

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 Sam McNabb &/or Margaret McNabb  
(Name of Claimant)  
Rt. #1, Box 62, Pocatello, ID 83201 Telephone No. 237-3656  
(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) Sept. 1, 1910

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)  
Groundwater 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>.04</u> | Use                                 | <u>Domestic</u> | Period of Use From     | <u>Jan. 1</u> To <u>Dec. 31</u> |
| Quantity        | <u>.02</u> | Use                                 | <u>Stock</u>    | Period of Use From     | <u>"</u> To <u>"</u>            |
| Quantity        |            | Use                                 |                 | Period of Use From     | To                              |
| Quantity        |            | Use                                 |                 | Period of Use From     | To                              |
| Quantity        |            | Use                                 |                 | Period of Use From     | To                              |

(4) .06 CFS TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SW ¼ NW ¼, Sec. 9 Twp. 6S 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. Original well was 80 ft. deep. This well was replaced in 1978 because of its deteriorating condition. The new well is 150 ft. deep and equiped with an electric submersible pump and delivery system for two houses and stock.

(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. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 6S | 34E | 9    |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres \_\_\_\_\_

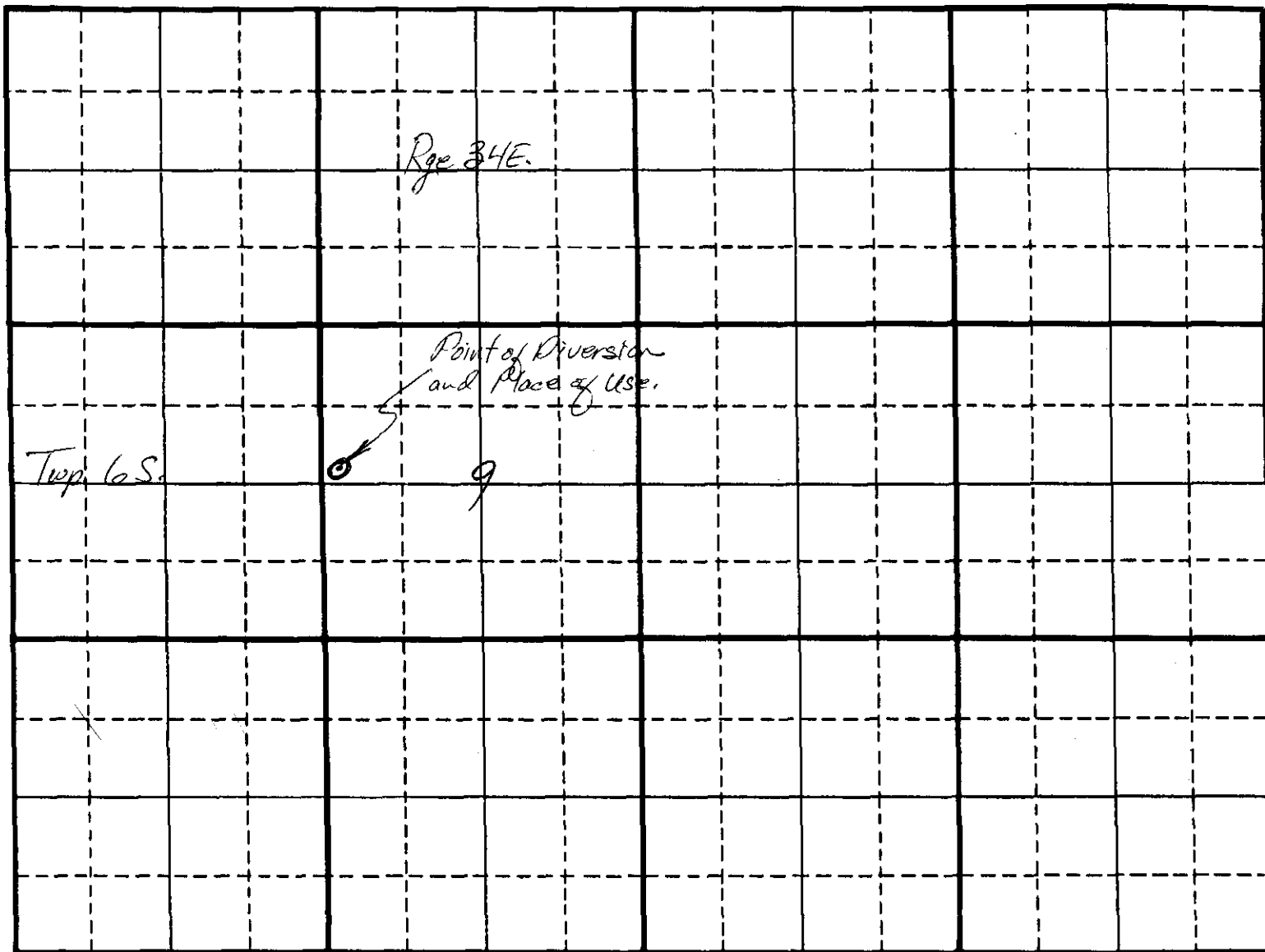
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The well provides culinary water for two houses plus is used to water stock.

NOTE: Include here the type and number of stock watered: 150 head of beef cattle.

(7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

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(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 Bonneville ) 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 24 day of April, 1980.

x Sam McFarland  
(Claimant)

Kathleen A. Walker  
Notary Public  
Residing at Idaho Falls

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

|                                         |                        |                     |              |      |
|-----------------------------------------|------------------------|---------------------|--------------|------|
| Received by <u>EMC.</u>                 | Date <u>7/24/1980.</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by                        | Date                   |                     | claimant by: |      |
| \$20.00 fee received by <u>KW</u>       | Date <u>4/24/80</u>    | <u>#13952</u>       |              |      |
| Published in <u>Idaho State Journal</u> |                        |                     |              |      |
| Dates <u>5/8 &amp; 5/15/80</u>          |                        |                     |              |      |

ON RECEIVED

**SS.**

MAY 19 1980

Ellen Hughes

Department of Water Resources  
Eastern District Office

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:

|        |                  |  |    |
|--------|------------------|--|----|
| May 8  | 19 <sup>80</sup> |  | 19 |
| May 15 | 19 <sup>80</sup> |  | 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.

Subscribed and sworn to before me this 16th Ellen Hughes

day of May, 19 80

By \_\_\_\_\_  
Notary Public, State of Idaho

Notary Public, State of Idaho  
Residence: Pocatello, Idaho

[illegible]

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# PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO  
County of Bannock

ss.

MAY 15 1980

Ellen Hughes

Department of Water Resources  
Eastern District Office

## 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:

29-4170

MC NABB, SAM &/or MARGA  
RET  
RT. 1 BOX 62, POCATELLO, ID  
83201  
Source: GROUNDWATER  
Priority Date: 09-01-1910  
Amount: 0.06 CFS  
Diversion Point: SWNW Sec 09 T  
06S R 34E, BANNOCK Co.  
Use: STOCKWATER (0.02 CFS)  
from 01-01 to 12-31  
DOMESTIC (0.04 CFS) from 01-01  
to 12-31  
Place of Use: SWNW Sec 09 T 06S  
R 34E  
Diversion Means: WELL, PUMP  
& DELIVERY SYSTEM

29-4171

MC NABB, SAM &/or MARGA  
RET  
RT. 1 BOX 62, POCATELLO, ID  
83201  
Source: GROUNDWATER  
Priority Date: 09-01-1910  
Amount: 0.06 CFS  
Diversion Point: NENE Sec 32 T  
05S R 34E, BANNOCK Co.  
Use: STOCKWATER (0.02 CFS)  
from 01-01 to 12-31  
DOMESTIC (0.04 CFS) from 01-01  
to 12-31  
Place of Use: NENE Sec 32 T 05S  
R 34E  
Diversion Means: WELL, PUMP  
& DELIVERY SYSTEM  
Any exception to any claim of  
water right may be filed with the  
Director of the Idaho Department  
of Water Resources, 1515 Lincoln  
Road, Idaho Falls, Idaho 83401  
S/ C. Stephen Allred  
Director  
May 8, 15, 1980  
No. 573

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:

May 8, 1980  
May 15, 1980  
\_\_\_\_\_, 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.

Ellen Hughes

Subscribed and sworn to before me this

day of May, 1980



Notary Public, State of Idaho  
Residence: Pocatello, Idaho

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: jc

Right Number 29 4170 Applicant McNabb

NOTE: 29-4170 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. 5/20
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date 6-12-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Lawrence Date 6/19/80

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

MAY 1, 1980

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 26, 1980.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

MAY 28, 1980

SAM MC NABB  
MARGARET MC NABB  
RT. 1 BOX 62  
POCATELLO

ID 83201

RE: Claim No. 29-4170

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

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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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 5/08 & 5/15/80.

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29-4170-

MC NABB, SAM &/or MARGARET

RT. 1 BOX 62, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 09/01/1910

Amount: 0.06 CFS

Diversion Point: SWNW Sec 09 T 06S R 34E, BANNOCK Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: STOCKWATER | (0.02 CFS) | from 01/01 to 12/31 |
| DOMESTIC        | (0.04 CFS) | from 01/01 to 12/31 |

Place of Use: SWNW Sec 09 T 06S R 34E

Diversion Means: WELL, PUMP & DELIVERY SYSTEM.

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