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Documents  
In File

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 Dean Phillips  
(name of claimant)  
of 119 East First North, Preston, Idaho, 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>0.02</u> | Use | <u>Domestic</u> | Period of Use: From | <u>March 1</u> | To | <u>Nov. 31</u> |
| Amount | _____       | Use | _____           | Period of Use: From | _____          | To | _____          |
| Amount | _____       | Use | _____           | Period of Use: From | _____          | To | _____          |
- (cfs, ~~xpm~~ (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) April 1, 1954

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)  
X SW ¼ SW ¼, Sec. 23 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. pump 3/4 H.P. Well

- (6) X 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 |       |
| <u>15S</u> | <u>39E</u> | <u>23</u> |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total No. of acres \_\_\_\_\_

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:  
The domestic use of this water is used for a 3/4 acre lawn and garden area.

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

MICROFILMED

Range 39 E.

Township 15 S.

23

X

Received by MB Date 12-17-74 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JH Date 12-17-74 claimant by: \_\_\_\_\_  
\$10.00 fee received by MB Date 12-17-74 \_\_\_\_\_  
Approved for publication by CW - 1-15-75 # 4005 \_\_\_\_\_  
Published in The Boston Globe \_\_\_\_\_  
Dates Dec. 8 & Jan. 9, 1975 \_\_\_\_\_

RECEIVED

AFFIDAVIT OF PUBLICATION JAN 20 1975

Department of Water Resources  
Eastern District Office

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 and 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

*January 2*, 19 *75*, and ending

with the issue of *January 9*, 19 *75*.

*Wayne D. Bell*

Fees, \$ *12.95*

Subscribed and sworn to before me this *14* day

of *January*, 19 *75*.

*Dillon D. Giddens*

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *78*

NOTICE OF CLAIM  
TO A WATER RIGHT  
NO. 13-4021

Notice is hereby given that Dean Phillips, 119 East First North, 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 a ground-water source with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, T. 15S, R. 39E, B.M., Franklin County.

The water is claimed to be used from March 1 to Nov. 31 for domestic purposes for a  $\frac{3}{4}$  acre lawn and garden area with a priority of April 1, 1954; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, 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.

R. KEITH HIGGINSON  
Director

Published in the Preston Citizen, Preston, Idaho on January 2, 1975 and January 9, 1975.

Legal No. 2789 — Pub.  
Jan. 2, 9, 1975.

WATER RIGHT NUMBER 13-4021

WATER RIGHTS EDIT REPORT

12/05/79

PAGE 95

ACT

ION

OWNER LAST NAME - PHILLIPS

ADDRESS LINE 1 - 119 E. 1ST N.

SOURCE - GROUNDWATER

STAGE - STAIRY CLM

DIVERSION POINT - SWSW 23 1SS 39E

FROM - 03-01 TO - 11-31 USE - DOMESTIC

USE - DOMESTIC

NUM IRRIG USE - U/LAWN & GARDEN .75 AC.

FIRST NAME - DEAN

CITY - PRESTON

STATE - ID ZIP CODE - 83263

PRIORITY - 04-01-1954 COUNTY - FRANKLIN TOTAL DIV. RATE -

USE DIV. RATE - .0200CFS

PLACE OF USE - IWN 1SS RRG 39E SEC 23 TRACT S&SE

January 15, 1975

RE: Claim to a Water Right No. 13-4021

Mr. Dean Phillips  
119 East First North  
Preston, ID 83263

Dear Mr. Phillips:

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  
Acting District Engineer

RDC:MB

Enc: Copy of Claim

RECORDED  
INDEXED

January 13, 1975

RE: Claim to a Water Right No. 13-4021 - Phillips

The Preston Citizen  
Box 472  
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit and certified bill in connection with the above referenced referenced application. The legal notice was to have been published in your paper on December 26, 1974 and January 2, 1975.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON  
Acting District Engineer

RDC:CW

**MICROFILMED**

December 20, 1974

RE: Claim to a Water Right No. 13-4021 - PHILLIPS

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  
Acting District Engineer

RDC:CW

Bill submitted 1-15-75 by MB

Enc: Legal Notice (1)

RECEIVED  
DEC 21 1974  
FBI - IDAHO

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4021

Notice is hereby given that Dean Phillips

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has filed a claim to a water right established by diversion and application  
to beneficial use of 0.02 cubic feet per second ~~XXXXXX cubic feet per second~~  
of water from a ground-water source

with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, T. 15S, R. 39E, B.M.,  
Franklin County

The water is claimed to be used from March 1 to Nov. 31 for domestic  
purposes for a 3/4 acre lawn and garden area  
with a priority of April 1, 1954 ;  
the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, 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.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho  
on December 26, 1974 and January 2, 1975

*Jan 2*

*Jan. 9*

*The newspaper could not  
publish this on Dec 26,  
so took the liberty to change  
the date. MB 1-15-75*

**MICROFILMED**

*aw-h  
aw-h*

December 18, 1974

RE: Claim to a Water Right No. 13-4021

Mr. Dean Phillips  
119 East First North  
Preston, ID 83263

Dear Mr. Phillips:

Attached herewith is departmental receipt No. 4005 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON  
Acting District Engineer

RDC:MB

Attachment

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