

Claim No. **17 4021**

STATE 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 Rollin Showell & Sons, A Partnership
(name of claimant)
of Stone, Idaho 83280, 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) Spring
_____, 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>0.4</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>May 1</u>	To	<u>Oct. 31</u>
Amount	<u>0.09</u>	Use	<u>Stockwater</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, ~~gpm~~ x		(dom., irri.,					(both dates inclusive)

- (3) Total quantity of water claimed: 0.4 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) 1910

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)
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18 Twp. 16S Rge. 33E B. M. County of Oneida
 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. diversion dam, then through ditch to surrounding field

- (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.**

[illegible]

Total No. of acres 40

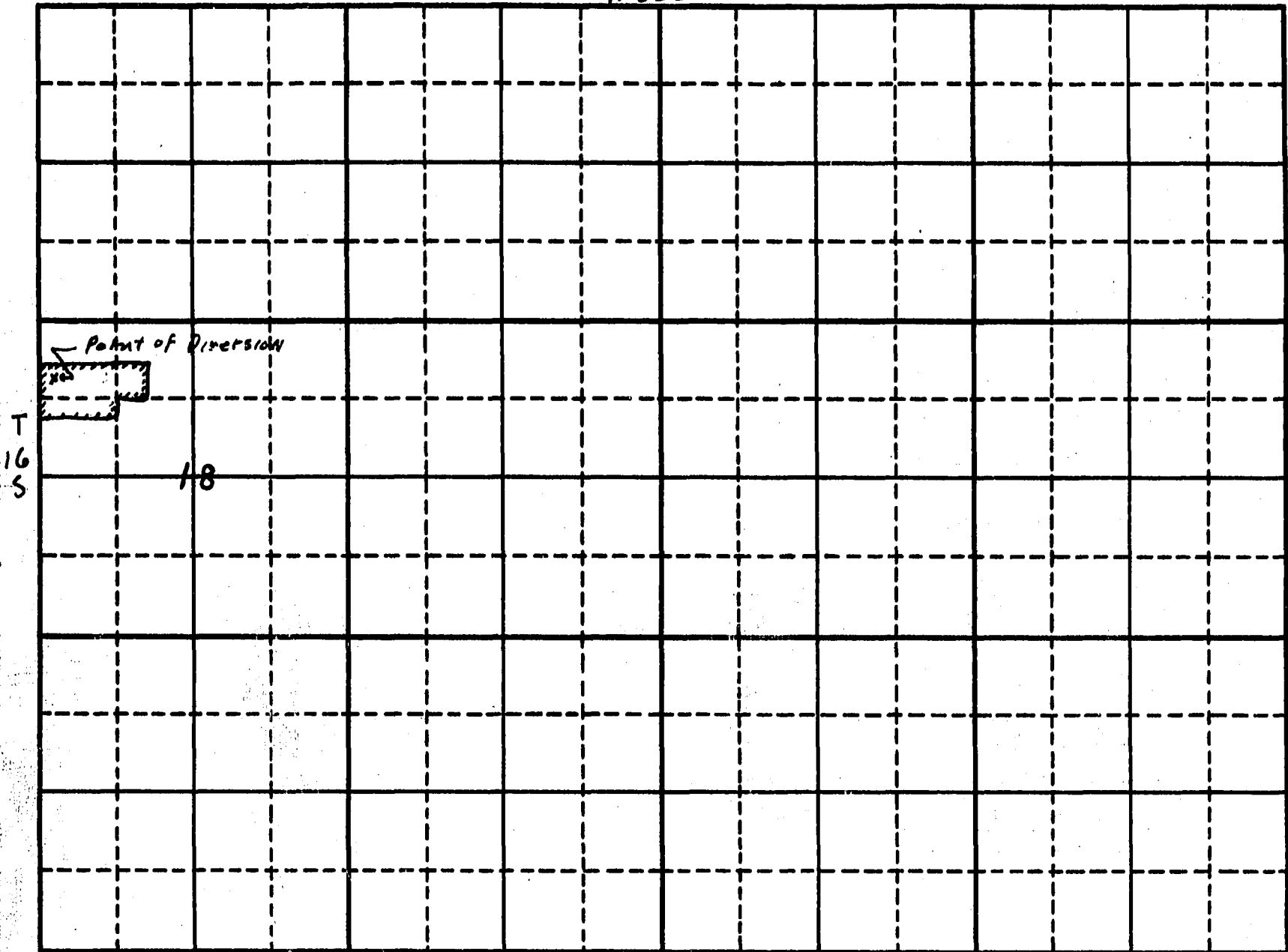
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: The water will be used for stockwatering purposes for 400 Hereford cattle.

