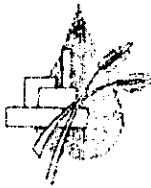


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



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 I. Glenn Perkins
(Name of Claimant)

111 Maplewood, Pocatello, Idaho 83204 Telephone No. (208) 232-4547
(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) May 1, 1882

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)
West Creek tributary to Dempsey Creek

(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>0.72 cfs</u>	Use	<u>irrigation & stock</u>	Period of Use From <u>Apr. 15</u>	To <u>Sept. 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) 0.72 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 5 Twp. 10S Rge. 38E B.M., County of Bannock
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. Diversion ditches approximately 2,000 feet in length

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	38E	5													10	10	10	10	40

No. of acres 40

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock grazing

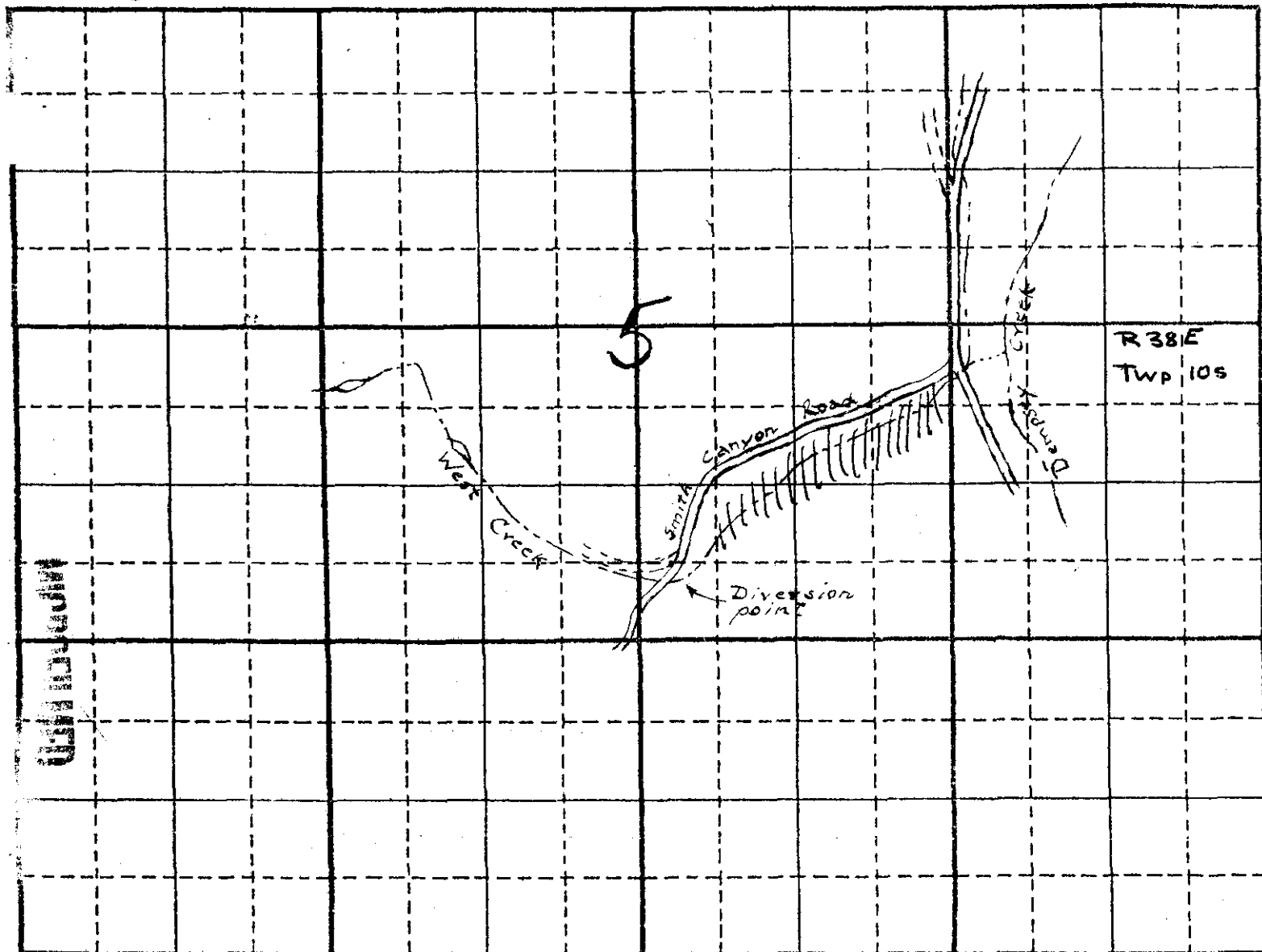
NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: This claim is filed for the claimant, his wife, and co-purchasers under an installment agreement for the purchase of the benefited land, Clyde Allen and Beatrice Kay O'Neill, Jack D. and Bertha M. Ichinaga, and Charlene F. Sivalon.

