

1990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

ss.

J. Walter Ross

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

December 10, 19 *71*, and ending

with the issue of *December 17*, 19 *71*

Fees, \$ *8.28*

Subscribed and sworn to before me this *26* day

of *May*, 19 *71*.

De Ann D. Giddes

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *71*.

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 13-4002**

Notice is hereby given that Spring Hollow Water Association, Inc., c/o Robert Lindhardt, Route No. 3, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.05 cubic feet per second of water from Spring Creek, trib. to Battle Creek, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14S, R. 39E, B.M., Franklin County.

The water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of April 11, 1914; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14S, R. 39E, B.M.

Any exception to this claim

with the Idaho Department of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on December 10 and December 17, 1970.

Legal No. 1859—Pub. Dec. 10, 17, 1970.

RECEIVED

MAY 22 1971

Department of Water Administration

13 4002

Duplicate of Legal No-1859

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 13-4002

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Any exception to this claim with the Idaho Department of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on December 10 and December 17, 1970.

Legal No. 1859—Pub. Dec. 10, 17, 1970.

Identification No. _____

Claim No. 13-4002

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

AMENDED & CORRECTED
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Spring Hollow Water Association, Inc.
post office address c/o Robert Lindhardt, Route #3, Preston, Idaho 83263

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 3 Township 14 South
Range 39 East B.M. located on Spring Creek
(name of source)
tributary to Battle Creek in Franklin County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed: 8/10 of 1 or
20 January 1914 amount: 0.8 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.8 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of pipeline
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 400 + milk cows

7. Where water is used for domestic or municipal purposes give number of families served nine (9) name of town supplied rural community near Banida, Idaho

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

State of Idaho

County of Franklin } ss.

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.

Robert E. Lindhardt
Claimant

Sworn to before me this 11 day of April, 19 73.

Clifford M. Lindall
Notary Public
Residing at Preston, Idaho

My commission expires 4-16-74

For Department Use Only

Received by <u>la</u>	Date <u>4-18-73</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>NCK</u>	Date <u>4-18-73</u>			
Fee received by <u>la</u>	Date <u>4-18-73</u>	Fee \$ <u>10 fee reg'd for amended claim</u>		
Approved for publication by <u>Not reg'd</u>				
Published in <u>-</u>	Dates <u>-</u>			

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District

Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District

Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District

Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District

Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Also See 13-2063

Identification No. 134002
Claim No. 134002
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Spring Hollow Water Association, Inc.
post office address c/o Robert Lindhardt, Route #3, Preston, Idaho 83263
2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 3 Township 14 South
Range 39 East B.M. located on Spring Creek
(name of source)
tributary to Battle Creek in Franklin County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

1/20 or
11 April 1914 amount: 0.05 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of pipeline
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

13 4002

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain_____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is 6" inches; type of pipe PVC; grade of pipe per 1000 feet is 90 feet. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible: _____

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

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1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u> acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u> acre feet

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4. Describe the diversion works and explain any changes since the right was first initiated.
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9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Rayne 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

December 10, 19 *70*, and ending

with the issue of *December 17*, 19 *70*

Rayne D. Bell

Fees, \$ *8.28*

Subscribed and sworn to before me this *11* day

of *January*, 19 *71*.

ReAnn D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *74*.

NOTICE OF CLAIM
TO A WATER RIGHT
No. 13-4002

Notice is hereby given that Spring Hollow Water Association, Inc., c/o Robert Lindhardt, Route No. 3, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.05 cubic feet per second of water from Spring Creek, trib. to Battle Creek, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14S, R. 39E, B.M., Franklin County.

The water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of April 11, 1914; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14S, R. 39E, B.M.

Any exception to this claim

with the Idaho Department of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on December 10 and December 17, 1970.

Legal No. 1859—Pub. Dec. 10, 17, 1970.

