

I 17 N

30

P.D.
P.U.

R 1W

Received by JS Date 9-22-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by R.W.H. Date 9-26-77 claimant by: _____
\$10.00 fee received by JS Date #8937 9-22-77
Approved for publication by _____
Published in Adams County Leader _____
Dates Oct 6 + 13, 1977 _____

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 to a

Raymond L &/or Hester E Magnuson 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 October 6.1977

and the last in the issue dated October 13.1977 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

day of

OCT 13 1977

, 19 . .

Bert J. Rogers

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT NO. 67-4226

Notice is hereby given that RAYMOND L. &/or HESTER E. MAGNUSON Hornet Creek Route Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30 T17N-R1W B. M. Adams County.

The water is claimed to be used from Jan 1 to Dec 31 for stock-water with a priority date of June 1, 1941; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30 T17N-R1W B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director
Published in the Adams County Leader, Council, ID on October 6, 1977 and October 13, 1977.

OK HHH
10-19-77

RECEIVED
OCT 17 1977

Department of Water Resources
Western Regional Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Raymond L. &/or Hester E. Magnuson (name of claimant) of Hornet Creek Rt., Council, ID 83612 (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed spring, tributary to, sinks

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount 0.02 Use stockwater Period of Use: From 1/1 To 12/31
Amount Use Period of Use: From To
Amount Use Period of Use: From To
(cfs, gpm (dom., irri., or a/f) stock, etc.) (both dates inclusive)

(3) Total quantity of water claimed: 0.02 cubic feet per second, or acre feet per annum, and/or gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) June 1, 1941

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source) SW 1/4 SE 1/4, Sec. 30 Twp. 17N Rge. 1W 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. wood spring box w/pipe to tank

(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.

Table with 18 columns: T, R, SEC., NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL. Row 1 shows T=17N, R=1W, SEC.=30, and an 'X' in the SW 1/4 of the SE 1/4.

Total No. of acres

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: stockwater for 50 head cattle

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

A map of a 10x10 grid. The grid is labeled 'T 17 N' on the left and 'R 11 W' at the bottom. A 3x3 area is highlighted with a thick border. The highlighted area is labeled '30' and 'P.D. P.U.'.

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Prelim. check by R.W.H. Date 9-26-77 claimant by: _____
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two (2) consecutive weeks, the first publication of the

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and the last in the issue dated October 13, 1977
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Idaho, printed and published weekly at Council therein and
that said newspaper has been continuously and uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this

day of 10, 1977, 1977.

Bert J. Rogers

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

Notice is hereby given that
RAYMOND L. &/or HESTER E.
MAGNUSON, Hornet Creek Route
Council, ID has filed a claim to a
water right established by diver-
sion and application to beneficial
use of 0.02 cubic feet per second
of water from an unnamed spring
with the point of diversion in the
SW 1/4 Sec 30 T17N R1W B.
M. Adams County.

This water is claimed to be used
from Jan 1 to Dec 31 for stock-
water with a priority date of June
1, 1941; the place of use is within
the SW 1/4 Sec 30 T17N R1W
B.M.

Any exception to this claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 97 South
Cole Road, Boise, Idaho 83708.

C. STEPHEN ALLRED

Director

Published in the Adams Coun-
ty Leader, Council, ID on October
6, 1977 and October 13, 1977.

OK 444
10-19-77



Department of Water Resources
Western Regional Office

Thanks!

INTER-DEPARTMENT MEMO — 1

FROM

Jan Thurtel

RECEIVED

DATE

2/5/88

TO

Carter Fritschle

FFB - 5 1988

SUBJECT

Mailing Address for Adams Co. people
Department of Water Resources

These people came in to show their names as owners of Water Right Nos. 67-0377, 67-4226, 67-4227 + 67-4229. These are in Adams Co. + they want to be sure + receive notice of the adjudication because they live in Pocatello. They are the owners of the land covered under their rights.

RAY H. +/OR LUCILLE E. MOORE, 1005 BRENNAN, POCA TELLO, ID
PHONE # 237-4688. 83201

SIGNATURE

ACT
ION

N OWNER LAST NAME - MAGMUSON
N OWNER LAST NAME - MAGNUSON
N ADDRESS LINE 1 - HORNET CREEK RT.

FIRST NAME - RAYMOND L.
FIRST NAME - HESTER E.

CITY - COUNCIL

STATE - ID ZIP CODE - 83612

N SOURCE - SPRING

N STAGE - STATRY CLM

PRIORITY - 06-01-1941 COUNTY - ADAMS

TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - SWSE 30 17N 01W

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0200CFS

N USE - STOCKWATER

PLACE OF USE - TWN 17N RNG 01W SEC 30 TRACT SWSE

N NON IRRIG USE - S/50 RANGE.

IDENT. NO. 67-4226

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- | | <u>Tract</u> | <u>Sec.</u> | <u>Twp.</u> | <u>Rge.</u> | <u>Gov't
Lot</u> | <u>Rediv.</u> |
|--------------------------|--------------|-------------|-----------------------|-------------|----------------------|---------------|
| 6. A. Point of Diversion | <u>SWSE</u> | <u>30</u> | <u>17^N</u> | <u>1W</u> | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

- [illegible]

8. Use Code: S

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): S/ 50 Range.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 9-26-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) R.W.H. 9-26-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) Y OK

Affidavit of Publication received(date) 10-19-77

(12) _____

Final date for protests N/A

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve ☐ Deny

☒ Proposed Priority

☒ Reason for Reduction _____

☒ Measuring device required

☒ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District W By YH Date 10-25-77

RECEIVED

OCT 26 1977

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

October 25, 1977

Re: Claims to Water Right Nos. 67-4226, 67-4227 & 67-4229

Raymond L. & Hester E. Magnuson
Hornet Creek Route
Council, ID 83612

Dear Mr. & Mrs. Magnuson:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, 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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enclosure



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

September 30, 1977

Re: Notice of Claim to a Water Right No. 67-4226 -- Raymond L. &/or Hester Magnuson
67-4227 -- "
67-4229 -- "
67-4228 -- John H. &/or Vera E. Harrington
67-4230 -- "

Notice of Amended Proposed change of Water Right No. 67-0080 -- Bacon Valley Ranches

Adams County Leader
Council,
Idaho 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. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before October 24, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
10-19-77
rf

NOTICE OF CLAIM TO A WATER RIGHT

NO. 67-4226

Notice is hereby given that RAYMOND L. &/or HESTER E. MAGNUSON
Hornet Creek Route Council, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~XXXXXX~~ of water
from an unnamed spring
with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30 T17N-R1W B.M.
Adams County.

The water is claimed to be used from Jan 1 to Dec 31
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Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

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