

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. 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 13 day of May, 1971, and the date of the last publication was on the 20 day of May, 1971.

Subscribed and sworn to before me this 21

day of May, 1971
(SEAL)

Andrey 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

Water Permit
Title of Notice

Plaintiff Attorney
Oscar E. Anderson
36-4015
Defendant

Plaintiff

Dept. of Bill to
Water Administration
Statehouse - Annex 2
Boise, Idaho
83707

NOTICE OF CLAIM TO A WATER RIGHT No. 36-4015

Notice is hereby given that Oscar E. Anderson, Route 1, 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 ground water source with point of diversion in the NW 1/4 SW 1/4 Sec. 13, T. 7S, R. 13E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes and from April 1 to Oct. 31 for garden water with a priority of August 3, 1960; the place of use is within the NW 1/4 SW 1/4 Sec. 13, T. 7S, R. 13E, 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

5-13-2tc

No. 1150

36 4015

Identification No. 9

Claim No. 36-4015

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 Oscar E. Anderson
post office address Route 1 Hagerman, Idaho 83332
2. The point of diversion is in N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ Section 13 Township 7 S.
Range 13 E B.M. located on Groundwater (name of source) y
tributary to y 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:

August 3, 1960 amount: .03 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .03 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. 1st to Dec. 31 (both dates inclusive)
use Stock Water period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use Garden Water period of use from April 1 to Oct. 31 (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 215 feet; diameter of well is six inches; type of pump is Submersible
capacity of pump is 15 g.p.m.; name and address of well driller is Harry A. Moore,
1692 Kimes Avenue, Twin Falls, Idaho

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

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 _____

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 _____

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 20 cattle

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

This well is for domestic use, and watering cattle
in winter. The pump is a 3/4 H.P. The water
from this well tested pure.
This place is 10 acres.

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

23rd

day of

April

1971

Charles E. Anderson
Claimant

David P. Nicholson
Notary Public

Residing at

Hagerman, Idaho

My commission expires

7-13-71

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>g</u>	<u>4/27/71</u>			
Prelim. check by	<u>4-27-71</u>			
Fee received by	<u>4/28/71</u>	Fee \$ <u>10⁰⁰</u>		
Approved for publication by	<u>D</u>			
Published in	<u>Gooding County</u>	Dates <u>5-13 & 5-20, 1971</u>		

Leader at Gooding, Idaho

36 4015

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

Affidavit of Publication

RECEIVED

State of Idaho,
County of Gooding

ss.

Administration

Alfred E. 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 13 day of May, 1921, and the date of the last publication was on the 20 day of May, 1921.

Subscribed and sworn to before me this 21 day of May, 1921.
(SEAL)
Andrew C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

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Lines at 10¢

TOTAL COST.....

COPY OF NOTICE

Title of Notice

Water Permit

Title of Notice

Plaintiff Attorney
Oscar E. Anderson

36-4015

Defendant

Plaintiff

Dept. of Bill to
Water Administration
Statehouse - Annex 2
Boise, Idaho
83707

Notice is hereby given that Oscar E. Anderson, Platteau, Blagerman, 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 the Blagerman sources with point of diversion in the NW 1/4 SW 1/4 Sec. 18, T. 7S, R. 12E, E. 12E, Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes and from Jan. 1 to Oct. 31 for irrigation and a priority of January 1, 1921. The place of use is within the NW 1/4 SW 1/4 Sec. 18, T. 7S, R. 12E, E. 12E, Gooding County, Idaho. Any person claiming a water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

No. 1150

36 4015

June 7, 1971

Re: Claim to a Water Right No. 36-4015

Oscar E. Anderson
Route 1
Hagerman, Idaho 83332

Dear Mr. Anderson:

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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

36 4015

May 3, 1971

Re: Claim No. 36-4015 - Oscar E. Anderson

Gooding County Leader
Box 36
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 our 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. McKelowney
Appropriation Supervisor

*Bill submitted
6-9-71
ds*

DWM:DR
Enc: Legal notice

36 4015

**NOTICE OF CLAIM TO A
WATER RIGHT No. 36-4015**

Notice is hereby given that Oscar E. Anderson, Route 1, 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 ground water source with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 7S, R. 13E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes and from April 1 to Oct. 31 for garden water with a priority of August 3, 1960; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 7S, R. 13E, 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

5-13-2tc

O.K.
5-10-71
B.B.

36 4015 5

NOTICE OF CLAIM TO A WATER RIGHT

No. 36-4015

Notice is hereby given that Oscar E. Anderson, Route 1, Hagerman,
Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.03 cubic feet per second ~~as per 1960~~
of water from a ground water source
with point of diversion in the NW¹/4 Sec. 13, T. 7S, R. 13E, B.M.,
Gooding County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
and stockwater purposes and from April 1 to Oct. 31 for garden water
with a priority of Ag August 3, 1960 ;
the place of use is within the NW¹/4 Sec. 13, T. 7S, R. 13E, 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 Gooding County Leader, Gooding, Idaho,
on May 13 and May 20, 1971.

36 4015

April 28, 1971

Oscar E. Anderson
Route #1
Hagerman, Idaho 83332

Dear Mr. Anderson:

Returned herewith is your receipt No. 5950 in the amount of \$10.00
for your claim to water right application
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

36 4015

April 28, 1971

Oscar E. Anderson
Route #1
Hagerman, Idaho 83332

Dear Mr. Anderson:

Returned herewith is your receipt No. 5950 in the amount of \$10.00
for your claim to water right application,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure