

R 42 E

SNOW COVERED

32

T 9 N

Received by me Date 10-17-75 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LST Date 10-17-75 claimant by: _____
\$10.00 fee received by me Date 10-17-75 #15451
Approved for publication by AW 11-13-75
Published in Ashton Herald, Ashton, Id.
Dates Oct. 30 & Nov. 6, 1975

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessy
being first duly sworn, upon her
oath, deposes and says:

That she is the *editor*...
of The Ashton Herald, a news-
paper as defined by Idaho Codes
Annotated, section 58-106, as
amended, and that said newspaper
is a weekly newspaper published
at Ashton, Idaho, in Fremont
County, Idaho, having a general
circulation in said county, and that
said newspaper has been printed
and published as a weekly news-
paper in said county for more than
78 consecutive weeks prior to the
first publication of the attached
notice, advertisement or publi-
cation of *Notice of*.....

Claim to Water Right

#21-4019 (McCulloch)

And affiant further says that said
notice, advertisement or publi-
cation, as per clipping attached,
was published in said newspaper,
in the regular and entire issue
thereof, and not in any supplement
issue thereof, for *2*.....

consecutive issues thereof; first
publication having been made on

the *30*..... day of

October..., 19*75*..,

and the last publication on the

6... day of *November*

19*75*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least
eight pages of at least four col-
umns each, printed from type
matter, of at least fifteen inches
deep.

Carol Bessy
Subscribed in my presence and

sworn to before me this *12*..

day of *November*.....,

19*75*.

James E. Holcomb

Notary Public for the State
(SEAL) of Idaho, residence and
post office address:
Ashton, Idaho.

RECEIVED

NOV 13 1975

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 21-4019

Notice is hereby given that John
McCulloch, Ashton, Idaho has filed a
claim to a water right established by
diversion and application to beneficial
use of 0.03 cubic feet per second of water
from Snow Creek tributary to Henry's
Fork with point of diversion in the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 32, T. 9N, R. 42E, B.M., Fremont
County.

The water is claimed to be used from
Jan. 1 to Dec. 31 for stockwatering
purposes for 60 head of beef cattle with a
priority of 1924; the place of use is within
the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, T.
9N, R. 42E, B.M.

Any exception to this claim of water
right may be filed with the Idaho
Department of Water Resources, 1515
Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Ashton Herald, Ashton,
Idaho on October 30 and November 6,
1975.

RECEIVED

October 21, 1975

Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401

The Ashton Herald
Box 252
Ashton, Idaho 83420

LEGAL — AH —

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 21-4019**

Notice is hereby given that John McCulloch, Ashton, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from Snow Creek tributary to Henry's Fork with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 9N, R. 42E, B.M., Fremont County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 60 head of beef cattle with a priority of 1924; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, T. 9N, R. 42E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Ashton Herald, Ashton, Idaho on October 30 and November 6, 1975.

WALD E. CARLSON
District Engineer

Idaho Department of Water Resources

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 John McCulloch (name of claimant)
of Rt. #1, Ashton, ID 83420, claims a right to the diversion and beneficial use of
(mailing address)
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) Snow Creek, tributary to, Henry's Fork
- (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 0.03 Use Stockwater Period of Use: From Jan. 1 To Dec. 31
Amount Use Period of Use: From To
Amount Use Period of Use: From To
(cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.03 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) 1924

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)
NW 1/4 NE 1/4, Sec. 32 Twp. 9N Rge. 42E B. M. County of Fremont
Additional points of diversion: NENW, NWNW, Sec. 32, T. 9N, R. 42E, 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. cattle water from the creek

- (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.

