

Claim No. 13 4067STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that W. Kenneth Tarbet
(name of claimant)
of Grace, Idaho 83241, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|-------------------|-----|----------------------------|---------------------|---------------|----|------------------------|
| Amount | <u>0.04</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>0.02</u> | Use | <u>Stockwater</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | | Use | | Period of Use: From | | To | |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.06 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) September, 1944

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 16 Twp. 10S Rge. 40E B. M. County of Caribou
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. well and pump

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

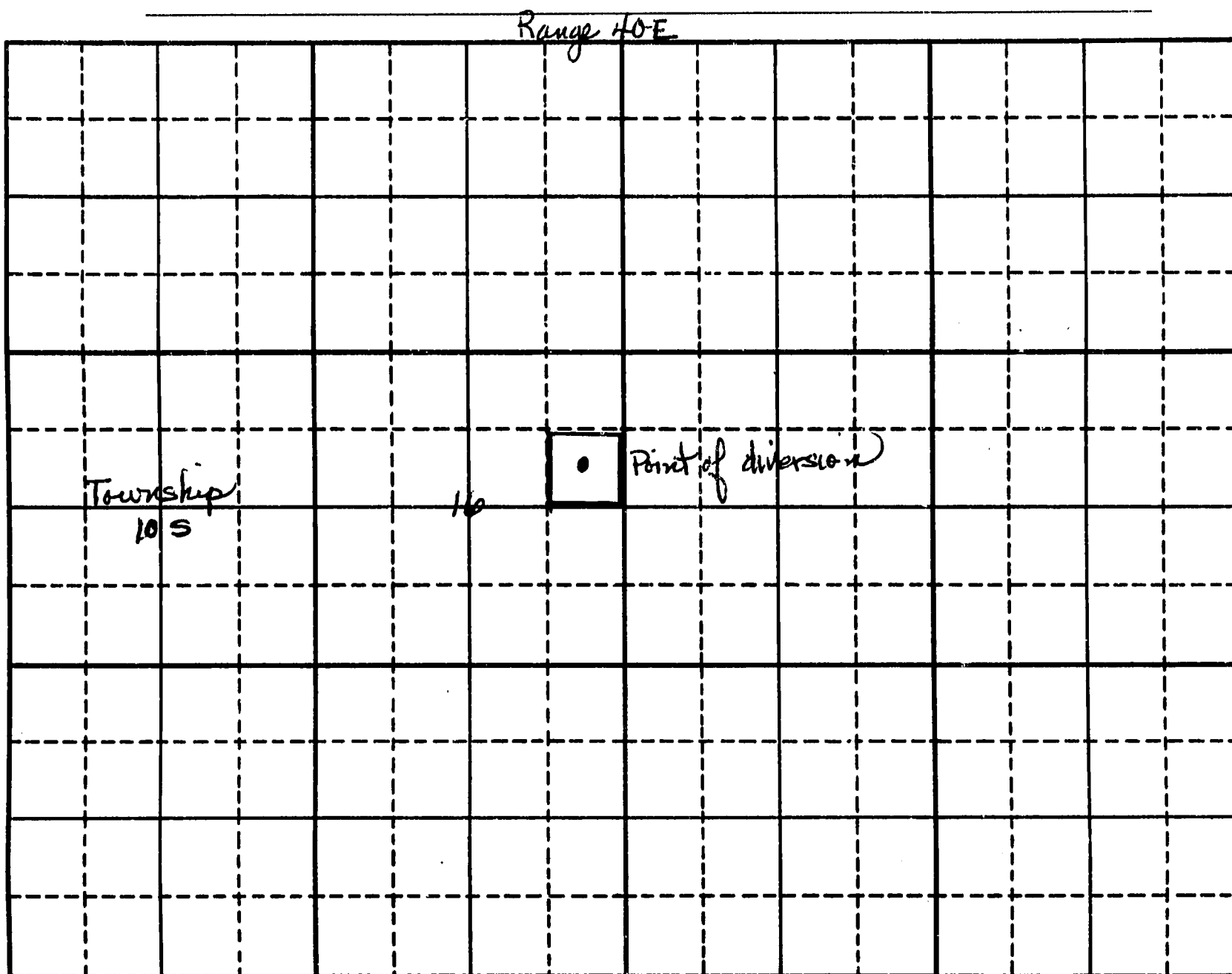
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	40E	16				X													

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use for one family and stockwater for 50 head of beef cattle.

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Caribou)

) 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 11 day of January, 19 78.

W. Kenneth Trenchard
(Claimant)

Notary Public

Residing at Gran, Idaho

My commission expires lifetime

For Department Use Only

Received by OW Date 1-16-78
Prelim. check by ARK Date 1-16-78
\$10.00 fee received by OW Date 1-16-78
Approved for publication by me 2-14-78 #2269
Published in Caribou County Record
Dates Jan. 26 & Feb. 2 1978

Exception filed by:

Forwarded to
claimant by:

Date

RECEIVED

IN THE MATTER OF:

JAN 16 1978

AFFIDAVIT

Department of Water Resources
Eastern District Office

State of Idaho
County of _____

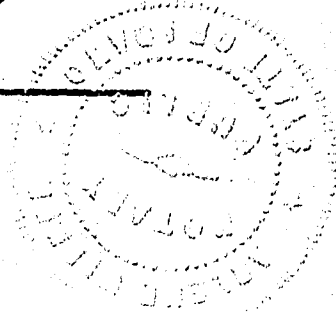
Edgar J. Miles being first duly sworn,
deposes and says: I lived close neighbor
to Kenneth Parker for 42 years
and he personally knows that
he did have a well drilled
on his property in 1944 (Sept)
SE 1/4 NE 1/4 Sec 16 Twp 10 Rg 40E
B. M. County of Caribou
for domestic and stock water
in the amt of 0.06 c.f.s.

Edgar J. Miles
(Signature)

Subscribed and sworn to before me this 9 day of January, 1978

Robert Miller
(Notary Public)

Residing at Gene Idaho
My Commission Expires Lifetime



RECEIVED

JAN 16 1978

Department of Water Resources
Eastern District Office

IN THE MATTER OF:

AFFIDAVIT

State of Idaho
County of _____

William R. Ashaker being first duly sworn,
deposes and says: I live about 1 1/2 miles so.
of the Kennoch Park place and
have lived here almost all my
life. I remember when he
moved on this property because
he hauled water from my
Parents Spring until in 1944 (Sept.)
when he did have a well
drilled. The legal description
of the ground is SE 1/4 of NE 1/4 Sec.
16. Twp 10 Rg 40E-43N.
County of Caribou for domestic
and stock water cont. 0.06 C.F.S.

William R. Ashaker
(Signature)

Subscribed and sworn to before me this 11 day of January, 1978

John J. Jell
(Notary Public)

Residing at Grand Idaho
My Commission Expires Indefinite

IN THE MATTER OF:

AFFIDAVIT

JAN 16 1978

Department of Water Resources
Eastern District Office

State of Idaho
County of _____

Glen Allen

being first duly sworn,

deposes and says:

I lived about 1 3/4
miles east from Kenneth Park's
property. I was working on
my mother's farm. I have
lived in this area all my life
and do personally know Kenneth
did have a well dug on
his place and put it to
Beneficial use in Sept 1944 -
SE 1/4 NE 1/4 Sec. 16 Twp 18S. Rge. 40E
B.M. Caribou Co. for
domestic use & stockwater.

Glen Allen
(Signature)

Subscribed and sworn to before me this 11 day of January, 1978

Allen Miller
(Notary Public)

Residing at Glen Idaho
My Commission Expires Lifetime

RECEIVED

FEB 14 1978

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 13-4067**

Notice is hereby given that W. Kenneth Tarbet, Grace, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 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. 16, T. 10S, R. 40E, B.M., Caribou County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and stockwater for 50 head of beef cattle with a priority of September, 1944; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 10S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
Director

Published in the Caribou County Sun, Soda Springs, Idaho on January 26 and February 2, 1978.

**Affidavit of
Publication**

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

26th day of
January, 1978

The date of the last publication

being the 2nd day of
February, 1978

Subscribed and sworn to be-

fore me this 2nd day

of February, 1978

Wendy H. Steele

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1980.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7166

April 13, 1977

W. Kenneth Tarbet
Grace,
Idaho 83241

Dear Mr. Tarbet:

We received your partially completed claim to a water right on April 8, 1977. As it was not entirely complete, we are returning to you a revised and completed claim, as per our telephone conversation on April 13, 1977, for your inspection and approval.

After completely reviewing the claim, have your signature notarized by a notary public in your area and submit a check or money for \$10.00 payable to the Department of Water Resources.

I have also included several affidavit forms you may wish to have neighbors complete in order to strengthen your claim. Be sure they have their signatures notarized, and that they indicate the date water from the well was first put to a beneficial use.

As concerns permit R1162 (11-2162) for 40,000 acre feet of storage water involving Utah Power and Light and the Water Resource Board, I have been advised to refer you to Mr. Ken Dunn in our Boise Office, telephone No. 384-2215.

If you have any further questions, please contact me at the Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

Yours truly,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

Enclosures

Attachment: Check No. 92-223 (\$10.00)

RECEIVED

JAN 16 1978

Dept of Water Resources -

Department of Water Resources
Eastern District Office

Enclosed please find my application
for a Well Permit & 3 affidavits
verifying putting to beneficial use
the water I obtained.

You will notice we changed
the date. After some research we
found the correct date should be
1944 - not place of 1934 we submitted
on the original application -

Thanks

W. Kenneth Darket

January 17, 1978

RE: Claim to a Water Right No. 13-4067

W. Kenneth Tarbet
Grace,
Idaho 83241

Dear Mr. Tarbet:

Attached herewith is Departmental receipt No. 9169 in the amount of \$10.00 for the above referenced claim to a water right.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

Attachment

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4067

Notice is hereby given that W. Kenneth Tarbet,

Grace, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a ground-water source

with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 10S, R. 40E, B.M.,

Caribou County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes for one family and stockwater for 50 head of beef cattle
with a priority of September, 1944;

the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 10S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on January 26 and February 2, 1978

*me-Q
me-Q*

January 19, 1978

RE: Claim to a Water Right No. 13-4067 TARBET

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

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 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. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted

2-14-78

by

CW

RDC:CW

Enc: Legal Notice (1)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 13, 1978

RE: Claim to a Water Right No. 13-4067 TARBET

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on January 26 and February 2, 1978.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 14, 1978

RE: Claim to a Water Right No. 13-4067

W. Kenneth Tarbet
Grace,
Idaho 83241

Dear Mr. Tarbet:

The Department of Water Resources 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,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

