

Identification No. _____

Claim No. 11-4029

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 ARLO M. RASMUSSEN and/or V. LAMONT PUGMIRE
post office address St. Charles, Idaho Box 103

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 22 Township 15 S
Range 43 E B.M. located on unnamed spring
(name of source)

tributary to _____ 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 1, 1905 amount: .00169 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed .00169 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 livestock period of use from May 1 to Oct. 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 _____; 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 4029

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_____

[illegible]

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

SECRET

US07-11

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 _____
75 cows, 75 calves, 2 bulls and 30 yearlings

7. Where water is used for domestic or municipal purposes give number of families served _____
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
This application is for the water right of a natural spring located on the
preceding page description. This spring has existed since 1905, when the land
was homesteaded (see enclosed letter). This spring was at first used for live-
stock, culinary and irrigation purposes. At the present time, it is used to
water livestock. This spring was measured on October 30, 1971. The measurement
was 0.00169 per second feet or 0.71 gallons per minute. We would like to point
out that this was taken when the water level was low, being in the fall of the
year. It would be higher in the spring of the year to some extent.

State of Idaho

County of Bear Lake } 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.

and Arlo M. Rasmussen
V. Leamont Pugmire
Claimant

Sworn to before me this 23rd day of November, 1971

My Commission
Expires Oct 10th 1974

Joseph Shepherd
Notary Public
Residing at Paris, Idaho

My commission expires _____

For Department Use Only

Received by <u>ef</u> Date <u>11-24-71</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>ef</u> Date <u>11-26-71</u>	<u>rec'd</u>	_____	_____
Fee received by <u>ef</u> Date <u>#8502</u> Fee \$ <u>8502</u>	<u>10⁰⁰</u>	_____	_____
Approved for publication by _____	_____	_____	_____
Published in <u>New Examiner</u> Dates <u>12-16-23-71</u>	_____	<u>11</u>	<u>4029</u>

Identification No. _____

Claim No. 11-4

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 Arlo M. Rasmussen and V. Lamont Pugmire
post office address St. Charles, Idaho Box 123

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 22 Township 15 South
Range 43 East B.M. located on _____
(name of source)

tributary to _____ 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:

X October 30, 1971 amount: .00169 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .00169 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:

X use culinary period of use from 1905 to 1920 (both dates inclusive)
X use irrigation period of use from 1905 to 1920 (both dates inclusive)
use livestock period of use from 1905 to 1971 (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 _____

X b. Underground water diverting works: is well flowing or pumped flowing spring; depth of well is undetermined feet; diameter of well is 30 inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is a natural spring
_____;

11 4029

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_____

[illegible]

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

6205

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 75 cows 75 calves
2 bulls 30 yearlings

7. Where water is used for domestic or municipal purposes give number of families served _____
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
This application is for the water right of a natural spring located on the
preceding page description. This spring has existed since 1905 when the land
was homesteaded(see enclosed letter). This spring was at first used for
livestock, culinary, and irrigating purposes. At the present time it is used
to water livestock. This spring was measured on October 30, 1971. The measure-
ment was .00169 per second feet or .71 gallons per minute. We would like to
point out that this was taken when the water level was low, being in the fall
of the year. It would be higher in the spring of the year to some extent.

State of Idaho

County of _____

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.

and Arlo M. Rasmussen
W. L. Lamont Peyman
Claimant

Sworn to before me this _____ day of _____, 19____.

Notary Public

Residing at _____

My commission expires _____

For Department Use Only

Received by ej Date 11-17-71

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by 168 Date 11-17-71

Fee received by ej Date 11-17-71 Fee \$10.00

Approved for publication by _____

Published in _____ Dates _____

11 4029

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

FEB 7 1972

Department of Water Administration
Eastern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is
Publisher and Foreman of the News-
Examiner; that the said News-Examiner is a
weekly newspaper published at Montpelier,
County of Bear Lake, State of Idaho, of
general circulation in said County and State.

That the notice attached was published in
the said News-Examiner, and not in a
supplement, for two
successive weeks, commencing with the issue
dated December 16, 19 71
and ending with the issue

dated December 23, 19 71

W. Jerome Taylor
Publisher and Foreman

Subscribed and sworn to before me this 4th day of February, 19 72

John L. Buzg
Notary Public.

