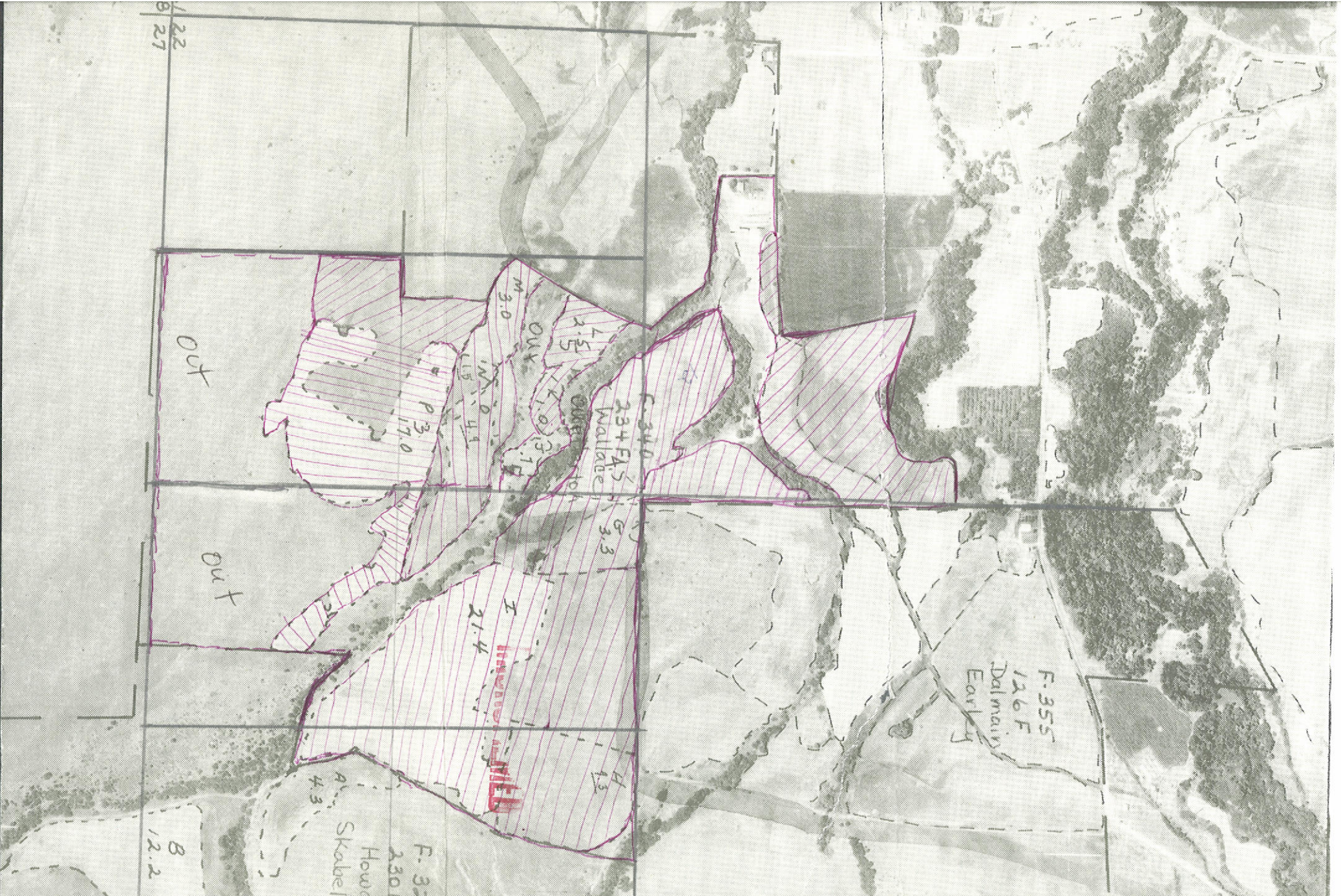
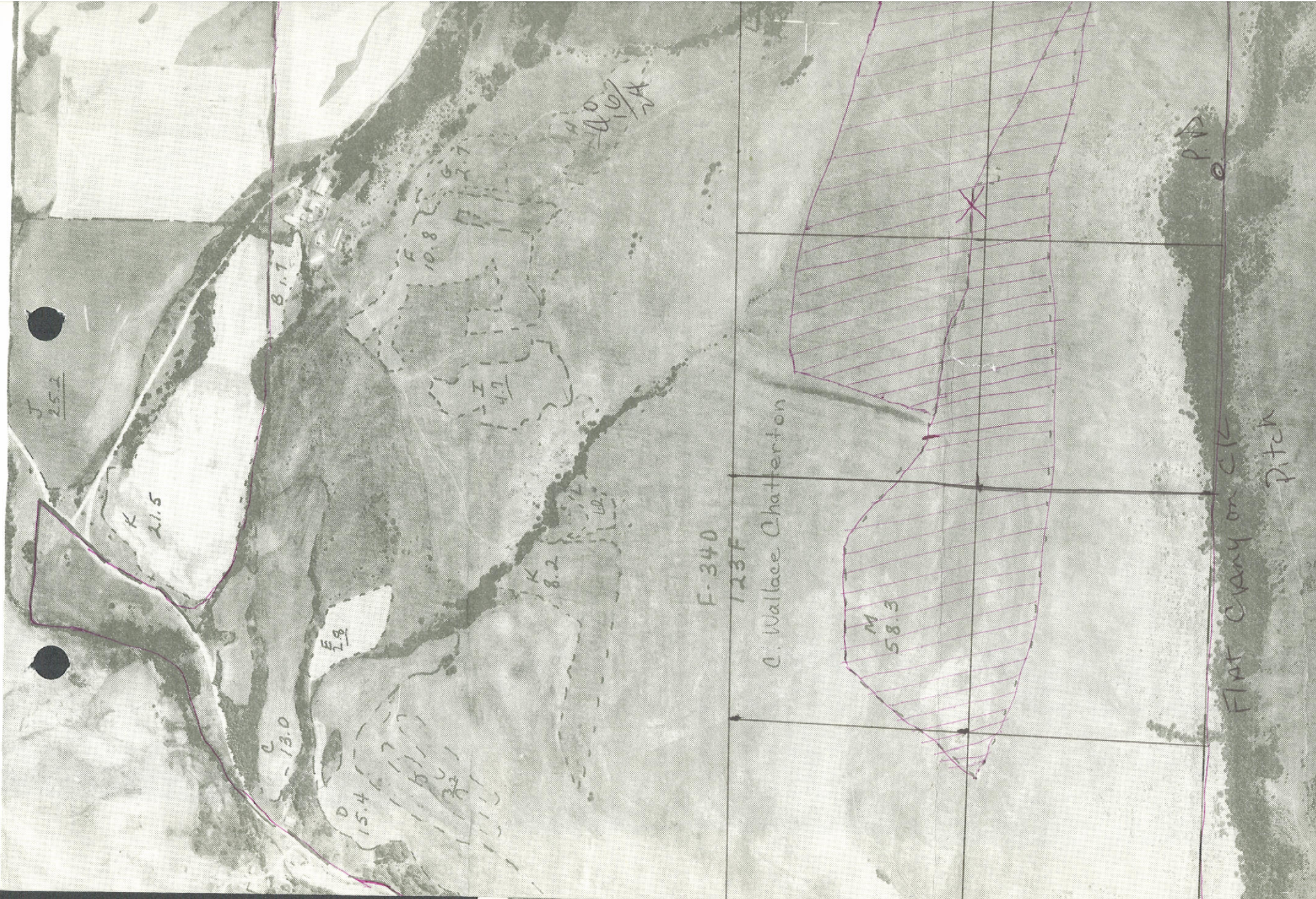




