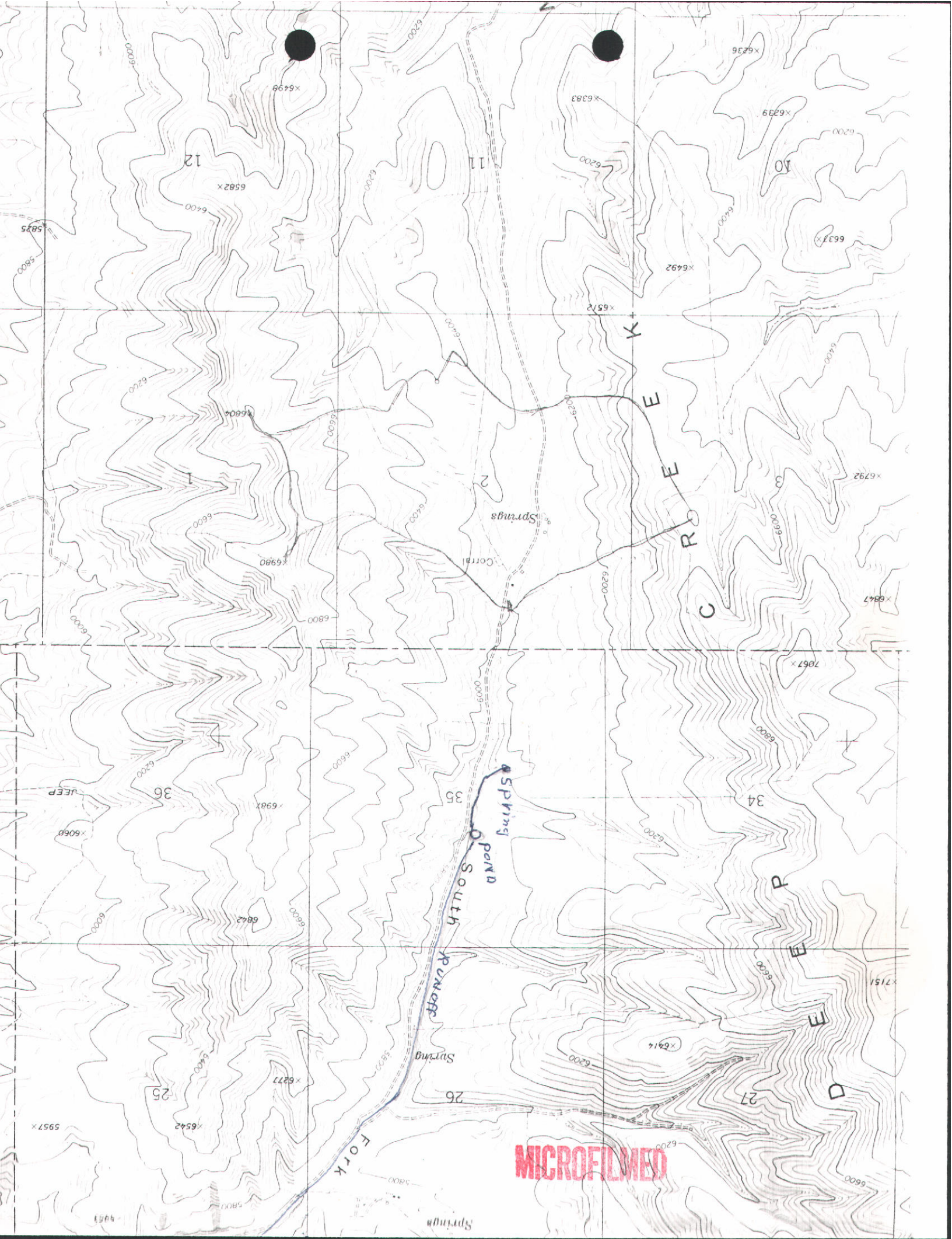




AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

...Brett Crompton..... being first duly
sworn on oath, states:

That ...he... is the editor.....
of the Power county Press, a newspaper of
general circulation in Power County, Idaho,
published weekly at American Falls in said
county, that said newspaper has been pub-
lished in said county uninterruptedly and
continuously for over seventy-eight consec-
utive weeks, prior to the first publication
of the annexed notice or advertisement:

That the annexed notice or advertisement
was published as per clipping attached in
the regular and entire edition of said
newspaper and not in any supplement thereof

for....2... successive weekly issues thereof,
the date of the first publication being the

.....29.... day of ..August.....1984....
and the date of last publication being the

.....6..... day of September.....1984....

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....6..... day of ...September.....1984.....

.....
Notary Public, residing at
American Falls, Idaho

(SEAL)

My commission expires the

.....18 day of March 1986.

RECEIVED

SEP 10 1984

Department of Water Resources
Eastern District Office

Notice of claims
to water rights

Published in The Power County
Press August 29 & September 6,
1984.

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

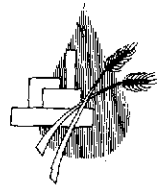
17-4064

TUBBS, EARL J. &/or BETTY F.
BOX 47, ARBON, ID 83212
Source: SOUTH FORK SPRING
trib. to SOUTH BULL CANYON
Priority Date: 04/01/1940
Diversion Pt: NESW Sec 35 T 12S R
32E
Use: STOCKWATER (0.05 CFS)
In: SENW NESW Sec 35 T 12S R
32E

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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 Earl J. Tubbs or Betty F. Tubbs
(Name of Claimant)
Box 47 Arbon, ID 83212 Telephone No. 335-2268
(Mailing Address) (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:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1940

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)
South Fork Spring tributary to South Bull Canyon

(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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
* 0.05cfs		Stock		Period of Use From 1-1	To 12-31
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) * 0.05cfs TOTAL QUANTITY USED.
(cfs, af) *Will not exceed 13,000 gpd limitation

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 35 Twp. 12S Rge. 32E B.M., County of Power
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. 1/8 mile ditch to a pond located in the SE¼ of NW¼ of Sec. 35.
Ditch to pond 1/8 mile is approximated.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	32E	35								X	X								

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
All runoff water from above said spring and pond,

