

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 3rd day of June, 1971, last publication having been made on the 10th day of June, 1971, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 11th day of June, 1971

Karl H. Hale
Notary Public

My commission expires April 5, 1975

B10, 1M

NOTICE OF CLAIM TO A WATER RIGHT No. 23-4000

Notice is hereby given that Ed Daniels, Box 183, Irwin, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .011 cubic feet per second of water from three springs tributary to Papoose Creek with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1 N, R. 43 E, B.M., Bonneville County.

The water is claimed to be used from January 1 to December 31 for culinary and stock water purposes with a priority of 1914; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1 N, R. 43 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Pub: June 3, 10, 1971

23 4000

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 23-4000**

Notice is hereby given that Ed Daniels, Box 183, Irwin, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .011 cubic feet per second of water from three springs tributary to Papocse Creek with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1 N, R. 43 E, B.M., Bonneville County.

The water is claimed to be used from January 1 to December 31 for culinary and stock water purposes with a priority of 1914; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1 N, R. 43 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Pub: June 3, 10, 1971

Handwritten:
Cm
9-2-71

Identification No. _____
Claim No. 23-40007
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Ed Daniels
post office address Box 183, Irwin, Idaho 83428
2. The point of diversion is in SW 1/4 of Section 15 Township 1N
Range 43 E B.M. located on SE 1/4 Three Springs tributary to Papoose Creek
Papoose Creek at the fork of the canyon
(name of source)
- tributary to Snake River in Bonneville County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed: 1914

*Continuous use since 1914
we water about 100 head of stock
each year and have since
1914. The amount given serves both purposes*

amount: 1011 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use culinary period of use from Jan 1 to Dec 31 (both dates inclusive)
use water stock period of use from Jan 1 to Dec 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of n/a
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped n/a ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

b. Do you get water through a ^{pipe} ditch owned by several users? Yes If yes, give the name of the ditch
None The other users and their respective
interests in the ditch are (if known) Albert Peterson - half interest
Ed Daniels - half interest
DANIELS

6. Where water is used for stock watering, give number of each kind of stock watered
50 Head of cattle and 6 horses

7. Where water is used for domestic or municipal purposes give number of families served 2
name of town supplied none

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities n/a

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Albert Peterson filed for and obtained a water license thereafter making
a verbal agreement with Ed Daniels for each to use half of the water.
The water has been used consistently since 1914 by Ed Daniels or his
representatives.

State of Idaho }
County of Blaine } 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 29 day of April, 1971.

Edward Daniels
Claimant

H. Ray Thatcher
Notary Public
Residing at Carey Idaho

My commission expires 3-11-71

5-17-71 For Department Use Only
Received by ij Date 5-3-71 Exception filed by: Forwarded to claimant by: Date
Prelim. check by BDF Date 5/17/71
Fee received by ij Date 5/18/71 Fee \$ 10.00
Approved for publication by D
Published in Idaho Falls Post Register Dates 6-3 & 6-10-71
23 4000

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. ~~Please use additional sheets if space provided is not sufficient to fully answer the questions.~~

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

REGISTERED

OCT 18 1969

IN THE MATTER OF:

Water Right

AFFIDAVIT Department of Reclamation

State of Idaho
County of Bonneville

Carl H. Adams

being first duly sworn,

deposes and says: Ed Daniels has shared the water right that is filed in
the name of Albert Peterson on Papoose Creek county of Bonneville near
Swan Valley in the State of Idaho, through verbal agreement since the year
1914. Said water has been used and is being used for culinary, irrigation
of garden and berries, and watering of stock. Said water runs through
Ed Daniels property description: N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14 Tp in R 43, in order
to reach the Albert Peterson property. Ed Daniels has maintained Papoose Creek
with practically all the labor and his fair share of money since the year 1914.
Therefore, it is completely fitting and proper that he have a water right
filed in his name with the department of Reclamation State of Idaho.



Carl H. Adams
(signature)

Subscribed and sworn to before me this 16th day of August 19 69.

Julia M. Meckling
(Notary Public)

Residing at Swan Valley, Idaho.
My commission expires November 14, 1972

RECEIVED

OCT 13 1969

IN THE MATTER OF:

Water Rights

Department of Reclamation

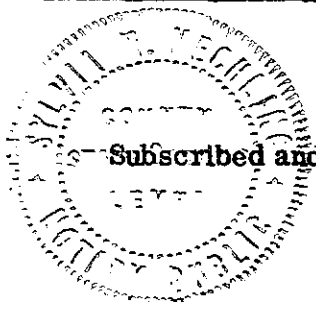
AFFIDAVIT

State of Idaho
County of Bonneville

William E. Hill

being first duly sworn,

deposes and says: Ed Daniels has shared the water right that is filed in
the name of Albert Peterson on Papoose Creek county of Bonneville near
Swan Valley in the State of Idaho, through verbal agreement since the year
1914. Said water has been used and is being used for culinary, irrigation of
garden and berries, and watering of stock. Said water runs through Ed Daniels
property description: N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14 Tp in R 43, in order to reach the
Albert Peterson property. Ed Daniels has maintained Papoose Creek with
practically all the labor and his fair share of money since the year 1914.
Therefore, it is completely fitting and proper that he have a water right
filed in his name with the department of Reclamation State of Idaho.



Wm E Hill
(signature)

Subscribed and sworn to before me this 16th day of August 1969.

Shirley M. Mechling
(Notary Public)

Residing at Swan Valley Idaho
My commission expires November 14 1972

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 3rd day of June, 1971, last publication
having been made on the 10th day of June, 1971, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 11th day of June, 1971

Karl S. Hale
Notary Public

My commission expires April 5, 1975

B10, 1M

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 23-4000
Notice is hereby given that Ed
Daniels, Box 183, Irwin, Idaho,
has filed a claim to a water
right established by diversion
and application to beneficial use
of .011 cubic feet per second of
water from three springs tribu-
tary to Papoose Creek with point
of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 15, T. 1 N, R. 43 E, B.M.,
Bonneville County.
The water is claimed to be
used from January 1 to Decem-
ber 31 for culinary and stock
water purposes with a priority
of 1914; the place of use is with-
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1
N, R. 43 E, B.M.
Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Administration, Statehouse,
Boise, Idaho.
R. KEITH HIGGINSON
Director
Pub: June 3, 10, 1971

23 4000

ACT
ION

FIRST NAME - ED

N OWNER LAST NAME - DANIELS
N ADDRESS LINE 1 - P.O. BOX 183

CITY - IRWIN

STATE - ID ZIP CODE - 83428

N SOURCE - SPRINGS
N SOURCE - PAPOOSE CREEK

TRIBUTARY OF - PAPOOSE CREEK

TRIBUTARY OF - SNAKE RIVER

N STAGE - STATUTORY CLAIM

PRIORITY - 06-01-1914 COUNTY - BONNEVILLE TOTAL DIV. RATE - .0100CFS

WATER DIST. - 01

N DIVERSION POINT - SWSE 15 01N 43E

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

USE DIV. RATE - .0100CFS

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

N USE - STOCKWATER

PLACE OF USE - TWN 01N RNG 43E SEC 15 TRACT SWSE

N REMARKS - SOURCES ARE SPRINGS, TRIB PAPOOSE CK; PAPOOSE CK.; TRIB SNAKE R.

N NON IRRIG USE - S/56 HEAD D/2 HOMES.

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]

- DATA ENTRY -

Record

Present Owner: _____

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

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

from _____ to _____ for _____ purposes. Amount _____

72379

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. sources are springs, trib. ~~the~~ Papoose Ck.; Papoose Ck.,
B. trib. Snake ~~River~~ R.
C.
D.
E.

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

5/56 head D/2 homes

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):

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Caribou National Forest
Idaho Falls, Idaho 83401

Doc. 2540-
March 7, 1972



Mr. Fred Eisenbarth, Appropriation Examiner
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Claim to a Water Right No. 23-4000 - Ed Daniels

Dear Mr. Eisenbarth:

I appreciated receiving the information you sent to us concerning this claim, and the appropriate instructions for filing an exception. As I explained during our December telephone conversation, permitted livestock have been using the water from this spring for many years, however, we believe that Mr. Daniels has a legitimate claim. During the summer, we plan to measure the total production of the spring, and file a claim for the water above and beyond the .011 c.f.s. claimed by Mr. Daniels. We will plan to contact you again in the fall.

Thank you for your cooperation and assistance.

Sincerely,

ROLLO H. BRUNSON
District Ranger

cc: Forest Supervisor

23 4000

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 4, 1972

Re: Claim to a Water Right No. 23-4000 - Ed Daniels

Dean Van Noy
Route #1, Box 25A
Rigby, Idaho 83442

Dear Mr. Van Noy:

Pursuant to your letter of December 23, 1971, we are enclosing the Department's Claim to a Water Right form.

Ed Daniels filed Claim No. 23-4000 with this Department on May 17, 1971. The claim does not establish a water right, but serves to record his historical use of water.

The waters in the State of Idaho belong to the State of Idaho and are available for appropriation by the public. This Department is the administering agency in this state and as such receives claims and issues permits to enable people to establish and record the water rights they hold or want to use.

Mr. Daniels does not have control of the spring you mention, but has indicated that he has used some of the water from the spring since 1914. Previous to May 20, 1971, an individual could establish a water right in the State of Idaho by diverting the water and putting it to beneficial use. This was referred to as the constitutional method of appropriation. This is the type of right that Mr. Daniels has allegedly established.

