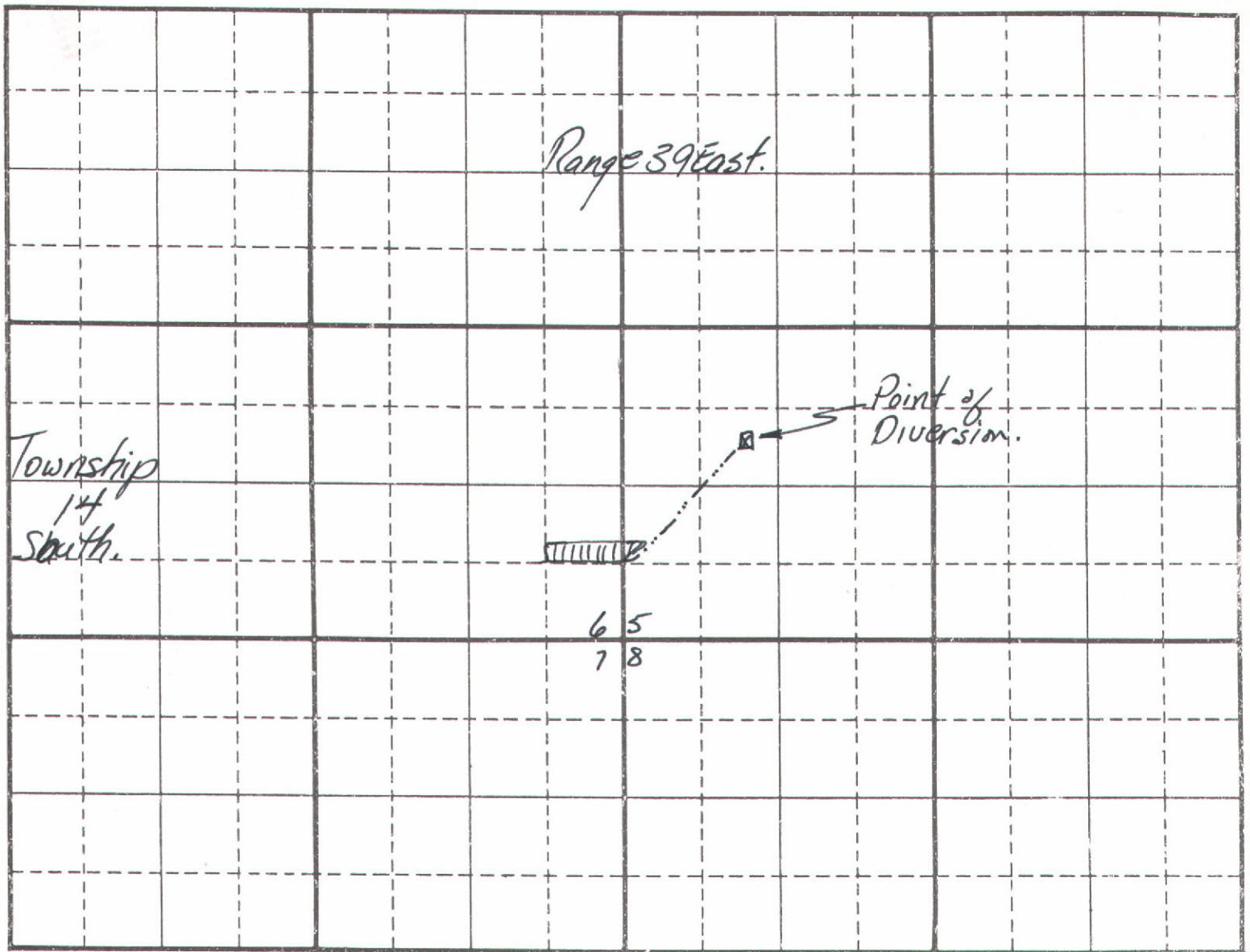


(8) Remarks _____



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 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 29th day of June

x Huitau Piles
(Claimant)
Allen Way
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by EMC Date 6-29-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Kaw Date 6-29-82
\$30.00 fee received by BP Date 6-29-82 #22347
Published in Preston Citizen
Dates 7-8 ; 7-15-82

A
22.6

B
8.6

C
115.7

C-43
83C
Nile Taylor

SE NW

A
23.6

D
59.0

D
4.8

E-7

C
12.0

B
9.6

D
47.5

B-162
82C
Oarwin
Kanner

B
89.2

A
81.1

E-537
99C

R. Carl Swainst

2.0

A
44.6

C-202
81C
Jack Grodes
26.4

A
27.5

D
6.7

F
3.2

E
21.0

A
74.7

B
78.5

A
48.3

C-63
102C
E.A. Swann

C-187
101C
Joseph A.
Christensen

C
4.3
14.3

C-187
100C

42.3

MICROFILMED

F-7

NOT TO SCALE

No 1663

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

July 8, 1982, and ending with the issue of July 15, 1982

Fee \$ 20.00

Subscribed and sworn to before me this 31st day of July, 1982

Notary Public, Residing at Preston, Idaho

My Commission Expires June 1, 1986

RECEIVED

AUG 6 1982

Department of Water Resources
Eastern District Office

NOTICE TO 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:

13-4202

MILES, HUITAU

RT. 3, BOX 102, PRESTON, ID 83263

Source: FOX HOLLOW tributary to DEEP CREEK

Priority Date: 05/01/1932

Amount: 0.20 CFS

Diversion Point: SENW Sec 05 T 14S R 39E, FRANKLIN Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 11/01

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 05 T 14S R 39E NESE Sec 06 T 14S R 39E FOR 10 ACRES

Diversion Means: HEADGATE & DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

Published 7/8 & 7/15/82.

Legal No. 1663 -32L- Published July 8, 15, 1982.

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 Huitau Miles c/o Harry La(Monte) Miles 2nd
(Name of Claimant)
Rt. 3, Box 102 Preston, Idaho 83263 Telephone No. 852-2421
(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) May 1, 1932

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)
Fox Hollow tributary to Deep 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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.20cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity	<u>0.02cfs</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		Use		Period of Use From	To

(4) 0.20cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 5 Twp. 14S Rge. 39E B.M., County of Franklin
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

(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	
14S	39E	5									1								1
		6												9					9

No. of acres 10

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: 30 head range cattle

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

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MICROFILMED

Dates 7-8 & 7-15-82

Published in *Poston Citizen*

Received by *BMC*
Prelim. check by *Kau*
Date *6-29-82*
Date *6-29-82*
Date *6-29-82*
BP
#22347

FOR DEPARTMENT USE ONLY

Forwarded to
claimant by:
Date

Exception filed by:

My commission expires

6/15/82

Notary Public
Residing at *Stella Falls, Id.*

Sworn to before me this

29th

day of

June

1982

(Claimant)

Richard M. Lee
William W. May

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

Benewille

ss.

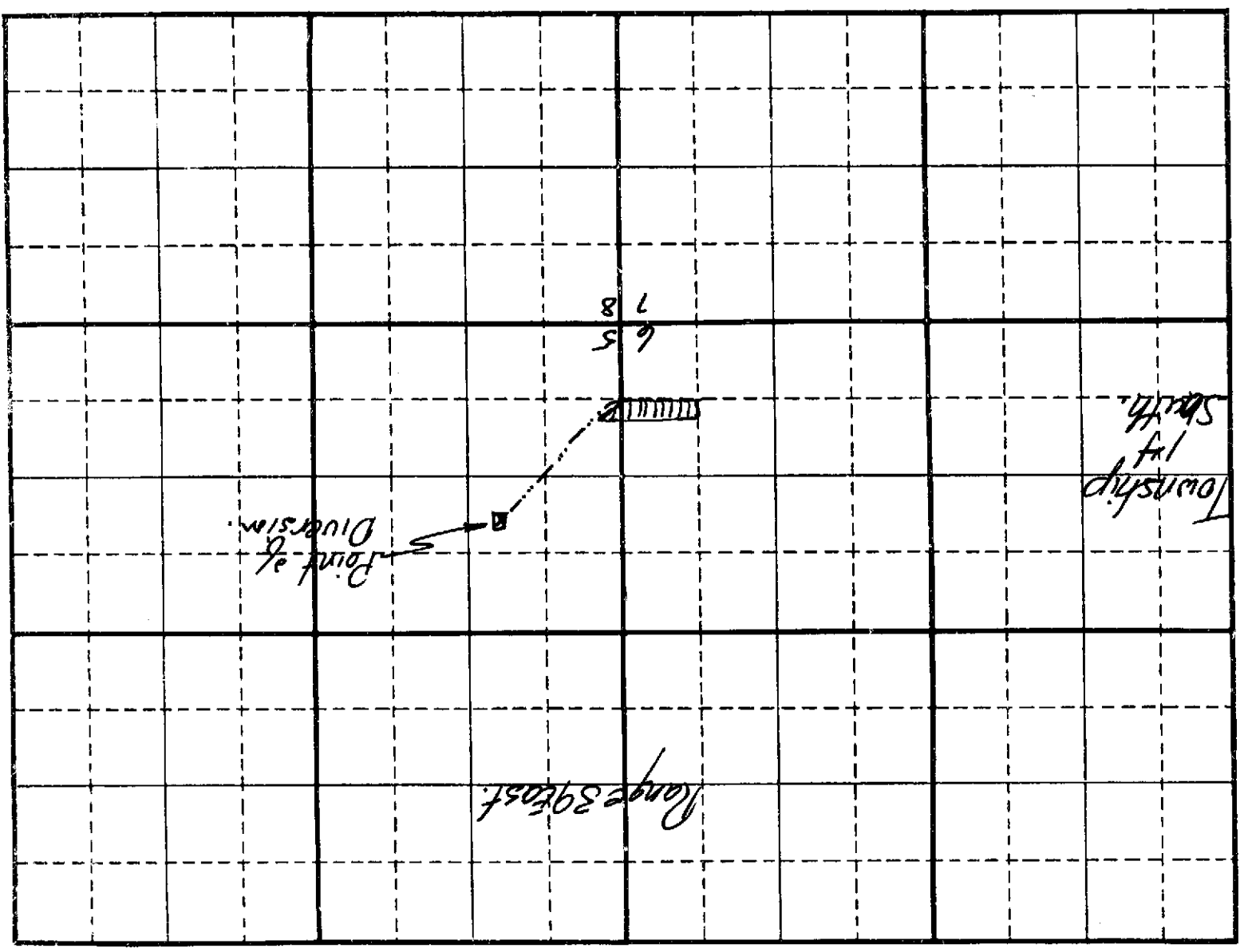
)

