

Affidavit of Publication

RECEIVED

State of Idaho, }
County of Gooding } ss.

MAY 5 1972

Department of Water Administration

Mary Ann 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 27 day

of April, 1972 and the date of the last publication

was on the 4 day of May, 1972

Subscribed and sworn to before me this 4

day of May, 1972
(SEAL)

Audrey 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

Claim to Water Right
Title of Notice

V. W. Carson
Plaintiff Attorney

NOTICE OF CLAIM TO A WATER RIGHT No. 37-4020

Notice is hereby given that V. W. Carson, Star Route, Bliss, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.09 cubic feet per second of water from an Unnamed Spring with point of diversion in the NE 1/4, SE 1/4, Sec. 21, T. 6S, R. 13E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes; and from March 15 to Nov. 15 for the irrigation of 3 acres with a priority of June, 1954; the place of use is within the SE 1/4 NW 1/4, Sec. 21, T. 6S, 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, 83707.

R. KEITH HIGGINSON
Director

4-27-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions.....10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions.....10c

No 1490

37 4020

Identification No. _____
Claim No. 37-4020
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 V. W. Carson
post office address Star Route, Bliss, Idaho 83314
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 21 Township 6S
Range 13E B.M. located on unnamed spring
(name of source)
tributary to Snake River 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:
June, 1954 amount: .09 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .09 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:
.06 use Irrigation period of use from March 15 to Nov. 15 (both dates inclusive)
.01 use Stockwater period of use from Jan. 1 to Dec. 31 (both dates inclusive)
.02 use Domestic period of use from Jan. 1 to Dec. 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 concrete
diversion dam; length is 10 feet; height is 3 feet;
width at bottom is 12" feet; with at top is 8" 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 _____
_____;

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 1300 feet; diameter of pipe line is 16 inches; type of pipe cement; 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 3

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? Yes. If yes, give the name of the ditch
O. S. Smith owns the cement pipe. 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 25 head of 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
Mr. Carson receives his water by means of a concrete pipe owned by O. S. Smith.
The water is tapped directly from the pipe and is used for irrigation, stockwater
and domestic purposes.

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

20

day of

April

1972

Residing at

My commission expires

2-18-1974

D. W. Carson
Claimant

Donald R. Eddy
Notary Public

Boise Idaho

Rec'd # 8335 For Department Use Only

Received by FE

Date

4/20/72

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by FE

Date

4/20/72

Fee received by FE

Date

4/24/72 Fee \$10.00

Approved for publication by A

Published in

Gooding Cty. LEADER Dates 4-27-5-4-72

37 4020

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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Affidavit of Publication

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State of Idaho, }
County of Gooding } ss.

Department of Water Administration

Mary Ann 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 27 day of April, 1972, and the date of the last publication was on the 4 day of May, 1972

Subscribed and sworn to before me this 4

day of May, 1972
(SEAL)

Ludwig C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

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V. W. Carson
Plaintiff Attorney

NOTICE OF WATER RIGHT
No. 37-4020

Notice is hereby given that V. W. Carson, Stat Route, Bliss, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.09 cubic feet per second of water from an Unnamed Spring with point of diversion in the NE 1/4 SE 1/4, Sec. 21, T. 6S, R. 13E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes; and from March 15 to Nov. 15 for the irrigation of 3 acres with a priority of June, 1964; the place of use is within the SE 1/4 NW 1/4, Sec. 21, T. 6S, 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, 83707.

R. KEITH HIGGINSON

Director

Idaho Department of Water Administration

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No 1490

37 4020

ACT
ION

N OWNER LAST NAME - CARSON

FIRST NAME - V. W.

N ADDRESS LINE 1 - STAR RT.

N

CITY - BLISS

STATE - ID ZIP CODE - 83314

N SOURCE - SPRING

TRIBUTARY OF - SNAKE RIVER

N STAGE - STATRY CLM

PRIORITY - 06-01-1954

COUNTY - GOODING

TOTAL DIV. RATE -

.0900CFS

N DIVERSION POINT - NESE 21 06S 13E

N FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE - .0600CFS

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

USE DIV. RATE - .0200CFS

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

USE DIV. RATE - .0100CFS

N USE - IRRIGATION

PLACE OF USE - T1N 06S R1G 13E SEC 21 TRACT SENW

AC 03

N NON IRRIG USE - S/25 RANGE.

4000

IDENT. NO. 37-4020

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. 137-4020
 Old No. _____ New No. _____

Record

1. Original Owner: V.W. Carson

Present Owner: _____

2. Address: Star Rt.

3. City: Blas State: 10 Zip: 83314

4. A. Source of Water: spring

B. Tributary of: Snake River

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: 6-1-1954

D. County: 47

E. Total Diversion Rate: .09

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>NESE</u>	<u>21</u>	<u>6S</u>	<u>13E</u>		

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

from 8-15 to 11-15 for A purposes. Amount .06
 (cfs or AC-FT/yr)

from 1-1 to 12-31 for D purposes. Amount .02

from 1-1 to 12-31 for S purposes. Amount .01

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

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

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

5/25 range.

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):

May 22, 1972

Re: Claim to a Water Right No. 37-4020

V. W. Carson
Star Route
Bliss, Idaho 83314

Dear Mr. Carson:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 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
Water Rights Supervisor
State Office

DWM:CR

Enc: copy of claim

bc: Southern District Office

37 4020

April 21, 1972

Re: Application No. 36-7231 - Bureau of Land Management
" " 36-7233 - Vay M. &/or Jean Cook
" " 36-7234 - Floyd J. Langford
Claim No. 36-4020 - " " "
" " 37-4020 - V. W. Carson

Gooding County Leader
Box 56
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 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:CR

Enc: Legal Notices (5)

Bill submitted 5-4-72 CR

37 4020

NOTICE OF CLAIM TO A WATER RIGHT

No. 37-4020

Notice is hereby given that V. W. Carson, Star Route,

Bliss, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.09 cubic feet per second ~~more or less~~ of water from an Unnamed Spring

with point of diversion in the NE¹/₄SE¹/₄, Sec. 21, T. 6S, R. 13E, B.M.,

Gooding County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes; and from March 15 to Nov. 15 for the irrigation of 3 acres with a priority of June, 1954;

the place of use is within the SE¹/₄NW¹/₄, Sec. 21, T. 6S, 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, 83707,

~~on or before~~

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader, Gooding, Idaho

on April 27 and May 4, 1972.

Need Galley Proof
**NOTICE OF CLAIM TO
A WATER RIGHT**
No. 37-4020

Notice is hereby given that
V. W. Carson, Star Route,
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feet per second of water from
an Unnamed Spring with
point of diversion in the NE $\frac{1}{4}$
SE $\frac{1}{4}$, Sec. 21, T. 6S, R. 13E,
B.M., Gooding County.

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Sec. 21, T. 6S, R. 13E, B.M.

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Statehouse, Boise, Idaho,
83707.

R. KEITH HIGGINSON
Director

4-27-2tc

OK
4-27-12
37 4020