

Affidavit of Publication

RECEIVED

DEC 8 1972

State of Idaho,
County of Gooding

ss.

Department of Water Administration
Southern District Office

Alfred E. Hagerman, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 30 day

of Nov, 1972, and the date of the last publication

was on the 7 day of December, 1972

Subscribed and sworn to before me this 7

day of December, 1972
(SEAL)

Mary Ann Hagerman
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14¢

Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Notice of Claim of Water Right
Title of Notice

Plaintiff Attorney

Defendant

Plaintiff

Bill to

Dept of Water Administration
1041 Blue Lakes Blvd. N
Twin Falls, Id
83301

NOTICE OF CLAIM TO A WATER RIGHT

No. 36-4024

Notice is hereby given that David Fish, Hagerman, 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 groundwater source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 7S R. 14E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and livestock purposes with a priority of Oct. 11, 1940. The place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 7S R. 14E, B.M.

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.

11-30-2tc

36 4024

November 24, 1972

Re: Claim No. 36-4024 - David Fish

Gooding County Leader
Box 56
Gooding, ID 83330

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 12-6-72 by alw

36 4024

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4024

Notice is hereby given that David Fish,
Hagerman, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.03 cubic feet per second acre feet per annum
of water from a groundwater source
with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 7S, R. 14E, B.M.,
Gooding County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
and livestock purposes
with a priority of Oct. 11, 1940 ;
the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 7S, R. 14E, B.M.

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 Gooding County Leader, Gooding, ID
on Nov. 30 and Dec. 7, 1972

36 4024

November 22, 1972

Re: Claim No. 36-4024 - David Fish

David Fish
Hagerman, ID
83332

Dear Mr. Fish:

Attached herewith is your Receipt No. 9477 in the amount of \$10.00 for the above reference Claim to a Water Right which was received in this office under the above date.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BB:alw

Enc.

36 4024

Identification No. _____

Claim No. 36-4024

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 DAVID FISH
post office address HAGERMAN ID 83332

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 6 Township 7
Range 11 B.M. located on UNDERGROUND (name of source)
tributary to _____ in GOODING 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: 1940
OCT 11, 1979 amount: .030 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: for livestock water
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 110 feet; diameter of well is 6 inches; type of pump is Submersible
capacity of pump is 650 g.p.m.; name and address of well driller is unpaved

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 _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

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 forty head
of stock horses and their calves and two horses

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

The well was drilled before 1940. It has been
used for domestic ~~that~~ use and to water cattle and
horses ever since. It's 110 feet deep and
eighty feet to water.

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 affiants knowledge.

Sworn to before me this

10th

day of

November

19 72

Claimant

Garry Fish

Notary Public

Residing at

Hagerman

My commission expires

3-3-75

For Department Use Only

Received by alw Date 11-22-72

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by M.S. Date 11-22-72 # 9477

Fee received by M.S. Date 11-22-72 Fee \$10.00

Approved for publication by M.S.

Published in Gooding County Leader Date 11-30 &

alw 12-7-72

36 4024

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 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Affidavit of Publication

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DEC 8 1972

State of Idaho,
County of Gooding

ss.

Department of Water Administration
Southern District Office

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was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 30 day

of Nov, 1972 and the date of the last publication

was on the 7 day of December, 1972

Subscribed and sworn to before me this 7

day of December, 1972
(SEAL)

Mary Ann Hagerman
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

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Lines at 10¢

TOTAL COST.....

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Title of Notice

Notice of Claim of Water Right
Title of Notice

Plaintiff Attorney

Defendant

Plaintiff

Bill to

Dept of Water Administration

1041 Blue Lakes

Blvd. N

Twin Falls, Id

83301

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No. 36-4024

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The water is claimed to be used from Jan. 1 to Dec. 31 ^c ~~for domestic and household~~ ^c purposes with a priority of Oct. 11, 1940. The place of use is within the NW 1/4 SW 1/4, Sec. 6, T. 7S R. 14E, B.M.

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.

11-30-2tc

36 4024

December 18, 1972

Re: Claim to a Water Right No. 36-4024 - David Fish

David Fish
Hagerman, ID
83332

Dear Mr. Fish:

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: Copy of claim

36 4024

November 24, 1972

Re: Claim No. 36-4024 - David Wish

Leading County Leader
Box 17
Leading, TX 75000

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 Laynes
District Engineer
Southern District

Bill submitted 12-6-72 by alw

cc: alw

Enc: Legal Notice

36 4024

NOTICE OF CLAIM TO A WATER RIGHT

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Notice is hereby given that David Fish,
Hagerman, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.03 cubic feet per second acre feet per annum
of water from a groundwater source
with point of diversion in the Gooding, Sec. 1, T. 14N, R. 1E,
Gooding County

The water is claimed to be used from Jan. 1, 1972 for Forestic
and Agricultural purposes
with a priority of at. 11 1972;
the place of use is within the Gooding, Sec. 1, T. 14N, R. 1E,

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 Gooding County Leader, Gooding, ID
on Nov. 30 and Dec. 7, 1972

36 4024

Need Galley Proof
**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 36-4024

36 4024
Notice is hereby given that David Fish, Hagerman, 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 groundwater source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 7S R. 14E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and livestock purposes with a priority of Oct. 11, 1940. The place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 7S R. 14E, B.M.

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.

OK ala 11-29-B 11-30-2tc

November 22, 1972

Re: Claim No. 36-4024 - David Fish

David Fish
Hagerman, ID
83332

Dear Mr. Fish:

Attached herewith is your Receipt No. 9477 in the amount of \$10.00 for the above reference claim to a Water Right which was received in this office under the above date.

Very truly yours,

Bob Lawler
District Engineer
Southern District

BT:alw

Enc.

36 4024