

Nº 235

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,

APR 26 1982

County of Oneida

Department of Water Resources
Eastern District Office

Carol A. Hummell being duly sworn,
deposes and says: That she is the Secretary of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been and is in general circulation in the county aforesaid, and in
the vicinity of Malad; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
2 consecutive weeks in the regular and entire issue of said
paper during the period of time of publication, and was
published in the newspaper proper and not a supplement; that
said paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of first
publication of said advertisement.

Such notice was published in the issue beginning with
April 15, 1982, and ending
with the issue of April 22, 1982

Fee 94.83

Subscribed and sworn to before me this 20th day

of April, 1982.
Carol A. Hummell
Notary Public, Residing at Malad, Idaho

My Commission Expires July, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given
that the following claims
to water rights have been
established by diversion
and application to benefi-
cial use: 15-4090

MCDANIEL, BUFORD
RT. 1, BOX 171, MALAD,
ID 83252

Source: SPRING tribu-
tary to TIM WOOZLEG
HOLLOW

Priority Date: 04-01-1969
Amount: 0.05 CFS

Diversion Point: SENE
Sec 12 T 14S R 35E
ONEIDA Co.

Use: STICKWATER (0.05
CFS) from 01-01 to 12-31

Place of Use: SENE Sec

12 T 14S R 35E

Diversion Means: COL-

LECTION BOX TO

STOCK TROUGH 15-4091

CLARK, OLIVER PAUL

& GLADYS

DOWNEY RT, MALAD,

ID 83252

Source: SPRING tribu-

tary to DEVIL CREEK

Priority Date: 02-01-1941

Amount: 0.02 CFS

Diversion Point: SENE

Sec 02 T 13S R 36E

ONEIDA Co.

Use: STOCKWATER

(0.02 CFS) from 01-01 to

12-31 DOMESTIC (0.02

CFS) from 01-01 to 12-31

Place of Use: SENE Sec

02 T 13S R 36E

Diversion Means:

HEADBOX & PIPELINE

17-4037

KRESS, ART & SONS,

INC.

P.O. BOX 336 AMERI-

CAN FALLS, ID 83211

Source: ROCK SPRING

tributary to SINKS

Priority Date: 08-01-1925

Amount: 0.06 CFS

Diversion Point: SWNW

Sec 34 T 13S R 31E

ONEIDA Co.

Use: IRRIGATION (0.02

CFS) from 04-01 to 11-01

STOCKWATER (0.02

CFS) from 01-01 to 12-31

DOMESTIC (0.02 CFS)

from 01-01 to 12-31

Place of Use: SESE Sec

27 T 13S R 31E FOR 14

ACRES

Diversion Means: HEAD-

BOX & PIPELINE

Any exception to any

claim of water right may

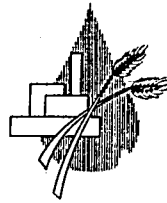
be filed with the Director

of the Idaho Department

of Water Resources, 150

Shoup Ave, Idaho Falls

Idaho 83402

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Oliver Paul Clark or Gladys Clark
(Name of Claimant)

Downey Rt. Malad, Id. 83252

(Mailing Address)

(Zip Code)

Telephone No. 766-2703

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Feb. 1, 1941

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Devil Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.02cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.02cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>0.02cfs</u>	Use	Period of Use From	To

- (4) 0.02cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NE 1/4 Sec. 2 Twp. 13S Rge. 36E B.M., County of Oneida

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. Describe any changes in the system and give the date of the change. Concrete head box to collect water for domestic use and stockwater