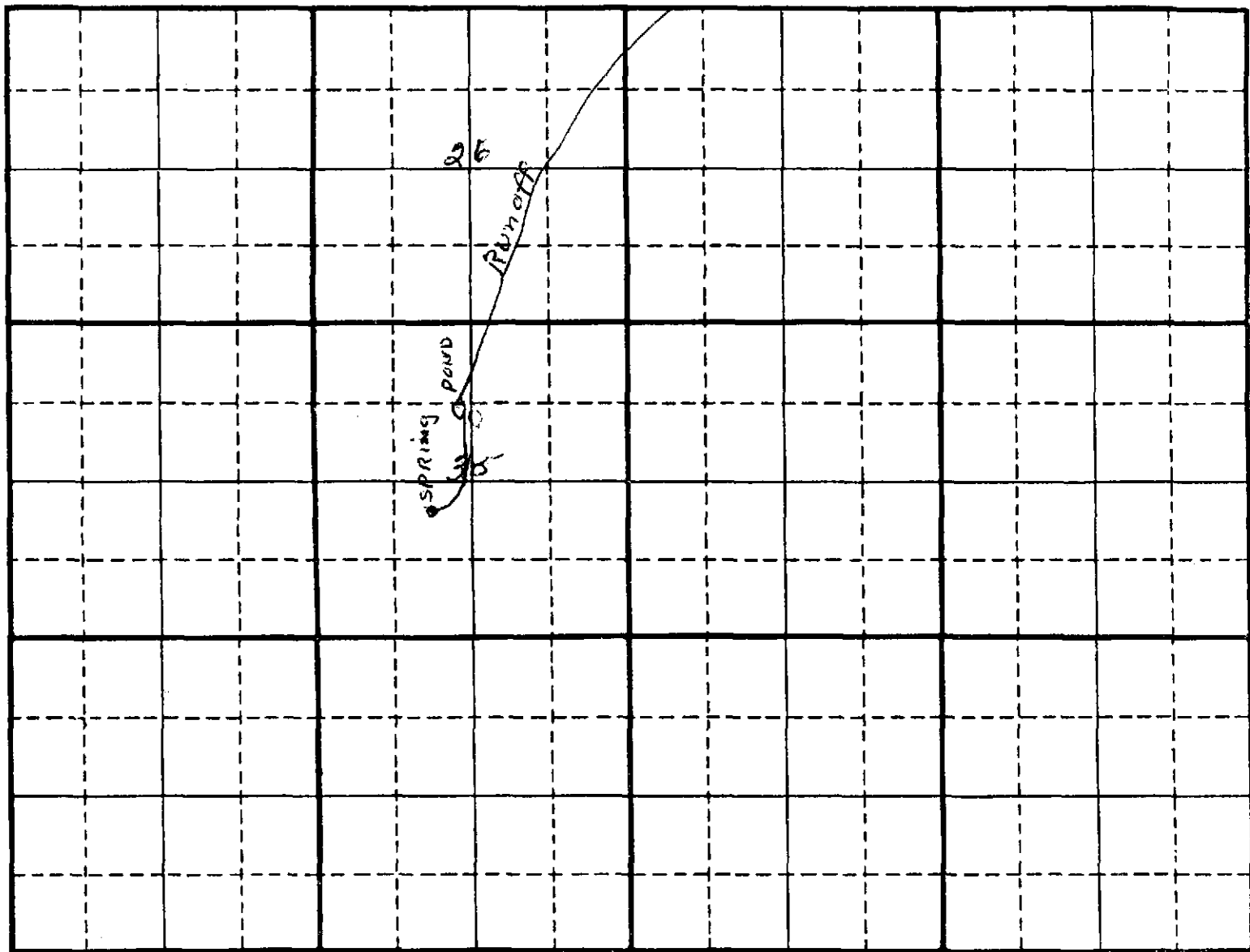
used for watering stock including thru Section 26.

NOTE: Include here the type and number of stock watered: 200 head of cattle.

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

RECEIVED

(8) Remarks _____



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)
) ss.
 County of Oneida)

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.

