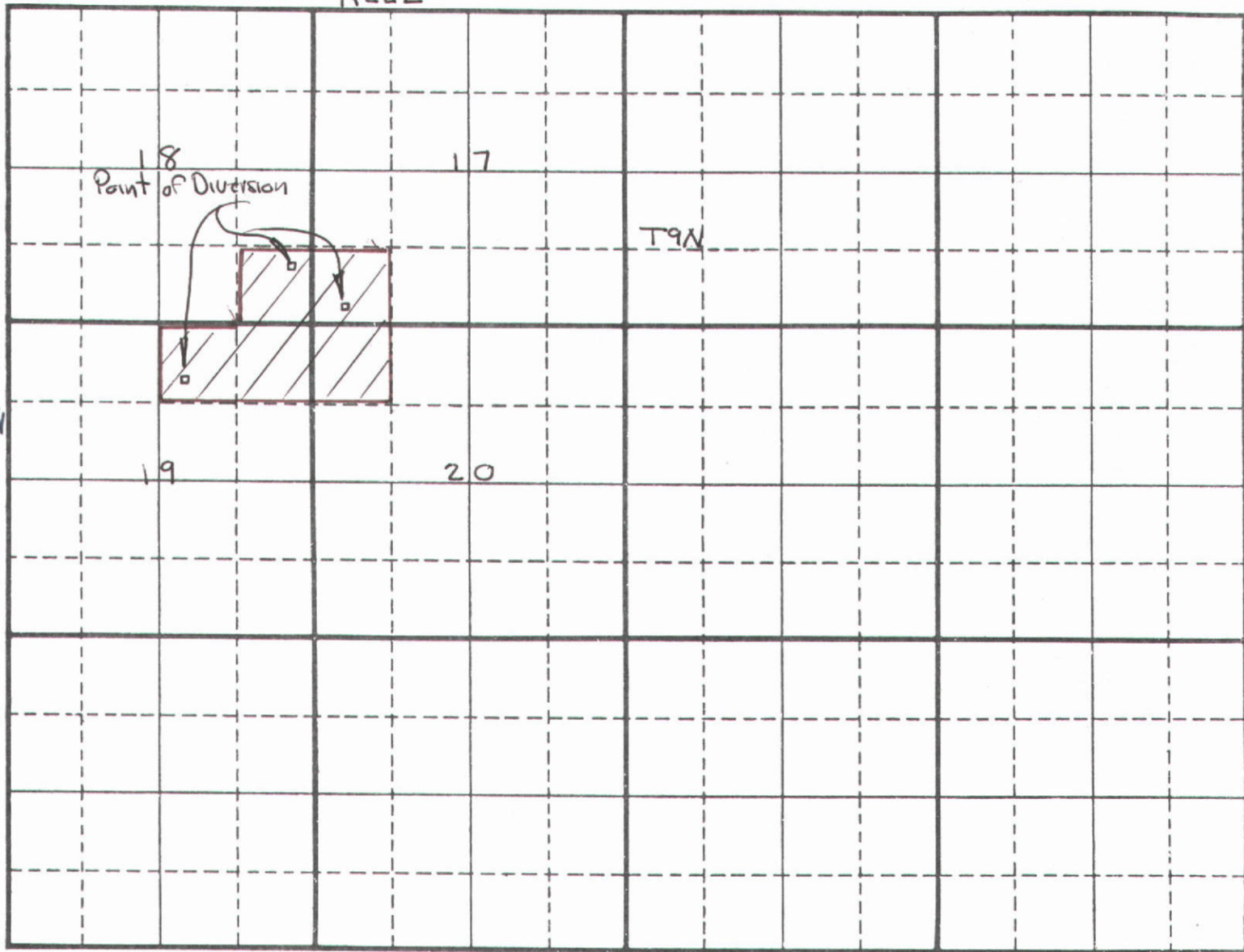


(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

R22E



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 28th day of June

Terence V. Donohue  
(Claimant)

Calvin Gray  
Notary Public  
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by HWT Date 6-28-83 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by HWT Date 8-15-83  
\$30.00 fee received by CW Date 6-28-83  
Published in Copper Publ. Co. # 25632  
Dates 9/11 - 9/18/83

# AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated SEPT 1

1983 and ending with the issue dated SEPT 8 1983

Margaret Parks

Subscribed and sworn to before this 9<sup>th</sup> day of September

1983

Ed M. Beck

Notary Public, residing at Challis,

Idaho. My commission expires on

Life

## NOTICE OF CLAIMS TO WATER RIGHTS

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

34-4127

DONAHUE, TERRENCE V.  
&/or CAROL J.