- (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	
13S	36E	2				X													

No. of acres

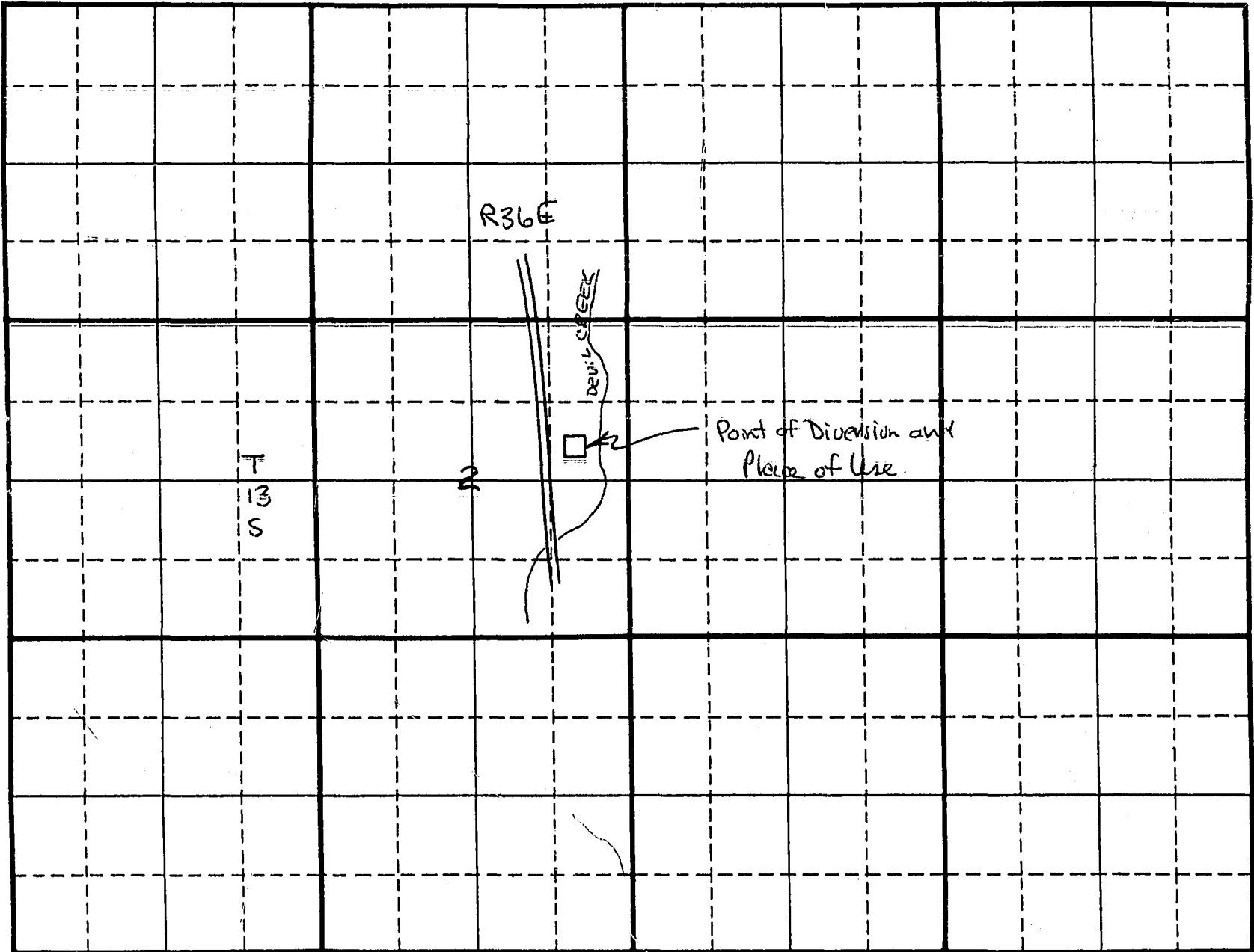
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic and stockwater for 150 head of cattle and horses

NOTE: Include here the type and number of stock watered: 150 head cattle, horses

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

(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 Oneida) 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 affiant's knowledge.

Oliver Paul Clark
(Claimant)

Sworn to before me this 29 day of March, 1982.

Elsie L. Sperry
Notary Public
Residing at Malad Idaho
83252

My commission expires July 10, 1943

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>4/16/82</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>4-06-82</u>		claimant by:	
\$20.00 fee received by <u>CW</u>	Date <u>4-06-82</u>			
Published in <u>Idaho Catcher</u>	<u>#2098</u>			
Dates <u>4-15</u> <u>4-22-82</u>				

15-4091
March 18, 1982

Oliver Paul Clark
Downey Route
Malad, Idaho 83252

Dear Mr. Clark:

An error in the township was found on the claim to a water right that you submitted and in order to correct the error a new claim form has been typed for your review and signature. Therefore, enclosed is the original claim, check #205 for \$30; and the new claim form.

Upon receipt of the corrected, signed, and notarized claim to a water right, processing will begin. This slight delay in processing the claim will in no way jeopardize it.

Please feel free to contact this office for any additional assistance they may be needed.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:brs

enclosure: as stated

15-4091

CLARK, OLIVER PAUL &/or GLADYS

DOWNEY RT., MALAD, ID 83252

Source: SPRING tributary to DEVIL CREEK

Priority Date: 02/01/1941

Amount: 0.02 CFS

Diversion Point: SENE Sec 02 T 13S R 36E, ONEIDA Co.

Use: STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SENE Sec 02 T 13S R 36E

Diversion Means: HEADBOX & PIPELINE

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 15-4091 Applicant Clark

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date May 4, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 5/27/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 3, 1982

OLIVER PAUL CLARK
GLADYS CLARK
DOWNEY RT.
MALAD

ID 83252

RE: Claim No. 15-4091

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED

MAY 10 1982

Department of Water Resources