

(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 Donnerville) 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 24th day of May, 1988.
Jack & Pat McSany
By Jack F. McSany (Claimant)

Callen Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by Emc Date 5/24/83 Exception filed by: _____ Date _____
Prelim. check by HCJT Date 5-27-81 Forwarded to claimant by: _____
\$30.00 fee received by BP Date 5/24/83 #26305
Published in Standard Journal
Dates 6/9 ; 6/16/83

35 1001

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Bruce Porter

I, being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal

, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Claims To Water Rights

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on June 9, 1983
and the last publication having been made
on June 16, 1983

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
ing a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

[Signature]

Subscribed to and sworn to before me

June 17, 1983

this

[Signature]

Notary Public.

(SEAL)

My commission expires Life.

RECEIVED
JUL 12 1983

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

21-4105

PETERSEN, JEAN S.
RT. 1, BOX 271, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 12/20/1939
Diversion Pt: SENE Sec 32 T 06N R 39E
Use: STOCKWATER (0.02 CFS).
DOMESTIC (0.08 CFS)
In: SENE Sec 32 T 06N R 39E

32-4050

MCGARRY, JACK &/or PAT
DUBOIS, ID 83423
Source: GROUNDWATER
Priority Date: 01/01/1900
Diversion Pt: SWNE Sec 31 T 11N R 35E
Use: STOCKWATER (0.08 CFS).
DOMESTIC (0.04 CFS)
In: SWNE Sec 31 T 11N R 35E

32-4051

MCGARRY, JACK &/or PAT
DUBOIS, ID 83423
Source: GROUNDWATER
Priority Date: 01/01/1900
Diversion Pt: NESE Sec 06 T 10N R 35E
Use: STOCKWATER (0.06 CFS).
DOMESTIC (0.04 CFS)
In: NESE Sec 06 T 10N R 35E
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402

KEN DUNN
Director

Publ. June 9 and 16, 1983J

**The REXBURG STANDARD and
The REXBURG JOURNAL**
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Bruce Porter

I, _____,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal _____, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Correction

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

Two

any supplement issue thereof for _____
consecutive issues, the first publication hav-

July 28, 1983

ing been made on _____
and the last publication having been made

on Aug. 4, 1983

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said no-
tice.

[Signature]

Subscribed to and sworn to before me

this Aug. 5, 1983

[Signature]

Notary Public.

(SEAL)

My commission expires Life.

RECEIVED

AUG 9 1983

Department of Water Resources
Eastern District Office

**NOTICE OF CORRECTION
NO. 32-4051**

Notice is hereby given that Claim to a
Water Right No. 32-4051 in the name of
Jack & Pat McGarry was advertised in-
correctly on 6/9 & 6/16/83. The point of
diversion was advertised as being within the
NESE Sec. 6, T. N, R. 35E.

WHEREAS, the actual point of diversion is
within the NESE Sec. 6, T. 10N, R. 35E,

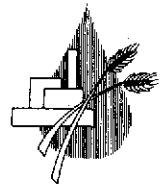
Any exception to any claim of water right
may be filed with the Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

Publ. July 28 and August 4, 1983. SJ

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 Jack & Pat McGarry
(Name of Claimant)
Dubois, Idaho 83423 Telephone No. 374-5470
(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) January 1, 1900

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>0.06 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.04 cfs</u>	Use <u>Domestic</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 _____

(4) 0.10 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 6 Twp. 10N Rge. 35E B.M., County of Clark
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.
6" diameter well, 280' deep, 3/4 hp submersible pump with distribution system to home and stock troughs.

(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	
10N	35E	6													X				

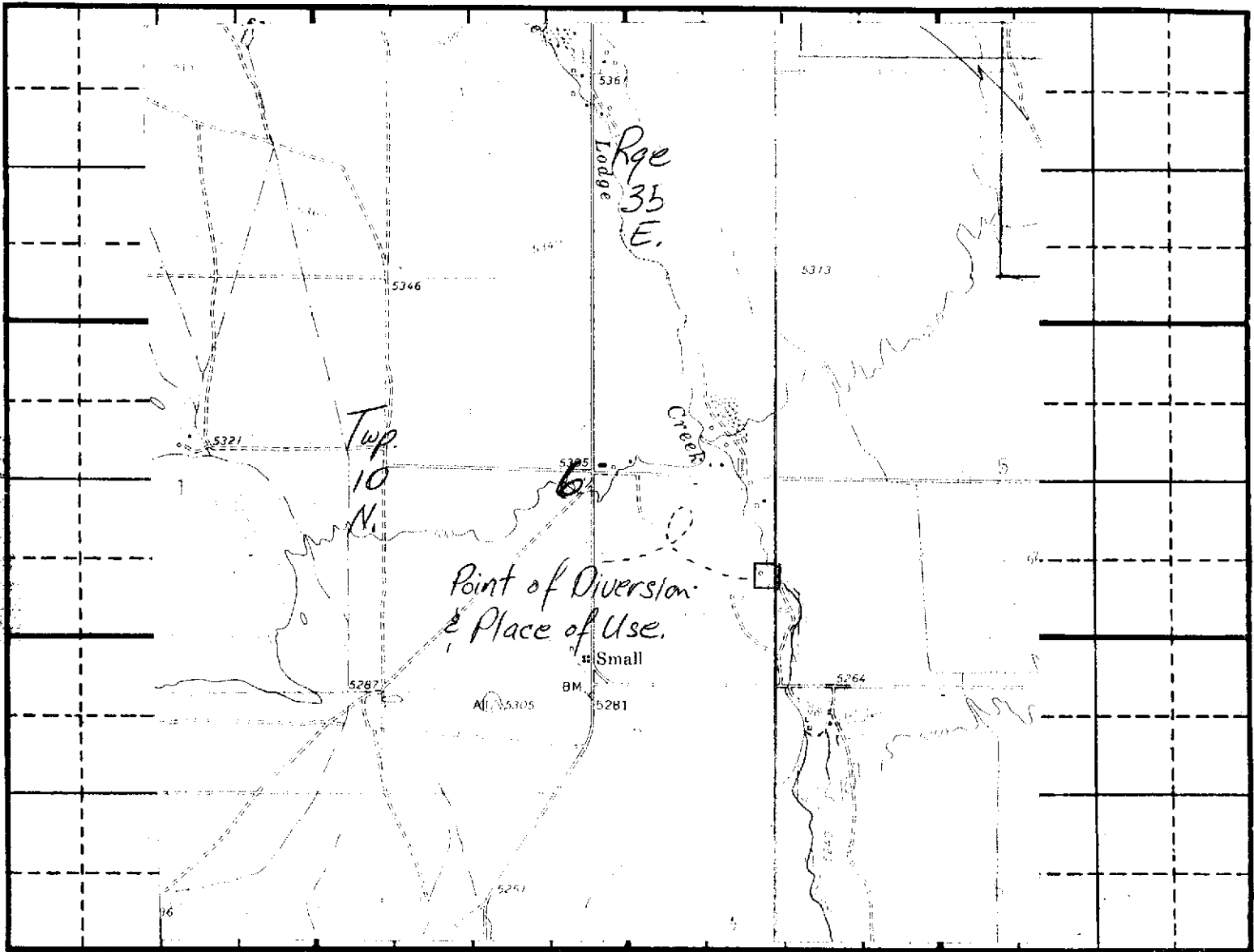
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Drinking water for stock and one family dwelling.

NOTE: Include here the type and number of stock watered: 300 head of range cattle

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

(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 Donnerville) 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 24th day of May, 1988.
Josh & Pat McHenry
by Josh & Pat McHenry (Claimant)

Callen Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>Emc</u>	Date <u>5/24/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HCJ</u>	Date <u>5-27-81</u>		claimant by:	
\$30.00 fee received by <u>BP</u>	Date <u>5/24/83</u>	<u>#26305</u>		
Published in <u>Standard Journal</u>				
Dates <u>6/9 - 6/16/83</u>				

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

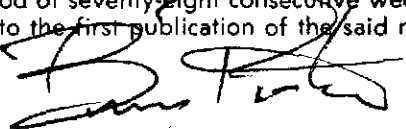
STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

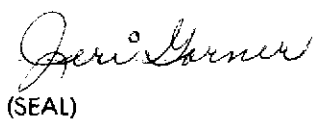
Notice Of Claims To Water Rights
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-
ing been made on June 9, 1983
and the last publication having been made
on June 16, 1983

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.



Subscribed to and sworn to before me
this June 17, 1983


(SEAL)

Notary Public.

My commission expires Life.

