

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Harvell Firkins
Route #5, Pocatello, Idaho 83201 (Mailing Address) (Name of Claimant)
Telephone No. 232-4260 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1955

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.08 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	<u>0.08 cfs</u>	Use	_____	Period of Use From _____	To _____

(4) 0.08 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 20 Twp. 6S Rge. 35E B.M., County of Bannock
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump, pipeline to houses

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	35E	20			X														

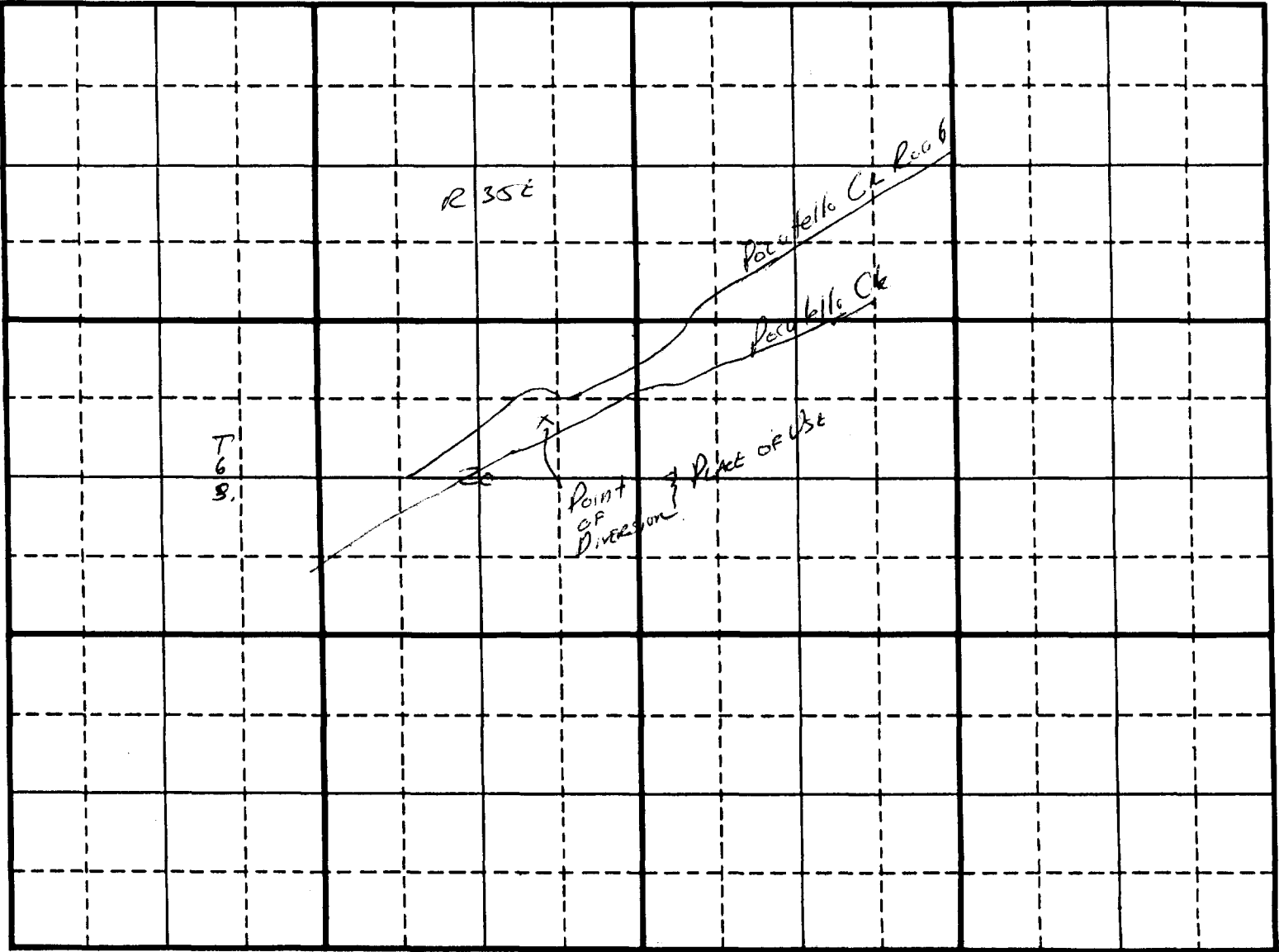
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for two single-family residences.

NOTE: Include here the type and number of stock watered: 8 horses; 150 chickens; 20 hogs

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bannock) 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 affiant's knowledge.

Sworn to before me this 20th day of August, 19 79.

