

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 Wain Garrett and Alma Garrett, husband and wife,
(Name of Claimant)

P. O. Box 5372, Pocatello, Idaho 83201 Telephone No. 237-2123
(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, 1964

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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>13,000 gpd</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) .02cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 32 Twp. 5S Rge. 34E 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--approximately 120' deep

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5 S	34E	32										X							approx .
																			1 acre

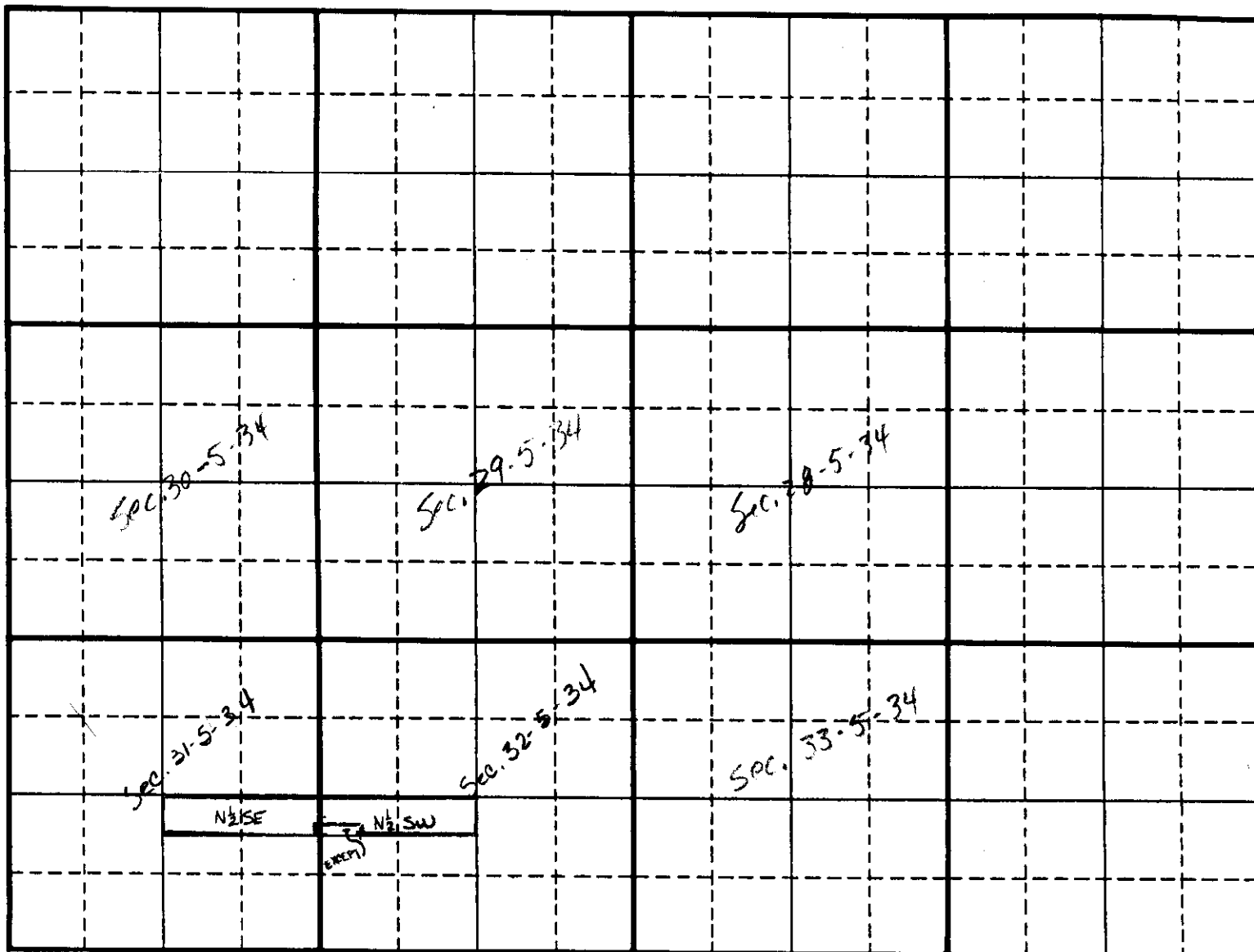
No. of acres approx. 1 acre

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

NOTE: Include here the type and number of stock watered: _____
If you are claiming water as a member of an organization, list name of organization: N/A

UNRECORDED

(8) Remarks Claimant originally owned N1/2 SE1/4 of Sec. 31 and N1/2 SW1/4 of Sec. 32, T. 5S, R. 34 EBM, and in 1973 deed this property to Roy J. and Esperanza E. Lacey excepting a portion in the SW corner of NW1/4 SW1/4, Sec. 32 with dimensions of 660' by 330' which included the well.



