

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

AMENDED

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 the Portneuf-Marsh Valley Canal Company
(name of claimant)
of Downey, Idaho 83234, 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) Toponce Creek
Portneuf River, 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 | Use | Period of Use: |
|-------------------|------------------------------------|--|
| <u>21,834 AF</u> | <u>Storage for Irrigation</u> | From <u>Sept. 15</u> To <u>July 15</u> |
| <u>115.0 CFS</u> | <u>from storage for irrigation</u> | From <u>May 1</u> To <u>Sept. 15</u> |
| 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: 115.0 cubic feet per second, or 21,834 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) March 7, 1912

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)
SW ¼ SW ¼, Sec. 19 Twp. 6S Rge. 39E B. M. County of Caribou
 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. outlet from Portneuf Dam

- (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 6,800

- 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: Portneuf-Marsh Valley Canal Company

[illegible]

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.

Received by Mr Date 1-20-76
Prelim. check by ZPC Date _____
\$10.00 fee received by NO FEE Date N. A.
Approved for publication by CW 2-10-76
Published in The Canadian County Star
Dates Jan 26 & Feb. 5, 1976

Exception filed by:	Forwarded to claimant by:	Date
_____	_____	_____
_____	_____	_____

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 Portneuf-Marsh Valley Canal Company
(name of claimant)
of Downey, Idaho., 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) Toponce Creek
_____, tributary to, Portneuf
- (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>21,834</u> | Use | <u>Storage for Irrigation</u> | Period of Use: | From | <u>Sept. 15</u> | To | <u>July 15</u> |
| Amount | <u>115 cfs</u> | Use | <u>From storage for Irrigation</u> | Period of Use: | From | <u>May 1</u> | To | <u>Sept. 15</u> |
| 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: 115.0 cubic feet per second, or 21,834 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) March 7, 1912

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)
SW ¼ SW ¼, Sec. 19 Twp. 6S Rge. 38E 39E B. M. County of Damrock Caribou
 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. Outlet from Portneuf Dam

- (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 6,800

- 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: Portneuf-Marsh Valley Canal Company

[illegible]

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.

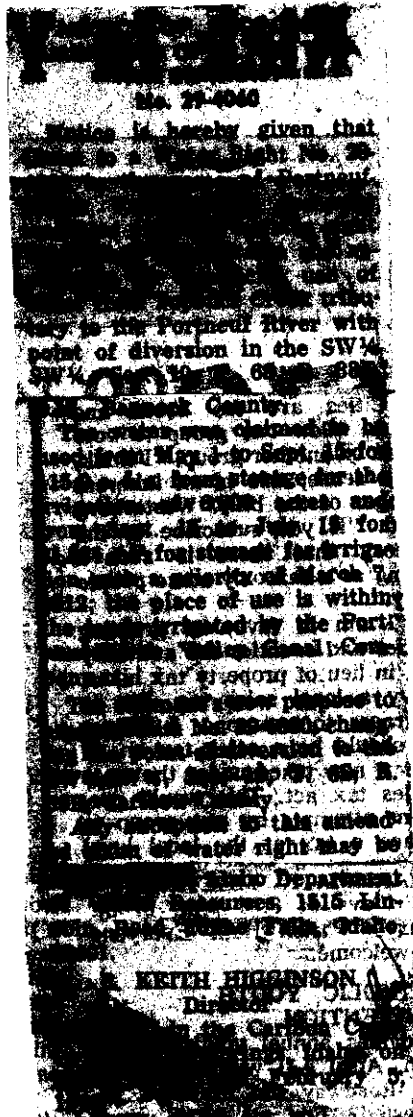
For Department Use Only

Received by <u>me</u>	Date <u>12-22-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KDC</u>	Date <u>12/22/75</u>		claimant by:	
\$10.00 fee received by <u>me</u>	Date <u>12-8-75</u>	<u>12-23-75 #15346</u>		
Approved for publication by _____				
Published in <u>The State Star Journal</u>	_____	_____	_____	_____
Dates <u>1-8-76</u> <u>1-15-76</u>				

RECEIVED

FEB 9 1976

Department of Water Resources
Eastern District Office



Affidavit of Publication

County of Caribou } ss.
State of Idaho }

S. Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached 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

29th

day of

January, 19 76

The date of the last publication

being the 5th day of

February, 19 76

Subscribed and sworn to be-

fore me this 6th day

of February, 19 76

Edwin S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of November

19 78.

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

S. Mark Steele

being first duly sworn on his
oath, states:

NOTICE OF PROPOSED AMENDING OF CLAIM TO A WATER RIGHT No. 29-4060

Notice is hereby given that
Claim to a Water Right No. 29-
4060 in the name of Portneuf-
Marsh Valley Canal Company,
was filed claiming a water right
established by diversion and ap-
plication to beneficial use of
water from Toponce Creek tribu-
tary to the Portneuf River with
point of diversion in the SW¼
SW¼, Sec. 19, T. 6S, R. 38E,
B.M., Bannock County.

The water was claimed to be
used from May 1 to Sept. 15 for
115.0 c. f. s. from storage for the
irrigation of 6,800 acres and
from Sept. 15 to July 15 for
21,834 AF for storage for irriga-
tion with a priority of March 7,
1912; the place of use is within
the lands irrigated by the Port-
neuf-Marsh Valley Canal Com-
pany.

The claimant's now propose to
amend Claim No. 29-4060, chang-
ing the point of diversion to the
SW¼SW¼, Sec. 19, T. 6S, R.
39E, Caribou County.

Any exception to this amend-
ed claim of water right may be
filed with the Idaho Department
of Water Resources, 1515 Lin-
coln Road, Idaho Falls, Idaho,
83401.

R. KEITH HIGGINSON
Director

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
January 29, and February 5,
1976.

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterru-
ptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached 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

29th day of
January, 1976

The date of the last publication
being the 5th day of
February, 1976

Subscribed and sworn to be-
fore me this 6th day
of February, 1976

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November

1978.

SEC 4 - T11S - R 37E - NW₁NW₄, SE₁NW₄; NW₄SW₄, SW₄SW₄ NE₄SW₄, SE₄SW₄;
SW₄NE₄; NW₄SE₄

SEC 5 - T11S - R37E --- NW₁NW₄, NE₁NW₄, SW₁NW₄, SE₁NW₄; NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄;
NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄, NW₄SE₄, NE₄SE₄, SW₄SE₄, SE₄SE₄

Sec 7 - T11S - R37E --- SW₄SE₄, SE₄SE₄

Sec 8 - T11S - R37E --- NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄; NE₄NW₄, SE₄NW₄; NW₄SE₄,
NE₄SE₄, SW₄SE₄, SE₄SE₄

Sec 9 - T11S - R37E --- NW₁NW₄, NE₁NW₄, SW₁NW₄, SE₁NW₄; NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄

Sec 16 - T11S - R37E --- NW₁NW₄, NE₁NW₄, SW₁NW₄, SE₁NW₄; SW₄NE₄, SE₄NE₄; NW₄SW₄, NE₄SW₄,
SW₄SW₄, SE₄SW₄; NW₄SE₄, NE₄SE₄, SW₄SE₄, SE₄SE₄

Sec 18 - T11S - R37E --- NE₄NE₄

Sec 19 - T11S - R37E --- NW₄SW₄, SW₄SW₄

Sec 21-T11S - R37E --- NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄; NE₄NW₄, SE₄NW₄; NE₄SW₄;
NE₄SE₄, NW₄SE₄, SW₄SE₄, SE₄SE₄

Sec 15 - T11S - R37E ----SW₄SW₄, SE₄SW₄; SW₄SE₄

Sec 22 - T11S - R37E --- NW₁NW₄, NE₁NW₄, SW₁NW₄, SE₁NW₄; NW₄NE₄, SW₄NE₄; NW₄SW₄,
NE₄SW₄, SW₄SW₄, SE₄SW₄; SW₄SE₄, NW₄SE₄

Sec 27 - T11S - R37E --- NW₁NW₄, NE₁NW₄, SW₁NW₄, SE₁NW₄; NW₄NE₄, SW₄NE₄, NE₄NE₄, SE₄NE₄;
NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄; NW₄SE₄, SW₄SE₄

Sec 34 - T11S - R37E --- NW₁NW₄, NE₁NW₄, SW₁NW₄, SE₁NW₄, SW₄SE₄; NW₄SW₄, NE₄SW₄,
SE₄SW₄, SW₄SW₄

★ Sec 13 - T11S - R36E --- SE₄NE₄, SW₄NE₄; NE₄SW₄, NW₄SW₄, SW₄SW₄, SE₄SW₄

Sec 5 - T10S - R37E --- SE₄SW₄, NE₄SW₄, SW₄SW₄

Sec 8 - T10S- R37E --- SW₄SE₄

Sec 17 - T10S - R37E --- NW₁NW₄, NE₁NW₄; SE₁NE₄, SW₁NE₄, NW₁NE₄; SW₄SE₄, NW₄SE₄; SE₄SW₄

Sec 20 - T10S - R37E --- NW₁NE₄,; NE₁NW₄, SE₁NW₄, NW₁NW₄, SW₁NW₄; NW₄SE₄, SW₄SE₄
SE₄SW₄, NE₄SW₄, NW₄SW₄, SW₄SW₄

Sec 29 - T10S - R37E --- NW₁NW₄, SW₁NW₄, SE₁NW₄, NE₁NW₄; NW₄NE₄, SW₄NE₄; NW₄SE₄,
NE₄SE₄, SW₄SE₄, SE₄SE₄; SW₄SW₄, NE₄SW₄, SE₄SW₄

Sec 32 - T10S - R37E --- NW₁NW₄, SE₁NW₄, NE₁NW₄, SW₁NW₄; NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄;
NW₄SE₄, NE₄SE₄, SW₄SE₄, SE₄SE₄; NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄

Sec 33 - T10S - R37E --- NW₁NW₄, SW₁NW₄

Has irregular
corner

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PROOF OF PUBLICATION

RECEIVED

JAN 23 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. 77-4060

Notary hereby gives that the Portneuf Marsh Valley Canal Company, Downey, Idaho has filed a claim to a water right established for irrigation and application for beneficial use of water from the Taponce Creek tributary of the Portneuf River with a diversion in the SW 1/4 of Section 17, T. 4S, R. 28E, B.M. Bannock County.

The water is claimed to be used from May 1 to Sept. 15 for 115.0 c.f.s. and storage for the irrigation of 400 acres and from Sept. 15 to Jan. 1 for 21,834 AF for storage for irrigation with a priority of March 7, 1912. The place of use is within the lands irrigated by the Portneuf Marsh Valley Canal Company.

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
Jan. 8, 15, 1975
No. 768

RECEIVED

JAN 29 1976

RECEIVED

JAN 29 1976

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:

January 8, 1976, 19____
January 15 was cancelled, 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 13th day of January, 1976.

Reuben L. Leonard

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

SS.

Katherine Wanner

RECEIVED

DECLASSIFIED

Department of Water Resources
Eastern District Office

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 29-4060

Notice is hereby given that the Portneuf-Marsh Valley Canal Company, Downey, Idaho has filed a claim to a water right established by diversion and application to beneficial use of water from Toponce Creek tributary to the Portneuf River with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 28E, B.M., Bannock County.

The water is claimed to be used from May 1 to Sept. 15 for 115.0 c.f.s. from storage for the irrigation of 6,800 acres and from Sept. 15 to July 15 for 21,834 AF for storage for irrigation with a priority of March 7, 1912; the place of use is within the lands irrigated by the Portneuf-Marsh Valley Canal Company.

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
Jan. 8, 15, 1975
No. 768

Katherine Wanner

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:

January 8, 1976, 19____
January 15 was cancelled, 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 13th day of January, 1976

Della L. Leadford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

Witness my hand and seal
March 5, 1977



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

February 17, 1976

RE: Claim to a Water Right No. 29-4060 Amended

Portneuf-Marsh Valley Canal Company
Downey,
Idaho 83234

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Section 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

January 23, 1976

RE: Claim to a Water Right No. 29-4060

The Idaho State Journal
Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed please find a copy of a letter sent to you on January 9, 1976, cancelling the second advertising of the above referenced claim. I am also returning the certified bill and affidavits of publication submitted to our office.

Please make whatever necessary corrections are needed for your books and resubmit a billing for only one advertising.

