

RECEIVED
MAR 19 1971
Department of Water Administration

Proof of Publication The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, William Beard, first being duly sworn, depose and say: That I am the
Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 4th day of March, 1971, last publication
having been made on the 11th day of March, 1971, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

William Beard

Subscribed and sworn to before me, this 12th day of March, 1971

Karegidale
Notary Public

My commission expires April 5, 1971

B10, 1M

LEGAL NOTICE

**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 35-4014

Notice is hereby given that Jess Croft and Son, Inc., Route No. 5, Box 116, Idaho Falls, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 8.16 cubic feet per second of water from a ground source with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 3N, R. 36E, B.M., Bonneville County.

The water is claimed to be used from May 1 to Sept. 15 for irrigation with priority of June 1, 1961 (4.0 cfs) and May 15, 1966 (4.16 cfs); the place of use is within the S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$, Sec. 8, T. 2N, R. 36E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. Keith Higginson
Director.

Published in the Idaho Falls Post-Register, Idaho Falls, Idaho on March 4 and March 11, 1971.

35-4014

9

Identification No. _____
Claim No. 35-4014
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 JESS CROFT AND SON, INC.
post office address Route #5, Box 116, Idaho Falls, Idaho
2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 32 Township 3 North
Range 36 E.B.M. located on Groundwater (name of source)
tributary to _____ in Bonneville 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:

<u>June 1, 1961</u>	amount: <u>4.00</u>	c.f.s. or	acre feet
<u>May 15, 1966</u>	amount: <u>4.16</u>	c.f.s. or	acre feet
	amount: _____	c.f.s. or	acre feet
Total claimed <u>8.16</u> 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 <u>irrigation</u>	period of use from <u>May 1</u>	to <u>Sept 15</u>	(both dates inclusive)
use <u>irrigation</u>	period of use from <u>May 1</u>	to <u>Sept 15</u>	(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: N/A
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 438 feet; diameter of well is 20 inches; type of pump is a Peerless deep well turbine pump
capacity of pump is 6,283.2 g.p.m.; name and address of well driller is Commons Drilling Company
Box 126, Rupert, Idaho;

35-4014

attach well logs if available; has there been any change in pump or motor since well was first completed yes; if so, give dates and explain A 450 h.p. pump was first installed in 1957. A 200 h.p. booster pump was installed 11/28/60 and used to pump water on 6/1/61. On 5/15/66, a new 600 h.p. pump was installed to replace the 450 h.p. pump. The 200 h.p. booster is still in operation

N/A c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; begins at the pump maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is 12 inches, at pump, and reduces to 6 inches type of pipe buried steel and portable grade of pipe per 1000 feet is variable aluminum. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible The line has been extended to cover the irrigation for the following described property: S 1/2 NE 1/4; SE 1/4, all in Section 5; and the NE 1/4 of Section 8, all in Township 2 North, Range 36, East Boise Meridian

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:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
2N	36E	5			40	40									40	40	40	40	240
2N	36E	8	40	40	40	40													160

Total number of acres to be irrigated 400

Explain any significant increase in area irrigated since first use, give dates and acreages if known Water was appropriated in the amount of 5.84 c.f.s. under Water License No. G-26876 with a priority of April 23, 1957 on this well. But with the additional water which was available from the well, the acreage above set forth was added and is made a part of this claim.

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered None

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied None

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities None

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Please refer to explanations set forth in Items 4.b. and 5.a. above

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.

JESS CROFT AND SON, INC.

By: David J. Croft

Its: Vice-President and General Manager

Sworn to before me this 9th. day of February, 19 71.

Reed L. Mann

Notary Public

Residing at Idaho Falls, Idaho

My commission expires 2/26/74

For Department Use Only

Received by <u>ej</u>	Date <u>2-12-71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>DWM</u>	Date <u>2-16-71</u>			
Fee received by <u>ej</u>	Date <u>2/16/71</u> Fee \$ <u>10.⁰⁰</u>			
Approved for publication by <u>D</u>				
Published in <u>Idaho Falls Post Register</u>	Dates <u>3-4 & 3-11, 1971</u>			

35-4014

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 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Copy

Identification No. _____

Claim No. 35-4014

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 JESS CROFT AND SON, INC.
post office address Route #5, Box 116, Idaho Falls, Idaho

2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 32 Township 3 North
Range 36 E.B.M. located on _____
(name of source)

tributary to _____ in Bonneville 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, 1961 amount: 4.00 c.f.s. or _____ acre feet
May 15, 1966 amount: 4.16 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 8.16 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 Sept 15 (both dates inclusive)
use irrigation period of use from May 1 to Sept 15 (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: N/A

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 438 feet; diameter of well is 20 inches; type of pump is a Peerless deep well turbine pump
capacity of pump is 6,283.2 g.p.m.; name and address of well driller is Commons Drilling Company
Box 126, Rupert, Idaho ;

