

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 David James and Cathy Lee McPherson  
(Name of Claimant)  
Rt 1 Box 42, Pocatello, Idaho 83201 Telephone No. 233-5899  
(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) June 15, 1947

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, af) |                 | (Domestic, Irrigation, Stock, Etc.) |                    | (Both dates inclusive)         |                 |
|-----------|-----------------|-------------------------------------|--------------------|--------------------------------|-----------------|
|           |                 |                                     |                    | (Mo., Day)                     | (Mo., Day)      |
| Quantity  | <u>0.04 CFS</u> | Use                                 | <u>Domestic</u>    | Period of Use From <u>1-1</u>  | To <u>12-31</u> |
| Quantity  | <u>0.03 CFS</u> | Use                                 | <u>Irrigation</u>  | Period of Use From <u>3-15</u> | To <u>11-15</u> |
| Quantity  | <u>0.02 CFS</u> | Use                                 | <u>Stock Water</u> | Period of Use From <u>1-1</u>  | To <u>12-31</u> |
| Quantity  | _____           | Use                                 | _____              | Period of Use From _____       | To _____        |
| Quantity  | _____           | Use                                 | _____              | Period of Use From _____       | To _____        |

(4) 0.06 TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SW 1/4 NW 1/4, Sec. 16 Twp. 6 so. Rge. 34 E. 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. Well, pump, mainline to pressure tank with distribution line to single domestic home.

(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.     | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|---|---|----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|   |   |          | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 6 | S | 34EBM 16 |        |        |        |        |        | XX     |        |        |        | XX     | cm     |        |        |        |        |        | 3.78  |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|   |   |          |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

