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Form 243
10/07

MAR 21 2022

Claim No. 13-8096

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Lewis J. Palmer
(Name of Claimant)

Mailing Address: 1768 S 600 W Preston, Idaho 83263

Telephone No: 208-851-1970 Email: lewsmink@gmail.com

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

1. Date of Priority: (When the water was first applied to beneficial use) May 5, 1944
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Ground Water tributary to _____

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

Quantity	(cfs or af)	Use	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive)	
				(MM/DD)	(MM/DD)
Quantity <u>0.04 cfs</u>		Use <u>Stock</u>		Period of Use From <u>01/01</u>	to <u>12/31</u>
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 or af)

5. A) Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 4 Township 16 S Range 39 E B.M., Franklin County; additional points
of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.
1944 - Original well - gas powered surface pump attached to a 1.25" standpoint at about
22' Depth

1964 - Converted to electric surface pump attached to twin 1.25" standpoints.

12/24/1997 - New well drilled to 42' depth with 6" steel casing with a stainless steel screen at
the bottom 1.5 hp submersible pump attached to a 1.25" pipe.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	4													S				
16S	39E	3										S							

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
SEE ATTACHED

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

7. Remarks: SEE ATTACHED

8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Utah)
County of Cache) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

[Signature]
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 16th day of March, 2022



[Signature]
Notary Public

Residing at: Hyde Park

My commission expires: 05/03/2023

FOR DEPARTMENT USE ONLY

Received by _____ Date _____
Prelim. check by _____ Date _____
Fee 100.00 Receipt # E047919
Receipt prepared by M. Pettis Date 3-21-22

Published in _____
Publication dates _____
Publication checked by _____ Date _____
Exceptions filed by _____

ATTACHMENT

When my Grandfather purchased this property in 1964 it had a sand point well already established. According to the seller, he installed the well 20 years previous in 1944. This well was used to water 2,500 ewe sheep. Using the same website as referenced below, the 2,500 sheep would have used about an average of 1.4 gallons of water per day or 912,500 gallons per year. Upon purchasing the land in 1964 my Grandfather and his sons began raising mink and various smaller numbers of cattle, sheep, and fox. For the purpose of this application I used the following calculations as mink were the primary crop for the last 50+ years. As noted above the mink actually used less water than the sheep.

Calculation of Historic consumptive use by the mink farm.

Depletions for livestock (other than dairies) are determined from the supply requirements shown in Table 5 (taken from IDWR) assuming 100 percent depletion of any drinking water provided for the animals. If the animals were confined with slurry manure handling and land application, then ten percent return flow could be assumed, and the depletion would be 90% of the supply.

Mink were given an estimated typical supply of 0.39 L/day for males and 0.29 L/day for females (<http://www.omafra.gov.on.ca/english/engineer/facts/07-023.htm#8>) The mink were not confined with slurry manure and approximately 100% of the drinking water was depleted. The total quantity of mink kept varied but had a yearly average of approximately 19,000 minks with the numbers of males and females being roughly equal.

Male mink water consumption = 0.39 L/day = 0.1030271 gal/day = Mink_M

Female mink water consumption = 0.29 L/day = 0.0766099 gal/day = Mink_F

Stock Water Depletion = (19,000 Mink x 50%) x Mink_M + (19,000 Mink x 50%) x Mink_F
x 365 days/year ÷ 325,850 gal/ac ft.

