

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 WILLIAM J. TOBY
(Name of Claimant)
ROUTE 1, TRAIL CREEK RD., POCA TELLO, ID. 83201 Telephone No. 208-233-9561
(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) MARCH 27, 1973

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 TRAIL 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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04 cfs</u>	Use	<u>DOMESTIC</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
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .04 cfs. TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 33 Twp. 6 S 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, deepened to 200 ft. on 5/21/82

(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	
<u>6S</u>	<u>34E</u>	<u>33</u>					X												

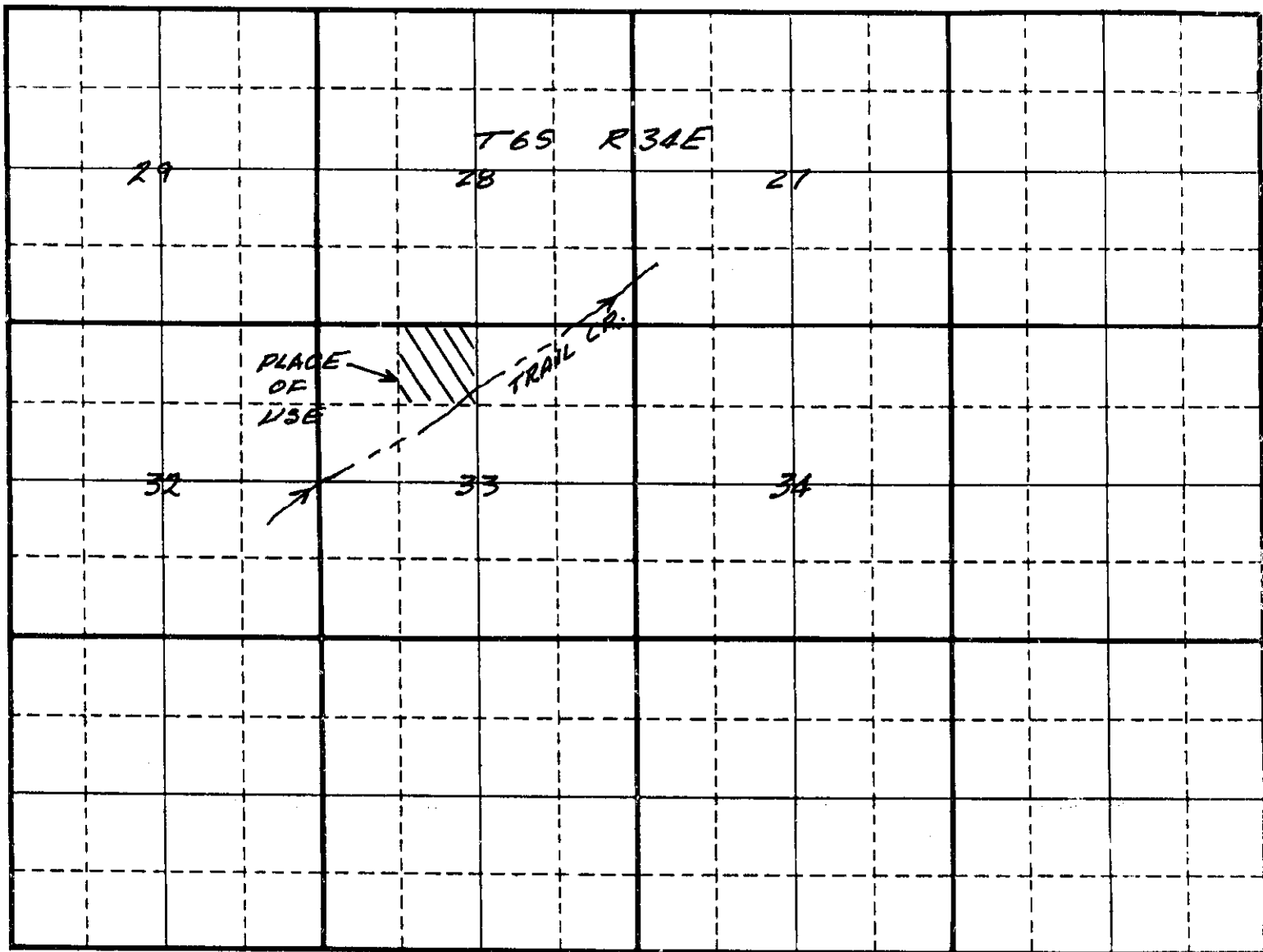
No. of acres

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

Include here the type and number of stock watered:
(7) You are claiming water as a member of an organization, list name of organization: NO

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(8) Remarks COPIES OF WELL DRILLERS REPORTS ATTACHED



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)
) 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.

Sworn to before me this 11th day of June

William J. Toly
(Claimant)
Carl Bohner
Notary Public
Residing at Pocatello Idaho

My commission expires Life

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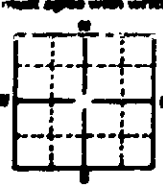
FOR DEPARTMENT USE ONLY

Received by CW Date 6-14-82 Exception filed by: _____ Forwarded to _____ Date _____
Processing check by HWJ Date 6-14-82 claimant by: _____
\$50.00 fee received by CW Date 6-14-82 # 22311
Published in Idaho State Journal
Pages 6-24 & 7-1-1982

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

Date law requires that this report be filed with the Director, Department of Water Administration, within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>John Matkovic</u> Address <u>Trail Creek Rd.</u> Owner's Phone No. <u>42-13</u>		7. WATER LEVEL Static water level <u>43</u> feet below land surface Pumping ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure ☐ Yes ☒ No Controlled by ☐ Valve ☐ Cap ☐ Plug	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)		8. WELL TEST DATA ☐ Pump ☐ Sucker ☒ Other Pumping rate _____ G.P.M. _____ Time _____ hours _____ minutes _____ seconds	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		9. LITHOLOGIC LOG Depth From To 0 35 Blue Clay 35 57 Yellow Clay 57 64 Sand 64 79 Yellow shale 79 82 Red clay 82 100 Sand-yellow clay	
4. METHOD DRILLED ☐ Cable ☒ Rotary ☐ Dig ☐ Other			
5. WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>100</u> feet Lining material ☒ Steel ☐ Concrete Thickness _____ Diameter _____ From _____ To _____ _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>82</u> feet Material used in seal ☐ Cement grout ☐ Packing clay			
6. LOCATION OF WELL Sketch in _____ section must agree with written location.  County <u>Bannock</u> <u>N.E. 1/4 Sec. 33 T. 4 S. R. 24</u>			
10. WORK STARTED Work started <u>3/26/73</u> and <u>4/20/73</u>			
11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>Northland Drilling 238</u> <u>Drilling</u> <u>Drilling</u>			

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

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WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name BILL LOBBY
Address RT #1 TRAIL CRAD LOCATED
Owner's Permit No. 27201

2. NATURE OF WORK

☐ New well ☒ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other (specify type)

4. METHOD DRILLED

☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>2 1/2</u> inches	<u>6</u> inches	+ <u>18</u> feet	<u>180</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☐ Yes ☐ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth _____ Material used in seal: ☐ Cement grout
☐ Puddling clay ☐ Well cuttings

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☐ Overbore to seal depth

Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name

Lot No. _____ Block No. _____

County JOHN MILER
 _____ 1/4 _____ 1/4 Sec. _____ T. _____ N/S. R. _____ E/W.

7. WATER LEVEL

Static water level 102 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☐ Other

Discharge G.P.M.	Pumping Level	Hours Pumped
------------------	---------------	--------------

50



9. LITHOLOGIC LOG

[illegible]

10.

Work started 5/18/72 finished 5/21/72

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name DUBBE DRAWING Firm No. 247

Address: 40 North 1st Street Date: 5/20/72

Signed by (Firm Official) M. J. Smith

and
(Operator) *[Signature]*

PROOF OF PUBLICATION

RECEIVED

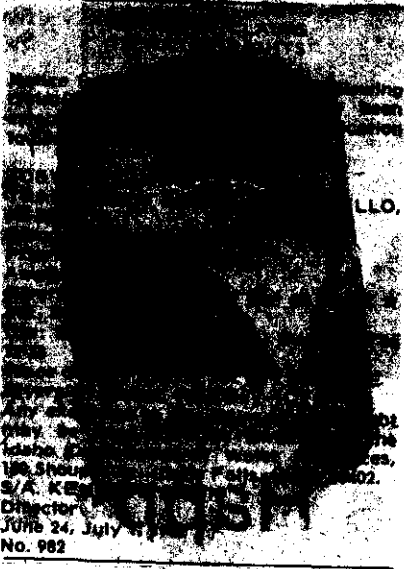
JUL 8 1982

STATE OF IDAHO
County of Bannock

ss.

Department of Water 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:

June 24	, 19 82		, 19
July 1	, 19 82		, 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 7th

day of July, 19 82

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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PROOF OF PUBLICATION

JUL 8 1982

STATE OF IDAHO
County of Bannock

SS.

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:

29-4237

TOBY, WILLIAM J.
TRAIL CREEK RD, RT. 1, POCATELLO,
ID 83201

Source: GROUNDWATER

Priority Date: 03-27-1973

Amount: 0.04 CFS

Diversion Point: NENW Sec 33 T 06S R 34E, BANNOCK Co.

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

Place of Use: NENW Sec 33 T 06S R 34E

Diversion Means: WELL

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

June 24, July 1, 1982

No. 982

being first duly sworn on oath deposes and says: That

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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_____	, 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.

Shoup Shoup
Subscribed and sworn to before me this

day of _____, 19

Notary Public, State of Idaho

Residence: Pocatello, Idaho

29-4237

TOBY, WILLIAM J.
TRAIL CREEK RD, RT. 1, POCA TELLO,
ID 83201
Source: GROUNDWATER
Priority Date: 03-27-1973
Amount: 0.04 CFS
Diversion Point: NENW Sec 33 T 06S R
34E, BANNOCK Co.
Use: DOMESTIC (0.04 CFS) from 01-01 to
12-31
Place of Use: NENW Sec 33 T 06S R 34E
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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
June 24, July 1, 1982
No. 982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 12, 1982

WILLIAM J. TOBY
TRAIL CREEK RD
RT. 1
POCATELLO ID 83201

RE: Claim No. 29-4237

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
JUL 15 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 29 4237 Applicant Toby

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.

Send to W.D. #

July 12, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 7/15/82

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RVC
7/2/82

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A. KENNETH DUNN

Director

Published 6/24 & 7/1/1982.

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29-423Z

TOBY, WILLIAM J.

TRAIL CREEK RD. RT. 1. POCA TELLO. ID 83201

Source: GROUNDWATER

Priority Date: 03/27/1973

Amount: 0.04 CFS

Diversion Point: NENW Sec 33 T 06S R 34E. BANNOCK Co.

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

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Diversion Means: WELL

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