

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Bruce Porter,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Claims To Water Rights

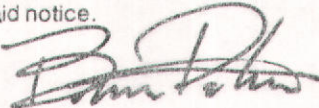
a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on March 31, 1983
and the last publication having been made

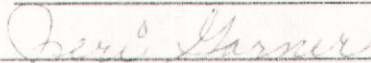
on April 7, 1983.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.



~~~~~

Subscribed to and sworn to before me  
this April 8, 1983



Notary Public.

(SEAL)

My commission expires Life

APPROVED

RECEIVED

APR 15 1983

Department of Water Resources  
Eastern District Office

### NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on  
water rights created by diversion and  
beneficial use:

31-4082

HARTWELL, JOE  
MONTEVIEW, ID 83435  
Source: GROUNDWATER  
Priority Date: 08/09/1927  
Diversion Pt: SESW Sec 06 T 07N R 34E  
Use: STOCKWATER (0.09 CFS)  
In: SESW Sec 06 T 07N R 34E

31-4083

HARTWELL, JOE  
MONTEVIEW, ID 83435  
Source: GROUNDWATER  
Priority Date: 11/13/1959  
Diversion Pt: NWNW Sec 12 T 07N R 33E  
Use: COMMERCIAL (0.02 CFS),  
STOCKWATER (0.14 CFS), DOMESTIC  
(0.10 CFS)  
In: NWNW Sec 12 T 07N R 33E

31-4084

HARTWELL, JOE  
MONTEVIEW, ID 83435  
Source: GROUNDWATER  
Priority Date: 05/17/1952  
Diversion Pt: SESW Sec 01 T 07N R 33E  
Use: STOCKWATER (0.04 CFS)  
In: SESW Sec 01 T 07N R 33E

31-4085

HARTWELL, JOE  
MONTEVIEW, ID 83435  
Source: GROUNDWATER  
Priority Date: 07/01/1957  
Diversion Pt: NESE Sec 05 T 07N R 34E  
Use: STOCKWATER (0.12 CFS)  
In: NESE Sec 05 T 07N R 34E

Exceptions to a claim may be filed with the  
Director, Dept. of Water Resources, 160  
Shoup Ave., Suite 15, Idaho Falls, Idaho  
83402.

KENNETH DUNN  
Director

Publ. March 31, April 7, 1983RS.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that JOE HARTWELL (Name of Claimant)  
MONTEVIEW, IDAHO (Mailing Address) 83435 (Zip Code) Telephone No. 657-2210

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) JUNE 9, 1927

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) GROUNDWATER tributary to \_\_\_\_\_

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (OLD HOUSE)

| Quantity       | (cfs.) | Use                 | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)         |                |
|----------------|--------|---------------------|-------------------------------------|--------------------------------|----------------|
|                |        |                     |                                     | (Mo., Day)                     | (Mo., Day)     |
| <u>.09</u>     |        | <u>RANGE CATTLE</u> |                                     | Period of Use From <u>10/1</u> | To <u>6/15</u> |
| Quantity _____ |        | Use _____           |                                     | Period of Use From _____       | To _____       |
| Quantity _____ |        | Use _____           |                                     | Period of Use From _____       | To _____       |
| Quantity _____ |        | Use _____           |                                     | Period of Use From _____       | To _____       |
| Quantity _____ |        | Use _____           |                                     | Period of Use From _____       | To _____       |

(4) .09 (cfs.) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 SW 1/4, Sec. 6 Twp. 7 N Rge. 34 E B.M., County of JEFFERSON  
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. Describe any changes in the system and give the date of the change. WELL, PUMP, AND PIPELINE 7/1960 400 HEAD CATTLE

6/1927 - 8/1943 1 DWELLING AND 300 HEAD RANGE CATTLE  
8/1943 - 7/1960 2 DWELLINGS AND 400 HEAD RANGE CATTLE

(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% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTAL |
|-----|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |      |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |       |
| 7 N | 34 E | 6    |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: WATER RANGE CATTLE, FALL, WINTER, SPRING

NOTE: Include here the type and number of stock watered: 400 HEAD RANGE CATTLE

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

MICROFILMED

Remarks

R 34EBM

[illegible]

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

State of Idaho )  
County of )  
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 affiant's knowledge.

attendant's knowledge.

Sworn to before me this 17 day of 11/18/2017, 1985.

Sworn to before me this 14 day of July, 1953.

(Claimant)

Sworn to before me this 17 day of March, 1980.

Notary Public

Residing at 1715 W. 17th St. S. S.E. 83

My commission expires 12/31/81

My commission expires 11/20/87

Residing at 7117 1/2 Ave. S.E.

FOR DEPARTMENT USE ONLY

Date 3/15/83 Exception filed by: \_\_\_\_\_

Forwarded to \_\_\_\_\_ Date \_\_\_\_\_

Prelim. check by 1/23/83 Date 5-18-83 claimant by: 3-21-83 # 25554

Received by BP Date 3/15/83  
Exception filed by: \_\_\_\_\_  
Forwarded to \_\_\_\_\_ Date \_\_\_\_\_

Received by \_\_\_\_\_ Date \_\_\_\_\_  
Exception filed by: 3-18-82  
Forwarded to \_\_\_\_\_ Date \_\_\_\_\_

Received by BP Prelim. check by KCS  
Date 3/15/83 Date 3-18-83  
Exception filed by: \_\_\_\_\_  
Forwarded to \_\_\_\_\_  
Date \_\_\_\_\_

\$30.00 fee received by BP Date 7-21-83 #05500

\$30.00 fee received by BP Date 7-21-83 #05500

Published in High Star

Published in High Star

Published in \_\_\_\_\_  
Dates \_\_\_\_\_

Bigby Star  
EJL 4/7/63

\_\_\_\_\_ 01/14/18

FOR DEPARTMENT USE ONLY

|                   |                             |                     |                           |                   |                    |
|-------------------|-----------------------------|---------------------|---------------------------|-------------------|--------------------|
| Received by _____ | Prelim. check by <u>Kes</u> | Date <u>3-18-85</u> | Exception filed by: _____ | Towarded to _____ | claimant by: _____ |
| Date _____        | Date <u>3-18-85</u>         | Date <u>3-18-85</u> |                           |                   | Date _____         |

Received by \_\_\_\_\_ Date \_\_\_\_\_  
Exception filed by: 3-18-82  
Forwarded to \_\_\_\_\_ Date \_\_\_\_\_

THE JEFFERSON STAR  
RIGBY, IDAHO

AFFIDAVIT OF  
PUBLICATION

STATE OF IDAHO }  
County of Jefferson } ss

I, Bruce Porter,  
being first duly sworn, depose and say, that I am  
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solemnly swear that the

Notice Of Claims To Water Rights

a copy of which notice appears attached here-  
to, was published in the regular and entire issue  
of said newspaper, and not in any

supplement issue thereof for two  
consecutive issues, the first publication hav-

ing been made on March 31, 1983  
and the last publication having been made  
on April 7, 1983.

Further, that said newspaper is one of general  
circulation in said county; that it is a legal  
newspaper, conforming to legal specifications  
under the Idaho Statutes; that it has at least two  
hundred bona fide subscribers living within the  
county of publication; and that it has been  
continuously and uninterrupted published in said  
county during a period of seventy-eight con-  
secutive weeks prior to the first publication of the  
said notice.



*[Handwritten flourish]*

Subscribed to and sworn to before me  
this April 8, 1983

[Signature]  
Notary Public.

(SEAL)

My commission expires Life

*[Handwritten: APR 11 1983]*

RECEIVED

APR 15 1983

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIMS  
TO WATER RIGHTS

The following claims have been filed on  
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beneficial use:

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In: SESW Sec 01 T 07N R 33E

31-4085

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MONTEVIEW, ID 83435  
Source: GROUNDWATER  
Priority Date: 07/01/1957  
Diversion Pt: NESE Sec 06 T 07N R 34E  
Use: STOCKWATER (0.12 CFS)  
In: NESE Sec 06 T 07N R 34E

Exceptions to a claim may be filed with the  
Director, Dept. of Water Resources, 150  
Shoup Ave., Suite 15, Idaho Falls, Idaho  
83402.

KENNETH CLINN  
Director

Publ. March 31, April 7, 1983RS

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

APRIL 18, 1983

JOE HARTWELL  
MONTEVIEW

ID 83435

RE: Claim No. 31-4082

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filings and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON  
Eastern Region Supervisor

Enclosure

MICROFILMED

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APR 29 1983

Department of Water Resources

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C Wilson

Right Number

31 4082

Applicant

Joe Hartwell

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☐ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Carlson

Date

April 27, 1983

April 18, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

kw

Date

5/3/83

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MAY 10 1983

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

MARCH 23, 1983

The Risby Star  
P. O. Box 37  
Risby, Idaho 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 18, 1983.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

RECEIVED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 3/31 & 4/7/83.

MICROFILMED

31-4082

HARTWELL, JOE

MONTEVIEW, ID 83435

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In: SESW Sec 06 T 07N R 34E