

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho I, David Mark Brown

solemnly

Publisher

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of

publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 11th day of December, 19 80

and the last publication having been made on the 18th day of December, 19 80

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 19th day of December, 19 80

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

35-4113

SAINZ LIVESTOCK

BERTON SAINZ, PRESIDENT,

P. O. BOX 96, SPRINGFIELD, ID. 83277

Source: GROUNDWATER

Priority Date: 04/10/1952

Amount: 3.00 CFS

Diversion Point: NESE Sec 10 T 04S R 32E, BINGHAM Co.

Use: IRRIGATION (3.00 CFS) from 04/01 to 11/01

Place of Use: NESE SESE Sec 10 T 04S R 32E NWSW Sec 11 T 04S R

32E FOR 78 ACRES

Diversion Means: WELL, PUMP & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Avenue, Idaho Falls, Idaho 83401

C. STEPHEN ALLRED
Director

(6751)

Pub: 12-11 and 12-18

32

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DEC 23 1980

Department of Water Resources
Eastern District Office

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35-4113-

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DEC 9 1980

Department of Water Resources
Eastern District Office

Pls. make 2 copies and give to Pat

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called
paper 12/9/80
for correct
rw

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 Sainz Livestock, Berton Sainz (President)
(Name of Claimant)

P. O. Box 96, Springfield, ID 83277 Telephone No. 328-2331
(Mailing Address) (Zip Code)

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) April 10, 1952

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)
groundwater 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:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>3.0 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
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) 3.0 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 10 Twp. 4S Rge. 32E B.M., County of Bingham
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.
Pump, mainline, 4½ lines 4" sprinkler pipe.

(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	
4S	32E	10													40			30	70
		11										8							8

No. of acres 78

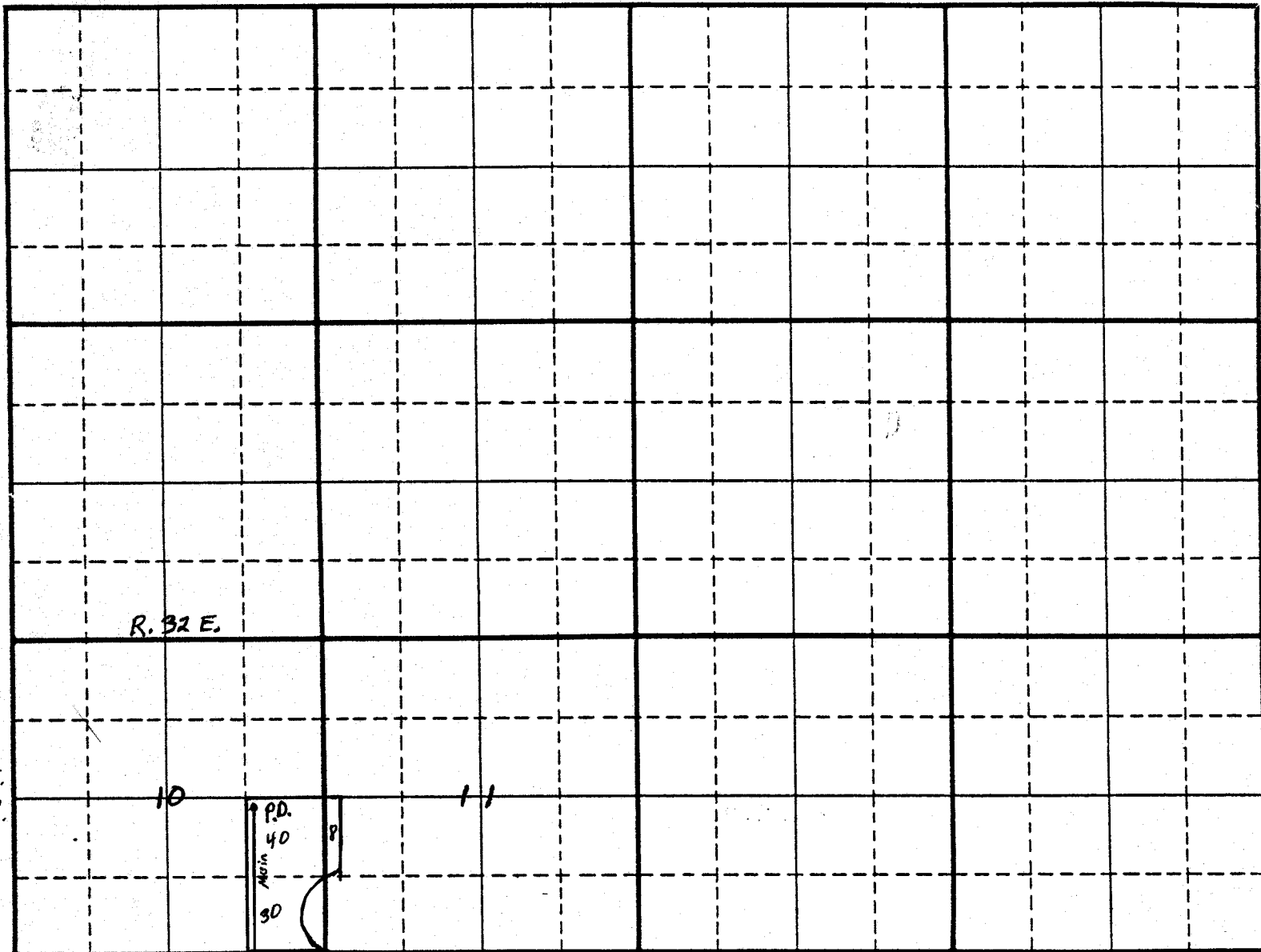
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: _____

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(8) Remarks _____



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 Bonneville) 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 2nd day of Dec., 1980.