Flat clay on CL
 21.26



On this 10th day of October in the year 1960, before me a Notary Public in and for said State, personally appeared Keith E. Christensen and wife Dorothy C. Christensen known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

Ben B. Johnson
Notary Public,
Residing at Preston, Idaho.

STATE OF IDAHO,

County of Franklin--ss.

Recorded at the request of Ben B. Johnson at 8:40 A. M., November 27, 1961.

Fee: \$1.80

C. L. Swenson: Ex-Officio Recorder

By C. L. Swenson Deputy

WARRANTY DEED

Inst. No. 109239

THIS INDENTURE, Made this 10th day of January in the year of our Lord one thousand nine hundred and Sixty One between Charles Walter Earley and wife Ellen Couch Earley, and Arnell C. Earley and wife Carmena P. Earley of Ovid, of the County of Bearlake State of Idaho the parties of the first part, and Dalmain C. Earley of Franklin, County of Franklin State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and NO/100, DOLLARS, Legal Tender of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Franklin County of Franklin State of Idaho, to-wit:

All our right, title and interest in the following described real property.

REAL PROPERTY:

The NE $\frac{1}{4}$ of Sec 22, Twp 16 South, R 40 EBM, less 4 $\frac{1}{4}$ acres, more or less, and described as follows to wit:

Commencing at a point 35 rods South of the NW corner of the NE $\frac{1}{4}$ of said Sec 22, and running thence 23 $\frac{1}{2}$ rods Easterly, bearing South, thence 23 $\frac{1}{2}$ rods Easterly to a point 56 $\frac{1}{2}$ rods South of the North quarter section line, also being 42 rods East of the West Quarter Section line thence South 4 $\frac{1}{4}$ rods, thence Southwesterly 2--3/4 rods, following the center of Doney Ditch, thence Southwesterly bearing more West Following the center of Cane Lots Ditch 23 3/4 rods to a point on the West Quarter section line 68 rods South of the Northwest corner of said quarter Section, thence North 33 rods to the place of beginning.

There is also expected the following: Beginning at a point 105 rods East and 58.7 rods North from the S.W. corner of the NE $\frac{1}{4}$ of Sec 22, Twp 16 South, Range 40 Ebm and running thence North 50 $^{\circ}$ 31' East 17 rods, thence South 84 $^{\circ}$ 29' East 18 rods, thence South 50 $^{\circ}$ 31' West 17 rods, thence North 84 $^{\circ}$ 29' West 18 rods to the place of beginning, and containing 1-46/100 acres.

Also including, commencing at the SW corner of the SE $\frac{1}{4}$ of Sec 15, above Twp and Range, thence East 944 feet, thence North 6 $^{\circ}$ East 1020 feet, following along the South bank of the Stalker Ditch South 51 $^{\circ}$ West 350 feet; thence West 350 feet, thence South 64 $^{\circ}$ West 200 feet, thence North 85 $^{\circ}$ 30' West 250 feet, thence South 730 feet to the place of beginning.

Together with a right of way for a pipe line extending from the above described tract in a southwesterly direction to the West line of said quarter section, said pipe line being laid 3 $\frac{1}{2}$ feet below the surface of the ground.

Together with 204 shares of water in the Pioneer Irrigation Company; also, all other water rights and water of all descriptions now belonging to the said above real estate. Vendors assign one certain lease of 160 acres of State lease ground to Purchasers to March, 1964.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the part of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, and said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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 C. Wallace Chatterton
(Name of Claimant)
Route #1, Franklin, Idaho 83237 Telephone No. 646-2480
(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) June, 1880

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)
Flat Canyon Creek tributary to Bear River

(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>4.50 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) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 23 Twp. 16S Rge. 40E B.M., County of Franklin
Additional points of diversion: SE ¼ SW ¼, Sec. 24, T. 16S, R. 40E, B.M.

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 and small dams (Main ditch 3' wide, 1½' deep)

(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	
16S	40E	23	24	23	13	13	17	1	1	8									100
		22					4		1	26	26			15	15	36	10	2	135

No. of acres 235

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:

MICROFILMED

(8) Remarks _____

			22	4		22	23	17	23	24			
							1						
			1	26			1	8	13	13			
T. 16S										P.D.			
				26	36	15							
			22	15	10	2	22	23		23	24	P.D.	

