

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04321
Date Received: 3/28/1990
Receipt No: 1006393
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E. D. SAXTON 208-237-4314
Address: 4692 BURLEY DR.
CHUBBICK, ID 83202
OR
Name: EVA M. SAXTON 208-237-4314
Address: 4692 BURLEY DR.
CHUBBICK, ID 83202

A2904321



2. Date of Priority: MAR 20, 1913

3. Source: UNNAMED STREAM Trib. to: PECK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	37E	5	SW	SW	NE		BANNOCK

5. Description of diverting works:
DAM, DITCHES, SPRINKLERS & FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 4.5 Acre Feet Per Annum.

9. Non-irrigation uses:

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Date: 03/28/90

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	5	SW	NE		IRR	1.8
Section Acres							1.8
Total Acres							1.8

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): E.D. Sington Date: March 28
Eva M. Sington Date: 3-28-90

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of March 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

EAS FILE CORP. IRVINE, CA

EPH 24

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NOV 13 1992

A29-04321

1.8 Acres

R36E

R37E

T11S

POD

DOWNEY WEST ORTHOPHOTOQUAI
IDAHO



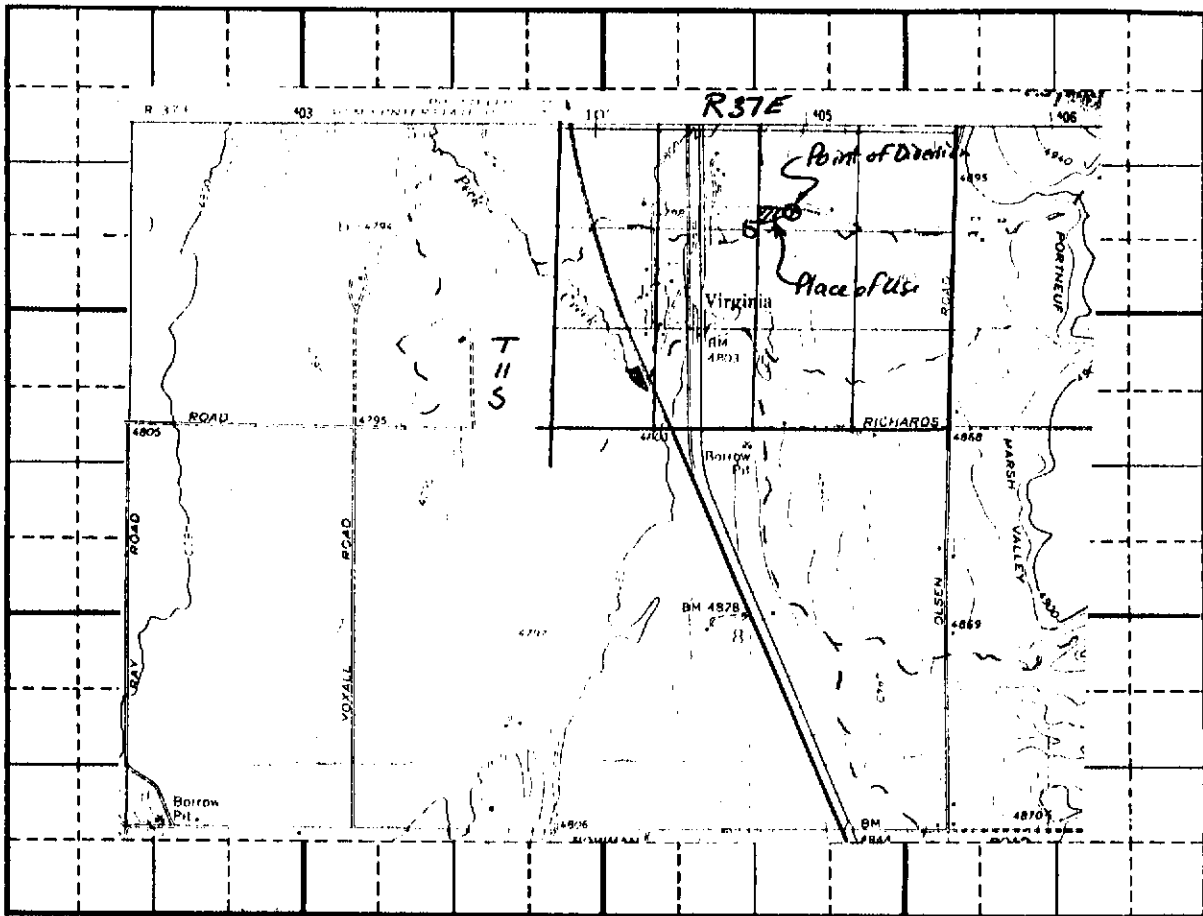
Log for claim A29-04321

Spatial Dynamics TWB

5/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	5	SWNE	1	2.3	
Totals:			1	2.3	

(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

Annrock 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 affiant's knowledge.

Sworn to before me this 13 day of May

John M. Saxton
(Claimant)
Genevieve Foreman
Notary Public
Residing at Lewiston Idaho.

My commission expires 11-17-85

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>5-16-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>5-17-83</u>		claimant by:	
\$30.00 fee received by <u>D.A.</u>	Date			
Published in <u>Idaho St. Journal</u>				
Dates <u>5/26 - 6/2/83</u>				

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that E.D. Saxton or Eva M. Saxton

(Name of Claimant)

Rt 1 Box 77, Downey Idaho 83234
(Mailing Address)

(Zip Code)

Telephone No. 897-5190

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) March, 20, 1914

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Stream _____ tributary to _____ Peck Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, sf)		(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Both dates inclusive)	(Mo., Day)
Quantity	0.04 cfs	Use Irrigation	Period of Use From	4/1	To 11/1
Quantity		Use	Period of Use From		To
Quantity		Use	Period of Use From		To
Quantity		Use	Period of Use From		To
Quantity		Use	Period of Use From		To

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs-ft)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ NE ¼, Sec. 5 Twp. 11 S Rge. 37 E B.M., County of Bannock

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. Describe any changes in the system and give the date of the change. Headgate to ditch for flood irrigation, 1976 developed sprinkler system from ditch and stream.

(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]

No. of acres 1.5

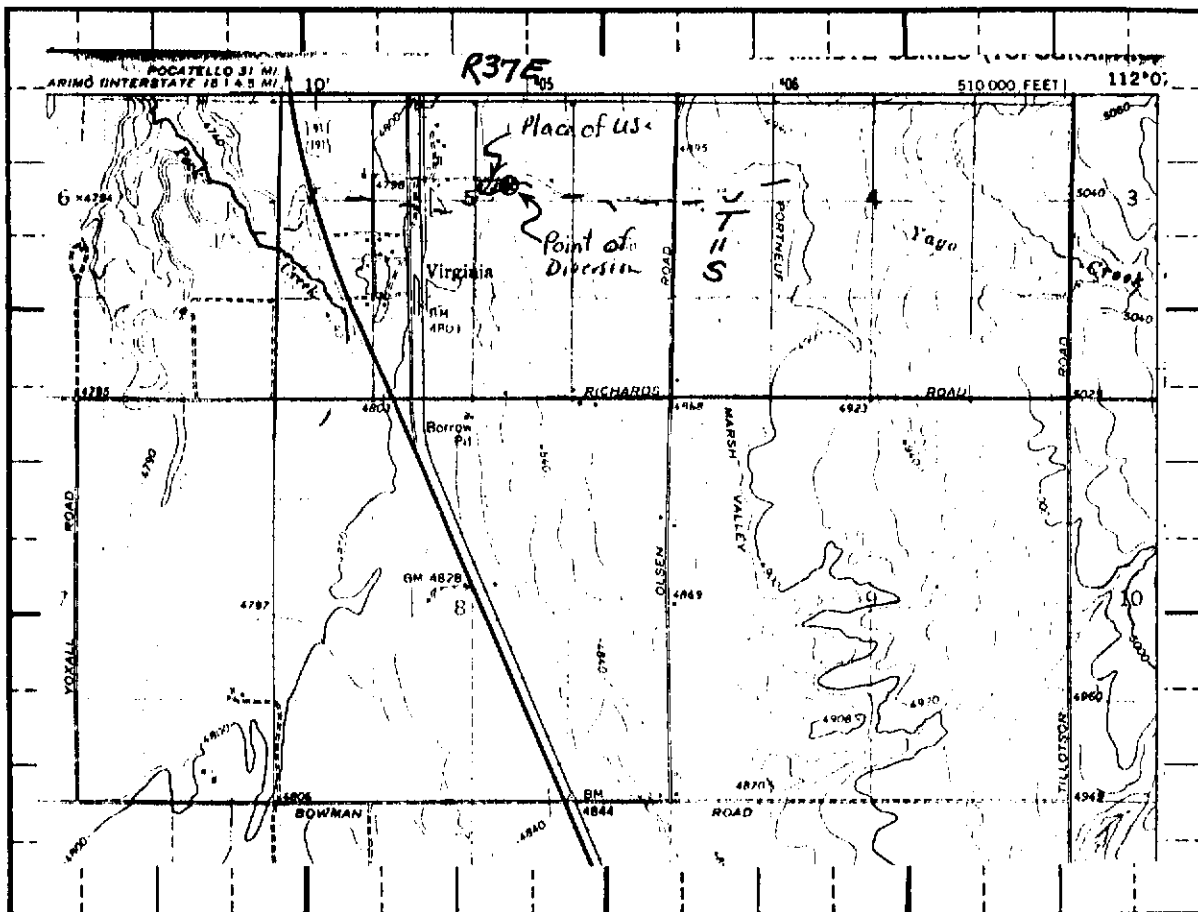
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

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

AMERICAN MED

(8) Remarks _____



Scale: 1-inch=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 Benewah) 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 affiant's knowledge.

Sworn to before me this 12th day of April, 1983.

Eva M. Saxon
(Claimant)

Charles Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6-15-85

ASSISTED BY Kew 4-1-83		FOR DEPARTMENT USE ONLY	
Received by _____	Date _____	Exception filed by: _____	Forwarded to _____
Prelim. check by <u>HWJ</u>	Date <u>4/7/83</u>		claimant by: _____
\$30.00 fee received by <u>BP</u>	Date <u>4/6/83 #28003</u>		
Published in <u>Idaho State Journal</u>			
Dates <u>4/81 - 4/28/83</u>			

AJ5809NP
No. A29-04321

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 116

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E D SAXTON	03/20/1913	IRRIGATION	04-01 11-01	0.040 CFS	
C	EVA M SAXTON					
	4692 BURLEY DR					
	CHUBBUCK ID 83202			TOTAL DIVERSION:	0.040 CFS	
	(208) 237-4314			CONSUMPTIVE USE:		4.50 AFA

Water Source: UNNAMED STREAM

Tributary to: PECK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R37E S05

SWSWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	37E	5	:					01												:	1.8
																				TOTAL ACRES	1.8

POU County: BANNOCK

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10808 A29-04322 A29-10808

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00052 A29-00053 A29-00589 A29-04060 A29-04322

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/28/90 BAUMHOFF 07/20/94 THOMPSON 03/29/95 POST-STD