

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

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:

13-4148

MILLARD, WAYNE

P. O. BOX 51, SWAN LAKE, ID 83281

Source: SWAN LAKE CREEK tributary to SWAN LAKE

Priority Date: 05-16-1883

Amount: 1.00 CFS

Diversion Point: SESE Sec. 03 T 13S R 38E, BANNOCK Co.

Use: IRRIGATION (1.00 CFS) from 4-01 to 11-01

Place of Use: NENE NWNE SWNE NENW SENW NESW Sec. 10 T 13S R 38E FOR 91 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.

S/A. KENNETH DUNN

Director

July 16, 23, 1981

No. 917

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

July 16	, 19 81		, 19
July 23	, 19 81		, 19
	, 19		, 19
	, 19		, 19
	, 19		, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 24th

day of July, 19 81

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

JUL 27 1981

Department of Water Resources
Eastern District Office

dt24344

VDT #18

ENTERED

EXPIRES

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7/10/81 11.12 * 7/24/81 0.0

SLUG: DT917

GUIDE: WATER

AUTHOR: LEGAL

FILE: LEGAL

PAGE: 7/23

LAST USER: LEGAL

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JUL 13 1981

Department of Water Resources
Bannock District Office

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12 83281

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30 Ave., Idaho Falls, Idaho 83402.

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32 Director

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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 Wayne Millard

(Name of Claimant)

Box 51, Swan Lake, Idaho 83281

(Mailing Address)

Telephone No. 897-5536

(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 16, 1883

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)

Swan Lake Creek tributary to Swan Lake

- (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>1.00 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</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) 1.00 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE ¼ SE ¼, Sec. 3 Twp. 13S Rge. 38E 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 diverts water from creek into ditch.

- (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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
13S	38E	10	9	12	22		12			34	2								91

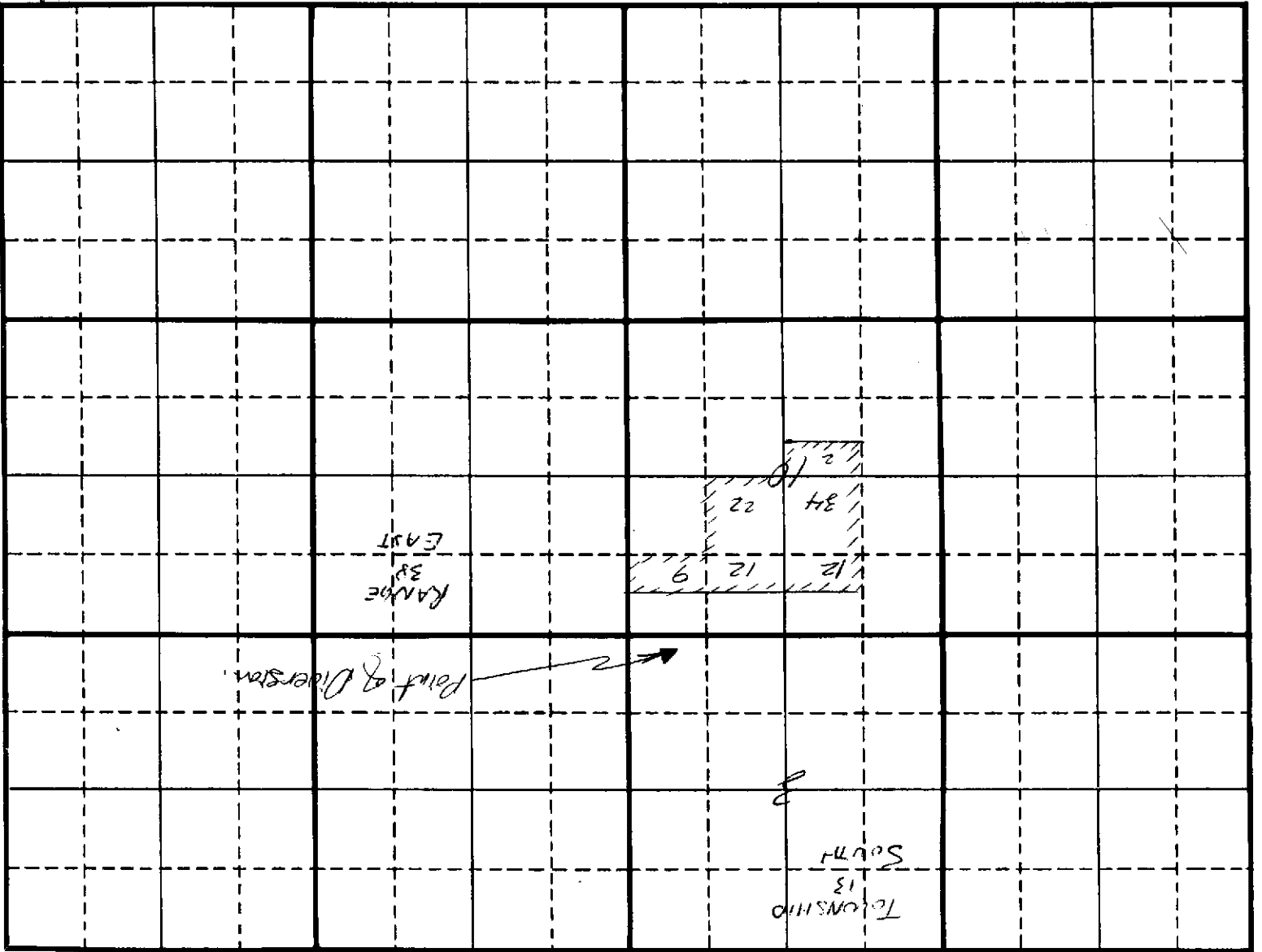
No. of acres 91

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: _____

(8) Remarks The waters of Swan Lake Creek have historically been divided equally between 3 parties. Each party exercising this right by using the entire stream for 1/3 of the time. The other two users have recorded their use of water by Claims Nos. 13-4146 and 13-4147.



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.

Shayne J. Inland
(Claimant)
Sworn to before me this 7 day of July, 19 81.

Kathleen A. Cooper
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

Received by *Emc* Date *7/7/81* Exception filed by: Forwarded to Date
Prelim. check by *Emc* Date *7/7/81* claimant by:
\$20.00 fee received by *Emc* Date *7/7/81* #17778
Published in Idaho State Journal
Dates 7/16 & 7/23/81

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STATE OF IDAHO
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13-4148
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P. O. BOX 57, SWAN LAKE, ID 83281
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Priority Date: 05-16-1883
Amount: 1.00 CFS
Diversion Point: SESE Sec. 03 T 13S R 38E, BANNOCK Co.
Use: IRRIGATION (1.00 CFS) from 4-01 to 11-01
Place of Use: NENE NWNE SWNE NENW SENW NESW Sec. 10 T 13S R 38E FOR 91 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.
S/A. KENNETH DUNN
Director
July 16, 23, 1981
No. 917

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Notary Public, State of Idaho
Residence: Pocatello, Idaho

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Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 13 4148 Applicant Millard

NOTE: 13-4148 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.
- 8/3

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Aug 4, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 8/11/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 4, 1981

WAYNE MILLARD
P.O. BOX 51
SWAN LAKE

ID 83281

RE: Claim No. 13-4148

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 9, 1981

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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 AUGUST 3, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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A. KENNETH DUNN

Director

Published 7/16 & 7/23/81.

13-4148-

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