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)
) ss.
County of _____)

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 6 day of February, 1979.
E. Wallace Chatterton
(Claimant)

[Signature]
Notary Public
Residing at Preston

My commission expires Lifetime

FOR DEPARTMENT USE ONLY				
Received by <u>dh</u>	Date <u>2-8-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>2-8-79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>2-8-79</u>			
Published in <u>Preston Citizen</u>				
Dates <u>February 15 & 22, 1979</u>				



BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE CLAIM TO
WATER RIGHTS of WALLACE C.
CHATTERTON, No. 13-4092

EXCEPTION TO CLAIM OF
WATER RIGHTS

COMES NOW, the Objectors, BOB A. HOBBS and IRMA V. HOBBS, Husband and Wife, and MICHAEL H. HOBBS and JILL B. HOBBS, Husband and Wife, and make exception to the Claim of WALLACE C. CHATTERTON, as follows:

1. Said Objectors hold water rights in and to Flat Canyon Creek, tributary to Bear River by virtue of their acquiring such rights from HEBER D. LOWE and LESTER D. LOWE, in a purchase of land and water rights.
2. HEBER D. LOWE and LESTER D. LOWE, acquired rights to said water by usage and License and Certificate of Water Right, dated from July 8, 1952, and other water rights.

WHEREFORE, Objectors pray that this Exception to the Claim of WALLACE C. CHATTERTON be noted inasmuch as the Objectors have a good and valid right to water claimed by WALLACE C. CHATTERTON, and the claimed use would impair existing rights.

DATED This 12th day of May, 1980.

Bob A. Hobbs
BOB A. HOBBS

Irma V. Hobbs
IRMA V. HOBBS

Michael H. Hobbs
MICHAEL H. HOBBS

Jill B. Hobbs
JILL B. HOBBS

RECEIVED

MAY 28 1980

Department of Water Resources

RECEIVED

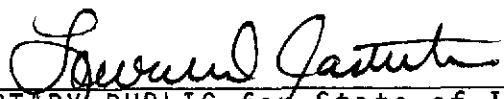
MAY 20 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO }
County of Franklin }

On this 12th day of May, 1980,
before me, the undersigned, a Notary Public in and for said
State, personally appeared BOB A. HOBBS and IRMA V. HOBBS,
Husband and Wife, and MICHAEL H. HOBBS and JILL B. HOBBS,
Husband and Wife, known to me to be the persons whose names
are subscribed to the within instrument and acknowledged to
me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal the day and year in this certificate first above
written.



NOTARY PUBLIC for State of Idaho
Residing at Preston, Idaho

Franklin, Idaho
Feb. 23, 1979

Dear Sir:

I am writing in protest concerning the claim published Feb. 22, 1979 by Wallace Chatterton of Franklin, Idaho, of rights to the Flat Canyon creek water.

I have reason to believe that I have legal right to part of this water, and I would appreciate sufficient time to establish said right.

I am enclosing a description of my property.

Thank you

Dalmain C. Earley
Route 1
Franklin, Idaho

RECEIVED
FEB 26 1979
Department of Water Resources
Eastern District Office

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:

13-4092

CHATTERTON, C. WALLACE
ROUTE 1, FRANKLIN, ID 83237
Source: FLAT CANYON CREEK tributary to BEAR RIVER
Priority Date: 06/01/1880
Amount: 4.50 CFS
Diversion Point: SENE Sec 23 T 16S R 40E SESW Sec 24 T 16S R 40E, FRANKLIN CO.
Use: IRRIGATION (4.50 CFS) from 04/01 to 11/01
Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW Sec 23 T 16S R 40E SENW Sec 23 T 16S R 40E NENW SWNW SENW NESW SESW NESE NWSE Sec 22 T 16S R 40E SWSE SESE Sec 22 T 16S R 40E FOR 235 ACRES
Diversion Means: DITCHES & SMALL DAMS
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published 2/15 & 2/22/79.

