

29 4020

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant CHARLES F. BULLOCK
 post office address Route #1, Box 9 McCammon, Idaho 83250
2. The point of diversion is in See Remarks Section $\frac{1}{4}$ of Section 34 Township 8S
 Range 36E B.M. located on Belle Marsh Creek
 (name of source)
 tributary to Marsh Creek in Bannock County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

June 1 1902 amount: 2.4 c.f.s. or _____ acre feet
June 1 1902 amount: _____ c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 Total claimed 2.4 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from May 1 to Nov. 1 (both dates inclusive)
 use stockwatering period of use from Jan. 1 to Dec. 31 (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of temporary dam each year consisting of rocks, earth, etc. _____; length is 10 feet; height is 2 feet; width at bottom is 10 feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known NONE

- b. Underground water diverting works: is well flowing or pumped N.A.; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g.p.m.; name and address of well driller is _____

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attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is variable 0 to 2500 feet; width of ditch at top is 2 feet; width of bottom of ditch is 2 feet; depth of water is 1½ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is earth; maximum length of pipe line to first place of use is -- feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____.

d. If water is stored: name of reservoir N.A. ;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 202

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

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INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: If you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, ~~Statehouse, Annex 2, Boise, Idaho, 83707~~, is \$10.00.



IN THE MATTER OF: Priority date)
of water claim.)
)
)
McCammon,)
)
State of Idaho)
)
County of Bannock)

AFFIDAVIT

A. Dee Stephenson being first duly sworn,
deposes and says: That all waters of Belle Marsh Creek tributary of Marsh Creek,
Known as High Water has not been used by anyone other than Lew Carlile and C. F.
"Tim" Bullock and A. Dee Stephenson in the last ten (10) years. I being the last
one to use said high water do swear that it was last used in the spring of 1962 by
myself, (A. Dee. Stephenson) and Doyle Lowry for 10 days each. This arrangement lasted
for approximately 4 years prior, after which such arrangement was abandoned as
unsuccessful. Since this time as specified, water has been used exclusively by
such land as described below;

NW¹/₄ NW¹/₄ Sec 34 T8S R36E
NE¹/₄ NW¹/₄ Sec 34 T8S R36E
NW¹/₄ NE¹/₄ SEC 34 T8S R36E

A. D. Stephenson
(signature)

Subscribed and sworn to before me this 9 day of November 19 72.

Borg N. Senter
(notary public)

Residing at McCammon, Idaho 83250.
My commission expires 2-1-74.

RECEIVED

PROOF OF PUBLICATION

DEC 1 1972

STATE OF IDAHO }
County of Bannock } ss.

Department of Water Administration
Eastern District Office

Florence Jones

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 23, 1972, 19____
November 30, 1972, 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.

Florence Jones

Subscribed and sworn to before me this 30th day of November, 1972.

Severly W. Mortensen

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Florence Jones

NOTICE OF CLAIM TO A
WATER RIGHT
NO. 29 - 4020

Notice is hereby given that Charles F. Bullock, Route No. 1, McCammon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 2.4 cubic feet per second of water from Belle Marsh Creek, tributary to Marsh Creek with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 pts.), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (2 pts.), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (2 pts.), Sec. 34, T. 8S, R. 36E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 100 head of beef cattle, and from May 1 to Nov. 1 for the irrigation of 202 acres, with a priority of June 1, 1902. The place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 8S, R. 36E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

November 23, 30, 1972
No. 597

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.

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[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

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STATE OF IDAHO
County of Bannock

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Department of Water Administration
Eastern District Office

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Florence Jones

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day of November, 1972.

Beverly N. Mortensen

Notary Public, State of Idaho
Residence: Pocatello, Idaho

20 1020

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

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Subscribed and sworn to before me this 30th

day of November, 19 72

Notary Public, State of Idaho
Residence: Pocatello, Idaho

C K N O W L E D G E M E N T

Date: ~~XXXXXX~~ November 10, 1972

Re: Application No. 29-4020

I hereby acknowledge that, even though I was assisted by employees of the
Idaho State Department of ^{Water Admin.} ~~Reclamation~~ ^{Claim} ~~Application~~ in the preparation of ~~Application~~ No.
29-4020, all responsibility with regard to the accuracy and completeness
of the information contained therein rests with me.

Signed:

C. F. Bullock

Applicant 4020

December 1, 1972

Re: Claim to a Water Right No. 29-4020

Mr. Charles F. Bullock
Route #1, Box 9
McCammon, ID 83250

Dear Mr. Bullock:

The Department of Water Administration 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,

NORMAN C. YOUNG
District Engineer

NCY:BA
Enc: Copy of claim

29 4020

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Eastern District Office
240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Irrigation and
Flood Control Districts
Waste Disposal Wells
Stream Channel Protection

November 17, 1972

Re: Claim No. 29-4020 - Charles F. Bullock

Idaho State Journal
Box 431
Pocatello, ID 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 ample time for you to submit us a galley proof for our 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 date. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BA
Enc: Legal notice

Bill submitted to Boise

12-01-72

ba

29 4020

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NO. 29-4020

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Idaho

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~~XXXXXX~~ with a priority of of 202 acres, with a priority of June 1, 1902

The place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
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Published in the Idaho State Journal, Pocatello, Idaho
on November 23 and November 30, 1972.

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