

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 Allen R. Prouse,
(name of claimant)
of Rt. #2, Box 234, Shelley, ID, 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) Surface Water runoff
& unnamed spring, tributary to, Supon Creek
- (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 | <u>0.12</u> | Use | <u>stockwater</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.12 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) 1917

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 ¼ SE ¼, Sec. 7 Twp. 4S Rge. 39E B.M. County of Bingham
 Additional points of diversion: NESW, Sec. 6, T. 4S, R. 39E, 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. 2 diversion dams (less than 6' high), form small reservoirs. Reservoir in Sec. 7 contains 2 AF, reservoir in Sec. 6 contains 18 AF

- (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.

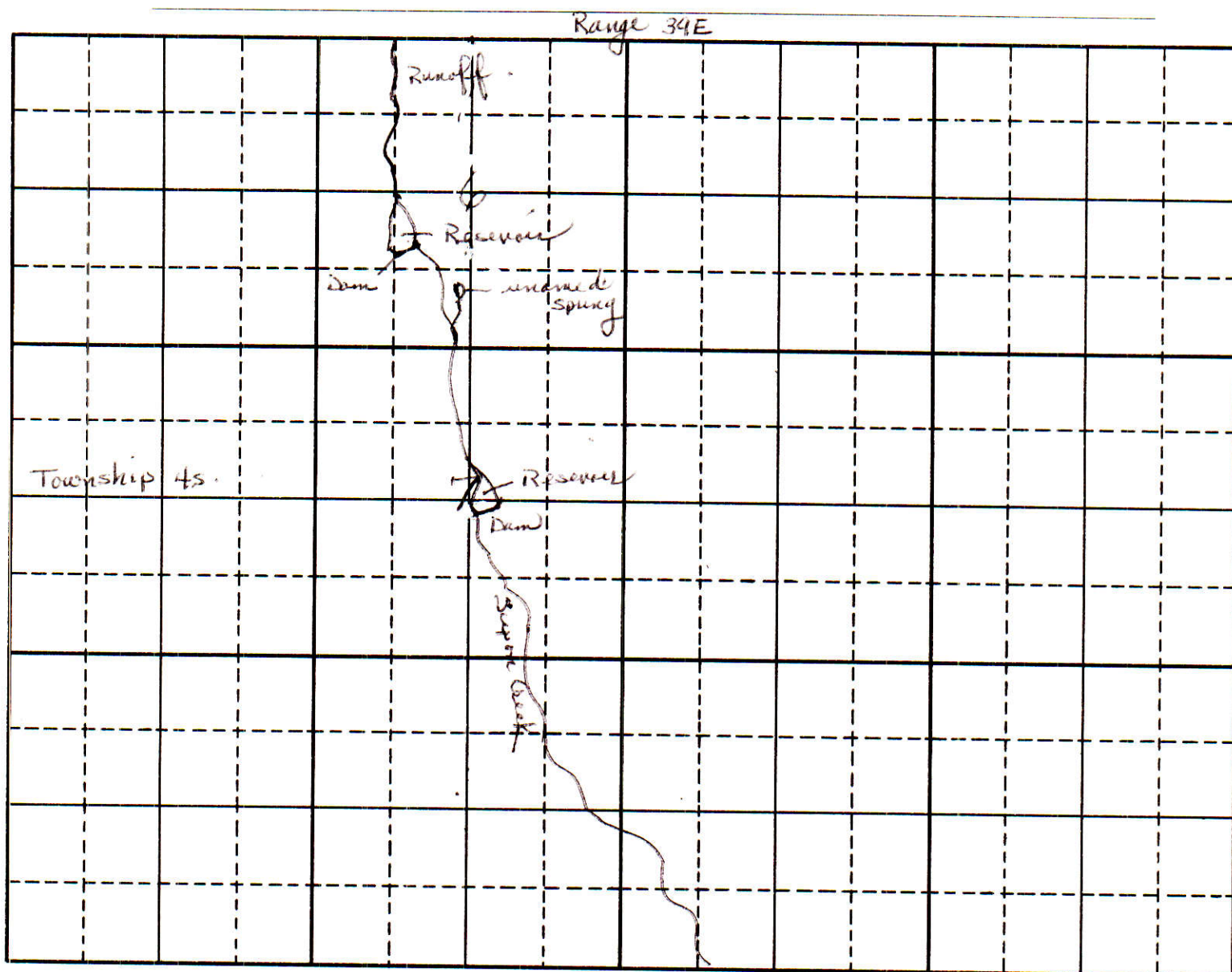
[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: water will be used to water 500 head of range cattle

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

(8) Remarks claimant has grazing lease from Kenton Fredrickson on land appurtenant to the point of diversion in the NWSE, Sec. 7, T. 4S, R. 39E



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.

Allen R. Prouse
(Claimant)

Sworn to before me this 26th day of September, 19 77.

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

My commission expires March 26, 1979

For Department Use Only

Received by me Date 9-26-77
Prelim. check by ARK Date 9/26/77
\$10.00 fee received by me Date 9-26-77
Approved for publication by me 10-14-77
Published in The Blackfoot News
Dates Oct. 6 + 13, 1977

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 27-4013**

Notice is hereby given that Allen R. Prouse, Shelley, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.12 cubic feet per second of water from surface water runoff and unnamed spring tributary to Supon Creek with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 4S, R. 39E, B.M., Bingham County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 500 head range cattle with a priority of 1917; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 4S, R. 39E, 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.

C. STEPHEN ALLRED
Director

(5309)

Pub.: 10-6, 13

36

RECEIVED

OCT 14 1977

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, David Mark Brown do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction withing the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper two consecutive weeks

the first publication having been made on the
6th day of October, 19 77

and the last publication having been made on the
13th day of October, 19 77;

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

Subscribed and sworn to before me this 13th
day of October, 19 77.

Petricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

RECEIVED

October 26, 1977

RE: Claim to a Water Right No. 27-4013

Mr. Allen R. Prouse
Rt. #2, Box 234
Shelley, Idaho 83274

Dear Mr. Prouse:

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 Region

RDC : CW

Enc: Copy of Claim

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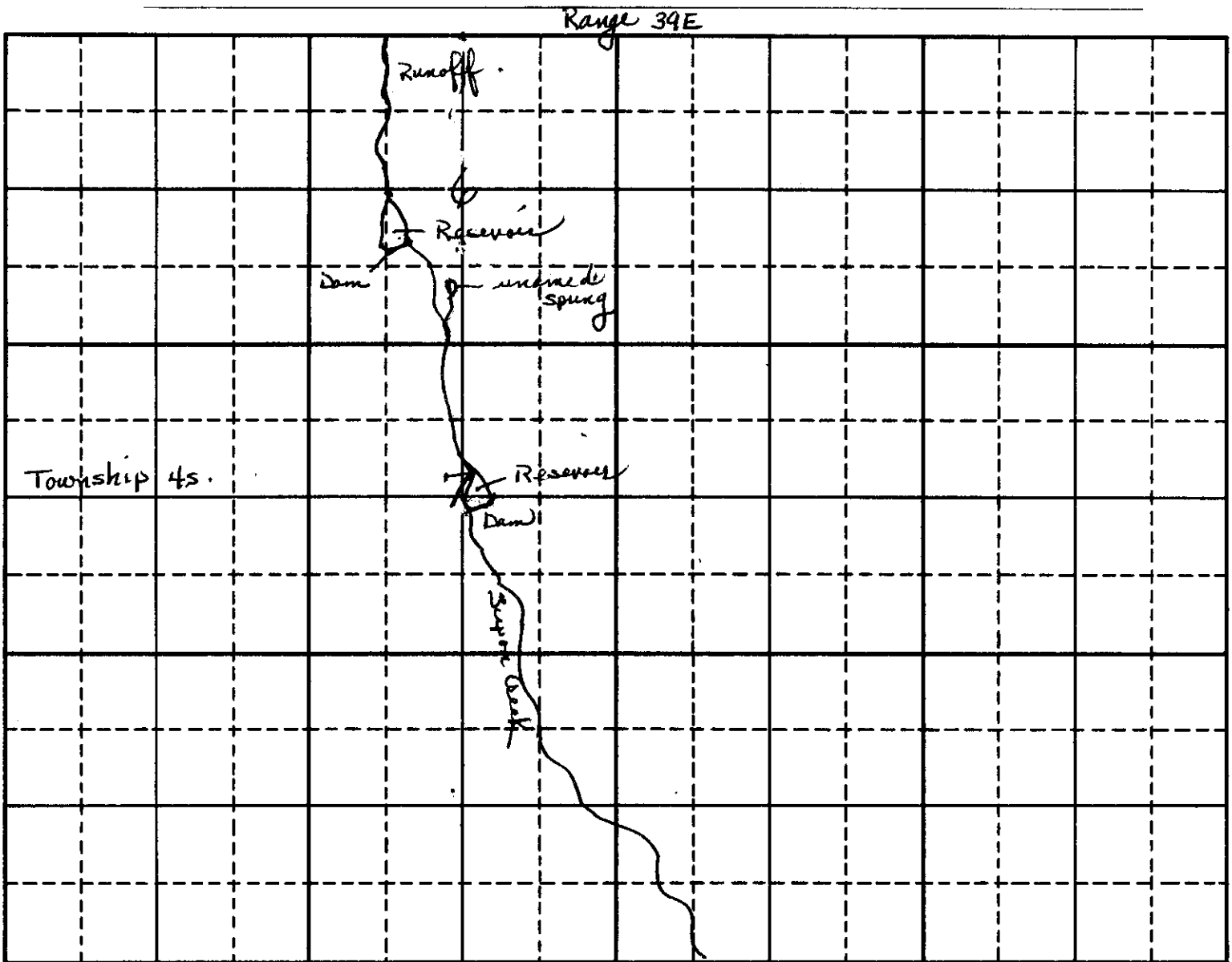
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C. STEPHEN ALLRED
Director