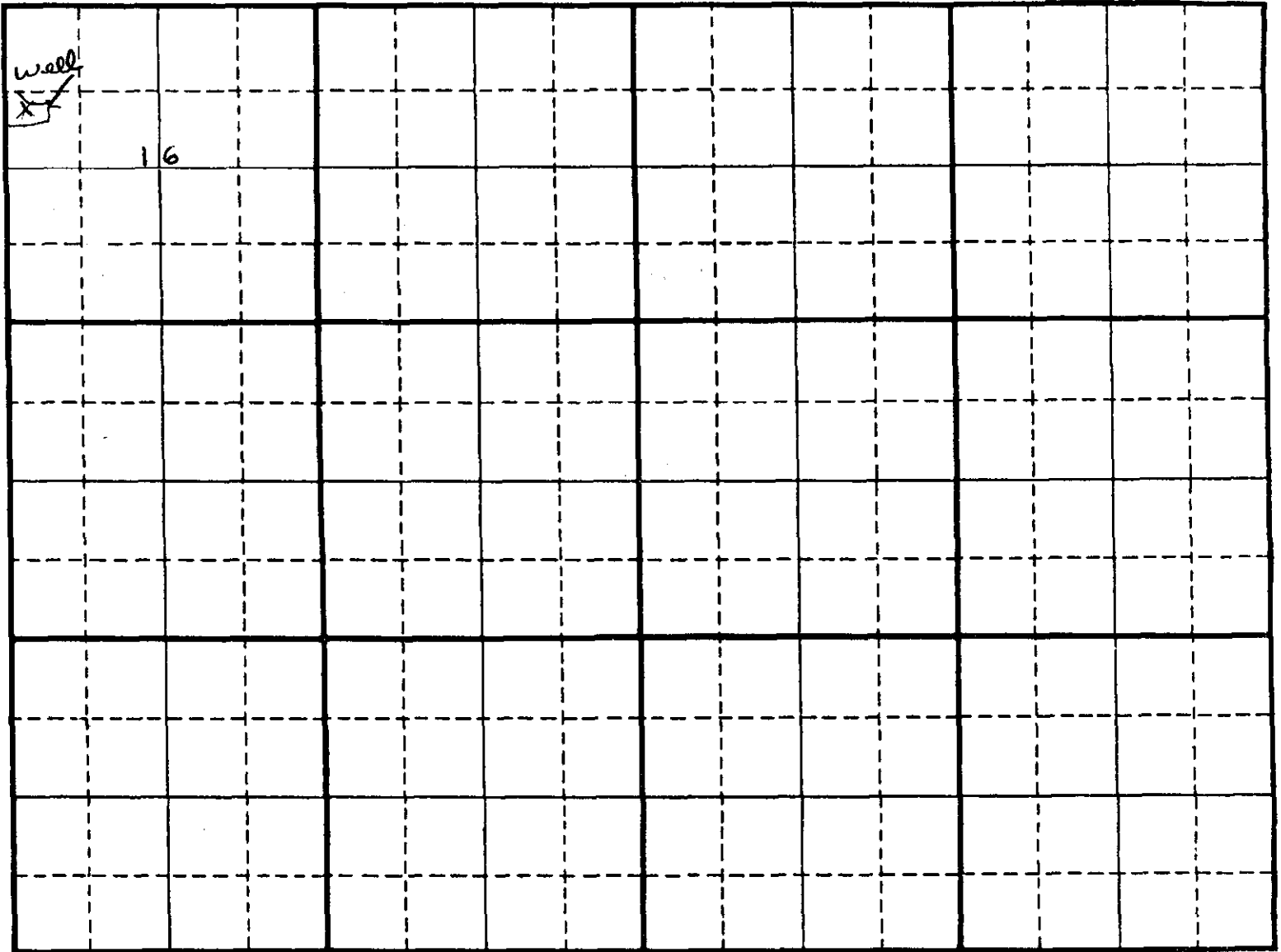
TotalNo. of acres 3.78

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:  
Domestic - Single Home; stock water; irrigation

NOTE: Include here the type and number of stock watered: 4 Horses  
If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(8) Remarks Point of diversion also known as Lot 8 Block 1-1st edition of Home acres.  
SW 1/4, NW 1/4, Section 16, T6S, R34E.B.M.

T 6 S. R 34 E.



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 Bannock ) 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 affiant's knowledge.

Sworn to before me this 1st day of April

Cathy L. McPherson  
(Claimant)

19 83.

Patricia Loftzger  
Notary Public  
Residing at Pocatello, ID

My commission expires 10-29-84

FOR DEPARTMENT USE ONLY  
Received by BP Date 4-11-83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by AWS Date 4-11-83 claimant by: \_\_\_\_\_  
\$30.00 fee received by BP Date 4-11-83 #28030  
Published in Idaho State Journal  
Dates 4/21 & 4/28/83

NO 1110

# Lawyers Title Insurance Corporation

A Stock Company

Home Office ~ Richmond, Virginia

STANDARD COVERAGE POLICY

ORDER NO. 1-21562-V

SCHEDULE A

AMOUNT

\$11,000.00

EFFECTIVE DATE

NOVEMBER 17, 1975

10:16 AM

INSURED

DAVID J. MC PHERSON AND CATHY LEE ALEXANDER

1. The title to the FEE SIMPLE estate or interest in the land described below is at the date hereof vested in:  
DAVID J. MC PHERSON AND CATHY LEE ALEXANDER
2. The land referred to in this policy is described as follows:

LOT 8, BLOCK 1 FIRST ADDITION TO HOME ACRES, BANNOCK  
COUNTY, IDAHO, EXCEPT:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 BLOCK 1 FIRST ADDITION  
TO HOME ACRES, BANNOCK COUNTY, IDAHO, THENCE RUNNING EAST ALONG THE  
SOUTH LINE OF LOT 8, 249 FEET, THENCE AT RIGHT ANGLES NORTH 123 FEET,  
THENCE AT RIGHT ANGLE WEST 249 FEET, MORE OR LESS, TO THE WEST LINE  
OF SAID LOT 8, THENCE AT RIGHT ANGLES SOUTH 123 FEET TO THE REAL  
POINT OF BEGINNING...

MICROFILMED

Counter signed:

AMERICAN LAND TITLE CO., INC.

*John H. Berglund*  
Authorized Officer or Agent

Issued at: POCAHELLO, IDAHO

Page 1 of Sched. A-Pol No. N 695441

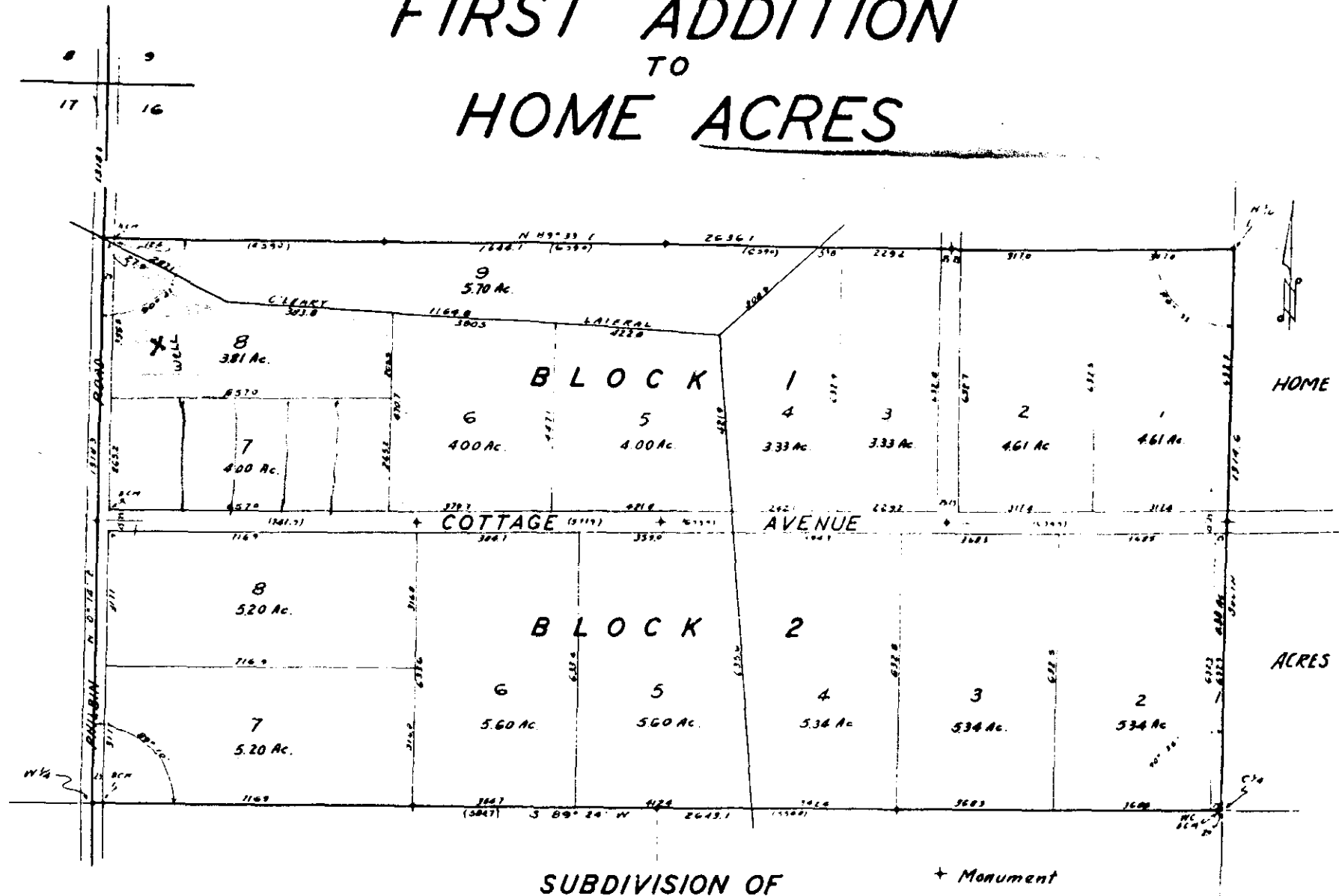
ORIGINAL



MCPHERSON, David & Cathy

Lot 1 block 8 first edition of home acres

# FIRST ADDITION TO HOME ACRES



SUBDIVISION OF  
S 1/2 NW 1/4 SEC. 16, T.6 S., R.34 E.B.M.

BANNOCK TITLE COMPANY  
POCATELLO, IDAHO

While this is a photographic reproduction of the recorded plat, the Company assumes no liability for variations, if any, with a re-survey.

MICROFILMED

# PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO  
County of Bannock

ss.

MAY 2 1983

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:

|                 |          |       |          |
|-----------------|----------|-------|----------|
| <u>April 21</u> | , 1983   | _____ | , 19____ |
| <u>April 28</u> | , 1983   | _____ | , 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 29th

day of April, 1983

[Signature]

Notary Public, State of Idaho  
Residence: Pocatello, Idaho

RECEIVED

# PROOF OF PUBLICATION

STATE OF IDAHO  
County of Bannock

SS.

Jeri Larsen

MAY 2 1983

## NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4328

GILBERT, ERVIN  
DOWNEY, ID 83234  
Source: SPRINGS trib. to SINKS  
Priority Date: 04-01-1934  
Diversion Pt: SESE Sec 30 T 10S R 37E  
Use: IRRIGATION (2.00 CFS)  
In: NWNW SWNW NWSW Sec 29 T 10S  
R 37E NENE SWNE SENE NESE  
NWSE SWSE SESE Sec 30 T 10S R 37E  
FOR 158 ACRES

29-4327

GEBHARDT, LAURENCE P. &/or  
JANIE S.  
37 AILEEN DR., MADISON, CT 06443  
Source: GROUNDWATER  
Priority Date: 08-14-1951  
Diversion Pt: SESE Sec 09 T 06S R 34E  
Use: DOMESTIC (0.08 CFS)  
In: SESE Sec 09 T 06S R 34E

29-4324

GILBERT, ERVIN  
DOWNEY, ID 83234  
Source: UNNAMED STREAM trib. to  
PECK CREEK  
Priority Date: 04-01-1950  
Diversion Pt: NESE Sec 06 T 11S R 37E  
Use: IRRIGATION (0.50 CFS)  
In: NWNE Sec 06 T 11S R 37E FOR 25  
ACRES