Harvell Firkins
(Claimant)
Keith A. Zollinger
Notary Public
Residing at Pocatello

My commission expires Lifetime

FOR DEPARTMENT USE ONLY					
Received by <u>dh</u>	Date <u>8-21-79</u>	Exception filed by:	Fowarded to	Date	
Prelim. check by <u>S.M.</u>	Date <u>8-14-79</u>		claimant by:		
\$20.00 fee received by <u>dh</u>	Date <u>8-03-79</u>	#13638			
Published in <u>Idaho State Journal</u>					
Dates <u>August 23 & 30, 1979</u>					

IN THE MATTER OF: _____

State of Idaho

County of _____

AFFIDAVIT

RECEIVED

AUG 21 1979

Department of Water Resources
Eastern District Office

_____ being first duly sworn,

deposes and says:

My father rented some land
next to Harvell Linkins in 1955 there
was a good well on there then. In
1960 we bought are place next to Harvell
Linkins and he still had a good well
And they never had any trouble before
Mr. Dickins dug his two wells

Matthew Hargrett
(signature)

Subscribed and sworn to before me this 3rd day of August 19 79.

Keith A. Zollinger
(notary public)

Residing at Pocatello

My commission expires Lifetime

IN THE MATTER OF:

State of Idaho

County of _____

AFFIDAVIT

AUG 21 1979

Department of Water Resources
Eastern District Office

Ethel Honeycutt being first duly sworn,
deposes and says: We so rented the land
next door in 1955 next to Harwell
Firkins and the well was there then, also
when we bought the same land in 1960
the well was still there and a good well.

Ethel M. Honeycutt
(signature)

Subscribed and sworn to before me this 3rd day of August 19 79.

Leith A. Zollinger
(notary public)

Residing at

My commission expires

Locate/10

Lifetime

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of

I WILLARD LATHROM

being first duly sworn,

deposes and says: When I bought this property
Feb. 24th in the year 1960 the domestic water
well in question was there and in existence -
it was, and always did produce good clean
water. I bought ~~a~~ paid for all water rights
on this property, and when I sold this property
to JAMES FIRKINS SR. 1967. I also sold
these water rights to said JAMES FIRKINS SR.
Also included with these water rights
is a creek flowing through the property
commonly called and known as Peatello Creek!

Willard Lathrom
(signature)

Subscribed and sworn to before me this 2nd day of August 1979.

Marilyn H. Jackson
(notary public)

Residing at
My commission expires

NOTARY PUBLIC
Residing in American Falls Idaho
My Commission Is For Life

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

SEP 5 1979

Department of Water Resources
Eastern District Office

Jeri Larsen

being first duly sworn on oath deposes and says: That *she* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 23, 19*79*, 19.....
August 30, 19*79*, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this *4th*

day of *September*, 19*79*.

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and beneficial use:
FIRKINS, HARRY
ROUTE #5, POCATELLO, ID 83201
Source: GROUNDWATER
Priority Date: 04/01/73
Amount: 0.08 CFS
Diversion Point: SWNE Sec 20 T 06S R 35E, BANNOCK CO.
Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31
Place of Use: SWNE Sec 20 T 06S R 35E
Diversion Method: PUMP & PIPELINE
Any exceptions to any claim of water right(s) shall be filed with the Director of the Idaho Department of Water Resources, 1545 Lincoln Road, Idaho Falls, Idaho 83401.
S/C. Stephen Allred
Director
August 23, 30, 1979
No. 730

80-D

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

29-4108

FIRKINS, HARVELL
ROUTE #5, POCATELLO, ID
83201

Source: GROUNDWATER
Priority Date: 06/01/1955

Amount: 0.08 CFS

Diversion Point: SWNE Sec 20 T
06S R 35E, BANNOCK Co.

Use: DOMESTIC (0.08 CFS) from
01/01 to 12/31

Place of Use: SWNE Sec 20 T
06S R 35E

Diversion Means: WELL, PUMP
& PIPELINE

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401.

S/ C. Stephen Allred
Director

August 23, 30, 1979
No. 730

Jeri Larson
being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of
America, more than 21 years of age, and the Principal Clerk of THE
IDAHO STATE JOURNAL, a daily newspaper, printed and published at
Pocatello, Bannock County, Idaho, and having a general circulation
therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

August 23, 1979, 19.....
August 30, 1979, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly pub-
lished in said County for a period of seventy-eight weeks prior to the
publication of said notice or advertisement and is a newspaper within
the meaning of the laws of Idaho.

Jeri Larson
Subscribed and sworn to before me this 4th

day of September, 1979.

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

80-D

PROOF OF PUBLICATION

SEP 5 1979

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO WA-

Notice is hereby given that the following claim to water right(s) have been established by diversion of water to beneficial use:

FIRKINS, MARVELL
ROUTE 1, POCATELLO, ID
83201

Source: RIVER WATER
Priority Date: 06/01/1955

Amount: 10 CFS

Diversion Point: SAMP Sec 20 T

04S R 35E, Bannock Co, ID

Use: DOMESTIC (200 GPM) from

01/01 to 12/31 of each year

Place of Use: SAMP Sec 20 T

04S R 35E, Bannock Co, ID

Diversion Method: PUMP

& PIPE

Any exceptions to any claim of

water right should be filed with the

Director of the Idaho Department

of Water Resources, 1615 Lincoln

Road, Idaho Falls, Idaho 83401.

S/C Stephen Alfred

Director

August 23-30, 1979

No. 730

Jeri Larsen

being first duly sworn on oath deposes and says: That *she* was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

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August 30, 19*79*, 19____
_____, 19____, 19____
_____, 19____, 19____
_____, 19____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this *4th*

day of *September*, 19*79*.

Stephen Alfred

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

29-4108
FIRKINS, HARVELL
ROUTE #5, POCATELLO, ID 83201
Source: GROUNDWATER
Priority Date: 06/01/1955
Amount: 0.08 CFS
Diversion Point: SWNE Sec 20 T 06S R 35E, BANNOCK Co.
Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31
Place of Use: SWNE Sec 20 T 06S R 35E
Diversion Means: WELL, PUMP & PIPELINE
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.
S/ C. Stephen Allred
Director
August 23, 30, 1979
No.730

Jeri Larsen
being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

August 23, 1979, 19.....
August 30, 1979, 19.....
....., 19....., 19.....
....., 19....., 19.....
....., 19....., 19.....

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen
Subscribed and sworn to before me this 4th

day of September, 1979.

[Signature]
Notary Public, State of Idaho
Residence: Pocatello, Idaho

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: APK

Right Number 29 4108

Applicant Harrell Furkins

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 9/20/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 9/24/79



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 14, 1979

Harvell Firkins
Route #5
Pocatello, Idaho 83201

Dear Mr. Firkins:

Further review of your claim to a water right for water from a groundwater source which we recently receipted indicated an error was made in the platting of the map. We have corrected this error on the enclosed claim. Please sign this corrected claim in the presence of a notary public and return it to our office as soon as possible, as processing procedures of your claim have already begun.

Sincerely,

STEVE McCORMICK
Water Resource Analyst

SM:dh

Enclosure

29-4108-

FIRKINS, HARVELL

ROUTE #5, POCATELLO, ID 83201

Source: GROUNDWATER

Priority Date: 06/01/1955

Amount: 0.08 CFS

Diversion Point: SWNE Sec 20 T 06S R 35E, BANNOCK Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: SWNE Sec 20 T 06S R 35E

Diversion Means: WELL, PUMP & PIPELINE

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 8/23 & 8/30/79.

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 16, 1979

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 10, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

McDermott & McDermott

Attorneys at Law

136 SOUTH 4th. AVENUE - P. O. BOX 3

POCATELLO, IDAHO 83201

Peter A. McDermott (1911-1976)

Patricia L. McDermott

Peter D. McDermott

Area Code 208

232-3162

Hartwell H. K. Blake

Keith A. Zollinger

Gaylen L. Box

August 20, 1979

Mr. Steve McCormick
State of Idaho
Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, ID 83401

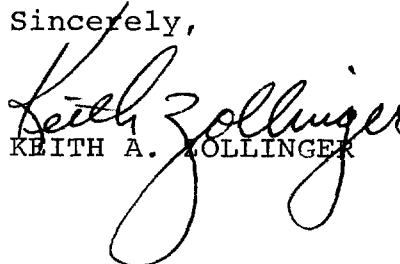
Re: Harvell Firkins
Claim to Water Right

Dear Mr. McCormick:

I am enclosing a Claim to A Water Right and supporting Affidavits on behalf of Harvell Firkins. You will note that I have added under paragraph 6b the livestock they normally keep on the premises.

If you have any question, please contact me or Mr. Firkins.

Sincerely,


KEITH A. ZOLLINGER

KAZ/lw
Enc.

RECEIVED

AUG 21 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Harvell Firkins (Name of Claimant)
Rt. #5 Pocatello, ID 83201 (Mailing Address) Telephone No. 232-4260 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1955

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	(Mo., Day)	(Mo., Day)
Quantity .08 CFS	Use Domesitc	Period of Use From	Jan. 1	To Dec. 31
Quantity	Use	Period of Use From		To
Quantity	Use	Period of Use From		To
Quantity	Use	Period of Use From		To
Quantity	Use	Period of Use From		To

(4) .08 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 20 Twp. 6S Rge. 35E B.M., County of Bannock
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump, pipe to houses

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	35E	20			X														

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use use for 2 families

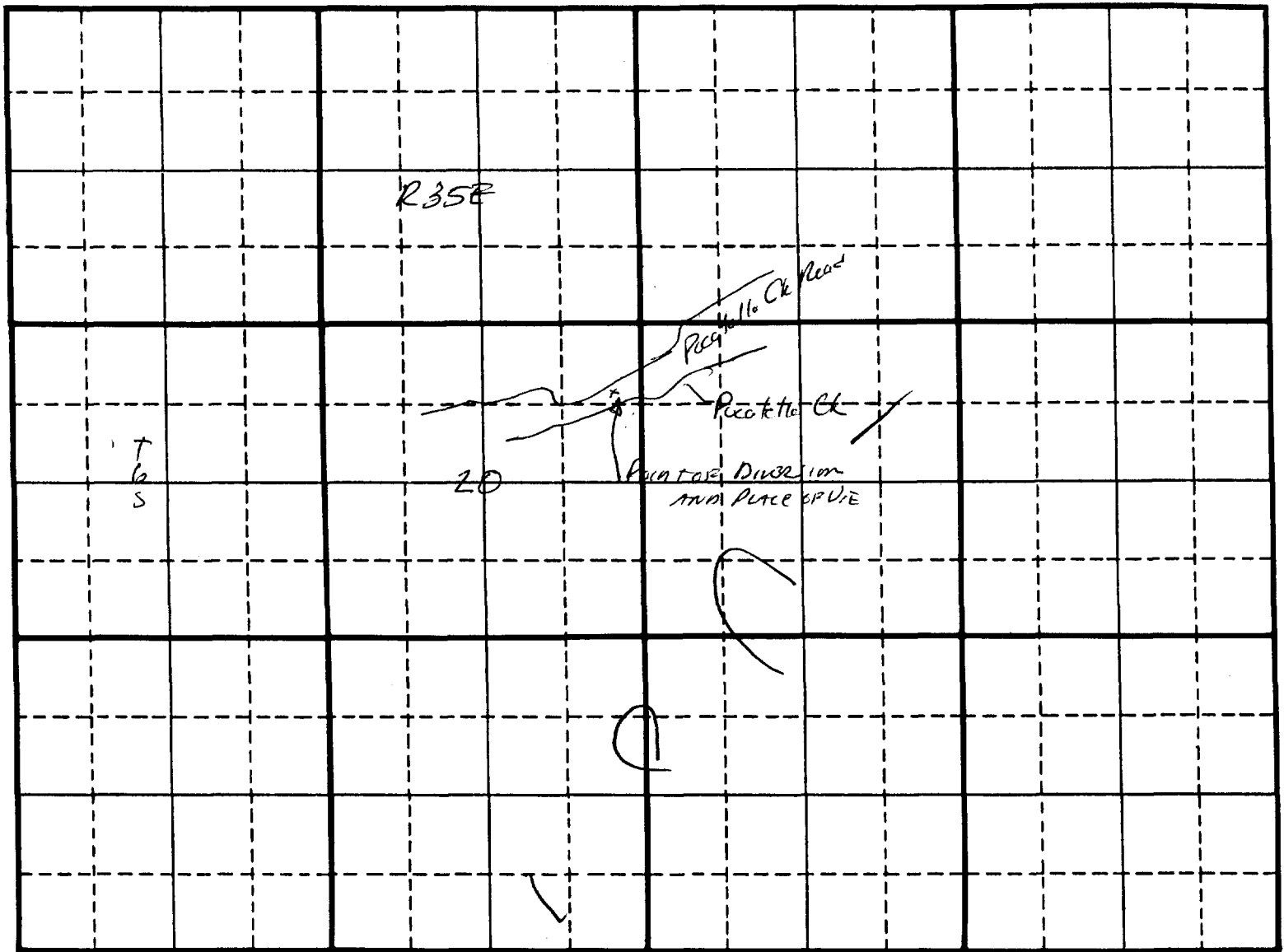
NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

- UOIN -

- 2520 -

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) 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 affiant's knowledge.

Sworn to before me this 3rd day of August, 19 79

Harvell Finkins
(Claimant)

William Wray

Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY			
Received by <u>dh</u>	Date <u>8-03-79</u>	Exception filed by:	Forwarded to
Prelim. check by <u>SM</u>	Date		claimant by:
\$20.00 fee received by <u>dh</u>	Date <u>8-03-79</u>	#13638	
Published in <u>Idaho State Journal</u>			
Dates <u>August 23 & 30, 1979</u>			

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

SEPTEMBER 10, 1979

HARVELL FIRKINS
ROUTE #5
POCATELLO ID 83201

RE: Claim No. 29-4108

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure