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Documents
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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 Arnell C. Earley Phone 945-2024
(name of claimant)
of Ovid Idaho 83260, 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) 2 Springs
_____, 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>1.5</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>April 1</u> | To | <u>Nov 1</u> |
| Amount | <u>.02</u> | Use | <u>Stock water</u> | Period of Use: From | <u>Jan 1</u> | To | <u>Dec 31</u> |
| 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: 1.5 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 1888

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 1/4 NW 1/4, Sec. 20 Twp. 13S Rge. 43E B. M. County of Bear Lake
Additional points of diversion: SE 1/4 NW 1/4 Sec. 20, T13S, R43E.

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. Open Ditches and gravity 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.

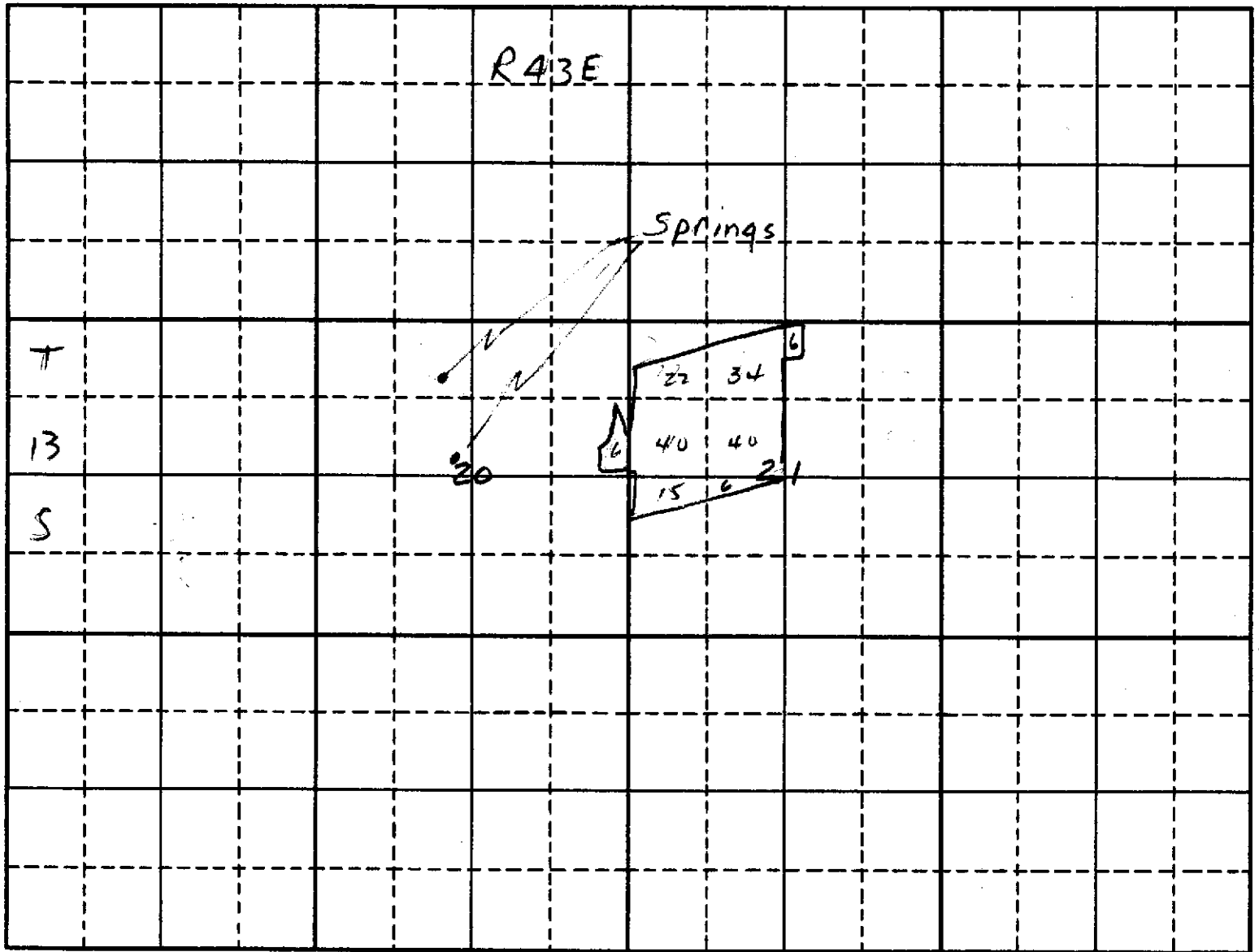
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S						6													6
13S	43E	20					34	22	40	40	6	15							163
		21		6															

