

**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 September 24 1970, and ending with the issue dated October 1, 1970

Ruth Chambers

Subscribed and sworn to before me
this 1st day of October
1970.

Edith Raustadt Notary Public

Cost of Publication 7.50

Notary Fee

Total Cost

My commission expires October 23, 1971

RECEIVED

OCT 5 1970

Department of Water Administration

70-258

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 43-4036**

Notice is hereby given that Wilford Wrigley, Route 3, Box 316, Burley, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water source with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 14S, R. 29E, B.M., Cassia County.

The water is claimed to be used from May 1 to Nov. 15 for stock water with a priority of June 12, 1969; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, T. 14S, R. 29E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the South Idaho Press, Burley, Idaho, on September 24 and October 1, 1970.

43-4036

Identification No. 43-7010
Claim No. 43-4036
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 Wilford Wrigley
post office address Rt. 3 Box 316 Burley, Idaho 83318
2. The point of diversion is in S E $\frac{1}{4}$ of N W $\frac{1}{4}$ Section 1 Township 14 S
Range 29 E B.M. located on (Meadow Creek Canyon) 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: June 12, 1969

_____ amount: .04 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: Livestock water
use Livestock period of use from May 1 to Nov 15 (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 220 feet; diameter of well is 8 inches; type of pump is Sub-mergible
capacity of pump is 20 g.p.m., name and address of well driller is Henry, Boley & Weech
_____;

43-4036

attach well logs if available; has there been any change in pump or motor since well was first completed no; if so, give dates and explain _____

d. If water is stored: name of reservoir 2000 gallon tank;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

[illegible]

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? _____ 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 2000 sheep
150 cattle

7. Where water is used for domestic or municipal purposes give number of families served _____
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
June 1968 we were in dire need of water for our livestock. The spring, on which we have depended was all but dried up. We had to haul water from another spring 7 miles up canyon. Being in a desperate situation, we had to do something about it. I talked to the personnel at the ASC office and with their assistance the well in question was drilled. They also told me it was not necessary to file for a permit for stock wells.
June 1969 I received a letter advising it was necessary to file an application on this well, which had been in use for a year. This was done and the application fee was paid. Also the application was advertised in the local paper and I received information from your office, matters pertaining to this was being investigated. All this, a year ago. I really don't feel I was given proper attention. EIGHTEEN MONTHS AFTER the well was drilled legislation passed a law prohibiting the drilling of any kind of well without a permit. The well was drilled June 1968.

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.

Sworn to before me this 18th day of June, 1970.

Wifford W. Wrigley
Claimant
Gerald G. Anderson
Notary Public
Residing at Burley, Idaho

My commission expires 9-8-72

For Department Use Only

Received by <u>mgf</u>	Date <u>6-19-70</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>mgf</u>	Date <u>8-1-70</u>			
Fee received by <u>mgf</u>	Date <u>9-11-70</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>mgf</u>				
Published in <u>South Idaho Press</u>	Dates <u>9-24 & 10-1, 1970</u>			

43-4036

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



UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

District Office

Box 489

Burley, Idaho 83318

June 18, 1970

TO WHOM IT MAY CONCERN:

The purpose of this letter is to explain the importance of a stock water well located on Wilford Wrigley's private land in Section 1, Township 14 South, Range 29 East.

In the last few years the flow of water at Indian Springs has dropped off to the point that it does not supply enough water to take care of the livestock and wildlife that use both the private and public land in the Meadow Creek area.

Mr. Wrigley has to haul water to about 2,000 head of ewes and lambs that use both private and public land. He also has to water about 150 head of cattle that use his private land. Mr. Wrigley drilled this well in order to supply his livestock with the required water.

This past winter the Bureau of Land Management and the Point Springs Grazing Association entered into a cooperative agreement to pipe water from this well up canyon .8 of a mile to furnish water to approximately 375 head of cattle using public land. The nearest point from which these range users can haul water is about 7 miles up canyon at Pine Springs. At certain times the supply of water at this spring is too limited to handle all of the livestock and wildlife needs.

This well is important for providing water for livestock and wildlife in the Meadow Creek Canyon area, both private and public lands.

Lewis Martin
Area Manager

43-4036

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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 September 24 1970, and ending

with the issue dated October 1, 1970

Ruth Chambers

Subscribed and sworn to before me

this 1st day of October

1970.

