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In File

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 Buford R. or Helen H. McDaniel
(Name of Claimant)
Rt 1 Box 171, Malad Idaho 83252 Telephone No. 766-2754
(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) 1 April 1969

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)
Spring tributary to Tim Woosley Hollow

(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>0.05 cfs</u>	Use	<u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</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) 0.05 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 NE 1/4, Sec. 12 Twp. 14S Rge. 35E B.M., County of Oneida
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. Collection Box to stock trough

(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	
14S	35E	12				X													

No. of acres

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: 150 head range cattle

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

MICROFILMED

Received by W. Kay Date 4-05-89
Prelim. check by W. Kay Date 4-5-89
\$30.00 fee received by W. Kay Date 4-05-89
Published in Idaho Outdoors # 2195 Date 4-15-89
Dates 4-15-89 to 4-22-89

FOR DEPARTMENT USE ONLY

Exception filed by: _____
Forwarded to _____
Date _____
Claimant by: _____

My commission expires July

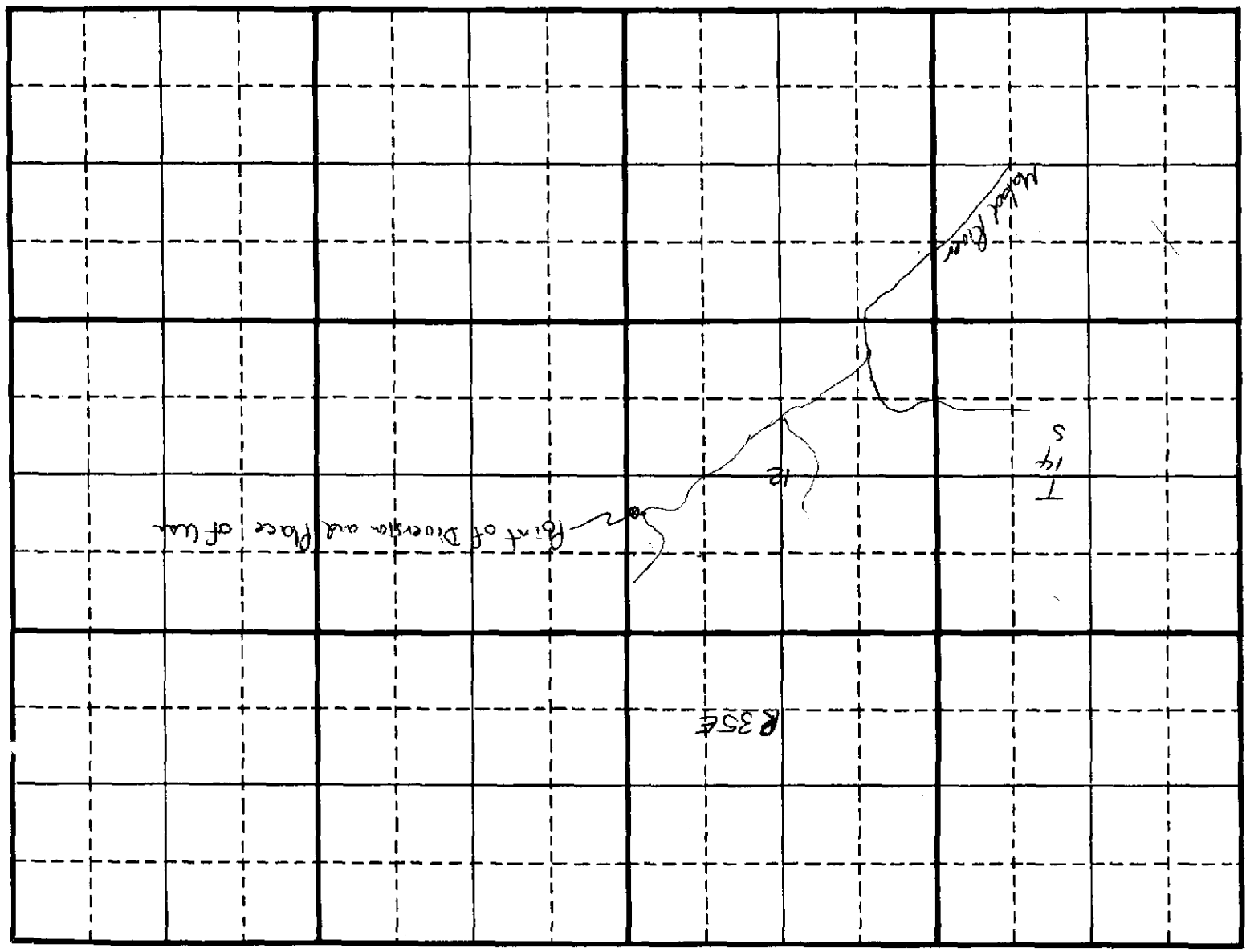
Sworn to before me this _____ day of _____, 1989.
(Claimant)
Robert R. McDaniel
William H. Davis
Notary Public
Wendy Williams
Residing at 177 Alad, Idaho

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.

