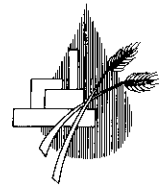


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



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 EVAN M. and LOIS KACKLEY
c/o William T. Goodman, attorney (Name of Claimant)
P.O. Box 61 Rupert, Idaho 83350 Telephone No. 436-4774
(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 10, 1884

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)
Unnamed springs tributary to Bear River

(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>4 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>May 15</u>	To <u>Oct. 1</u>
Quantity	<u>0.26 cfs</u>	Use <u>Stock</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 4.26 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(2) NW ¼ SE ¼, Sec. 33 Twp. 10 S. Rge. 40 E.B.M., County of Caribou
Additional points of diversion: SW ¼ SE ¼; SE ¼ SW ¼; (2) SW ¼ NE ¼ of Sec. 33; and
SE ¼ SW ¼, Sec. 28, T. 10 S., R. 40 E.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.
SEE ATTACHED LIST

(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	
10S	40E	33								20	40			40	20	40	40		200 irrig.
10S	40E	33			Stock watered as noted					x	x			x	x	x	x		

No. of acres 200

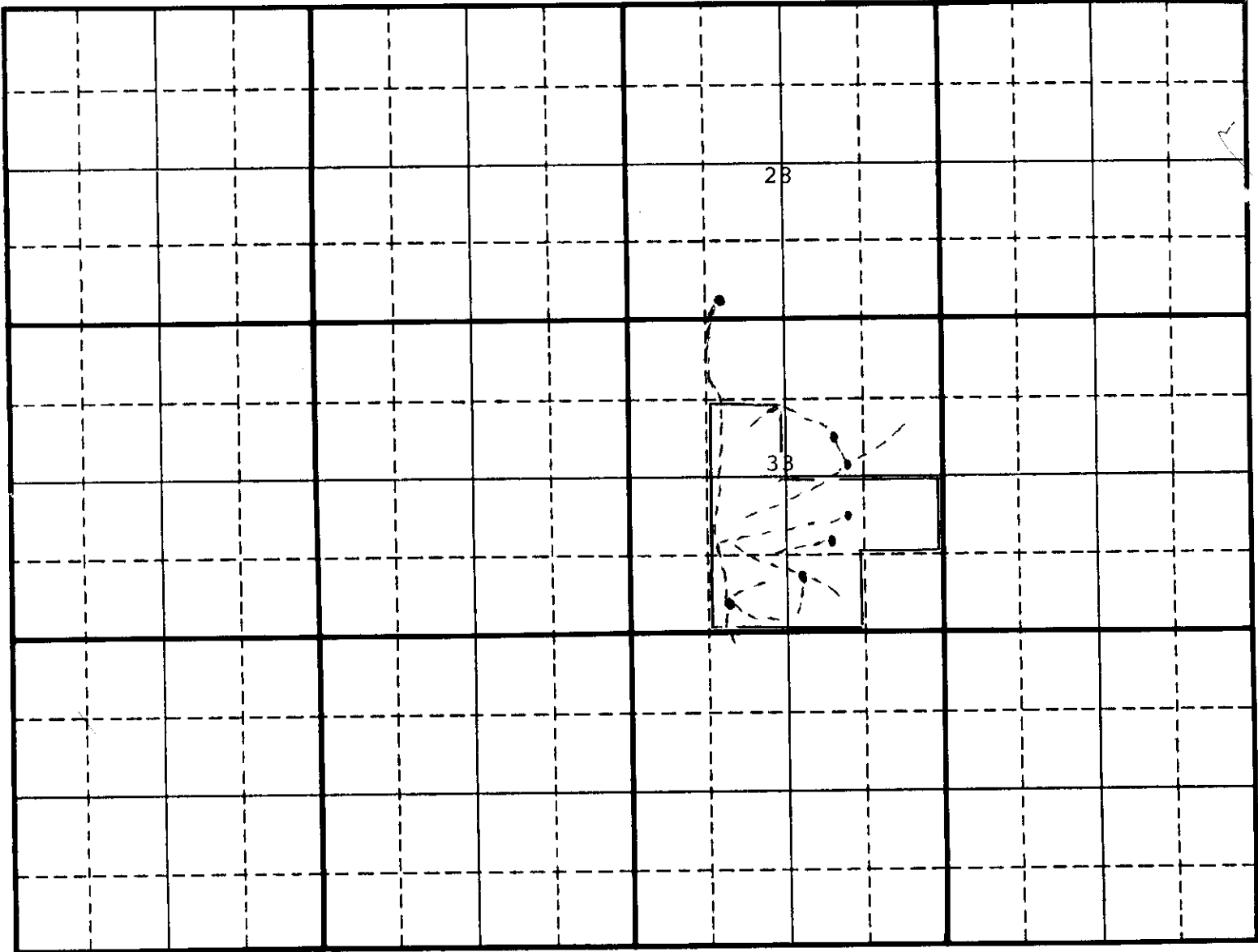
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Both irrigation & stock: 1,000 head range cattle; 1,200 head sheep;
300 head chickens, ducks, geese
The stock is located on the premises year around in different amounts.

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

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

(8) Remarks _____

TOWNSHIP 10 SOUTH, RANGE 40 EAST, BOISE MERIDIAN



Scale: 2 inches equal 1 mile. • = points of diversion
 --- = ditches

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 Minidoka) 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.

Ben M. Kuey - (Claimant) Lois Kackley (Claimant)
Sworn to before me this 20 day of January, 19 81.

RECORDED

William R. Hordson
Notary Public
Residing at Rupert, Idaho

My commission expires Life.

FOR DEPARTMENT USE ONLY

Received by BS Date 1-21-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 1-22-81 claimant by: _____
\$30.00 fee received by BS Date 1-21-81 # 16194
Published in Caribou County Sun
Dates 1/5 & 1/12/81

ATTACHMENT TO EVAN M. & LOIS KACKLEY CLAIM TO WATER RIGHT

(5) (B) Describe means of diversion of water:

1. (2) springs in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 10 South, Range 40 E.B.M., Caribou County
 - a. First spring, .25 cfs collected into irrigation ditch, running SW from diversion to NW $\frac{1}{4}$ SW $\frac{1}{4}$ about 5/8 mile.
 - b. Second spring, 8.81 cfs collected into irrigation ditch running westerly from diversion to SW $\frac{1}{4}$ about 1 mile.
2. SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 10 South, Range 40 E.B.M., spring is .34 cfs collected into a ditch running northwesterly, southerly and southeasterly, a total length of about 3/4 mile.
3. SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 10 South, Range 40 E.B.M., spring is 1.39 cfs collected into ditches running all directions, ditches total about 1 mile.
4. Group springs in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 10 South, Range 40 E.B.M., springs are 2.43 cfs collected into ditches at two points running northwesterly, southerly and southwesterly ditches about 2 miles.
5. SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 10 South, Range 40 E.B.M., Spring of over 10 inches (.20 cfs) collected into pipeline and ditch running southerly into Section 33 a total distance of about 1 1/4 miles.

UNRECORDED

SODA SPRINGS
IDAHO 83276

KACKLEY
OLD WILLIAMSBURG
WAYAN, IDAHO 83285

2323 Ellis Avenue
Boise, Idaho 83702

December 8, 1981

RECEIVED
DEC 16 1981
Department of Water Resources
2323 ELLIS AVENUE
BOISE, IDAHO 83702
Department of Water Resources
Eastern District Office

Eastern Region Supervisor
Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

VIA CERTIFIED MAIL # 559-265
Boise. Dec. 9 - 1981

Re: Submission, per your covering letters, of
"additional information or supporting evidence
you would like to have included with the claim."

