

Identification No. 29 4019
Claim No. _____
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 R. D. FISHER
post office address Route #3, Box 332 Pocatello, ID 83201
2. The point of diversion is in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 12 Township 7S
Range 34E B.M. located on Ground Water
(name of source)
tributary to _____ in Bannock 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 1, 1955 amount: 0.08 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.08 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 _____ period of use from _____ to _____ (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 _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ 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 Pumped ; depth of well is 86 feet; diameter of well is 8 inches; type of pump is electric centrifugal
capacity of pump is 100 g.p.m.; name and address of well driller is unknown
_____ ;

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? _____ 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 _____

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

The place of use for domestic purposes is the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R. 34E, B.M.

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 affiants knowledge.

Sworn to before me this 6th day of October, 1972.

P. D. Fisher
Claimant

Norman C. Young
Notary Public
Residing at 1909 Everest
Idaho Falls, Idaho

My commission expires 6-10-75

For Department Use Only

Received by <u>B</u>	Date <u>10-10-72</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>NCY</u>	Date <u>10-10-72</u>			
Fee received by <u>B</u>	Date <u>10-10-72</u>	Fee \$ <u>10.00</u>	# <u>7011</u>	
Approved for publication by <u>NCY</u>				
Published in <u>Idaho State Journal</u>	Dates <u>10-19-72 to 11-9-72</u>			
	<u>(re-advertised)</u>			

29-1019

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:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to ~~one~~ of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOV 15 1972

Department of Water Administration
Eastern District Office

Florence Jones

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:

November 9, 1972

19

November 16, 1972

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.

Florence Jones

Subscribed and sworn to before me this 16th

day of November, 1972.

Dorothy M. Masterson

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIM TO A WATER RIGHT

No. 29-4019

Notice is hereby given that R. D. Fisher, Route No. 3, Box 332, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground-water source with point of diversion in the SE 1/4 NE 1/4, Sec. 12, T. 7S, R. 34E, B.M., Bannock County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families with a priority of June 1, 1969. The place of use is within the SE 1/4 NE 1/4, Sec. 12, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KETH HIGGINSON
Director

November 9, 16, 1972
No. 580

Florence Jones

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:

November 9, 1972	19
November 16, 1972	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.

Subscribed and sworn to before me this 16th

day of November, 1972

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

RECEIVED

NOV 17 1972

STATE OF IDAHO
County of Bannock

ss.

Department of Water Administration
Eastern District Office

Florence Jones

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:

<u>November 9, 1972</u>	<u>19</u>
<u>November 16, 1972</u>	<u>19</u>
<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>

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.

Florence Jones

Subscribed and sworn to before me this 16th

day of November, 1972.

Dorothy M. Mortensen

Notary Public, State of Idaho
Residence: Pocatello, Idaho

29 40199

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIM TO A WATER RIGHT No. 29-4019

Notice is hereby given that R. D. Fisher, Route No. 3, Box 332, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground-water source with point of diversion in the SE 1/4 NE 1/4, Sec. 12, T. 7S, R. 34E, B.M., Bannock County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families with a priority of June 1, 1955 the place of use is within the SE 1/4 NE 1/4, Sec. 12, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KETH HIGGINSON
Director

November 9, 16, 1972
No. 580

Florence Jones

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:

November 9, 1972

19

November 16, 1972

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.

Subscribed and sworn to before me this 16th

day of November, 1972

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RE: Claim No. 29-4019

TO: Water Rights

The above referenced claim has been processed and
is ready to be filed in the Boise office.

We have kept a copy here.

29 4019

November 17, 1972

Re: Claim to a Water Right No. 20-4019

Mr. R. D. Fisher
Route #3, Box 332
Pocatello, ID 83201

Dear Mr. Fisher:

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,

NORMAN C. YOUNG
District Engineer

NCY:BA
Enc: Copy of claim

29 4019

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Eastern District Office
240 South Holmes Avenue
Idaho Falls, Idaho 83401
(208) 523-7186

November 1, 1972

Re: Claim No. 29-4019 - R. D. Fisher

Idaho State Journal
Box 431
Pocatello, ID 83201

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,

Norman C. Young
District Engineer

NCY:BA
Enc: Legal notice

Notice is hereby given that R. D. Fisher, Route No. 3, Box 332, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground-water source with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R. 34E, B.M., Bannock County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families with a priority of June 1, 1955 the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KETH HIGGINSON
Director
November 9, 16, 1972 *Cal*
No. 580

*Bill Submitted to
Base 11-21-72*

ba

205 3010

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4019

Notice is hereby given that R. D. Fisher, Route #3, Box 332, Pocatello,
Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.08 cubic feet per second ~~acres of irrigable land~~
of water from a ground-water source
with point of diversion in the SE¹/₄NE¹/₄, Sec. 12, T. 7S, R. 34E, B.M.,
Bannock County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes for two families
with a priority of June 1, 1955;
the place of use is within the SE¹/₄NE¹/₄, Sec. 12, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho,
83401.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho
on November 9 and November 16, 1972

29 4019

NCY

November 1, 1972

Re: Claim to a Water Right No. 29-4019 - R. D. Fisher

Idaho State Journal
Box 431
Pocatello, ID 83201

Gentlemen:

On October 30, 1972, we received the affidavit of publication for the above referenced claim which was advertised in the Idaho State Journal on October 19 and 26, 1972. Upon review of the affidavit, we noted that the first line of the legal notice was omitted in the publication.

We have enclosed another legal notice which we wish to have published on November 9 and 16, 1972.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

DEPARTMENT OF WATER ADMINISTRATION

Bobbie Albertson, Sec.

RECEIVED

SS.

Department of Water Administration
Eastern District Office

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:

October 19, 19 72	_____ , 19 ____
October 26, 19 72	_____ , 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.

day of October, 19 72

Notary Public, State of Idaho
Residence: Pocatello, Idaho

29 4040

[illegible]

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 29-4019

D. Fisher, Route No. 3, Box 332, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground-water source with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R. 34E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families with a priority of June 1, 1955. The place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

October 19, 26, 1972
No. 548

Florence Jones

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:

October 19, 19.72	19.
October 26, 19.72	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.

Subscribed and sworn to before me this 26th

day of October, 19.72

Notary Public, State of Idaho
Residence: Pocatello, Idaho

October 13, 1972

Re: Claim No. 29-4019 - R. D. Fisher

Idaho State Journal
Box 431
Pocatello, ID 83201

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,

Norman C. Young
District Engineer
NCY:BA
Enc: Legal notice

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4019

Notice is hereby given that R. D. Fisher, Route #3, Box 332, Pocatello,
Idaho
has filed a claim to a water right established by diversion and application to
beneficial use of 0.08 cubic feet per second ~~acres feet per annum~~
of water from a ground-water source
with point of diversion in the SE 1/4 NE 1/4, Sec. 12, T. 7S, R. 34E, B.M.,
Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic pur-
poses for two families
with a priority of June 1, 1955

The place of use is within the SE 1/4 NE 1/4, Sec. 12, T. 7S, R. 34E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho
on October 19 and October 26, 1972.

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29 4019