

RECEIVED

SEP 18 1972

Department of Water Administration

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claim

to A Water Right " as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated September 7, 1972

and the last in the issue dated September 14, 1972 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this

day of SEP 14 1972, 19

Edwin D. Kesler

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT
No. 67-4028
Notice is hereby given that GEORGE J. BELL, Star Rt., Council, 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 the point of diversion in the SW 1/4 NE 1/4, Sec. 35, T. 16 N., R. 1 W, B.M., Adams County.
The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 25, 1968 the place of use is within the SW 1/4 NE 1/4, Sec. 35, T. 16 N., R. 1 W., B.M.
Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.
R. KETH HIGGINSON
Director
Published in the Adams County Leader, Council, Idaho on Sept. 7, 1972 and Sept. 14, 1972.

OK
ms
9-18-72

67 4028

Identification No. _____

Claim No. 67-4028

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 George J. Bell
post office address Star Rte. Council, Idaho

→ 2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 35 Township 16N
Range 1W B.M. located on Groundwater
(name of source)
tributary to _____ in Adams 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:

5/25/68 amount: .03 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:

use Domestic period of use from 1/1 to 12/31 (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 pump; depth of well is 147 feet; diameter of well is 6 inches; type of pump is submersible
capacity of pump is _____ g.p.m.; name and address of well driller is H.C. Nicholson
921 6th Ave S. Payette, Ida. phone 642-2936;

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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 _____

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 _____

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

[illegible]

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 _____ name of town supplied _____ ^{one}

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 Adams

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.

George J. Bell
Claimant

Sworn to before me this 25th day of August, 19 72

Paul J. Braun
Notary Public
Residing at Council, Idaho

My commission expires June 22, 1976

For Department Use Only

Received by ef Date 8/29/72

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by KAR Date 8/29/72

Fee received by ef Date 8/29/72 Fee \$ 10.00

Approved for publication by KAR 8/29/72

Published in Adams Co. Recorder Dates 9-7-72 9-14-72

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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 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

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

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

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

Affidavit of Publication

State of Idaho, County of Adams, ss:

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Bert J. Rogers

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day of SEP 14 1972, 19

Steven D. Keeler

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT (No. 67-4628)

Notice is hereby given that GEORGE J. BELL, Star Rt., Council, 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 the point of diversion in the SW 1/4-NE 1/4, Sec. 35, T. 16 N., R. 1 W., B.M., Adams County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 25, 1968 the place of use is within the SW 1/4-NE 1/4, Sec. 35, T. 16 N., R. 1 W., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Adams County Leader, Council, Idaho on Sept. 7, 1972 and Sept. 14, 1972.

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WATER RIGHT NUMBER 67-4028

WATER RIGHTS EDIT REPORT

12/14/79

PAGE 128

ACT
ION

N	OWNER LAST NAME - BELL	FIRST NAME - GEORGE J.		
N	ADDRESS LINE 1 - STAR RT.			
N		CITY - COUNCIL	STATE - ID	
N	SOURCE - GROUNDWATER			
N	STAGE - STATRY CLM	PRIORITY - 05-25-1968	COUNTY - ADAMS	TOTAL DIV. RATE - .0300CFS
N	DIVERSION POINT - SWNE 35 16N 01W			
N	USE - DOMESTIC	USE DIV. RATE - .0300CFS		
N	USE - DOMESTIC	PLACE OF USE - TWN 16N RNG 01W SEC 35 TRACT SWNE		

3/79

IDENT. NO. 67-4028

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- | | <u>Tract</u> | <u>Sec.</u> | <u>Twp.</u> | <u>Rge.</u> | <u>Gov't</u>
<u>Lot</u> | <u>Rediv.</u> |
|--------------------------|--------------|-------------|-----------------------|----------------------|----------------------------|---------------|
| 6. A. Point of Diversion | <u>SW NE</u> | <u>35</u> | <u>16^N</u> | <u>1^W</u> | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

- [illegible]

8. Use Code: $\mathcal{D}$

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: _____

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

Western District Office

September 25, 1972

RE: CLAIM TO A WATER RIGHT NO. 67-4028

Mr. George J. Bell
Star Route
Council, Idaho 83612

Dear Mr. Bell:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225 a and 42-225 b, 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.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

67 4028

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



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

August 30, 1972

Re: Claim to a Water Right No. 67-4028, George J. Bell

Adams County Leader
Council
Idaho 83612

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)

Sincerely,

67 4028

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4028

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Star Rt., Council, Idaho
has filed a claim to a water right established by diversion and application
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from a groundwater source
with the point of diversion in the SW 1/4, Sec. 35, T. 16 N., R. 1 W., B.M.,
Adams County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes
with a priority of May 25, 1968;
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Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Adams County Leader, Council, Idaho
on Sept. 7, 1972 and Sept. 14, 1972.

Western District Office

August 29, 1972

RE: CLAIM TO A WATER RIGHT NO. 67-4028

Mr. George J. Bell
Star Route
Council, Idaho 83612

Dear Mr. Bell:

Attached herewith is your Receipt NO. 8759 in the amount of \$10.00 for Claim to a Water Right No. 67-4028 which was received in this office August 28, 1972.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

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