

(8)
MICROFILMED

[illegible]

V - Grazing lands

State of Idaho

) ss.

Lee M. Canby
(Claimant)

Lois Kackley
(Claimant)
1981

Sworn to before me this 20 day of 1 January

(Claimant)
 , 19 81 .
William D. Gordon
 Notary Public
 Residing at Rupert, Idaho

My commission expires **Life.**

Received by

Date _____

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date _____

\$20.00 fee received by

Date _____

Published in Caribou County Sun

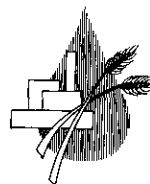
Dates 1/5 & 1/12/81

23/81 #16193

STATE OF IDAHO

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 EVAN M. KACKLEY and LOIS KACKLEY
c/o William T. Goodman, attorney (Name of Claimant)
P.O. Box 61 Rupert, Idaho 83350 Telephone No. 436-4774
(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) August 10, 1932

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) Ground water.
tributary to _____

(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>0.1 cfs</u>	Use	<u>Stock</u>	Period of Use From <u>June 1</u>	To <u>Dec. 15</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) 0.1 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 4 Twp. 5S Rge. 43 E. B.M., County of Caribou
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. 110 foot 4" cased well, pump, watering trough and water hole.

(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	
55	43	3									X	X	X	X			X	X	230
55	43	4		X	X	X									X	X		X	170

No. of acres 400

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
400 head of range cattle from pumped well into trough and watering hole.

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: N/A

MICROFILMED

Remarks _____

[illegible]

V - Grazing lands

State of Idaho)
) ss.
County of Minidoka)

knowledge.
Ken M. Conley
(Claimant)

Lois Kackley
(Claimant)

Sworn to before me this 20 day of January, 19 81

(Claimant)

19 81

William D. Jordan

Notary Public

Residing at Rupert, Idaho

My commission expires Life.

Received by EMC Date 1/23/81 Exception filed by: _____ Forwarded to _____ Date _____
 Preim. check by EMC Date 1-22-81 claimant by: _____
 \$10.00 fee received by EMC Date 1/23/81 #16193
 Published in Caribou County Sun _____
 Dates 1/5 & 1/12/81 _____

PUBLIC NOTICE

First Time
Published

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:

13-4135

KACKLEY, EVAN M. &/
or LOIS

C/O WILLIAM GOODMAN,
ATTORNEY, P.O. BOX 61,
RUPERT, ID 83350

Source: SPRINGS tributary to
BEAR RIVER

Priority Date: 04-10-1884

Amount: 4.26 CFS

Diversion Point: NWSE SWSE
SESW SWNE Sec 33 T 10S R
40E SESW Sec 28 T 10S R 40E,
CARIBOU Co.

Use: IRRIGATION (4.00
CFS) from 05-15 to 10-01
STOCKWATER (0.26 CFS)
from 01-01 to 12-31

Place of Use: SENW NESW
SESW NESE NWSE Sec
33 T 10S R 40E FOR 200
ACRES

Diversion Means: PIPELINE
& DITCHES

13-4136

KACKLEY, EVAN M. &/
or LOIS

C/O WILLIAM GOODMAN,
ATTORNEY, P.O. BOX 61,
RUPERT, ID 83350

Source: SPRING tributary to
BEAR RIVER

Priority Date: 10-08-1892

Amount: 0.04 CFS

Diversion Point: NWSE Sec 33
T 10S R 40E, CARIBOU Co.

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

Place of Use: NWSE Sec 33 T
10S R 40E

Diversion Means: PIPELINE

25-4082

KACKLEY, EVAN M. &
or LOIS

C/O WILLIAM GOODMAN,
ATTORNEY, P.O. Box 61,
RUPERT, ID 83350

Source: GROUNDWATER

Priority Date: 08-10-1932

Amount: 0.10 CFS

Diversion Point: SWNE Sec 04
T 05S R 43E, CARIBOU Co.

Use: STOCKWATER (0.10
CFS) from 06-01 to 12-15

Place of Use: NESW NWSW
SWSW SESW SWSE SESE Sec
03 T 05S R 43E NWNE SWNE
SENE NESE NWSE SESE Sec
04 T 05S R 43E

Diversion Means: WELL,
PUMP & TROUGH

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 150 Shoup
Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published Feb. 5 and 12, 1981
in the Caribou County Sun.

RECEIVED

MAR 12

Department of Water Resources
Eastern District Office

Affidavit of
Publication

County of Caribou
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

Publisher

That he is
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

5th day of

February 1981

The date of the last publication

being the 12th day of

February 1981

Subscribed and sworn to be-

fore me this 13th day

of February 1981

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984



United States Department of the Interior
FISH AND WILDLIFE SERVICE

1002 N.E. HOLLADAY STREET
PORTLAND, OREGON 97232-4181

RECEIVED

September 28, 1989

OCT 02 1989

Mr. Gary Spackman
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83720

Department of Water Resources

Dear Mr. Spackman:

The purpose of this letter is to request copies of water right applications, permits, or certificates as the latest stage may be as well as water right maps for rights that are appurtenant to the following land:

Boise Meridian
Township 5 South
Range 43 East
Section 3
Lots 6, 7, and 8 and S $\frac{1}{2}$ SE $\frac{1}{4}$.

25-4082

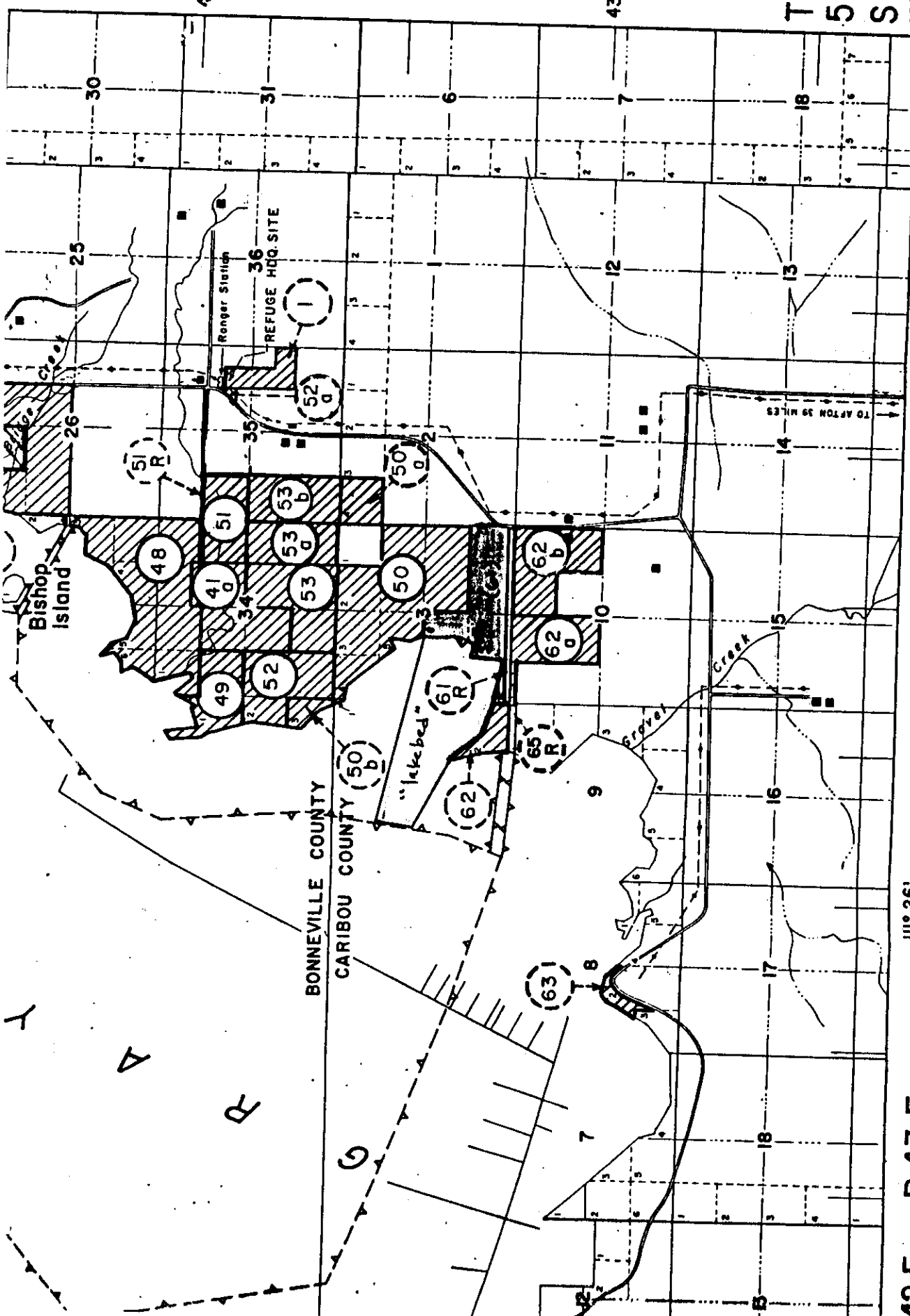
In addition, please provide copies of water rights for the lakebed that is contiguous to the above land. A map showing the parcels is enclosed.

Thank you for your assistance in this matter.

Sincerely,

Robert K. Oser
Program Analyst

Enclosure

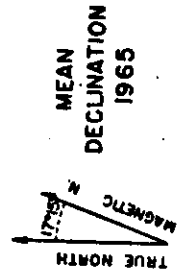


43° 02'

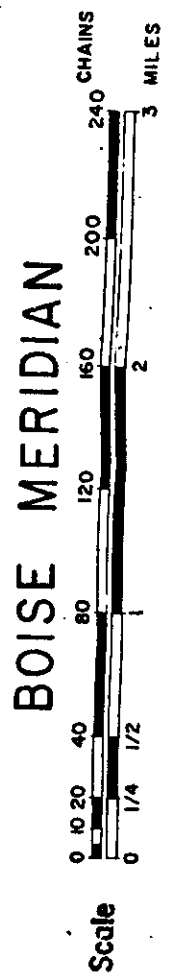
43° 00'

T 5 S

42° 58' 32"
111° 20' 06"



6	5	4	3	2	1
7	6	5	4	3	2
8	7	6	5	4	3
9	8	7	6	5	4
10	9	8	7	6	5
11	10	9	8	7	6
12	11	10	9	8	7
13	12	11	10	9	8
14	13	12	11	10	9
15	14	13	12	11	10
16	15	14	13	12	11
17	16	15	14	13	12
18	17	16	15	14	13
19	18	17	16	15	14
20	19	18	17	16	15
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22	21	20	19	18	17
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26	25	24	23	22	21
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29	28	27	26	25	24
30	29	28	27	26	25
31	30	29	28	27	26
32	31	30	29	28	27
33	32	31	30	29	28
34	33	32	31	30	29
35	34	33	32	31	30
36	35	34	33	32	31



42 E R 43 E

111° 26'

111° 24'

111° 22'

BONNEVILLE COUNTY

CARIBOU COUNTY (50)

"labeled"

TO AFTON 36 MILES

3/79

IDENT. NO. 25 4082

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 25 4082 Applicant Kochley

NOTE: 25-4082 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. Basin #25.
- ☒ Location of use. 2/23
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date March 17, 1981.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Hansen Date 3/19/81

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 25, 1981

EVAN M. KACKLEY
LOIS KACKLEY
C/O WILLIAM GOODMAN, ATTORNEY
P.O. BOX 61
RUPERT ID 83350

RE: Claim No. 25-4082

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

RECEIVED
FEB 26 1981
RUPERT, IDAHO



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 25, 1981

RE: Claim to a Water Right No. 13-4135
No. 13-4136 KACKLEY
No. 25-4082

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on January 5 and 12, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

RECEIVED
FEB 26 1981
KAY WALKER
SECRETARY

February 3, 1981

RE: Claim to a Water Right No. 25-4082

GOODMAN, DUFF & CHISHOLM
Attn: William T. Goodman
Box 61
Rupert, ID 83350

Dear Mr. Goodman:

Attached herewith is Departmental Receipt No. 16193 in the amount of \$30.00 for the above referenced claim your office submitted on behalf of Evan M. and Lois Kackley.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

25-4082-

KACKLEY, EVAN M. &/or LOIS

C/O WILLIAM GOODMAN, ATTORNEY, P.O. BOX 61, RUPERT, ID 83350

Source: GROUNDWATER

Priority Date: 08/10/1932

Amount: 0.10 CFS

Diversion Point: SWNE Sec 04 T 05S R 43E, CARIBOU Co.

Use: STOCKWATER (0.10 CFS) from 06/01 to 12/15

Place of Use: NESW NWSW SWSW SESW SWSE SESE Sec 03 T 05S R 43E NWNE SWNE SENE
NESE NWSE SESE Sec 04 T 05S R 43E

Diversion Means: WELL, PUMP & TROUGH.

MICROFILMED

WILLIAM T. GOODMAN
LARRY R. DUFF
DONALD J. CHISHOLM

LAW OFFICE
Goodman, Duff and Chisholm
CHARTERED
717 7TH STREET
BOX 61
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774

January 21, 1981

Idaho Department of Water Resources
Eastern Region
150 Shoup Avenue
Idaho Falls, Idaho 83401

Re: Evan M. and Lois Kackley

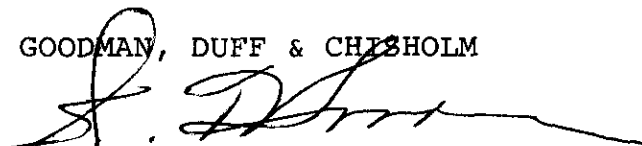
Gentlemen:

We enclose a claim for a Water Right for our clients above named. The premises are situated in Caribou County, Idaho, near Grays Lake. Kindly file the claim and make the appropriate publication for this filing on behalf of our clients.

A check payable to your department in the sum of \$30.00 is enclosed.

Very truly yours,

GOODMAN, DUFF & CHISHOLM



William T. Goodman

WTG:LA
Encl.
cc: Evan M. Kackley

RECEIVED

RECEIVED

JAN 22 1981

Department of Water Resources
Eastern District Office