

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

APR 3 1973

Department of Water Administration
Southern District Office

Blake Carson, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 8 day of March,

1973, and the date of the last publication was on the 15

day of March, 1973

Subscribed and sworn to before me this 22nd

day of March, 1973.
(SEAL)

Darla Brett

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 29

Number of Insertions 2

Lines tabular at 315c

29 Lines straight at 3 21c 6.09

29 Subsequent lines at 15c 4.35

TOTAL COST 10.44

COPY OF NOTICE

(Paste Here)

Notice of Claim to a Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Adm.
BILL TO

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4027

Notice is hereby given that Michael Glen Carter, Route 2, Jerome, ID has filed a claim to a water right established by diversion and application to beneficial use of .04 cubic feet per second of water from a groundwater source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 8 S., R. 16E., B.M., Jerome County, Idaho. The water is claimed to be used

from Jan. 1 to Dec. 31 for domestic purposes with a priority of Oct. 12, 1971. Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

R. Keith Higginson

Director

3-8-21c

7 pt. per line, successive
insertions 15c

No 2020

36 4027

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

April 3, 1973

RE: Claim to a Water Right No. 36-4027 - Michael Glen Carter

Mr. Michael Glen Carter
Route 2
Jerome, ID 83338

Dear Mr. Carter:

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 of the 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.

It, 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 the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

36 4027

March 30, 1973

RE: Claim No. 36-4027 - Michael Glen Carter

North Side News
Box 89
Jerome, ID 83338

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on March 8 and March 15, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

36 4027

Identification No. _____
Claim No. 36-4027
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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 Michael Glen Carter
post office address Route 2, Jerome, ID 83338
2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 28 Township 8S
Range 16E B.M. located on Groundwater
(name of source)
tributary to _____ in Jerome 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:
Oct. 12, 1971 amount: .04 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .04 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 Domestic period of use from Jan. 1 to Dec. 31 (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; width 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 188 feet; diameter of well is 6 inches; type of pump is sub.
capacity of pump is 1½ hp g.p.m.; name and address of well driller is Dale Gilbert, Wendell, ID
_____;

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____;
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 _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

[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? _____ 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_____

7. Where water is used for domestic or municipal purposes give number of families served one family
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

State of Idaho

County of Turn Falls } 85.

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

2nd

day of

Michael Glen Carter
Claimant

Claimant

March

1923.

Conita L. Warrigis
Notary Public

Notary Public

Residing at:

Suwan Falls

My commission expires

Aug. 2, 1976

For Department Use Only

Received by alw Date 3-2-73

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by WJA Date 3-2-13 # 0584

Fee received by slw Date 3-2-73 Fee \$10.00

Approved for publication by: *LSH*

Published in North Side News Dates 3-8 &

a1w 3-15-73

36 4227 36 4227

RECEIVED

4/4/73

Department of Water Administration

36 4027

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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

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State of Idaho, }
County of Jerome } SS.

APR 3 1973

Department of Water Administration
Southern District Office

B. L. E. E. E. being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 8 day of March, 1973, and the date of the last publication was on the 15 day of March, 1973.

Subscribed and sworn to before me this 22nd

day of March, 1973.
(SEAL)

Darla Brett

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 29
Number of Insertions 2
Lines tabular at 315c
29 Lines straight at 2 21c 6 09
29 Subsequent lines at 15c 4 35
TOTAL COST 10.44

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(Paste Here)

Notice of Claim to a Water Right
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Adm.
BILL TO

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4027
Notice is hereby given that Michael Glen Carter, Route 2, Jerome, ID has filed a claim to a water right established by diversion and application to beneficial use of 64 cubic feet per second of water from a groundwater source with point of diversion in the NW 1/4 SW 1/4, Sec. 28, T. 8 S., R. 16E., B.M., Jerome County.
The water is claimed to be used

from Jan. 1 to Dec. 31 for domestic purposes with a priority of Dec. 12, 1971.
Any exception to the claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

R. Keith Higginson

Director

3-20c

7 pL per line, subsequent insertions 15c

Nº 2020

36 4027

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

[illegible]

April 3, 1973

RE: Claim to a Water Right No. 36-4027 - Michael Glen Carter

Mr. Michael Glen Carter
Route 2
Jerome, ID 83338

Dear Mr. Carter:

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 of the 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 the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

36 4027

March 30, 1973

Re: Claim No. 36-4027 - Michael Glen Carter

Fort Side News
Box 10
Jensen, ID 83403

Gentlemen:

Will you please submit an affidavit of publication and a certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on March 11 and March 18, 1973.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Bob Haynes
District Engineer
Southern District

RH:alw

36 4027

March 2, 1973

RE: Claim No. 36-4027 - Michael Glen Carter

North Side News
Box 89
Jerome, ID 83333

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,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Legal Notice

Bill submitted 4-3-73 by alw

36 4027

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4027

Notice is hereby given that Michael Glen Carter,
Route 2, Jerome, ID
has filed a claim to a water right established by diversion and application
to beneficial use of .04 cubic feet per second ~~above that per annum~~
of water from a groundwater source
with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 8S, R. 16E, B.M.,
Jerome, County

The water is claimed to be used from Jan. 1 to Dec. 31 for
domestic purposes
with a priority of Oct. 12, 1971 . X;
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
the place of use is within the _____

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin
Falls, Idaho, 83301.

R. KEITH HIGGINSON

Director

Published in the North Side News, Jerome, ID
on March 8 and March 15, 1973

jerome legal galley proof to Twin

**NOTICE OF CLAIM TO A
WATER RIGHT**

**NOTICE OF CLAIM TO
A WATER RIGHT**

NO. 36-4027

Notice is hereby given that Michael Glen Carter, Route 2, Jerome, ID has filed a claim to a water right established by diversion and application to beneficial use of .04 cubic feet per second of water from a groundwater source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 8 S, R. 16E, B.M., Jerome County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Oct. 12, 1971.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

R. Keith Higginson

Director

3-8-21c

36 4027