

128114

Recorded at the office of
K. B. Mettlen

JUN 16 1971

C. L. LAWSON, Recorder

Guthrie J. Allen, Deputy

FRANKLIN COUNTY, IDAHO

L. 2.00

ADMINISTRATOR'S DEED

MULTI 2935 20. RECEIPTION

P. 1st 2 X

2nd 2

3rd 2

THIS INDENTURE, made on the 9th day of April, 1968 by and between MELVIN GRIFFETH, Administrator of the Estate of JOSHUA RALLISON, a/k/a J. RALLISON, Deceased, party of the First Part, and ROBERT J. MADSEN, party of the Second Part.

WITNESSETH:

WHEREAS, said Party of the First Part, on the ___ day of March, 1968, sold the real property hereinafter described belonging to said Estate, to the Party of the Second Part, subject to confirmation by the Probate Court of Franklin County, Idaho, for the sum of One Thousand Dollars and no/100 (\$1,000.00); and

WHEREAS, said Court on the 9th day of April, 1968, made an order confirming said sale, and directing a conveyance to be executed to the said Party of the Second Part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of the County aforesaid, and which order of confirmation now on file and on record in said Court, with the said record thereof in said Recorder's Office, is hereby referred to and made a part of this Indenture,

NOW THEREFORE, the said MELVIN GRIFFETH, Administrator of the Estate of JOSHUA RALLISON, a/k/a J. RALLISON, Deceased, Party of the First Part, pursuant to the order of said Court, for and in consideration of the sum of One Thousand and no/100 Dollars (\$1,000.00), lawful money of the United States, to it in hand paid by the said acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Party of the Second Part and his assigns forever, all the right, title, interest and Estate of the said JOSHUA RALLISON, a/k/a J. RALLISON, Deceased, at the time of his death, and also all the right, title, and interest that the said Estate, by operation of law or otherwise, may have acquired, other than or in addition to that of the said decedent at the time of his death, in and to all that certain real property situated in the County of Franklin, State of Idaho, and particularly described as follows, to-wit:

Commencing at a point 84 rods West of the Northeast corner of the Southeast Quarter of Section 27, Township 15 South, Range 39 East of the Boise Meridian, running thence South 18 rods; thence West 19 rods; thence North 18 rods; thence East 19 rods to the place of beginning, containing 2-22/160 acres.

Commencing at a point 108 rods West of the Northeast corner of the Southeast Quarter of Section 27, Township 15 South, Range 39 East of the Boise Meridian, and running thence South 18 rods; thence West 9 rods; thence North 18 rods; thence East 9 rods to the place of beginning.

TO HAVE AND TO HOLD, all and singular, the above described premises, together with the appurtenances, unto said Party of the Second Part and his assigns forever.

IN WITNESS WHEREOF, the said Party of the First Part, Administrator as aforesaid, has hereunto set his hand and seal the day and year first above written.

Melvin Griffith

MELVIN GRIFFETH
Administrator of the Estate of JOSHUA RALLISON,
a/k/a J. RALLISON, Deceased

MICROFILMED

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 Robert J. Mattson
(name of claimant)
of 343 South 2nd West, Preston, ID 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>0.06</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>Mar. 1</u> | To | <u>Nov. 31</u> |
| Amount | <u>0.02</u> | Use | <u>stockwater</u> | Period of Use: | From | <u>Mar. 1</u> | To | <u>Nov. 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: 0.08 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) May 1, 1962

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)
NW ¼ SE ¼, Sec. 27 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. 2 sandpoints (1" & 1½") 18 ft. deep with 1½" common outlet, static water level 8' to 10', 3/4 hp pump used to irrigate with 3 rainbirds and fill two 100-gal. stock troughs

- (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.

[illegible]

Total No. of acres 3

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Provide stockwater for livestock, numbering less than 25 head.

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

RECYCLED

R. 39 E

T. 15 S

27 1/2 AD & place of use

Received by <u>CU</u>	Date <u>6-02-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LD</u>	Date <u>6/07/77</u>		claimant by:	
\$10.00 fee received by <u>CU</u>	Date <u>6-08-77</u>			
Approved for publication by <u>ME</u>	<u>6-29-77 #2341</u>			
Published in <u>Preston Citizen</u>				
Dates <u>June 16 + 23-29-77</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

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

June 16th, 1977, and ending
with the issue of June 23rd, 1977.

Richard D. Stockdale

Fee \$ 11.47

Subscribed and sworn to before me this 27th day
of June, 1977.

Notary Public

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1978

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 13-4048

Notice is hereby given that Robert J. Mattson, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground-water source with point of diversion in the NW¹/₄SE¹/₄, Sec. 27, T. 15S, R. 39E, B.M., Franklin County.

The water is claimed to be used from Mar. 1 to Nov. 31 for stockwatering purposes for approximately 25 head of livestock and for the irrigation of 3 acres with a priority of May 1, 1962; the place of use is within the NW¹/₄SE¹/₄, Sec. 27, 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 June 16 and June 23, 1977.

Legal No. 410 — Pub. June 16 and 23, 1977.

June 15, 1977

RE: Claim to a Water Right No. 13-4048

Robert J. Mattson
343 South 2nd West
Preston, Idaho 83263

Dear Mr. Mattson:

Attached herewith is departmental receipt No. 7341 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

RECEIVED

June 10, 1977

RE: Claim to a Water Right No. 13-4048 MATTSON
13-7194 STEADMAN
13-7196 BURBANK

Preston Citizen
Box 472
Preston, Idaho 83236

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 by 27-77 by CW

RDC:CW

Enc: Legal Notice (3)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4048

Notice is hereby given that Robert J. Mattson,

Preston, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.08 cubic feet per second acre feet per annum
of water from XXXXXXXXXXXXXXXXXXXXXXX
with point of diversion in the a ground-water source
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 15S, R. 39E, B.M.,

Franklin County
The water is claimed to be used from Mar. 1 to Nov.31

for stockwatering purposes for approximately 25 head of livestock and for
with a priority of the irrigation of 3 acres
May 1, 1962
the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, 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.

KEITH HIGGINSON
C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXXXXX
Director

Published in the _____
on Preston Citizen, Preston, Idaho
and June 16 June 23, 1977

the
H.
the
A.