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.

Alma Lacey
Wain Lacey
(Claimant)

Sworn to before me this 10 day of November, 19 81.

Carroll M. Kuch
Notary Public
Residing at Para. ID

My commission expires Perpetual

FOR DEPARTMENT USE ONLY

Received by CW Date 11-18-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date 11-19-81
\$20.00 fee received by CW Date 11-18-81
Published in Id. State Journal # 19175
Dates 12-3 & 12-10-81

PROOF OF PUBLICATION

RECEIVED

DEC 16 1981

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sheryl Gardiol

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water rights have been established by decision and application to benefit thereon:

27-4215
SOURCE: BOYD H.
POCATELLO, ID 83401
SOURCE: SNIPPER RIVER PROPERTY TO
SNAKE RIVER
Priority Date: 1884
Amount: 1.02 CFS
Diversification Point: NWSW Sec 20 T 40N R 1E
BANNOCK CO. IDAHO
Date (Priority): 1884
Date (Application): 12-15-81
Place of Use: SNIPPER RIVER
Date of Use: 1884
Diversification Point: TO WADSWORTH &
HANDLINGS

GARRETT WAINWRIGHT
P.O. BOX 100 POCATELLO, IDAHO
Source: SNIPPER RIVER
Priority Date: 1884
Amount: 1.02 CFS
Diversification Point: NWSW Sec 20 T 40N R 1E
BANNOCK CO. IDAHO
Date (Priority): 1884
Date (Application): 12-15-81
Place of Use: SNIPPER RIVER
Date of Use: 1884
Diversification Point: TO WADSWORTH &
HANDLINGS

Any objection to any claim or right may be filed with the Director of the Idaho Department of Water Resources, 150 Shaw Ave., Idaho Falls, ID 83402.
S/A KENNETH DUBOIS
Director
December 3, 10, 1981
No. 348

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:

December 3	1981	19
December 10	1981	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 15th

day of December, 1981

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

DEC 10 1981

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:

29-4215
GUNTER, BOYD H.
RT. 3, BOX 229, POCATELLO, ID 83201
Source: PORTNEUF RIVER tributary to SNAKE RIVER
Priority Date: 06-01-1944
Amount: 0.54 CFS
Diversion Point: SWNE Sec 21 T 07S R 35E, BANNOCK Co.
Use: IRRIGATION (0.54 CFS) from 03-15 to 11-15
Place of Use: SWNE SENW NESW NWSE Sec 21 T 07S R 35E FOR 27 ACRES
Diversion Means: PUMP TO MAIN & HANDLINES

29-4216
GARRETT, WAIN &/or ALMA
P. O. BOX 5372, POCATELLO, ID 83201
Source: GROUNDWATER
Priority Date: 06-15-1964
Amount: 0.02 CFS
Diversion Point: NWSW Sec 32 T 05S R 34E, BANNOCK Co.
Use: DOMESTIC (0.02 CFS) from 01-01 to 12-31
Place of Use: NWSW Sec 32 T 05S 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
December 3, 10, 1981
No. 348

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:

December 3, 1981, 19
December 10, 1981, 19
_____, 19, 19
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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 15th

day of December, 1981

Notary Public, State of Idaho
Residence: Pocatello, Idaho

25 29-4216
26 GARRETT, WAIN &/or ALMA
27 P. O. BOX 5372, POCA TELLO, ID 83201
28 Source: GROUNDWATER
29 Priority Date: 06-15-1964
30 Amount: 0.02 CFS
31 Diversion Point: NWSW Sec 32 T 05S R
32 34E, BANNOCK Co.
33 Use: DOMESTIC (0.02 CFS) from 01-01 to
34 12-31
35 Place of Use: NWSW Sec 32 T 05S R 34E
36 Diversion Means: WELL
37
38 Any exception to any claim of water right
39 may be filed with the Director of the
40 Idaho Department of Water Resources,
41 150 Shoup Ave., Idaho Falls, Idaho 83402.
42 S/A. KENNETH DUNN
43 Director
44 December 3, 10, 1981
45 No. 348
46 <i<i<i<i

ROUTING SLIP

PER:

Our Conversation

Your Request

The Attached

TO:

FROM:

DATE:

TIME:

FOR YOUR:

REVIEW AND:

Information

Take Proper Action

Approval

Comment JAN 4 1982

Signature

Draft Reply

Department of Water Resources

ATTACHED TO BE:

Posted

Returned To Me

Circulated

Filed

Distributed

Copied (____ copies)

* Stick file noted at top

File # 29-4216

November 15, 1981

Frederick C. Lyon
Dial, Looze & May
Attys at Law
216 W. Whitman
Pocatello, Idaho 83201

Dear Mr. Lyon:

Enclosed is the claim you submitted for Wain and Alma Garret as well as your check for 1938 for \$20. If you will note the dark print under line one of the claim, you can see that groundwater with a priority later than March 25, 1963 is not acceptable on a claim.

