

Affidavit of Publication

JUL 83 1972

State of Idaho,
County of Gooding

ss.

Department of Water Administration
Southern District Office

Mary Ann Hagen, 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 20 day of July, 1972 and the date of the last publication was on the 27 day of July, 1972

Subscribed and sworn to before me this 27 day of July, 1972

(SEAL)

Andrew C. Belsher
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

Claim to Water Right
Title of Notice

Plaintiff Attorney

A. Clell Jacobson
Defendant
36-4023

Plaintiff

Bill to

Water Admin
1041 Blue Lakes
Blvd N

TF

83301

NOTICE OF CLAIM TO A WATER RIGHT No. 36-4023

Notice is hereby given that A. Clell Jacobson, Rt. 1, Wendell, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.5 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 8S, R. 14E, B.M., Gooding County. The water is claimed to be used from April to October for livestock purposes and for the irrigation of 80 acres with a priority of April 1953; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T. 8S, R. 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before August 7, 1972.

R. KEITH HIGGINSON,
Director

7-20-2tc

Identification No. _____

Claim No. 36-4023

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 A. Clell Jacobson
post office address Route 1 Wendell, Idaho

2. The point of diversion is in N E $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 14 Township 8
Range 14 B.M. located on under ground water
(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:

April 1953 amount: 75 inches c.f.s. or 12 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:

use irrigation period of use from April to October (both dates inclusive)
use livestock period of use from April to October (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 concrete and cinder blocks
; length is 4' feet; height is 4' feet;
width at bottom is 4' feet; with at top is 4' feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known None

b. Underground water diverting works: is well flowing or pumped Pumped; depth of well is 70 feet; diameter of well is 12 inches; type of pump is turbine electric
capacity of pump is 75 inches g.p.m.; name and address of well driller is C. B. Eaton & Sons

b. Do you get water through a ditch owned by several users? no 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 45 Milk cows
65 young 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 I have been using this 1 1/2 ~~acre~~ ^{acres} of water continuously on my 80 acre farm to irrigate and stock water since ~~approximately~~ I bought this farm in 1953, however the well was drilled and used for one year by the previous owner prior to my ownership.

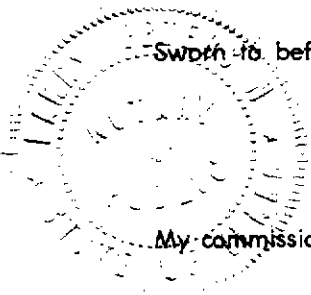
State of Idaho }
Gooding } ss.
County of _____

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 28th day of June, 1972

a. Alvin Johnson
Claimant
John Peterson
Notary Public
Residing at Wendell

My commission expires Jan. 1, 1973



Received by		Date	Exception filed by:	Forwarded to claimant by:	Date
alw	7-5-72	6-29-72			
Prelim. check by	RA	7-6-72	Rec No 9406		
Fee received by	alw	7-6-72	Fee \$10.00		
Approved for publication by	ST				
Published in	Gooding County Leader	7-20			
alw & 7-27-72					

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 this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Affidavit of Publication

JUL 23 1972

State of Idaho,
County of Gooding

ss. Department of Water Administration
Southern District Office

Mary Ann Hagen, 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 pro-
vided 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 20 day
of July, 1972 and the date of the last publication
was on the 27 day of July, 1972

Mary Ann Hagen
Subscribed and sworn to before me this 27
day of July, 1972
Andrey C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

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COPY OF NOTICE

Title of Notice

Claim To Water Right
Title of Notice

Plaintiff Attorney

A. Chell Jackson
Defendant
36-4023

Plaintiff

Bill to

Water Admin
1041 Blue Lakes
Blvd N

TF
83301

Notice is hereby given that
A. Chell Jackson, Plaintiff, Wen-
dell, Idaho has filed a claim
to a water right established
by diversion and application
to beneficial use of 1.5 cubic
feet per second of water
from a certain water right
situated in the NE 1/4, Sec. 14, T. 8S,
R. 14E, B.M., Gooding County,
Idaho. The water is to be
used for agricultural purposes
and for domestic use of the
place of use is within the
NE 1/4, Sec. 14, T. 8S, R.
14E, B.M.

