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Identification No. _____
Claim No. 43-4034
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Edwin H. Paskett
post office address Malta, Idaho 83342
2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 17 Township 14 S
Range 27E B.M. located on ~~XXXXXX~~ ground water
(name of source)
tributary to _____ in Cassia 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:
August 7, 1948 amount: 2.0 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 4-1 to 8-1 (both dates inclusive)
use _____ period of use from _____ to _____ (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:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with 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 360 feet; diameter of well is 16/14 inches; type of pump is Layne and Bowler
capacity of pump is 200 g.p.m.; name and address of well driller is Dean Rogers and
Deward Hall

43-4034

ing date and dimensions if possible

NO

_____ explain _____ is reservoir on or off stream

location of reservoir by 40-acre subdivisions

Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

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 Not applicable

7. Where water is used for domestic or municipal purposes give number of families served Not Applicable
name of town supplied _____

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. _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
I had completed the works and filed it and applied the water to
beneficial use under Permit 20586 and I thought all had been done
but apparently it had not been.

State of Idaho

County of Cassia

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.

Edwin T. Pickett
Claimant

Sworn to before me this 23rd day of June, 19 70

William A. Parsons
Notary Public

Residing at Burley, Idaho

My commission expires 7-20-70

For Department Use Only

Received by _____ Date 6-25-70

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by _____ Date 6-25-70

Fee received by _____ Date 6-25-70 Fee \$ 10.00

Approved for publication by _____

Published in South Star Dates 7-9+16-70

Parley - Burley

2/3-4034

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:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:	1.2 c.f.s. or			
	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.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

..... Ruth Chambers, being first

duly sworn, deposes and says that s/he is the

..... Bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue

dated July 9 19 70, and ending

with the issue dated July 16 19 70

..... Ruth Chambers

Subscribed and sworn to before me

this 16th day of July

19 70

..... Edith Raustedt Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

70-198

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 43-4034**

Notice is hereby given that Edwin H. Paskett, Malta, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 2.0 cubic feet per second of water from a ground water source with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 17, T. 14S, R. 27E, B.M., Cassia County; the water is claimed to be used from April 1 to August 1 for irrigation purposes with a priority of August 7, 1948; the place of use is within the N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 27E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the South Idaho Press, Burley, Idaho, on July 9 and July 16, 1970.

43-4034

July 22, 1970

Re: Claim to a Water Right No. 43-4034

Mr. Edwin H. Paskett
Malta
Idaho 83342

Dear Mr. Paskett:

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

Enc: Copy of claim
Receipt #4814
cc: Mr. Fred Johnson
Farmers Home Admin.
Burley, Idaho

43-4034

70-198

NOTICE OF CLAIM
TO A WATER RIGHT

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

R. KEITH HIGGINSON
Director

Published in the South Idaho Press, Burley, Idaho, on July 9 and July 16, 1970.

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July 2, 1970

Re: Claim to a Water Right No. ~~43-4034~~ - Edwin H. Puskett
45-4024 - Clarence and Dallan Elquist

South Kiah Press
Box 190, 230 East Main
Burley, Idaho 83318

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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosures

*Bill submitted
7-22-70
ds*

43-4034

NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4034

Notice is hereby given that Edwin H. Paskett, Malta, Idaho,

 has filed a claim to a water right
established by diversion and application to beneficial use of 2.0
cubic feet per second app/ft² of water from a ground water source
 with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of
Sec. 17, T. 14S, R. 27E, B.M., Cassia County; the water is
claimed to be used from April 1 to August 1 for irrigation purposes
 with a priority of August 7, 1948
 ; the place of use is within the NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 27E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation. Water Administration.

R. KEITH HIGGINSON
State Reclamation Engineer
Director

Published in the South Idaho Press, Burley, Idaho,
on July 9 and July 16, 1970

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PARSONS & SMITH

ATTORNEYS AND COUNSELLORS AT LAW

137 WEST 13TH STREET

BURLEY, IDAHO 83318

AREA CODE 208

678-8382

WILLIAM A. PARSONS
RICHARD K. SMITH

P. O. BOX 910

June 23, 1970

Department of Reclamation
Room 107
Statehouse
Boise, Idaho 83701

Gentlemen:

Enclosed please find State of Idaho form of
Claim to a Water Right filled out and signed, for Mr.
Edwin H. Paskett.

Also please find enclosed our check in the
amount of \$10.00.

Thank you.

Very truly yours,

PARSONS & SMITH

William A. Parsons
William A. Parsons

WAP:rt
Enc. 2

43-4034