

Remarks _____

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RBW

State of Idaho

County of _____

O. E. McLahey
(Claimant)

Sworn to before me this 17 day of

Notary Public
Residing at _____

My commission expires

Received by

Date _____

1/17/80

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by

Date _____

1/22/80

15307

Published in

Received by SS Date 1
Adams Cty. Leader

Dates

1/31 + 2/17/80

KK

2/20/80

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claim

No. 69-4018 & 78-4129

as per clipping

hereto attached, was published in the regular and entire issue

of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated January 31.1980

and the last in the issue dated February 7.1980 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this 7th

day of February, 19 80

Notary Public for Idaho,
Residing at Council, Idaho

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.

69-4018

MC GAHEY, O. E. &/or MAVIS BEAR STAR RT., COUNCIL, ID 83612

Source: SPRING tributary to BEAR CREEK

Priority Date: 06/01/1945

Amount: 0.04 CFS

Diversion Point: NWSW Sec 35 T 20N R 03W, ADAMS Co.

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

Place of Use: NWSW Sec 35 T 20N R 03W

Diversion Means: SPRING BOX & GRAVITY PIPELINE

78-4129

JOHNSON, KEITH D. &/or GLENN &/or KENNETH LE ROY &/or RUTH

320 E. 6TH, N. BRIGHAM CITY, UT

STAR RT., NEW MEADOWS, ID 83654

Source: MARTIN CREEK tributary to LITTLE SALMON RIVER

Priority Date: 07/01/1960

Amount: 1.33 CFS

Diversion Point: NWSW Sec 32 T 20N R 02E, ADAMS Co.

Use: IRRIGATION (1.30 CFS) from 04/01 to 10/15

STOCKWATER (0.03 CFS) from 01/01 to 12/31

Place of Use: NESE NWSE SW-SE SESE Sec 31 T 20N R 02E FOR 110 ACRES

Diversion Means: HEADGATES, PIPELINES & GRAVITY FLOW TO DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 1/31 & 2/7/80.

RECEIVED

FEB 11 1980

Department of Water Resources
Western Regional Office

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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 O. E. and/or Mavis McGahey
Bear Star Route, Council, ID 83612
(Mailing Address) (Name of Claimant) Telephone No. 258-4481
(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) June 1, 1945

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 Bear Creek

(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>.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
Quantity		Use		Period of Use From	To

(4) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 35 Twp. 20N Rge. 3W B.M., County of Adams
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.
Spring-Box with gravity pipeline to house.