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

1940

(8) Remarks _____

R 33 E



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 Oneida) 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 13 day of February, 1975.

Notary Public

Residing at Molad, Idaho

My commission expires 12/15/75

For Department Use Only

Received by <u>MB</u>	Date <u>1-24-75</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>MB</u>	Date <u>1-24-75</u>			
\$10.00 fee received by <u>MB</u>	Date <u>1-24-75</u>			
Approved for publication by <u>MB</u>	Date <u>1-24-75</u>			
Published in <u>Idaho Enterprise</u>				
Dates <u>February 20 & 27, 1975</u>				

RECEIVED

MAR 3 1975

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 17-4021**

Notice is hereby given that Rollin Showell & Sons, Stone, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.4 cubic feet per second of water from a spring with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 16S, R. 33E, B.M., Oneida County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 400 Hereford cows and from May 1 to Oct. 31 for the irrigation of 40 acres with a priority of 1910; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 16S, R. 33E, 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.

R. KEITH HIGGINSON
Director

Published in the Idaho Enterprise, Malad, Idaho 83252 on February 20 and February 27, 1975.

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Norma Peck being first duly sworn on her oath, states: That she is clerk of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, 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 said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published 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 20 day of Feb., 1975 the date of the last publication being the 27 day of Feb., 1975

Norma Peck
Subscribed and sworn to before me this 27 day of February, 1975.

J. R. Naylor
Notary Public, residing at Malad, Idaho

My Commission expires the 10 day of Oct, 1977.

Costs:

33 lines at 23c per line first insertion \$ 7.59

..... lines tabulated at 34 $\frac{1}{2}$ c per line \$.....

15c per line each subsequent insertion \$ 4.95

TOTAL \$ 12.54

(Rates for legal notices are fixed by Idaho law)

RECEIVED

Claim No. **17 4021**

STATE 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 Rollin Showell & Sons, a partnership
 (name of claimant)
 of Stone, Idaho
 (mailing address), claims a right to the diversion and beneficial use of
 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) _____
Spring, 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>20 in.</u> | Use <u>irrigation</u> | Period of Use: From <u>May</u> To <u>October, inc.</u> | |
| Amount _____ | Use <u>& stock</u> | Period of Use: From <u>October</u> To <u>October</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: 4 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) 1910

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)
NW 1/4 NW 1/4, Sec. 18 Twp. 16 Rge. 33 B. M. County of Oneida
 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. _____

diversion dam, then through ditch to surrounding field

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>16</u>	<u>33</u>	<u>18</u>					<u>10</u>	<u>20</u>	<u>10</u>										<u>40</u>

Total No. of acres 40

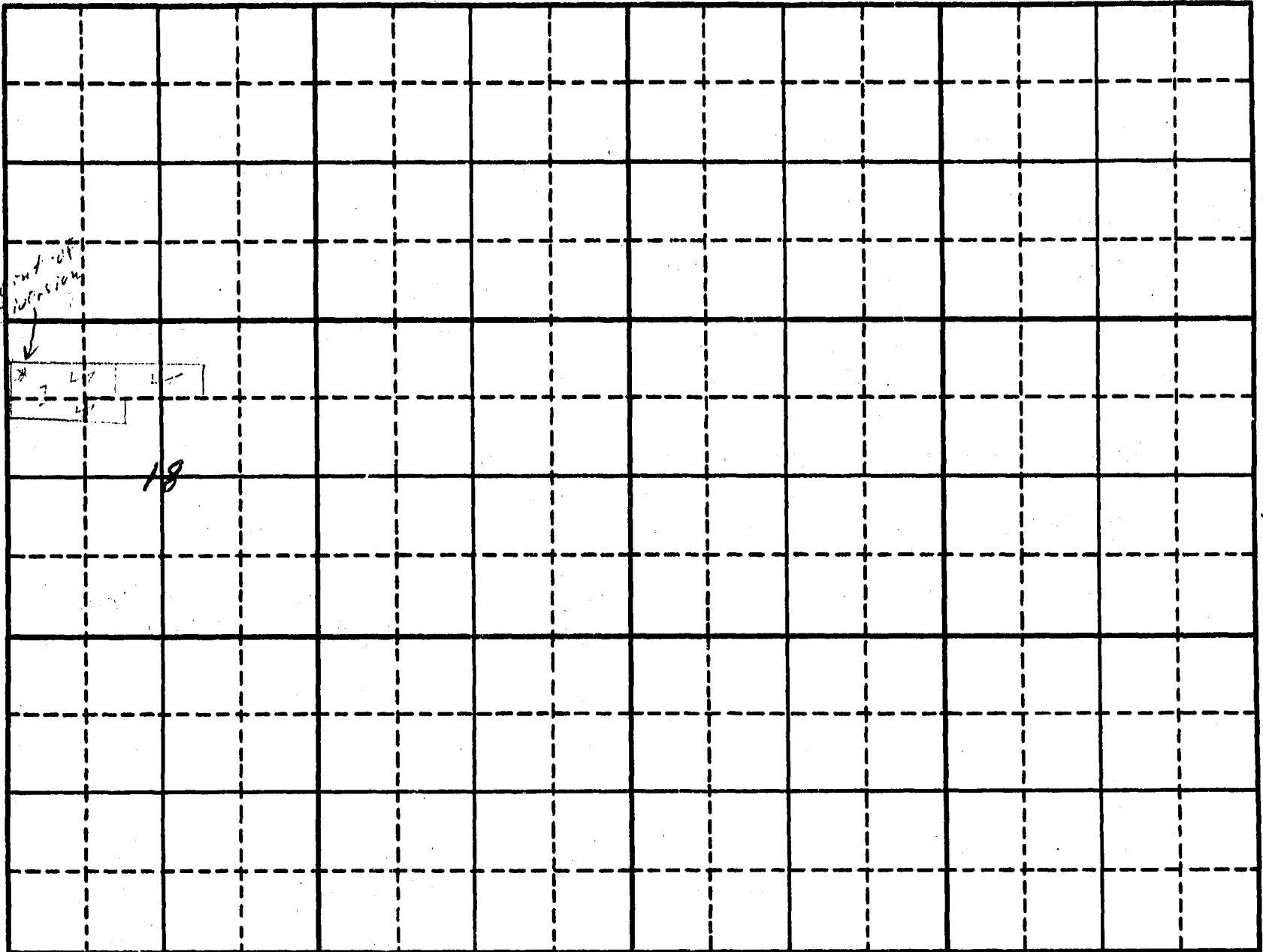
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

watering of stock

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

RECORDED

(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)
) ss.
County of Oneida)

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 22 day of January

(Claimant)

1975

Notary Public

Residing at Malad, Idaho

My commission expires 12/15/77

For Department Use Only

Received by MB Date 1/31/75 Exception filed by: Forwarded to Date
Prelim. check by du Date 1-29-75 claimant by:
\$10.00 fee received by Date
Approved for publication by
Published in
Dates

February 4, 1975

RE: Claim to a Water Right No. 17-4021

Rollin Showell & Sons
Stone
Idaho 83280

Gentlemen:

Attached herewith is departmental receipt No. 731 in the amount of \$10.00 for the above referenced claim which was forwarded from our Boise Office for processing. However, before we can advertise your claim we need to know the number and kind of livestock being watered and the amount of water being claimed for this purpose. Natural useage would be 0.02 cfs for up to 50 cattle and 0.03 cfs for up to 100 cattle. This amount need not be added to the total 0.4 cfs being claimed. We have taken the liberty of retyping the claim form which you will need to complete and sign in the presence of a Notary Public.

For your convenience, we are holding the processing of your claim for a 10 day period to allow you to return the retyped form. At the end of this period, your claim will be voided, if we have not heard from you.

If you have any questions, please contact this office.

Very truly yours,

LOREN O. HOLMES
Asst. to District Engineer

LOH:mb

Enclosure
Attachment

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 17-4021

Notice is hereby given that Rollin Showell & Sons,

Stone, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.4 cubic feet per second ~~XXXXXX per second~~
of water from a spring

with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 16S, R. 33E, B.M.,

Oneida County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering
purposes for 400 herford cows and from May 1 to Oct. 31 for the irrigation of 40 acres
with a priority of 1910;

the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18, T. 16S, R. 33E, 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.

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad, Idaho 83252

on February 20 and February 27, 1975.

MICROFILMED

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**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 17-4021

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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.

R. KEITH HIGGINSON
Director

Published in the Idaho Enterprise, Malad, Idaho 83252 on February 20 and February 27, 1975.

February 14, 1975

RE: Claim to a Water Right No. 17-4021 Showell

Idaho Enterprise
P.O. Box 205
Malad, ID 83251

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
Acting District Engineer

RDC:MB

Bill submitted 3-03-75 by CW

Enc: Legal Notice (1)

RECEIVED

March 10, 1975

RE: Claim to a Water Right No. 17-4021

Rollin Showell & Sons
Stone
Idaho 83280

Gentlemen:

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 contact us.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:MB

Enclosure

MICROFILMED