State of Idaho)
County of Blaine)
ss.)

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.

Scale: 2 inches equal 1 mile.



(8) Remarks Tim Woodzley Hollow tributary to Malad River

AFFIDAVIT OF PUBLICATION

MAY 17 1982

Department of Water Resources
Eastern District Office

STATE OF IDAHO, }
County of Oneida } ss.

Carole Hummell
being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

May 10, 1982, and ending
with the issue of May 13, 1982
Carole Hummell

Fee \$

Subscribed and sworn to before me this 13th day

of May, 1982
Carole H. Hummell
Notary Public, Residing at Malad, Idaho

My Commission Expires Life, 19

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 15-4090 in the name of Buford McDaniel was advertised incorrectly on April 15 and April 22, 1982. The claimants name was advertised as Buford McDaniel and the use was advertised as stickwater.

WHEREAS, the claimants name is Buford and-or Helen N. McDaniel, and the use is stockwater.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83401.

A. Kenneth Dunn
Director

Published in the Idaho Enterprise May 6 and May 13, 1982.
Lines: 28.

RECEIVED

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO, }
County of Oneida } ss.

APR 26 1982

Department of Water Resources
Eastern District Office

Carol & Hummell
being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with April 15, 1982, and ending with the issue of April 22, 1982

Carol & Hummell
Fee \$4.83

Subscribed and sworn to before me this 20th day of April, 1982

Carol & Hummell
Notary Public, Residing at Malad, Idaho

My Commission Expires July, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

15-4096

MCDANIEL, BUFORD
RT. 1, BOX 171, MALAD,
ID 83252

Source: SPRING tributary to TIM WOZZLEG HOLLOW
Priority Date: 04-01-1969
Amount: 0.05 CFS
Diversion Point: SENE Sec 12 T 14S R 35E, ONEIDA Co.
Use: STICKWATER (0.05 CFS) from 01-01 to 12-31
Place of Use: SENE Sec 12 T 14S R 35E
Diversion Means: COLLECTION BOX TO STOCK TROUGH

15-4091

CLARK, OLIVER PAUL &-or GLADYS
DOWNEY RT., MALAD, ID 83252

Source: SPRING tributary to DEVIL CREEK
Priority Date: 02-01-1941
Amount: 0.02 CFS
Diversion Point: SENE Sec 02 T 13S R 36E, ONEIDA Co.
Use: STOCKWATER (0.02 CFS) from 01-01 to 12-31 DOMESTIC (0.02 CFS) from 01-01 to 12-31
Place of Use: SENE Sec 02 T 13S R 36E

Diversion Means: HEADBOX & PIPELINE

17-4037

KRESS, ART & SONS, INC.

P.O. BOX 336 AMERICAN FALLS, ID 83211

Source: ROCK SPRING tributary to SINKS

Priority Date: 08-01-1925
Amount: 0.06 CFS

Diversion Point: SWNW Sec 34 T 13S R 31E, ONEIDA Co.

Use: IRRIGATION (0.02 CFS) from 04-01 to 11-01 STOCKWATER (0.02 CFS) from 01-01 to 12-31 DOMESTIC (0.02 CFS) from 01-01 to 12-31

Place of Use: SESE Sec 27 T 13S R 31E FOR 1 ACRES

Diversion Means: HEADBOX & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director
Published 4-15 & 4-22-82.
Lines: 81.

April 29, 1982

RE: Notice of Correction No. 15-4090

Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

Gentlemen:

We are resubmitting a legal notice to be published on May 6 and 13, 1982. This notice was originally published in your paper on April 15 and 22, 1982. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by May 24, 1982. Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Enclosure: Legal Notice

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WHEREAS, the claimants name is Buford and/or Helen N. McDaniel, and the use is stockwater.

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A. Kenneth Dunn

Director

Published in the Idaho Enterprise May 6 and May 13, 1982.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C. Wilson

Right Number

15 4090

Applicant

Burford R. McDaniel

NOTE: 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.
- ☒ 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 May 4, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW

Date 5/27/82

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 8, 1982

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 3, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

Published 4/15 & 4/22/82.

MICROFILMED

15-4090-

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