WATER RIGHTS

The purchasers are the successors in interest to William R. Godfrey, one of the named defendants in Bannock County Dis-

- (8) Remarks strict Court Case No. 2203, Union Grain & Elevator vs. McCammon Ditch Co., et al. The portion of the water decreed to Godfrey and here claimed was conveyed to Ray Bloxham in 1941. The current record title holders and the vendors in the contract with the claimants are Lynn T. and Jenell Booth.



Scale: 1/4 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)
) ss.
County of Bannock)

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 affiant's knowledge.

William R. Perkins
(Claimant)

Sworn to before me this 26th day of May, 1983.

William W. Becken
Notary Public
Residing at Pocatello, Idaho

My commission expires at death

FOR DEPARTMENT USE ONLY

Received by CW Date 5-27-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KCW Date 5-31-83 claimant by: _____
\$30.00 fee received by CW Date 5-31-83 #2657
Published in Idaho St. Journal
Dates 6/9 - 6/16/83

AFFIDAVIT

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

The undersigned, being first duly sworn, upon his oath, deposes and says that:

1. The affiant is a licensed attorney, a member of the Idaho and Sixth District Bars, practicing in Pocatello, Idaho. He has some knowledge and experience in the searching and examination of titles to real property, including water rights.

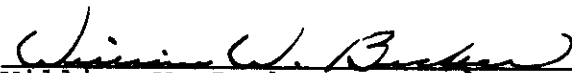
2. This affidavit is made to support a claim for appropriated water rights benefiting a portion of the SE4 of Section 5, Township 10 South, Range 38 East, B.M., Bannock County, Idaho, made by I. Glenn Perkins for himself and his co-purchasers in an installment real estate contract in which Lynn F. Booth is the vendor.

3. From research, inspection, and examination, it is the opinion of the affiant that the claimants are the owners of 0.72 cubic feet per second of the waters of a creek tributary to Dempsey Creek. This is a portion of the water decreed to William R. Godfrey in Bannock County Fifth (now Sixth) District Court Case No. 2203, Union Grain & Elevator Company vs. McCammon Ditch Company, et al. Godfrey, one of the named defendants in the action, was found to be entitled to 1.48 cubic feet per second of water in the Dempsey Creek portion of the final decree in the case. One of the diversion points in Godfrey's decreed water right is described as being through two ditches in West Creek in the SE4 of the above described Section 5.

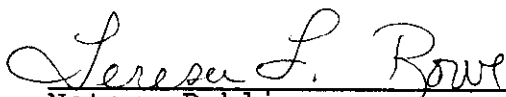
4. The current title holder, Lynn F. Booth, from whom the claimants are purchasing the benefited land, is a successor in

interest to Ray Bloxham, who acquired the land in 1941 by mesne conveyances from Godfrey. From the Bannock County records, topography, and local history and reputation, the waters of the creek rising and originating in Section 6 and then running and draining westerly through that section and the adjacent Section 5 referred to above, have been diverted in the SW4SE4 of Section 5 below the point where the creek is presently crossed by Smith Canyon Road. From this point the diverted water has been conducted through two ditches to irrigate the meadow above and on both sides of the water course. This meadow and the waters of the creek, locally known as West Creek, have been and are used for cattle grazing. The benefited area is sketched in green on the attached copied portion of the Lava Hot Springs Quadrangle 1968 Geological Survey map.

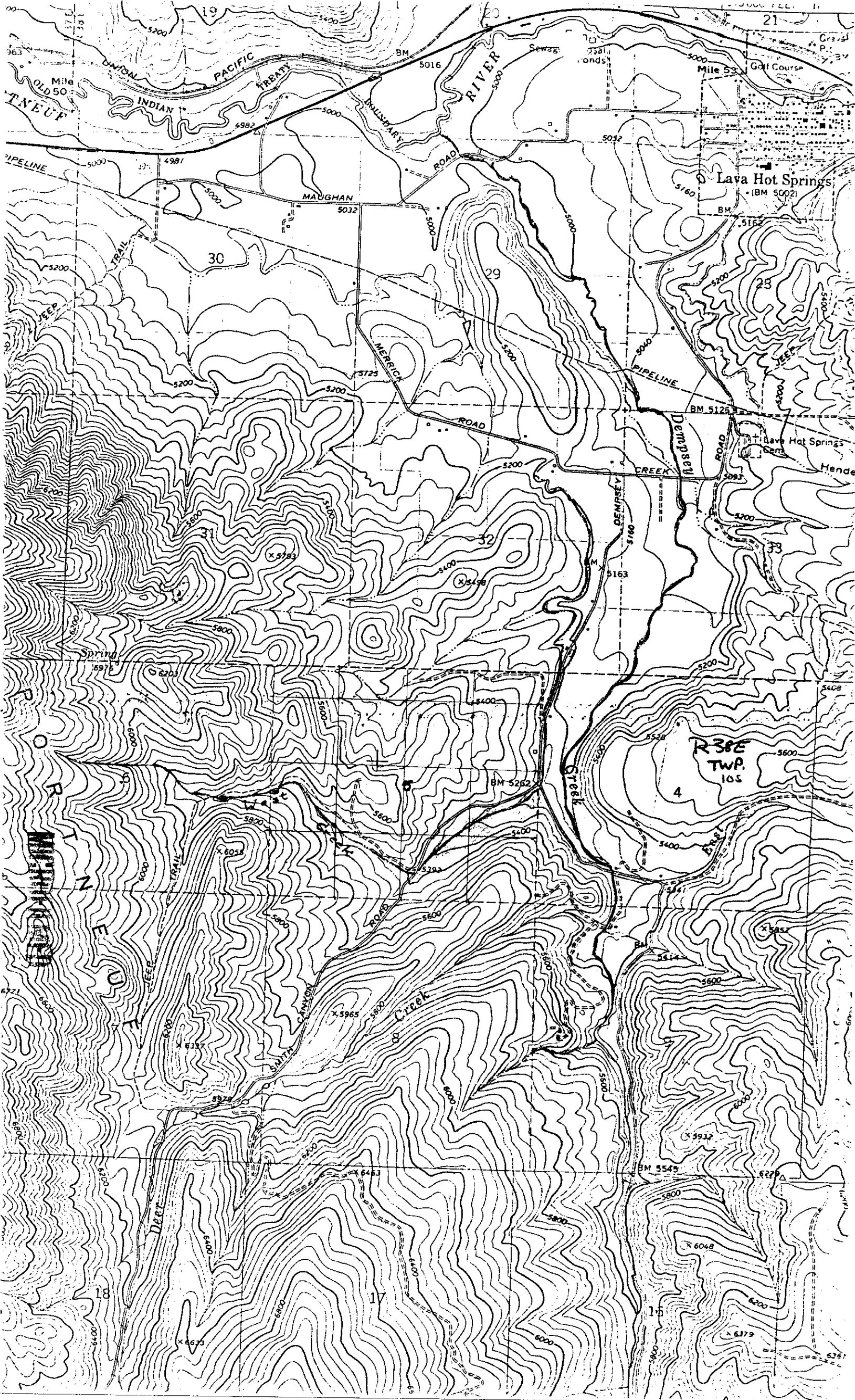
5. The foregoing opinion and conclusions and the attachment are based upon records in the office of the Bannock County Clerk and Recorder, Bannock County Assessor's records, the records of the Idaho Department of Water Resources, discussions with present and prior owners of the benefited and adjacent lands, a conversation with the Portneuf River Water Master, and an inspection of the area.


William W. Becker

SWORN AND SUBSCRIBED to before me, the undersigned notary public, on this 26th day of May, 1983.


Teresa L. Rowe
Notary Public





PROOF OF PUBLICATION

RECEIVED

JUN 17 1983

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office
Jeri Larsen

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

June 9	, 19 83		, 19
June 16	, 19 83		, 19
	, 19		, 19
	, 19		, 19
	, 19		, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 17th

day of June, 19 83

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Dep. _____
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed
on water right(s) created by diversion
and beneficial use:

29-4367

BECK, JAMES HOWARD &/or OPEL L.
PARKS RD., POCATELLO, ID 83201

Source: GROUNDWATER

Priority Date: 07-01-1957

Diversion Pt: SENE Sec 19T 06S R 35E

Use: IRRIGATION (0.08 CFS)

DOMESTIC (0.04 CFS)

In: SENE Sec 19 T 06N R 35E SWNW
Sec 20 T 06N R 35E FOR 4 ACRES

29-4366

MCCORMACK, TOM &/or SANDRA
POCATELLO CREEK RD., POCATEL-
LO, ID 83201

Source: GROUNDWATER

Priority Date: 12-30-1955

Diversion Pt: SENE Sec 20 T 06S R 35E

Use: IRRIGATION (0.10 CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SENE Sec 20 T 06S R 35E FOR 5
ACRES

29-4365

KRUEGER, HERMAN W. &/or JOSIE
HCR-1 BOX 108, ARIMO, ID 83214

Source: UNNAMED STREAM trib. to
SINKS

Priority Date: 06-01-1908

Diversion Pt: LOT 04 (NWNW) Sec 05 T

10S R 36E SWNE Sec 06 T 10S R 36E

Use: IRRIGATION (0.02 CFS)

STOCKWATER (0.02 CFS)

In: NESE Sec 05 T 10S R 36E SWNE Sec
06 T 10S R 36E FOR 1 ACRES

29-4364

PERKINS, I. O'LENN
111 MAPLEWOOD, POCATELLO, ID
83204

Source: WEST CREEK trib. to DEMP-
SEY CREEK

Priority Date: 05-01-1882

Diversion Pt: SWSE Sec 05 T 10S R 38E

Use: IRRIGATION (0.72 CFS)

In: NESE NWSE SWSE SESE Sec 05 T
10S R 38E FOR 40 ACRES

Exceptions to a claim may be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.

S/KEN DUNN, Dir.

June 9, 16, 1983

No. 996

being first duly sworn on oath deposes and says: That _____
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

_____, 19_____, 19_____, 19_____

_____, 19_____, 19_____, 19_____

_____, 19_____, 19_____, 19_____

_____, 19_____, 19_____, 19_____

_____, 19_____, 19_____, 19_____

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Jeri L...

Subscribed and sworn to before me this _____

day of _____, 19_____

[Signature]

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 1983

RECORDED

I. GLENN PERKINS
111 MAPLEWOOD
POCATELLO

ID 83204

RE: Claim No. 29-4364

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

June 6, 1983

RE: Claim to a Water Right No. 29-4364 PERKINS

Mr. Thomas Bloxham, Watermaster
Water District No. 29
Downey, ID 83204

Dear Mr. Bloxham:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

Right Number 29 4364 Applicant I. Glenn Perkins

NOTE: 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.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

June 27, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date June 28, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 7/12/83

RECEIVED
JUL 12 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 1, 1983

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JUNE 27, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 6/9 & 6/16/83.

41 29-4364
42 PERKINS, I. GLENN
43 111 MAPLEWOOD, POCA TELLO, ID
44 83204
45 Source: WEST CREEK trib. to DEMP-
46 SEY CREEK
47 Priority Date: 05-01-1882
48 Diversion Pt: SWSE Sec 05 T 10S R 38E
49 Use: IRRIGATION (0.72 CFS)
50 In: NESE NWSE SWSE SESE Sec 05 T
51 10S R 38E FOR 40 ACRES
52 Exceptions to a claim may be filed with
53 the Director, Dept. of Water Resources,
54 150 Shoup Ave., Suite 15, Idaho Falls,
55 Idaho 83402.
56 S/KEN DUNN, Dir.
57 June 9, 16, 1983
58 No. 996
59 <o<o<o<o

29-4364-

PERKINS, I. GLENN
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Source: WEST CREEK trib. to DEMPSEY CREEK
Priority Date: 05/01/1882
Diversion Pt: SWSE Sec 05 T 10S R 38E
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