Dear Sir:

I wish to submit the following supporting evidence on two
claims:

Claim 9 13-4136 issued to Evan M. and Lois Kackley per your
covering letter of February 25, 1981. The following support-
ive material is submitted for attachment to the claim:

1. A statement of April 21, 1972 from Russell Stoker showing
water measurement of certain springs, and on the second
page thereof the location of said springs. Mr. Stoker
is a registered engineer and Watermaster of Bear River.
2. Certificate No. 177 from the United States of America issued
to Edward J. Turner of Oneida County, Idaho Territory as a
patent on certain lands on April 10, 1884 and recorded in
Vol. 1, page 111 of Recorder of the General Land Office.

Claim 13 4135 to a water right issued to Evan M. and Lois Kackley
and your covering letter of February 25, 1981:

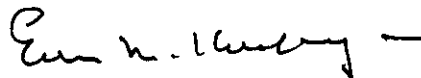
1. An April 21, 1972 statement of R. D. Stoker on measurement of
certain flows of certain springs, and location of the same.
Mr. Stoker is a certified engineer and Watermaster of Bear
River.
2. Certificate No. 177 from the United States of America issued
to Edward J. Turner of Oneida County, Idaho Territory on
April 10, 1894 for a patent to certain lands and recorded in
Vol. 1, page 111 of the Recorder of the General Land Office.

3. Certificate No. 273 from the United States of America issued to Edward J. Turner of Oneida County, Idaho Territory on April 10, 1884 for a patent of certain lands and recorded in Vol. 1, page 117 of the Records of the General Land Office.
4. Certificate No. 1115 from the United States of America to Edward J. Turner of Bingham County, Idaho issued on December 9, 1892 and recorded in Vol. 8, page 284 of Records of the General Land Office.
5. Instrument #72414 Caribou County, Idaho between Utah Power & Light and Ellis Kackley, dated October 11, 1919 and filed in records of Caribou County, Idaho November 1, 1919.

Would you kindly file these in the proper relationship to the issuance of the claim to the water right.

I thank you, and remain

Very truly yours,



Evan M. Kackley

EMK:pm

cc: Mr. William T. Goodman
Goodman, Duff & Chisholm, Attorneys
Rupert, Idaho

Encl: As noted.

RECEIVED

MAR 12 1981

Affidavit of Publication

Department of Water Resources
Eastern District Office

County of Caribou } ss.
State of Idaho

PUBLIC NOTICE

First Time
Published

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:

13-4135

KACKLEY, EVAN M. &/
or LOIS

C/O WILLIAM GOODMAN,
ATTORNEY, P.O. BOX 61,
RUPERT, ID 83350

Source: SPRINGS tributary to
BEAR RIVER

Priority Date: 04-10-1884

Amount: 4.26 CFS

Diversion Point: NWSE SWSE
SESW SWNE Sec 33 T 10S R
40E SESW Sec 28 T 10S R 40E,
CARIBOU Co.

Use: IRRIGATION (4.00
CFS) from 05-15 to 10-01
STOCKWATER (0.26 CFS)
from 01-01 to 12-31

Place of Use: SENW NESW
SESW NESE NWSE SWSE Sec
33 T 10S R 40E FOR 200
ACRES

Diversion Means: PIPELINE
& DITCHES

13-4136

KACKLEY, EVAN M. &/
or LOIS

C/O WILLIAM GOODMAN,
ATTORNEY, P.O. BOX 61,
RUPERT, ID 83350

Source: SPRING tributary to
BEAR RIVER

Priority Date: 10-08-1892

Amount: 0.04 CFS

Diversion Point: NWSE Sec 33
T 10S R 40E, CARIBOU Co.

Use: DOMESTIC (0.04 CFS)
from 01-01 to 12-31

Place of Use: NWSE Sec 33 T
10S R 40E

Diversion Means: PIPELINE

25-4082

KACKLEY, EVAN M. &
or LOIS

C/O WILLIAM GOODMAN,
ATTORNEY, P.O. Box 61,
RUPERT, ID 83350

Source: GROUNDWATER

Priority Date: 08-10-1932

Amount: 0.10 CFS

Diversion Point: SWNE Sec 04
T 05S R 43E, CARIBOU Co.

