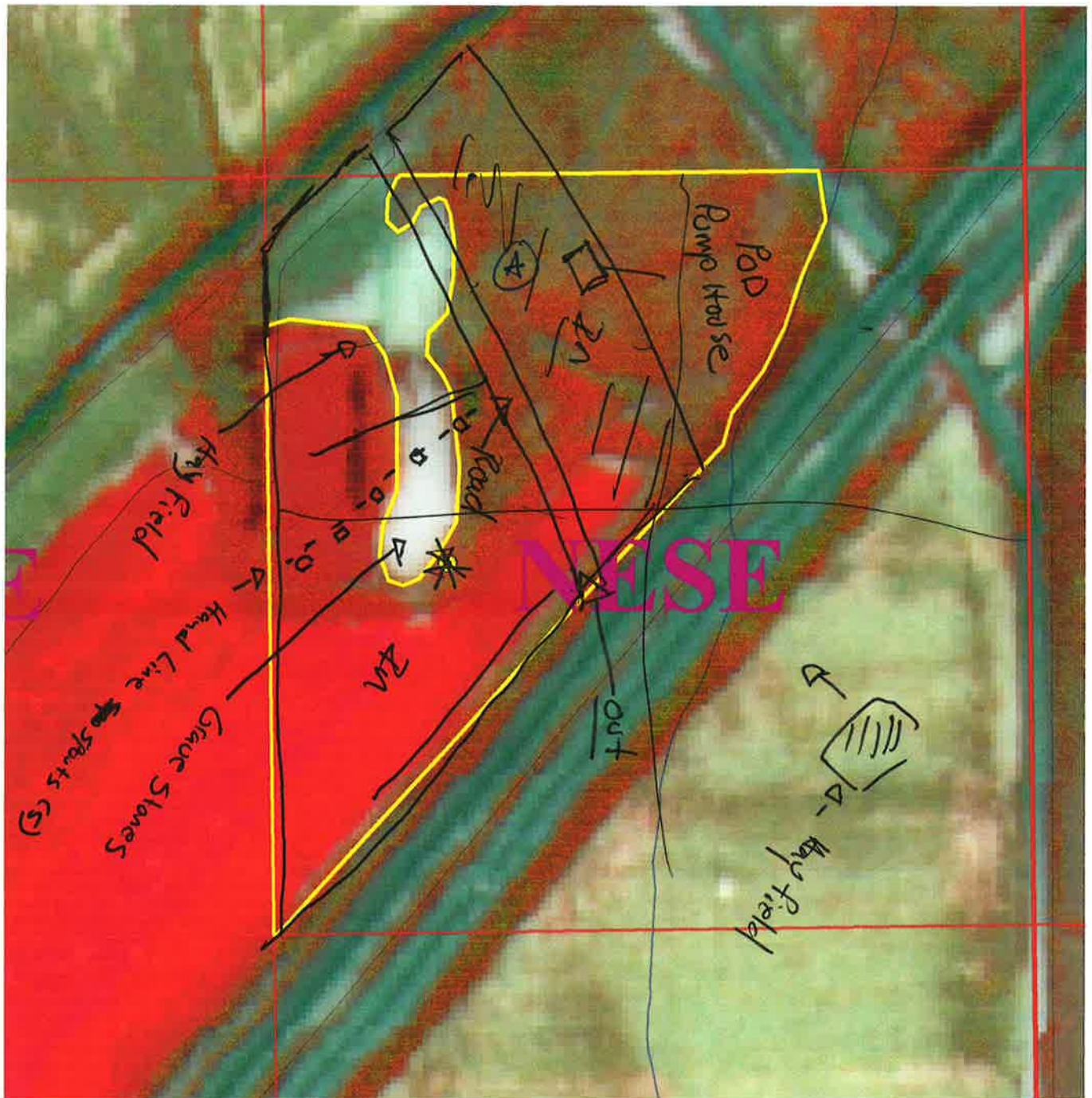
Receipt Number(s): M006157
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	6/7/01 3:29:35 PM	ECarlsen	Edited point location
POD	6/7/01 3:28:30 PM	ECarlsen	Edited point location
POD	6/7/01 3:27:14 PM	ECarlsen	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (NO) The file does not contain all the necessary information to verify the POD. Comment for 6: Field investigation collected GPS data. 7. (NO) A transfer was not filed. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	6/7/01 3:07:04 PM	ECarlsen	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (NO) The file does not contain all the necessary information to verify the POU. Comment for 9: Comparison of field investigation, taxlot data and USGS Map. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
POU	6/7/01 3:05:23 PM	ECarlsen	Edited PLS
POU	6/7/01 3:05:01 PM	ECarlsen	Edited shape boundary
Priority Date	6/7/01 2:29:38 PM	ECarlsen	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use. 9. (NO) The claim was not for an expansion or enlargement under 42-1416B or 42-1426. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly.

Quantity	6/7/01 4:51:05 PM	ECarlsen	14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required. 1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Used claimed diversion rate and field headgate requirement of 4 afa for volume. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	6/7/01 4:47:04 PM	ECarlsen	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	6/7/01 3:33:10 PM	ECarlsen	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (NO) The file does not contain all of the necessary information to verify the source. Comment for 7: Field investigation by Dean Byington May 21, 2001. 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	6/7/01 4:54:02 PM	ECarlsen	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Summary	6/7/01 2:25:16 PM	ECarlsen	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.
Use	6/7/01 3:33:36 PM	ECarlsen	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

Township , 8S30E



100 0 100 200 Feet

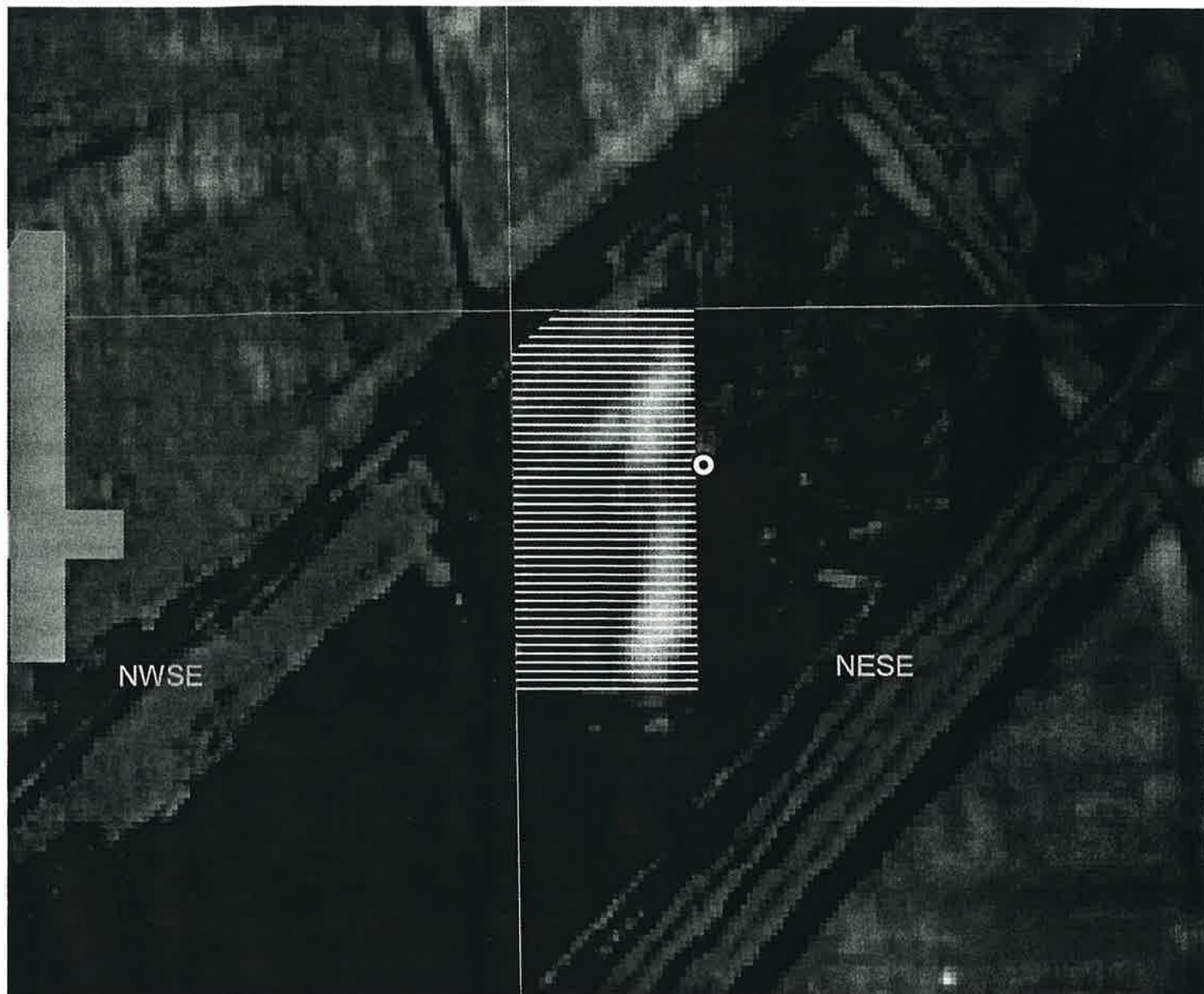




Idaho Department of Water Resources

Water Right 29-4377

Township 8S Range 30E Section 14

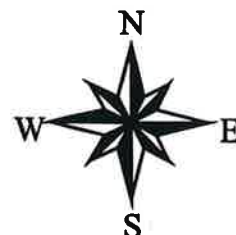


0 1320 Feet

- Point of Diversion - This Right
- Point of Diversion - Other Rights
- ▨ Place of Use - This Right
- ▩ Place of Use - Other Rights
- ▭ Township
- ▭ Section
- ▭ Quarter-quarter Section

PROFILED

SCANNED
MAR 30 2006



Prepared from 1987/1988 NAPP photography by B. Contor, 6/2001.

Photo #14



Facing north east. Picture of POD with tractor next to it.
Photo #15



Facing south west. Looking at POU, Jeep on right side.

Photos for AJ Investigation 29-4377

Field Investigation by Dean Byington 5/21/01

Claim Review by Ernie Carlsen 6/7/2001

Photo write-up by Bryce Contor 6/8/2001

(note that photo numbers refer to digital camera series, not this claim file)

PROFILED

SCANNED

MAR 30 2006

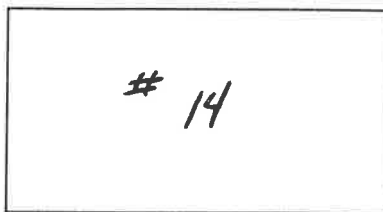
Photo #16



Facing south. Hay field (entrance to cemetery). POD background left.
Cemetery background right.

WR #: 29-4377
GPS File: 4377 OR

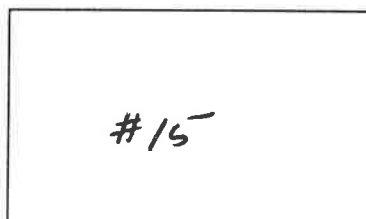
DATE: 5/21/01
Northing: 181133
Easting: 589343



Notes: Facing N.E. Picture of POD with Tractor next to it.

WR #: 29-4377
GPS File: 4377 Or

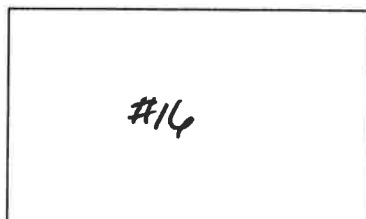
DATE: 5/21/01
Northing: _____
Easting: _____



Notes: Facing S.W. looking at POD, Jeep on Right side

WR #: 29-4377
GPS File: 4377 Or

DATE: 5/21/01
Northing: _____
Easting: _____



Notes: Facing South Hay field (Entrance to cemetery) POD Background left. Cemetery Background Right.

SCANNED
MAR 30 2006

CLAIM NO. _____ - _____

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☒ NAME - No change

☐ NEW OWNER: _____

(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)

☒ ADDRESS - No change

☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change

☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change

☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change

☐ CHANGE - Priority date to: _____

(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change

☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4

When Del = _____

T 8S, R 30E, S 14, NW 1/4, NE 1/4, SE 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change

☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____

_____ from _____ to _____ cfs _____ af

_____ from _____ to _____ cfs _____ af

_____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change

☒ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

see map

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS _____

CONDITIONS _____

Reviewer _____ Date _____

03/19/98

SCANNED
MAR 30 2006

PROFILED

COMMUNICATION DOCUMENTATION

Claim No. 29-4377

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Dean Byington Date 5/21/01Contact Person(s) NONENature of Contact Drove into Cemetery

Substance of Communication

> Front Part of Cemetery Hay field, Left 1/3 of Cemetery Hay field.> Irrigated by ~~then~~ 3" Hand line pipes> POD located East end of Property about the middle.

SCANNED

MAR 30 2006

PROFILED

MAY 16 2001

Log for claim A29-04377

Spatial Dynamics AMH

6/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s30e	14	NESE	6	15	Permissible place of use?
Totals:			6	15	

1) First 80 yards of Entrance Hay field, Left 1/3 of Cemetery Hay Field

2)

5/25/01

1) Field by Pump house (Not sure how field is Irrigated)

2) Noticed all Head Stones dated After 1989

* half Cemetery half Hay field.

* Entire property Irrigated by 3" pipes, Main Line Through Center of property.

No. A29-04377

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 40

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NEELEY CEMETERY 727 FALLS AVE AMERICAN FALLS ID 83211 (208) 226-5697	05/01/1941	IRRIGATION	03-15 11-14	0.120 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.120 CFS	18.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T08S R30E S14

NESE

POWER 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	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM
08S	30E	14	:					:					:					:	06				:	6.0
																							TOTAL ACRES	6.0

POU County: POWER

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

A01-00013 A01-02061A A01-02064E A01-02068E A29-02310 A29-02380A A29-02568 A29-04338 A29-10398 A29-11337

Remarks: GEN CLAIMED ON 06-08-1983 IDWR FORM NO. 243 CLAIM NO. 29 4377

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

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

Audit: 11/14/94 DCARLSON 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Neeley Cemetery c/o M.K. Thornhill
Box 366, American Falls, ID 83211 (Name of Claimant)
(Mailing Address) Telephone No. 226-2079
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1941

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.12 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 0.12 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14 Twp. 8S Rge. 30E B.M., County of Power
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well and pump to sprinkler system

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
8S	30E	14													6				6

No. of acres 6

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

Lyle D. Eliassen

Attorney At Law

Fax (208) 226-7079

202 Idaho Street
American Falls, Idaho 83211-1236
(208) 226-5138

March 27, 1995

State of Idaho Department of Water Resources
Eastern District Office
900 N Skyline Drive
Idaho Falls, Idaho 83401-1718

CERTIFIED MAIL: Z 444 427 388

Dear Sirs:

I represent the Falls View Cemetery Maintenance District, the governing agency of the Neeley Cemetery. They have received your request for documentation concerning water right no. A29-04377.

Although apparently the original claim for that water right used a priority date of May 1, 1941, I am submitting the Affidavit of Don N. Zaring that substantiates that there was a well upon the property and a hand pump used for watering flowers etc. at the cemetery since somewhere between 1921 and 1923. Mr. Zaring's Affidavit and that of Norma Weber show that there was an electric pump and motor placed upon the well in 1936. Ms. Weber's Affidavit also indicates that there was a gas powered pump for irrigation on the property since at least the year 1935.

Those are the only records I have been able to find to substantiate the date of the water right for the Neeley Cemetery at this time. That water right was acquired over 50 years ago and no one now recalls who drilled or dug the well nor have we been able to locate any records of either the Cemetery Maintenance District or Idaho Power going back that far.

I trust that documentation is satisfactory to establish the Cemetery District's priority date. If you have any questions or need additional information please feel free to contact me.

Sincerely,


Lyle D. Eliassen

LDE:bjs
9501-3fvcemety.ltr
encl:

MICROFILM

NOV 13 1995

AFFIDAVIT
OF NORMA WEBER

STATE OF IDAHO)
 SS
COUNTY OF POWER)

After being first duly sworn, the undersigned hereby deposes and states:

I am Norma Weber, Social Security no. 518-30-6679, residing at 248 Arthur, American Falls, Power County, Idaho, November 18, 1915.

I was previously married to John E. Russell and resided with him at a residence in Neeley, Idaho.

I am familiar with the Neeley Cemetery now owned and operated by the Falls View Cemetery District as all or a portion of that land was donated by my grandfather John H. Calvert for use as a cemetery.

My former husband, John E. Russell, and Don N. Zaring dug the holes for Idaho Power Company to run a power line from the Rockland Highway through the Dille property to Neeley in the year 1936. When the power line was run to Neeley in 1936, the gas powered pump that was used for irrigation at the cemetery was replaced with an electric pump and motor. I am not sure how long the gas powered pump was used to irrigate the cemetery in Neeley but it was probably at least one year meaning that there was water used to irrigate the Neeley Cemetery from the existing well since the year 1935.

I know that when my husband John E. Russell, was buried there in May of 1940 that the electric pump was installed and working at that time as I used it to obtain water to place in the flowers on my husband's grave.

I have been familiar with the Neeley Cemetery for many years as

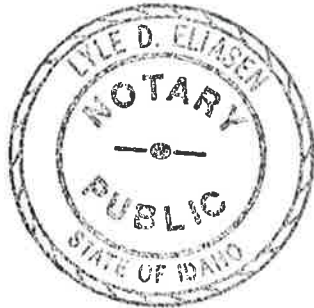
NOV 13 1940

many members of my family are buried there including my grandfather, my parents and my brothers and sisters. My Father, John Christensen, took care of the cemetery for many years prior to his death.

Further deponent sayeth not.

Norma C. Weber
NORMA WEBER

Subscribed and sworn to before me this 27 day of March, 1995.



[Signature]
Notary Public
Residing at American Falls, ID
My Commission Expires 4-19-98

MICROFILMED
NOV 13 1995

AFFIDAVIT
OF DON N. ZARING

STATE OF IDAHO)
 SS
COUNTY OF POWER)

After being first duly sworn, the undersigned hereby deposes and states:

I am Don N. Zaring, Social Security no. 519-12-2977 and presently reside at 3114 W Neeley Loop, American Falls, Idaho. That residence is located in what was known as the Neeley area. My parents lived at Neeley, Idaho, since about the year 1910. My wife and I moved to Neeley in 1934 and I have lived continuously there since that time. I was born on the 11 day of September, 1911, and am presently 83 years old.

Within a year or so after I moved to Neeley in 1935 I helped Bud Russell dig the holes for the power poles to run an electric line from the Rockland Highway to the Neeley area. There was no electrical service to Neeley prior to that time. As I recall, that power line was put in place in 1936.

I am familiar with the Neeley Cemetery as it is only a short distance from my residence and is on land adjacent to my farm. In fact, I traded a portion of my farmland for Cemetery District land over the years to make the cemetery more usable.

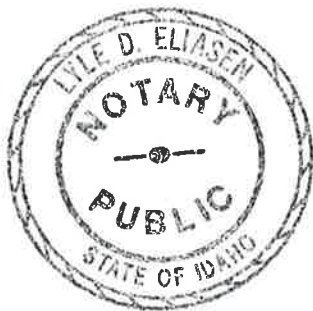
Shortly after the electric line was run to Neeley in about 1936, an electric motor and pump was installed to pump water for the Neeley Cemetery. That pump and motor was installed on the well that is presently in use to irrigate the cemetery property. Prior to the

installation of the electric motor and pump, there was a hand pump on that same well which was used for watering flowers, etc. at the cemetery. I can recall that pump being there since I was 10 or 12 years old, which would be in 1921 to 1923. There was a white picket fence around the cemetery even at that time. The Neeley Cemetery was larger than the American Falls Cemetery when I was a youngster.

Further deponent sayeth not.

Don N. Zaring
DON N. ZARING

Subscribed and sworn to before me this 27 day of March, 1995.



[Signature]
Notary Public
Residing at American Falls, ID
My Commission Expires 4-19-98

MICROFILMED
NOV 13 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Neeley Cemetery c/o M.K. Thornhill

Box 366, American Falls, ID 83211

(Name of Claimant)

Telephone No. 226-2079

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1941

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

groundwater tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.12 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 0.12 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 SE 1/4, Sec. 14 Twp. 8S Rge. 30E B.M., County of Power

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well and pump to sprinkler system

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
8S	30E	14													6				6

No. of acres 6

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

DO NOT FILM

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

R30E

Mile 710

T8S

14

Well 4321

Well 4323

Well 4325

CANAL

DO NOT FILM

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

My commission expires 6-15-85

MICROFILMED

NOV 13 1950

Received by Kew Date 6/8/83 Ex
Prelim. check by HWS Date 6-9-83
\$30.00 fee received by BP Date 6/8/83 " 08/17
Published in Harz County News
notes 6/23 - 6/28/83

Forwarded to _____ Date _____
claimant by: _____

MAY 16 2001

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: **A29-04377**
Date Received: 11/14/1994
Receipt No: M006157
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: NEELEY CEMETERY 208-226-5697
Address: 727 FALLS AVE
AMERICAN FALLS ID 83211

2. Date of Priority: MAY 1, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	30E	14	NW	NE	SE		POWER

5. Description of diverting works:
WELL, PUMP & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/14	0.120		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	30E	14	NE	SE		IRR	6.0
Section Acres							6.0
Total Acres							6.0

MICROFILMED
NOV 13 1994

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

CLAIMED ON 06-08-1983 IDWR FORM NO. 243 CLAIM NO. 29 4377

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 13 1990

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

Renumbered **A29-04377**

Ident. Number: ~~A29-10398~~

Date Received: 3/06/1990

Receipt No: M006157

Received By: _____

*11/14/94
D.C.*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEELEY CEMETERY 208-226-5697
Address: 727 FALLS AVE.
AMERICAN FALLS, ID 83211

2. Date of Priority: MAY 01, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	30E	14	NE	SE			POWER

5. Description of diverting works:
WELL AND PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/14	0.120		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	30E	14	NE	SE		IRR	6.0

A29-10398

Page 1

Date: 05/24/90

A2904377



MICROFILMED

NOV 13 1990

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.0
					Total Acres	6.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMED ON 06-08-1983 IDWR FORM NO. 243 CLAIM NO. 29 4377

15. Basis of Claim: BENEFICIAL USE

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

MICROFILMED
NOV 15 1990
MICROFILMED
NOV 16 1992

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 16 1992

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: A29-10398

Date Received: 3/06/1990

Receipt No: M006157

Received By: RWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEELEY CEMETERY

Address: 727 FALLS AVE.

AMERICAN FALLS, ID

83211

208-226-5697

2. Date of Priority: MAY 01, 1941

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	30E	14	NE	SE			POWER

5. Description of diverting works:
WELL AND PUMP TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/14	0.120		

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

A.F.A.

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	30E	14	NE	SE		IRR	6.0

Section Acres 6.0

A29-10398

Page 1

Date: 03/06/90

MICROFILMED
NOV 13 1990
NOV 16 1992

10. Place of Use: Continued

Total Acres 6.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMED ON 06-08-1983 IDWR FORM NO. 243 CLAIM NO. 29 4377

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

NOV 13 1980

A29-10398

Page 2

Date: 03/06/90

MICROFILMED

NOV 16 1982

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 Organizations:

I do solemnly swear or affirm that I am Chairman John C New of Fallsview Cemetery Maintenance District Title Chairman Organization Neely Cemetery, that I have signed the foregoing document in the space below as John C New of Fallsview Cemetery Maintenance District Title Chairman Organization Neely Cemetery and that the statements contained in the foregoing document are true and correct.

John C New
Signature of Authorized Agent

Chairman Neely Cemetery Dist
Title and Organization

3-6-1990 District
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of Nov 19 90

John Dal Cardan
Notary Public

Seal

Residing at Boise ID

My Commission Expires 6/2/94

MICROFILMED
NOV 13 1990

MICROFILMED
NOV 18 1992