

CLAIM TO A WATER RIGHT

Notice is hereby given that Maurice A. Toler,
(name of claimant)
of Arimo, Idaho 83214
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Garden Creek
_____, tributary to, Marsh Creek

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

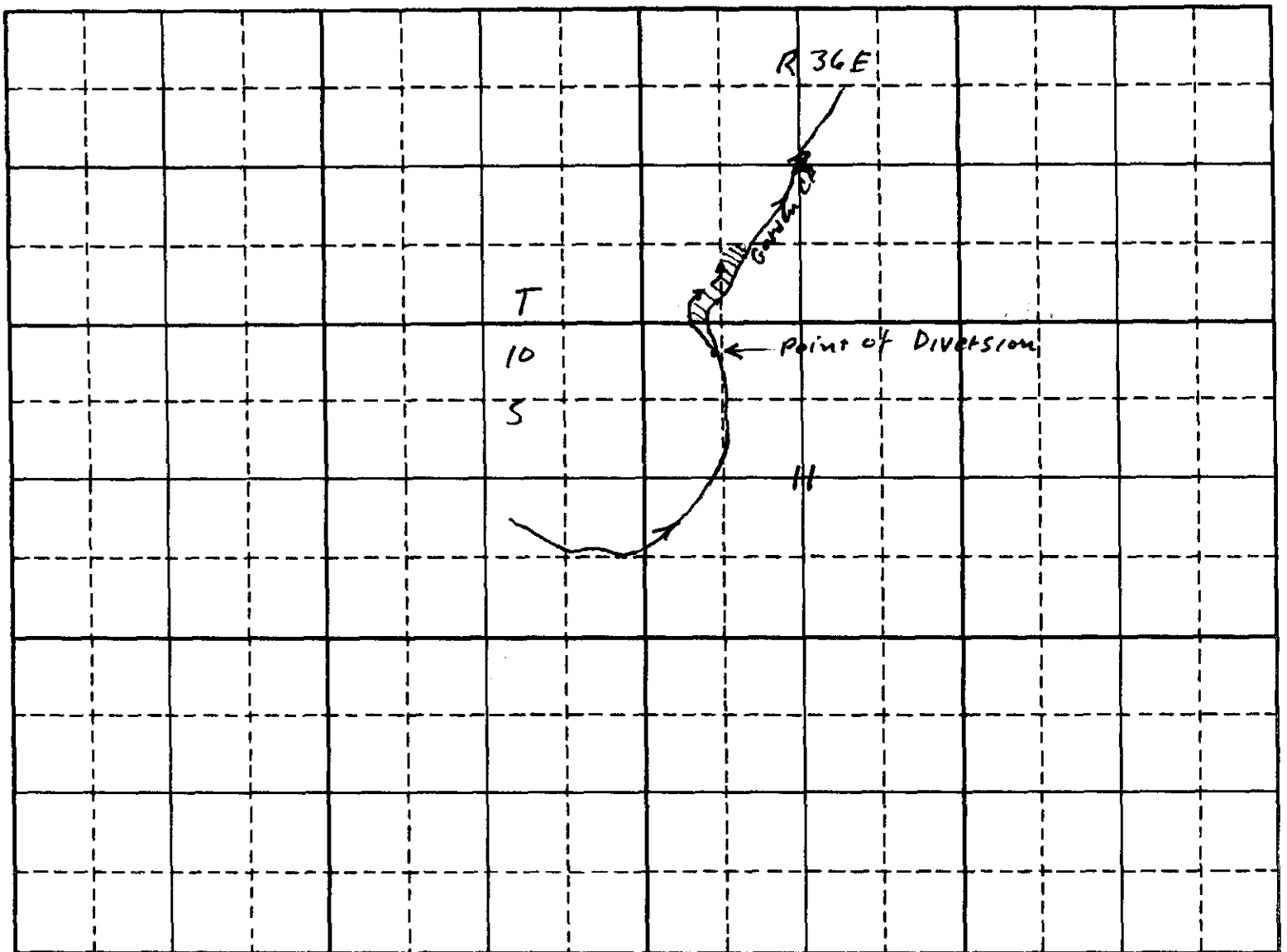
(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

Total No. of acres 12

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

REVOLUTION

(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)
) ss.
County of Bonneville)

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 affiants knowledge.

Maurice A. Plun
(Claimant)

Sworn to before me this 15th day of March, 1977.

Loren O. Hansen
Notary Public

Residing at Idaho Falls, Id.

My commission expires March 21, 1977

For Department Use Only

Received by <u>CW</u>	Date <u>3-18-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>FW</u>	Date <u>3-18-77</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>3-18-77</u>			
Approved for publication by <u>FW</u>	Date <u>4-12-77</u>			
Published in <u>Idaho State Journal</u>	<u>#6488</u>			
Dates <u>Mar. 31 & April 2, 1977</u>				

NOTICE OF WATER APPROPRIATION.