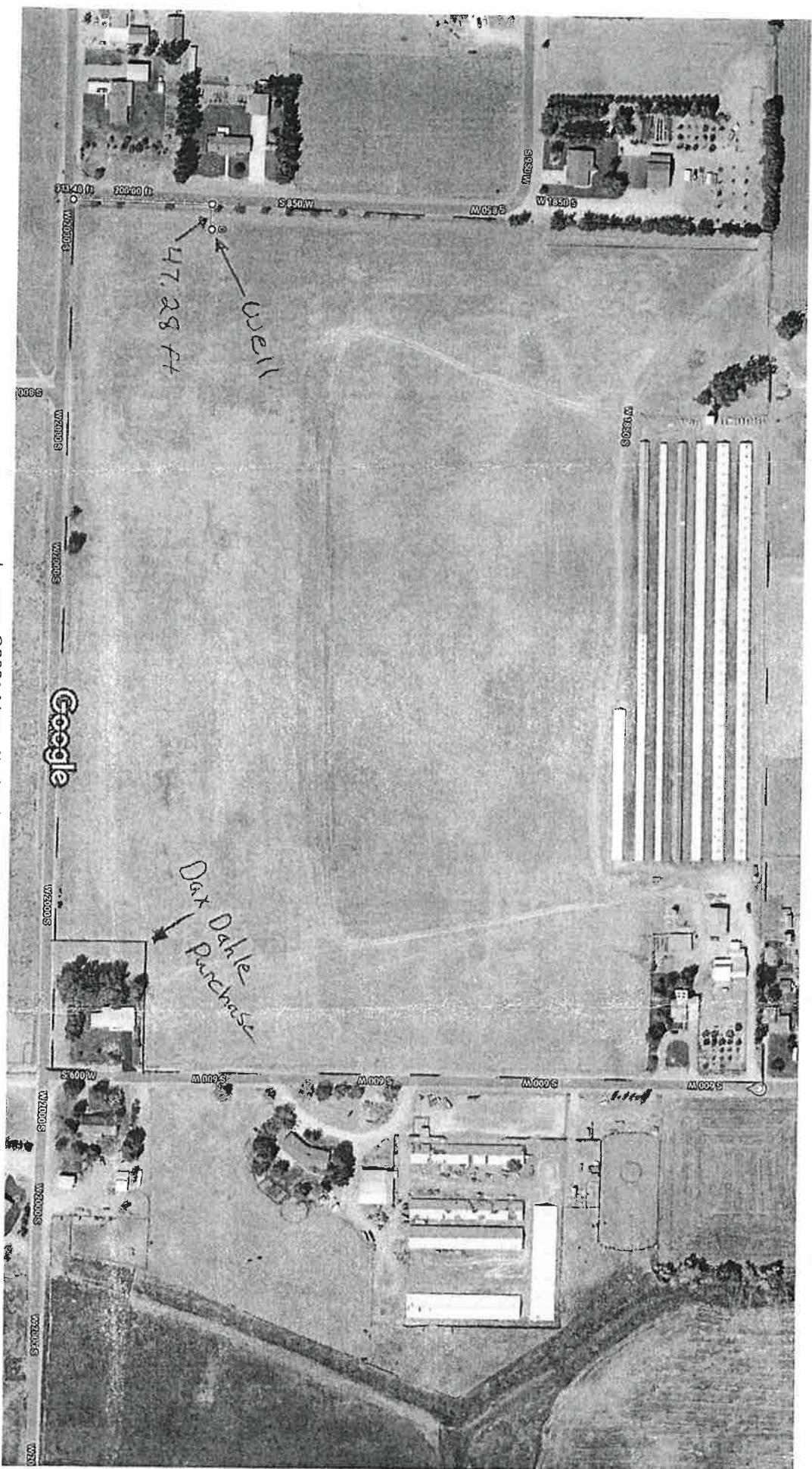
Stock Water Depletion = 1,706.55 gal/day x 365 days/year ÷ 325,850 gal/ac ft.

Stock Water Depletion = 622,891.2975 gal/year ÷ 325,850 gal/ac ft.

Stock Water Depletion = 1.912 ac ft./year

Google Maps

Exhibit A
Map of well location



Measure distance

Total distance: 313.48 ft (95.55 m) from the Southwest corner
Then East 47.28 ft

Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 100 ft



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 30, 2022

LEWIS J PALMER
1768 S 600 W
PRESTON ID 83263-5555

RE: Water Right Claim No. 13-8096

Dear Claimant:

The Department of Water Resources acknowledges receipt of your water right claim. Please refer to the above referenced number in all future correspondence regarding this claim.

A legal notice of the claim has been prepared and is scheduled for publication in the Preston Citizen on 4/6/22 and 4/13/22. If exceptions to the claim are filed, you will be sent a copy of the exception(s).

The filing and advertising of the claim does not confirm the water right claimed. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have the information or evidence added at any time. Corrections to the claim may be made by filing an amended claim; no additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100.00 late filing fee. Contact any office of the Department or visit the Internet to obtain the proper forms and instructions.

Please feel free to contact this office if you have any questions.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, March 30, 2022 3:10 PM
To: legals@prestoncitizen.com
Subject: Legal Notice for Preston Citizen
Attachments: SC13-8096 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Claim No. 13-8096

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 4/25/2022. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

The following claim has been filed based on diversion and beneficial use of water:
13-8096

Lewis J Palmer, 1768 S 600 W, Preston ID 83263-5555

Point of Diversion: NESE, Sec. 4, Twp 16S, Rge 39E, B.M. FRANKLIN County

Source: Ground water

Use: STOCKWATER 01/01 to 12/31, 0.04 cfs

Total Diversion: 0.04 cfs

Priority Date: 05/05/1944

Place of Use:

STOCKWATER

T16S R39E Sec 3 NWSW

T16S R39E Sec 4 NESE

For additional information concerning the property location, contact Eastern Region office at (208)525-7161; or for a full description of the rights, please see <https://research.idwr.idaho.gov/apps/WaterRights/StatutoryClaims>. Exceptions to a claim may be filed with the Department of Water Resources, EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718.

Gary Spackman, Director

Published on April 6 and April 13, 2022