35-4014

attach well logs if available; has there been any change in pump or motor since well was first completed yes; if so, give dates and explain A 450 h.p. pump was first installed in 1957. A 200 h.p. booster pump was installed 11/28/60 and used to pump water on 6/1/61. On 5/15/66, a new 600 h.p. pump was installed to replace the 450 h.p. pump. The 200 h.p. booster is still in operation

N/A c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is 12 inches, at pump, and reduces to 6 inches type of pipe buried steel and portable aluminum grade of pipe per 1000 feet is variable. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. The line has been extended to cover the irrigation for the following described property: S 1/2 NE 1/4; SE 1/4, all in Section 5; and the NE 1/4 of Section 8, all in Township 2 North, Range 36, East Boise Meridian

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:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
2N	36EBM	5			40	40									40	40	40	40	240
2N	36E	8	40	40	40	40													160

Total number of acres to be irrigated 400

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____
Water was appropriated in the amount of 5.84 c.f.s. under Water License No. G-26876 with a priority of April 23, 1957 on this well. But with the additional water which was available from the well, the acreage above set forth was added and is made a part of this claim.

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered None

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied None

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities None

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation Please refer to explanations set forth in Items 4.b. and 5.a. above

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.

JESS CROFT AND SON, INC.

By: David J. Croft
Its: Vice-President and General Manager

Sworn to before me this 9th. day of February, 19 71.

Rud S. Mann
Notary Public

Residing at Idaho Falls, Idaho

My commission expires 2/26/74

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>ej</u>	<u>2-12-71</u>			
Prelim. check by <u>DWM</u>	Date <u>2-16-71</u>			
Fee received by <u>ej</u>	Date <u>2-16-71</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>DWM</u>				
Published in <u>Idaho Falls</u>	Dates <u>3-4 & 3-11, 1971</u>			
<u>Post Register</u>				

35-4014

Well Log

Heat well

35-4014

Press 6' roft

Started drilling 4/10/57

Finished " 5/2/57

Casing in well 9' 21" x 3/4

Water level 370.4

Depth of well 438

0-2 Soil

2-4 Hard pan

4-8 Sandy clay

8-15 Gray solid lava

15-50 Black broken lava + crows

50-68 Gray soft lava

68-76 Gray hard lava

76-84 Volcanic ash

84-92 Yellow clay

92-107 Gray soft lava

107-112 Red clay

112-130 Red soft lava

130-146 Brown hard lava

146-187 Gray soft lava

187-220 Red hard lava

220-228 Red soft lava

35-4014

- 238-235 Gray soft lava (lost cuttings)
235-247 Gray hard lava
247-280 Gray soft lava & cream
280-286 Gray hard lava
286-291 Red cinders
291-304 Gray hard lava
304-313 Red soft lava
313-335 Gray hard lava
335-344 Red loose lava
344-353 Black hard lava (went held water or cutting)
353-360 Red honey-comb lava
360-367 Gray lava
367-390 Red comb lava (Hot water)
390-396 Black honey comb lava (lost 40% of cuttings)
396-432 Black lava
432-438 loose comb lava (lost cuttings)

36-40/4



Claim to a Water Right No. 35-4014

STATE OF IDAHO

office of the

DEPARTMENT OF RECLAMATION

ww

35-4014

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, William Beard, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 4th day of March, 1971, last publication having been made on the 11th day of March, 1971, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

William Beard
Subscribed and sworn to before me, this 12th day of March, 1971

Karegidale
Notary Public

My commission expires April 5, 1971

B10, 1M

LEGAL NOTICE	
NOTICE OF CLAIM TO A WATER RIGHT	
No. 35-4014	
Notice is hereby given that Jess Craft and Son, Inc., Route No. 5, Box 116, Idaho Falls, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 8.16 cubic feet per second of water from a ground source with point of diversion in the $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T. 3N., R. 36E., B.M., Bonneville County.	
The water is claimed to be used from May 1 to Sept. 15 for irrigation with priority ~~as of~~ <u>March 1, 1961</u> (4.0 cfs) and May <u>15, 1966</u> (4.16 cfs); the place of use is ~~in~~ <u>the</u> $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$, Sec. 8, T. 2N., R. 36E., B.M.	
Any objection to this claim of water right ~~may be~~ <u>must be</u> filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.	
R. Keith Higginson Director	
Published in the Idaho Falls Post-Register, Idaho Falls, Idaho on March 4 and March 11, 1971.	

35-4014

Well Log

Acet well

Jess Craft

started drilling 4/10/57

Finished " 5/2/57

Casing in well 7' 21" x 3/4

Water level 370.4

Depth of well 438

0-2 Soil

2-4 Hard pans

4-8 Sandy clay

8-15 Gray solid lava

15-50 Black broken lava + cinders

50-68 Gray soft lava

68-76 Gray hard lava

76-84 Volcanic ash

84-93 Yellow clay

93-107 Gray soft lava

107-112 Red clay

112-130 Red soft lava

130-144 Brown hard lava

144-187 Gray soft lava

187-220 Red hard lava

220-228 Red soft lava

35-4014

- 228-235 Gray soft lava (lost cuttings)
 235-247 Gray hard lava
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 280-286 Gray hard lava
 286-291 Red cinders
 291-304 Gray hard lava
 304-313 Red soft lava
 313-325 Gray hard lava
 325-344 Red loose lava
 344-353 Black hard lava (went held water or cuttings)
 353-360 Red honey-comb lava
 360-367 Gray lava
 367-390 Red coarse lava (Hot water)
 390-396 Black honey comb lava (lost 40% of cuttings)
 396-432 Black lava
 432-438 loose coarse lava (lost cuttings)

March 29, 1971

Re: Claim to a Water Right No. 35-4014

Jess Croft & Son, Inc.
Route #5, Box 116
Idaho Falls, Idaho 83401

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr

Enclosure: Copy of claim

cc: Reed L. Moss
485 E. Street
Idaho Falls, Idaho 83401

35-4014

February 24, 1971

Re: Claim to a Water Right No. 35-4014 - Jess Croft and Son, Inc.

Mr. Reed L. Moss
PETERSEN, MOSS & OLSEN
485 "E" Street
Idaho Falls, Idaho 83401

Dear Mr. Moss:

In answer to your letter of February 9th, please be advised that the Department is responsible for payment of the legal notice in the newspaper in connection with the above referenced claim to a water right.

The legal notice for this claim is to be published in the Idaho Falls Post Register on March 4th and 11th. Upon completion of the processing of the claim, the Department will forward a copy of the claim to Jess Croft and Son, Inc. for their records.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

35-4014

February 24, 1971

Re: Claim No. 35-4014 - Jess Croft and Son, Inc.

Idaho Falls Post Register
P.O. Box 1800
Idaho Falls, Idaho 83401

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 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legalnotice

Bill submitted 3-24-71 By de

35-4014

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 35-4014**

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The water is claimed to be used from May 1 to Sept. 15 for irrigation with priority of June 1, 1961 (4.0 cfs) and May 15, 1966 (4.16 cfs); the place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$, Sec. 8, T. 2N, R. 36E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. Keith Higginson
Director

Published in the Idaho Falls Post-Register, Idaho Falls, Idaho on March 4 and March 11, 1971.

2. K. 71
3-3-71
D.D.

35-4014

NOTICE OF CLAIM TO A WATER RIGHT

No. 35-4014

Notice is hereby given that Jess Croft and Son, Inc., Route #5, Box 116,

Idaho Falls, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 8.16 cubic feet per second ~~4.16/feet~~ of water from a ground water source

with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 3N, R. 36E, B.M.,

Bonneville County

The water is claimed to be used from May 1 to Sept. 15 for

irrigation

with a priority of June 1, 1961 (4.0 cfs) and May 15, 1966 (4.16 cfs) ;

the place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$, Sec. 8, T. 2N,

R. 36E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Idaho Falls Post Register, Idaho Falls, Idaho
on March 4 and March 11, 1971

35-4014

February 16, 1971

Peterson, Moss and Olsen
Attorneys at Law
485 "E" Street
Idaho Falls, Idaho 83401
Attn: Reed L. Moss

Attached herewith is Departmental Receipt No. 5633 in the amount of
\$10.00 for claim application in the name of Jess Croft and Son, Inc.,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

35-4014

PETERSEN, MOSS & OLSEN
ATTORNEYS AT LAW
485 "E" STREET
IDAHO FALLS, IDAHO 83401

GEORGE C. PETERSEN, JR.
REED L. MOSS
DENNIS M. OLSEN
WINSTON V. BEARD

TELEPHONE
523-4650

February 9, 1971

RECEIVED

Department of Water Administration
Room 107, Statehouse
Boise, Idaho 83701

Re: Jess Croft and Son, Inc.

Gentlemen:

Enclosed you will please find our check in the amount of \$10.00 and an original and duplicate original of a claim to a water right. We wish to file the claim on behalf of Jess Croft and Son, Inc.

We understand that a copy of the claim will be advertised in the county newspaper for two weeks; and I would assume that our client would be responsible for the costs. You are welcome to have the newspaper (which I assume would be the Post Register) send its billing directly to this office when the publication is completed.

If there is any additional information which we can provide, please advise.

Very truly yours,

PETERSEN, MOSS & OLSEN



Reed L. Moss

RLM:pm

Encls.

cc: Mr. William Dishman
Utah Mortgage & Loan Company

35-4014