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4029

Notice is hereby given that Arlo M. Rasmussen and/or V. Lamont Pugmire, Box 103, St. Charles, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .00169 cubic feet per second of water from an unnamed spring with a point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 15S, R. 43E, B. M., Bear Lake County.

The water is claimed to be used from May 1 to October 1 for stock-water purposes for 182 head of cattle with a priority of May 1, 1905

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

R. KEITH HIGGINSON
Director

Published in The News-Examiner, Montpelier, Idaho on December 16 and December 23, 1971.

(d-16 23)

11 4029

11 4029

Being Processed in Idaho Falls

St. Charles, Idaho
November 8, 1971

RECEIVED

NOV 17 1971

State of Idaho
Department of Water Administration

Dear Sir:

Department of Water Administration

This letter is written to verify the existence and use of what is known as Lansing Spring. It is located on property owned by Arlo M. Rasmussen of St. Charles, Idaho. The water is used jointly by Arlo M. Rasmussen and V. Lamont Pugmire for livestock purposes at the present time. The location of this spring is at the Northeast corner of Section 22, Township 15 South, Range 43 East of Boise Meridian.

We the undersigned have both lived in the community of St. Charles, Idaho for over 80 years. We verify that this spring has existed on this property of Arlo M. Rasmussen since the year 1905. This spring of water was used for culinary, gardening, and livestock purposes when the land was first home-steaded.

Sincerely,

James Bunderson
St. Charles, Idaho

E. John Rich
St. Charles, Idaho

E. John Rich
James Bunderson

11 4029

November 17, 1971

Arlo M. Rasmussen
St. Charles,
Idaho 83272

Dear Mr. Rasmussen:

Attached herewith is your receipt No. 8502 in the amount of \$ 10.00
for your claim application
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

11 4023

November 18, 1971

Mr. Arlo M. Rasmussen
St. Charles,
Idaho 83272

Dear Mr. Rasmussen:

We are returning a copy of your claim to water right form and a re-typed claim form.

During preliminary processing, a few questions have developed concerning your claim. Item #2 should indicate some source; in this case, probably an unnamed spring. Item #3a should claim the earliest priority that you are going to establish. Item #3b should probably only indicate a use for livestock. The culinary and irrigation uses should be entered in item #9. Also in item #3b, you must indicate the period during each year that you actually use the water. For livestock, you probably use it from January 1 to December 31.

When you have corrected the claim, it must be notarized before we can continue processing it.

Please contact this Department if you need any further advice concerning this matter.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enclosures

11 4029

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4029

Notice is hereby given that Arlo M. Rasmussen &/or V. Lamont Pugmire,
Box 103, St. Charles, Idaho
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of .00169 cubic feet per second ~~11/1/71~~
of water from an unnamed spring
with point of diversion in the NE1/4NW1/4, Sec. 22, T. 15S, R. 43E, B.M.,
Bear Lake County

The water is claimed to be used from May 1 to Oct. 1 for ~~domestic~~ ^{stockwater}
purposes for 182 head of cattle
with a priority of May 1, 1905 ;
~~the place of use is within the~~ ^{XXXXXXXXXXXX}

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

R. KEITH HIGGINSON

Director

Published in the News Examiner, Montpelier, Idaho
on December 16 and December 23, 1971.

11 4029

December 6, 1971

Re: Claim No. 11-4029 - Arlo M. Rasmussen &/or V. Lamont Pugmire

The News Examiner
P.O. Box 278
Montpelier, Idaho 83254

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

Bill submitted to Boise Office 2-16-72 by CR

NCY:BJ
Enc: Legal notice

11 4029

RECEIVED

FEB 4 1972

Department of Water Administration

February 3, 1972

Re: Claim No. 11-4029 - Arlo M. Rasmussen &/or V. Lamont Pugmire

The News -Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced claim. The legal notice was to have been published in your paper on December 16 and 23, 1972.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Bobbie Johnson
for NORMAN C. YOUNG
District Engineer

11 4029

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 17, 1972

Re: Claim to a Water Right No. 11-4029

Arlo M. Rasmussen &/or V. Lamont Pugmire
P. O. Box 103
St. Charles, Idaho 83272

Gentlemen:

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, 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,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB
Enclosure: Copy of claim

11 4029

