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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Michael A. Driscoll
(name of claimant)
of Route #1, Box 101, Pingree, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Ground water
_____, tributary to _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|------------|-----|-------------------|---------------------|---------------|----|---------------|
| Amount | <u>2.5</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
- ~~(cfs, gpm,
or ac-ft)~~ (dom., irri.,
stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 2.5 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) December, 1949

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24 Twp. 3S Rge. 33E B. M. County of Bingham
 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. Pump, pipelines, ditches and 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.

[illegible]

Total No. of acres 120

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

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

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(8) Remarks _____

A hand-drawn map on a grid. The grid consists of 10 vertical lines and 10 horizontal lines, creating a 9x9 grid of squares. Dashed lines are drawn between the solid grid lines. A well is marked with an 'X' at the intersection of the 4th vertical line from the left and the 3rd horizontal line from the top. An arrow points from the word 'Well' to the 'X'. The text 'R33E' is written above the well, and 'T3S' is written to the left of the well. The number '24' is written below the well.

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)
) ss.
County of BONNEVILLE)

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 affiants knowledge.

Michael J Driscoll
(Claimant)

Sworn to before me this 7th day of FEBRUARY, 1975

Notary Public
Residing at FIRTH, IDAHO

My commission expires 2/14/78

For Department Use Only

Received by <u>MB</u>	Date <u>2-7-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>MB</u>	Date <u>2-7-75</u>		claimant by:	
\$10.00 fee received by <u>MB</u>	Date <u>2-7-75</u>			
Approved for publication by <u>WJ 2-28-75 #4080</u>				
Published in <u>Blackfoot News</u>				
Dates <u>February 20 & 27, 1975</u>				

RECEIVED
FEB 20 1975

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham }
State of Idaho } ss.

I, David Mark Brown do solemnly

swear that I am the Publisher 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: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on
the 20th day of February, 1975

and the last publication having been made on the
27th day of February 1975; that said

notice was published in the regular and entire 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.

David Mark Brown
Subscribed and sworn to before me this 27th

day of February, 1975

Patricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1975

NOTICE OF CLAIM TO A WATER RIGHT NO. 35-4038

Notice is hereby given that
Michael A. Driscoll, Route No.
1, Box 101, Pingree, Idaho, has
filed a claim to a water right
established by diversion and
application to beneficial use of
2.5 cubic feet per second of
water from a ground-water
source with point of diversion in

the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 3S,
R. 33E, B.M., Bingham County.

The water is claimed to be
used from Apr. 1 to Nov. 1 for
the irrigation of 120 acres with a
priority of December, 1949; the
place of use is within the
N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24,
T. 3S, R. 33E, B.M.

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

R. KEITH HIGGINSON
Director
(4144)
Pub.: 2-20, 27

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RECEIVED

FEB 7 1975

Department of Water Resources
Eastern District Office

To Whom It May Concern:

Dated: Feb. 7, 1975

In November and early December of 1949, in order to better manage and increase the production of his farm, Melvin Van Orden authorized and oversaw the drilling of a well, and the installation of the accompanying electric power, pump and motor. This being on his land and located in the N. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of Section 24, Range 33 EBM, Township 3 South and to serve the N. E. $\frac{1}{4}$, N. W. $\frac{1}{4}$ and S. E. $\frac{1}{4}$ of above mentioned Section, Range and Township. Achieving an ample flow of water this irrigation well has served the aforementioned acre for agricultural purposes from December of 1949 until this day, February 6, 1975.

In order that these facts be established, these names stand as witness:

- 1: *Theo J. Duce*
- 2: *Eugene P. Johnson*
- 3: *J. D. Watt*
- 4: *Melvin Van Orden*
- 5: *Melvin Van Orden*

MICROFILMED

March 10, 1975

RE: Claim to a Water Right No. 35-4038

Michael A. Driscoll
Rt. #1, Box 101
Pingree, Idaho 83262

Dear Mr. Driscoll:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:MB

Enc: Copy of claim

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February 14, 1975

RE: Claim to a Water Right No. 35-4038 Driscoll
Application for Permit No. 35-7476 Benson
" " " No. 35-7478 Fielding
" " " No. 35-7479 "
" " " No. 35-7480 "

The Blackfoot News
P.O. Box 70
Blackfoot, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:MB

Bill submitted 2-28-75 by ew

Enc: Legal Notices (5)

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MB

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 35-4038**

Notice is hereby given that Michael A. Driscoll, Route No. 1, Box 101, Pingree, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 2.5 cubic feet per second of water from a ground-water source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 3S, R. 33E, B.M., Bingham County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 120 acres with a priority of December, 1949; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 3S, R. 33E, B.M.

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

R. KEITH HIGGINSON

Director

(4144)

Pub.: 2-20, 27

NOTICE OF CLAIM TO A WATER RIGHT

NO. 35-4038

Notice is hereby given that Michael A. Driscoll,

Route #1, Box 101, Pingree, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 2.5 cubic feet per second ~~none feet per second~~
of water from a ground-water source

with point of diversion in the NE¹/₄ NW¹/₄, Sec. 24, T. 3S, R. 33E, B.M.,
Bingham County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation
of 120 acres

with a priority of December, 1949;

the place of use is within the N¹/₂ NW¹/₄, SE¹/₄ NW¹/₄, Sec. 24, T. 3S, R. 33E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on February 20 and February 27, 1975.

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W. A. Driscoll
W. A. Driscoll
W. A. Driscoll