Benton Saing (Paw)
(Claimant)
Calvin Wray
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by <u>jc</u>	Date <u>12-2-1980</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>12-3-1980</u>		claimant by:	
\$30.00 fee received by <u>JK</u>	Date <u>12/2/80</u>	<u>#16101</u>		
Published in <u>Blackfoot News</u>				
Dates <u>12/11 & 12/18/80</u>				

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State of Idaho)
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BERTON SAINZ, PRESIDENT,
P. O. BOX 96, SPRINGFIELD, ID.
83272

Source: GROUNDWATER

Priority Date: 04/18/1952

Amount: 3.00 CFS

Diversion Point: NESE Sec 10 T 04S R 32E, BINGHAM Co.

Use: IRRIGATION (3.00 CFS)

Output in Plant

Point of Use: NESE Sec 10 T 04S R 32E

04-24 SEC. 10 T 04S R 32E

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DEC 23 1980

Department of Water Resources
Eastern District Office

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JOHN K.

Right Number 35 4113 Applicant SAINT LIVESTOCK

NOTE: 35-4113
IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS
INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO
THE CLAIMANT ALONG WITH THE APPROPRIATE COVER
LETTER.

CHECK:

- ☒ Name and address.
 - ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
 - ☒ Source.
 - ☒ Quantity, use, period.
 - ☒ Point(s) of diversion.
 - ☒ Location of use.
 - ☒ Signature/notarization/fee.
- 12/29

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 1-6-1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Harveer Date 1/8/81

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

DECEMBER 30, 1980

SAINZ LIVESTOCK
BERTON SAINZ, PRESIDENT
P.O. BOX 96
SPRINGFIELD ID 83277

RE: Claim No. 35-4113

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

DECEMBER 4, 1980

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before DECEMBER 29, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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*C. STEPHEN ALLRED

Director

Published 12/11 & 12/18/80.

35-4113.

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Priority Date: 04/10/1952

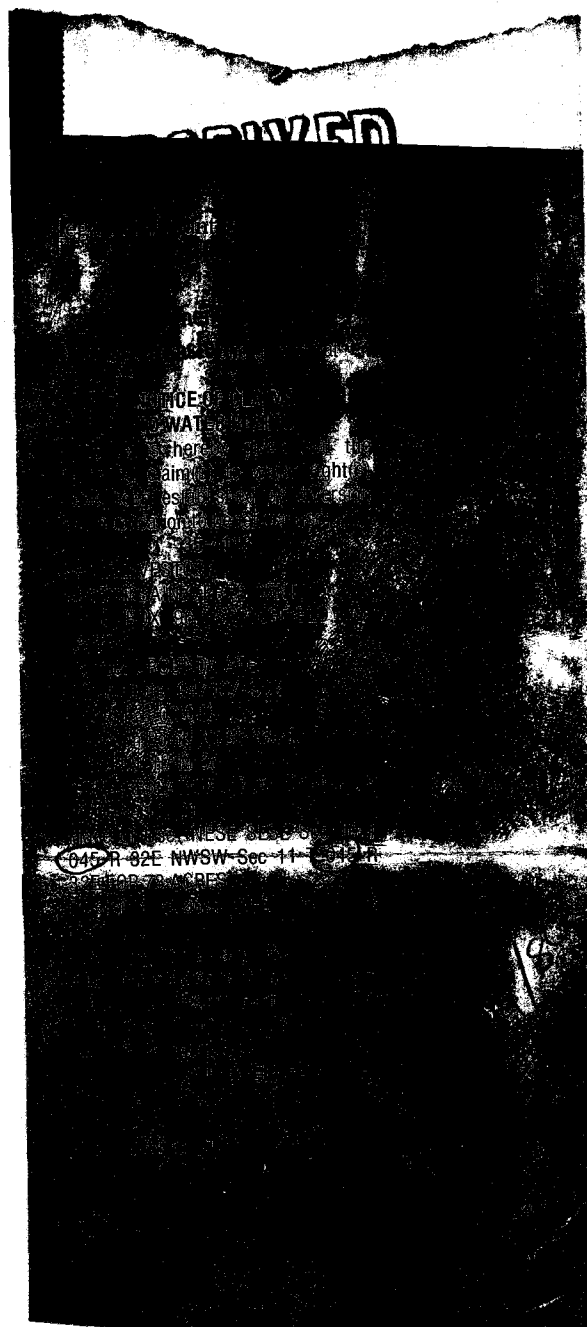
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