

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 Michaud Farms (J. W. Priestly, a Partnership)
(Name of Claimant)
435 South 7th, Pocatello, Idaho 83201 Telephone No. 233-4499
(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) July 28, 1955

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>4.84 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>5/1</u>	To <u>10/31</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) 4.84 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 21 Twp. 6S Rge. 33E B.M., County of Power
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. _____

(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	33E	20	10		40	40													90
		21					40	25	40	40									145

No. of acres 235

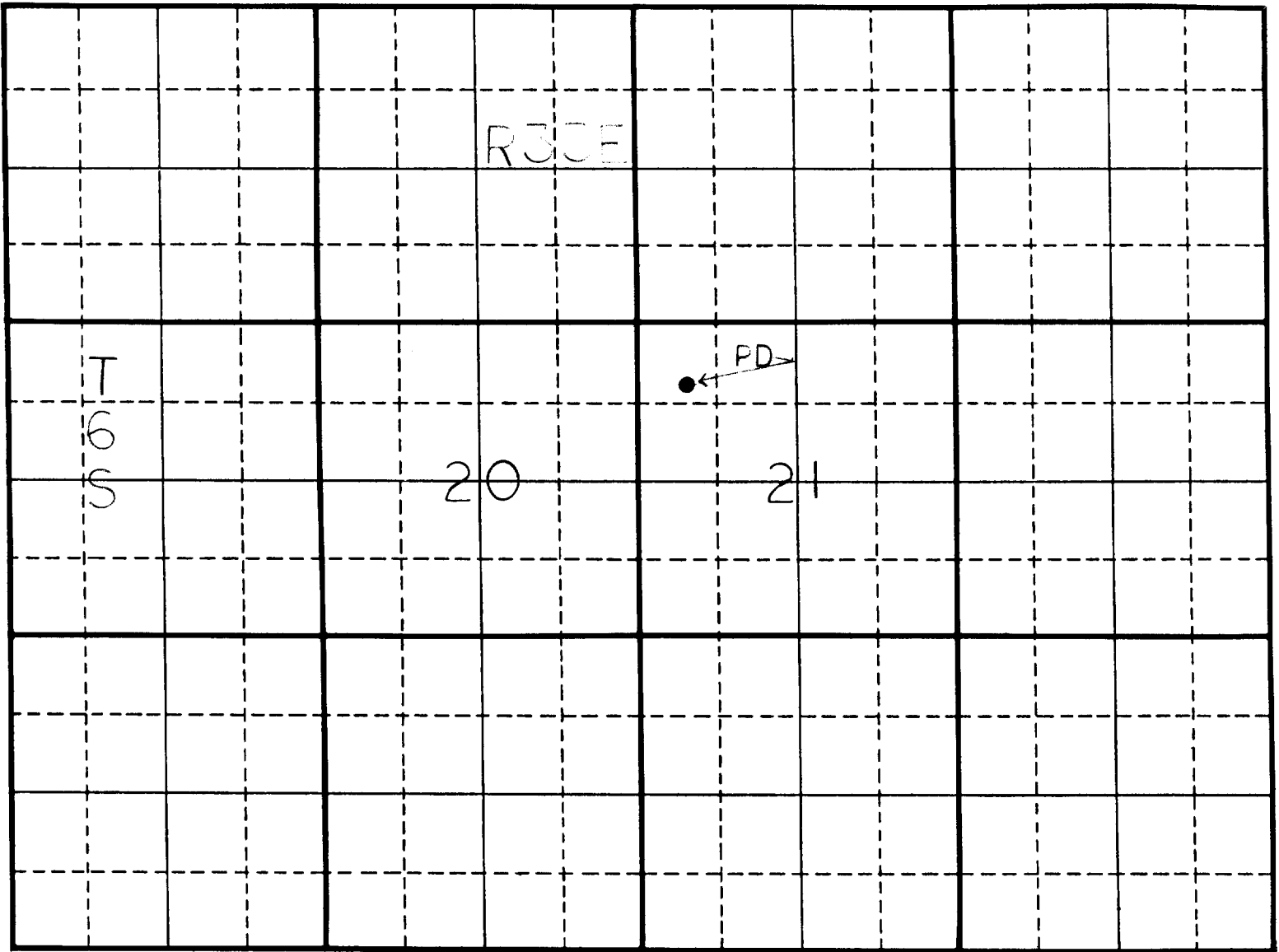
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: Michaud Farms, Partnership

MICROFILMED

(8) Remarks The claimants received permit No. G 25365 in 1955 and subsequently drilled a well and commenced irrigating. On July 21, 1955, notice of proof of completion of works and application of water to beneficial use was published in the Power County Press. Because of an error on the part R.D. Shou, proof was not submitted and consequently the permit lapsed.



