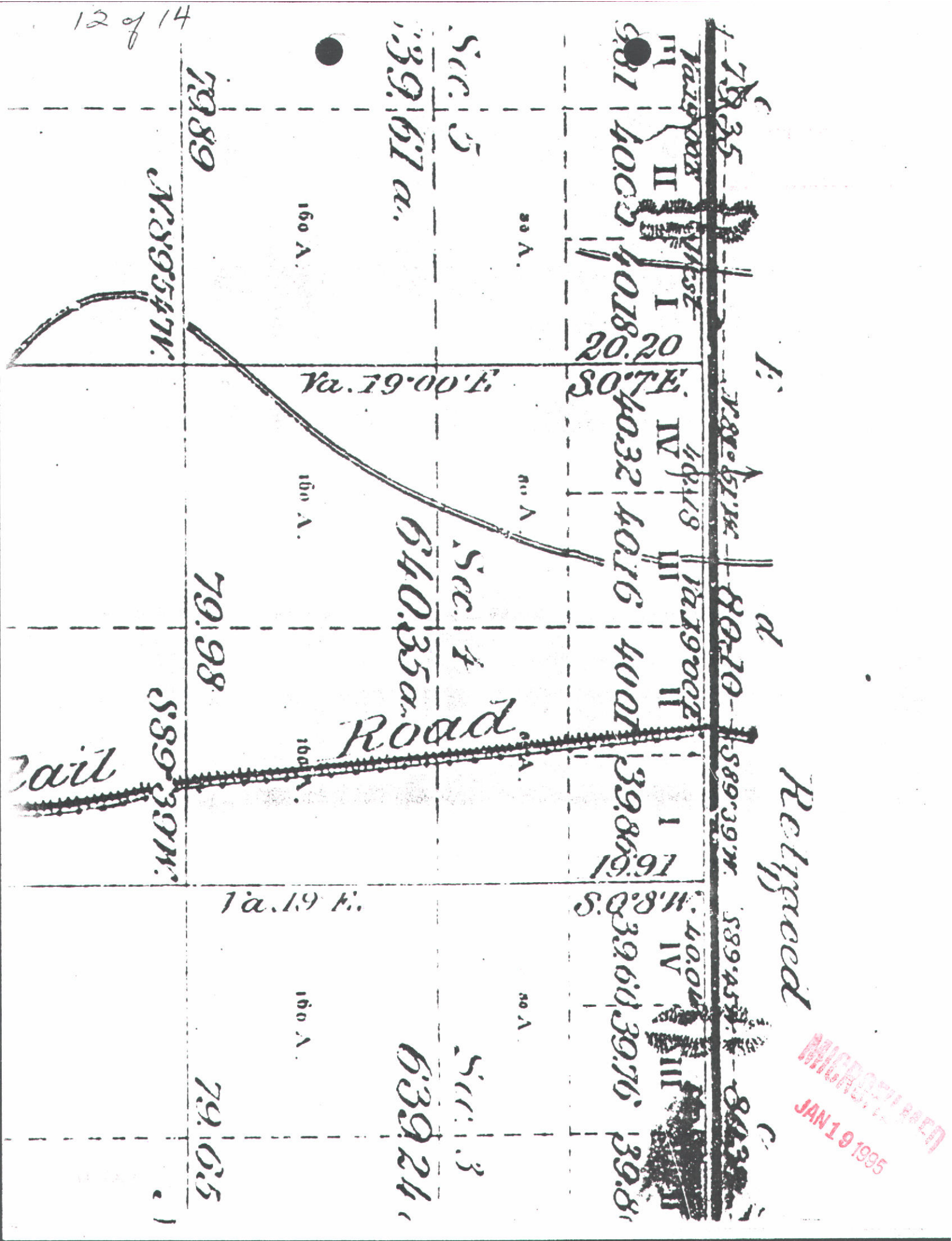


12 of 14

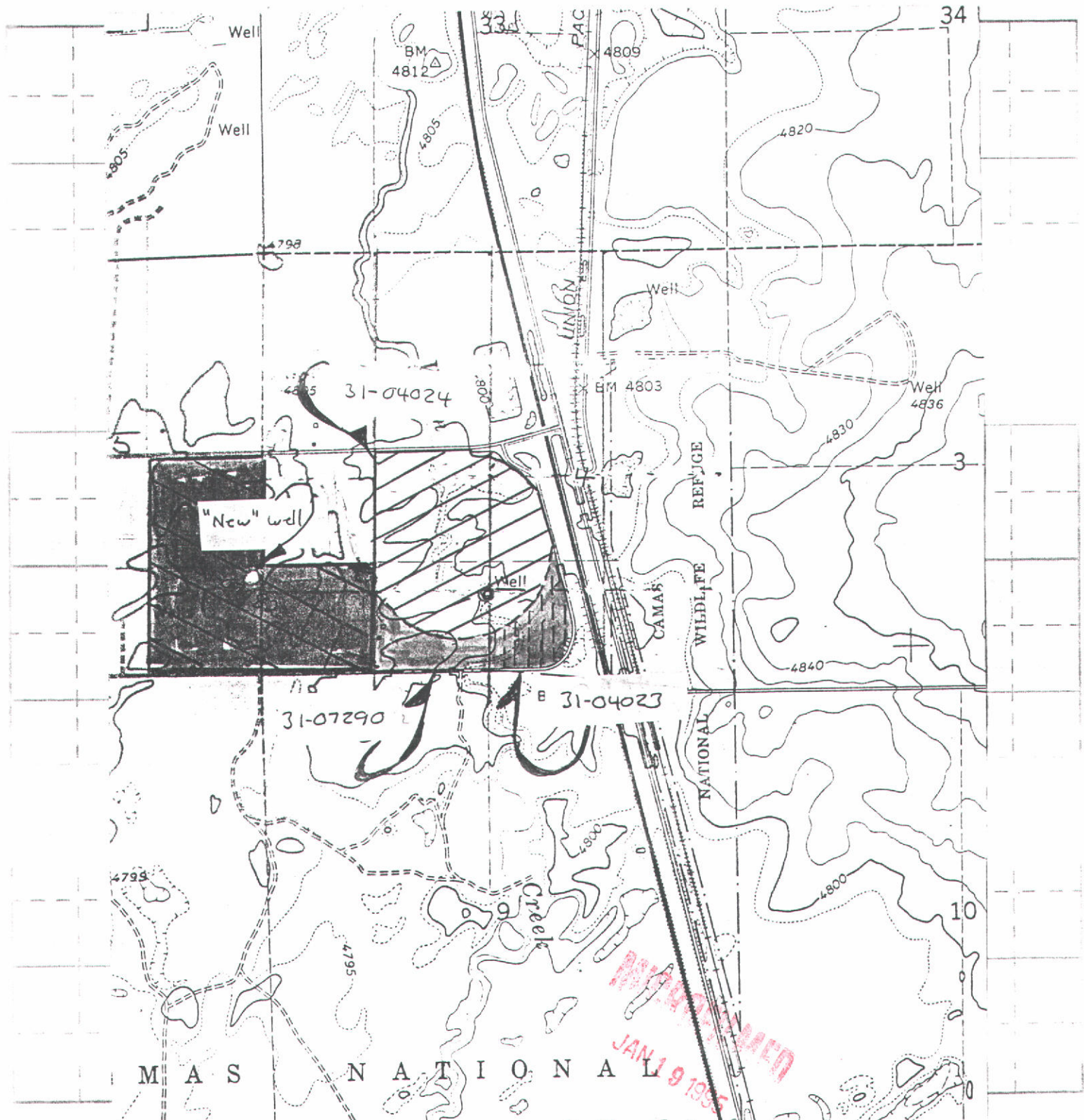


Religaeed

RECEIVED
JAN 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Affidavit of Publication

THE RIGBY STAR

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 31-4024

Notice is hereby given that Loyd L. Gasser, Hamer, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.70 cubic feet per second of water from a ground-water source with point of diversion in the SE 1/4 SW 1/4, Sec. 4, T. 7N, R. 36E, B.M., Jefferson County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 85 acres with a priority of March 20, 1940; the place of use is within the E 1/2 SW 1/4, W 1/2 SE 1/4, Sec. 4, T. 7N, R. 36E, 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 Star, Rigby, Idaho on February 23 and March 2, 1978.

STATE OF IDAHO,

County of Jefferson

ss

I, Russell Jones, do solemnly swear that I am the Editor of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Twenty-Third day of February, 1978

and the last publication on the

Second day of March, 1978

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Russell Jones

Editor

Subscribed in my presence and sworn to before me this Second day of March, 1978.

[SEAL]

Evelyn M. Hagler

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

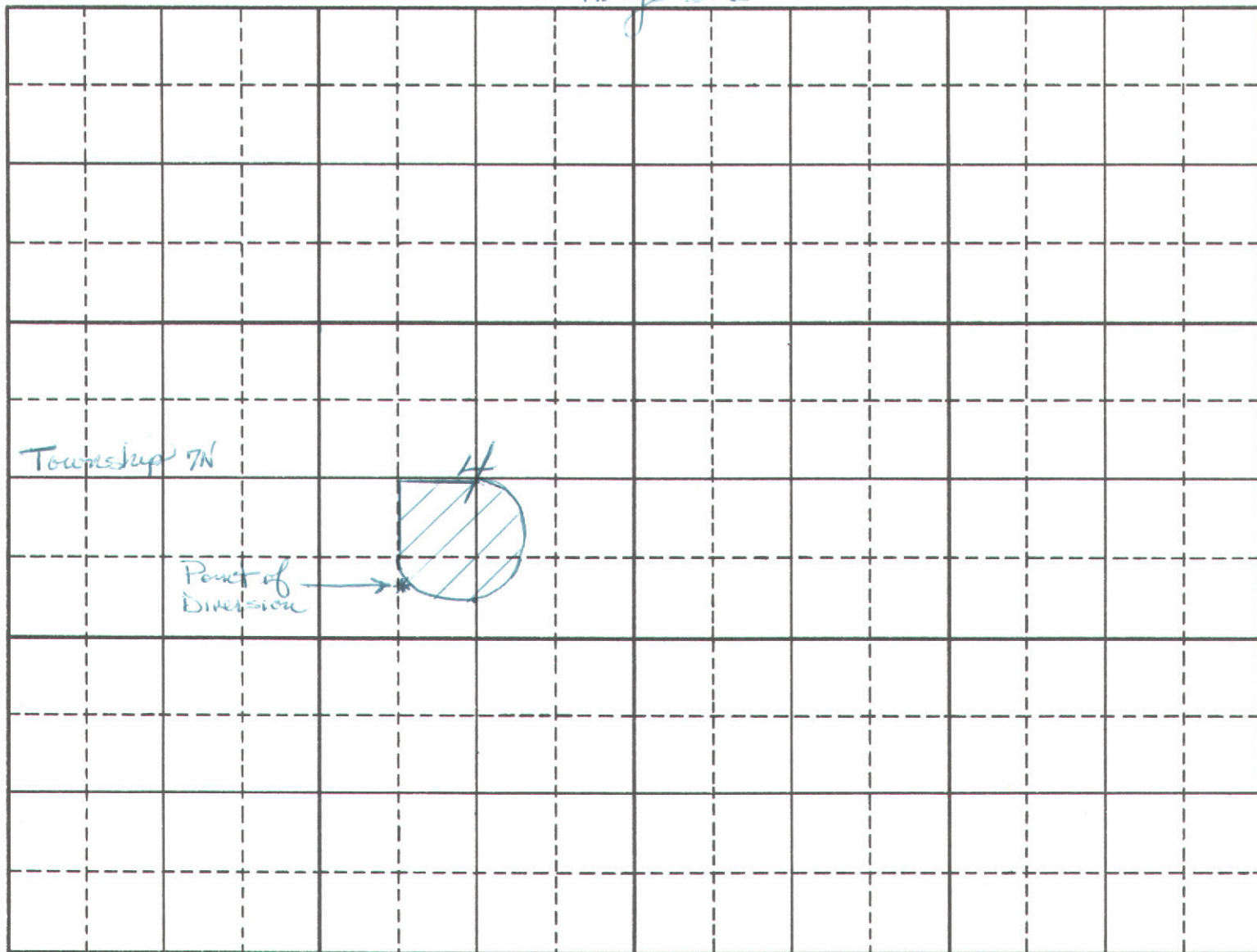
My commission expires Non-Exper, 19

Publication Fee: \$ 11.70

NOTIFIED

(8) Remarks Existing system will be replaced with a 50 Hp vertical turbine pump
and a pressurized center pivot sprinkler system. The extreme corner
of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, will be flood irrigated when the sprinkler
system is not in use.

Range 36E



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.

Lloyd L. Gasser
(Claimant)

Sworn to before me this 15th day of February, 19 78.

Colleen Wray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

For Department Use Only

Received by <u>CW</u>	Date <u>2-15-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date <u>2/15/78</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>2-15-78</u>			
Approved for publication by <u>me</u>	<u>3-16-78 #9830</u>			
Published in <u>Highway Star</u>				
Dates <u>Feb. 23 - Mar. 2 - 1978</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4350
WATER RIGHT NO(S). 31-04023/31-04024/31-07290

This is to certify that: **LOYD L GASSER**
2303 E 2800 N
HAMER ID 83425

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-04023 :			
Priority: 06/01/1943			
IRRIGATION	04/15 to 10/15	0.34 CFS	59.5 AF
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF
SUBTOTAL:		0.46 CFS	66.2 AF
Right No. 31-04024 :			
Priority: 03/20/1940			
IRRIGATION	04/15 to 10/15	1.70 CFS	297.5 AF
SUBTOTAL:		1.70 CFS	297.5 AF
Right No. 31-07290 :			
Priority: 02/15/1978			
IRRIGATION	04/15 to 10/15	0.18 CFS	45.5 AF
SUBTOTAL:		0.18 CFS	45.5 AF
TOTAL:		2.34 CFS	409.2 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:
SESW , Sec. 4, Township 07N, Range 36E
SESE , Sec. 5, Township 07N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	NESW 40	SESW 40	NWSE 20	135
			SWSE 35			
Total number of acres irrigated:						* 135

PLACE OF USE: STOCKWATER, same as IRRIGATION use

31-04023/31-04024/31-07290

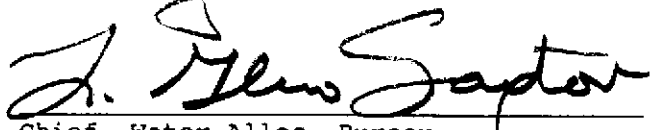
JUL 18 1995

TRANSFER NO. 4350
WATER RIGHT NO(S). 31-04023/31-04024/31-07290

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) claimed.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4350 shall not exceed 2.34 cfs, nor total combined annual volume of 409.2 af.
- * 8. Combined Right Nos. 31-04023, 31-04024 and 31-07290 are limited to a total combined irrigation of 115 acres in the place of use described above in a single irrigation season.
- * 9. Right No. 31-04023 is limited to the irrigation of 17 acres in the place of use described above in a single irrigation season.
- * 10. Right No. 31-04024 is limited to the irrigation of 85 acres in the place of use described above in a single irrigation season.
- * 11. Right No. 31-07290 is limited to the irrigation of 13 acres in the place of use described above in a single irrigation season.
12. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
13. Stockwater use is for 500 range cattle.

Dated this 12th day of January, 1925.


Chief, Water Alloc. Bureau

JAN 19 1925

Page 1 of 14STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4350

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Loyd L. Gasser Phone 662-5429
Post Office address 2303 E. 2300 N., Hamer, ID 83425

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes An existing well 1/4 mile to the west of my listed well is a more reliable source of water.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|-----------------------|--------------------|-------------------|---------------------|
| <u>31-07290</u> | <u>Feb. 15, 1978</u> | <u>0.34 cfs</u> | <u>Irrigation</u> | <u>4-1 to 10-31</u> |
| <u>31-04023</u> | <u>June 1, 1943</u> | <u>0.50 cfs</u> | <u>Irrigation</u> | <u>4-1 to 10-31</u> |
| | | <u>0.12 cfs</u> | <u>Stock</u> | <u>1-1 to 12-31</u> |
| <u>31-04034</u> | <u>March 20, 1940</u> | <u>1.70 cfs</u> | <u>Irrigation</u> | <u>4-1 to 10-31</u> |
2. Total amount of water being transferred 2.66 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SE	5	7N	36E	Jefferson	"New" P.D.
		SE	SW	4	7N	36E	" "	Original well

5. Lands irrigated or place of use:

Twp.	Rge.	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	
7N	36E	4								31-07290				25					25
7N	36E	4								31-04023				25					25
7N	36E	4								31-04034	40			15	20	10			85

* See Remarks

Total acres 135

PART 1

6. General Information:

a. Description of diversion system 2 wells & pumps to sprinkle systems

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA
Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Not - only adding a point of diversion

d. Remarks:

See on-site review for 31-04023 + 31-07290 for actual average in system.
HLJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions:
And said application is hereby _____

Douglas L. Thomas

Witness my hand this 15 day of April, 1994

Raymond R. Johnson, Director
California
Commissioner of the State Water Resources Control Board
1730

PART 2

TRANS NO. 4350

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-04023

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.50 CFS
STOCKWATER	01/01 to 12/31	0.12 CFS
	Totals	0.62 CFS

SOURCE

GROUNDWATER

Priority: 06/01/1943

LOCATION OF POINT(S) OF DIVERSION:SWSE , Sec. 4, Township 07N, Range 36E
JEFFERSON CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	SWSE	25		25
Total number of acres irrigated:						25

PLACE OF USE: STOCKWATER, same as IRRIGATION useCONDITIONS/REMARKS:RECORDED
JAN 10 1935

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04023 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority June 1, 1943

5. Water is used for the following purpose:

amount 0.50 cfs for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount 0.12 cfs for Stock purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.62 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	4	7N	36E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	36E	4															25		25

Total acres 25

9. Describe any other water rights used for the same purpose as described above _____

Total acres

PART 2

TRANS NO. 4350

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-04024

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	1.70 CFS

SOURCE

GROUNDWATER

Priority: 03/20/1940

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 4, Township 07N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	NESW 40	SESW 15	NWSE 20	85
			SWSE 10			85

Total number of acres irrigated:

85

CONDITIONS/REMARKS:

JAN 19 1965

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04024 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority March 20, 1940

5. Water is used for the following purpose:

amount 1.70 cfs for Irrigation purposes from 4-1 to 11-01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.70 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7N	36E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
7N	36E	4									40			15		20	10		85

Total acres 85

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres

PART 2

TRANS NO. 4350

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-07290

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.34 CFS	75.0 AF

SOURCE

GROUNDWATER

Priority: 02/15/1978

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 4, Township 07N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	SES	25		25
Total number of acres irrigated:						25

CONDITIONS/REMARKS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-07290 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority Feb. 15, 1978

5. Water is used for the following purpose:

amount 0.34 cfs for Irrigation purposes from 4-1 to 11-01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.34 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7N	36E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	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	
7N	36E	4												25					25

Total acres 25

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

2. Point(s) of Diversion:

amount— (cfs/ac-ft)
amount— (cfs/ac-ft)
amount— (cfs/ac-ft)

for -
for -
for -

purposes from
purposes from
purposes from

017
017
017

3. Lands irrigated or place of use:

[illegible]

2. Point(s) of Diversion:

amount— (cts/ac-ft)
amount— (cts/ac-ft)
amount— (cts/ac-ft)

for -
for -
for -

purposes from
purposes from
purposes from

01-
01-
01-

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

Total acres

[illegible]

3. Lands irrigated or place of use:

[illegible]

Twp.	Rge.
1	1
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97	97
98	98
99	99
100	100

NE 1/4

1/4 MN

1/4 MS

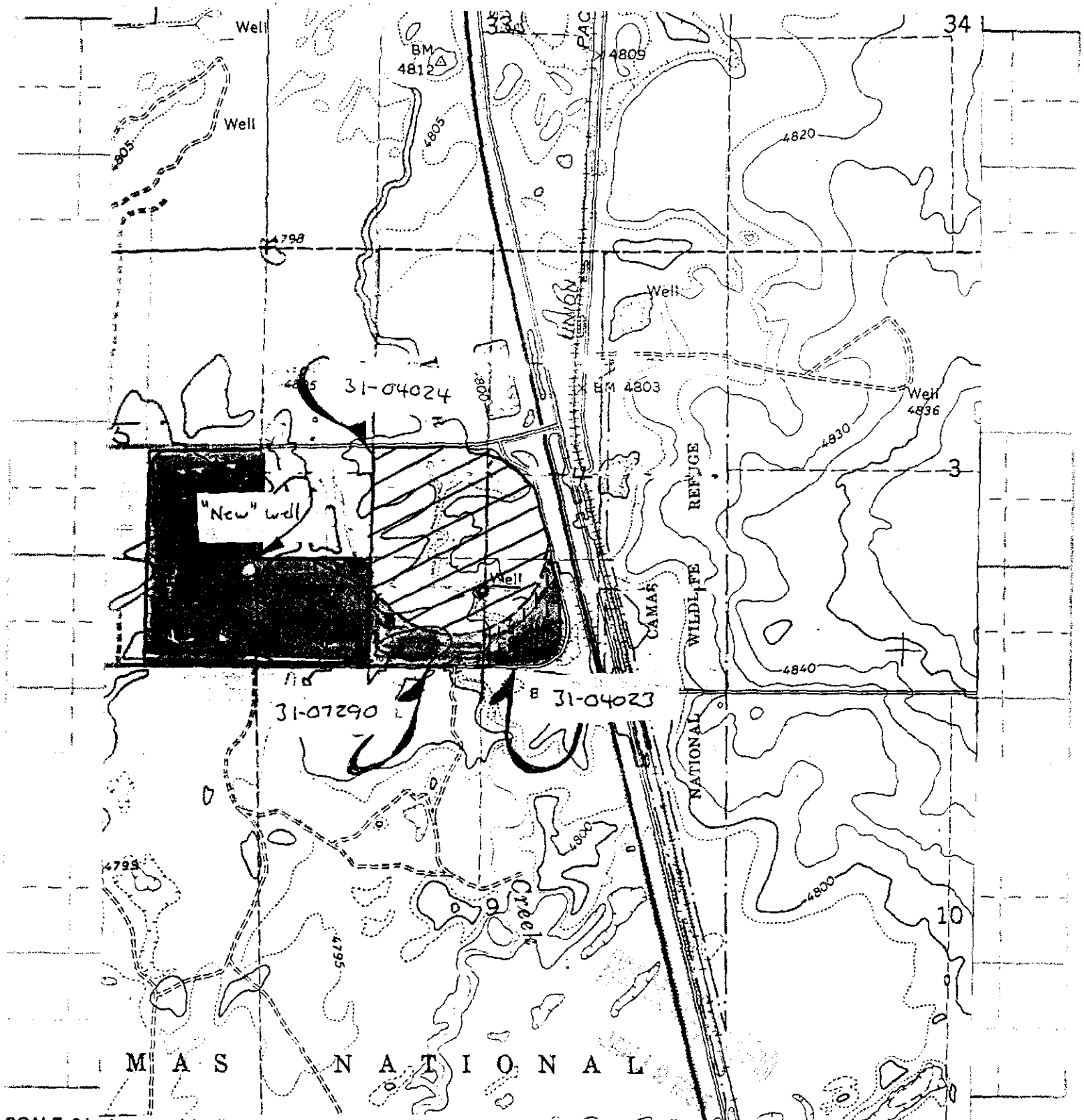
SE 1/4

Totals

Total acres

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
---	-------------------	--------------------	-----------------	---------------

PART 3

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15th day of Apr. 1994.

(Signature of Applicant) *Doyle D. Hoover*

(Notary Public) _____

My commission expires 09-AUG-1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by *HWS* Date *4-15-94*

Prelim. check by *HWS/KW* Fee *50.00*

Received by *HWS* Date *4-15-94*

Published in *Jefferson Star*

Pub. dates *May 5 & 12-94*

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

Hearing held by _____ Date _____

Copies of protest forwarded by _____

Protest filed by _____

_____ recd. _____ by *SD*

Copy of transfer sent to lien holder _____

Affidavit of Publication

THE RIGBY STAR

NOTICE OF CLAIM TO A WATER RIGHT

No. 31-4024

Notice is hereby given that Loyd L. Gasser, Hamer, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.70 cubic feet per second of water from a ground-water source with point of diversion in the SE 1/4 SW 1/4, Sec. 4, T. 7N, R. 36E, B.M., Jefferson County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 85 acres with a priority of March 20, 1940; the place of use is within the E 1/2 SW 1/4, W 1/2 SE 1/4, Sec. 4, T. 7N, R. 36E, 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 Star, Rigby,
Idaho on February 23 and
March 2, 1978.

STATE OF IDAHO,

County of Jefferson

ss

I, Russell Jones, do solemnly swear that I am the Editor of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Twenty-Third day of February, 1978

and the last publication on the

Second day of March, 1978

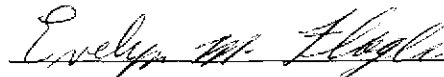
And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.



Editor

Subscribed in my presence and sworn to before me this Second day of March, 1978.

[SEAL]



Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Non-Exper, 19

Publication Fee: \$ 11.70

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 Loyd L. Gasser,
(name of claimant)
of Hamer, Idaho
(mailing address), claims a right to the diversion and beneficial use of
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>1.70</u> | Use <u>Irrigation</u> | Period of Use: From <u>Apr. 1</u> To <u>Nov. 1</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: 1.70 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) March 20, 1940

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)
SE ¼ SW ¼, Sec. 4 Twp. 7N Rge. 36E 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. 50' deep well, 14' SWL, 10" well casing, 15 Hp centrifugal pump and motor, irrigation ditches

- (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	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	36E	4									40			15		20	10		85

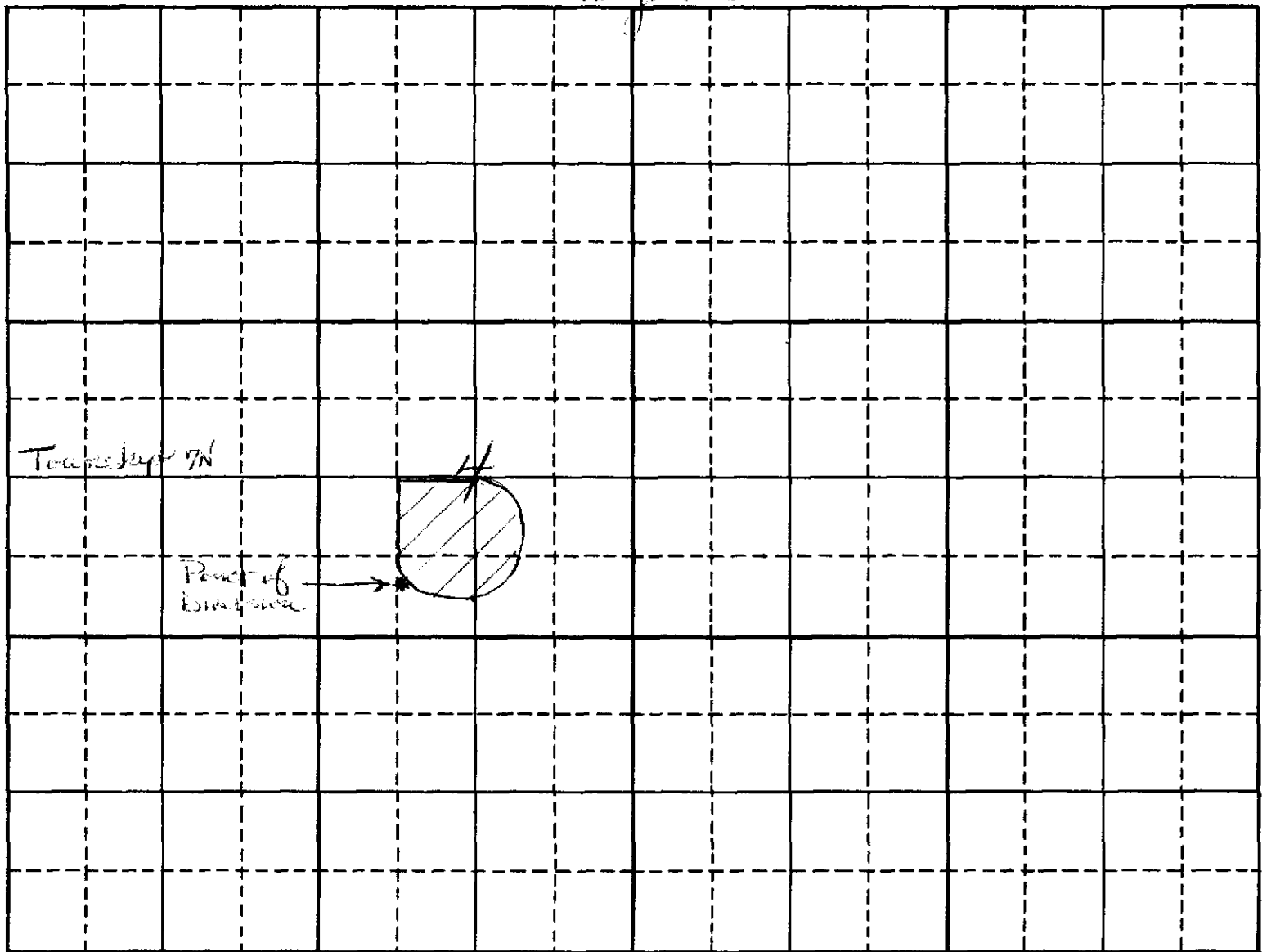
Total No. of acres 85

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

(8) Remarks Existing system will be replaced with a 50 Hp vertical turbine pump and a pressurized center pivot sprinkler system. The extreme corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, will be flood irrigated when the sprinkler system is not in use.

Range 56-E



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 15th day of February, 1978.

Lloyd L. Gasser
(Claimant)

Colleen Wray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

For Department Use Only

Received by <u>CW</u>	Date <u>2-15-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date <u>2/15/78</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>2-15-78</u>			
Approved for publication by <u>me</u>	Date <u>3-16-78</u>			
Published in <u>Highway Star</u>				
Dates <u>Feb. 23 to Mar. 2-1978</u>				



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 14, 1995

Loyd L Gasser
2303 E 2800 N
Hamer, ID 83425

RE: Transfer of Water Right No. 31-04023/31-04024/31-07290

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4350). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED
JAN 19 1995

MEMORANDUM

TO: FILE 31-04024
FROM: PAM SKAGGS 28
RE: TRANSFER # 4350
DATE: 8-31-94

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 31-04023.

RECORDED
JAN 19 1995

DATE: 11/23/94
PAGE: 1

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4350 shall not exceed 2.34 cfs, nor total combined annual volume of 409.2 af. Combined Right Nos. 31-04023, 31-04024 and 31-07290 are limited to a total combined irrigation of 115 acres in the place of use described above in a single irrigation season.

WR0749NP
No. T31-04024

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/23/94
PAGE: 2

Remarks: Right No. 31-04024 is limited to the irrigation of 85 acres in the place of use described above in a single irrigation season.

Dates: App. Received: Priority Date: 03/20/1940
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 31 Field Exam Fee:

Comments: Date: 05/02/1994 User-ID: BODELL Subject: TRANSFER NO. 4350
AN EXISTING WELL 1/4 MILE TO THE WEST OF LISTED WELL IS A MORE
RELIABLE SOURCE OF WATER.
Transfer No. 4350 adds a point of diversion and changes the place
of use under right Nos. 31-04023/4024 & 7290. The QQ is also
changed on the recorded point of diversion under Right No.
31-04023. The change in place of use reflects a single combined
system with a permissible place of use. (Updated 11-23-94 Skaggs)

Audit: 05/02/94 BODELL 11/23/94 PSKAGGS



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

March 17, 1978

RE: Claim to a Water Right No. 31-4023, 31-4024 and 31-4025

Mr. Loyd L. Gasser
Hamer,
Idaho 83425

Dear Mr. Gasser:

The Department of Water Resources has completed the processing of your claims to water rights and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 claims do not, in themselves, guarantee you water rights, it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. 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 REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

March 13, 1978

RE: Application for Permit No. 31-7290 GASSER
Claim to a Water Right No. 31-4023 "
 31-4024 "
 31-4025 "

Rigby Star
P.O. Box 37
Rigby, ID 83442

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 February 23 and March 2, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

February 17, 1978

RE: Application for Permit No. 31-7290 GASSER
Claim to a Water Right No. 31-4023 "
31-4024 "
31-4025 "

Rigby Star
P.O. Box 37
Rigby, Idaho 83442

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 3-16-78 by Carl

RDC:CW

Enc: Legl. Not. (4)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 31-4024

Notice is hereby given that Lloyd L. Gasser,
Hamer, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.70 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground-water source

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 7N, R. 36E, B.M.,
Jefferson County

The water is claimed to be used from Apr. 1 to Nov. 1 for the
irrigation of 85 acres

with a priority of March 20, 1940 ;
the place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 4, T. 7N, R. 36E, 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 Rigby Star, Rigby, Idaho
on February 23 and March 2, 1978

me.
me.
me.