Legal No. 822-25L — Pub. Feb. 15 and 22, 1979.

consolidated with the County of Franklin, Idaho, and wife Dorothy C. Christensen known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year of this certificate first above written.

(Seal)

Ben B. Johnson
Notary Public,
Residing at Preston, Idaho.

STATE OF IDAHO,

County of Franklin,

Recorded at the request of Ben B. Johnson at 8:00 A. M., November 27, 1964.

Fee \$1.50

C. L. Johnson, Ex-Officio Recorder

Conserved

WARRANTY DEED

Inst. No. 109129

THIS INDENTURE, Made this 10th day of January in the year of our Lord one thousand nine hundred and Sixty One between Charles Walter Earley and wife Ellen Couch Earley, and Arnell C. Earley and wife Carmena P. Earley of Ovid, of the County of Bearlake State of Idaho the parties of the first part, and Dalmain C. Earley of Franklin, County of Franklin State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and NO/100, DOLLARS, Legal Tender of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Franklin County of Franklin State of Idaho, to-wit:

All our right, title and interest in the following described real property.

REAL PROPERTY:

The NE $\frac{1}{4}$ of Sec 22, Twp 16 South, R 40 EBM, less 4 $\frac{1}{4}$ acres, more or less, and described as follows to wit:

Commencing at a point 35 rods South of the NW corner of the NE $\frac{1}{4}$ of said Sec 22, and running thence 23 $\frac{1}{2}$ rods Easterly, bearing South, thence 23 $\frac{1}{2}$ rods Easterly to a point 56 $\frac{1}{2}$ rods South of the North quarter section line, also being 42 rods East of the West Quarter Section line thence South 4 $\frac{1}{4}$ rods, thence Southwesterly 2--3/4 rods, following the center of Doney Ditch, thence Southwesterly bearing more West Following the center of Cane Lots Ditch 23 3/4 rods to a point on the West Quarter section line 68 rods South of the Northwest corner of said quarter Section, thence North 33 rods to the place of beginning.

There is also expected the following: Beginning at a point 105 rods East and 58.7 rods North from the S.W. corner of the NE $\frac{1}{4}$ of Sec 22, Twp 16 South, Range 40 Ebm and running thence North 50 $^{\circ}$ 31' East 17 rods, thence South 84 $^{\circ}$ 29' East 18 rods, thence South 50 $^{\circ}$ 31' West 17 rods, thence North 84 $^{\circ}$ 29' West 18 rods to the place of beginning, and containing 1.46/100 acres.

Also including, commencing at the SW corner of the SE $\frac{1}{4}$ of Sec 15, above Twp and Range, thence East 944 feet, thence North 6 $^{\circ}$ East 1020 feet, following along the South bank of the Stalker Ditch South 51 $^{\circ}$ West 350 feet; thence West 350 feet, thence South 64 $^{\circ}$ West 200 feet, thence North 85 $^{\circ}$ 30' West 250 feet, thence South 730 feet to the place of beginning.

Together with a right of way for a pipe line extending from the above described tract in a southwesterly direction to the West line of said quarter section, said pipe line being laid 3 $\frac{1}{2}$ feet below the surface of the ground.

Together with 204 shares of water in the Pioneer Irrigation Company; also, all other water rights and water of all descriptions now belonging to the said above real estate. Vendors assign one certain lease of 160 acres of State lease ground to Purchasers to March, 1964.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the part of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, and said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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

Feb. 15, 1979, and ending with the issue of Feb. 22, 1979.

Fee \$ 1850

Subscribed and sworn to before me this 28th day of Feb, 1979.

Sam D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

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:

13-4092

CHATTERTON, C. WALLACE

ROUTE 1, FRANKLIN, ID 83237

Source: FLAT CANYON CREEK tributary to BEAR RIVER

Priority Date: 06/01/1880

Amount: 4.50 CFS

Diversion Point: SENE Sec 23 T 16S R 40E SESW Sec 24 T 16S R 40E, FRANKLIN CO.