Use: STOCKWATER (0.10
CFS) from 06-01 to 12-15

Place of Use: NESW NWSW
SWSW SESW SWSE SESE Sec
03 T 05S R 43E NWNE SWNE
SENE NESE NWSE SESE Sec
04 T 05S R 43E

Diversion Means: WELL,
PUMP & TROUGH.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

5th day of
February, 1981

The date of the last publication
being the 12th day of
February, 1981

[Signature]

Subscribed and sworn to be-
fore me this 13th day
of February, 1981

[Signature]
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March
1984

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 25, 1981

DEC 14 1981

Department of Water Resources
Eastern District Office

EVAN M. KACKLEY
LOIS KACKLEY
C/O WILLIAM GOODMAN, ATTORNEY
P.O. BOX 61
RUPERT ID 83350

RE: Claim No. 13-4135

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 filings 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
RONALD D. CARLSON by kw
Eastern Region Supervisor

Enclosure

HIGHWAYS
MUNICIPAL
CONSTRUCTION
SURVEYING
IRRIGATION WATER
MEASUREMENT
DAMS

R. D. STOKER AND ASSOCIATES

CONSULTING ENGINEERS
279 East Third North -- P. O. Box 726
SODA SPRINGS, IDAHO 83276



TELEPHONE 547-3463
(Area Code 208)

April 21, 1972

Dr. Evan M. Kackley
2323 Ellis Avenue
Boise, Idaho 83702

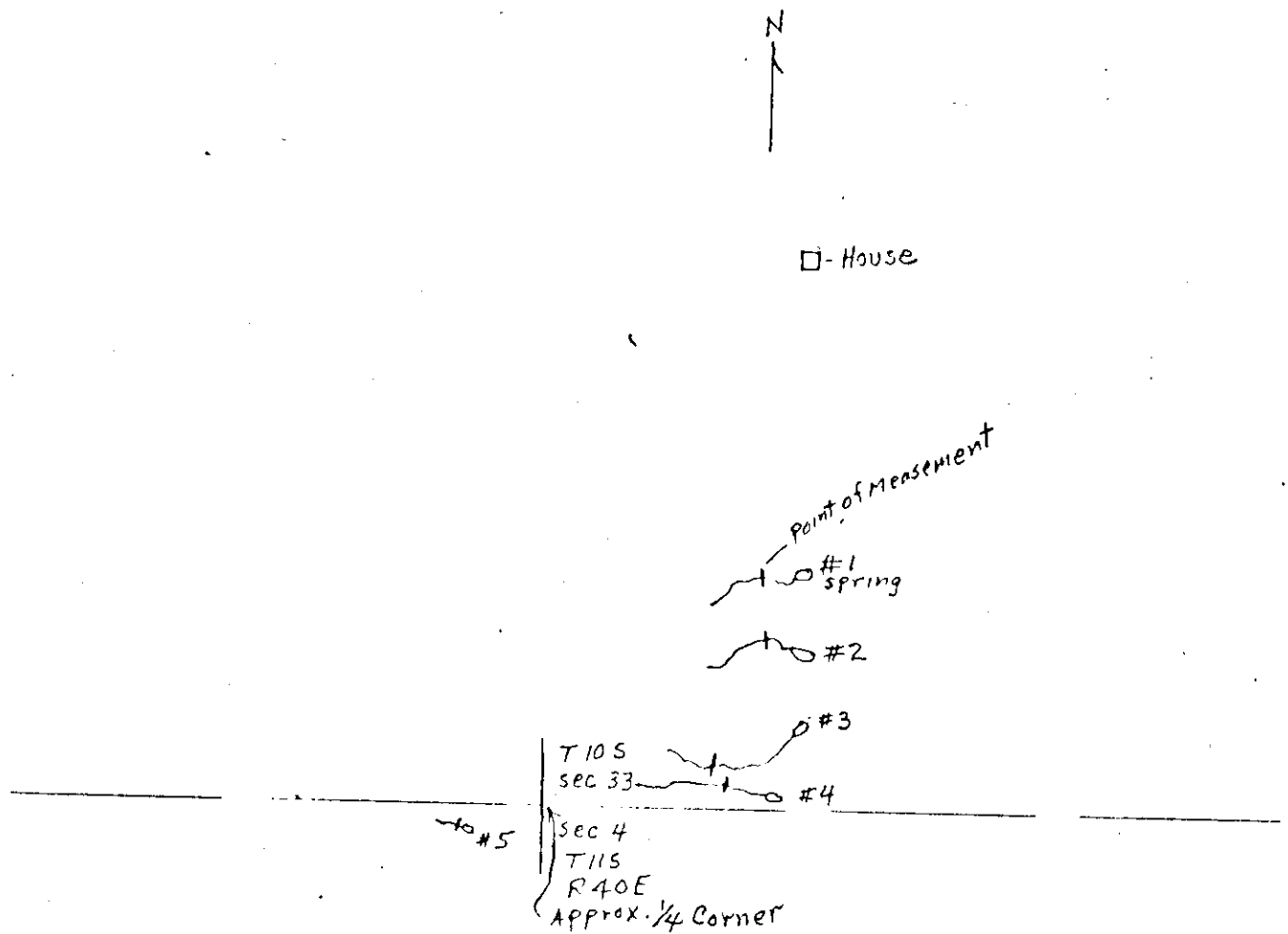
Dear Dr. Kackley:

Following are the results of the measurements of the flow of the springs on your ranch southwest of Grace, Idaho which I made on April 21, 1972:

House area Springs	2.43 C.F.S.
Spring #1	0.25 C.F.S.
Spring #2	8.81 C.F.S.
Spring #3	0.12 C.F.S.
Spring #4	0.34 C.F.S.
Spring #5	1.39 C.F.S.
Total	<u>13.34 C.F.S.</u>

Yours truly,

R. D. Stoker 772
REGISTERED PROFESSIONAL
ENGINEER
STATE OF IDAHO
R. D. STOKER



Approx. Location of Springs.
 & Points of Measurement
 Dr. Evan Rockley Kitch
 Su of Grace, Idaho
 5/1/11

THE UNITED STATES OF AMERICA.

Certificate No. 157

To all to whom These Presents shall Come—Greeting

WHEREAS,

Edward J. Turner, of Orandel County, Idaho Territory
has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at *Idaho Territory* whereby it appears that full payment has been made by the said *Edward J. Turner*

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the Sale of the Public Lands," and the acts supplemental thereto, for the *quarter of the north-west quarter of the east half of the south-west quarter of the north-west quarter of the south-east quarter of Section thirty-four, Township ten South of Range forty east of Tenth Meridian, Idaho Territory containing one hundred and thirty acres*

according to the Official Plat of the Survey of the said Lands returned to the General Land Office by Surveyor General, which said Tract has been purchased by the said

Edward J. Turner
NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, have Given and Granted, and by these presents do Give and Grant, unto the said *Edward J. Turner* and to his heirs, the said Tract above described.

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances of whatsoever nature, thereunto belonging, unto the said

Edward J. Turner and to his heirs, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF, I,

Chester A. Arthur President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *ten* day of *April* in the year of our Lord one thousand *eight* hundred and *eighty-four* and of the Independence of the United States one hundred and *eight*

BY THE PRESIDENT:

By

Secretary.

Recorded Vol. 1 Page 111

Recorder of the General Land Office

Filed for Record at

10 o'clock P. M.

Dec 27 A. D. 1903, and recorded at the request of

By

Deputy.

Recorder.

Fee, \$100

2/243

THE UNITED STATES OF AMERICA.

Certificate No. 773

To all to whom These Presents shall Come—Greeting:

WHEREAS,

Edward J. Turner, of Cassia County, Idaho Territory

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Caford, Idaho Territory whereby it appears that full payment has been made by the said Edward J. Turner

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the Sale of the Public Lands," and the acts supplemental thereto, for the North-west quarter of the North-west quarter, and the west half of the North-west quarter of section twenty-eight, and the South-west quarter of the North-west quarter of section twenty-eight, in township ten South, Range thirty East of Boise Meridian, in Idaho Territory, containing the needed and six acres

according to the Official Plat of the Survey of the said Lands returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Edward J. Turner

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, have Given and Granted, and by these presents do Give and Grant, unto the said Edward J. Turner and to his heirs, the said Tract above described.

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said Edward J. Turner and to his heirs and assigns, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF, I,

Chester A. Arthur

President of the United

States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the twentieth day of April in the year of our Lord one thousand eight hundred and eighty four, and of the Independence of the United States the one hundred and eight

BY THE PRESIDENT:

Chester A. Arthur

By

W. H. Cook

Secretary.

Recorded Vol. 1 Page 117

W. H. Cook

Recorder of the General Land Office.

Filed for Record at 11 o'clock A. M. Nov 27 A. D. 1903, and recorded at the request of

Daniel A. H. Co.

E. J. Galt

Recorder.

By L. H. Campbell

Deputy.

Fee, \$ 1.00

E. A.

Instrument #72414

THIS AGREEMENT, between Utah Power & Light Company, a corporation of Main, hereinafter called the "Company", and Dr. Ellis Kackley, of Soda Springs, Caribou County, Idaho:

1. The Company in building its Cove flume destroyed a ditch, which carried water from a spring in the Southeast quarter of the Southwest quarter of Section 28, Township 10 South, Range 40 East, Boise Meridian, to approximately 10 acres of land belonging to said Kackley in the Southeast quarter of the Northwest quarter of Section 33, Township 10 South, Range 40 East, B.M.

2. The Company in excavating the foundation for said flume shot some rocks on to the land of the said Kackley, in the West half of Section 28, Township 10 South, Range 40 East, B.M.

3. Said Kackley granted oral permission to the Company to use a road crossing his land in the West half of Section 28, said Township and Range, and another road crossing his land in the East half of Section 28, and the Northeast quarter of the Northwest quarter of Section 33, said Township and Range.

4. The Company now desires to lay a pipe line from a spring on its land in the Southeast Quarter of the Southwest quarter of Section 28, Township 10 South, Range 40 East, B.M., to its Cove Plant, for the purpose of carrying a portion of the water arising in this spring to its Cove Plant for station service purposes. Such pipe line will cross a small tract of land belonging to said Kackley in the Southeast quarter of the Southwest quarter of said Section 28, said Township and Range.

IT IS THEREFORE AGREED by and between said parties that said Kackley for good and valuable consideration, receipt whereof is hereby acknowledged, grants permission to said Company as follows:

(a) To enter upon the lands mentioned in paragraph four above, and excavate a trench across such land and lay in such trench, not less than two (2) feet below the surface, a pipe line of such size as it may find necessary to convey sufficient water for the above mentioned purpose from the spring hereinabove mentioned in said paragraph four, and to hereafter, as occasion may require, enter upon said land for the purpose of renewing, maintaining or repairing such pipe line.

C

(b) To use the road between Grace Power Station and Cove Power Station, crossing the lands owned by said Kackley in the Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter of Section 27, Township 10 South, Range 40 East, for the period of two (2) years, or such further time as may be necessary, but such permission may be revoked at any time by said Kackley after the expiration of two (2) years.

PROVIDED, said Company will lay a pipe line sufficient to carry fifteen (15) inches of water in excess of the quantity required by it at its Cove Plant, said fifteen (15) inches of water to be delivered to the old Kackley Ditch at a point near the Penstock of the Cove Plant, and to be conveyed by said Kackley through said ditch across the land of the Company, permission being hereby given to said Kackley to use such ditch and to enter upon said lands of the Company for the purpose of maintaining and repairing such ditch, as occasion may require, to the land of said Kackley, which he claims is now deprived of water owing to the destruction of the upper section of the ditch hereinbefore referred to. Said Company to so manipulate the flow of water through said pipe as to deliver a continuous flow of ten (10) inches of water to the above mentioned ditch at the point hereinbefore designated, between the dates of April 15th and September 15th of each year, or so long as there may be sufficient water available in said spring for such purposes, and so long as the said Company, or its successors, may use such water for the said purposes at its Cove Plant.

Executed by the parties, October, 11th, 1919.

UTAH POWER & LIGHT COMPANY.

Attest:

L. B. Thomas,
Secretary.

By S. R. Rich,
Vice-President & General Manager.

(CORPORATE SEAL)

In the presence of:
Geo. R. Corey.

Ellis Kackley (Seal)

OK

L.H.

J.H.

Recorded at request of
Utah Power & Light Co. Salt Lake, Ut.
By Lillian Spongberg, Deputy

10:40 A.M.

Fee \$1.20

November 1, 1919

C. W. Pomeroy, Recorder.

STATE OF IDAHO)
 : ss.
COUNTY OF CARIBOU)

I, Colin Chester, Clerk, Auditor and Recorder of Caribou County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original Agreement as the same appears on record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of this office at Soda Springs, Idaho, this 12th day of December, 1957.

Colin Chester, Clerk, Auditor &
Recorder, Caribou County, Idaho

Janice Deaton
Deputy Recorder.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 25, 1981

EVAN M. KACKLEY
LOIS KACKLEY
C/O WILLIAM GOODMAN, ATTORNEY
P.O. BOX 61
RUPERT ID 83350

RE: Claim No. 13-4135

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

February 25, 1981

RE: Claim to a Water Right No. 13-4135 KACKLEY
No. 13-4136
No. 25-4082

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

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 January 5 and 12, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

Wm. H. Brown

February 3, 1981

RE: Claims to Water Rights Nos. 13-4135 and 13-4136

GOODMAN, DUFF & CHISHOLM
Attn: William T. Goodman
Box 61
Rupert, ID 83350

Dear Mr. Goodman:

Attached herewith is Departmental Receipt No. 16194 in the amount of \$60.00 for the above referenced claims your office submitted for Evan M. & Lois Kackley.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

RECEIVED
FEB 10 1981

02/04/81

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

PAGE 1

FEB. 23 1981

INDICATES TOTAL

Department of Water Resources

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
--------------	------------------	---------------	-----	--------------------	---------------------	-----------------	--------------------------	-----------------

01-4038	PROGRESSIVE IRRIGATION DISTRICT P.O. BOX 2093 IDAHO FALLS ID 83401	06-01-1880	STOCKWATER	11-01 11-31	200.00 CFS	SESW S45 T03N R41E S28N S31 T04N R41E		STATRY CLM
---------	--	------------	------------	-------------	------------	--	--	------------

SOURCE: SNAKE RIVER, SOUTH FORK
OTHER USES: 5/5000 CATTLE, SHEEP & HOGS.
REMARKS: P/O IN SWSW, S31, T4N, R41E IN JEFFERSON COUNTY.
P/O WITHIN DISTRICT BOUNDARIES OF PROGRESSIVE IRR. DIST.

Water master

11-7221	BARTSCH, IERRELL E. ALLEMAN, LEE RT. 2 BOX 387 IDAHO FALLS ID 83401	01-23-1981	PURCH	01-01 12-31	1.00 CFS	NW1/4 S18 SWSW T11S R43E	SUB T11S R43E	APPLICATION
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SOURCE: SKINNER CREEK
TRIBUTARY: BEAR RIVER

13-4135	KACKLEY, EVAN M. KACKLEY, LOIS C/O WILLIAM GOODMAN, ATTORNEY P.O. BOX 61 RUPERT ID 83350	04-10-1884	IRRIGATION	05-15 10-01	4.00 CFS	NWSE S33 T10S R40E SESW S26 T10S R40E SESW S33 T10S R40E SWNE S33 T10S R40E	SESW(20) NESW(40) SESW(40) DESE(20) NWSE(40) SWSW(40)	STATRY CLM
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SOURCE: SPRINGS
OTHER USES: 5/1000 RANGE, 1200 SHEEP, 300 Poultry.

* 200 ACRES*

STOCKWATER 01-01 12-31

SAME AS OTHER USE

20 CFS

4.26 CFS

3-4136	KACKLEY, EVAN M. KACKLEY, LOIS C/O WILLIAM GOODMAN, ATTORNEY P.O. BOX 61 RUPERT ID 83350	10-08-1892	DOMESTIC	01-01 12-31	.04 CFS	NWSE S33 T10S R40E	NWSE S33 T10S R40E	STATRY CLM
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SOURCE: SPRING
TRIBUTARY: BEAR RIVER

15-7067	ONEIDA SCHOOL DISTRICT NO. 351 250 WEST 400 NORTH MALAD ID 83252	01-21-1981	HEATING	09-01 05-31	.33 CFS	SWNE S21 T14S R36E		APPLICATION
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SOURCE: GROUNDWATER
TRIBUTARY:

MICROFILMED

Control over
discharge - may
need w.w. permit

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 30, 1981

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

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 FEBRUARY 23, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
JAN 31 1981

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 83401 .

C. STEPHEN ALLRED

Director

Published 2/5 & 2/12/81.

MICROFILMED

13-4135-

KACKLEY, EVAN M. &/or LOIS

C/O WILLIAM GOODMAN, ATTORNEY, P.O. BOX 61, RUPERT, ID 83350

Source: SPRINGS tributary to BEAR RIVER

Priority Date: 04/10/1884

Amount: 4.26 CFS

Diversion Point: NWSE SWSE SESW SWNE Sec 33 T 10S R 40E
 SESW Sec 28 T 10S R 40E, CARIBOU Co.

Use: IRRIGATION	(4.00 CFS)	from 05/15 to 10/01
STOCKWATER	(0.26 CFS)	from 01/01 to 12/31

Place of Use: SENW NESW SESW NESE NWSE SWSE Sec 33 T 10S R 40E
 FOR 200 ACRES

Diversion Means: PIPELINE & DITCHES.

MICROFILMED

WILLIAM T. GOODMAN
LARRY R. DUFF
DONALD J. CHISHOLM

LAW OFFICE
Goodman, Duff and Chisholm
CHARTERED
717 7TH STREET
BOX 61
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774

January 20, 1981

Idaho Department of Water Resources
Eastern Region
150 Shoup Ave.
Idaho Falls, Idaho 83401

Re: Evan M. and Lois Kackley

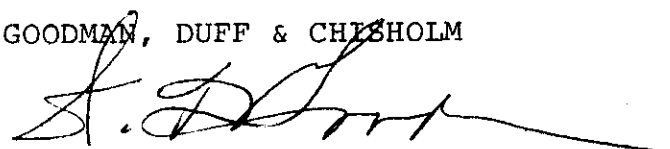
Gentlemen:

We enclose two Claims to Water Right for the above named clients on property located in Caribou County, Idaho. Will you kindly file the claims and make the appropriate publication of the filing of these claims.

A check in the sum of \$60.00 payable to your Department is enclosed.

Very truly yours,

GOODMAN, DUFF & CHISHOLM


William T. Goodman

WTG:mb
Enclosure
cc: Evan M. Kackley

RECEIVED
JAN 21 1981

Department of Water Resources
Eastern District Office

MICROFILMED