

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

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

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed springs
tributary to 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:
- | | | | | | | | |
|--------|----------------------|-----|-------------------------------|---------------------|-------------------|----|------------------------|
| Amount | <u>1.00</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: From | <u> </u> | To | <u> </u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: From | <u> </u> | To | <u> </u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 1.00 cubic feet per second, or acre feet
per annum, and/or gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1921

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 11 Twp. 10S Rge. 36E B. M. County of Bannock
Additional points of diversion: NW¼SW¼, Sec.11, T. 10S, R. 36E

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. concrete headgate, 1¼ miles of ditch

- (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.

[illegible]

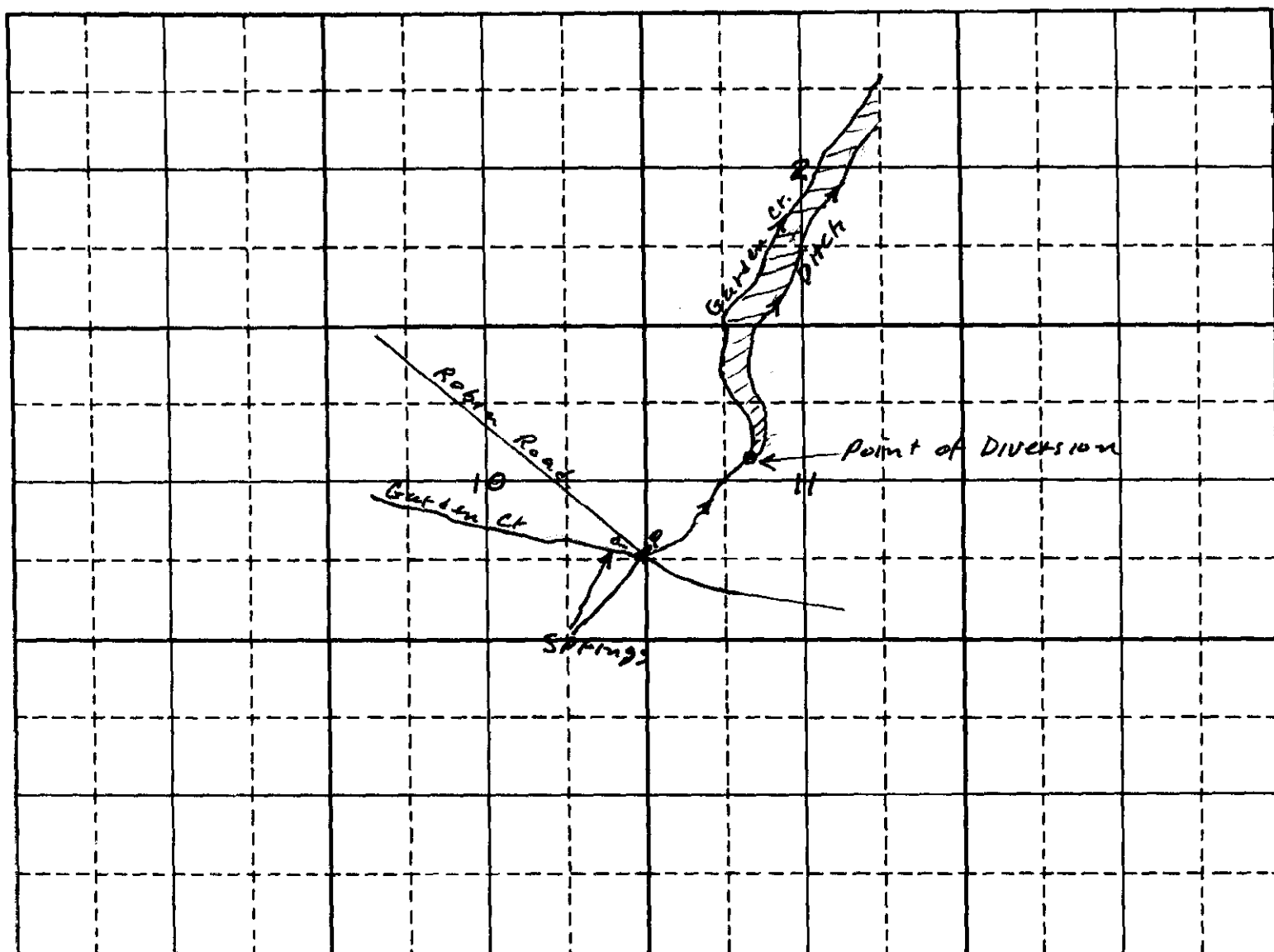
Total No. of acres 50

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

- (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)
) 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.

Marine H. Ples
(Claimant)

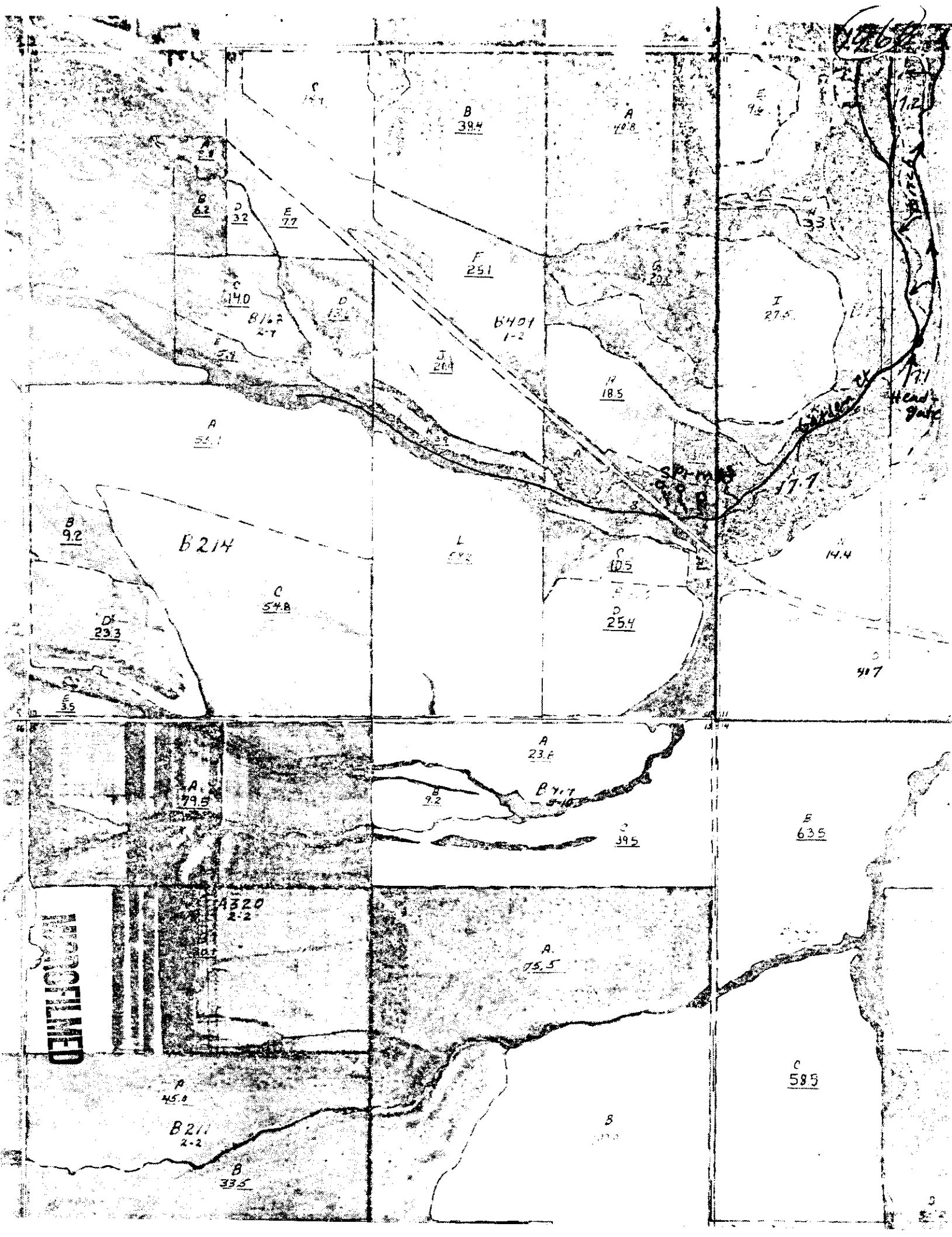
Sworn to before me this 13th day of March, 19 77.

Notary Public
Residing at Idaho Falls, Id.

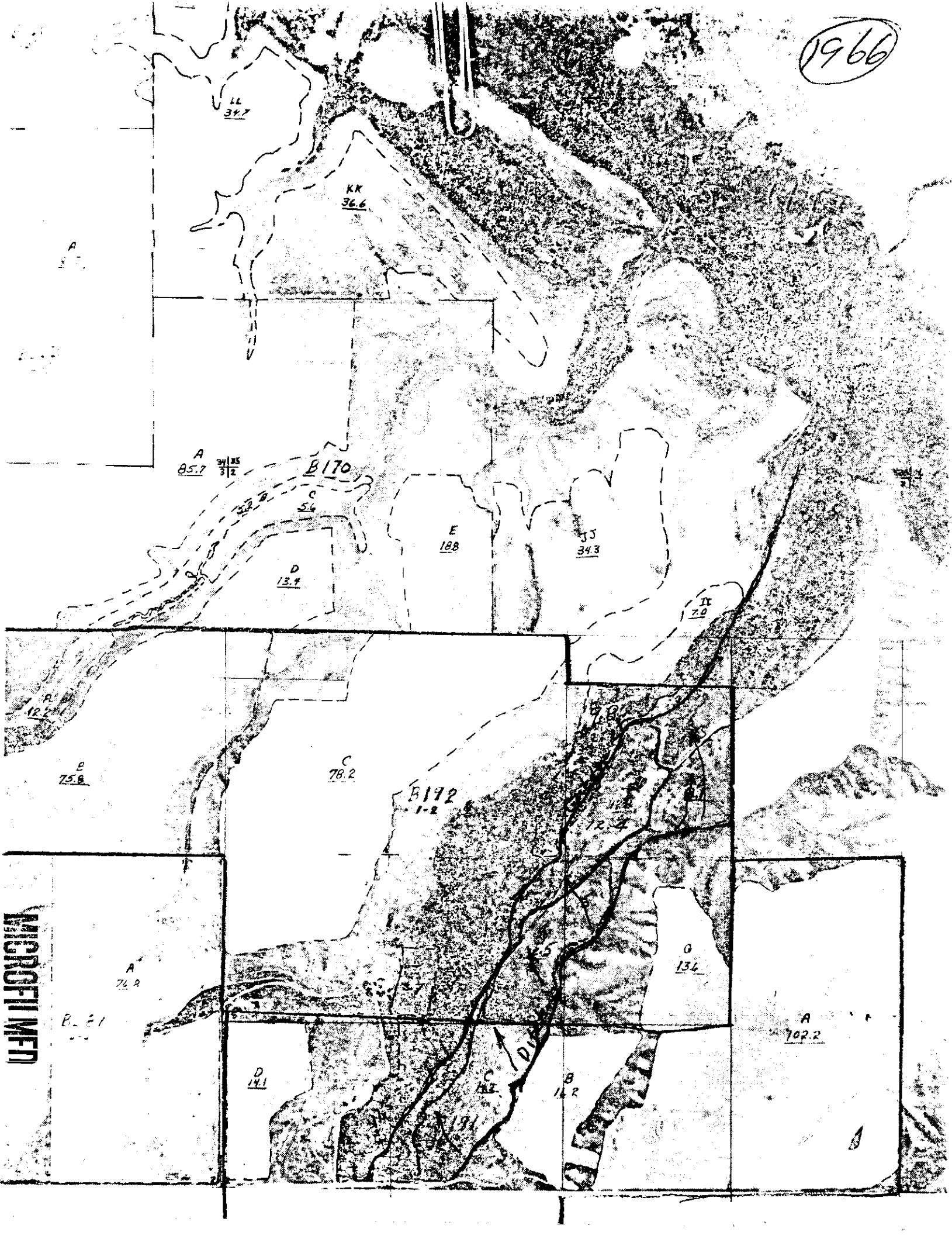
My commission expires March 21, 1979

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>LW</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>me</u>	<u>4-12-77</u>			
Published in <u>Dakota State Journal</u>	<u>#6658</u>			
Dates <u>Mar 31 - Apr 7-1977</u>				



1966



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PROOF OF PUBLICATION

RECEIVED
APR 12 1977

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Patricia Peck

LEGAL ADVERTISEMENTS

NOTICE OF CLAIM TO A WATER RIGHT NO. 29-4079

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 1.00 cubic feet per second of water from unnamed springs tributary to Garden Creek tributary to Marsh Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, 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 50 acres with a priority of April 1, 1921 the place of use is within the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 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. 234

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	1977	19
APRIL	7	1977	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 Peck

Subscribed and sworn to before me this *11th* day of *April*, 19*77*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Department of Agriculture
Eastern District Office

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PATRICIA PECK

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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

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Department of Water Resources
Eastern District Office

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day of *APRIL*, 19*77*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

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PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

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day of *APRIL*, 19*77*

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

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 you 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)

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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

RDC:CW

Enc: Legal Notice (3)

Bill submitted 4-12-77 by me

NOTICE OF CLAIM TO A WATER RIGHT

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Sec. 2, T. 10S, R. 36E, B.M.

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Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

~~XXXXXXXXXXXXXXXXXXXX~~

Director

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

RECORDED

Mr. J. H. C.