

RECEIVED

OCT 6 1976

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham
State of Idaho

)
ss.
)

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: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

Friday issue of said newspaper ²..... consecutive

weeks, the first publication having been made on
the ..9th..... day of ..Sept....., 19 ..76.....

and the last publication having been made on the
..16th..... day of ..Sept....., 19 ..76.....; that said

notice was published in the regular and entire 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^{4th}.....

day of October....., 19 76.....

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, ~~1975~~ 1976

water right established by
diversion and application to
beneficial use of 0.04 cubic feet
per second of water from a
ground-water source with point
of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 32, T. 2S, R. 35E, B.M.,
Bingham County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic purposes for one
family with a priority of Sept. 1,
1958; the place of use is within
the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 2S,
R. 35E, 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.

W
**NOTICE OF
CLAIM TO A
WATER RIGHT**

NO. 35-4051

Notice is hereby given that
Homer Johnson, Blackfoot,
Idaho has filed a claim to a

R. KEITH HIGGINSON
Director

(4817)
Pub.: 9-9, 16

35 *W*

MICROFILMED

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 Homer Johnson (name of claimant)
of Box 808, Blackfoot, Idaho 83221, 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>0.04</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</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: 0.04 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) Sept. 1, 1958

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)
NE ¼ NW ¼, Sec. 32 Twp. 2S Rge. 35E 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. 6" well, pressure tank / Below Tunnel

- (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 ¼			NW ¼			SW ¼			SE ¼			TOTAL		
			NE ¼	NW ¼	SE ¼	NE ¼	NW ¼	SE ¼	NE ¼	NW ¼	SE ¼	NE ¼	NW ¼	SE ¼			
2S	35E	32		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.

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

[illegible]

Date _____

EX-107 (7-7-76)
OCT 3 1976
Department of Water Resources
Eastern District Office

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County of Bingham)
State of Idaho) ss.

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and part of the proof of publication was, published in said

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weeks, the first publication having been made on
the 9th day of Sept, 19 76
and the last publication having been made on the
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Peter H. Johnson
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
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Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

NOTICE OF CLAIM TO A WATER RIGHT

NO. 35-4051

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Homer Johnson, Blackfoot,
Idaho has filed a claim to a

(4817)
Pub.: 9-9, 16

35 $\rightarrow$

October 6, 1976

RE: Claim to a Water Right No. 35-4051

Mr. Homer Johnson
Box 808
Blackfoot, Idaho 83221

Dear Mr. Johnson:

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:CW

Enc: Copy of Claim



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

September 27, 1976

RE: Applications Nos. 35-4051 JOHNSON
35-7637 MELTON
35-7638 FUNK
35-7639 IDLE WHEEL

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

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced applications. The legal notices were to have been published on September 9 and September 16, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

cc: IDWR - State Office

*Called
10-24-76
CW*

September 7, 1976

RE: Claim to a Water Right No. 35-4051
Application for Permit No. 35-7639

Mr. Homer Johnson
Box 808
Blackfoot, Idaho 83221

Dear Mr. Johnson:

Attached herewith is departmental receipt No. 2542 in the amount of \$35.00 for the above referenced applications.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

September 3, 1976

RE: Claim to a Water Right No. 35-4051 JOHNSON

Application for Permit No. 35-7639 IDLE WHEEL

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 10-06-76 by CW

RDC:CW

Enc: Legal Notice (2)

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R. KEITH HIGGINSON
Director

(4817)

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with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 2S, R. 35E, B.M.,
Bingham County

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R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho
on Sept. 9 and Sept. 16, 1976

*me-Q.
me-B.
me-J.*