

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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 IDAHO PORTLAND CEMENT CO., a Division of Oregon Portland Cement Co.
(name of claimant)
of Inkom, Idaho 83245, 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) Ground water
_____, tributary to, _____
- (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>0.78</u> | Use | <u>industrial</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.78 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) 1937

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)
(2points) SW ¼ SE ¼, Sec. 21 Twp. 7 S Rge. 36 E B. M. County of Bannock
Additional points of diversion: NONE

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. 2 wells approx. 50 ft. apart with 10 hp submersible pumps on each. Each well is plumbed into a common pipeline for distribution of water to all parts of the manufacturing plant.

- (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.

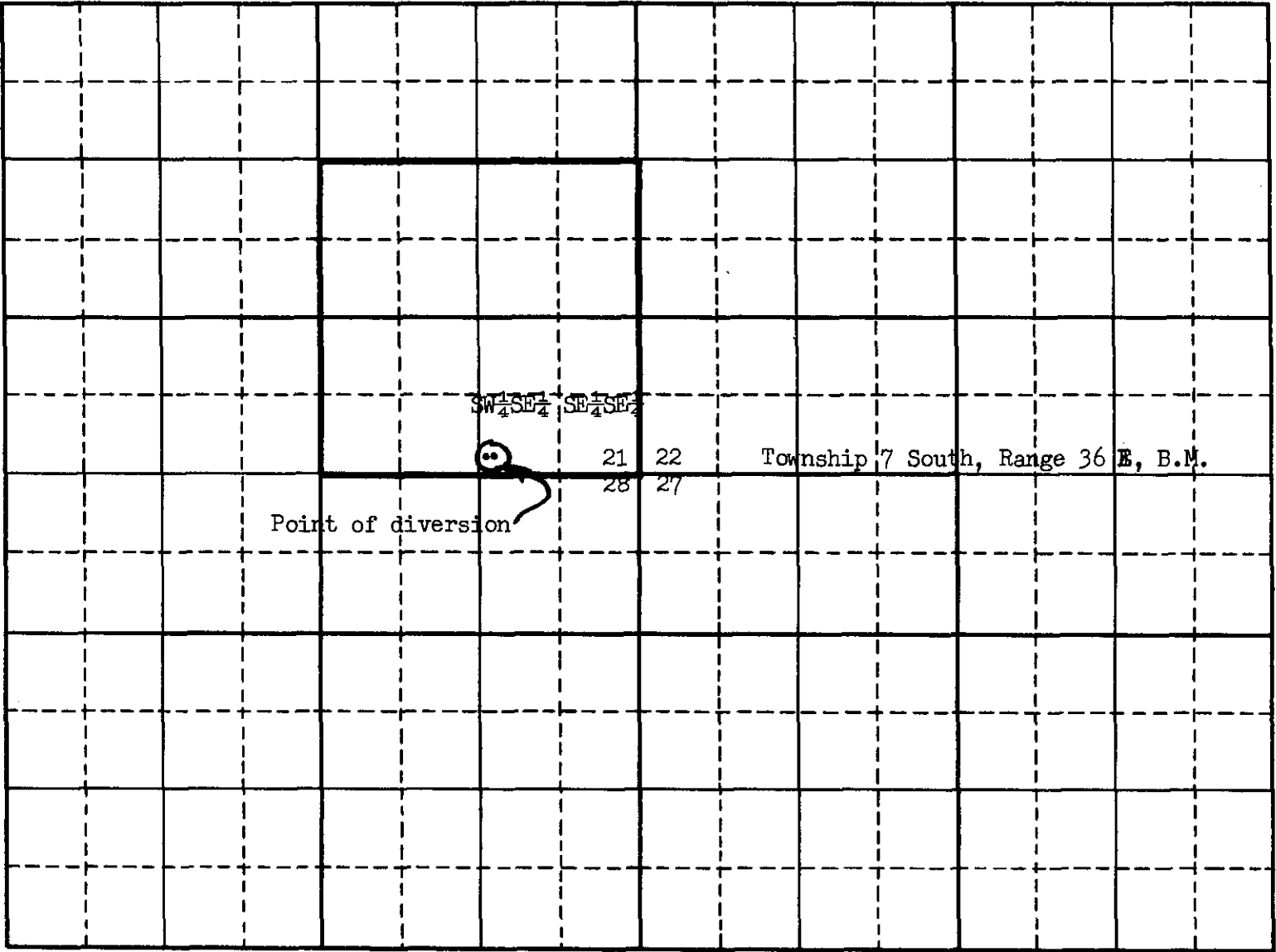
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7 S	36 E	21															X		

Total No. of acres _____

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

- (7) If you are claiming water as a member of an organization, list name of organization: Idaho Portland Cemeny Co., a Division of Oregon Portland Cement Co.

(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 Bannock) ss.
County of)

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.

Sworn to before me this 27 day of October, 1976.

H. C. Cuyler (Claimant)
W. S. Durham
Notary Public
Residing at Inkom, Idaho

My commission expires 5-28-79

For Department Use Only

Received by <i>CU</i>	Date <i>10-28-76</i>	Exception filed by:	Forwarded to	Date
Prelim. check by <i>ImJ</i>	Date <i>10/28/76</i>		claimant by:	
\$10.00 fee received by <i>CU</i>	Date <i>10-28-76</i>			
Approved for publication by <i>10-11-24-76</i>	<i>#2588</i>			
Published in <i>Idaho State Journal</i>				
Dates <i>Nov 4 & 11, 1976</i>				

PROOF OF PUBLICATION

NOV 24 1976

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Katherine Wanner

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4069
Notice is hereby given that Idaho Portland Cement Company, Inc. has filed a claim to a water right established by diversion and application to beneficial use of 6.78 cubic feet per second of water from ground-water sources with point of diversion in the State of Idaho (2 ponds) in the State of Idaho, Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for industrial purposes for the manufacture of cement, with a priority of 1937; the place of use is within the SW 1/4 Sec. 21, T. 7S, R. 3E, B. 1E.

Any objection to this claim of water right may be filed with the Idaho Department of Water Resources, 1000 Broadway Road, Idaho Falls, Idaho.

Director
Nov. 4, 1976
No. 532

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:

November 4	, 19 76	19
November 11	, 19 76	19
	, 19	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.

Katherine Wanner

Subscribed and sworn to before me this 12th day of November, 19 76

Dyonna Roberts

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

NOV 24 1976

STATE OF IDAHO
County of Bannock

ss.

Department of the State
Eastern District Office

Katherine Wanner

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4069

Notice is hereby given that Idaho Portland Cement Company, Inkorn, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.78 cubic feet per second of water from ground-water sources with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 21, T. 7S, R. 36E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for industrial purposes for the manufacture of cement, with a priority of 1937; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7S, 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.

R. KEITH HIGGINSON

Director

Nov. 4, 11, 1976

No. 532

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:

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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.

Subscribed and sworn to before me this 12th day of November, 19 76

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

NOV 24 1976

Department of Water Resources

November 22, 1976

RE: Claim to a Water Right No. 29-4069 IDAHO PORTLAND CEMENT CO.

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 4 and November 11, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

November 24, 1976

RE: Claim to a Water Right No. 29-4069

Idaho Portland Cement Company
Inkom,
Idaho 83245

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim 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 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.

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 number when corresponding with this office.

We are enclosing for your records, a copy of your claim. 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

RECEIVED
NOV 26 1976
FBI - INKOM

November 22, 1976

RE: Claim to a Water Right No. 29-4069 IDAHO PORTLAND CEMENT CO.

Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 4 and November 11, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

October 29, 1976

RE: Claim to a Water Right No. 29-4069 IDAHO PORTLAND CEMENT

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 11-24-76 by CW

RDC:CW

Enc: Legal Notice (1)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4069

Notice is hereby given that Idaho Portland Cement Company,
Inkom, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.78 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from ground-water sources
with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 21, T. 7S, R. 36E,
B.M., Bannock County

The water is claimed to be used from Jan. 1 to Dec. 31 for
industrial purposes for the manufacture of cement,
with a priority of 1937 ;
the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7S, 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.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho
on Nov. 4 and Nov. 11, 1976

RECORDED

me-
-me-
-G.

October 29, 1976

RE: Claim to a Water Right No. 29-4069

Mr. H. E. Curzon
Idaho Portland Cement
Inkom, Idaho 83245

Dear Mr. Curzon:

Attached herewith is departmental receipt No. 2588 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CN

Enclosure



RECEIVED

OCT 28 1976

Department of Water Resources
Eastern District Office

IDAHO PORTLAND CEMENT COMPANY

A DIVISION OF OREGON PORTLAND CEMENT COMPANY

INKOM. IDAHO 83245

TELEPHONE
(208) 775-3351

October 27, 1976

Mr. Loy H. Johnson
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

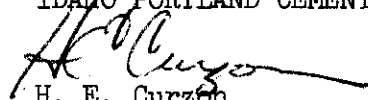
Dear Mr. Johnson:

Enclosed is the corrected CLAIM TO A WATER RIGHT that we are submitting for your approval.

Referring to Item #5, in my original discussion with your department, we were instructed that due to the fact that both of these wells were so close together that we should list them both on the same claim.

I hope this puts everything in order.

Sincerely,
IDAHO PORTLAND CEMENT COMPANY


H. E. Curzon
Business Manager

October 26, 1976

Mr. H. E. Curzon
Idaho Portland Cement
Inkom, Idaho 83245

Dear Mr. Curzon:

It is necessary we return your check No. 92-284 in the amount of \$10.00 and your claim to a water right for corrections.

Item 2, should indicate the amount of water in cubic feet per second, and the period of use should be from January 1 to December 31.

Item 5, point of diversion, you have indicated there are two wells within the described location.

Item 6 should indicate what 40-acre subdivision the use is located in.

The map in Item 8 shows the well to be in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, where the written description under Item 5 shows the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

I have enclosed a copy of a 7 $\frac{1}{2}$ Minute Quad of the Inkom area which has the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7S, R. 36E, located to help you determine the exact location. We have also enclosed a new form which you may complete and resubmit to this office for further processing.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Enclosures