

RECEIVED

JAN 4 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, David Mark Brown do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper two consecutive weeks,

the first publication having been made on the
22nd day of December, 19 77,

and the last publication having been made on the
29th day of December, 19 77;

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown

Subscribed and sworn to before me this 30th
day of December, 19 77.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

**NOTICE OF CLAIM
TO A
WATER RIGHT
NO. 35-4063**

Notice is hereby given that
Jessie (Nelson) Roth,
American Falls, Idaho, has
filed a claim to a water right
established by diversion and
application to beneficial use of
0.60 cubic feet per second of
water from a ground-water
source with point of diversion in
the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5S, R.
31E, B.M., Bingham County.

The water is claimed to be
used from Apr. 1 to Nov. 1 for
the irrigation of 30 acres with a
priority of May, 1953; the place
of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 28, T. 5S, R. 31E, 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.

C. STEPHEN ALLRED
Director

(5411)
Pub.: 12-22, 29

Microfilm

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 Jessie (Nelson) Roth
(name of claimant)
of 761 Hutchinson, American Falls, ID 83211, 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>0.60</u> | Use | <u>irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 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: 0.60 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) May, 1953

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 $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28 Twp. 5S Rge. 31E B. M. County of Bingham
 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. well, pump and open ditches (Now converted to sprinkler system)

- (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.

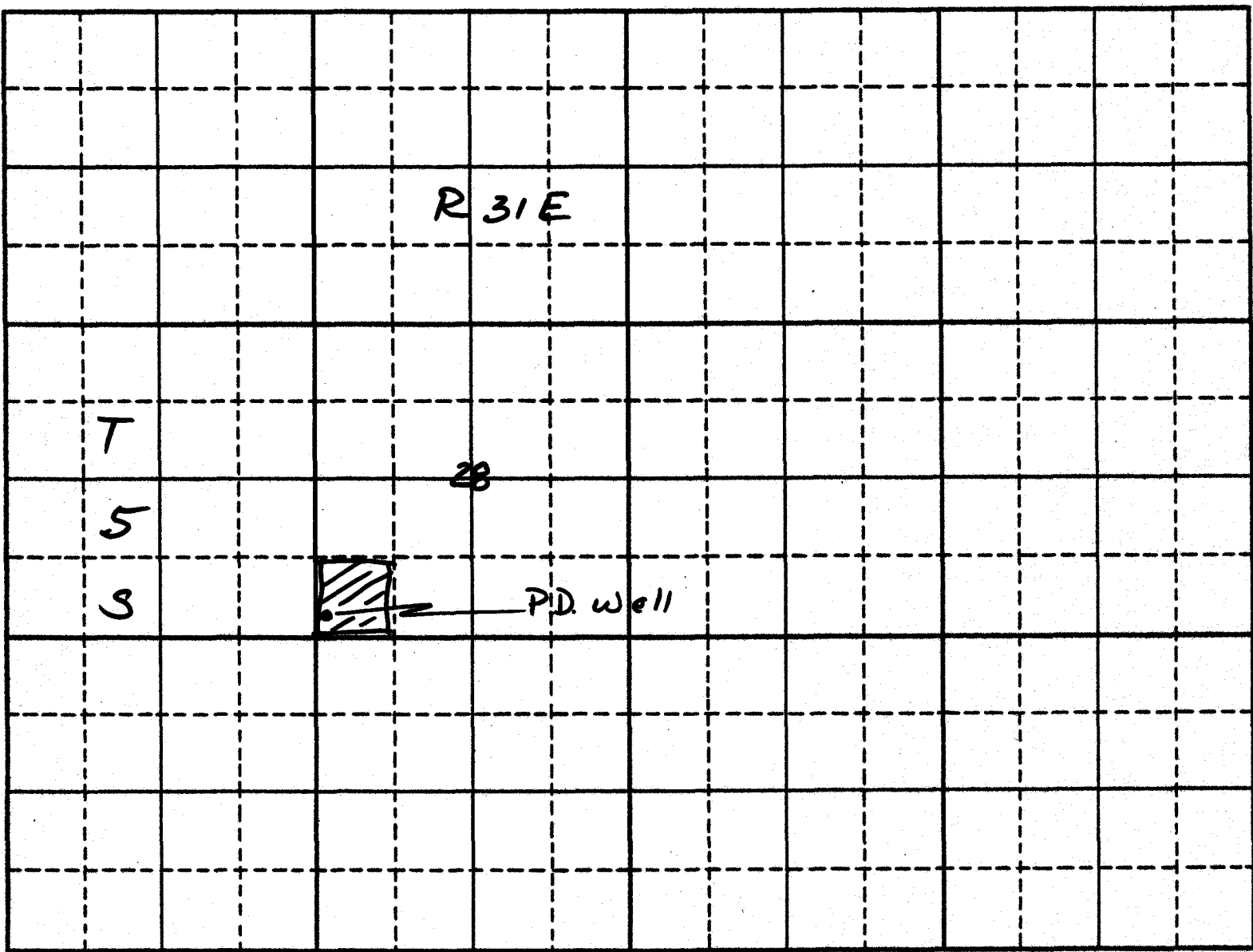
[illegible]

Total No. of acres 30

- 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: _____

(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 Bonneville) 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.

Sworn to before me this 12th day of December, 19 77.

Jessie (Gulson) Roth
(Claimant)
Arthur Wray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

For Department Use Only

Received by <u>CA</u>	Date <u>12-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>12-12-77</u>		claimant by:	
\$10.00 fee received by <u>CA</u>	Date <u>12-12-77</u>			
Approved for publication by <u>CA</u>	Date <u>1-04-78</u>			
Published in <u>Blackfoot News</u>				
Dates <u>Dec. 22 + 29 - 1977</u>				

RECEIVED

JAN 4 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho,

I, David Mark Brown

solemnly

)

)ss.

)

do

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
134 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction withing the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper two consecutive weeks,

the first publication having been made on the
22nd day of December, 19 77,

and the last publication having been made on the
29th day of December, 19 77;

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown

Subscribed and sworn to before me this 30th

day of December, 19 77.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

NOTICE OF TO WATER RIGHT NO. 35-4043

Notice is hereby given that
Jessie (Nelson) Roth,
American Falls, Idaho, has
filed a claim to a water right
established by diversion and
application to beneficial use of
0.60 cubic feet per second of
water from a ground-water
source with point of diversion in
the SW1/4SW1/4, Sec. 28, T. 5S, R.
31E, B.M., Bingham County.

The water is claimed to be
used from Apr. 1 to Nov. 1 for
the irrigation of 30 acres with a
priority of May, 1953; the place
of use is within the SW1/4SW1/4,
Sec. 28, T. 5S, R. 31E, 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.

C. STEPHEN ALLRED
Director

(5411)
Pub.: 12-22, 29

33

March 28, 1978

RE: Claim to a Water Right No. 35-4063

Ms. Jessie Roth
761 Hutchinson
American Falls, Idaho 83211

Dear Ms. Roth:

This office is in receipt of your letter dated March 23, 1978, concerning the above referenced claim. Your letter will be included in the claim file as a part of the claim.

If we may be of further assistance, please feel free to contact this office.

Very truly yours,

LOREN O. HOLMES
Assistant Regional Supervisor

LOH:cw

cc: IDWR - State Office

RECEIVED

MAR 24 1978

Department of Water Resources
Eastern District Office

RECEIVED

MAR 27 1978

Department of Water Resources
Eastern District Office

3/23/78
American Falls, Idaho

TO: RONALD D. CARLSON
SUPERVISOR, EASTERN REGION
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

Dear Mr. Carlson,

I wish to write and advise you of more information, regarding the validity of my claim to the well and water rights, on my farm at Aberdeen. My claim number, 35-4063, for permit. The date of year is right, but the month is wrong. The following information is from the records of the Idaho Power Company, at Aberdeen, Idaho. The record is under the name of Issac Nelson, my late husbands father, but now in my name.

Well was drilled, pump installed, and electric hook-up, for testing of well----November, 18, 1953--Order No. 758

Meter installed----June, 28, 1954---Order No. 565

The well account number was at that time--2080II60

The present account number is---2080-2000-2 Location---F-28-I

The figure I, in the location indicates that this well was the first one drilled in the area, for some miles around.

I would appreciate your adding this information to my files, and if you need a copy of the actual record page, I will get that for you, because I'm sure they will allow it.

Very Truly Yours,

Jessie Roth

761 Hutchinson
American Falls, Idaho 83211

January 9, 1978

RE: Claim to a Water Right No. 35-4063

Jessie (Nelson) Roth
761 Hutchinson
American Falls, ID 83211

Dear Ms. Roth:

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:CD

Enc: Copy of claim

December 16, 1977

RE: Application for Permit No. 35-7761 INSKEEP
Claim to a Water Right No. 35-4063 ROTH
Application for Transfer No. 35-2470 FUNK

Blackfoot News
P.O. Box 70
Blackfoot, Idaho 83221

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 1-04-78 by CW

RDC:CW

Enc: Legal Notice (3)

**NOTICE OF CLAIM
TO A
WATER RIGHT
NO. 35-4063**

Notice is hereby given that Jessie (Nelson) Roth, American Falls, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.60 cubic feet per second of water from a ground-water source with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5S, R. 31E, B.M., Bingham County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 30 acres with a priority of May, 1953; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5S, R. 31E, 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.

C. STEPHEN ALLRED
Director

(5411)

Pub.: 12-22, 29

NOTICE OF CLAIM TO A WATER RIGHT

NO. 35-4063

Notice is hereby given that Jessie (Nelson) Roth,
American Falls, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.60 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground-water source

with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5S, R. 31E, B.M.,
Bingham County

The water is claimed to be used from Apr. 1 to Nov. 1
for the irrigation of 30 acres

with a priority of May, 1953;
the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5S, R. 31E, 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.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Blackfoot News, Blackfoot, Idaho
on December 22 and December 29, 1977

CW-A
CW-M
P.M.