

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Al 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 18 day of March, 1921, and the date of the last publication was on the 25 day of March, 1921.

Subscribed and sworn to before me this 26

day of March, 1921.
(SEAL)

Andrew 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.....

37 4012

COPY OF NOTICE

Title of Notice

NOTICE OF CLAIM TO A WATER RIGHT No. 47-4010

Notice is hereby given that Idaho Power Company, P.O. Box 70, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.0 cubic feet per second of water from two unnamed springs, tributary to the Snake River with point of diversion in Lot 5, Sec. 12, T. 6S, R. 12E, B.M., Gooding County.

The water is claimed to be used from April 1 to Nov. 1 for irrigation and from Jan. 1 to Dec. 31 for stock watering purposes with a priority of 1933; the place of use is within the W 1/2 of Lot 2, Sec. 7, 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.

R. Keith Higginson
Director

3-18-2tc

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 1067

37 4012

Identification #
Claim No. 37-4012
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 Idaho Power Company
post office address P O Box 70, Boise, Idaho 83707
2. The point of diversion is in Lot 5 ~~XXXXXXX~~ Section 12 Township 6 South
Range 12 East B.M. located on 2 springs
(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:
Since 1933 amount: Approx 1 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: Approx 1 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 Irrigation period of use from April 1 to Nov 1 (both dates inclusive)
use Stock Watering (20 head) period of use from Jan 1 to Dec 31 (both dates inclusive)
use " " (130 head) period of use from Jan 1 to April 1 (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; with at top is _____ feet; explain any increase in diversion capacity since structure was first buil, giving dates and estimated capacities if known Water from 2 springs flows down side of canyon in natural channel and is collected in open, earthen ditches and directed to cultivated fields for irrigation purposes.
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 _____ ;

37 4012

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 1,000 feet; width of ditch at top is 1½ feet; width of bottom of ditch is 1 feet; depth of water is 10 ^{inches} ~~feet~~; grade of ditch per 1000 feet is 2 feet; material through which ditch passes is earth and rock; maximum length of pipe line to first place of use is -- feet; diameter of pipe line is -- inches; type of pipe --; 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. None

- d. If water is stored: name of reservoir Not Applicable;
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 18

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

b. Do you get water through a ditch owned by several users? No 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 20 head of cattle Jan 1 - Dec 31; 130 head cattle Jan 1 - April 1

7. Where water is used for domestic or municipal purposes give number of families served None name of town supplied None

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 The water from these springs has been used continuously for irrigation of the lands described since 1933.

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.

IDAHO POWER COMPANY

By

W. S. Bailey

Claimant **VICE PRESIDENT**

Sworn to before me this 26th day of February, 1971.

Mary L. Morton
Notary Public

Residing at Bonanza, Idaho

My commission expires April 1, 1972

For Department Use Only

Received by <u>D. H. H.</u>	Date <u>2-26-71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>D. H. H.</u>	Date <u>2-26-71</u>			
Fee received by <u>D. H. H.</u>	Date <u>2-26-71</u>	Fee \$ <u>10.00</u>		
Approved for publication by				
Published in <u>Gooding County Leader</u>	Dates <u>3-18 & 3-25, 1971</u>			

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

State of Idaho, }
County of Gooding } ss.

Al Hazen 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 18 day of March, 1921, and the date of the last publication was on the 25 day of March, 1921.

Al Hazen
Subscribed and sworn to before me this 26

day of March, 1921.
(SEAL)

Andrew 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.....

37 4012

COPY OF NOTICE

Title of Notice

Idaho Power Company
No. 47-4012

Notice is hereby given that Idaho Power Company, P.O. Box 70, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.0 cubic feet per second of water from two unnamed springs, tributary to the Snake River with point of diversion in Lot 5, Sec. 12, T. 6S, R. 12E, B.M., Gooding County.

The water is claimed to be used from April 1 to Nov. 1 for irrigation and from Jan. 1 to Dec. 31 for stock watering purposes with a priority of 1923; the place of use is within the W 1/2 of Lot 2, Sec. 7, T. 6S, R. 12E, B.M.

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

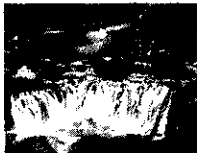
Idaho Power Company

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 1067

37 4012

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

BOX 70 * BOISE, IDAHO 83707

April 21, 1971

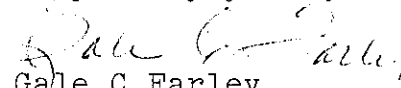
R Keith Higginson, Director
State of Idaho
Department of Water Administration
Statehouse
Boise, Idaho 83707

Re: 37-4012

Dear Mr Higginson:

Enclosed is copy of letter which we wish to
file with the above numbered claim to water right in
accordance with my conversation with Steve Allred.

Very truly yours,


Gale C Farley
Agent

GCF:bp

Encl

37 4012

We, the children of Fred and Edith Colvin, so solemnly swear that the water from all the springs above the property now farmed by Horace Lipe has been used for irrigation on the farming ground since approximately 1918. At this time our parents purchased the adjoining land, and farmed it and the dam sight land as well, building the first house upon the property. To our knowledge, the water has been used continuously since that time.

Frederic Calvin Thompson
Grace Calvin Thompson
Laura Colvin McArthur

This letter obtained by L. P. Russell, L P Co, 4/17/71.

J

37-4012

April 19, 1971

Idaho Power Company
P.O. Box 70
Boise, Idaho 83701

Gentlemen:

Please be advised that your Claim to a Water Right No. 47-4010 has been re-numbered to 37-4012. We would appreciate your changing the number on your records. Thank you.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

37 4012

April 7, 1971

Re: Claim to a Water Right No. ~~47-4010~~ 37-4012

Idaho Power Company
P. O. Box 70
Boise, Idaho 83707

Gentlemen:

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, 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
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

37 4012

Need Galley Proof

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 47-4010

Notice is hereby given that Idaho Power Company, P.O. Box 70, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.0 cubic feet per second of water from two unnamed springs, tributary to the Snake River with point of diversion in Lot 5, Sec. 12, T. 6S, R. 12E, B.M., Gooding County.

The water is claimed to be used from April 1 to Nov. 1 for irrigation and from Jan. 1 to Dec. 31 for stock watering purposes with a priority of 1933; the place of use is within the W ½ of Lot 2, Sec. 7, 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.

R. Keith Higginson
Director

3-18-2tc

O.K.
3-16-71
B.B.

37 4012

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higgins
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 10, 1971

Re: Applications No. ~~36-7162~~
Claim No. ~~47-4010~~ 36-7162 - George Lemmon
37-4012 Idaho Power Company

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 our 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 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

Bill submitted 4-7-71 by DM

DWM:DR
Enc; Legal notices (3)

37 4012

NOTICE OF CLAIM TO A WATER RIGHT

No. 47-4010

Notice is hereby given that Idaho Power Company, P.O. Box 70,
Boise, Idaho,
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 1.0 cubic feet per second ~~acresfeet~~
of water from two unnamed springs, tributary to the Snake River
with point of diversion in ~~the~~ Lot 5, Sec. 12, T. 6S, R. 12E, B.M.,
Gooding County.

The water is claimed to be used from April 1 to Nov. 1 for irrigation
and from Jan. 1 to Dec. 31 for stock watering purposes
with a priority of 1933;
the place of use is within the W₁ of Lot 2, Sec. 7, 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.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader, Gooding, Idaho,
on March 18 and March 25, 1971.