

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Loren W. Thompson
being duly sworn,

deposes and says:

That he is the publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; 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

July 19, 1979, and ending
with the issue of July 26, 1979

Loren W. Thompson
Fees, 44.41

Subscribed and sworn to before me this 27 day
of July, 1979

Paula L. Thompson
Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 11, 1983

Public Notices

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4081

JENKINSON, CHARLES D.
STAR ROUTE No. 4, MONTPELIER,
ID 83254
Source: UNNAMED SPRING tributary
to SINKS
Priority Date: 05-01-1964
Amount: 0.06 CFS
Diversion Point: NWSE Sec 07 13S R
45E, BEAR LAKE Co.
Use: STOCKWATER (0.06 CFS) from
05-01 to 11-01
Place of Use: NWSE Sec 07 T 13S R
45E
Diversion Means: SPRING BOX &
PIPE

11-4082

JEWETT, GROVER W.
STAR ROUTE No. 2, MONTPELIER,
ID 83254
Source: UNNAMED SPRINGS tribu-
tary to SINKS
Priority Date: 07-08-1916
Amount: 0.26 CFS
Diversion Point: SENE Sec 31 T 10S R
43E, BEAR LAKE Co.
Use: DOMESTIC (0.08 CFS) from 01-01
to 12-31
IRRIGATION (0.16 CFS) from 04-01 to
11-01
STOCKWATER (0.02 CFS) from 01-01
to 12-31
Place of Use: SENE Sec 31 T 10S R 43E
FOR 8 ACRES
Diversion Means: DAM & DITCHES

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water
Resources, 1515 Lincoln Road, Boise,
Idaho 83709.

(s) C. STEPHEN ALLRED
C. STEPHEN ALLRED
Director

Published 7-19 & 7-26-79 Jy 19-26

RECEIVED

AUG 2 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that CHARLES D. JENKINSON (Name of Claimant)
Star Route 4 Montpelier Idaho 83254 (Mailing Address) Telephone No. 847-2773 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

X(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1964

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed spring tributary to sinks.
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity	<u>0.06</u>	Use	<u>Stockwater</u>	Period of Use From	<u>May 1</u>	To	<u>Nov. 1</u>
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 0.06 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 7 Twp. 13S Rge. 45E B.M., County of Bear Lake.
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. Describe any changes in the system and give the date of the change.
spring box, 2" diameter metal pipe approx 3 ft' long to stock trough.

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13S	45E	7														X			

No. of acres

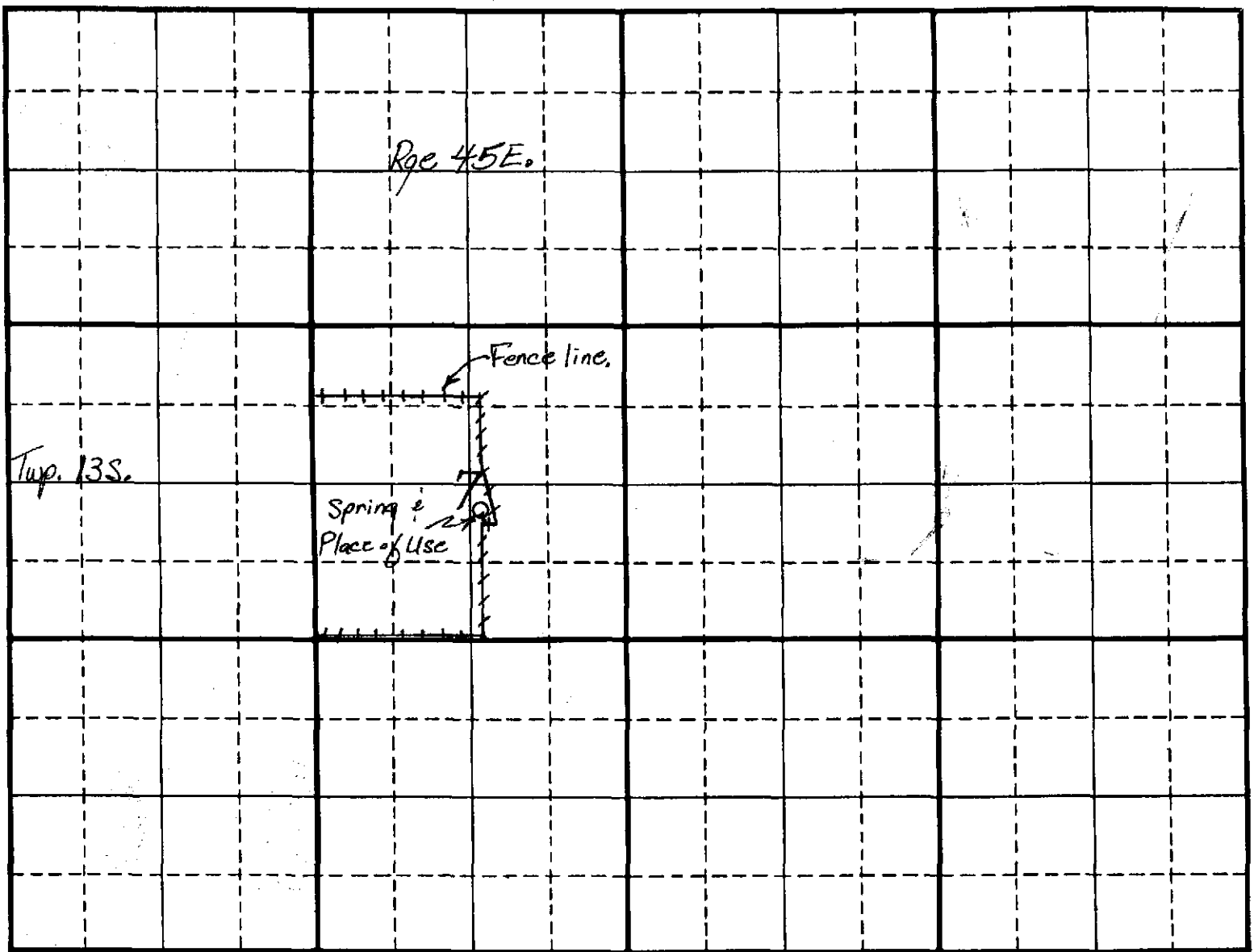
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
drinking water for range cattle.

NOTE: Include here the type and number of stock watered: 300 beef cattle.

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

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(8) Remarks Spring was developed by a Jess Orchard, who owned the property at one time.



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)
County of Bear Lake) 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 affiant's knowledge.

Sworn to before me this 15th day of June

x Char D. Wilkinson
(Claimant)

Barbara J. Hayes
Notary Public
Residing at Montpelier, Idaho

My commission expires Commissioned for Life

FOR DEPARTMENT USE ONLY

Received by dh Date 6-29-79 Exception filed by: _____ Date _____
Prelim. check by EMC Date 5/11/79 Forwarded to claimant by: _____
\$20.00 fee received by dh Date 6-29-79 #11980
Published in News-Examiner
Dates July 12 & 19, 1979
July 19 & 26, 1979

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Blackfoot, Idaho
May 31, 1979

This is to certify that the Montpelier office of the Soil Conservation Service, USDA, assisted Mrs Myrtle Orchard of Montpelier, Idaho, to develop a spring and install a livestock watering facility on the Orchard ranch in Montpelier Canyon.

The spring development is located in the NW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 7, Twp. 13 S., R.45 E.B.M.

The installation was made not later than June of 1964. The exact date is uncertain as the cost sharing records of the Soil Conservation Service are retained for not longer than five years.

I was transferred to the Montpelier office of the Soil Conservation Service in May, 1963. It is my recollection that the spring development was made in 1964. However, it is possible that it was done in 1963.

John S. Taggart

John S. Taggart, District Conservationist
Soil Conservation Service
Blackfoot, Idaho

STATE OF IDAHO)ss
COUNTY OF BINGHAM)

On this 31st day of May 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN S. TAGGART, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Linda K. Pace
Notary Public in and for the state of Idaho
Residing at Blackfoot

My commission expires: 2-16-82

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STATE OF IDAHO,
County of Bear Lake

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July 19, 1979, and ending
with the issue of *July 26, 1979*

Loren W. Thompson
Fees, *444*

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of *July*, 19*79*

Linda L. Thompson
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My Commission Expires *March 11, 1983*

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the Idaho Department of Water
Resources, 1515 Lincoln Road, Boise,
Idaho 83709.

(s) C. STEPHEN ALLRED
C. STEPHEN ALLRED
Director

Published 7-19 & 7-26-79 Jy 19-26

RECEIVED

AUG 6 1979

Department of Water Resources
Eastern District Office

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
16-DEC-1985 10:39:24

02 OLD (D) NUMBER -

ORIG. OWNER
05001 - C

07 ADD LINE 2 -

11 ZIP - 83254

13 STATUS -

15001 - SINKS ✓

17 COUNTY - 07 BEAR LAKE

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

29 NON-IRRIGATION USE - S/300 RANGE.

TOTAL ACRES: 0

43 DECREE DEFENDANT NAME -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-MAY-1964 ✓	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 29-AUG-1983	62	DATE_2 -		

VERIFIED JKN
3/13/86

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

AUGUST 6, 1979

CHARLES D. JENKINSON
STAR ROUTE #4
MONTPELIER

ID 83254

RE: Claim No. 11-4081

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JULY 13, 1979

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 6, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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C. STEPHEN ALLRED

Director

Published 7/19 & 7/26/79.

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Star Route #4
Montpelier, Idaho 83254
June 15, 1979

Mr. Ernie M. Carlsen
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlsen:

You recently traveled to Montpelier and assisted me in completing the enclosed Claim to a Water Right. At that time we completed the form in my husband's name, Larry C. Hayes. However, my husband and I have a lease with an option to buy on the land, but the land is actually in my father's name. Therefore I have changed the name on this water right claim form, and had my Dad sign it.

If this is unacceptable, please send me another form and I will redo it. Thanks for all your help on this.

Sincerely,

Barbara J. Hayes
Barbara J. Hayes

RECEIVED

JUN 29 1979

Department of Water Resources
Eastern District Office

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ARK

Right Number _____

Applicant Charles D. Jonkenson

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By ARC

Date 8-10-79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani

Date 8/20/79

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