

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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 Commander Irvin L. Spraker
(name of claimant)
of Route #1, Box 61, Pocatello, Idaho 83201, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Portneuf River;

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 Spring
- (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 0.04 Use Domestic Period of Use: From Jan. 1 To Dec. 31
Amount _____ Use _____ Period of Use: From _____ To _____
Amount _____ Use _____ Period of Use: From _____ To _____
(cfs, gpm or a/d) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.04 cubic feet per second, or 1.2 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) April, 1965

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 NW ¼, Sec. 35 Twp. 7S Rge. 36E B. M. County of Bannock
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. headbox and pump

- (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	
7S	36E	34				X													
							Place of use for domestic purposes												
7S	36E	35						X											

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic purposes for one family and watering lawn and garden

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

(8) Remarks _____

RANGE 36E									
TOWNSHIP 7S			34			* ~~NO~~ SPRING AND PLACE OF USE			
						35			

Scale: 2 inches equal 1 mile.

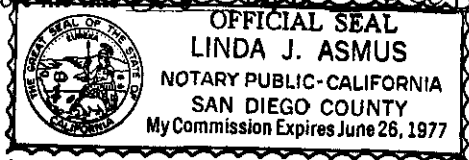
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho
 County of Bannock ss.

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.

Ivan L. Spahr
 (Claimant)

Sworn to before me this 28 day of June, 1974.



Linda J. Asmus
 Notary Public
 Residing at San Diego, Ca. 92133
Bldg. 30 WSWTC

My commission expires June 26, 1977.

For Department Use Only

Received by <u>OB</u>	Date <u>7/5/74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>NCF</u>	Date <u>7/5/74</u>		claimant by:	
\$ 10.00 fee received by <u>OB</u>	Date <u>7/5/74</u>			
Approved for publication by <u>OB 7/23/74 #12946</u>				
Published in <u>Idaho State Journal</u>				
Dates <u>7/11 + 7/18/74</u>				

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

Copy

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 I Comander Irvin L. Spraker (name of claimant)
 of RT 1 North Box 61 (mailing address) Poc, claims a right to the diversion and beneficial use of
 ground water or surface water tributary to Portneut Riv.;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Un named sp.
- (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>1.04 cfs</u> | Use <u>Dom</u> | Period of Use: From <u>Jan</u> To <u>Dec 1</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: 1.04 cubic feet per second, or 1.2 acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) * April 1965 (Diversion)

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 1/4 NE 1/4, Sec. 34 Twp. 7S Rge. 36E B. M. County of Bannock

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. Spring Head box pump.

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
						X													

Total No. of acres _____

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

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

RECEIVED

SS.

Katherine Wanner

Department of Water Resources
-----Eastern District Office-----

She

Katherine Wanner

Subscribed and sworn to before me this 18th

day of July, 1974

Leah L. Leadford

Notary Public, State of Idaho

Residence: Pocatello, Idaho

Commission Expires
March 5, 1922

PRC OF OF PUBLICA ION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 29-4034

Notice is hereby given that Commander Irvin L. Spraker, Rt. No. 1, Box 61, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from an unnamed spring tributary to the Portneuf River with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 7S, R. 36E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family with a priority of April 1965 the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, 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
July 11, 18, 1974
No. 444

being first duly sworn on oath deposes and says: That.....
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:

July 11, 1974, 1974
July 11, 1974, 1974
July 11, 1974, 1974
July 11, 1974, 1974
July 11, 1974, 1974

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 W. W. W.

Subscribed and sworn to before me this 11th day of July, 1974

L. L. Leadford
Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

Duplicate

Katherine Wanner

JUL 22 1974

Department of Water Resources
Eastern Shore

NOTICE OF CLAIM
The undersigned, Katherine Wanner, of the County of Bannock, State of Idaho, do hereby certify that the following is a true and correct copy of the original notice of claim filed with the Department of Water Resources, Eastern Shore, on July 11, 1974, and that the same has been published in the IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein, on the following dates, to-wit:

being first duly sworn on oath deposes and says: That
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:

July 11	, 19 74	, 19
July 18	, 19 74	, 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 18th

day of July, 19 74

Della L. Leadford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

March 5, 1977

PRC OF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Alfred L. Leachford

Alfred L. Leachford

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 29-4034**

Notice is hereby given that Commander Irvin L. Spraker, Rt. No. 1, Box 61, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from an unnamed spring tributary to the Portneuf River with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 7S, R. 36E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family with a priority of April 1965 the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, 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
July 11, 18, 1974
No. 444

being first duly sworn on oath deposes and says: That he 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:

Aug 21, 1974,
Aug 28, 1974,
 , 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 Warner

Subscribed and sworn to before me this 11

day of July, 1974

Anna L. Leachford

Notary Public, State of Idaho

Residence: Pocatello, Idaho

XXXXXXXXXXXXXXXXXXXXX RESOURCES

July 29, 1974

Re: Claim to a Water Right No. 29-4034

Mr. Irvin L. Spraker
Route #1, Box 61
Pocatello, ID 83201

Dear Mr. Spraker:

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
Asst. to District Engineer

RDC:MB

Enc: Copy of claim

29 4034

July 5, 1974

RE: Application for Permit No. 29-7205 - GIRARD

Claim to a Water Right No. 29-4034 - SPRAKER

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,

NORMAN C. YOUNG
District Engineer

NCY:CB

Bill submitted 7-22-74 by MB

Enc: Legal Notice (2)

29 4034

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4034

Notice is hereby given that Commander Irvin L. Spraker,
Rt. #1, Box 61, Pocatello, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~acres feet per annum~~
of water from an unnamed spring tributary to the Portneuf River
with point of diversion in the SW1/4NW1/4, Sec. 35, T. 7S, R. 36E, B.M.,
Bannock County,

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes for one family
with a priority of April, 1965;
the place of use is within the SE1/4NW1/4, Sec. 34; SW1/4NW1/4, Sec. 35,
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 July 11 and July 18, 1974.

29 4034

29-4034
OB-A.

June 21, 1974

Mr. Irvin L. Spraker
Route #1 North, Box 61
Pocatello, Idaho 83201

Dear Mr. Spraker:

Pursuant to your visit to this office, enclosed please find a claim to a water right form which we have typed for your signature. Please sign it before a Notary Public, and return it to this office with the statutory filing fee of \$10.00. Also, we have enclosed an affidavit form for your use.

If we may be of further assistance, please do not hesitate to contact us.

Very truly yours,

BILL RHOADS
Water Resource Technician

BR:MB

Enclosures

29 4034

*I was with several of the people at the individual
and they appropriated water from the spring so that we
might suspect that the water was being used for profit.*

June 21, 1974

Mr. Irvin L. Spraker
Route #1 North, Box 61
Pocatello, Idaho 83201

Dear Mr. Spraker:

Pursuant to your visit to this office, enclosed please find a claim to a water right form which we have typed for your signature. Please sign it before a Notary Public, and return it to this office with the statutory filing fee of \$10.00. Also, we have enclosed an affidavit form for your use.

If we may be of further assistance, please do not hesitate to contact us.

Very truly yours,

BILL RHOADS
Water Resource Technician

BR:MB

Enclosures

29 4034

*They will supply us with a share of the individual
who recently appropriated water from the spring so that we
might report that the individual supply us with an app. for permit.*

June 21, 1974

C
Mr. Irvin L. Spraker
Route #1 North, Box 61
Pocatello, Idaho 83201

Dear Mr. Spraker:

P
Pursuant to your visit to this office, enclosed please find a claim to a water right form which we have typed for your signature. Please sign it before a Notary Public, and return it to this office with the statutory filing fee of \$10.00. Also, we have enclosed an affidavit form for your use.

If we may be of further assistance, please do not hesitate to contact us.

Very truly yours,

Y
BILL RHOADS
Water Resource Technician

BR:MB

Enclosures

29 4034

They will supply us with a name so the individual who recently appropriated water from the spring so that we might report that the individual supply us without app. for permit.