If you have any further questions, please contact me.

Very truly yours,

MARLENE EMPEY
Secretary

Enclosures

RECEIVED
JAN 27 1976
FBI - IDAHO

January 9, 1976

RE: Claim to a Water Right No. 29-4060

The Idaho State Journal
Box 431
Pocatello, Idaho 83201

Dear Sir:

This letter is to confirm the cancellation of the advertising for the above referenced Claim, as arranged in our telephone conversation of this day.

Thank you for your cooperation in this matter.

Very truly yours,

MARLENE EMPEY
Secretary



PROOF OF PUBLICATION

RECEIVED

JAN 23 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. 29-4060

Notice is hereby given that the Portneuf-Marsh Valley Canal Company, Downey, Idaho has filed a claim to a water right established by diversion and application to beneficial use of water from Toponce Creek tributary to the Portneuf River with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 38E, B.M., Bannock County.

The water is claimed to be used from May 1 to Sept. 15 for 115.0 c.f.s. from storage for the irrigation of 6,800 acres and from Sept. 15 to July 15 for 21,834 AF for storage for irrigation with a priority of March 7, 1912; the place of use is within the lands irrigated by the Portneuf-Marsh Valley Canal Company.

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

Jan. 8, 15, 1975
No. 768

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:

January 8, 1976, 19____
January 15 was cancelled, 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 13th day of January, 1976.

Ruth L. Leonard
Notary Public, State of Idaho
Residence: Pocatello, Idaho

January 21, 1976

Department of Water
1515 Lincoln Road
Idaho Falls, Idaho

RECEIVED

JAN 23 1976

Department of Water Resources
Eastern District Office

#768

Statement of Your Account With

IDAHO STATE JOURNAL

P. O. Box 431, Pocatello, Idaho 83201

Legal Advertising: 32 lines

Notice: Notice of Claim to Water Right 29-4060

Published: January 8, 15, 1976

Amount Due: \$11.84

"I hereby certify that the foregoing is correct and just, that the services were actually rendered as charged and that we have not received payment therefore."

Idaho State Journal

Nathy Wanner

January 22, 1976

RE: Amended Claim to a Water Right No. 29-4060

The Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

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 2-09-76 by me

RDC:ME

Legal Notice (1)

NOTICE OF PROPOSED AMENDING OF CLAIM TO A WATER RIGHT

NO. 29-4060

Notice is hereby given that Claim to a Water Right No. 29-4060 in the name of Portneuf-Marsh Valley Canal Company was filed claiming a water right established by diversion and application to beneficial use of water from Toponce Creek tributary to the Portneuf River with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 38E, B.M., Bannock County.

The water was claimed to be used from May 1 to Sept. 15 for 115.0 c.f.s. from storage for the irrigation of 6,800 acres and from Sept. 15 to July 15 for 21,834 AF for storage for irrigation with a priority of March 7, 1912; the place of use is within the lands irrigated by the Portneuf-Marsh Valley Canal Company.

The claimant's now propose to amend Claim No. 29-4060, changing the point of diversion to the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 39E, Caribou County.

Any exception to this amended 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 Caribou County Sun, Soda Springs, Idaho, on January 29 and February 5, 1976.

*R. K. H.
J. H. A.*

Portneuf-Marsh Valley Canal Company, Ltd.

RECEIVED

DOWNNEY, IDAHO 83234

JAN 20 1976

Department of Water Resources
Eastern District Office

January 17, 1976.

Mr. Ronald Carlsson,
Idaho State Department of Water Resources,
1515 Lincoln Road,
Idaho Falls,
Idaho.

Dear Mr. Carlson:

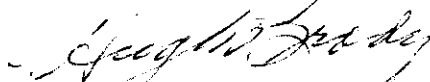
As outlined in your favor of the 9th, Inst. reviewed
and we find that the correction you have made in the description
of the location of our reservoir outlet is correct and now places
the application in proper form so far as we can observe.

Again, we wish to extend our thanks and appreciation for
your efforts and kindness in helping us with these application
forms as well as assistance at other times.

Most sincerely

Portneuf-Marsh Valley Canal Co.

by



Hugh Brady asst secy-treas.

