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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Marve W. Packer &/or Dorothy H. Packer
(name of claimant)
of Rt. #2, Box 373, Preston, Idaho 83263, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
_____, tributary to _____

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.04</u>	Use	<u>Domestic</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u>0.02</u>	Use	<u>Stockwater</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	_____	Use	_____	Period of Use: From	_____	To	_____
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 0.06 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) July, 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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 36 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. dug well 3 ft. in diameter, ¼ Hp. electric pump

(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	36											X						

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Water is used in two dwellings and for 50 to 70 head of livestock

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

In 1941 applicant dug new well adjacent to original well which had caved in.

Range 39E.

Township 14 S.

36

* Point of diversion of place of use.

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 Bonneville

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 affiants knowledge.

(Claimant)

Sworn to before me this 12th day of July, 19 77

Notary Public

Residing at Idaho Falls, Idaho

My commission expires 6/15/81

For Department Use Only

Received by <u>CW</u>	Date <u>7-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>7-12-77</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>7-12-77</u>			
Approved for publication by <u>me</u>	<u>8-3-77</u>	<u>#8257</u>		
Published in <u>Country Citizen</u>				
Dates <u>July 21 + 28, 1977</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
 County of Franklin } ss.

AUG 5 1977

Department of Water Resources
 Eastern District Office

RICHARD D. STOCKDALE

being duly sworn,

deposes and says:

That he is the Office Manager 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 21st, 1977, and ending
 with the issue of July 28th, 1977.

Richard D. Stockdale

Fee \$ 13.32

Subscribed and sworn to before me this 2nd day
 of August, 1977.

Dorothy W. Carpenter

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

NOTICE OF CLAIM TO A WATER RIGHT

No. 13-4050

Notice is hereby given that Marve W. Packer &-or Dorothy Packer, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a ground-water source with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families and for stockwatering purposes for 50 to 70 head of livestock, with a priority of July, 1880; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, 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 July 21 and July 28, 1977.

Legal No. 431 - Pub. July 21, 28, 1977.

ACT
ION
N OWNER LAST NAME - PACKER
N OWNER LAST NAME - PACKER
N ADDRESS LINE 1 - RT. 2 BOX 3/3
N
N SOURCE - GROUNDWATER
N STAGE - STAIRY CLM
N DIVERSION POINT - SESW 36 14S 39E
N FROM - 01-01 TO - 12-31 USE - STOCKWATER
N FROM - 01-01 TO - 12-31 USE - STOCKWATER
N USE - STOCKWATER
N NON IRRIG USE - S/50-70 RANGE D/2 HOMES.
FIRST NAME - MARVE W.
FIRST NAME - DOROTHY H.
CITY - PRESTON
STATE - ID ZIP CODE - 83263
PRIORITY - 08-01-1880 COUNTY - FRANKLIN TOTAL DIV. RATE -
USE DIV. RATE - .0200CFS
USE DIV. RATE - .0400CFS
PLACE OF USE - TOWN 14S RNG 39E SEC 36 TRACT SESW

August 8, 1977

RE: Claim to a Water Right No. 13-4050

Marve W. Packer
and/or Dorothy H. Packer
Rt. #2, Box 373
Preston, Idaho 83263

Dear Mr. Packer and Ms. Packer:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enc: Copy of claim

July 15, 1977

RE: Application for Permit No. 13-7203)
Claim to a Water Right No. 13-4050) PACKER

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted

8-05-77 by CW

RDC:CW

Enc: Legal Notice (2)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4050

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Preston, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second CCCCCCCCCCCCCCCC acre feet per annum
of water from a ground-water source

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, B.M.,
Franklin County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes for two families and for stockwatering purposes for 50 to 70 head
of livestock,
with a priority of July, 1880 ;
the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, B.M.

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C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho
on July 21 and July 28, 1977

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