

A hand-drawn map on a grid background. The map features several labels and arrows:

- Rope 140 F**: Located in the upper left quadrant, with an arrow pointing towards the center.
- Channel -> Pond**: Located in the center-left, with an arrow pointing from 'Channel' to 'Pond'.
- Twin 14 S**: Located in the lower left, with an arrow pointing towards the center.
- 28**: A small number written near the center of the map.

Received by <u>CW</u>	Date <u>1-18-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>1-18-77</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>1-18-77</u>			
Approved for publication by <u>me</u>	<u>2-7-77 #4502</u>			
Published in <u>Preston Citizen</u>				
Dates <u>Jan. 27 + Feb. 3, 1977</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

JAN. 27, 1977, and ending

with the issue of FEB. 3, 1977.

Richard D. Stubble

Fee \$ 12.58

Subscribed and sworn to before me this 27th day

of January, 1977.

Notary W. Casperson

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

RECEIVED

FEB 7 1977

Department of Water Resources
 Eastern District Office

**NOTICE OF CLAIM
 TO A WATER RIGHT
 NO. 13-4041**

Notice is hereby given that Theo L. Smith, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.14 cubic feet per second of water from Evans Slough with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 14S, R. 40E, B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 400 to 600 head of beef cattle with a priority of May, 1947; the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 14S, R. 40E, 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
 Director

Published in the Preston Citizen, Preston, Idaho on January 27 and February 3, 1977.

Legal No. 277 — Pub. Jan. 27 and Feb. 3, 1977.

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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 Theo L. Smith (name of claimant)
of Rt. #2, Preston, Idaho (mailing address), claims a right to the diversion and beneficial use of
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) excavated pond in Evans Slough, tributary to, unnamed bog

(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>0.14</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 _____
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: 0.14 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, 1947

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 NW ¼, Sec. 28 Twp. 14S Rge. 40E 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. a 200 ft. channel, 10 ft. wide, 6 ft. deep conveys water from the pond that is 35 ft. wide and 70 ft. long

(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	40E	28						X											

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Used to water 400 to 600 head of beef cattle during winter and 100 to 150 of calves and yearlings during summer months.

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

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Evans Slough was boggy land prior to 1947. Applicant dredged out an area forming a pond, a 200 ft. lateral channel conveys water into a gravelly area where the stock can drink from the channel.

A grid of graph paper with handwritten notes. The notes include "Rye HCF" in the top right, "Journal - 21" and "mid - 20" in the middle left, and "TWA HFS" in the bottom left. A horizontal line is drawn across the grid.

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 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.

Phed L Smith
(Claimant)

Sworn to before me this 18th day of January, 1977.

Notary Public
Residing at Idaho Falls, Id.

My commission expires March 21, 1979

For Department Use Only

Received by CU Date 1-18-77
Prelim. check by EMC Date 1-18-77
\$10.00 fee received by CU Date 1-18-77
Approved for publication by me 2-7-77 #4502
Published in Gretna Citizen
Dates Jan. 27 + Feb. 3, 1977

Exception filed by:	Forwarded to claimant by:	Date
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Figure 1 consists of three panels, (a), (b), and (c), each showing a horizontal timeline of an experimental trial. Panel (a) is labeled 'Pretest' and shows a sequence of events: a 10-minute interval, followed by a trial, then another 10-minute interval, and finally a second trial. Panel (b) is labeled 'Experiment 1' and shows a similar sequence: a 10-minute interval, followed by a trial, then another 10-minute interval, and finally a second trial. Panel (c) is labeled 'Experiment 2' and shows a similar sequence: a 10-minute interval, followed by a trial, then another 10-minute interval, and finally a second trial.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
 County of Franklin } ss.

RICHARD D. STOCKDALE

being duly sworn,

deposes and says:

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JAN. 27, 1977, and ending

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Richard D. Stubble

Fee \$ 12.58

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of January, 1977.

Dotter W. Crisperson

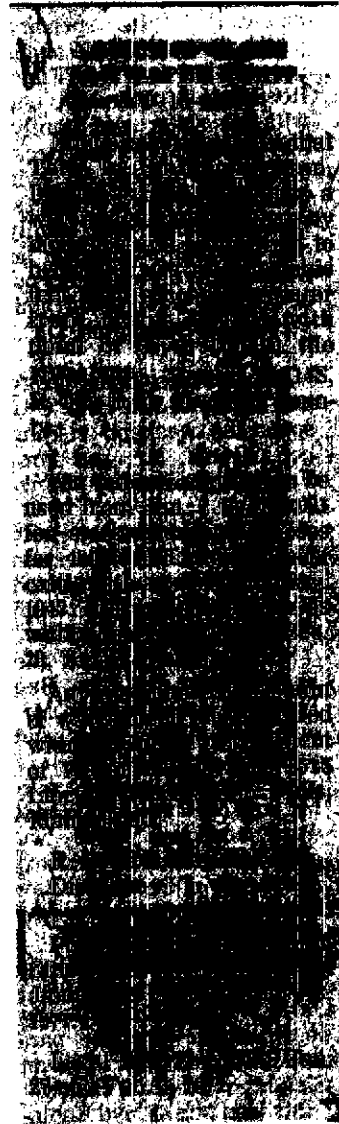
Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

RECEIVED

FEB 7 1977

Department of Water Resources
 Eastern District Office



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WATER RIGHT NUMBER 13-4041

ACT
ION

FIRST NAME - THEO L.

OWNER LAST NAME - SMITH
ADDRESS LINE 1 - RT. 2

CITY - PRESTON

STATE - ID ZIP CODE - 83263

SOURCE - EVANS SLOUGH
STAGE - STATKY CLM

PRIORITY - 05-01-1947 COUNTY - FRANKLIN TOTAL DIV. RATE -

.1400CFS

DIVERSION POINT - NWNW 28 14S 40E
FROM - 01-01 10 - 12-31 USE - STOCKWATER

USE DIV. RATE - .1400CFS

USE - STOCKWATER
NON IRRIG USE - S/400-600 RANGE & 100-150 CALVES & YEARLINGS.

PLACE OF USE - TWN 14S RNG 40E SEC 28 TRACT NWNW

February 14, 1977

RE: Claim to a Water Right No. 13-4039, 13-4040 and 13-4041

Mr. Theo L. Smith
Rt. #2
Preston, Idaho 83263

Dear Mr. Smith:

The Department of Water Resources has completed the processing of your claims to water rights and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims 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 claims do not, in themselves, guarantee you water rights; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. 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:CW

Enc: Copy of Claims (3)

UNRECORDED

January 21, 1977

RE: Claim to a Water Right No. 13-4038 MCGREGOR
" " " No. 13-4040 SMITH
" " " No. 13-4041 SMITH

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 2-09-77 by Cal

RDC:CW

Enc: Legal Notice (3)

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4041

Notice is hereby given that Theo L. Smith,

Preston, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.14 cubic feet per second ~~XXXXXX FEET PER SECOND XXXXXX~~
of water from Evans Slough

with point of diversion in the NW¹/₄ NW¹/₄, Sec. 28, T. 14S, R. 40E, B.M.,
Franklin County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering
purposes for 400 to 600 head of beef cattle
with a priority of May, 1947;
the place of use is within the NW¹/₄ NW¹/₄, Sec. 28, T. 14S, R. 40E, 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

Director

Published in the Preston Citizen, Preston, Idaho

on January 27 and February 3, 1977

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Me. D.