

RECEIVED

MAY 16 1980

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____
solemnly

Publisher

swear that I am the _____ of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction withing the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive _____ weeks

the first publication having been made on the
8th day of May, 19 80

and the last publication having been made on the
15th day of May, 19 80

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

Subscribed and sworn to before me this 15th

day of May, 19 80

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the
following claim(s) to water right(s)
have been established by diversion
and application to beneficial use:

35-4091

PROUSE, GORDON

Rt. 4, Box 330, Blackfoot, Id. 83221

Source: GROUNDWATER

Priority Date: 04-01-1946

Amount: 2.42 CFS

Diversion Point: NWNE, SWNE,
SENE, Sec. 33, T. 01S, R. 34E.,
BINGHAM Co.

Use: IRRIGATION (2.42 CFS) from
04-01 to 11-01.

Place of Use: NWNE, SWNE, SENE,
Sec. 33, T. 01S, R. 34E., for 120
Acres.

Diversion Means: WELL.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

(6522)

Pub.: 5-08 & 5-15-80.

30

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM

Alene

DATE

June 23, 1980

TO

File

SUBJECT

A mistype on the place of use chart
has listed the acres to be 121.

Should be 120 acres.

26

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SIGNATURE

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 Gordon Prouse
(Name of Claimant)

Rt. 4, Box 330, Blackfoot, ID 83221 Telephone No. _____
(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) April 1, 1946

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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>2.42 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</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) 2.42 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 33 Twp. 1S Rge. 34E B.M., County of Bingham
Additional points of diversion: SW ¼ NE ¼, SE ¼ NE ¼, Sec. 33, T. 1S, R. 34E, B.M.

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

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	34E	33		41	40	40													121

No. of acres 121

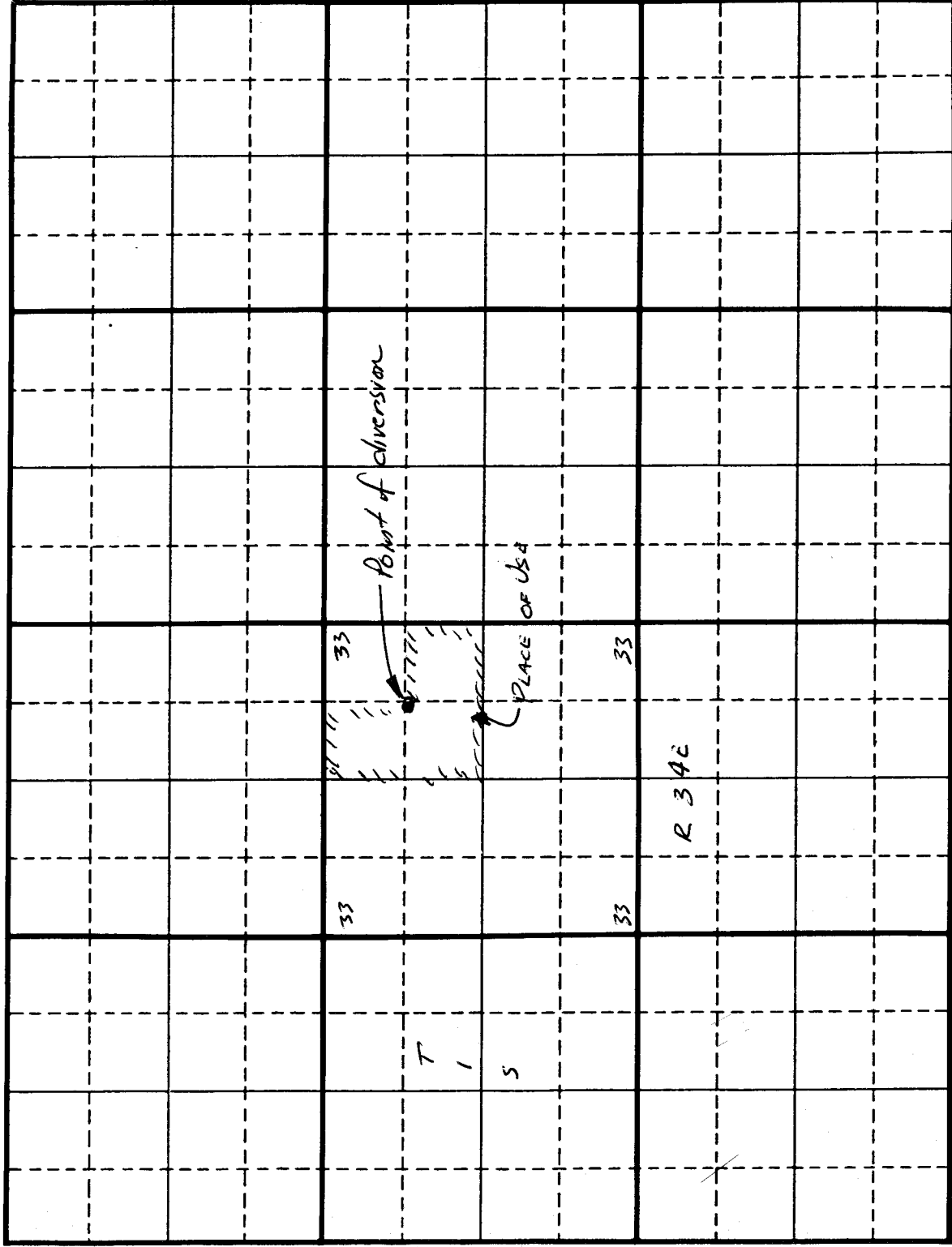
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: _____

MICROFILMED

(8) Remarks



Scale: 2 inches equal 1 mile.

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.

State of Idaho

County of Bonneville ss.

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.

Sworn to before me this 17 day of March, 1980.

(Claimant)

Notary Public
Residing at Idaho Falls

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

Received by S.H.

Date

3-17-80

Prelim. check by ARK

Date

3-20-80

\$20.00 fee received by SW

Date

3/17/80 #13857

Published in The Blackfoot News

Dates 5/8 & 5/15/80

Forwarded to
claimant by:

Date

RECEIVED

MAY 16 1980

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, David Mark Brown do
solemnly

Publisher

swear that I am the _____ of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
8th day of May, 19 80

and the last publication having been made on the
15th day of May, 19 80

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

Subscribed and sworn to before me this 15th

day of May, 19 80

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

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35-4091

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Rt. 4, Box 330, Blackfoot, Id. 83221
Source: GROUNDWATER
Priority Date: 04-01-1946
Amount: 2.42 CFS
Diversion Point: NWNE, SWNE,
SENE, Sec. 33, T. 01S, R. 34E.,
BINGHAM Co.
Use: IRRIGATION (2.42 CFS) from
04-01 to 11-01.
Place of Use: NWNE, SWNE, SENE,
Sec. 33, T. 01S, R. 34E., for 120
Acres.

Diversion Means: WELL.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 1515 Lincoln Road, Idaho
Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

(6522)
Pub.: 5-08 & 5-15-80.

30

ok kw
5/28/80

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 Gordon G. Prouse
(Name of Claimant)

R#4 Box 330 Blackfoot Idaho 83221
(Mailing Address) (Zip Code)

Telephone No. - 0

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) April 1, 1946

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

Ground water 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Both dates inclusive) (Mo., Day)
Quantity <u>2.42 CFS</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</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) 2.42 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE 1/4 1/4, Sec. 33 Twp. 1S Rge. 34E B.M., County of BINGHAM

Additional points of diversion: SW 1/4 NE 1/4 SE 1/4 NE 1/4 SEC 33, T 1S R 34E, BM
NE 1/4 NE 1/4

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, Pumped For 120 A. (5A) 60 H.P. -

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
15	34E	33		40	40	40													120

No. of acres 120

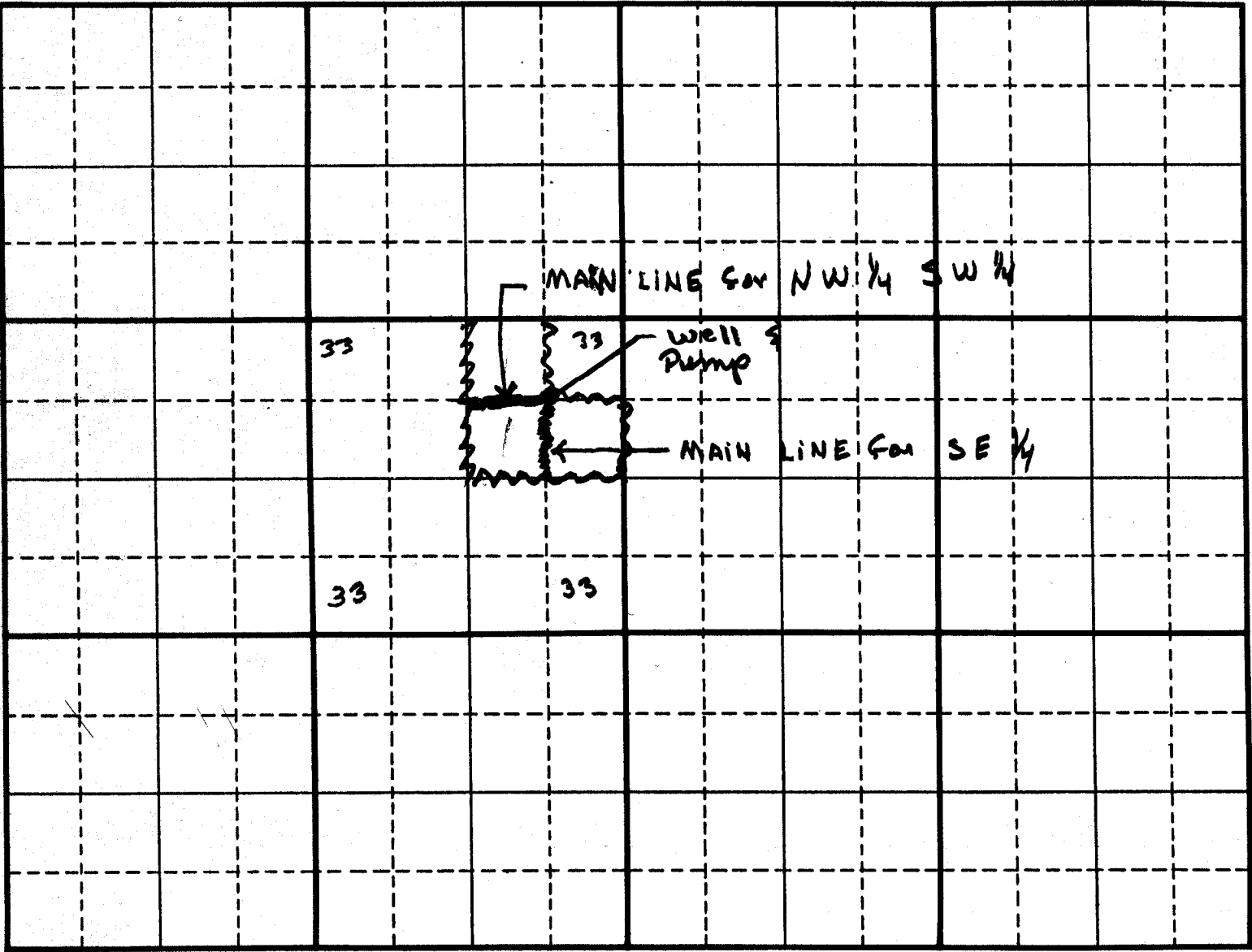
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: _____

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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.

State of Idaho)
County of _____) ss.
_____)

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.

Gordon Starn
(Claimant)

Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

FOR DEPARTMENT USE ONLY			
Received by _____	Date _____	Exception filed by: _____	Forwarded to claimant by: _____
Prelim. check by _____	Date _____		
\$20.00 fee received by _____	Date _____		
Published in _____			
Dates _____			

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: A.R. Kozlowski

Right Number 35 4091

Applicant Gordon Prouse

NOTE: 35-4091 IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period. 5/20
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date June 12-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Hansen Date 6/19/80

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35-4091-

PROUSE, GORDON

RT. 4 BOX 330, BLACKFOOT, ID 83221

Source: GROUNDWATER

Priority Date: 04/01/1946

Amount: 2.42 CFS

Diversion Point: NWNE SWNE SENE Sec 33 T 01S R 34E, BINGHAM Co.

Use: IRRIGATION (2.42 CFS) from 04/01 to 11/01

Place of Use: NWNE SWNE SENE Sec 33 T 01S R 34E FOR 120 ACRES

Diversion Means: WELL

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

MAY 28, 1980

GORDON PROUSE
RT. 4 BOX 330
BLACKFOOT

ID 83221

RE: Claim No. 35-4091

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

March 24, 1980

Gordon Prouse
Rt. #4, Box 330
Blackfoot, ID 83221

Dear Sir:

After reviewing your claim to a water right, I have determined that several revisions need to be made before your claim can be advertised. In the event of a dispute over your use of well water the claim can be used in a court of law as evidence in support of your use right. Therefore, it is imperative that it be as complete and accurate as possible.

I am sending you a new claim form for your completion and signature. On the new claim please indicate only one point of diversion. Make a determination to the best of your ability as to which 40-acre tract your well is located on and indicate only one 40-acre tract. If it is located dead center in the NE $\frac{1}{4}$ then indicate this fact under item #5a.

Under item #5b, please provide as much information as possible about the irrigation system. You should specifically indicate whether the water is pumped and how the lands are irrigated.

Please complete the enclosed claim form and made the revisions indicated above. Then return the form to this office and I will begin processing it immediately.

Very truly yours,

ANTHONY R. KOZLOWSKI
Sr. Resource Agent

ARK:kw
Enclosure

RECEIVED

APR 25 1980

Department of Water Resources
Eastern District Office

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