

29 4018

Identification No. _____

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 HATTON A. ARMSTRONG
post office address Route #1, Box 380 Pocatello, Idaho 83201
2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 1 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:

<u>May 16, 1944</u>	amount: <u>.05</u>	c.f.s. or	acre feet
<u>January 1, 1947</u>	amount: <u>.02</u>	c.f.s. or	acre feet
	amount: _____	c.f.s. or	acre feet
Total claimed <u>.07</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 <u>irrigation</u>	period of use from <u>Mar. 15</u> to <u>Nov. 15</u>	(both dates inclusive)
use <u>stockwater</u>	period of use from <u>Jan. 1</u> to <u>Dec. 31</u>	(both dates inclusive)
use <u>domestic</u>	period of use from <u>Jan. 1</u> to <u>Dec. 31</u>	(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 75 feet; diameter of well is 6 inches; type of pump is jet
capacity of pump is 20 g.p.m.; name and address of well driller is Tiny Wright (deceased)
_____;

29 4018

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 32 head of beef cattle

7. Where water is used for domestic or municipal purposes give number of families served one family 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 N.A.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

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 affiants knowledge.

Sworn to before me this

2nd

day of

June
1972
Claimant
Notary Public
Residing at Butte, Idaho

My commission expires

Nov, 20, 1973

For Department Use Only

Received by ba Date 5/22/72

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by NCY Date 6/5/72

Fee received by ba Date 5/22/72 Fee \$ 10.00 (returned)

received by CW 5/26/72 #7312

Approved for publication by

Published in Idaho State Journal Dates 8-15+22-72

29 4018

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 this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

MAY 26 1972

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
240 S. HOLMES
IDAHO FALLS, IDAHO 83401

Department of Water Administration
Eastern District Office

Identification No. _____

Claim No. _____

Map No. _____

Void

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 HATTON A. ARMSTRONG 233-4346
post office address RR 1 Box 380, Doc.

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 1 Township 7 S
Range 34 E B.M. located on Ground Water
(name of source)

tributary to _____ in Bennett 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: May 14 1944 Domestic amount: 0.02 c.f.s. or _____ acre feet
Jan 1 1947 (stock) amount: 0.062 c.f.s. or _____ acre feet
MAY-14-1944 domestic amount: _____ c.f.s. or _____ acre feet
Total claimed 0.082 c.f.s. or _____ acre feet

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from Mar. 15 to Nov. 15 (both dates inclusive)
use Cattle period of use from Jan 1 to Dec 31 (both dates inclusive)
use _____ period of use from Jan 1 to Dec 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 _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 75 feet; diameter of well is 6" inches; type of pump is jet
capacity of pump is 20 g.p.m.; name and address of well driller is Tiny Wright
(Deceased)

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 No change

- c. Conveying works: length of ditch to place of use is _____ 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 1" 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 Same since start

- 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 _____, 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 1

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. Cattle (Beef)
32 head

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied 1 family

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. Given above

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho

County of Banner } 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 19th day of May, 1972.

Hatton A. Armstrong
Claimant

[Signature]
Notary Public
Residing at Brake, Idaho

My commission expires 12-20-73

For Department Use Only

Received by Be Date 5-22-72

Exception filed by:

Forwarded to claimant by: Date

Prelim. check by _____ Date _____

Fee received by Be Date 5-22-72 Fee \$ 10 (returned)
received by CW 5/26/72 # 7312

Approved for publication by _____

Published in Idaho State Journal Dates 5-15-72-72

29 4018

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

RECEIVED

JUN 23 1972

Department of Water Administration
Eastern District Office



Ruth Brown

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:

June 15	, 1972		, 19
June 22	, 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.

Ruth Brown

Subscribed and sworn to before me this 22nd

day of June, 19 72

Dorothy M. Mortensen

Notary Public, State of Idaho

Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Ruth Brown

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:

June 15, 1972, 19

June 22, 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 22nd

day of June, 1972

Notary Public, State of Idaho

Residence: Pocatello, Idaho

NOTICE OF CLAIM TO A WATER RIGHT NO. 129-4018

Notice is hereby given that Hatton A. Armstrong, Route No. 1, Box 380, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .07 cubic feet per second of water from a ground-water source with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7S, R. 34E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater purposes for 32 head of beef cattle and domestic purposes for one family, and from Mar. 15 to Nov. 15 for the irrigation of 1 acre, with a priority of May 16, 1944 (.05 c.f.s.) and January 1, 1947 (.02 c.f.s.)

The place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, 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

June 15, 22, 1972
No. 332

July 25, 1972

Re: Claim to a Water Right No. 29-4018

Mr. Hatton A. Armstrong
Route 1 - Box 380
Pocatello, Idaho 83201

Dear Mr. Armstrong:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b of the 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 a 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.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of claim

bc: Eastern District Office

29 4018

June 6, 1972

Re: Claim No. 29-4018 - Hatton A. Armstrong

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

Bill submitted 6-29-72. R

29 5018

June 22 1972

Dept. of Water Administration
240 S. Homes Ave.
Idaho Falls, Idaho

RECEIVED

JUN 28 1972

#332

Department of Water

Statement of Your Account with Dis.

IDAHO  JOURNAL

P. O. Box 431, Pocatello, Idaho 83201

Legal advertising: 74 lines

NOTICE OF CLAIM TO A WATER RIGHT - No. 29-4018

Published: June 15, 22, 1972

Amount Due: \$13.69

"I hereby certify that the foregoing is correct and just, that the services were actually rendered as charged and that we have not received payment therefor."

IDAHO STATE JOURNAL



Legal Clerk

29 4018

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4018

Notice is hereby given that Hatton A. Armstrong, Route #1, Box 380,
Pocatello, Idaho
has filed a claim to a water right established by diversion and application to
beneficial use of .07 cubic feet per second ~~acre feet per second~~
of water from a ground-water source
with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 7S, R. 34E, B.M., Bannock
County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater pur-
poses for 32 head of beef cattle and domestic purposes for one family, and from
~~with a priority of~~ Mar. 15 to Nov. 15 for the irrigation of 1 acre, with a priority
of May 16, 1944 (.05 c.f.s.) and January 1, 1947 (.02 c.f.s.)
The place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, 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 June 15 and June 22, 1972

NC
29 4018