

\_\_\_\_\_

RGE 13 E

TWP 1 S

7 \*

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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.

that the matters and facts therein are true to the best of

Harvey Ashmead  
(Claimant)

My commission expires 4-25-78

Received by LM Date 10-14-76 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by mts Date \_\_\_\_\_ claimant by: \_\_\_\_\_  
\$10.00 fee received by LM Date 10-19-76 \_\_\_\_\_  
Approved for publication by RJN- 10-20-76 \_\_\_\_\_  
Published in Gooding County Leader 10-27-76 \_\_\_\_\_  
Dates 10-28 & 11-4-76 \_\_\_\_\_

#2230

0-69

DLF



# AFFIDAVIT of PUBLICATION

State of Idaho, **NOV 8 1976** SS.  
County of Gooding

Department of Water Resources  
Southern District Office

Kim R. Compton, 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 28 day of October

19 76, and the date of the last publication was on the 4

day of November 19 76

Subscribed and sworn to before me this 4

day of November, 19 76

(SEAL)

Carmen Hair

NOTARY PUBLIC

## GOODING COUNTY LEADER

Gooding, Idaho

## COST OF PUBLICATION

|                                     |           |              |
|-------------------------------------|-----------|--------------|
| Number of Lines in Notice .....     | <u>36</u> | <u>36</u>    |
| Number of Insertions .....          | <u>2</u>  | <u>2</u>     |
| Lines tabular at .....              | 315c      |              |
| <u>36</u> Lines straight at .....   | 21c       | <u>7.56</u>  |
| <u>36</u> Subsequent lines at ..... | 15c       | <u>5.40</u>  |
| TOTAL COST ....                     |           | <u>12.96</u> |

## COPY OF NOTICE

### NOTICE OF CLAIM TO A WATER RIGHT

NO. 37-4074

Notice is hereby given that Harvey Ashmead, 719 E. Center, Kaysville, Utah 84037 has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from unnamed spring with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 7, Twp. 1S., Rge. 13E., B.M., Camas County.

The water is claimed to be used from Jan. 1 to Dec. 31 with a priority of Fall, 1940 the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 7, Twp. 1S., Rge. 13E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301.

/S/ R. KEITH HIGGINSON  
Director

Pub: 10-28; 11-1

## PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

|                                             |      |
|---------------------------------------------|------|
| 7 pt. per line, straight .....              | 21c  |
| 7 pt. per line, tabular .....               | 315c |
| 7 pt. per line, successive insertions ..... | 15c  |

16937

N<sup>o</sup> 1012

O-K  
LM  
11-9-76

MICROFILMED

RECEIVED  
OCT 12 1973  
Department of Water Resources  
Sandy Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Harvey Ashmead (name of claimant)  
of 719 E. Center, Kaysville, Utah 84037 (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed spring, tributary to,
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- |        |                   |     |                            |                     |        |    |                        |
|--------|-------------------|-----|----------------------------|---------------------|--------|----|------------------------|
| Amount | 0.02 cfs          | Use | Stockwater                 | Period of Use: From | Jan. 1 | To | Dec. 31                |
| Amount |                   | Use |                            | Period of Use: From |        | To |                        |
| Amount |                   | Use |                            | Period of Use: From |        | To |                        |
|        | (cfs, gpm or a/f) |     | (dom., irri., stock, etc.) |                     |        |    | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.02 cubic feet per second, or acre feet per annum, and/or gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Fall, 1940

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)  
SW ¼ NE ¼, Sec. 7 Twp. 1 S Rge. 13 E B. M. County of Camas  
Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. dug out, developed spring

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 1S | 13E | 7    |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total No. of acres

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: stockwatering purposes

- (7) If you are claiming water as a member of an organization, list name of organization:

---

RGE 13 E

TWP 1 S

7 \*

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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.

that the matters and facts therein are true to the best of

Nancy Johnson  
(Claimant), 1976.

Rich Brown  
Notary Public  
Residing at Ogden, Utah

**For Department Use Only**

Received by LM Date 10-14-76  
Prelim. check by mts Date \_\_\_\_\_  
\$10.00 fee received by LM Date 10-19-76  
Approved for publication by RJK- 10-20-76  
Published in Gooding County Leader 10-20-76  
Dates 10-28 & 11-4-76

|                            |                                      |             |
|----------------------------|--------------------------------------|-------------|
| <b>Exception filed by:</b> | <b>Forwarded to<br/>claimant by:</b> | <b>Date</b> |
| _____                      | _____                                | _____       |
| _____                      | _____                                | _____       |

#2230

DLP



# **AFFIDAVIT of PUBLICATION**

State of **NOV 8 1976** SS.  
County of Gooding

Department of Water Resources  
Southern District Office

Kim R. Compton, 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 28 day of October 19 76, and the date of the last publication was on the 4 day of November 19 76

Subscribed and sworn to before me this 4

day of November, 19 76  
(SEAL)

Carmen Muir  
NOTARY PUBLIC

## **GOODING COUNTY LEADER**

Gooding, Idaho

## **COST OF PUBLICATION**

|                               |              |            |
|-------------------------------|--------------|------------|
| Number of Lines in Notice     | <u>36</u>    | <u>36</u>  |
| Number of Insertions          | <u>2</u>     | <u>2</u>   |
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| <u>36</u> Subsequent lines at | <u>36</u>    | <u>15c</u> |
| TOTAL COST                    | <u>12.96</u> |            |

## **COPY OF NOTICE**

NO. 22-222

Notice is hereby given that Harvey Ashmead, 719 E. Center, Kayaville, Utah 84037 has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from unnamed spring with point of diversion in the SW 1/4 NE 1/4, Sec. 7, Twp. 1S., Rge. 13E., B.M., Camas County.

The water is claimed to be used from Jan. 1 to Dec. 31 with a priority of Fall 1966 the place of use is within the SW 1/4 NE 1/4, Sec. 7, Twp. 1S., Rge. 13E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301.

/S/ B. KEITH HIGGINS  
Director

Pub: 11-9-76

## **PUBLICATION RATES**

(Idaho Code, Rev. Statutes 1971)

|                                       |      |
|---------------------------------------|------|
| 7 pt. per line, straight              | 21c  |
| 7 pt. per line, tabular               | 315c |
| 7 pt. per line, successive insertions | 15c  |

16937

Nº 1012

O-K  
LM  
11-9-76

WATER RIGHT NUMBER 37-4074

WATER RIGHTS EDIT REPORT

12/07/79

PAGE 258

ACT  
ION

N OWNER LAST NAME - ASHMEAD

FIRST NAME - HARVEY

N ADDRESS LINE 1 - 719 E. CENTER

CITY - KAYSVILLE

STATE - UT ZIP CODE - 84037

N SOURCE - SPRING

N STAGE - STATRY CLM

PRIORITY - 06-01-1940 COUNTY - CAMAS

TOTAL DIV. RATE -

.0200CFS

N DIVERSION POINT - SWNE 07 01S 13E

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0200CFS

N USE - STOCKWATER

PLACE OF USE - TWN 01S RNG 13E SEC 07 TRACT SWNE

6000

IDENT. NO. 37.4074

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]

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 37-4074  
 Old No. New No.

## Record

1. Original Owner: Harvey Ashmead

Present Owner: \_\_\_\_\_

2. Address: 719 E. Center

3. City: Kaysville State: UT Zip: 84037

4. A. Source of Water: spring

B. Tributary of: \_\_\_\_\_

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1940

D. County: 25

E. Total Diversion Rate: .02

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

|                          | Tract       | Sec.     | Twp.      | Rge.       | Gov't Lot | Rediv. |
|--------------------------|-------------|----------|-----------|------------|-----------|--------|
| 6. A. Point of Diversion | <u>SWNE</u> | <u>7</u> | <u>18</u> | <u>13E</u> |           |        |
|                          |             |          |           |            |           |        |
|                          |             |          |           |            |           |        |
|                          |             |          |           |            |           |        |
|                          |             |          |           |            |           |        |

## 7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for S purposes. Amount .02  
 (cfs or ~~AG~~-FT/yr)

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_



November 16, 1976

Harvey Ashmead  
719 E. Center  
Kaysville, Utah 84037

Re: Claim to a Water Right No. 37-4074 - Harvey Ashmead

Dear Mr. Ashmead:

The Department of Water Resources 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 a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Michael L. Steele  
Southern Region Supervisor

MLS:lm

Enclosure

NOTICE OF CLAIM TO A WATER RIGHT

NO. 37-4074

Notice is hereby given that Harvey Ashmead

719 E. Center, Kaysville, Utah 84037

has filed a claim to a water right established by diversion and application  
to beneficial use of 0.02 cubic feet per second ~~at xxxxxxxxxx~~

of water from unnamed spring

with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 7, Twp. 1S., Rge. 13E., B.M.,

Camas County

The water is claimed to be used from Jan. 1 to Dec. 31

with a priority of Fall, 1940;

the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 7, Twp. 1S., Rge. 13E., B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,  
Idaho, 83301 ~~xxxxxxx before~~ \_\_\_\_\_.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader

on October 28 and November 4, 1976

*Copy sent to Boise 10-20-76*  
*17*

LEGAL — 1e

**NOTICE OF CLAIM TO  
A WATER RIGHT**

NO. 37-4074

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Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301.

/S/ R. KEITH HIGGINSON  
Director

Pub: 10-28; 11-1

October 19, 1976

Gooding County Leader  
Box 56  
Gooding, Idaho 83330

Re: Application for Permit #37-7535, Application for Permit #37-7536 and  
Gentlemen: Claim for a Water Right #37-4074 - Harvey Ashmead

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele  
Southern Regional Supervisor

MLS:lm

Encl.

Bill submitted: 11-9-76

October 19, 1976

Harvey Ashmead  
719 E. Center  
Kaysville, Utah 84037

Re: Application for Permit #37-7535, Application for Permit #37-7536,  
Claim to a Water Right #37-4074 - Harvey Ashmead

Dear Mr. Ashmead:

Enclosed is your Receipt No. 2230 for Check No. 97-119 (1073) in the amount of \$150.00 for the above referenced applications for Permit and Claim to a Water Right which was recieved in this office October 14, 1976.

Sincerely,

L. Madron  
Secretary

Encl.

