

AFFIDAVIT OF PUBLICATION

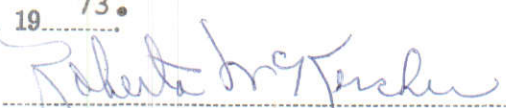
STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 22nd day of FEBRUARY, 1973 and ending with the last publication thereof on the 1st day of MARCH, 1973.

Cost of this publication is \$ 11.15.


GEORGE T. FRITZ

Subscribed and sworn to before me, this 1st day
of MARCH, 1973.


Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT NO. 37-4035

Notice is hereby given that Wilbur Bell, 809 Mountain View Drive, Twin Falls, ID has filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from an unnamed spring, tributary to Big Wood River with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 5N, R. 17E, B.M., Blaine County.

The water is claimed to be used from May 15 to Oct. 1 for the irrigation of $\frac{1}{2}$ acre; with a priority of April 1961; the place of use is within the Lot 4, Block 2, Eagle Creek Meadows Subdivision, Sec. 14, T. 5N, R. 17E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Hailey, ID on Feb. 22 and March 1, 1973.

37 4035

Identification No. _____
Claim No. 37-4035
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 Wilbur Bell
post office address 809 Mountain View Drive, Twin Falls, ID 83301
2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 14 Township 5N
Range 17E B.M. located on Unnamed Spring
(name of source)
tributary to Big Wood River in Blaine 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 1961 amount: .02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .02 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 May 15 to Oct. 1 (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 rock dam, pump
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known Dug out spring on Forest Service land and installed rock to divert into main stream channel.
Installed rock in main channel to pool water for pump suction to irrigate about one half acre of land.

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 _____

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 _____; immediately from pump discharge maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is one inches; type of pipe plastic; 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 No change

- 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 1/2

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____
None

_____. The other users and their respective interests in the ditch are (if known) _____

name of town supplied _____

giving dates and quantities_____

[illegible]

State of Idaho }
County of Twin Falls } 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.

to the best of the affiants knowledge.

Walter Reed
Claimant

Sworn to before me this 13th day of February, 1973

Walton Reef
Claimant

Amita L. Warmjes
Notary Public

Residing at Lucas Falls

My commission expires Aug 2, 1976

For Department Use Only

Received by WAF Date 2/13/73

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by DA Date 2-13-73 # 9564

Fee received by ALW Date 2-13-73 Fee \$ 10.00

Approved for publication by PSN

Published in Wood River Journal Dates 2-22 &

alw 3-1-73

37 4085

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Blaine, } ss.

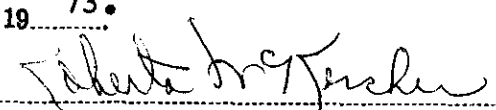
GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 22nd day of FEBRUARY, 1973 and ending with the last publication thereof on the 1st day of MARCH, 1973.

Cost of this publication is \$ 11.15


GEORGE T. FRITZ

1st

Subscribed and sworn to before me, this _____ day
of MARCH, 1973.


Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

TO A WATER RIGHT
NO. 21-222

Notice is hereby given that Water Right No. 21-222, which Dated, March 1973, is hereby a claim of a water right established by priority and application for a water right of 02 cubic feet per second of water from an underground tributary to the Wood River with point of diversion in the SW 1/4, Sec. 14, T. 5N, R. 17E, B.M., Blaine County.

The water is claimed to be used from May 15 to Oct. 1 for the irrigation of 1/2 acre, with a priority of April 1973, the place of use is within the Lot 4, Block 2, Eagle Creek Meadows Subdivision, Sec. 14, T. 5N, R. 17E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1001 Blue Lakes Boulevard North, Twin Falls, Idaho, 83421.

R. L. JOHNSON
Director

Published in the Wood River Journal, Hailey, ID on Feb. 22

WATER RIGHT NUMBER 37-4035

WATER RIGHTS EDIT REPORT

12/07/79

PAGE 219

ACT
ION

N OWNER LAST NAME - BELL FIRST NAME - WILBUR
N ADDRESS LINE 1 - 809 MOUNTAIN VIEW DR.
N CITY - TWIN FALLS STATE - ID ZIP CODE - 83301
N SOURCE - SPRING TRIBUTARY OF - BIG WOOD RIVER
N STAGE - STATRY CLM PRIORITY - 04-01-1961 COUNTY - BLAINE TOTAL DIV. RATE - .0200CFS
N DIVERSION POINT - SNNW 14 05N 17E
N FROM - 05-15 TO - 10-01 USE - IRRIGATION USE DIV. RATE - .0200CFS
N REMARKS - P/U IN LOT 4, BLK. 2, S14, T5N, R17E, EAGLE CK. MEADOWS SUBD.

3/79

IDENT. NO. 37-4035

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

- | | Tract | Sec. | Twp. | Rge. | Gov't
Lot | Rediv. |
|--------------------------|-------|------|------|------|--------------|--------|
| 6. A. Point of Diversion | SWNW | 14 | 5N | 17E | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

- [illegible]

Ac 11-2

8. Use Code: see remark

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. S/M in Lot 4, Blk. 2, S1/4, T5N, R17E, Eagle Ck.
B. Meadows Subd.
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):

March 12, 1973

RE: Claim to a Water Right No. 37-4035 - Wilbur Bell

Mr. Wilbur Bell
309 Mountain View Drive
Twin Falls, ID 83301

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 42-225a 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: Claim

37 4035

February 15, 1973

Re: Application No. 37-7202 - Lane Company, A Partnership
Claim No. 37-4035 - Wilbur Bell

Wood River Journal
P. O. Box 988
Hailey, ID 83333

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 (2)

Bill submitted 3-6-73 by alw

37 4035

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to beneficial use of .02 cubic feet per second ~~XXXX XXXX XXX XXXXX~~
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with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 5N, R. 17E, B.M.,
Blaine County

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Falls, Idaho, 83301.

R. KEITH HIGGINSON

Director

Published in the Wood River Journal, Hailey, ID
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R. KEITH HIGGINSON
Director

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OK
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