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 Bingham) 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 9th day of July

John Priestly
(Claimant) General Partner
19 79

Ronald D. Carlson
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY			
Received by <u>RDC</u>	Date <u>7/9/79</u>	Exception filed by:	Forwarded to
Prelim. check by <u>RDC</u>	Date <u>7/9/79</u>		claimant by:
\$20.00 fee received by <u>DA</u>	Date <u>7/2/79</u>	#11981	
Published in <u>Power County Press</u>			
Dates <u>July 19 & 26, 1979</u>			

Thursday, July 21, 1955

With Want-Ads

ALFALFA HAY for sale, baled, on new ground. \$20 per ton. contact John Zimmerman, Aberdeen, Phone J-11.

TRY ART'S

Machine and Welding Service
"Where Your First Cost
Is Your Last Cost!"

ART'S MACHINE SHOP
Phone 2017

FOR SALE—1 Massey Harris 21A combine, 1 TD6 IHC Tractor, low hours, Ben Hayden at Crystal, address Arbon, Idaho.

CUSTOM BAILING

M&M wire-tie baler, experienced operator. Call 2196 or 3697 American Falls.

AUTOMOTIVE

SALE—Chevrolet 4-door, '49 model, low mileage Mrs. Paul Spalding. 34.

ESTATE FOR SALE

ING SHOP for sale, and equipment. Jacob American Falls.

DROOM houses for sale, 1 Street.

ANTED MISC.

PERSON needs steady ride to and from Monday through Friday. for same. Please call 11 at 3341 between 8:00 5:00 p.m.

d in The Power County 5 14, 21, 28 and August 4.)

CE OF PROOF OF
LETION OF WORKS
and
CATION OF WATER
BENEFICIAL USE
is hereby given that at A., on the 10th day of 1955, at American Falls, f Power State of Idaho, L.R. Schou, a Notary roof will be submitted of letion of works for the of 2.84 cubic feet per

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2.84 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.84 cubic feet per second.

4. The place where said water is used is SE $\frac{1}{4}$ of Sec. 1, Twp. 6S., R. 33E.B.M. and portions of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, of Sec. 5, Twp. 6S., R. 34, EBM.

5. The date of priority which said user is prepared to establish is December 31, 1953.

MARK R. KULP

State Reclamation Engineer

(Published in The Power County Press July 14th and 21st.)

NOTICE OF SALE

OF COUNTY PROPERTY
Notice is hereby given that the following named property belonging to the County of Power, Idaho, will be sold at public auction, to the highest bidder, for cash, at the west door of the Power County Court House, American Falls, Idaho, on the 8th day of August, 1955, at 10:00 A.M.

One manual operated road grader formerly belonging to the Crystal Highway District.

Sale ordered by Power County Board of Commissioners.

LeRoy C. Lindley, Chairman
Board of County Commissioners,
Power County, Idaho

(Published in The Power County Press July 14, 21, 28 and August 4.)

FORM 36

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 10th day of August, 1955, at American Falls, County of Power State of Idaho, before L.R. Schou, a Notary Public, proof will be submitted of the completion of works for the diversion of 4.84 cubic feet per second of the waters of a well, located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 21, Twp. 6S., R. 33 EBM, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25365 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and post-office address of the person or corporation holding said permit are J.W. Priestly, Gertrude Priestly, Nellie Holmes, and Dorothy Stokes, Route 2 North, Pocatello, Idaho.

2. Said works of diversion will

be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place for use, in accordance with plans accompanying the application for such permit, is 4.84 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.84 cubic feet per second.

4. The place where said water is used is SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; and a portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, Twp. 6S., R. 33, EBM, and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, and portions of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 20, Twp. 6S., R.33, EBM.

5. The date of priority which said user is prepared to establish is January 19th, 1955.

MARK R. KULP

State Reclamation Engineer

IDaho STATI

Fairgrounds—

FILED, AI

Assembled for Inspection, t

675 SUFI

Breeder and Bu
Idaho Wool Grov

USED CO

DO YOU KNOW YOU
GUARANTEED USED
COMBINE (12'S & 14
YOU CAN BUY A 6' PI

We Have a Massey-Ha
and an Oliver 33—14 ft.
acres of \$3590.00

These Machines A

WATER SUPPLY

AMERICAN

RECEIVED

JUL 19 1979

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } S.S.

Phyllis Ringe

being first duly sworn

on oath, states:

That ~~she~~ is the ~~principal clerk of~~ the printer of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for ² successive weekly issues thereof, the date of the first publication being the 19th day of July, 1979

the date of last publication being the

26th day of July, 1979

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

19th day of July, 1979

[Signature]
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

..... day of, 19

Legal Notice

Published in The Power County Press July 19 and 26, 1979.

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:

29-4104

MICHAUD FARMS

c/o J.W. PRIESTLY, 435 SOUTH 7TH, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 7/28/1955

Amount: 4.84 CFS

Diversion Point: NWNW Sec 21 T 06S R 33E, POWER Co.

Use: IRRIGATION (4.84 CFS) from 05/01 to 10/31

Place of Use: NENE SWNE SENE Sec 20 T 06S R 33E NENW NWNW SWNW SENW Sec 21 T 06S R 33E for 235 ACRES

Diversion Means: WELL, PUMP & SPRINKLER 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, Boise, Idaho 83709.

87-A

MICROFILMED

RECEIVED

JUL 25 1979

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } s.s.

Phyllis Ringe

being first duly sworn

on oath, states:

That ~~she~~ is the ~~principal clerk of~~ the printer of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for ².....
successive weekly issues thereof, the date of the first publication being the 19th day of July, 1979

the date of last publication being the

26th day of July, 1979

(Signed)

Subscribed and sworn to before me this

19th day of July, 1979

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of 19

Legal Notice

Published in The Power County
Press July 19 and 26, 1979.

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:

29-4104

MICHAUD FARMS

c/o J.W. PRIESTLY, 435 SOUTH
7TH, POCATELLO, ID 83201

Source: GROUNDWATER

Priority Date: 7/28/1955

Amount: 4.84 CFS

Diversion Point: NWNW Sec 21 T
06S R 33E, POWER Co.

Use: IRRIGATION (4.84 CFS) from
05/01 to 10/31

Place of Use: NENE SWNE SENE
Sec 20 T 06S R 33E NENW NWNW
SWNW SENW Sec 21 T 06S R 33E
for 235 ACRES

Diversion Means: WELL, PUMP &
SPRINKLER 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, Boise, Idaho 83709.

C. STEPHEN ALLRED
Director

H-A

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 6, 1979

MICHAUD FARMS
% J. W. PRIESTLY
435 SOUTH 7TH
POCATELLO

ID 83201

RE: Claim No. 29-4104

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

MICROFILMED

S I T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 13, 1979

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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 AUGUST 6, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

Published in The [redacted] County
Press July 19 and 26, 1955

NOTICE OF CLAIMS

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:

29-4104

MICHAUD FARMS

c/o J.W. PRIESTLY, 435 SOUTH
7TH, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 7/28/1955

Amount: 4.84 CFS

Diversion Point: NWNW Sec 21 T
06S R 33E, POWER Co.

Use: IRRIGATION (4.84 CFS) from
05/01 to 10/31

Place of Use: NENE SWNE SENE
Sec 20 T 06S R 33E NENW NWNW
SWNW SENW Sec 21 T 06S R 33E
for 235 ACRES

Diversion Means: WELL, PUMP &
SPRINKLER 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, Boise, Idaho 83709.

C. STEPHEN ALLRED
Director

87-L

*Gully
proof.*

~~29-4104-~~

MICHAUD FARMS

% J. W. PRIESTLY, 435 SOUTH 7TH, POCA TELLO, ID 83201

Source: GROUNDWATER

Priority Date: 07/28/1955

Amount: 4.84 CFS

Diversion Point: NWNW Sec 21 T 06S R 33E, POWER Co.

Use: IRRIGATION (4.84 CFS) from 05/01 to 10/31

Place of Use: NENE SWNE SENE Sec 20 T 06S R 33E NENW NWNW SWNW SENW
Sec 21 T 06S R 33E FOR 235 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM

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, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 7/19 & 7/26/79.

MICROFILMED

July 3, 1979

J. W. Priestly
Michaud Farms
435 South 7th
Pocatello, Idaho 83201

Dear Sir:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 11981 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC;dh

Attachment

MICROFILM

July 3, 1979

J. W. Priestly
Michaud Farms
435 South 7th
Pocatello, Idaho 83201

Dear Sir:

Enclosed you will find your check No. 500 in the amount of \$20.00 which is being returned together with your application for permit. It is not necessary to file an application on a well that has been in existence since 1955. The claim to a water right you filed with our Department will provide adequate documentation of the use of the groundwater source.

We have retyped your claim in order to provide a neater copy for our records. Please sign the typed copy in the presence of a notary public and return it to this office as soon as possible, as we have already begun processing of your claim.

Should you have any questions regarding this matter, please feel free to contact us.

Very truly yours,

RODNEY A. PARKER
Sr. Water Resource Agent

RAP:dh

Enclosures
Attachment: check 92-315/\$20.00

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RP

Right Number _____ Applicant Michael TIRMS

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 Ernest Carlson Date 8/7/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani Date 8/9/79

MICROFILMED