

RECEIVED

OCT 11 1972

Affidavit of Publication

NOTICE OF CLAIM TO A WATER RIGHT No. 63-4153

Notice is hereby given that JOHN L. GARRETT, 1209 N. Roosevelt, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.56 cubic feet per second of water from Strawberry Creek, tributary to Smith Creek, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 2 N, R. 7 E, B. M., Elmore County.

The water is claimed to be

used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Sept. 15 for the irrigation of 26 acres and from Mar. 1 to Oct. 31 for stock water purposes, all within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 2 N, R. 7 E, 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 June 26, 1972.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho, on June 8 and 15, 1972.

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

Two consecutive weeks, the first publication having been made on the ..8th.... day
of June 19⁷², and
the last publication having been made on the
..15th..... day of ..June.....

19.72.....; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this ..7th....

day of October 19.72

Urian M. Waters
Notary Public

63 4153

21
413

Identification No. _____
Claim No. 63-4153 P
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 John L. Garrett
post office address 1209 N. Rosevelt, Boise, Idaho
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 1 Township 2N
Range 7E B.M. located on Strawberry Creek
(name of source)
tributary to Smith Creek in Elmore 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:

<u>x Sept. 1928</u>	amount:	<u>.02</u>	c.f.s. or	acre feet
<u>x "</u>	amount:	<u>.52</u>	c.f.s. or	acre feet
<u>x "</u>	amount:	<u>.02</u>	c.f.s. or	acre feet
Total claimed			<u>.56</u>	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 domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use irrigation period of use from Apr. 1 to Sept. 15 (both dates inclusive)
use stockwater period of use from Mar. 1 to Oct. 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 earth & rock
_____ ; length is 15 feet; height is 3 feet;
width at bottom is 15 feet; with at top is 3 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known none

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 _____

~~approximately~~

- c. Conveying works: length of ditch to place of use is $\frac{1}{4}$ mile 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 _____ 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 _____

- 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 no, 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 26

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

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

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Sept. 15 for the irrigation of 26 acres and from Mar. 1 to Oct. 31 for stock water purposes, all within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 2 N., R. 7 E., 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 June 26, 1972.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho, on June 8 and 15, 1972.

County of Elmore }
STATE OF IDAHO } ss.

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solemnly swear that I am the foreman, or
publisher of the

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Two consecutive weeks, the first publication having been made on the ..8th.... day
of June 19⁷²., and
the last publication having been made on the
..15th..... day of ..June.....

19⁷².....; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this ..7th.....
day of October 19⁷².

William M. Waters
Notary Public

63 4153

WATER RIGHT NUMBER 63-4153

ACT
ION

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 33

FIRST NAME - JOHN L.

OWNER LAST NAME - GARRETT
ADDRESS LINE 1 - 1209 N. ROOSEVELT

CITY - BOISE

STATE - ID. ZIP CODE - 83701

TRIBUTARY OF - SMITH CREEK

PRIORITY - 09-01-1928 COUNTY - EDMORE

TOTAL DIV. RATE -

.5600CFS

USE DIV. RATE - .5200CFS

USE DIV. RATE - .0200CFS

USE DIV. RATE - .0200CFS

PLACE OF USE - Twn 02N Rng 07E Sec 01 Tract NESE

AC 26

SOURCE - STRAWBERRY CREEK
STAGE - STATRY CLM
DIVERSION POINT - NESE 01 02N 07E
FROM - 04-01 TO - 09-15 USE - IRRIGATION
FROM - 03-01 TO - 10-31 USE - STOCKWATER
FROM - 01-01 TO - 12-31 USE - DOMESTIC
USE - IRRIGATION
NON IRRIG USE - S/16 D/1 HOME

6000

IDENT. NO. 63-1153

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. 163-4153
Old No. New No.

Record

1. Original Owner: John L. Garrett

Present Owner: _____

2. Address: 1209 N. Roosevelt3. City: Boise State: Id Zip: _____4. A. Source of Water: Strawberry CreekB. Tributary of: Smith Creek5. A. Stage (A,P,L,D,S,J): I

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

C. Priority Date: 9-1-1928D. County: 39E. Total Diversion Rate: .56

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>1</u>	<u>2N</u>	<u>7E</u>		

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

from 4-1 to 9-15 for A purposes. Amount .52
(cfs or AC-FT/yr)from 3-1 to 10-31 for I purposes. Amount .02 cfsfrom 1-1 to 12-31 for D purposes. Amount .02 cfs

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

May 3, 1974

Erl D. Simpson
560 Phelps Circle
Mountain Home, ID 83647

Re: Claim No. 63-4153 - John Garrett

Dear Mr. Simpson:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Idaho Code, Section 42-225b):

42-225b. Recording of claims by department--Corrections--

"At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration, July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions concerning this matter, please contact us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

63-4153

May 3, 1974

John L. Garrett
1209 N. Roosevelt
Boise, ID 83704

Re: Claim to a Water Right No. 63-4153

Dear Mr. Garrett:

We are enclosing a copy of the correspondence we received concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Idaho Code, Section 42-225b):

42-225b. Recording of claims by department--Corrections--

"At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration, July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

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If you have any questions concerning this matter, please contact us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

Enclosure

63-4153

560 Phelps Circle
Mtn. Home, Idaho 83647
April 29, 1974

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Kenneth H. Foit
Western District Engineer
614 State Street
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED

Dear Mr. Foit:

Re: John Garrett claim to water
right (#63-4153)

Please consider this letter a formal protest on a claim to water right
#63-4153 filed by John Garrett of 1209 Roosevelt, Boise, Idaho.

Enclosed are copies of affidavits from Clyde J. Cook and myself. My
acreage was determined by ready-mapper on the ground. Since Garrett
has not irrigated for five years I feel his claim should be revoked.
However, if you decide he may still have a claim it should be reduced to
actual acres that have been irrigated, and also put in a proper dam and
measuring devise.

Garrett has knowingly filed for more acres than has ever been irrigated.
This act and his failure to irrigate for five years should be grounds for
any claim which he may have had to revert back to the State of Idaho.

Sincerely,

Erl D. Simpson

Erl D. Simpson

EDS:ms

Enclosures

63-4153

RECEIVED

AFFIDAVIT

STATE OF IDAHO, }
COUNTY OF ELMORE, } ss.

CLYDE J. COOK, first being sworn, deposes and says as follows:

That this affiant has lived on Smith Prairie for the last twenty years.

That John L. Garrett of Boise, Idaho, claims ownership of the west two thirds of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T 2 N R 7 E, Boise Meridian, and that John L. Garrett has made a claim to a water right which he says has been established by prior use #63-4153. There used to be a dam in Strawberry Creek where water was ditched and piped to Garrett's cabin. This system was not capable of irrigating more than three acres. This system is now completely deteriorated as the dam and ditch are washed out. The system has not been used for any practical irrigation purpose since the spring of 1969.

Clyde J. Cook
Clyde J. Cook

SUBSCRIBED AND SWORN To before me this 27th day of March, 1974.

(SEAL)

Richard M. Cook
Notary Public for Idaho
Residing at : Mtn Home, Idaho

AFFIDAVIT

RECEIVED

STATE OF IDAHO, }
COUNTY OF ELMORE, } ss.

ERL D. SIMPSON, first being sworn, deposes and says as follows:

That this affiant owns land on Smith Prairie, Idaho, in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 2 N R 7 E and a portion of Lot 7 Section 6, a portion of Lot 1 Section 7, T 2 N R 8 E, Boise Meridian.

That John L. Garrett of Boise, Idaho, claims ownership to the west two thirds of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T 2 N R 7 E, Boise Meridian.

That John L. Garrett has claimed a water right from Strawberry Creek #63-4153 to irrigate twenty six acres on above described land. This claim is supposedly by prior use.

That there has never been twenty six acres irrigated by anyone on above described land which John L. Garrett has made claim to water right by prior use. That there was a ditch which used to come from Strawberry Creek which may have been able to irrigate approximately 2.0 acres of land. This ditch is now mostly deteriorated, and has not been used as the dam in Strawberry Creek has been washed out since approximately the spring of 1969.

These acres were determined by ready-mapping the area which had been irrigated as follows:

1. Strawberry Creek portion	1.4 acres
2. Portion from old reservoir	.58 acres
Total	1.98 acres

There is a meadow in Ruby Creek on above described land which is approximately .7 of an acre. Approximately half could be irrigated with water from Strawberry Creek.

Erl D. Simpson
Erl D. Simpson

SUBSCRIBED AND SWORN To before me this 29th day of April, 1974.

Harold Langrey
Notary Public for Idaho
Residing at:

(SEAL)

February 6, 1974

Erin D. Simpson
560 Phelps Circle
Mountain Home, ID 83647

Re: Claim Nos. 63-4152 & 63-4153 - John Garrett

Dear Mr. Simpson:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Idaho Code, Section 42-225b):

42-225b. Recording of claims by department--Corrections--

"At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration, July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

If you have any questions concerning this matter, please contact us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

63 4153

February 6, 1974

John L. Garrett
1209 N. Roosevelt
Boise, Idaho

Re: Claim Nos. 65-4152 & 65-4153

Dear Mr. Garrett:

We are enclosing a copy of the correspondence we received concerning the above referenced claims to a water right. The following is a quote from the provisions under which these claims have been filed (Idaho Code, Section 42-225b):

42-225b. Recording of claims by department--Corrections--
.....

"At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration, July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

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If you have any questions concerning this matter, please contact us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

63 4153

KHF:DEF

Enclosure

560 Phelps Circle
Mtn. Home, Idaho 83647
February 1, 1974

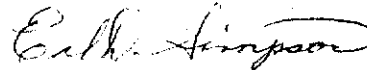
KMP

R. Keith Higginson, Director
Idaho Dept. of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Higginson:

I am writing to protest the claim to water right #63-4153 which John Garrett of 1209 Roosevelt, Boise, Idaho, has filed. Mr. Garrett has not irrigated twenty acres of land since he has owned the land. I know that twenty acres of land has not been irrigated since 1968 as the irrigation system has completely deteriorated. I am also protesting claim to water right #63-4152 which Mr. Garrett has filed. This is a spring on my land which has not been authorized by me or previous owners. During the summer of 1973 the spring was not in use as the end of the pipeline was sticking out of the ground. It is possible that the spring has not been in use prior to 1973.

Sincerely,



Earl D. Simpson

63 4153

Jeffrey

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

June 30, 1972

Re: Claim to Water Right Nos. 63-4152
63-4153

Mr. John L. Garrett
1209 Roosevelt
Boise, Idaho

Dear Mr. Garrett:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, 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 each of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Sincerely,

Robert W. Hamilton
Supervisor of Water Distribution
Western District

RWH:CS

Enc: copy of referenced claims

63 4153

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

June 2, 1972

Re: Application for Permit No. 61-7112 - Merlin W. Wilson
Claim to a Water Right Nos. 63-4152 - John L. Garrett
63-4153 - " " "

The Mountain Home News
Post Office Drawer 0
Mountain Home, Idaho 83647

Gentlemen:

Enclosed you will find three (3) legal notices 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 notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices 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)

Sincerely,

Dorian Clay

Dorian Clay
Water Resource Examiner
Western District

DC:CS

Enc: Legal Notices (3)

*Bill Submitted
6-21-72
e.s.*

63 4153

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4153

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R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho, on June 8, 1972

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4153

NOTICE
C
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P
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Notice is hereby given that JOHN L. GARRETT, 1209 N. Roosevelt, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.56 cubic feet per second of water from Strawberry Creek, tributary to Smith Creek, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 2 N, R. 7 E, B.M., Elmore County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Sept. 15 for the irrigation of 26 acres and from Mar. 1 to Oct. 31 for stock water purposes, all within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 2 N, R. 7 E, 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 June 26, 1972.

R. KEITH HIGGINSON
Director

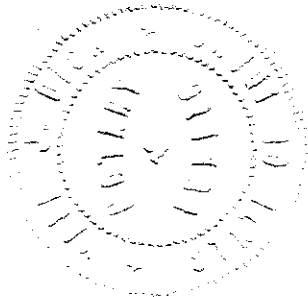
Published in the Mountain Home News, Mountain Home, Idaho, on June 8 and 15, 1972.

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I Certify that Strawberry
Creek has been diverted for
stock, domestic and irrigation
use, since September 1928
for use on NE 1/4 of SE 1/4, Sec 1, Township 2N
Range 7 E. Trib. to Smith Creek Elmore County
Idaho

Leslie Engelbrecht
Yale Dick

Witness John Thorneo



63 4153