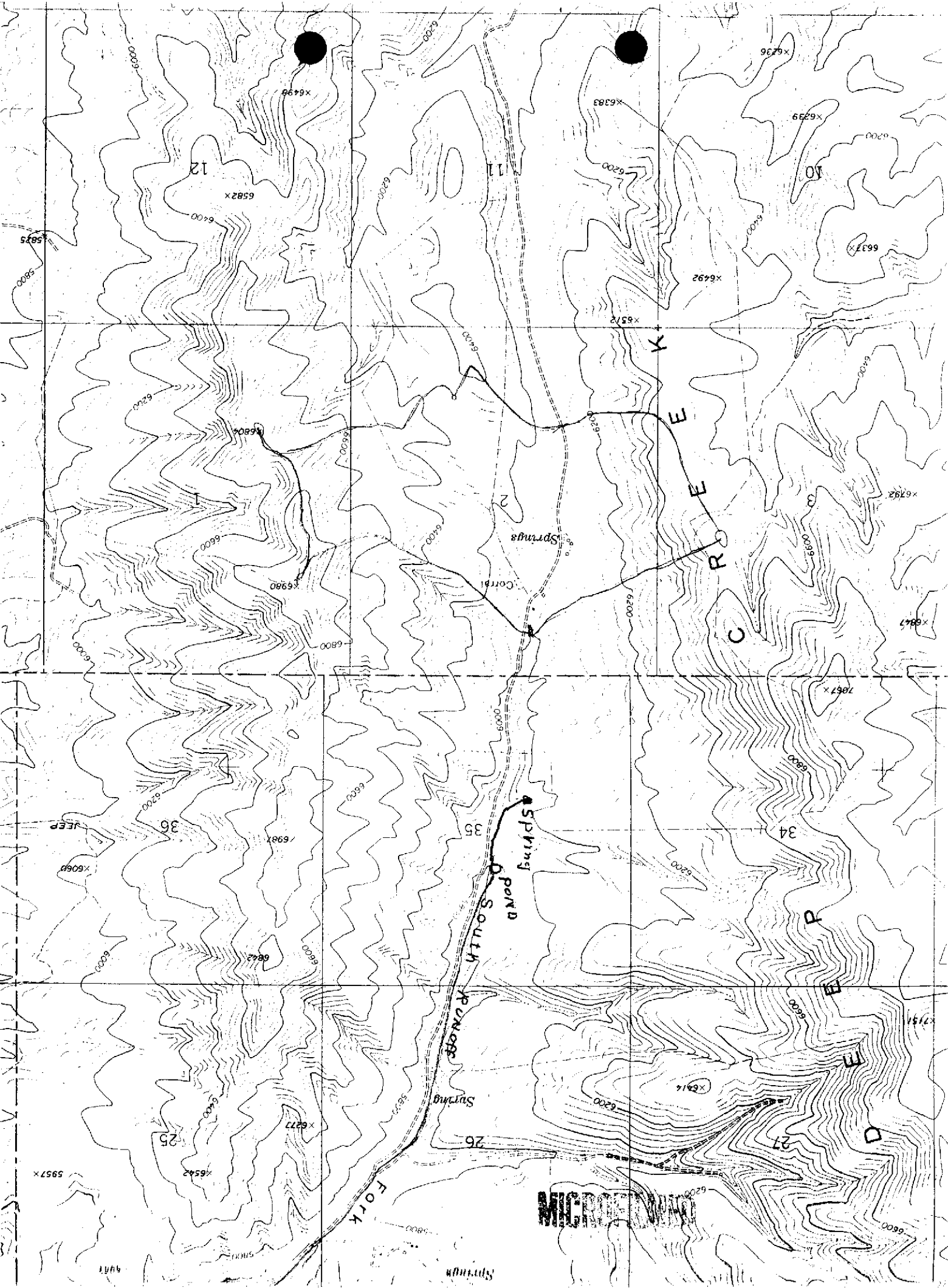
Betty L. G. Gibbs
 (Claimant)

Sworn to before me this 1st day of August, 19 84

Lou Ann Thomas
 Notary Public
 Residing at Malad, Idaho

My commission expires life

8-22-84 FOR DEPARTMENT USE ONLY
 Received by CW Date 7-17-84 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by HWS Date 8-16-84 claimant by: _____
 \$30.00 fee received by CW #3459 Date 8-2-84
 Published in Power County Press
 Dates 8-30 & 9-6-84



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Void

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 Carl G. Trubbs or Betty L. Trubbs
(Name of Claimant)

Box 47, Arbon, Idaho 83212 Telephone No. 335-2268
(Mailing Address) (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:

(1) Date of priority: (When was the water first applied to a beneficial use) 1940

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)
South Fork Spring tributary to South Bull Canyon

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>2500 gpd</u>	Use <u>Stock</u>	Period of Use From <u>1-1</u>	To <u>12-31</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) 2500 gpd TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 35 Twp. 12 Rge. 32 B.M., County of Power
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.
1/8 mile ditch to a pond located in SE 1/4 of NW 1/4 of Sec. 35. Ditch to pond 1/8 mile is approximated.

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12	32	35									X								
12	32	35								X									

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
all Runoff water from above said spring and pond
used for watering stock - including thru Sec-
tion 26

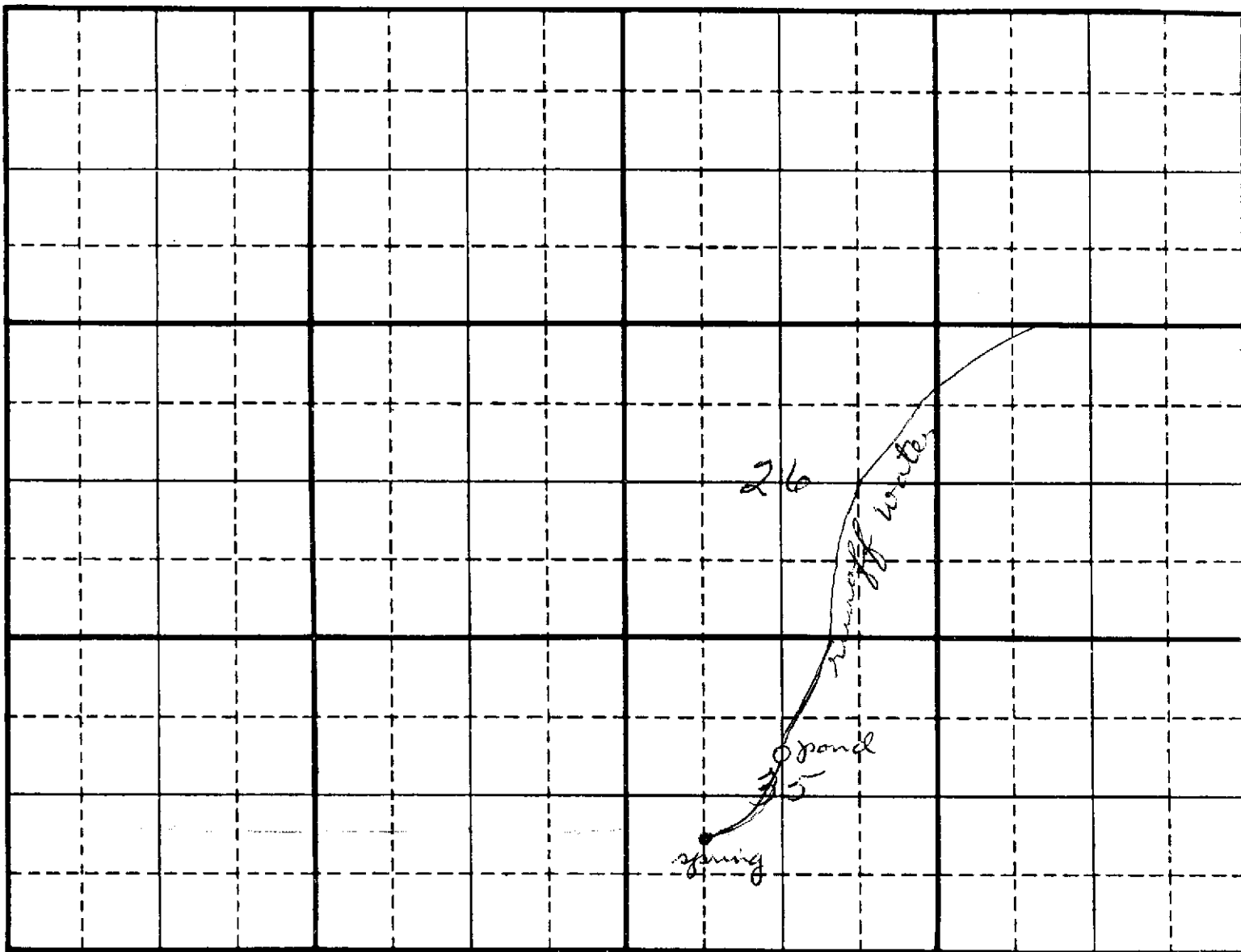
NOTE: Include here the type and number of stock watered: 200 head

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

MICROFILMED

(8) Remarks

MICROFILMED



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 Oneida) 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 16th day of July, 19 84.

Betty F. