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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

0-13 4078

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 James H. Jones
(Name of Claimant)
Rt. #1, Box 165, Weston, Idaho 83286 Telephone No. 852-0859
(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) 1900

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)
unnamed spring tributary to sinks

(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	0.02	Use	Domestic	Period of Use From	Jan. 1 To Dec. 31
Quantity	0.30	Use	Irrigation	Period of Use From	Apr. 1 To Nov. 1
Quantity	0.04	Use	Livestock	Period of Use From	Jan. 1 To Dec. 31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.36 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 30 Twp. 15S 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.
ditches

(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.

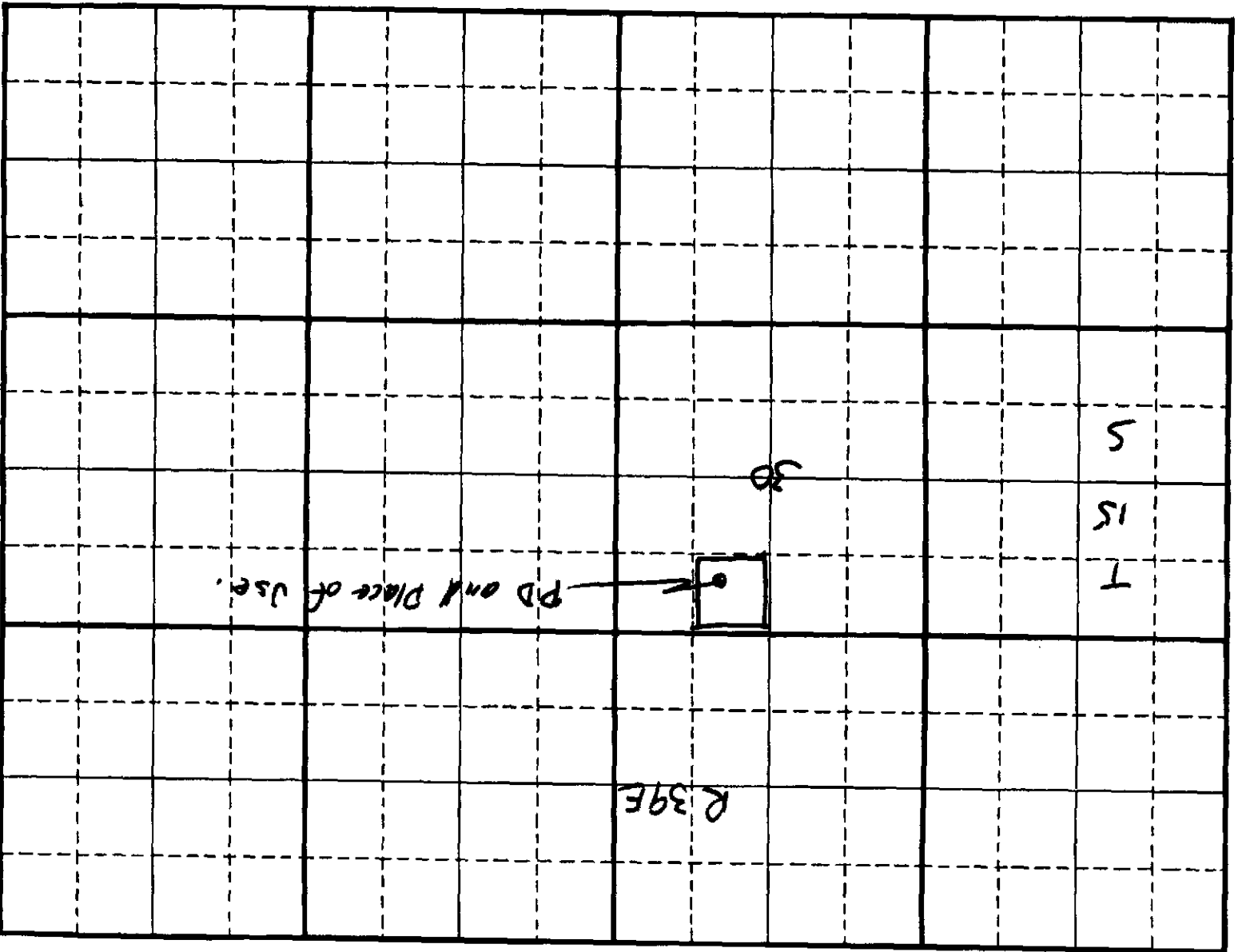
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15S	39E	30		15															15

No. of acres 15

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: 70 head dairy cattle

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



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 10th day of October, 1978.

Notary Public

Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by Date 10-10-78
Prelim. check by Date 10-10-78
\$20.00 fee received by Date 10-10-78
Published in RESTON CITIZEN # 1157
Dates OCT 19 & 26, 1978
Forwarded to Date 11/8/78
claimant by:

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

Oct 19, 1978, and ending

with the issue of Oct 26, 1978.

Fee \$ 1703

Subscribed and sworn to before me this 29th day

of Oct, 1978.

Heaven O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECORDED

OCT 7 1978

Department of Water Resources
Preston, 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:

No. 13-4078

Notice is hereby given that James H. Jones, Weston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.36 cubic feet per second of water from an unnamed spring tributary to sinks with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 15S, R. 39E, B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and the stockwatering of 70 head of cattle and from Apr. 1 to Nov. 1 for the irrigation of 15 acres with a priority of 1900; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 15S, R. 39E, B.M.

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

C. STEPHEN ALLRED
Director

Published in the Preston Citizen, Preston, Idaho on Oct. 19 and 26, 1978.

Legal No. 752-23L — Pub. Oct. 19 and 26, 1978.

97-A



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 8, 1978

**Mr. James H. Jones
Route #1, Box 165
Weston, Idaho 83286**

Re: Claim to Water Right No. 13-4078

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 can be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Regional Supervisor

Enclosure

November 6, 1978

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

Gentlemen:

Re: Notice of Correction No. 13-7238 - Erhardt
Claim No. 13-4079 - Jones
Claim No. 13-4078 - Jones

Would you please send affidavits of publication and certified bills in connection with the above referenced applications. The legal notices were to have been published on October 19 and 26, 1978. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 13, 1978

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. 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. IN ORDER TO RECEIVE PAYMENT, THE FOLLOWING CERTIFICATION MUST APPEAR ON THE BILL.

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billings to this office before NOVEMBER 6, 1978.

Yours truly,

s/Ronald D. Carlson
Regional Supervisor

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 in the Preston Citizen
on October 19, 1978 and October 26, 1978.

RECEIVED
OCT 26 1978
IDAHO DEPT. OF WATER RESOURCES

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4078

Notice is hereby given that James H. Jones, Weston, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.36 cubic feet per second acre feet per annum
of water from an unnamed spring tributary to sinks
with point of diversion in the NW 1/4, Sec. 30, T. 15S, R. 39E, B.M.,
Franklin County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes and
the stockwatering of 70 head of cattle and from Apr 1 to Nov 1 for the irrigation of 15 acres
with a priority of 1900;
the place of use is within the NW 1/4, Sec. 30, T. 15S, R. 39E, B.M.

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

R. KEITH HIGGINSON
XXXXXXXXXXXXXXXXXXXX
Director STEPHEN ALLRED

Published in the Preston Citizen, Preston, Idaho
on Oct. 19 and 26, 1978

[Handwritten signature]
[Stamp]