

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 Jerry & Marsha Lowry
(Name of Claimant)
Box 220, Rt.3, Pocatello, Idaho 83201 Telephone No. 232-1835
(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 1, 1938

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)
Portneuf River tributary to Snake River

(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>0.27cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</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) 0.27 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 21 Twp. 7S Rge. 35E 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. Pump & Pipeline, 5hp Pump, 4' Mainline

(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	
7S	35E	21													6	1			7

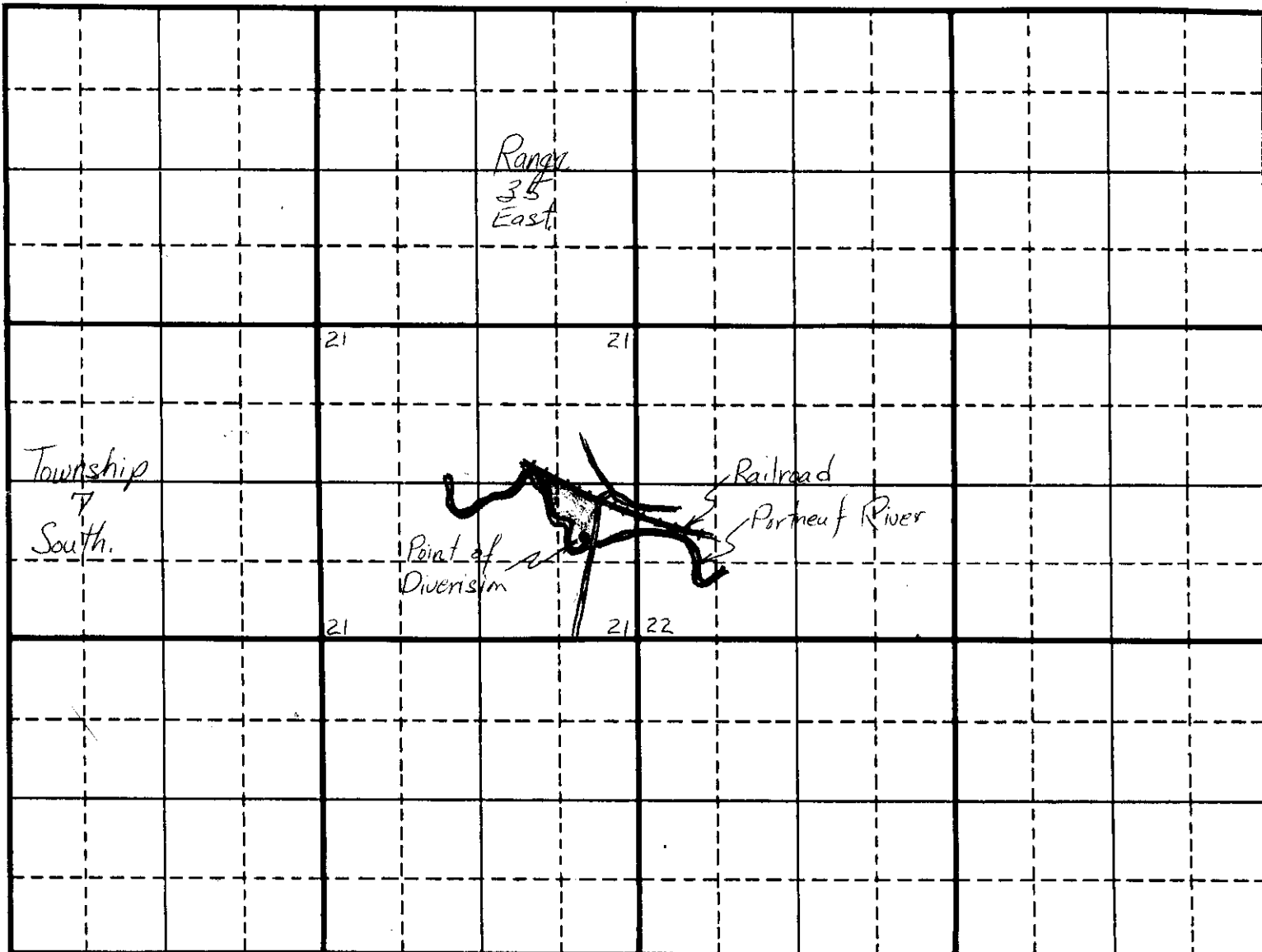
No. of acres 7

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

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:

