

Identification No. 9

Claim No. 13-4003

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 CALVEN E. FORSGREN
post office address RT. 2, PRESTON, IDAHO

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 30 Township 14 South
Range 40 E B.M. located on Spring on own land
(name of source)
tributary to none in Franklin 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:

1950 amount: .10 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
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 Domestic period of use from January 1 to December 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 _____
WATER PIPE LINE; length is 500 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 _____

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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 _____ 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 _____

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 _____

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 75 head

7. Where water is used for domestic or municipal purposes give number of families served one
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
Since 1950 a pipe line from a spring on my own land to my home
and cattle yard for domestic purposes _____

State of Idaho

County of Franklin } 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.

Calvin E. Ferguson
Claimant

Sworn to before me this 11 day of May 19 71

Bill W. Smith
Notary Public

Residing at Preston, Idaho

My commission expires 5-15-73

For Department Use Only

Received by <u>ej</u> Date <u>5/12/71</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Dec</u> Date <u>5-12-71</u>	_____	_____	_____
Fee received by <u>ej</u> Date <u>5/12/71</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>D</u>	_____	_____	_____
Published in <u>Preston Citizen</u> Dates <u>6-3-46-10-71</u>	_____	_____	_____

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Nº 1983

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 3, 19 *71*, and ending with the issue of *June 10*, 19 *71*.

Wayne D. Bell

Fees, \$ *11.84*

Subscribed and sworn to before me this *28* day

of *June*, 19 *71*.

William D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*

RECEIVED

JUN 10 1971

Department of Water Administration

NOTICE OF CLAIM
TO A WATER RIGHT

No. 13-4003

Notice is hereby given that Calven E. Forsgren, Route No. 2, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .10 cubic feet per second of water from spring on own land with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, T. 14S, R. 40E, B.M., Franklin County.

The water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of 1950; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, T. 14S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on June 3 and June 10, 1971.

Legal No. 1983 — Pub. June 3, 10, 1971.

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May 17, 1971

Walvin E. Forsgren
Route #2
Preston, Idaho 83263

Dear Mr. Forsgren:
Returned herewith is your receipt No. 6409 in the amount of \$10.00
for your application for permit (claim),
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

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NOTICE OF CLAIM TO A WATER RIGHT

No. 13-4003

Notice is hereby given that Calven E. Foragren, Route #2,

Preston, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of .10 cubic feet per second ~~annexed~~ of water from spring on own land

with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, T. 14S, R. 40E, B.M.
in Franklin County

The water is claimed to be used from January 1 to December 31

for domestic purposes

with a priority of 1950;

the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, T. 14S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho

on June 3, 1971 and June 10, 1971.

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May 27, 1971

Re: Claim No. 13-4003 - Calven E. Forsgren

Preston Citizen
Box 472
Preston, Idaho 83263

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 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

Bill submitted 7-01-71 By ds

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**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 13-4003

Notice is hereby given that Calven E. Forsgren, Route No. 2, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 10 cubic feet per second of water from spring on own land with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, T. 14S, R. 40E, B.M., Franklin County.

The water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of 1950; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, T. 14S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on June 3 and June 10, 1971.

Legal No. 1983 — Pub. June 3, 10, 1971.

6-1-71

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June 25, 1971

Re: Application No. 13-4003 - Calven E. Forsgren

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in

your paper on June 3rd and June 10th, 1971.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

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July 6, 1971

Re: Claim to a Water Right No. 13-4003

Calven E. Forsgren
Route 2
Preston, Idaho 83263

Dear Mr. Forsgren:

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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

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