

Affidavit of Publication

RECEIVED

JUN 9 1970

State of Idaho, }
County of Gooding } SS.

Department of Reclamation

Thomas D. Miller, 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 May, 1970, and the date of the last publication was on the 4 day of June, 1970

Thomas D. Miller

Subscribed and sworn to before me this 5

day of June, 1970
(SEAL)

Andrew C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....

Number of Insertions

Lines at 14c

Lines at 10c

TOTAL COST

COPY OF NOTICE NOTICE OF CLAIM TO A WATER RIGHT NO. 37-4011

Notice is hereby given that Rex Barlogi, Star Route, Bliss, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.8 cubic feet per second of water from an unnamed spring at the head of Short Cr., tributary to the Sinks with point of diversion in the NW 1/4 NW 1/4 Sec. 27, T. 6S, R. 13E, B.M., Gooding County; the water is claimed to be used from April 1 to October 31 for irrigative and from Jan. 1 to Dec. 31 for stockwater with a priority of April 1, 1918; the place of use is within the NW 1/4 NW 1/4, SE 1/4 SE 1/4 Sec. 27, NE 1/4 NE 1/4 Sec. 28, T. 6S, R. 13E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. Keith Higginson
State Reclamation
Engineer

5-28-2tc

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
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6 pt. per line, successive	
insertion.....	10c

No 804

37-4011

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Thomas L. Miller
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Andrey C. Belsher
(SEAL) NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

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Duplicate No. 804

37-4011

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Thomas D. Miller
Subscribed and sworn to before me this 5 day of June, 1970
(SEAL)

Audrey C. Balch
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

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insertion	10c

Duplicate No. 804

37-4011

Identification No. _____

Claim No. 37-4011

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Ray Barlogi
post office address Bliss Idaho Star Route 83314
2. The point of diversion is in NW 1/4 of NW 1/4 Section 27 Township 6S
Range 13E B.M. located on Spring head of Short Creek
(name of source)
tributary to Sinko 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:

April 1st 1918 amount: 0.8 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 Farming period of use from April 1 to Oct 31 (both dates inclusive)
use Stock water period of use from Jan 1 to Dec 31 (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 Concrete Dam
_____ ; length is 10 ft feet; height is 3 1/2 feet;
width at bottom is 9 in feet; width at top is 9 in 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 _____

37-4011

- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. This Pipe is under State

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. This pipe is under State Highway 30 and was changed by State Highway Dept. when the present Highway 30 was built

- 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 _____

- [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? 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 25 Steers

7. Where water is used for domestic or municipal purposes give number of families served _____
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

I have an affidavit on record in
Gooding County as to the date of
first use

State of Idaho

County of Gooding

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 13th day of May, 1970.

Rex Barlog
Claimant

David P. M. Brown
Notary Public

Residing at Hagerman, Idaho

My commission expires 7-13-71

For Department Use Only

Received by <u>cf</u>	Date <u>5-14-70</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>da</u>	Date <u>5-15-70</u>	<u>with #4645</u>		
Fee received by <u>cf</u>	Date <u>5-15-70</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>cf</u>				
Published in <u>Gooding Leader</u>	Dates <u>5-28 & 6-4-1970</u>			

37-4011

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.</u> or <u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or <u> </u> acre feet
	Total claimed:		<u>1.2 c.f.s.</u> or <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.

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Thomas O. Miller

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(SEAL)

Andrew C. Belcher
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

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Nº

804

37-4011

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GOODING COUNTY LEADER

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 37-4011

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R. Keith Higginson
State Reclamation
Engineer

5-22-2tc

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(SEAL)

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NOTARY PUBLIC

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R. Keith Higginson
State Reclamation
Engineer

5-28-21c

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37-4011

WATER RIGHT NUMBER 37-4011

WATER RIGHTS EDIT REPORT

12/07/79

PAGE 195

ACT
ION

N OWNER LAST NAME - BARLOGI

FIRST NAME - REX

N ADDRESS LINE 1 - REX RT.

CITY - BLISS

STATE - ID ZIP CODE - 83314

N SOURCE - SPRING

N STAGE - STATRY CLM

PRIORITY - 04-01-1918 COUNTY - GOODING TOTAL DIV. RATE - .8000CFS

N DIVERSION POINT - NWNW 27 06S 13E

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .8000CFS

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

N USE - IRRIGATION

PLACE OF USE - TWN 06S RNG 13E SEC 27 TRACT NWNW

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N USE - IRRIGATION

PLACE OF USE - TWN 06S RNG 13E SEC 28 TRACT NENE

AC 02

N REMARKS - AC. IRR.=32.

N NON IRRIG USE - S/25 RANGE.

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. 137-4011
 Old No. _____ New No. _____

Record

1. Original Owner: Rex Barlogi

Present Owner: _____

2. Address: Star Rt.

3. City: Bliss State: 10 Zip: 83314

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: 4-1-1918

D. County: 47

E. Total Diversion Rate: .8

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>NW/4</u>	<u>27</u>	<u>6S</u>	<u>13E</u>		

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

from 4-1 to 10-31 for A purposes. Amount .8
 (cfs or AC FT/yr)

from 1-1 to 12-31 for S 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 _____

June 17, 1970

Re: Claim to a Water Right No. 37-4011

Mr. Rex Barlogi
Star Route
Bliss, Idaho 83314

Dear Mr. Barlogi:

The Department of Reclamation has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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
Receipt No. 4645

37-4011

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 37-4011**

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R. Keith Higginson
State Reclamation
Engineer

5-28-2tc



DON SAMUELSON
GOVERNOR



P. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

May 20, 1970

Re: Claim to a Water Right No. 37-4009 - Sheldon E. Condit & Leona C. Storer
37-4010 - Rex Barlogi
(37-4011) - Rex Barlogi

Gooding 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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Legal notices (3)

*Bill submitted
6-9-70
dr*

37-4011

NOTICE OF CLAIM TO A WATER RIGHT

No. 37-4011

Notice is hereby given that Rex Barlogi, Star Route, Bliss,
Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of 0.8
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of Short Cr., tributary to the ^{Sinks} / with point of diversion in the NW~~NE~~ NW~~SE~~
Sec. 27, T. 6S, R. 13E, B.M., Gooding County; the water is
claimed to be used from April 1 to Oct. 31 for irrigation and from
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SE~~NE~~ Sec. 27, NE~~NE~~ Sec. 28, T. 6S, R. 13E, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Gooding Leader, Gooding, Idaho,
on May 28 and June 4, 1970.

to

37-4011