

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
 County of Franklin } ss.

*Wayne D. Bell*

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 *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

*April 8*, 19*76*, and ending  
 with the issue of *April 15*, 19*76*.

Fee \$ *11.47*

Subscribed and sworn to before me this *3* day  
 of *May*, 19*76*.

*De Ann D. Liddes*

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*

RECEIVED  
 MAY 6 1976

Department of Water Resources  
 Eastern District Office

NOTICE OF CLAIM TO  
 A WATER RIGHT  
 NO. 13-4034

NOTICE IS HEREBY GIVEN that John B. Youngman, Preston, 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 Bear River with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 30, T. 14S, R. 40E, B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family with a priority of 1878; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 30, 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

Legal No. 123—Published in the Preston Citizen, Preston, Idaho, on April 8 and April 15, 1976.

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

**RECEIVED**

MAY 29 1998

1. Water Right Number(s) ~~13-07079~~ 13-07079  
 Claim Number(s) 13-4033 and 13-4034
2. The following REQUIRED information must be submitted with this form.
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) John B. Youngman  
Route 2  
Preston, ID 83263
4. New Owner/Claimant(s) John M. Youngman and Myrtle Youngman, husband and wife  
 Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR  
 New Mailing Address 2088 East 4400 North  
 City, State and ZIP Code Preston, ID 83263  
 New Telephone Number (208) 852 - 1119
5. Date you acquired the property May 6, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
 Number of acres actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
 Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) John M. Youngman Date 5-22-98  
Myrtle Youngman Date 5-22-98  
 Myrtle Youngman
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

MAY 25 1999

## 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 John B. Youngman  
(name of claimant)  
of Rt 2 Preston Id., 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) Un Named Spring, tributary to, Bear River
- (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>.02 cfs</u>       | Use | <u>Domestic</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<br>or a/f) |     | (dom., irri.,<br>stock, etc.) |                |      |              |    | (both dates inclusive) |

- (3) Total quantity of water claimed: .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) 1878

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 NE ¼, Sec. 30 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. pipeline from Spring  
To house

- (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: 1 house domestic use

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

R 30 E

T145

30

PD - For domestic use.

|                                            |                     |                     |              |      |
|--------------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>me</u>                      | Date <u>3/25/76</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>WR</u>                 | Date <u>3/25/76</u> |                     | claimant by: |      |
| \$10.00 fee received by <u>me</u>          | Date <u>3/25/76</u> |                     |              |      |
| Approved for publication by <u>me</u>      | <u>5-06-76</u>      | <u>#5718</u>        |              |      |
| Published in <u>National Intelligencer</u> |                     |                     |              |      |
| Dates <u>April 8-14, 1976</u>              |                     |                     |              |      |

MAY 6 1976

County of Franklin

being duly sworn,

Such notice was published in the issue beginning with

with the issue of April 15 / 1976

Subscribed and sworn to before me this .....3..... day

of July, 1976.

My Commission Expires March, 1978

[illegible]



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 11, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JOHN M YOUNGMAN  
MYRTLE YOUNGMAN  
2088 E 4400 N  
PRESTON ID 83263

RE: Statutory Claims 13-04033 & 13-04034 &  
Water Right 13-02215

Dear Mr. & Mrs. Youngman:

The Department is in receipt of the correspondence changing ownership of the above referenced statutory claims and water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

If you have any questions regarding this matter, please feel free to contact me at 208-327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal flourish extending to the right.

JIM JOHNSON, Manager  
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

MAY 26 1999

May 7, 1976

RE: Claim to a Water Right No. 13-4034

Mr. John B. Youngman  
Rt. #2  
Preston, Idaho 83263

Dear Mr. Youngman:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Section 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

April 26, 1976

RE: Claim to a Water Right No. 13-4033 Youngman  
" " " No. 13-4034 Youngman  
" " " No. 13-4035 Fisher  
Application for Permit No. 13-7131 Benson

Preston Citizen  
Box 472  
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on April 8 and April 15, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CW

*Called 5-05-76  
aw*

April 6, 1976

RE: Claim to a Water Right No. 13-4033 and 13-4034

Ms. Thelma N. Youngman  
Rt. #2, Box 430  
Preston, Idaho 83236

Dear Ms. Youngman:

Attached herewith is departmental receipt No. 15718 in the amount of \$20.40 for the above referenced claims.

Very truly yours,

RONALD D. CARLSON  
Supervisor,  
Eastern Region

RDC:CH

Attachment

April 2, 1976

RE: Claims to Water Rights Nos. 13-4033 YOUNGMAN  
13-4034 YOUNGMAN  
13-4035 FISHER  
Application for Permit No. 13-7131 BENSON

The 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 5 6 76 by RD

RDC:ME

Legal Notices (4)

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**R. KEITH HIGGINSON**  
... Director

Legal No. 123—Publish-  
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Preston, Idaho, on April 8  
and April 15, 1976.

NO. 13-4034

Preston, Idaho

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Franklin County

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Director

Published in the Preston Citizen, Preston, Idaho  
on April 8 and April 15, 197

me-h.  
me-A.  
me-G.