)

)

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.



(8) Remarks

A
22.6

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8.6

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115.7

C-43
83C

Nile Taylor

SE NW

D
59.0

A
23.6

E-7

C
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2.6

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47.5

B-162
82C

Oarwin
Tanner

B
89.2

81.

E-537
99C

R. ... gains

2.0

A
44.6

C-222
81C

Jack ...

26.4

A
27.5

B
72.5

C-187
101C

Joseph ...
Ch...

RECEIVED
F-7

NOT TO

#875

No 1663

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

July 8, 1982, and ending with the issue of July 15, 1982

Fee \$ 20.00

Subscribed and sworn to before me this 31st day of July, 1982

Kevin O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

RECEIVED

AUG 6 1982

Department of Water Resources
Eastern District Office

NOTICE TO 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.

12-4202

MILES, HUITAU
RT. 3, BOX 100, PRESTON, ID 83203
Source: FOX HOLLOW tributary to DEEP CREEK

Priority Date: 06/01/1982

Amount: 0.20 CFS

Diversion Point: SENW Sec 05 T14S R39E, FRANKLIN Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 11/01

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 05 T14S R39E NESE Sec 08 T14S R39E FOR 30 ACRES

Diversion Means: HEADGATE & DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH STERN
Director

Published 7/8 & 7/15/82.

Legal No. 1243 - 31 - Published July 8, 1982.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 26, 1982

HUITAU MILES
RT. 3, BOX 102
PRESTON

ID 83263

RE: Claim No. 13-4202

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,

WILFRED D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
AUG 18 1982

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

July 28, 1982

RE: Claim to a Water Right No. 13-4202 MILES

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on July 8 and 15, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Called 8-2-82 BP

COLLEEN WRAY
Adm. Secretary

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

K.C. Wilson

Right Number

13 4202

Applicant

Huitau Miler

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.

Send to W.D. # _____

July 26, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By *Ernest Carlson*

Date *Aug 10, 1982*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *kw*

Date *8/19/82*

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 30, 1982

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 billing to this office before JULY 26, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

lished 7/8 & 7/15/82.

MICROFILMED

13-4202

MILES, HUITAU

RT.3, BOX 102, PRESTON, ID 83263

Source: FOX HOLLOW tributary to DEEP CREEK

Priority Date: 05/01/1932

Amount: 0.20 CFS

Diversion Point: SENW Sec 05 T 14S R 39E, FRANKLIN Co.

Use: IRRIGATION	(0.20 CFS)	from 04/01 to 11/01
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NWSW Sec 05 T 14S R 39E NESE Sec 06 T 14S R 39E
FOR 10 ACRES

Diversion Means: HEADGATE & DITCH

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