We suggest that you file the enclosed claim form with this Department to record any right you may have established. We cannot accept your letter as a valid exception to Mr. Daniels claim as it is not signed, it is not in affidavit form, and was not submitted in duplicate.

If we can be of any further assistance in this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cr

Enc: Claim to a Water Right form

23 4000

December 23, 1971

Box 25A
Route #1
Rigby, Idaho 83442

RECEIVED

DEC 27 1971

Department of Water Administration

Mr. Russell Bosch
Administration Assistant
State of Idaho
Department of Reclamation
State House, Annex 2
Boise, Idaho 83707

Dear Mr. Bosch:

I have been informed that Mr. Ed Daniels, a neighbor, has recently filed for control of a spring called "Pawnee", located at the head of Papoose Creek. (W¹/₂NW¹/₄, Sec. 15, T. 1 N., R. 43 E., B.M.).

The right to use the spring is recorded with the U.S. Forest Service in the name of Robert E. Colson, on a Free Use Permit. I have since purchased the farm and the right to the spring. It is my understanding that Mr. Daniels used the spring years ago, and ditched water to his place. Mr. Colson acquired the permit and piped the water to his place and granted permission to Mr. Daniels to use a portion of the water - (Gentlemens Agreement). Since then, both properties are under sales contract. I have honored the agreement for water use, with no apparent problem, but I highly oppose the spring being secured in his name. I have checked with the Forest Service and they have no record of a request in their office, however, a legal notice did appear in the Idaho Falls paper sometime this summer.

Would you please inform me as to any information pertaining to the above.

This letter is also a register complaint against such a filing, and request a hearing if it becomes necessary.

Sincerely,

Dean Van Noy -
(Owner of the Robert E.
Colson property)

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 27, 1971

Re: Claim to a Water Right No. 23-4000 - Ed Daniels

Rollo H. Brunson, Ranger
Caribou National Forest
Box 1140
Idaho Falls, Idaho 83401

Dear Mr. Brunson:

Pursuant to our telephone conversation of December 22, 1971, please find enclosed a copy of the above referenced claim in the name of Ed Daniels.

Section 42-225B of the Idaho Code states that:

"At any time after the filing of a Claim, any person who disagrees that a right has been established may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Administration."

Also enclosed please find a Claim to a Water Right form for your use if you desire to file a claim for your water right.

If we may be of further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Copy of Claim No. 23-4000
Claim to a Water Right form

23 4000

July 6, 1971

Re: Claim to a Water Right No. 23-4000

Ed Daniels
Box 183
Irwin, Idaho 83428

Dear Mr. Daniels:

The Department of Water Administration 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

June 25, 1971

Re: Application No. 11-4027 - Rex N. Williamson
" " 23-4000 - Ed Daniels

Idaho Falls Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on June 3rd and June 10th, 1971.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

23 4000

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 23-4000

Notice is hereby given that Ed Daniels, Box 183, Irwin, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .011 cubic feet per second of water from three springs tributary to Papocse Creek with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1 N, R. 43 E, B.M., Bonneville County.

The water is claimed to be used from January 1 to December 31 for culinary and stock water purposes with a priority of 1914; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 1 N, R. 43 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Pub: June 3, 10, 1971

6-2-71

May 27, 1971

Re: Claim No. 11-4027 - Rex N. Williamson
" " 23-4000 - Ed Daniels

Idaho Falls Post Register
P.O. Box 1800
Idaho Falls, Idaho 83401

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 ample 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 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. 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)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (2)

Bill submitted 7-01-71 By de

CC 2000

NOTICE OF CLAIM TO A WATER RIGHT

No. 23-4000

Notice is hereby given that Ed Daniels, Box 183, Irwin, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of .011 cubic feet per second ~~acre feet~~ of water from three springs tributary to Papoose Creek with point of diversion in the SW¹/₄ Sec. 15, T. 1 N., R. 43 E., B.M. in Bonneville County

The water is claimed to be used from January 1 to December 31 for culinary and stock water purposes with a priority of 1914; the place of use is within the SW¹/₄ Sec. 15, T. 1 N., R. 43 E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Idaho Falls Post Register, Idaho Falls, ID. on June 3, 1971 and June 10, 1971.

May 18, 1971

Ed Daniels
Box 183
Irwin, Idaho 83428

Dear Mr. Daniels:

Returned herewith is your receipt No. 6440 in the amount of \$10.00
for your claim application,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

May 6, 1971

Mr. Ed Daniels
Post Office Box #183
Irwin, Idaho 83428

Dear Mr. Daniels:

We are returning your claim to a water right and personal check #92-42 in the amount of \$10.00.

We find in reviewing this claim that you may wish to clarify item #3a before we process it. As you will note, you have listed only one priority date and one quantity, which we would assume to be for your culinary use. You should also include a priority and a quantity for stock water.

As soon as you have clarified this issue and returned the claim, we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: check #92-42
original claim to a water right