Total No. of acres 169

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: 60 head Cows - Dairy Operation

- (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 31st day of March

Arnold C. Early
(Claimant), 1978

Patricia Wray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

For Department Use Only

Received by cw Date 3-31-78
Prelim. check by LHJ Date 3-31-78
\$10.00 fee received by cw Date 3-31-78
Approved for publication by DW 5-04-78
Published in News Examiner
Dates April 6 & 13, 1978

Exception filed by: Forwarded to claimant by: Date

AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 4 1978

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake

ss.

Loren M. Thompson
being duly sworn,

deposes and says:

That he is the *publisher* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *five* consecutive weeks in the regular and entire issue of said paper during the period and 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 6, 19*78*, and ending with the issue of *April 13*, 19*78*.

Fees, *15.73*.

Subscribed and sworn to before me this *1* day of *May*, 19*78*.

Loren M. Thompson

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *March 13, 1979*.

Public Notices

NOTICE OF CLAIM TO A WATER RIGHT NO. 11-4066

Notice is hereby given that Arnell C. Earley, Ovid, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.50 cubic feet per second of water from two springs with point of diversion in the NE¼NW¼, SE¼NW¼, Sec. 20, T. 13S, R. 43E, B.M., Bear Lake County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for a 60-head dairy cattle operation and from Apr. 1 to Nov. 1 for the irrigation of 169 acres with a priority of May, 1888; the place of use is within the SE¼NE¼, Sec. 20, NW¼NE¼, NW¼, N½SW¼, Sec. 21, T. 13S, R. 43E, 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

Published in the News Examiner, Montpelier, Idaho on April 6 and April 13, 1978. A6-13

WATER RIGHT NUMBER - 11-4055

02 - CLO (CD) - NUMBER 1

LAST NAME

03001 - EARLEY

04001 - ARNELL C.

FIRST NAME

05061 - C

W. H. G. • O. E. G. R.

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

03 CITY - CIVIL

10 STATE - ID 11 ZIP - 83260

12 STAGE - 5 STATUTORY CLAIM

13 STATUS -

SECRET

TRIBUTARY OF

14001 - SPRINGS

15001 - CVD CREEK

16 DIVERSION MEANS -

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .0000

19 TOTAL DIVERSION RATE - 1.500

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT
SEC
TAN
KNS
LOT
ELG
STREAN
INDX
EHELDS

22001 - SENK 23001 - 20 24001 - 135 25001 - 43E 26001 - 27001 -

[illegible]