Edith Rasmussen Notary Public

Cost of Publication 7.50

Notary Fee

Total Cost

My commission expires October 23, 1971

70-258

NOTICE OF CLAIM

Notice is hereby given that Wilford Wrigley, Route 3, Box 316, Burley, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from a ground water source with point of diversion in the SE 1/4 NW 1/4, Sec. 1, T. 14S, R. 29E, B.M., Cassia County.

The water is claimed to be used from May 1 to Nov. 15 for stock water with a priority of June 12, 1969; the place of use is within the SE 1/4 NW 1/4 Sec. 1, T. 14S, R. 29E, B.M.

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

R. KEITH HIGGINS

Director
Published in the South Idaho Press, Burley, Idaho, on September 24 and October 1, 1970.

43-4036

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THIS

RIGHT HAS BEEN

DECREED IN THE

SRBA

October 27, 1970

Re: Claim to a Water Right No. 43-4036

Mr. Wilford Wrigley
Route 3, Box 316
Burley, Idaho 83318

Dear Mr. Wrigley:

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

Enclosures: Copy of claim
Receipt No. 5137

43-4036

70-258

NOTICE OF CLAIM:
TO A WATER RIGHT
No 43 4036

Notice is hereby given that Wilford Wrigley, Route 3, Box 316, Burley, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water source with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 1, T 14S, R 29E, B M., Cassia County

The water is claimed to be used from May 1 to Nov. 15 for stock water with a priority of June 12, 1969, the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 1, T 14S, R. 29E, B M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho

R KEITH HIGGINSON
Director

Published in the South Idaho Press, Burley, Idaho, on September 24 and October 1, 1970.

43 41.36

September 16, 1970

Re: Claim No. 43-4036 - Wilford Wrigley

South Idaho Press
Box 190
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 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,

Donald W. McEldowney
Appropriation Supervisor

43 4036

DWM:DR
Enc: Legal notice

Bill submitted 12-7-70 By Dr

NOTICE OF CLAIM TO A WATER RIGHT

No. 43-4036

Notice is hereby given that Wilford Wrigley, Route 3, Box 316,
Burley, Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.04 cubic feet per second ~~acre/feet~~
of water from a ground water source
with point of diversion in the SE¹/₄ NW¹/₄, Sec. 1, T. 14S, R. 29E, B.M.,
Cassia County

The water is claimed to be used from May 1 to Nov. 15
for stock water
with a priority of June 12, 1969;
the place of use is within the SE¹/₄ NW¹/₄, Sec. 1, T. 14S, R. 29E, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, ~~Id~~ Idaho.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press, Burley, Idaho,
on September 24 and October 1, 1970.

43 4036

June 25, 1970

Re: Claim to a Water Right

Mr. Wilford Wrigley
Route 3, Box 316
Burley, Idaho 83318

Dear Mr. Wrigley:

Before the Department can process your recently submitted claim to a water right, we will need to know the amount of water you are claiming to have been beneficially used.

Please advise of the amount of water, preferably in cubic feet per second or acre feet per annum, by return mail. Your cooperation in this matter is most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

43 4036

June 24, 1970

C
Mr. Wilford Wrigley
Route #3, Box 316
Burley, Idaho 83318

O
Dear Mr. Wrigley:

We have reviewed your recently filed Claim to a Water Right in connection with the well which you had drilled in 1968. The Claim will be processed and recorded as you have submitted it. However, I feel that I should point out two or three matters to which you refer in the remarks section of the Claim.

P
First, you indicate that you were advised by personnel at the ASC office that it was not necessary to file for a permit for stockwater wells. I am certain that you understand that the ASC has no connection whatever with this office and is really not in a position to advise you concerning water right matters.

Y
Our letter which you received in June of 1969 was a result of the well driller's log which had been received by this office. Any time we receive information from a driller that a well has been completed and we are unable to find a permit for the well in our files, we advise the land owner that he should obtain a permit.

As I indicated to Senator Preston by telephone, it was necessary to go to the Legislature in 1970 and ask them to clarify their intent concerning those wells for which no permit should be required. We have always felt that the intent was to exempt only wells used for domestic purposes and for other uses in connection with a household. He indicated to us that this was the use made of your well and that, in addition to watering livestock, you had someone permanently stationed at the well site during the grazing season. If this is the case, no permit was previously necessary, and none would be necessary under the new amendment.

43-4036

6/24/70

In any event, you have claimed that a right has been established by reason of the past use, and your Claim has been received and no further action will be taken by this office until such time as the court determines that all of the ground-water rights within the area should be adjudicated.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

C

RKH/jm

O

P

Y

43-4036