(8) Remarks _____



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 25th day of August 1982
Martha Luning (Claimant)
Dyle Kaskie
Notary Public
Residing at Box 49 Irion, Idaho

My commission expires 1/31/84

FOR DEPARTMENT USE ONLY

Received by BP Date 9/9/82 Exception filed by: _____ Forwarded to: _____ Date: _____
Prelim. check by WJ Date 9-10-82
\$20.00 fee received by 30.00 Date 9/10/82 # 22498
Published in Idaho State Journal
Dates 9/16 ; 9/23/82

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

OCT 1 1982

Department of Natural Resources
Eastern District Office

Sheryl Gardiol

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>September 23</u>	<u>19 82</u>	_____	, 19____
<u>September 30</u>	<u>19 82</u>	_____	, 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.

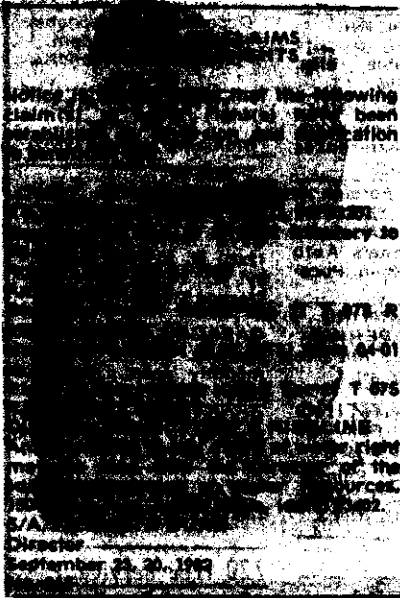
Sheryl Gardiol

Subscribed and sworn to before me this 30th

day of September, 1982

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



RECEIVED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

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U.S. 10

Basic 10/10/100

Sheryl Gardiol

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:

29 4259

LOWRY, JERRY &/or MARSHA
RT. 3, BOX 220, POCATELLO, ID 83201

Source: PORTNEUF RIVER tributary to
SNAKE RIVER

Priority Date: 06-01-1938

Amount: 0.27 CFS

Diversion Point: NESE Sec 21 T 07S R
35E, BANNOCK Co.

Use: IRRIGATION (0.27 CFS) from 04-01
to 11-01

Place of Use: NESE NWSE Sec 21 T 07S
R 35E FOR 7 ACRES

Diversion Means: PUMP & PIPELINE

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 83402.

S/A. KENNETH DUNN

Director

September 23, 30, 1982

No. 265

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.

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Sheryl Gardiol

Subscribed and sworn to before me this 30th

day of September, 1982

[Signature]

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 11, 1982

JERRY LOWRY
MARSHA LOWRY
RT. 3, BOX 220
POCATELLO

ID 83201

RE: Claim No. 29-4259

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
OCT 14 1982

Department of Water Resources

September 16, 1982

RE: Claim to a Water Right No. 29-4259 LOWRY

Thomas Bloxham, Watermaster
Water District No. 29
Downey, Idaho 83234

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.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 29 4259 Applicant Lowry

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.
WD #29 CW
- Oct 11, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Oct 12, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 10/14/82

RECEIVED

S T A T E O F 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
E a s t e r n R e g i o n

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

SEPTEMBER 15, 1982

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 OCTOBER 11, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
OCT 12 1982

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A. KENNETH DUNN

Director

Published 9/23 & 9/30.

RECEIVED
SEP 23 1980
IDaho DEPT. OF WATER RESOURCES

29-4259

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S/A. KENNETH DUNN

Director

September 23, 30, 1982

No. 265

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