SEC 4 - T11S - R 37E - NW₄NW₄, SE₄NW₄; NW₄SW₄, SW₄SW₄; NE₄SW₄, SE₄SW₄;
SW₄NE₄; NW₄SE₄

SEC 5 - T11S - R37E --- NW₄NW₄, NE₄NW₄, SW₄NW₄, SE₄NW₄; NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄;
NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄, NW₄SE₄, NE₄SE₄, SW₄SE₄, SE₄SE₄

Sec 7 - T11S - R37E --- SW₄SE₄, SE₄SE₄

Sec 8 - T11S - R37E --- NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄; NE₄NW₄, SE₄NW₄; NW₄SE₄,
NE₄SE₄, SW₄SE₄, SE₄SE₄

Sec 9 - T11S - R37E --- NW₄NW₄, NE₄NW₄, SW₄NW₄, SE₄NW₄; NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄

Sec 16 - T11S - R37E --- NW₄NW₄, NE₄NW₄, SW₄NW₄, SE₄NW₄; SW₄NE₄, SE₄NE₄; NW₄SW₄, NE₄SW₄,
SW₄SW₄, SE₄SW₄; NW₄SE₄, NE₄SE₄, SW₄SE₄, SE₄SE₄

Sec 18 - T11S - R37E --- NE₄NE₄

Sec 19 - T11S - R37E --- NW₄SW₄, SW₄SW₄

Sec 21-T11S - R37E --- NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄; NE₄NW₄, SE₄NW₄; NE₄SW₄;
NE₄SE₄, NW₄SE₄, SW₄SE₄, SE₄SE₄

Sec 15 - T11S - R37E ----SW₄SW₄, SE₄SW₄; SW₄SE₄

Sec 22 - T11S - R37E --- NW₄NW₄, NE₄NW₄, SW₄NW₄, SE₄NW₄; NW₄NE₄, SW₄NE₄; NW₄SW₄,
NE₄SW₄, SW₄SW₄, SE₄SW₄; SW₄SE₄, NW₄SE₄

Sec 27 - T11S - R37E --- NW₄NW₄, NE₄NW₄, SW₄NW₄, SE₄NW₄; NW₄NE₄, SW₄NE₄, NE₄NE₄, SE₄NE₄;
NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄; NW₄SE₄, SW₄SE₄

Sec 34 - T11S - R37E --- NW₄NW₄, NE₄NW₄, SW₄NW₄, SE₄NW₄, SW₄SE₄; NW₄SW₄, NE₄SW₄,
SE₄SW₄, SW₄SW₄

★ Sec 13 - T11S - R36E --- SE₄NE₄, SW₄NE₄; NE₄SW₄, NW₄SW₄, SW₄SW₄, SE₄SW₄

Sec 5 - T10S - R37E --- SE₄SW₄, NE₄SW₄, SW₄SW₄

Sec 8 - T10S- R37E --- SW₄SE₄

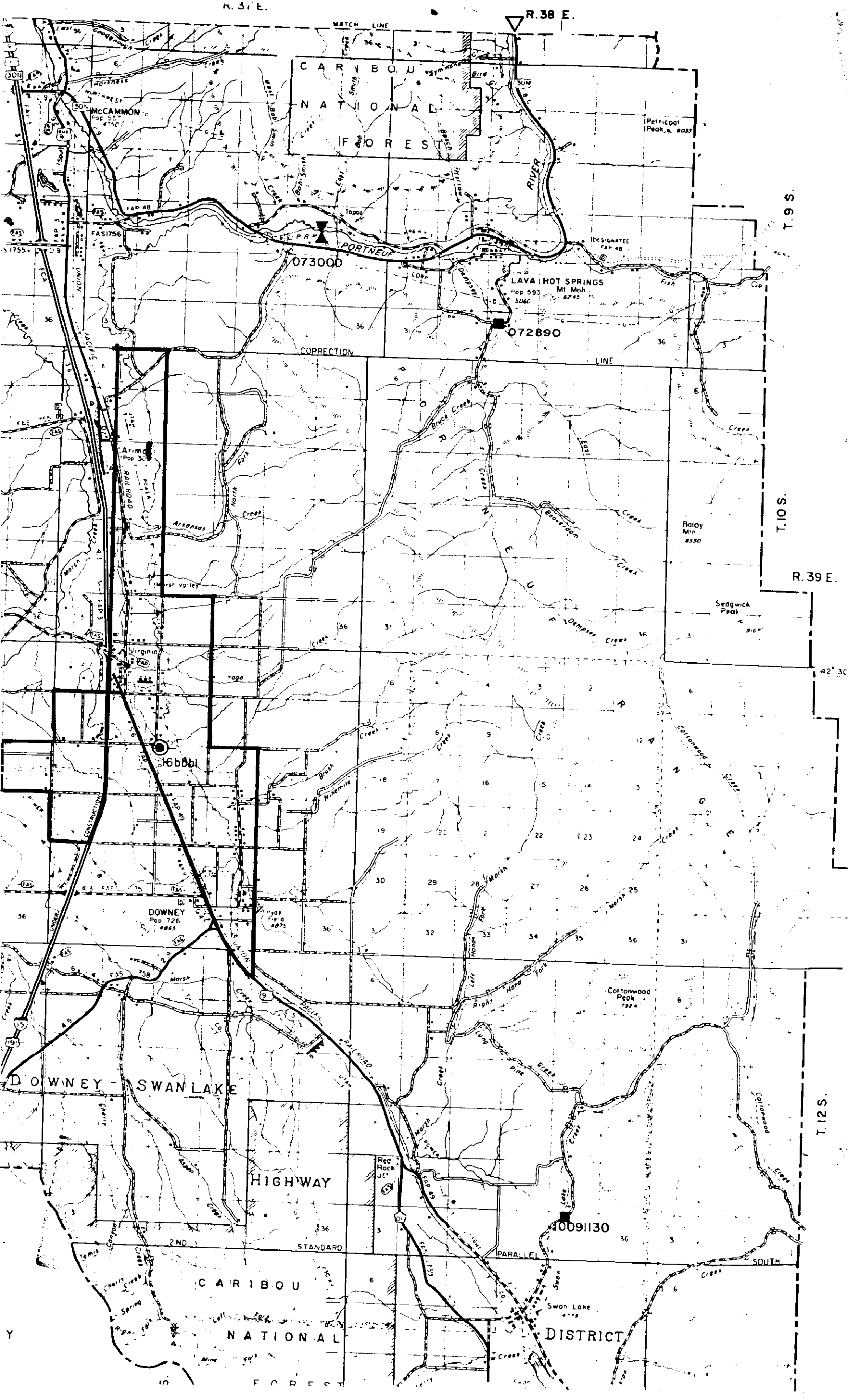
Sec 17 - T10S - R37E --- NW₄NW₄, NE₄NW₄; SE₄NE₄, SW₄NE₄, NW₄NE₄; SW₄SE₄, NW₄SE₄; SE₄SW₄

Sec 20 - T10S - R37E --- NW₄NE₄; NE₄NW₄, SE₄NW₄, NW₄NW₄, SW₄NW₄; NW₄SE₄, SW₄SE₄
SE₄SW₄, NE₄SW₄, NW₄SW₄, SW₄SW₄

Sec 29 - T10S - R37E --- NW₄NW₄, SW₄NW₄, SE₄NW₄, NE₄NW₄; NW₄NE₄, SW₄NE₄; NW₄SE₄,
NE₄SE₄, SW₄SE₄, SE₄SE₄; SW₄SW₄, NE₄SW₄, SE₄SW₄

Sec 32 - T10S - R37E --- NW₄NW₄, SE₄NW₄, NE₄NW₄, SW₄NW₄; NW₄NE₄, NE₄NE₄, SW₄NE₄, SE₄NE₄;
NW₄SE₄, NE₄SE₄, SW₄SE₄, SE₄SE₄; NW₄SW₄, NE₄SW₄, SW₄SW₄, SE₄SW₄

Sec 33 - T10S - R37E --- NW₄NW₄, SW₄NW₄



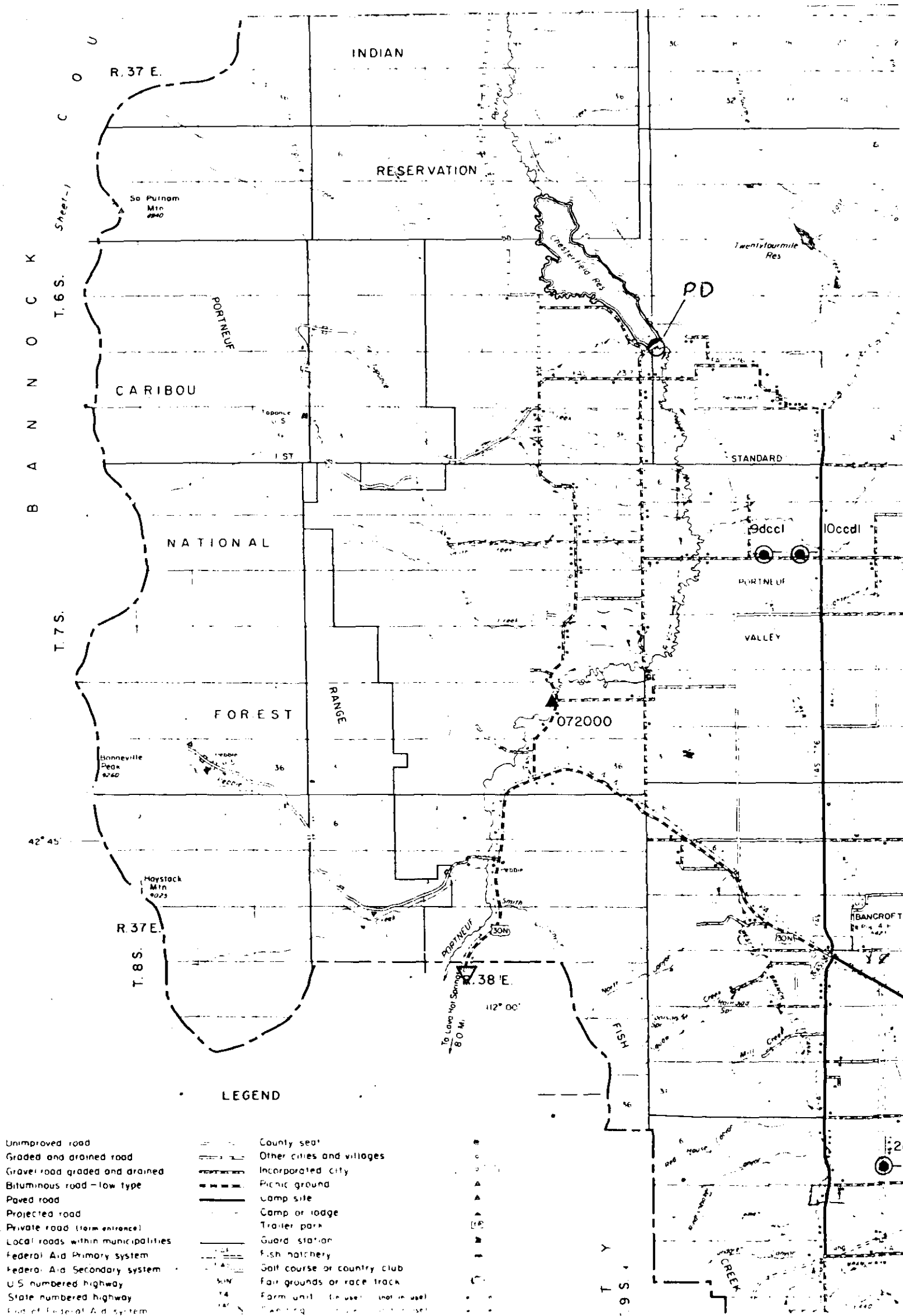
TWP. 10 S. RANGE 77 E. COUNTY BANNOCK. SCALE: 1" = 1 MILE

MAP "B"

40-ACRE SUBDIVISIONS IN WHICH
PORTNEUF-MARSH VALLEY CANAL COMPANY
WATER HAS BEEN USED PURSUANT TO CLAIM

MAP "A"

LOCATION OF POINT OF DIVERSION AND SECTIONS IN WHICH WATER IS PRESENTLY USED



NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4060

Notice is hereby given that the Portneuf-Marsh Valley Canal Company,
Downey, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
~~XX~~ water from Toponce Creek tributary to the Portneuf River
with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 38E, B.M.,
Bannock County

The water is claimed to be used from May 1 to Sept. 15 for 115.0 c.f.s.
from storage for the irrigation of 6,800 acres and from Sept. 15 to July 15
for 21,834 AF for storage for irrigation
with a priority of March 7, 1912;
the place of use is within the lands irrigated by the Portneuf-Marsh
Valley Canal Company.

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 January 8 and January 15, 1976.

December 24, 1975

RE: Applications Nos. 29-4060, 29-7299

The 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 _____ by _____

RDS:ME

Legal Notices (2)

January 9, 1976

RE: Claim to a Water Right No. 29-4060

Mr. Ralph Olson
Portneuf-Marsh Valley Canal Co.
Downey, Idaho 83234

Dear Mr. Olson:

Please find enclosed a retyped copy of the claim to a water right you submitted on behalf of the Portneuf-Marsh Valley Canal Company on December 22, 1975.

After receipting your original claim, we rechecked our records and find the outlet for Portneuf Reservoir to be in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 39E, B.M., Caribou County. On your original claim you show it to be in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 6S, R. 38E, B.M., Bannock County. Therefore, it appears the changes we have made on the enclosed claim would be appropriate. If you agree that the changes indicated are appropriate, please sign the enclosed claim in the presence of a notary public and return to this office at your earliest convenience.

If we may be of any further assistance, please feel free to contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor.
Eastern Region

RDC:me

Enclosure
cc: IDWR - State Office

December 24, 1975

RE: Claim to a Water Right No. 29-4060

Portneuf-Marsh Valley Canal Company
Downey
Idaho 83234

Gentlemen:

Attached herewith is Departmental receipt No. 15546 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

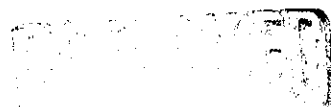
RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

Attachment

Portneuf-Marsh Valley Canal Company, Ltd.

DOWNEY, IDAHO



December 18, 1975.

DEC 22 1975

Department of Water Resources
Water Rights Office

STATE OF IDAHO,
DEPARTMENT OF WATER RESOURCES.
Idaho Falls, Idaho. 83401
att. Mr. Ronald D. Carlson.

Re: Claim Forms for
Tosonce Creek
Water Right.

Dear Mr. Carlson:

Your letter of December 11th with Claim Form inclosures was duly received. In accordance with your advice, we have checked the forms carefully, and find that one minor correction should be made.

In checking your Map "B" against our description list, we find that one forty (40) acre parcel was overlooked. Description: Sec. 32, T10S, R37E, NE¹SE¹. We have made pencil notation on both forms. With this correction, the map will conform with the description list in the amount of 6,800 acres, (170-40 acre parcels.) We also note that Sections 20 and 29, each have one parcel which does not show your check mark. With your approval, we leave these corrections for you to make. Then, so far as we can observe, the papers will be ready for processing. When the forms are ready to file, we would appreciate photo copies of all the material if convenient, or we could have it done here if you wish to return the papers again.

We most sincerely appreciate all the help you have given us: please accept thanks and best wishes.

Respectfull yours,

Portneuf-Marsh Valley Canal Co.

by *Ralph Olson*

Ralph Olson - President

RO:hb

Enclosures



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

IDAHO FALLS, IDAHO 83401

December 11, 1975

Portneuf - Marsh Valley Canal Co., Ltd.
c/o Ralph Olson
Downey, Idaho 83234

Dear Mr. Olson:

I am again returning your Claim to a Water Right filed in the name of the Portneuf - Marsh Valley Canal Co., and your check number 92-158 in the amount of \$10.00. It is necessary to have on file a map showing the point of diversion and the place of use, as indicated on your claim. Therefore, I have prepared a map from the land list you provided, but I don't want to include it in the file until you have had an opportunity to check it for correctness. If you are satisfied that the Claim, land list, and map are correct, please resubmit with your check for \$10.00 and we will commence processing.

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

Very truly yours,

A handwritten signature in cursive script that reads "Ronald D. Carlson".

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:me

Enclosures