29-4323

BENNETT FARMS  
BOX 59, DOWNEY, ID 83234  
Source: UNNAMED STREAM trib. to  
PECK CREEK  
Priority Date: 04-14-1913  
Diversion Pt: SWSE Sec 05 T 11S R 37E  
Use: IRRIGATION (1.70 CFS)  
In: SWNE NESW SESW NWSE SWSE  
Sec 05 T 11S R 37E FOR 100 ACRES

29-4322

BENNETT FARMS  
BOX 59, DOWNEY, ID 83234  
Source: SPRINGS trib. to PECK  
CREEK  
Priority Date: 04-14-1913  
Diversion Pt: SWNE Sec 05 T 11S R 37E  
Use: IRRIGATION (0.10 CFS)  
In: SWNE Sec 05 T 11S R 37E FOR 5  
ACRES

29-4321

SAXTON, E.D. &/or EVA M.  
RT. 1, BOX 77, DOWNEY, ID 83234  
Source: UNNAMED STREAM trib. to  
PECK CREEK  
Priority Date: 03-20-1914  
Diversion Pt: SWNE Sec 05 T 11S R 37E  
Use: IRRIGATION (0.04 CFS)  
In: SWNE Sec 05 T 11S R 37E FOR 2  
ACRES

29-4320

BENNETT FARMS  
BOX 59, DOWNEY, ID 83234  
Source: UNNAMED STREAM trib. to  
PECK CREEK  
Priority Date: 04-01-1930  
Diversion Pt: NESE Sec 06 T 11S R 37E  
Use: IRRIGATION (0.50 CFS)  
In: SWNE SENE NESE Sec 06 T 11S R  
37E FOR 25 ACRES

29-4319

MCPHERSON, DAVID JAMES &/or  
CATHY LEE  
RT. 1, BOX 42, POCATELLO, ID 83201  
Source: GROUNDWATER  
Priority Date: 06-15-1947  
Diversion Pt: SWNW Sec 16 T 06S R 34E  
Use: IRRIGATION (0.03 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.04 CFS)  
In: SWNW Sec 16 T 06S R 34E FOR 4  
ACRES

Exceptions to a claim may be filed with  
the Director, Dept of Water

being first duly sworn on oath deposes and says: That she  
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:

April 21, 1983

April 28, 1983

, 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.

Subscribed and sworn to before me this 29th

day of April, 1983

Notary Public, State of Idaho  
Residence: Pocatello, Idaho

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

MAY 9, 1983

DAVID JAMES MCPHERSON  
CATHY LEE MCPHERSON  
RT. 1, BOX 42  
POCATELLO ID 83201

RE: Claim No. 29-4319

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 J. CARLSON  
Eastern Region Supervisor

Enclosure

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State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 29 4319 Applicant McPherson

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ewert Carlson Date May 16, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By BC Date 5-17-83

MICROFILMED

RECEIVED  
MAY 17 1983  
Department of Water Resources

April 5, 1983

Cathy Lee McPherson  
Rt. 1, Box 42  
Pocatello, ID 83201

Dear Mrs. McPherson:

Enclosed is your claim to a water right and check #92-301 for \$30.00. As per our telephone conversation, I have pencilled in the correct  $\frac{1}{4}$  of  $\frac{1}{4}$  to use on line 6A. Please type these in and line through the other set of X's.

You can then resubmit your claim and fee of \$30.00 to this office.

Sincerely,

HAROLD W. JONES  
Sr. Resource Agent

HWJ:bp

Enclosures

APR 11 1983

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

APRIL 13, 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 billing to this office before MAY 9, 1983.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

MICROFILMED

# 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 4/21 & 4/28/83.

MICROFILMED

29-4319\_

MCPHERSON, DAVID JAMES &/or CATHY LEE

RT. 1, BOX 42, POCATELLO, ID 83201

Source: GROUNDWATER

Priority Date: 06/15/1947

Diversion Pt: SWNW Sec 16 T 06S R 34E

|                 |            |
|-----------------|------------|
| Use: IRRIGATION | (0.03 CFS) |
| STOCKWATER      | (0.02 CFS) |
| DOMESTIC        | (0.04 CFS) |

In: SWNW Sec 16 T 06S R 34E FOR 4 ACRES

29-4319  
78 MCPHERSON, DAVID JAMES &/or  
79 CATHY LEE  
80 RT. 1, BOX 42, POCATELLO, ID 83201  
81 Source: GROUNDWATER  
82 Priority Date: 06-15-1947  
83 Diversion Pt: SWNW Sec 16 T 06S R 34E  
84 Use: IRRIGATION (0.03 CFS)  
85 STOCKWATER (0.02 CFS)  
86 DOMESTIC (0.04 CFS)  
87 In: SWNW Sec 16 T 06S R 34E FOR 4  
88 ACRES

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