Use: IRRIGATION (4.50 CFS) from 04/01 to 11/01

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW Sec 23 T 16S R 40E SENW Sec 23 T 16S R 40E NENW SWNW SENW NESW SESW NESE NWSE Sec 22 T 16S R 40E SWSE SESE Sec 22 T 16S R 40E FOR 235 ACRES

Diversion Means: DITCHES & SMALL DAMS

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published 2/15 & 2/22/79.

Legal No. 822-25L -- Pub. Feb. 15 and 22, 1979.

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

13-4092

May 22, 1980

RE: Claim to a Water Right No. 13-4092 CHATTERTON

Lowell D. Castleton
Attorney at Law
P.O. Box 191
Mreston, Idaho 83263

Dear Mr. Castleton:

We have received the exception dated May 12, 1980, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department—Corrections.—

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

cc: IDWR - State Office

May 22, 1980

RE: Claim to a Water Right No. 13-4092

C. Wallace Chatterton
Rt. #1
Franklin, Idaho 83237

Dear Mr. Chatterton:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
.At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Region Supervisor

RDC:cw:kw

Enclosure

cc: TRW - State Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

June 11, 1979

C. Wallace Chatterton
Route 1
Franklin, Idaho 83237

RE: Claim No. 13-4092

Dear Sir:

Enclosed is a copy of an exception filed in connection with your above-referenced claim. This exception is filed in accordance with the provisions of Section 42-244, IDAHO CODE, which states the following in part:

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

RONALD D. CARLSON
Regional Supervisor

RDC/dh

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

June 11, 1979

Dalmain C. Earley
Route 1
Franklin, Idaho 83237

RE: Claim No. 13-4092

Dear Sir:

We have received your correspondence concerning the above-referenced Claim to a Water Right. The following is a quote from the provisions under which this Claim has been filed (Section 42-244, IDAHO CODE):

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

RONALD D. CARLSON
Regional Supervisor

RDC/dh

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

MARCH 5, 1979

C. WALLACE CHATTERTON
ROUTE 1
FRANKLIN ID 83237

RE: Claim No. 13-4092

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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

FEBRUARY 9, 1979

Preston Citizen
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 MARCH 5, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

MICROFILMED

CHATTERTON, C. WALLACE

ROUTE 1, FRANKLIN, ID 83237

Source: FLAT CANYON CREEK tributary to BEAR RIVER

Priority Date: 06/01/1880

Amount: 4.50 CFS

Diversion Point: SENE Sec 23 T 16S R 40E SESW Sec 24 T 16S R 40E.
FRANKLIN Co.

Use: IRRIGATION (4.50 CFS) from 04/01 to 11/01

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW Sec 23 T 16S R 40E SENW
Sec 23 T 16S R 40E NENW SWNW SENW NESW SESW NESE NWSE
Sec 22 T 16S R 40E SWSE SESE Sec 22 T 16S R 40E
FOR 235 ACRES

Diversion Means: DITCHES & SMALL DAMS

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, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 2/15 & 2/22/79.

February 8, 1979

Mr. C. Wallace Chatterton
Route #1
Franklin, Idaho 83237

Dear Sir:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 12874 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D CARLSON
Sup rvisor
Eastern Region

RDC:dh

Attachment

February 1, 1979

Mr. C. Wallace Chatterton
Route #1
Franklin, Idaho 83237

Dear Mr. Chatterton:

In review of your claim to a water right, it was noticed that the land list in Item 6 was not consistent with those lands outlined on the aerial photograph. We are, therefore, returning your claim to a water right, personal check No. 3249 in the amount of \$20.00, and a typed claim to a water right which, for your convenience, was completed in our office and reflects the necessary corrections in the land list. Please review the typed claim to insure it is correct. Provided there are no changes, sign the form in the presence of a notary and submit it to our office, accompanied by the statutory filing fee of \$20.00. Should you have any questions concerning this matter, please feel free to call this office.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enc.

RECEIVED
FEB 1 1979

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: John C.

Right Number 13-4092 Applicant C. Wallace Chatterton

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 _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.J. Date 3/12/79

MICROFILMED

Permed BB