State of Idaho,)
County of Bannock,) ss.

TO ALL CONCERNED:-

Notice is hereby given:- That William Marley of Robin of the County of Bannock of the State of Idaho, hereby appropriates and claims the use of the surplus waters of Garden Creek here flowing to the amount, or extent, of one and one-half (1-1/2) cubic feet per second of time, to be diverted from said stream at a point near the south-east corner of the north-west quarter of the North-west quarter of Section eleven(11) Township ten (10) South, Range thirty-six (36) East, where a copy of this notice is posted.

It is intended to use said waters, and the same have been used for the period of four (4) years last passed, for agricultural and domestic purposes upon the west half (1/2) of the southwest quarter (1/4) and the southwest quarter (1/4) of the northwest quarter (1/4) of Section two (2), Township ten (10) South, Range thirty-six (36) East of the Boise Meridian in Idaho, being the lands comprised in Desert Entry #2039, made at the District Land Office at Blackfoot, Idaho.

It is intended to divert said waters by means of a dam and ditch; said dam being about three (3) feet high, seven (7) feet through at the bottom, four (4) feet through at the top, and about ten (10) feet in length, and said ditch being about four (4) feet wide and one and one-half (1-1/2) feet deep. The length of said ditch is about three-fourths (3/4) of a mile, and the general course thereof is northeasterly from the point of diversion.

It is intended to have the works for the diversion and use of said waters as aforesaid completed within three years

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from the date of this notice, the same being now in course of construction, and having been used for about four years last passed.

In Witness Whereof, the said claimant has hereunto set his hand and seal this 8th day of July, A. D. 1899.

William Marley
Claimant.

State of Idaho,)
County of Bannock,) ss.

William Marley, being first duly sworn according to law, deposes and says that he is the claimant of the water right mentioned in the foregoing notice of appropriation, and whose name is subscribed thereto; that the statements in said notice contained are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at the point of diversion therein described at 45 minutes past 10 o'clock A. M., on the 8th day of July, A. D., 1899.

William Marley

Subscribed in my presence by the said William Marley and by him sworn to before me this 8th day of July, A. D., 1899.

(Seal).

James Henderson
Notary Public.

Recorded, - - - - - July 18, 1899
at 10:00 A. M., in Book "2" of Water Locations, page
15, Records of Bannock County, Idaho.

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CWC

PROOF OF PUBLICATION **RECEIVED**

APR 12 1977

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

PATRICIA RECK

NOTICE OF CLAIM TO A WATER RIGHT NO. 29-4080

Notice is hereby given that Maurice A. Toler, Arimo, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.50 cubic feet per second of water from Garden Creek tributary to Marsh Creek with point of diversion in the NW 1/4 NW 1/4, Sec. 11, T. 10S, R. 36E, B.M., Bannock County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 12 acres with a priority of July 8, 1895 the place of use is within the S 1/2 SW 1/4, Sec. 2, T. 10S, R. 36E, B.M.

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

Director
March 31, April 7, 1977
No. 235

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:

MARCH	31	, 19	77	, 19
APRIL	7	, 19	77	, 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.

Patricia Reck

Subscribed and sworn to before me this **11th**

day of **APRIL**, 19**77**

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

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Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

RECEIVED
APR 12 1977

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Patricia Peck

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Patricia Peck

Subscribed and sworn to before me this.....

day of....., 19.....

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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PROOF OF PUBLICATION

RECORDED
INDEXED

STATE OF IDAHO
County of Bannock

ss.

Department of ...
Idaho Falls, Idaho

Patricia Peck

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Patricia Peck

Subscribed and sworn to before me this _____

day of _____, 19____

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

April 18, 1977

RE: Claim to a Water Right No. 29-4079 and 29-4080

Mr. Maurice A. Toler
Arimo,
Idaho 83214

Dear Mr. Toler:

The Department of Water Resources has completed the processing of your claim(s) to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim(s) will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim(s) does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim(s).

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim(s) number when corresponding with this office.

We are enclosing, for your records, a copy of your claim(s). If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim(s)

RECEIVED

March 25, 1977

RE: Claim to a Water Right No. 29-4079 TOLER
29-4080 "
Application for Permit No. 29-7383 BIGLER

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 4-12-77 by me

RDC:CW

Enc: Legal Notice (3)

RECEIVED
MAY 10 1977

NO. 29-4080

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XXLX XRETDHX XHGGGDNSONX

Director

Published in the Idaho State Journal, Pocatello, Idaho
on March 31 and April 7, 1977

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