(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	
20N	3W	35										X							

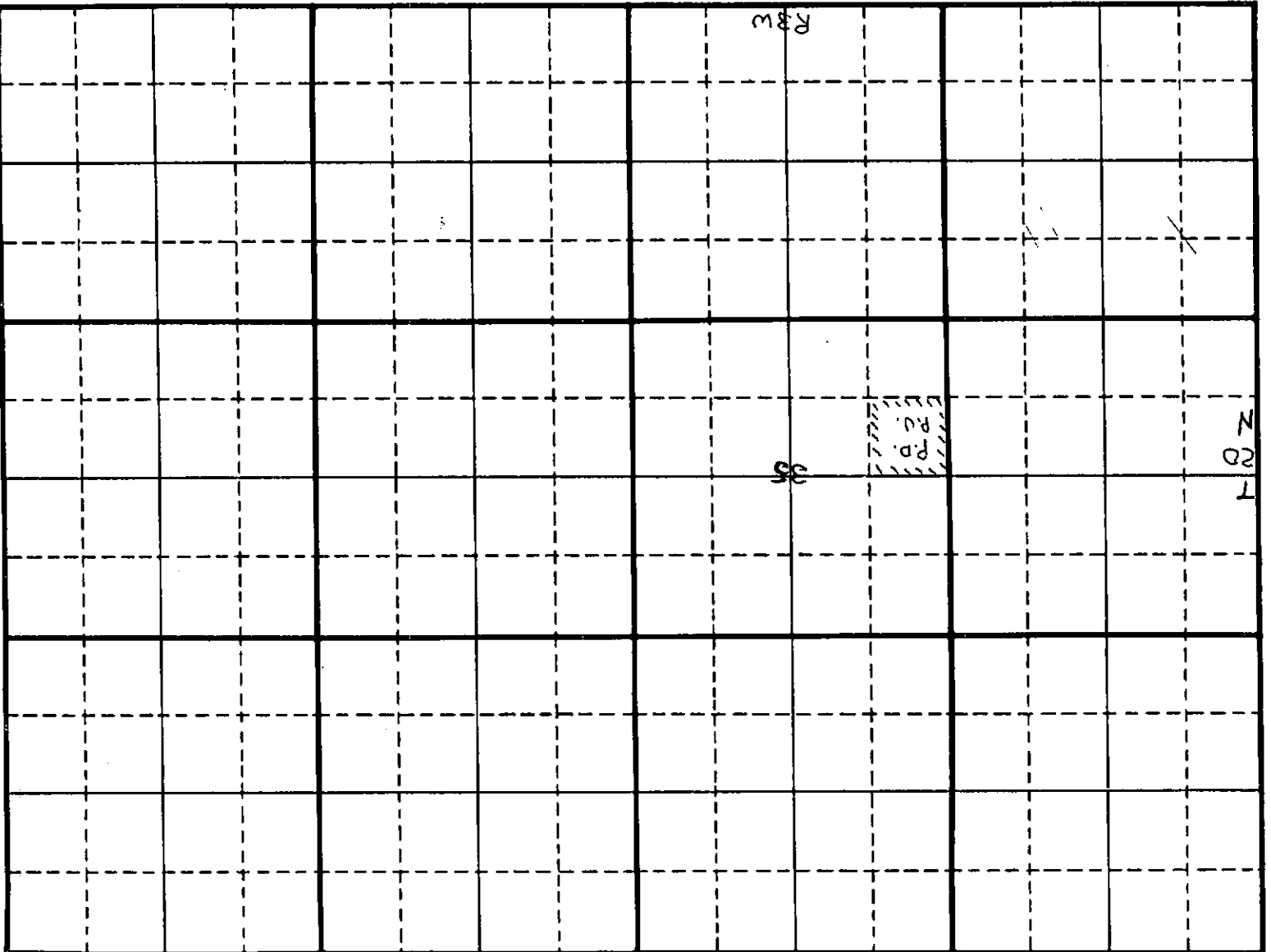
No. of acres

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

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

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

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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 Ada 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 17 day of January, 1980
O. E. McFarley (Claimant)
Paula Knacke Notary Public
Residing at Boise, ID
My commission expires Life

FOR DEPARTMENT USE ONLY

Received by SR Date 1/17/80 Exception filed by: _____
Prelim. check by SR Date 1/22/80 Forwarded to _____
Published in Adams (7/2/80) Date 1/12/80 # 15307 claimant by: KK
Dates 1/31 + 2/17/80 Date 2/20/80

Affidavit of Publication

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No. 69-4018 & 78-4129

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C. STEPHEN ALLRED

Director

Published 1/31 & 2/7/80.

RECEIVED

FEB 11 1980

Department of Water Resources
Western Regional Office

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CW Bryan Jr.

Right Number 64-21018 Applicant MCGAHEY

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 OBS Date 2/20/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 2/25/80

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

FEBRUARY 20, 1980

O.E. MC GAHEY
MAVIS MC GAHEY
BEAR STAR RT.
COUNCIL

ID 83612

RE: Claim No. 69-4018

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,

DAVID B. SHAW
Western Region Supervisor

Enclosure

69-4018-

MC GAHEY, D.E. &/or MAVIS

BEAR STAR RT., COUNCIL, ID 83612

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Diversion Means: SPRING BOX & GRAVITY PIPELINE

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JANUARY 24, 1980

Adams County Leader
Box 23
Council, ID 83612

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 18, 1980.

Yours truly,

Karla Knecht
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before FEBRUARY 18, 1980.

C. STEPHEN ALLRED

Director

Published 1/31 & 2/7/80.

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