(5309)

Pub.: 10-6, 13

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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.

Allen R. Prouse
(Claimant)

Sworn to before me this 26th day of September, 19 77.

Loren O'Halloran
Notary Public

Residing at Idaho Falls, Id.

My commission expires March 21, 1979

For Department Use Only

Received by <u>me</u>	Date <u>9-26-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date <u>9/26/77</u>		claimant by:	
\$10.00 fee received by <u>me</u>	Date <u>9-26-77</u>			
Approved for publication by <u>me</u>	Date <u>10-14-77</u>			
Published in <u>The Blackfoot News</u>				
Dates <u>Oct. 6 + 13, 1977</u>				

RECEIVED

OCT 14 1977

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

I, David Mark Brown do
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having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper two consecutive weeks,

the first publication having been made on the
6th day of October, 19 77,

and the last publication having been made on the
13th day of October, 19 77;

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tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown
Subscribed and sworn to before me this 13th
day of October, 19 77.

Petricia A. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 26, 1980

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 127-4013
Old No. New No.

Record

1. Original Owner: Allen R. Prouse

Present Owner: _____

2. Address: Rt. 2 Box 2343. City: Shelley State: ID Zip: _____4. A. Source of Water: unnamed stream & springB. Tributary of: Seppon Creek5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-18-1917D. County: 11E. Total Diversion Rate: .12

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 27

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWSE</u>	<u>6</u>	<u>48</u>	<u>39E</u>		
	<u>NESW</u>	<u>6</u>	<u>48</u>	<u>39E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for S purposes. Amount .12
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 8

[illegible]

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information):

Other Uses (Non-TTF)
✓ 500 head.

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):

October 26, 1977

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Rt. #2, Box 234
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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 Region

RDC:CW

Enc: Copy of Claim

September 30, 1977

RE: Application for Permit No. 27-7114 PROUSE
Claim to a Water Right No. 27-4013 "
35-4062 MOSES

Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

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
Supervisor,
Eastern Region

RDC: CW

Enc: Legal Notice (3)

Bill submitted 10-14-77 by CW



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R. 39E, B.M., Bingham County

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the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 4S,
R. 39E, 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.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Blackfoot News, Blackfoot, Idaho
on October 6 and October 13, 1977

Handwritten signatures and initials:
m-c.
C.W. H.
m-c.