If the Garrets wanted to pursue this, it would have to be through an application for permit which would have a priority date the same as the day the application is receipted in this office.

I have also enclosed some new claim forms for your future use. Please note that the fee for claims is now \$30.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:brs

enc: as stated

DIAL, LOOZE & MAY

ATTORNEYS AT LAW

218 W. WHITMAN

POCATELLO, ID. 83204

T. F. DIAL
J. K. LOOZE
G. C. MAY
F. C. LYON

(208) 233-0132
P. O. BOX 207

November 10, 1981

Department of Water Resources
150 Shoup
Idaho Falls, ID 83401

Re: Wain and Alma Garrett
Water Application

Gentlemen:

Enclosed is a Claim to a Water Right for a well for domestic use by Wain and Alma Garrett for filing. Also, enclosed is our check for \$20 for the filing fee. Should you have any questions or need additional information, please call me.

I have exhausted our office supply of forms for a Claim to a Water Right. Would you please send me several No. 243 forms or successor forms.

Sincerely,



FREDERICK C. LYON

FCL:jw
Enc.
cc: Wain and Alma Garrett

December 18, 1981

RE: Claim to a Water Right No. 73-4026

Ellis Ditch Users
Pahsimeroi Water District
c/o Jimmie L. Downton
May, Idaho 83253

Dear Mr. Downton:

We are returning your letter of protest concerning the above referenced claim to a water right.

If you do not agree with the information that is contained in the above referenced claim to a water right, then you should file an exception, which must be in affidavit form, indicating why the right claimed is incorrectly represented. There is no time limitation for filing an exception to a claim, however, we request that if you choose to file an exception you submit it as soon as possible to assist us in rapid processing. For your convenience, we have enclosed an affidavit form.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT 29 4216

Right Number 29-4216 Applicant Garrett

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.

Dec 21, 1981

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Dec. 24, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By fw Date 12/31/81

RECEIVED
DEC 23 1981

Department of Water Resources

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 21, 1981

WAIN GARRETT
ALMA GARRETT
P.O. BOX 5372
POCATELLO

ID 83201

RE: Claim No. 29-4216

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

29-4216-

GARRETT, WAIN &/or ALMA

P.O.BOX 5372, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 06/15/1964

Amount: 0.02 CFS

Diversion Point: NWSW Sec 32 T 05S R 34E, BANNOCK Co.

Use: DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 32 T 05S R 34E

Diversion Means: WELL

RECEIVED
JUN 16 1964
FBI - BUTTE

DIAL, LOOZE & MAY

ATTORNEYS AT LAW

216 W. WHITMAN

POCATELLO, ID. 83204

T. F. DIAL
J. K. LOOZE
G. C. MAY
F. C. LYON

(208) 233-0132
P. O. BOX 207

November 17, 1981

Mr. Harold W. Jones
Sr. Resource Agent
State of Idaho
Department of Water
Resources
150 Shoup
Idaho Falls, ID 83401

Re: Wain and Alma Garrett

Dear Mr. Jones:

As we discussed over the phone, I am returning the Claim to a Water Right by Mr. and Mrs. Garrett for filing. They are filing a claim on a single family domestic use from a ground water source and accordingly, even though their date of priority is later than March 25, 1963, it may be filed. I apologize for not pointing this out in my first letter to you.

Enclosed is our check for \$30 for the filing fee. If you have any questions, please call me.

Sincerely,


FREDERICK C. LYON

FCL:jw

Enc.

cc: Mr. and Mrs. Garrett

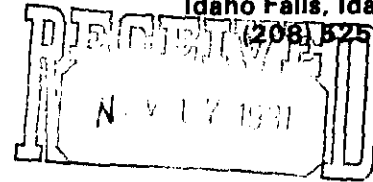


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 325-7161



November 16, 1981

Frederick C. Lyon
Dial, Looze & May
Attys at Law
216 W. Whitman
Pocatello, Idaho 83201

Dear Mr. Lyon:

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Sincerely,

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HAROLD W. JONES
Sr. Resource Agent

HWJ:brs

enc: as stated

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