

A
40.8

A-186
35A
Clark Mickelson

A-139
34A
Clark Mickelson

A
32.1

B
41.7

Transferred to Caribou

7 8
18 17 Pond

B
46.5

A-52
36A
Elbert Williams

A 3.7

F 1.8
A 5.4

B 4

B
32.0

C
44.5

C
31.7

D
8.8

A-54
37A
William P. Williams

A-52
38A
Elbert Williams

FILED

No

165

RECEIVED

JUN 7 1976

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

ss.

County of Franklin

J. Thatcher Ross

being duly sworn,

deposes and says:

That he is the *Co. published* 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 *Two* 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

May 27, 19*76*, and ending
with the issue of *June 3*, 19*76*.

*Matthew Ross*Fee \$*11.47*

Subscribed and sworn to before me this *4* day
of *June*, 19*76*.

Delana D. Giddis

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*NOTICE OF CLAIM TO A
WATER RIGHT
NO. 13-4036

Notice is hereby given that Arvel Alleman, Thatcher, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring tributary to sinks with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, T. 12S, R. 41E, B.M., Franklin County.

The water is claimed to be used from Apr. 1 to Dec. 31 for stockwatering purposes for 25 head of beef cattle with a priority of June, 1899 the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 12S, R. 41E, 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 May 27 and June 3, 1976. Legal No. 165.

RECEIVED

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 Arvel Allenman
(name of claimant)
of Thatchet, Idaho 83283, 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) unnamed Spring, tributary to, Sinks

- (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>0.02</u>	Use	<u>stockwater</u>	Period of Use:	From	<u>Apr-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: 0.02 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) June 1899 Attached
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water statement

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)
SW ¼ SW ¼, Sec. 8 Twp. 12 S Rge. 4 E 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. Stock Ponds constructed on spring channel.

- (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 _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water for 25 head of beef cattle

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

A-139

34A

Clark Mickelson

A
408

A-186

35A

Mickelson

A
321

B
417

Transferred to Caribou

B
465

A-52

36A

Elbert Williams

18/17 Pond

A-32

F 18
A 54

7/1

11

B

32.0

C
44.5

C
317

D
88

A-54

37A

William P
Williams

A-52

38A

Elbert
Williams

Thatcher, Idaho; May 15-1976

In regards to a water spring aquired by Mr. Allman. According to my records and knowledge, in the 1890s the Stalker family (A.S.Stalker, S.S.Stalker , Willard S.Stalker and Nellie R. Flaek Stalker) each filed on home stead sites in this locality. I now own the home stead of Nellie R. Stalker, the Patent on this Property is dated Nov. 28, 1900. I also own part of the Willard S. Stalker homestead, Mr Allman own a part on which said spring is located. This Homestead Patent is dated June 22, 1899, both patents are recorded in Bannock Co. Ida.

In 1906 or 07, my father aquired residence on the Willard Stalker Home site. Above said spring was the only available water for this home and a small apple, berry and vegetable garden. and was used soley for this purpose. My family lived in this home un- the summer of 1910. The water has always been used on this home site.

Respectfully

P.S. My present age 72 yr.

William Beale Jr.

No

165

RECEIVED

AFFIDAVIT OF PUBLICATION

JUN 7 1976

Department of Water Resources
Eastern District OfficeSTATE OF IDAHO, }
County of Franklin } ss.*J. Statter Ross*

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with the issue of *June 3*, 19*76*.

Fee \$*11.47*

Subscribed and sworn to before me this *4* day
of *June*, 19*76*.

Rolland D. Liddes

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*

June 15, 1976

RE: Claim to a Water Right No. 13-4036

Mr. Arvel Alleman
Thatcher,
Idaho 83283

Dear Mr. Alleman:

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:CW

Enc: Copy of Claim

May 20, 1976

RE: Claim to a Water Right No. 13-4036 ALLEMAN

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 6-7-76 by CW

RDC:CN

Enc: Legal Notice (1)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4036

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to beneficial use of 0.02 cubic feet per second ~~acres feet per annum~~
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with point of diversion in the SW¹/₄SW¹/₄, Sec. 8, T. 12S, R. 41E, B.M.,
Franklin County

The water is claimed to be used from Apr. 1 to Dec. 31
for stockwatering purposes for 25 head of beef cattle
with a priority of June, 1899 ;
the place of use is within the SW¹/₄SW¹/₄, Sec. 8, T. 12S, R. 41E, 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 May 27 and June 3, 1976

RECORDED

A-340
y-mk

May 19, 1976

RE: Claim to a Water Right No. 13-4036

Mr. Arvel Alleman
Thatcher,
Idaho 83283

Dear Mr. Alleman:

Attached herewith is departmental receipt No. 2413 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure