

# Affidavit of Publication

THE RIGBY STAR

RECEIVED

OCT 23 1973

STATE OF IDAHO, }  
County of Jefferson } ss.

Department of Water Administration  
Eastern District Office

I, Hope B. Jones, do solemnly swear that I am the printer 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 newspaper as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the

11th day of Oct, 1973

and the last publication on the

18th day of Oct, 1973

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.

Hope B. Jones

Subscribed in my presence and sworn to before me this 19th

day of Oct, 1973.  
(SEAL)

R. H. Ferguson

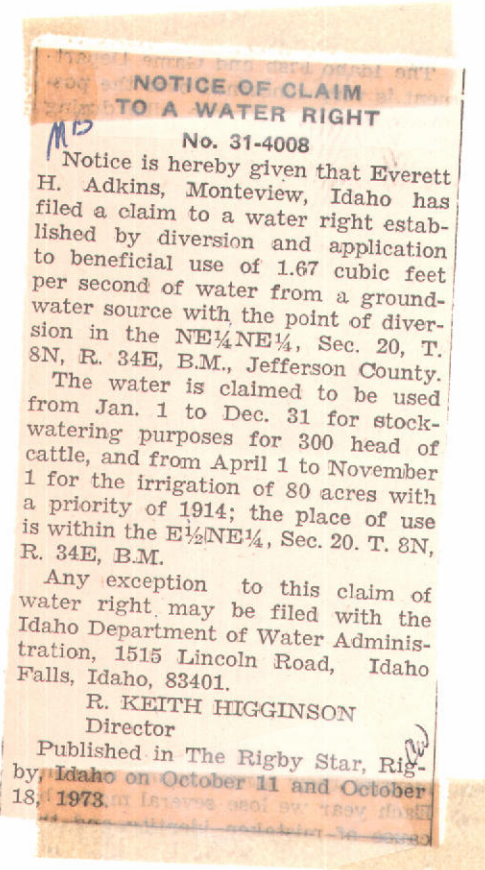
Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ 12.30

MY COMMISSION EXPIRES JULY 15, 1977.

31 4008



STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
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 EVERETT H. ADKINS  
(name of claimant)  
of Montevue, Idaho 83435  
(mailing address), claims a right to the diversion and beneficial use of  
ground water or surface water tributary to \_\_\_\_\_;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Groundwater
- (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>1.6 cfs</u>    | Use | <u>Irrigation</u>          | Period of Use: From | <u>April 1</u> | To | <u>Nov. 1</u>          |
| Amount | <u>.07 cfs</u>    | Use | <u>Stockwater</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: 1.67 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) 1914

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 ¼ NE ¼, Sec. 20 Twp. 8 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. Drilled well, electric pump, gravity irrigation

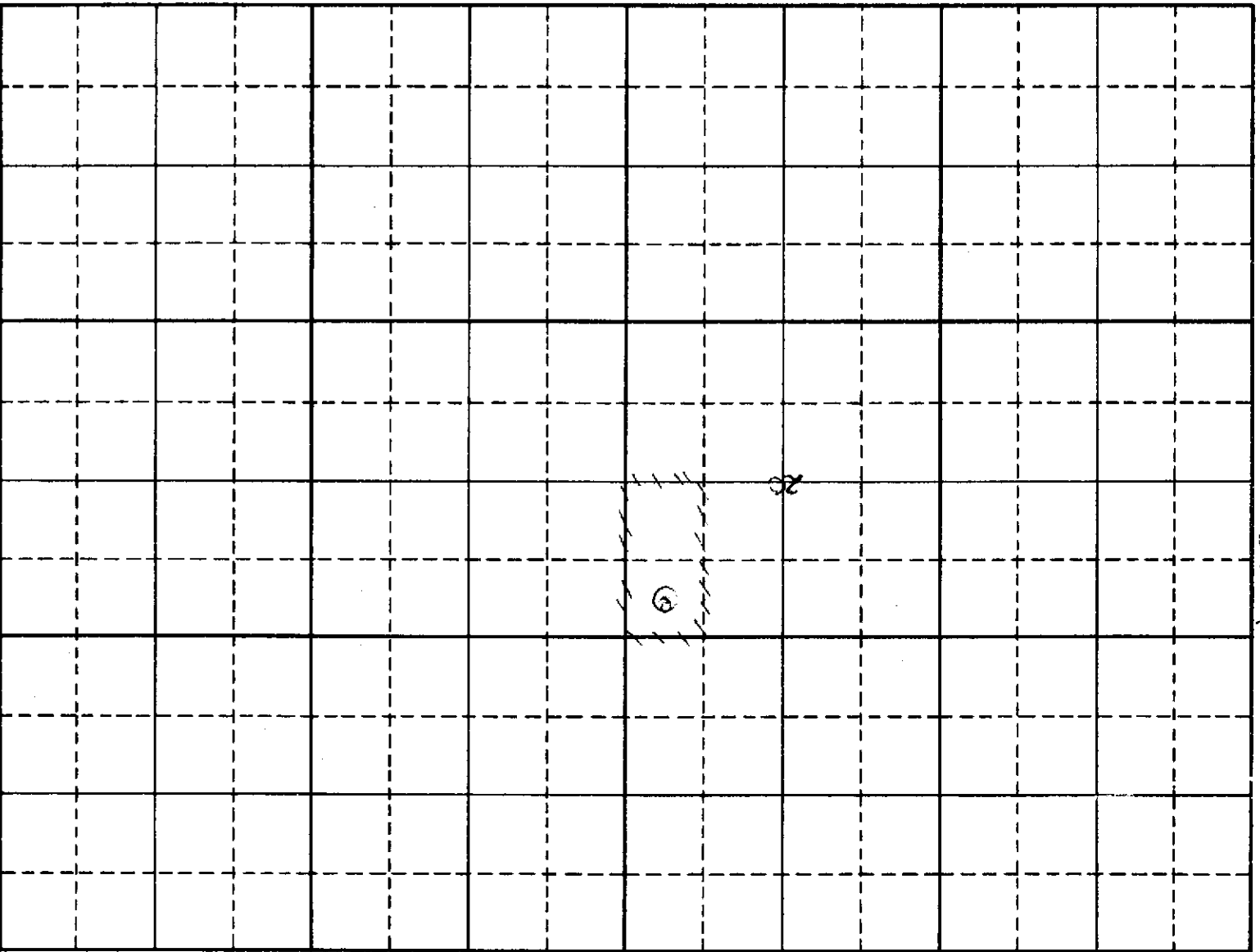
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 8N | 34E | 20   | 40  |     |     | 40  |     |     |     |     |     |     |     |     |     |     |     |     | 80    |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
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|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total No. of acres 80

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: 300 head of cattle

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



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

SS

County of

the affiants knowledge.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing to a water right, together with all attached information, and that the matters and facts therein are true to the best of

Deponent's knowledge.

Ernest H. Adams  
(Claimant)

Sworn to before me this 26<sup>th</sup> day of September, 1933.

Sworn to before me this 26 day of

Notary Public

Residing at

My commission expires

June 15, 1977

REC-112426 For Department Use Only

10-1-73

Date 26 July 73

Date 9-26-73

Approved for publication by *[Signature]* 10/23/73

Published by *The New York Times*

## Dates

claimant by:

Date \_\_\_\_\_

8007 19

Public app'd 10/29/73 ncy

**Affidavit of Publication**

**THE RIGBY STAR**

STATE OF IDAHO,  
County of Jefferson

ss.

Department of Water Administration  
Eastern District Office

I, Hope B. Jones, do solemnly swear that I am the printer 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 newspaper as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof; first publication having been made on the

11th day of Oct, 1973

and the last publication on the

18th day of Oct, 1973

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Hope B Jones

Subscribed in my presence and sworn to before me this 19th

day of Oct, 1973  
(SEAL)

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

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ 12.30

MY COMMISSION EXPIRES JULY 15, 1977.

**WATER RIGHT**  
No. 31-4008  
Notice is hereby given that Everett H. Adkins, Montevlew, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.67 cubic feet per second of water from a ground-water source with the point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 20, T. 8N, R. 34E, B.M., Jefferson County. The water is claimed to be used from Jan. 1 to Dec. 31 for stock-watering purposes for 300 head of cattle, and from April 1 to November 1 for the irrigation of 80 acres with a priority of 1914; the place of use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 20, T. 8N, R. 34E, B.M.  
Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.  
R. KEITH HIGGINSON  
Director  
Published in The Rigby Star, Rigby, Idaho

31 4008

# Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO,  
County of Jefferson

ss.

DEPARTMENT OF WATER ADMINISTRATION  
BOISE, IDAHO 83725

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Hope B Jones

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day of Oct, 1973  
(SEAL)

R H Farnham

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

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ 12.36

MY COMMISSION EXPIRES JULY 15, 1977.

**WATER RIGHT**  
No. 31-4008  
Notice is hereby given that Everett H. Adkins, Montevue, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.67 cubic feet per second of water from a ground-water source with the point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 20, T. 8N, R. 34E, B.M., Jefferson County. The water is claimed to be used from Jan. 1 to Dec. 31 for stock-watering purposes for 300 head of cattle, and from April 1 to November 1 for the irrigation of 80 acres with a priority of 1914; the place of use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 20, T. 8N, R. 34E, B.M.  
Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.  
R. KETH HIGGINSON  
Director  
Published in The Rigby Star, Rigby, Idaho, on 18th day of Oct, 1973.

31 4008

1515 Lincoln Road

October 29, 1973

Re: Claim to a Water Right No. 31-4008

Mr. Everett H. Adkins  
Montevue,  
Idaho 83435

Dear Mr. Adkins:

The Department of Water Administration 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,

NORMAN C. YOUNG  
District Engineer

NCY:mb

Enclosure: Copy of Claim

31 4008

1515 Lincoln Road

October 5, 1973

Re: Claim to a Water Right No. 31-4008 Adkins

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

NORMAN C. YOUNG  
District Engineer

Bill submitted 10-23-73 by MB

NCY:mb  
Enc: Legal Notice (1)

31 4008

NOTICE OF CLAIM TO A WATER RIGHT

NO. 31-4008

Notice is hereby given that Everett H. Adkins,

Monteview, Idaho

has filed a claim to a water right established by diversion and application  
to beneficial use of 1.67 cubic feet per second ~~XXXXXX feet per second~~  
of water from a ground-water source

with point of diversion in the NE<sup>1</sup>NE<sup>1</sup>4, Sec. 20, T. 8N, R. 34E, B.M.

Jefferson County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering  
purposes for 300 head of cattle and from Apr. 1 to Nov. 1 for the irrigation of 80 acres  
with a priority of 1914;

the place of use is within the NE<sup>1</sup>NE<sup>1</sup>4, Sec. 20, T. 8N, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho,  
83401.

R. KEITH HIGGINSON

Director

Published in the Rigby Star, Rigby, Idaho

on October 11 and October 18, 1973.

31 4008

CW-R.  
CW-A.

1515 Lincoln Road

October 2, 1973

Mr. Everett H. Adkins  
Montevue,  
Idaho 83435

Dear Mr. Adkins:

Attached herewith is departmental receipt No. 12426 in the amount of \$10.00 for your claim to a water right which was received in this office under the above date.

If we can be of further assistance, please do not hesitate to contact us.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:mb

Attachment

31 4008