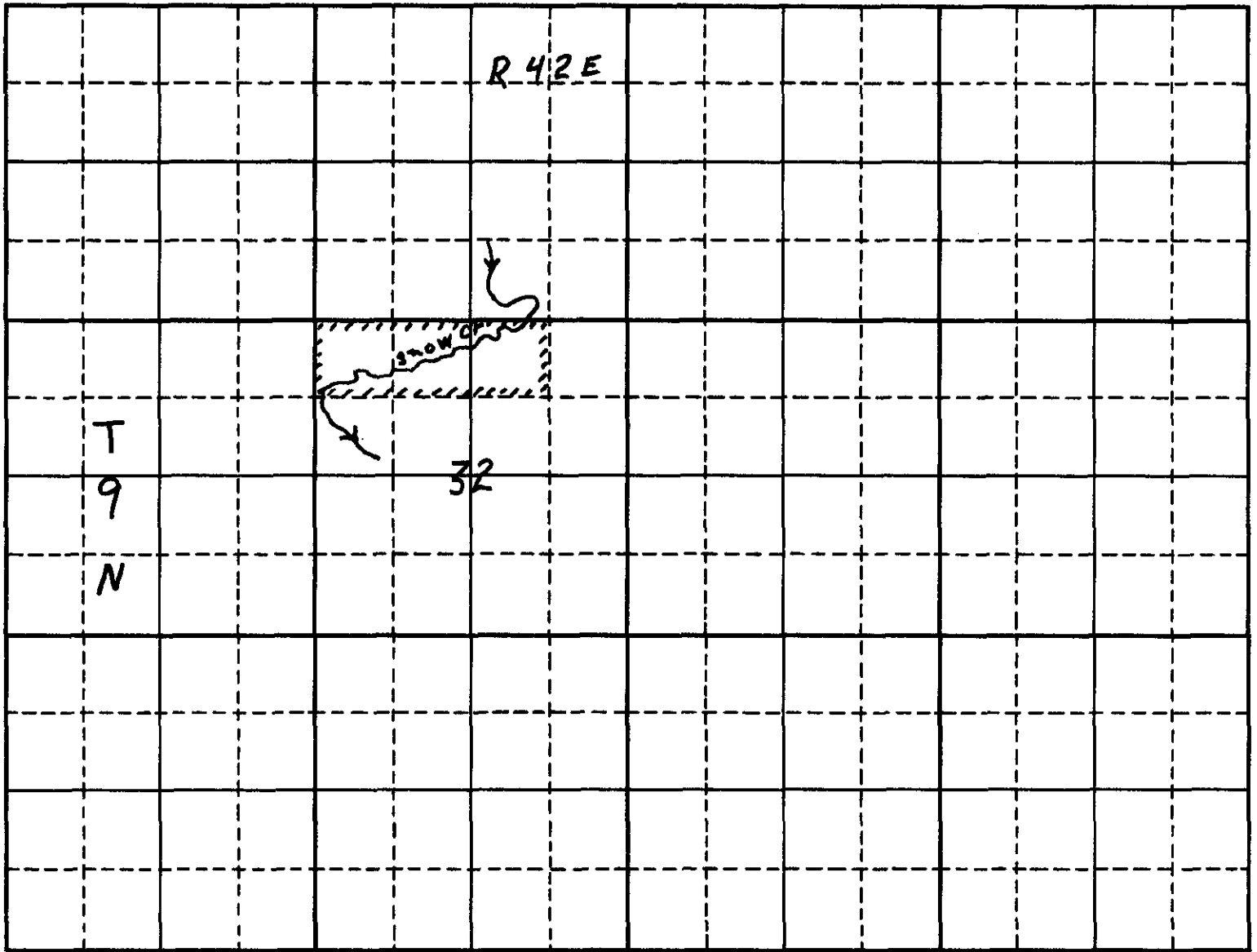
Table with 18 columns: T, R, SEC., NE 1/4, NW 1/4, SW 1/4, SE 1/4, and TOTAL. Row 1 shows 9N, 42E, 32, with 'X' marks in the NW 1/4 and NE 1/4 boxes.

Total No. of acres

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: water for 60 head of beef 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 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 affiants knowledge.

Sworn to before me this 17th day of October, 1975.

Loren O'Halloran
Notary Public
Residing at Idaho Falls, Idaho

My commission expires March 21, 1979

For Department Use Only

Received by <u>me</u>	Date <u>10-17-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LST</u>	Date <u>10-17-75</u>		claimant by:	
\$10.00 fee received by <u>me</u>	Date <u>10-17-75</u> #15451			
Approved for publication by <u>me</u>	Date <u>11-13-75</u>			
Published in <u>Idaho Falls Herald</u>				
Dates <u>Oct. 30 & Nov. 6, 1975</u>				

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and published as a weekly news-
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Claims to Water Right

#21-4019 (McLulloch)

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in the regular and entire issue
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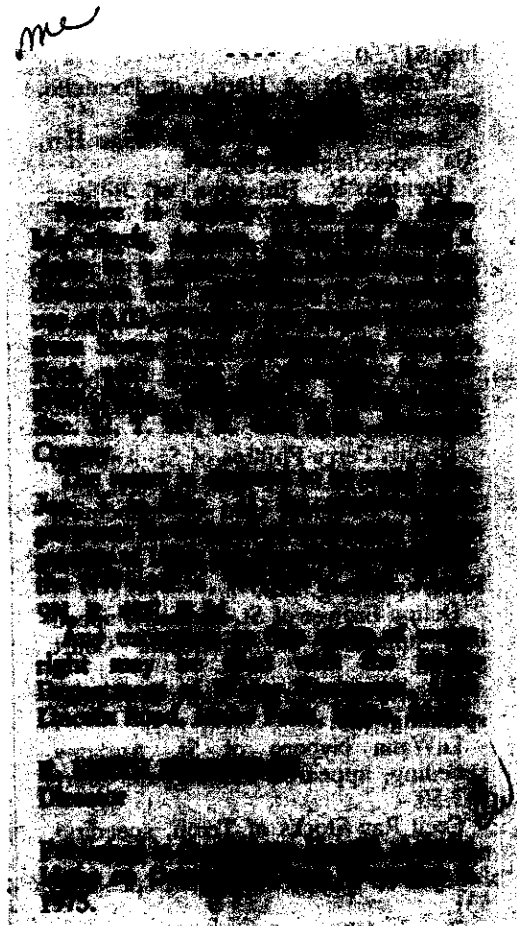
James E. Holcomb

Notary Public for the State
(SEAL) of Idaho, residence and
post office address:
Ashton, Idaho.

RECEIVED

NOV 13 1975

Department of Water Resources
Eastern District Office





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

IDAHO FALLS, IDAHO 83401

November 17, 1975

RE: Claim to a Water Right No. 21-4019

Mr. John McCulloch
Rt. #1
Ashton, Idaho 83420

Dear Mr. McCulloch:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 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.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern District

RDC:ME

Enclosure: Copy of Claim

RECEIVED

October 21, 1975

RE: Claim to a Water Right No. 21-4019 McCULLOCH

The Ashton Herald
Box 258
Ashton, Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:CW

Enc: Legal Notice

Bill submitted 11-13-1975 by me

10-24-75
RDC
me

THE

REPORT

OF THE

COMMISSIONER OF THE GENERAL LAND OFFICE

FOR THE YEAR 1976.

LONDON:

H.M.S.O.

1978.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 21-4019

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Ashton, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.03 cubic feet per second ~~acre feet per annum~~
of water from Snow Creek tributary to Henry's Fork

with point of diversion in the NW¹/4NE¹/4, NE¹/4NW¹/4, NW¹/4NW¹/4, Sec. 32, T. 9N,

R. 42E, B.M., Fremont County

The water is claimed to be used from Jan. 1 to Dec. 31

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with a priority of 1924 ;

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Any exception to this claim of water right may be filed with the Idaho
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R. KEITH HIGGINSON

Director

Published in the Ashton Herald, Ashton, Idaho

on October 30 and November 6, 1975

*20-A.
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