Any exception to this claim
of water right must be filed
with the Idaho Department
of Water within the time
prescribed by law.
R. E. HARRIS, Director

August 9, 1972

Re: Claim to a Water Right No. 36-4023 - A. Clell Jacobson

A. Clell Jacobson
Route 1
Wendell, Idaho 83355

Dear Mr. Jacobson:

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 4023

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 13, 1972

Re: Claim Nos. 36-4023 - A. Clell Jacobson
App. Nos. 36-7252 - Verl C. & Ancie P. Bell
36-7253 - Tom Anderson
36-7254 - William J. Slade

Gooding County Leader
Box 56
Gooding, Idaho 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 Notices (4)

Bill submitted
8-2-72
alw

36 4023

NOTICE OF CLAIM TO A WATER RIGHT

No. 36-4023

Notice is hereby given that A. Clell Jacobson

Route 1, Wendell, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 1.5 cubic feet per second ~~about 1.5~~ of water from a groundwater source

with point of diversion in the N¹/₂ NW¹/₄, Sec. 14, T. 8S, R. 14E, B.M.

Gooding County.

The water is claimed to be used from April to October for

livestock purposes and for the irrigation of 80 acres

with a priority of April 1953;

the place of use is within the N¹/₂ NW¹/₄, Sec. 14, T. 8S, R. 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before August 7, 1972.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader, Gooding, Idaho

on July 20 and July 27, 1972.

Need Galley Proof
**NOTICE OF CLAIM TO A
WATER RIGHT** ^{OK}
No. 36-4023 ⁷⁻¹⁹⁻⁷²

Notice is hereby given that
A. Clell Jacobson, Rt. 1, Wendell, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.5 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 8S, R. 14E, B.M., Gooding County.

The water is claimed to be used from April to October for livestock purposes and for the irrigation of 80 acres with a priority of April 1953; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T. 8S, R. 14E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before August 7, 1972.

R. KEITH HIGGINSON,
Director

7-20-2tc

36-4023

July 6, 1972

Re: Claim No. 36-4023 - A. Clell Jacobson

A. Clell Jacobson
Route 1
Wendell, Idaho 83355

Dear Mr. Jacobson:

Attached herewith is your Receipt No. 9406 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

BH:alw

Enc: Receipt No. 9406

36 4023

INTER-DEPARTMENT MEMO — 1

FROM Bob Haynes

DATE June 29, 1972

TO Larry Petersen

SUBJECT A. Clell Jacobson Claim to a Water Right

The places that need to be changed are Item 3a, strike the $1\frac{1}{2}$ acre feet, and Item 9 change acre feet to cubic feet per second.

Please have Mr. Jacobson initial those changes then return the claim to us.

36 4023

SIGNATURE

June 22, 1972

Larry Petersen
Clyde Petersen Agency
P. O. Box 607
Wendell, Idaho 83355

Dear Mr. Petersen:

Enclosed please find a Claim to a Water Right form with instructions.

If you need further assistance, please feel free to contact us.

Sincerely,

Bob Haynes
District Engineer
Southern District

BH:ALW

Enc.

Clyde Petersen Agency

Real Estate - Insurance - Mortgage Loans

OFFICE PHONE 536-2071

P. O. Box 607 RES. PHONE 536-2571

Wendell :: Idaho

2071

JUN 19 1972

Department of Water Administration

June 16, 1972

State of Idaho
Water Administration
614 West State
Boise, Idaho

Gentlemen:

Mr. Clell Jacobson Route One, Wendell, Idaho has asked me to write to you to help him secure the necessary papers to file on 1.5 feet of underground water that he has been pumping for irrigation water on his 80 acre farm situated in Gooding County on the N $\frac{1}{2}$ of NW $\frac{1}{4}$ Section 14, township 8, Range 14. Would you please send me the necessary papers and instructions to make this filing for Mr. Jacobson.

Very truly yours,



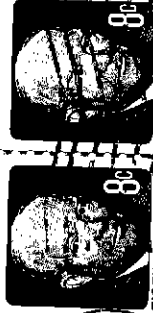
Larry Petersen

LP:pf

36 4023

CLYDE PETERSEN AGENCY
Insurance - Real Estate - Mortgage Loans
P. O. BOX 607
WENDELL, IDAHO 83355

36 4023



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