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial user

21-4105
PETERSEN, JEAN S.
RT. 1, BOX 271, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 12/20/1939
Diversion Pt: SENE Sec 32 T 06N R 39E
Use: STOCKWATER (0.02 CFS),
DOMESTIC (0.08 CFS)
In: SENE Sec 32 T 06N R 39E

32-4050
MCGARRY, JACK &/or PAT
DUBOIS, ID 83423
Source: GROUNDWATER
Priority Date: 01/01/1900
Diversion Pt: SWNE Sec 31 T 11N R 35E
Use: STOCKWATER (0.08 CFS),
DOMESTIC (0.04 CFS)
In: SWNE Sec 31 T 11N R 35E

32-4051
MCGARRY, JACK &/or PAT
DUBOIS, ID 83423
Source: GROUNDWATER
Priority Date: 01/01/1900
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Use: STOCKWATER (0.06 CFS),
DOMESTIC (0.04 CFS)
In: NESE Sec 06 T 10N R 35E
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN
Director

Publ. June 9 and 16, 1983J

**The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO**

§

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Bruce Porter

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any supplement issue thereof for _____
consecutive issues, the first publication hav-

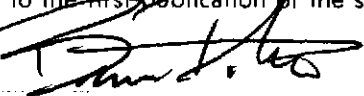
July 28, 1983

ing been made on _____

and the last publication having been made

on Aug. 4, 1983

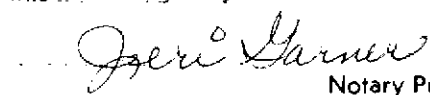
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scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.



~~~~~

Subscribed to and sworn to before me

this Aug. 5, 1983

  
Notary Public.  
(SEAL)

My commission expires Life.

RECEIVED

AUG 9 1983

Department of Water Resources  
Eastern District Office

**NOTICE OF CORRECTION  
NO. 32-4051**

Notice is hereby given that Claim to a  
Water Right No. 32-4051 in the name of  
Jack & Pat McGarry was advertised in-  
correctly on 6/9 & 6/16/83. The point of  
diversion was advertised as being within the  
NESE Sec. 6, T. N, R. 35E.

WHEREAS, the actual point of diversion is  
within the NESE Sec. 6, T. 10N, R. 35E,

Any exception to any claim of water right  
may be filed with the Dept. of Water  
Resources, 150 Shoup Ave., Suite 15,  
Idaho Falls, Idaho, 83401.

A. KENNETH DUNN  
Director

Publ. July 20 and August 4, 1983. SJ

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

JUNE 27, 1983

RECEIVED

JACK MCGARRY  
PAT MCGARRY  
DUBOIS

ID 83423

RE: Claim No. 32-4051

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

RECEIVED  
AUG 30 1983  
Department of Water Resources

NOTICE OF CORRECTION

NO. 32-4051

Notice is hereby given that Claim to a Water Right No. 32-4051 in the name of Jack & Pat McGarry was advertised incorrectly on 6/9 & 6/16/83. The point of diversion was advertised as being within the NESE Sec. 6, T. N, R. 35E.

WHEREAS, the actual point of diversion is within the NESE Sec. 6, T. 10N, R. 35E,

Any exception to any claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Standard Journal on 7/28 & 8/4/83.



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup — Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

July 20, 1983

RE: Notice of Correction No. 32-4051 McGARRY

Standard Journal  
P.O. Box 10  
Rexburg, ID 83440

Gentlemen:

We are resubmitting a legal notice to be published on July 28 and August 4, 1983. This notice was originally published in your paper on June 9 and 16, 1983. 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 August 15, 1983. Your cooperation in this matter is greatly appreciated.

Very truly yours,

BARBARA POWERS  
Secretary

Enclosure

July 6, 1983

RE: Claim to a Water Right No. 32-4051 McGarry  
32-4050 "  
22-4105 Peter~~sen~~

Standard Journal  
P.O. Box 10  
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on June 8 and 16, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 32 4051 Applicant Mc Garry

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.

June 27, 1983  
Aug. 15, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ewert Carlson Date Aug 29, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 8/30/83

kw

32-4051

MCGARRY, JACK &/or PAT

DUBOIS, ID 83423

Source: GROUNDWATER

Priority Date: 01/01/1900

Diversion Pt: NESE Sec 06 T 10N R 35E

|                 |            |
|-----------------|------------|
| Use: STOCKWATER | (0.06 CFS) |
| DOMESTIC        | (0.04 CFS) |

In: NESE Sec 06 T 10N R 35E