

Affidavit of Publication

I, Elizabeth L. Brammer, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for two (2) consecutive weeks, commencing
with the issue dated September 25, 1969
and ending with the issue dated October 2, 1969

Elizabeth L. Brammer

Subscribed and sworn to before me this

6 day of Oct., 1969

Betty J. Mayo

Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1973

RECEIVED

OCT 10 1969

Department of Reclamation

PUBLIC NOTICE

NOTICE OF CLAIM TO A WATER RIGHT No. 34-4002

Notice is hereby given that
Arthur W. Quist, Route 1, Arco,
Idaho, has filed a claim to a
water right established by diver-
sion and application to beneficial
use of 5 acre feet of water from
waste water tributary of Big Lost
River via canals with point of
diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T.
3 N., R. 27 E., B.M., Butte Coun-
ty; the water is claimed to be
used from January 1 to Decem-
ber 31 for stock water and from
May 1 to October 1 for irrigation
with a priority of May 1, 1950;
the place of use is S $\frac{1}{2}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3 N., R. 27
E., B.M.

Any exception to this claim of
water right may be filed with the
Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Arco Adver-
tiser, Arco, Idaho, on September
25 and October 2, 1969.

Bill submitted 10-10-69

34-4002

Identification No. 34-4002

Claim No. _____

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 Arthur W. Quist
post office address Route 1, Arco, Idaho

2 The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 8 Township 3 N
Range 27 E B.M. located on waste water
(name of source)
tributary to Big Lost River via canals in Butte 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:

May 1, 1950 amount: _____ c.f.s. or 5 acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or 5 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 stock water period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use irrigation period of use from May 1 to Oct. 1 (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 earth fill with bentonite core; length is 150 feet; height is 10-12 feet; width at bottom is 35 feet; with at top is 6 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 _____; depth of well is _____ feet, diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g p.m., name and address of well driller is _____

34-4002

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-
-
-

- 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_____

- [illegible]

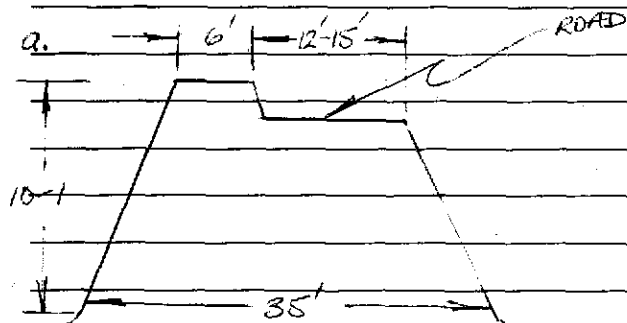
b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____
175 to 200 head of beef 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



* Claimant owns 280 acres of E $\frac{1}{2}$ of Sec. 8, all but the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 8, T. 3N, R. 27E, B.M.

Dam is filled with bentonite core.

State of Idaho

County of Ada

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 16th day of September, 1969.

Arthur W. Pruitt
Claimant

Stephen A. Brown
Notary Public

Residing at Boise, Idaho

My commission expires May 1, 1972.

For Department Use Only

Received by <u>ef</u>	Date <u>9-16-69</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>CS</u>	Date _____			
Fee received by <u>jh</u>	Date <u>9-16-69</u>	Fee <u>\$10.00</u>		
Approved for publication by <u>D</u>				
Published in <u>Boise Mountain</u>	Dates <u>9-25-69 and 10-2-69</u>			

34-4002

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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Affidavit of Publication

I, Elizabeth L. Brammer, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for two (2) consecutive weeks, commencing
with the issue dated September 25, 1969
and ending with the issue dated October 2, 1969

Elizabeth L. Brammer

Subscribed and sworn to before me this

6 day of Oct, 1969

Betty L. Nierje

Notary Public.

Residence: Arco, Idaho.

My commission expires 2-4, 1973

PUBLIC NOTICE

NOTICE OF CLAIM TO A WATER RIGHT No. 2-1002

Notice is hereby given that
Arthur W. Quist, Route 1, Arco,
Idaho, has filed a claim to a
water right claimed by diversion
and application to beneficial
use of 5 acre feet of water from
waste water tributary of Big Lost
River via canal with point of
diversion in SE 1/4 NW 1/4, Sec. 8, T.
3 N., R. 27 E., B.M., Butte County;
the water is claimed to be
used from January 1 to December
31 for stock water and from
May 1 to October 1 for irrigation
with a priority of May 1, 1950;
the place of use is S 1/4 NE 1/4,
NW 1/4 SE 1/4, Sec. 8, T. 3 N., R. 27
E., B.M.

Any objection to this claim of
water right may be filed with the
Department of Reclamation.

E. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Arco Advertiser,
Arco, Idaho, on September
25 and October 2, 1969.

Gift # 4501
"P"

April 7, 1970

Return - Mass & Olsen
Mr. Dennis Olsen
485 "E" Street
Idaho Falls, Idaho 83401

Dear Mr. Olsen:

On October 8, 1969, we mailed to you per your request, a copy of Claim to Water Right No. 34-4002. The fee for this copy is \$1.00. To date we have no record of receiving this amount. Would you please check your records and remit the same?

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

34 4002

October 8, 1969

Mr. Dennis Olsen
485 E Street
Idaho Falls, Idaho 83401

Dear Mr. Olsen:

Enclosed is a copy of the Claim to a Water Right, No. 34-4002,
which you recently requested.

The fee for this copy is \$1.00.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH/jlb

Enclosure

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE ANNEX 2
BOISE, IDAHO 83707

October 13, 1969

Re: Claim to a Water Right No. 34-4002

Arthur W. Quist
Route #1
Arco, Idaho

Dear Mr. Quist:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. We have enclosed a copy of the claim for your files; please refer to the claim number if you desire to add or change information in your claim.

You should be aware that the filing of the claim completes the Department's work in processing the claim. Under Idaho Statutes, no further processing is pending at this time. Your claim will merely be filed on record with the Department until such time you or a court may be in need of the information.

A departmental receipt, in the amount of \$10.00, covering the filing fee, was given to you at the time of filing.

If we may be of assistance at any time, please feel free to contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:sc
Enc: Copy of claim

34-4002

To Mr. Higginson

Date 9-30-69 Time 3:30 pm

WHILE YOU WERE OUT

M. Alvin W. Olson

of 485 E St., Idaho Falls

Phone 523-4650

Area Code

Number

Extension

CAPLANT

MARIE CRIST

TELEPHONED	☐	PLEASE CALL	☒
CALLED TO SEE YOU	☒	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	URGENT	☐
RETURNED YOUR CALL		☐	☐

Message Wants to file an exception:

#34-4002 (42-225 a & b) and has

questions. Terry talked to him

but he wants you to call him

34-4005

Operator ji

October 8, 1969

Mr. Dennis Olsen
485 E Street
Idaho Falls, Idaho 83401

Dear Mr. Olsen:

Enclosed is a copy of the Claim to a Water Right, No. 34-4002,
which you recently requested.

The fee for this copy is \$1.00.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH/jib

Enclosure

34-4002

Re: Claim to a Water Right No. 34-4002
Arthur W. Quist

September 18, 1969

Arco Advertiser
P.O. Box C
Arco, Idaho 83213

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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McIlDowney
Appropriation Examiner

DEM:DR
Enc: Legal notice

NOTICE OF CLAIM
TO A WATER RIGHT
No. 34-4002

Notice is hereby given that Arthur W. Quist, Route 1, Arco, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 5 acre feet of water from waste water tributary of Big Lost River via canals with point of diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 3 N., R. 27 E., B.M., Butte County; the water is claimed to be used from January 1 to December 31 for stock water and from May 1 to October 1 for irrigation with a priority of May 1, 1850; the place of use is S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 3 N., R. 27 E., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Arco Advertiser, Arco, Idaho, on September 25 and October 2, 1969.

34-4002-42

NOTICE OF CLAIM TO A WATER RIGHT

No. 34-4002

Notice is hereby given that Arthur W. Quist, Route 1,
Arco, Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of 5
~~cubic feet per second~~ acre feet of water from waste water tributary
of Big Lost River via canals with point of diversion in SE1/4NW1/4,
Sec. 8, T. 3N, R. 27E, B.M., Butte County; the water is
claimed to be used from January 1 to December 31 for stock water and
from May 1 to October 1 for irrigation with
a priority of May 1, 1950; the place of use is SE1/4NW1/4, Sec. 8,
T. 3N, R. 27E, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Arco Advertiser, Arco, Idaho,
on September 25 and October 2, 1969.

34-4002

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