29 NON-IRRIGATION USE - S/60 CARRY.

USE CODE \ USE	TWN	RNG	SEC	TRACT	ACRES	LOT
----------------	-----	-----	-----	-------	-------	-----

30001 - 01	IRRIGATION
31001 - 135	22601 - 43E
33001 - 21	34001 - NINE
35001 - 06	36001 -

30002 -	G1
31002 -	IRRIGATION
32002 -	155
33002 -	43E
34002 -	21
35002 -	NEW
36002 -	34

30003 - 01	IRISAT10N
31003 - 135	32003 - 43E
33003 - 21	34003 - NNNN
35003 - 22	36003 -

30004 - 01 IRRIGATION
31004 - 135
32004 - 43E
33004 - 21
34004 - SWNH
35004 - 4C
36004 -

30005 - 01	IRRIGATION
31005 - 135	32005 - 435
33005 - 01	34005 - SENK
35005 - 40	36005 -

30006 - 01	IRRIGATION
31006 - 135	
32006 - 435	
33006 - 21	
34006 - NESH	
35006 - 06	
36006 -	

30007 - 01 IRRIGATION
31007 - 155
32007 - 433
33007 - 21
34007 - NWSM
35007 - 15
36007 -

30008 - 01	PRESTATION
31008 - 135	
32008 - 43E	
33008 - 20	SENE
34008 -	
35008 - 06	
36008 -	

TOTAL ACRES: 169

PERIOD FROM	PERIOD TO	USE CODE	USE	DIVERSION RATE	DIVERSION VOLUME
01/01/00	12/31/00	01	01	0.00	0.00
01/01/01	12/31/01	01	01	0.00	0.00
01/01/02	12/31/02	01	01	0.00	0.00
01/01/03	12/31/03	01	01	0.00	0.00
01/01/04	12/31/04	01	01	0.00	0.00
01/01/05	12/31/05	01	01	0.00	0.00
01/01/06	12/31/06	01	01	0.00	0.00
01/01/07	12/31/07	01	01	0.00	0.00
01/01/08	12/31/08	01	01	0.00	0.00
01/01/09	12/31/09	01	01	0.00	0.00
01/01/10	12/31/10	01	01	0.00	0.00
01/01/11	12/31/11	01	01	0.00	0.00
01/01/12	12/31/12	01	01	0.00	0.00
01/01/13	12/31/13	01	01	0.00	0.00
01/01/14	12/31/14	01	01	0.00	0.00
01/01/15	12/31/15	01	01	0.00	0.00
01/01/16	12/31/16	01	01	0.00	0.00
01/01/17	12/31/17	01	01	0.00	0.00
01/01/18	12/31/18	01	01	0.00	0.00
01/01/19	12/31/19	01	01	0.00	0.00
01/01/20	12/31/20	01	01	0.00	0.00
01/01/21	12/31/21	01	01	0.00	0.00
01/01/22	12/31/22	01	01	0.00	0.00
01/01/23	12/31/23	01	01	0.00	0.00
01/01/24	12/31/24	01	01	0.00	0.00
01/01/25	12/31/25	01	01	0.00	0.00
01/01/26	12/31/26	01	01	0.00	0.00
01/01/27	12/31/27	01	01	0.00	0.00
01/01/28	12/31/28	01	01	0.00	0.00
01/01/29	12/31/29	01	01	0.00	0.00
01/01/30	12/31/30	01	01	0.00	0.00
01/01/31	12/31/31	01	01	0.00	0.00
01/01/32	12/31/32	01	01	0.00	0.00
01/01/33	12/31/33	01	01	0.00	0.00
01/01/34	12/31/34	01	01	0.00	0.00
01/01/35	12/31/35	01	01	0.00	0.00
01/01/36	12/31/36	01	01	0.00	0.00
01/01/37	12/31/37	01	01	0.00	0.00
01/01/38	12/31/38	01	01	0.00	0.00
01/01/39	12/31/39	01	01	0.00	0.00
01/01/40	12/31/40	01	01	0.00	0.00
01/01/41	12/31/41	01	01	0.00	0.00
01/01/42	12/31/42	01	01	0.00	0.00
01/01/43	12/31/43	01	01	0.00	0.00
01/01/44	12/31/44	01	01	0.00	0.00
01/01/45	12/31/45	01	01	0.00	0.00
01/01/46	12/31/46	01	01	0.00	0.00
01/01/47	12/31/47	01	01	0.00	0.00
01/01/48	12/31/48	01	01	0.00	0.00
01/01/49	12/31/49	01	01	0.00	0.00
01/01/50	12/31/50	01	01	0.00	0.00
01/01/51	12/31/51	01	01	0.00	0.00
01/01/52	12/31/52	01	01	0.00	0.00
01/01/53	12/31/53	01	01	0.00	0.00
01/01/54	12/31/54	01	01	0.00	0.00
01/01/55	12/31/55	01	01	0.00	0.00
01/01/56	12/31/56	01	01		

37001 - 0401	38001 - 1101	39001 - 01	40001 -	1.500	41001 -	0.00
37002 - 0101	38002 - 1201	39002 - 04	40002 -	0.020	41002 -	0.00
		IRRIGATION				
		STOCKWATER				

42	43
BEFORE PLAINT FILED	DATE OF CURRENT COMPLAINT
NAME	NAME

ХИЗР

- 4401 -

APPROVAL CONDITIONS: 45601 -

46 OTHER RIGHTS FOR SAME USE -

	PRIORITY	D A T E S		D A T E S	F L A G S
47	PROCP DUE	1-MAY-1832	55	LICENSE	63 TRANSFER/AMENDED
48	PROCP MADE		56	APPL RECEIVED	64 OLE/CAREY ACT
49	APPROVE/DENIED		57	FIELD EXAM MADE	65 FLAG_1
50	PROTESTED		58	CECREE	66 FLAG_2
51	HEARING		59	START WORK	67 FLAG_3
52	VERIFIED		60	ORDER SHOW CAUSE	
53	LAST UPDATE	19-MAR-1986	61	CATE_1	
54			62	CATE_2	

VERIFIED JKN
3/25/86

IDENT. NO. 11-41066

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. / 11-4066
OTd No. New No.

Record

1. Original Owner: Ornell C. EardleyPresent Owner: 2. Address: 3. City: Ovid State: SC Zip: 832604. A. Source of Water: SpringB. Tributary of: 5. A. Stage (A,P,L,D,S,J): SB. Status (D,L,R,C,A,I,F - leave blank if valid): C. Priority Date: 5-1-1988D. County: ONE. Total Diversion Rate: 1.5F. Total Diversion Volume: G. Transfer/Amendment (P,T of A or blank): H. Water District: I. DLE/Carey Act (D,C or blank): J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE NW</u>	<u>20</u>	<u>13S</u>	<u>43E</u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 11-1 for A purposes. Amount 1.5
(cfs or AC-FT/yr)from 1-1 to 12-31 for S purposes. Amount .02from to for purposes. Amount from to for purposes. Amount from to for purposes. Amount from to for purposes. Amount from to for purposes. Amount

8. Use code: **H**

[illegible]

9. A. Decree Name:
B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): 5/60 Dairy.

12. Other Rights for Same Use:

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P, R, F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

May 5, 1978

RE: Claim to a Water Right No. 11-4066

Mr. Arnell C. Earley
Ovid,
Idaho 83260

Dear Mr. Earley:

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

MICROFILMED

April 24, 1978

RE: Claim to a Water Right No. 11-4066 EARLEY

The News-Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on April 6 and April 13, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CS

MICROFILMED

*Called
5-01-78
CW*

March 31, 1978

RE: Claim to a Water Right No. 11-4066 EARLEY

The News-Examiner
P.O. Box 278
Montpelier, ID 83254

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 _____ by _____

RDC:CD

Enc.: Legal Notice

*Bill returned for
certification Co 5-04-78*

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4066

Notice is hereby given that Arnell C. Earley,
Ovid, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.50 cubic feet per second ~~at a rate of one hundred~~
of water from two springs
with point of diversion in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20, T. 13S, R. 43E,
B.M., Bear Lake County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering
purposes for a 60-head dairy cattle operation and from Apr. 1 to Nov. 1 for
the irrigation of 169 acres
with a priority of May, 1888 ;
the place of use is within the SE $\frac{1}{4}$, Sec. 20, NW $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21,
T. 13S, R. 43E, 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 News Examiner, Montpelier, Idaho
on April 6 and April 13, 1978

MICROFILMED

OW-A. 7-22

March 31, 1978

RE: Claim to a Water Right No. 11-4066 EARLEY

Arnell C. Earley
Ovid,
Idaho 83260

Dear Mr. Earley:

Attached herewith is Departmental receipt No. 9909 in the amount of \$10.00 for the above referenced application.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

Attachment

MICROFILMED