1990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

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County of Franklin

J. Matthew Ross

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Fees, \$

8.28

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Notary Public, Residing at Preston, Idaho

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March

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R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on December 10 and December 17, 1970.

Legal No. 1859—Pub. Dec. 10, 17, 1970.

13 4002

Duplicate of Legal No. 1859

ACT
ION

N OWNER LAST NAME - SPRING HOLLOW WATER ASSOCIATION INC.

N ADDRESS LINE 1 - C/O ROBERT LINDHARDT

ADDRESS LINE 2 - RT. 3

N CITY - PRESTON

STATE - ID ZIP CODE - 83263

N SOURCE - SPRING CREEK

TRIBUTARY OF - BATTLE CREEK

N STAGE - STATRY CLM

PRIORITY - 01-20-1914 COUNTY - FRANKLIN TOTAL DIV. RATE - .8000CFS

N DIVERSION POINT - NENW 03 14S 39E

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .8000CFS

N USE - STOCKWATER

N USE - DOMESTIC

PLACE OF USE - TWN 14S RNG 39E SEC 03 TRACT NENW

N NON IRRIG USE - S/400 DAIRY D/9 HUMES.

IDENT. NO. 13-4002

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 13-4002
OTd No. New No.

Record

1. Original Owner: Spring Hollow Water Association, Inc.

Present Owner: _____

2. Address: 40 Robert Lindhardt, Rt. 33. City: Preston State: ID Zip: 832634. A. Source of Water: Spring CreekB. Tributary of: Battle Creek5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 1-20-1914D. County: 41E. Total Diversion Rate: .8

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 27

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE NW</u>	<u>3</u>	<u>14</u>	<u>2</u>	<u>39E</u>	

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for D purposes. Amount .8
(cfs or AC-FT/yr)from _____ to _____ for S purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: ~~21~~ D

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.

B.

C.

D.

E.

11. Other Uses (Non-irrigation explanatory information):

D/ 9 homes S/ 400 dairy

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

April 18, 1973

Mr. Merrill K. Gee, Attorney
Gee and Hargraves
P.O. Box H
Pocatello, ID 83201

Dear Mr. Gee:

We are in receipt of the Amended and Corrected Claim No. 13-4002 in the name of Spring Hollow Water Association, Inc. and check No. 92-171 in the amount of \$10. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department---Corrections.----

.....
.Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

We are therefore returning your check to you, and are forwarding the amended claim to our Boise Office to be filed with the original claim file.

If you have any questions regarding this matter, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enc: check #92-171 (\$10)

13 4002

MERRILL K. GEE
GEORGE W. HARGRAVES

LAW OFFICES
GEE AND HARGRAVES
746 EAST LANDER
P. O. BOX H
POCATELLO, IDAHO 83201

AREA CODE 208
TELEPHONE 233-2044

April 17, 1973

RECEIVED
APR 18 1973
Department of Water Administration
Pocatello, Idaho

Idaho Department of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Re: Claim No. 13-4002

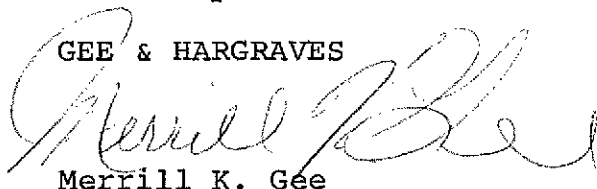
Gentlemen:

We are forwarding an Amended and Corrected Claim in reference to the above noted claim number (the original claim was filed 11/18/70). The errors in the date of priority and amount were not discovered until recently. Instrument #132063 of the records of Franklin County substantiate the earlier priority date and Permit #9917 establishes the corrected amount.

If there are any questions, please advise.

Sincerely,

GEE & HARGRAVES



Merrill K. Gee

MKG: kw

Enclosures (Amended & Corrected Claim & \$10.00 Check)
& Copy of Letter dated March 20, 1973.

13 4002

LAW OFFICES
GEE AND HARGRAVES

746 EAST LANDER

MERRILL K. GEE
GEORGE W. HARGRAVES

P. O. BOX H

POCATELLO, IDAHO 83201

AREA CODE 208
TELEPHONE 233-2044

March 20, 1973

Spring Hollow Water Association, Inc.
c/o Robert Lindhardt
Route #3
Preston, Idaho 83263

Gentlemen:

We have been asked to comment and give our observations concerning Claim No. 13-4002 for water rights in Spring Creek, a tributary of Battle Creek, Franklin County, Idaho.

It appears that when the original claim was filed there was an error both as to the amount claimed and the priority date and that this was not noticed until sometime after the claim had been filed with the Department of Water Administration. We have examined the documents of the Spring Hollow Water Association, some original minute books included, and copies of records both with the Department of Water Administration and the Franklin County Clerk, and find out that dating back approximately more than sixty years the actual amount of water claimed has been 8/10ths of one cubic foot per second, and that the earliest record of such a claim formally shown is 20 January 1914.

Since the Department of Water Administration and the users of water are interested in accurate and complete records, it is our opinion that an amended and corrected claim should be filed reflecting the correct amounts and date together with the period of use.

If you desire any additional particulars, please advise us.

Sincerely,

GEE & HARGRAVES

Merrill K. Gee

MKG: kw

13 4002

Law
Office
Dell W. Smith
Preston
Idaho
83263

May 26, 1971

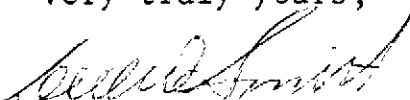
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

Enclosed you will find publication for Water Permit.

Could you inform me of additional information you need
and what order you have entered.

Very truly yours,


Dell W. Smith
Attorney at Law

DWS:jc

Enclosure
cc:

January 7, 1971

Re: Claim to a Water Right No. 13-4002

Spring Hollow Water Association, Inc.
c/o Robert Lindhardt
Route #3
Preston, Idaho 83263

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

13 4002

December 30, 1970

Re: Claim No. 13-4002 - Spring Hollow Water Assn., Inc.

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 item. The legal notice was to have been published in your paper on December 10th and 17th, 1970.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

**NOTICE OF CLAIM
TO A WATER RIGHT**

NC 12-4002

Notice is hereby given that Spring Hollow Water Association, Inc., c/o Robert Lindhardt, Route No. 3, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.05 cubic feet per second of water from Spring Creek, trib. to Battle Creek, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14S, R. 33E, B.M., Franklin County.

The water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of April 11, 1914; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 14S, R. 33E, B.M.

Any exception to this claim with the Idaho Department of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KELTH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on December 10 and December 17, 1970.

Legal No. 1859—Pub. Dec. 10, 17, 1970.

December 1, 1970

Re: Claim No. 13-4002 - Spring Hollow Water Ass'n., Inc.

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 ample 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 date. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

Bill submitted 1-6-71 By de

13 4002

NOTICE OF CLAIM TO A WATER RIGHT

No. 13-4002

Notice is hereby given that Spring Hollow Water Association, Inc.,
Z Robert Lindhardt, Route #3, Preston, Idaho
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.05 cubic feet per second ~~acre/foot~~
of water from Spring Creek, trib. to Battle Creek,
with point of diversion in the NE1/4, Sec. 3, T. 14S, R. 39E, B.M.,
Franklin County

The water is claimed to be used from January 1 to December 31
for domestic purposes
with a priority of April 11, 1914;
the place of use is within the NE1/4, Sec. 3, T. 14S, R. 39E, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho
on December 10 and December 17, 1970.

November 18, 1970

Dell W. Smith
Attorney at Law
Preston, Idaho 83263

Dear Mr. Smith:

Returned herewith is Departmental Receipt No. 5332 in the amount of
\$10.00 for claim application in the name of Spring Hollow Water Assoc,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt