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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 Pearl Hansina Hall Johansen Estate c/o Carl and or Ida May Hall
180 North Emerson, Shelley, ID 83274 (Name of Claimant) Telephone No. 357-3390 Work
(Mailing Address) (Zip Code) 357-3232 Home

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) February 27, 1934

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)
spring tributary to swamps

(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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.00 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity	<u>0.04 cfs</u>	Use <u>stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>1.00 cfs</u>	TOTAL QUANTITY USED.	Period of Use From	To

(4) (cfs, af)
(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 28 Twp. 15S Rge. 39E B.M., County of Franklin
Additional points of diversion: NW ¼ SE ¼, SW ¼ SE ¼, SE ¼ SE ¼, Sec. 28, T. 15S, R. 39E

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. ditches from spring to flood irrigation

(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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15S	39E	28													12	12	6.5	13	48.5

No. of acres 48.5

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: 100 head cattle

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

43/90/1 s 61/1

Published in

Historia

Prelim. check by _____ Date _____
\$30.00 fee received by _____ Date _____

Date

7/8/91
8/15/91

Exception filed by:

Forwarded to
claimant by:

are

FOR DEPARTMENT USE ONLY

My commission expires

6-15-8

Notary Public
Residing at _____

Shakir Ezzou

Sworn to before me this _____ day of _____

ep 



(Claimant)

1961

[Signature]
(Claimant)

affiant's knowledge.

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

State of Idaho

County of _____

Donnell

SS.

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.

Scale: 2 inches equal 1 mile.

PLACE OF USE + POINT OF DIVERSION

28

28

7. 155

2. 39 E.

(8) Remarks

#875

JAN 26 1984

No 2039

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

JAN. 19

1984

with the issue of

JAN. 26

1984

J. Walter Ross

Fee \$ 15.00

Subscribed and sworn to before me this 31st day

of Jan, 1984.

Kevin O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986.

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

13-4280

PEARL HANSINA HALL JOHANSEN
estate
180 N. EMERSON, SHELLEY, ID
83274

Source: SPRING trib. to SWAMPS

Priority Date: 02/27/1934

Diversion Pt: NESE NWSE SWSE

SESE Sec 28 T 15S R 39E

Use: IRRIGATION (1.00 CFS)

Use: STOCKWATER (0.04 CFS)

In: NESE NWSE SWSE SESE Sec 28 T
15S R 39E FOR 49 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 1/19 & 1/26/84.

Legal No. 2039 —24L— Published
Jan. 19, 24, 1984.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 6, 1984

PEARL HANSINA HALL JOHANSEN ESTATE
180 N. EMERSON
SHELLEY ID 83274

RE: Claim No. 13-4280

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

UNRECORDED

State of Idaho
Department of Water Resources

G. F. RAMSEY ANALYSIS SHEET

INITIAL REVIEW BY: OCT 24 1983

Right Number 13 4280 Applicant PEARL HANSINA HALL SOHANSEN
ESTATE

NOTE: 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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Gilman Date Feb 7, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 2/9/84

RECEIVED
FEB 09 1984

November 16, 1983

Carl Hall
180 North Emerson
Shelley, ID 83274

Dear Mr. Hall:

On June 30, 1983 the Department of Water Resources received your claim to a water right filed in accordance with Section 42-242 of the Idaho Code requiring all beneficial use water rights be recorded with the state. This claim was reviewed by our staff and subsequently returned on October 25, 1983 with a cover letter outlining the modifications you needed to make for the claim to be in form to process.

The fee at the time you submitted your claim was \$30.00. However, starting July 1, 1983 the statutory fee for filing a claim was substantially increased to \$100.00.

Since your claim was originally received when the lower fee was in effect, we will accept your claim at that rate provided it has been corrected and returned no later than December 26, 1983. A returned claim postmarked later than December 26, 1983 will be assessed the current filing fee of \$100.00.

Staff at our office will be glad to answer questions or assist you in properly completing the claim form.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

October 25, 1983

Carl Hall
180 N. Emerson
Shelley, ID 83274

Dear Sir:

In reviewing the claim filed for the Johansen Estate, I am unable to process the claim until several items have been clarified.

The first problem is the total quantity used (item #4). This should be the numerical total of ~~the~~ use listed in item #3. The second item is the map and the points of diversion. Four points of diversion are indicated but the map indicates a single point. I have enclosed a USGS quad map for your use. Please fill out a new claim form and indicate the points of diversion and place of use on the USGS quad map and the correct total amount of water used. The rest of the information on the original form appears to be correct and should be transferred to the new form. Return the quad map and new form to this office.

If you have questions or require assistance you may call 525-7161 or come to the Regional Office in Idaho Falls.

Sincerely,

GEREAD F. RAMSEY
Radiologist Specialist

GFR:bp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 11, 1984

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

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 FEBRUARY 6, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

FILED
JAN 11 1984
IDAHO FALLS

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In: NESE NWSE SWSE SESE Sec 28 T 15S R 39E FOR 49 ACRES

Proved
BP
11/7/84