STAR RT., MACKAY, ID 83251

Source: THOUSAND SPRINGS CREEK trib. to BIG LOST RIVER

Priority Date: 12/23/1914

Diversion Pt: SESE Sec 18 T 09N R 22E SWSW Sec 17 T 09N R 22E NWNE Sec 19 T 09N R 22E

Use: IRRIGATION (4.00 CFS) STOCKWATER (0.09 CFS)

In: SWSW Sec 17 T 09N R 22E SESE Sec 18 T 09N R 22E NENE NWNE Sec 19 T 09N R 22E NWNW Sec 20 T 09N R 22E FOR 200 ACRES.

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, Dir.  
Published 9/1 & 9/8/83.

RECEIVED  
SEP 12 1983

Department of Water Resources,  
Eastern District Office

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 Terrence V. or Carol J. Donahue

Star Route, Mackay, ID 83251

(Name of Claimant)

Telephone No. 588-2298

(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) December 23, 1914

**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)

Thousand Springs Creek tributary to Big Lost 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, af) |          | (Domestic, Irrigation, Stock, Etc.) |            | (Both Dates Inclusive)  |            |
|-----------|----------|-------------------------------------|------------|-------------------------|------------|
| Quantity  |          | Use                                 |            | (Mo., Day)              | (Mo., Day) |
| Quantity  | 4.00 cfs | Use                                 | irrigation | Period of Use From 3/15 | To 11/1    |
| Quantity  | 0.09 cfs | Use                                 | stockwater | Period of Use From 1/1  | To 12/31   |
| Quantity  |          | Use                                 |            | Period of Use From      | To         |
| Quantity  |          | Use                                 |            | Period of Use From      | To         |
| Quantity  |          | Use                                 |            | Period of Use From      | To         |

(4) 4.09 cfs TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE ¼ SE ¼, Sec. 18 Twp. 9N Rge. 22E B.M., County of Custer

**Additional points of diversion:**

~~SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 17 & NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 19. T. 9N, R. 22E~~

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.

from springs to ditches to flood irrigation

(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]

No. of acres 200

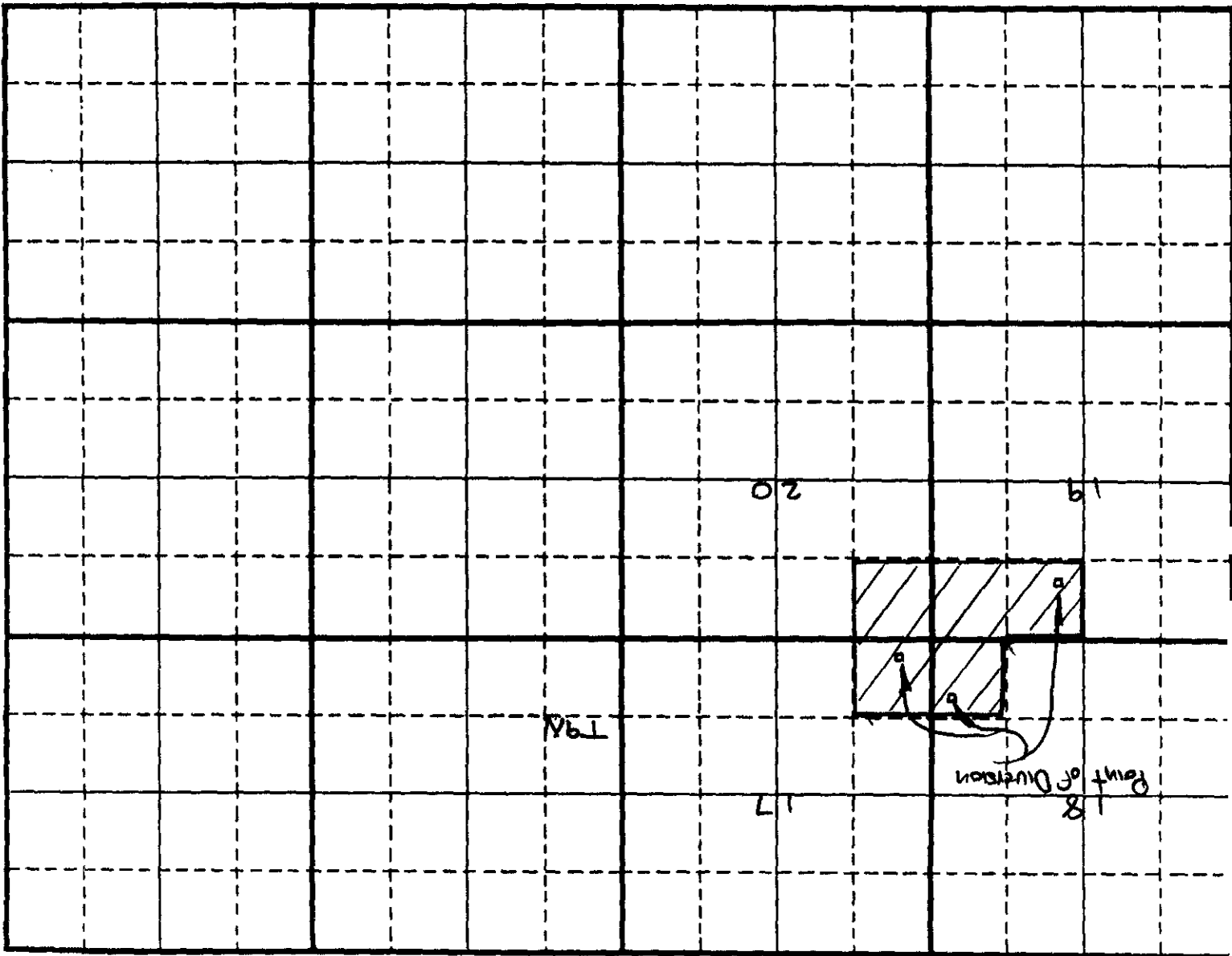
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Water is used for irrigation and to water beef cattle & horses

**NOTE:** Include here the type and number of stock watered: 400 beef cattle & 15 horses

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

R22E



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.

Sworn to before me this 28th day of June

Denise V. Donohue  
(Claimant)  
1983  
Notary Public  
Residing at Idaho Falls

My commission expires

6-15-85

FOR DEPARTMENT USE ONLY

Received by Prelim. check by Date 6-28-83  
Published in Quaker Hyl. Co Date 6-28-83  
Dates 9/11/83 9/18/83  
Exception filed by: Forwarded to claimant by Date

**AFFIDAVIT OF PUBLICATION**

State of Idaho, County of Custer, ss

I, MARGARET PARKS .. .  
Publisher of the Challis Messenger, a  
weekly newspaper, published at Challis,  
Idaho, do solemnly swear that the notice  
hereto attached and made a part hereof,  
was published in the regular and entire  
issue of the Challis Messenger for 2 ..  
consecutive weeks, commencing with  
the issue dated SEPT 1 .. .  
1983 and ending with the issue  
dated SEPT 8 .. . 1983 ..

Margaret Parks .. .

Subscribed and sworn to before  
this 9<sup>th</sup> day of September .. .  
1983 ..

Edel M. Buck .. .

Notary Public, residing at Challis,  
Idaho. My commission expires on

Life .. .

**RECEIVED**

**RECEIVED**  
SEP 12 1983  
Department of Water Resources,  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

SEPTEMBER 19, 1983

TERRENCE W. DONAHUE  
CAROL J. DONAHUE  
STAR RT.  
MACKAY

ID 83251

RE Claim No. 34-4127

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

August 26, 1983

RE: Claim to a Water Right No. 34-4127 DONAHUE

Eugene Gabert, Watermaster  
Water District No. 34  
Box 206  
Mackay, ID 83251

Dear Mr. Gabert:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw

Enclosure

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 34 4127 Applicant Donahue

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 Sept. 20, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.V.V. Date 9-28-83

RECEIVED  
SEP 23 1983

Department of Water Resources

*aw*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

AUGUST 24, 1983

Custer County Publishing Co.  
P. O. Box 405  
Challis, Idaho 83226

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 SEPTEMBER 19, 1983.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

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

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, Dir.

Published 9/1 & 9/8/83.

34-4127

DONAHUE, TERRENCE V. &/or CAROL J.

STAR RT., MACKAY, ID 83251

Source THOUSAND SPRINGS CREEK trib. to BIG LOST RIVER

Priority Date 12/23/1914

Diversion Pt SESE Sec 18 T 09N R 22E SWSW Sec 17 T 09N R 22E NWNE  
Sec 19 T 09N R 22E

Use IRRIGATION (4.00 CFS)  
STOCKWATER (0.09 CFS)

In SWSW Sec 17 T 09N R 22E SESE Sec 18 T 09N R 22E NENE NWNE  
Sec 19 T 09N R 22E NWNW Sec 20 T 09N R 22E FOR 200 ACRES

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The following claim(s) have  
been filed on water right(s)  
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34-4127

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22E

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SESE Sec 18 T 09N R 22E

NENE NWNE Sec 19 T 09N R  
22E NWNW Sec 20 T 09N R 22E  
FOR 200 ACRES.

Exceptions to a claim may  
be filed with the Director  
Dept. of Water Resources, 15  
Shoup Ave., Suite 15, Idah  
Falls, Idaho 83402.

KEN DUNN, Di

Published 9/1 & 9/2/83.