

Identification No. 11-4018
Claim No. 42206
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 Newell Beck Passey
post office address Georgetown, Idaho Box 804
2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 31 Township 12 South
Range 43 East B.M. located on Mill Canyon Creek
(name of source)
tributary to Bear River in Bear Lake 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 18, 1884 amount: 0.10 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet

*Per letter of Dec. 19, 1967

Total claimed _____ c.f.s. or _____ acre feet.

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

use Irrigation period of use from May 15 to Sept 30 (both dates inclusive)
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).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of Earthen Dam
Lumber gate; 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 _____; 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 _____
_____;

11-4018

Ray Hymas
E138

Harriet
E134

Carlisle Gambing
E144

Norman Gambing
E145

Ivan Hymas
E143

Robert Lougee
E157

Calvin Hymas
E25

John Lougee
E173

C.D. Skinner
E16

Albert Miller
E62

Marrin Hymas
E60

Marrin Hymas
E67

Stephen Hymas
E64

6: Munn

11-1018

IN THE MATTER OF:)

Claim of)
Newell Passey,)
Georgetown, Idaho)

AFFIDAVIT

NOV 20 1967

Deputy

Commissioner

State of Idaho)

County of Bear Lake)

Erwin Parker

being first duly sworn,

deposes and says: I was born September 12, 1889,
at Liberty, Idaho. For the last 48 years
I have known of water running down past
the William J Smith property, and know
it has been in continual use on this
property ever since.

Erwin Parker
(signature)

Subscribed and sworn to before me this 16th day of November 1967.

Muriel A Stewart
(Notary Public)

Residing at Georgetown, Idaho.

My commission expires May 26, 1970.

RECEIVED

DEC 11 1967

Department of Reclamation

11-4018

IN THE MATTER OF:

Claim of
Newell Passey,
Georgetown, Idaho

AFFIDAVIT

NOV 20 1967

Department of Reclamation

State of Idaho

County of Bear Lake

Lula Passey

being first duly sworn,

deposes and says: I was born March 17, 1895,
daughter of William G. & Elizabeth Ann King
Smith, Sharon, Idaho. Since I can
remember, some 65 years or more, I have
known of this water running down past the
house, and it has been in continual use
on this property ever since.

Lula Passey
(signature)

Subscribed and sworn to before me this 16th day of November 1967.

Muriel A. Stewart
(Notary Public)

Residing at Georgetown, Idaho.

My commission expires May 26, 1970.

RECEIVED

DEC 11 1967

Department of Reclamation

11-4018

The Paris Post

SERVING SOUTHEAST IDAHO SINCE 1880
PARIS, IDAHO 83261

Thomas E. and Mary A. Preston, Publishers

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
Bear Lake County } ss.

I, Mary A. Preston, publisher and manager of THE PARIS POST, a weekly newspaper published weekly at Paris, Bear Lake County, State of Idaho, do solemnly swear that a copy of the attached notice, (as per clipping), was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 2 consecutive weeks, commencing with the issue dated January 11, 1968, and ending with the weekly issue dated January 18, 1968.

Mary A. Preston
Publisher.

SUBSCRIBED and sworn to before me this

31st day of January, 1968.

L. Hugh Shepherd
Notary Public.

(SEAL)

My commission expires Oct 10th, 1970.

RECEIVED

Department of Reclamation

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4018

Notice is hereby given that Newell Beck Passey, Georgetown, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from Mill Canyon Creek with point of diversion in NW 1/4, Sec. 31, T. 12 S, R. 43 E, B.M., Bear Lake County; the water is claimed to be used for irrigation from May 15 to September 30 and for domestic purposes from January 1 to December 31 with a priority of May 15, 1964 for 0.10 c.f.s.; the place of use is NW 1/4, Sec. 31, T. 12 S, R. 43 E, B.M.

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

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Paris Post, Paris, Idaho, on January 11 and January 15, 1968.

E

11-4018

Statement

The Paris Post

IDAHO'S OLDEST NEWSPAPER

PARIS, IDAHO

January 29, 1968

Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Claim # 4015 (N.B. Pursey)

Legal-Claim to State Right 30 lines
published Jan. 17, 18

\$ 6.90

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 same has been paid.

Mary A. Preston

Your Patronage is Appreciated

February 1, 1968

Re: Claim No. 11-4018

Newell Beck Passey
Georgetown,
Idaho

Dear Mr. Passey:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 11-4018.

Enclosed is your receipt No. 286 in the amount of \$10.00 for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosure: Receipt

11-4018

DON SAMUELSON
GOVERNOR



F. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 30, 1968

Re: Claim No. 11-4005, 11-4006, 11-4015, 11-4016, 11-4018, and
11-4019

Paris Post
Paris,
Idaho 83661

Gentlemen:

As of this date, we have not received the affidavit or the bill of publication for the above referenced applications for claims. We are enclosing a copy of our transmittal letter. Your prompt attention is appreciated.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosure

11-4018

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 11-4018

Notice is hereby given that Newell Beck Passey, George-town, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from Mill Canyon Creek with point of diversion in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 12S, R. 43E, B.M., Bear Lake County; the water is claimed to be used for irrigation from May 15 to September 30 and for domestic purposes from January 1 to December 31 with a priority of May 18, 1884 for 0.10 c.f.s.; the place of use is NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 12S, R. 43E, B.M.

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

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Paris Post,
Paris, Idaho, on January 21
and January 28, 1968.

11-4018

January 4, 1968

Re: Claim No. 11-4018

Paris Post
Paris,
Idaho 83261

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McElDowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

11-4018

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4018

Notice is hereby given that Newell Beck Passey, Georgetown, Idaho
_____ has filed a claim to a water right established
by diversion and application to beneficial use of 0.10 (cubic feet per second)
(~~acre feet~~) of water from Hill Canyon Creek with point of diversion
in SW1/4, sec. 31, T. 12 S, R. 43 E, B.M., Bear Lake County;
the water is claimed to be used for irrigation from May 15 to September 30 and for domestic
purposes from January 1 to December 31 with a priority of May 18,
1884 for 0.10 c.f.s.; the place of use is N1/4NW1/4, Sec. 31, T. 12 S, R.
43 E, B.M.

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

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Paris, Post, Paris
Idaho, on January 11 and January 18.

11-4018

December 19, 1967

Re: Claim to a Water Right

Newell Beck Passey
Georgetown,
Idaho

Dear Mr. Passey:

We are in receipt of your \$10.00 check and your claim to a water right. Please be advised that before the form is acceptable you are required to supply the department with the date of priority that you are claiming for the .10 cubic feet per second of waters of Mill Canyon Creek, tributary of the Bear River. The priority date you claim should include a month, day, and year.

Your prompt reply to this matter is appreciated.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

11-4018

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 19, 1967

RECEIVED

DEC 26 1967

Department of Reclamation

Re: Claim to a Water Right

Newell Beck Passey
Georgetown,
Idaho

Dear Mr. Passey:

We are in receipt of your \$10.00 check and your claim to a water right. Please be advised that before the form is acceptable you are required to supply the department with the date of priority that you are claiming for the .10 cubic feet per second of waters of Mill Canyon Creek, tributary of the Bear River. The priority date you claim should include a month, day, and year.

May 15 84

Your prompt reply to this matter is appreciated.

Very truly yours,

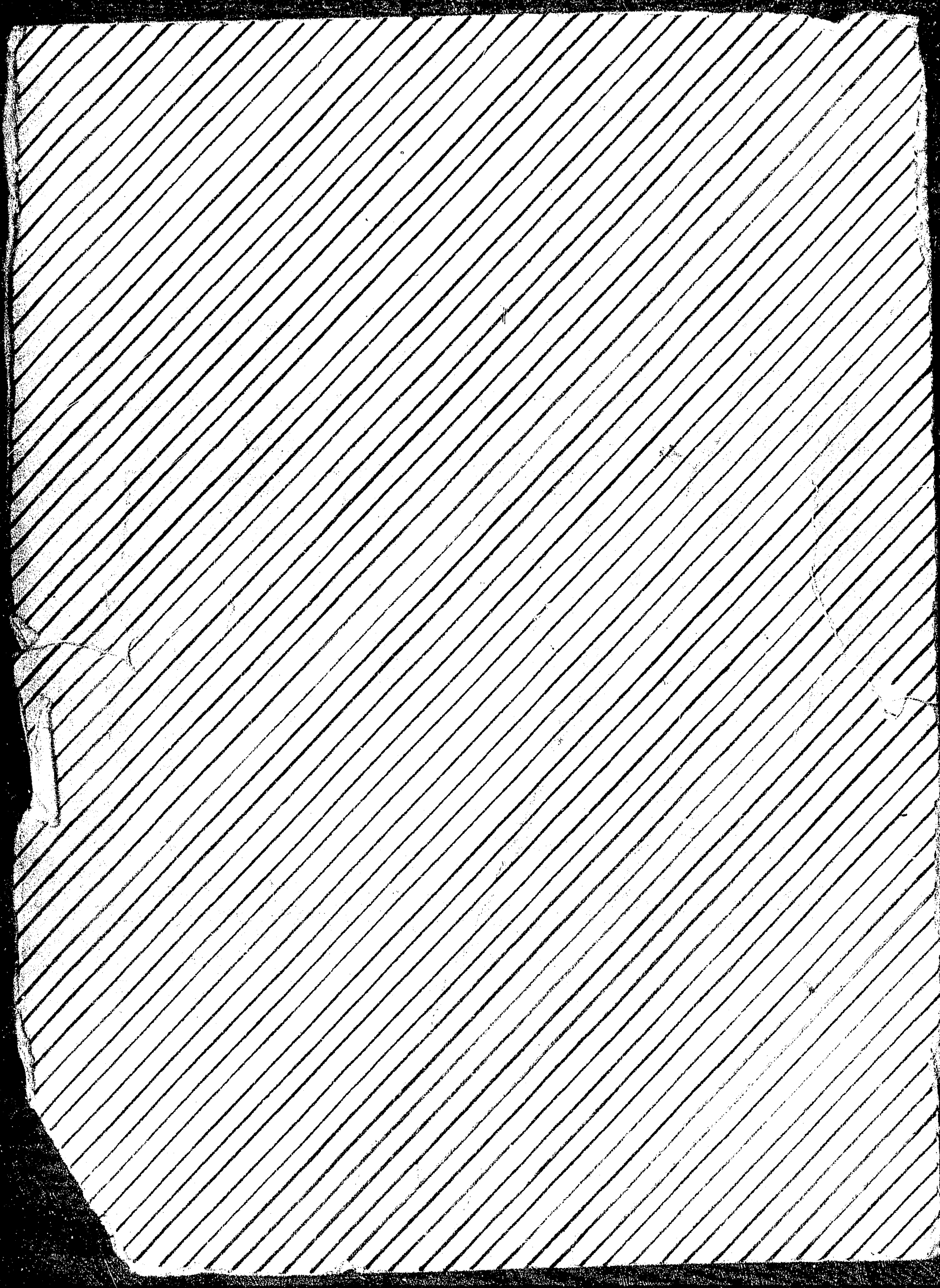
A handwritten signature in cursive script that reads "Donald W. McEldowney".

Donald W. McEldowney
Water Rights Clerk

N. B. Passey
thank you

DWM:ks

11-4018



The Paris Post

IDAHO'S OLDEST NEWSPAPER

PARIS, IDAHO

January 24, 1968

Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Claim 11-4018 (W. B. Passey)

Legal-Claim to Water Right 50 lines
published Jan. 17, 18

\$ 6.90

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 same has been paid.

Mary A. Preston

Your Patronage is Appreciated

11-4018

Statement

The Paris Post

IDAHO'S OLDEST NEWSPAPER

PARIS, IDAHO

January 29, 1968

Department of Reclamation

Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Claim 11-4018 (N.B. Passey)

Legal-Claim to Staller Right 30 lines
published Jan. 17, 18

\$ 6.90

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
same has been paid.

Mary A. Preston

Your Patronage is Appreciated

11-4018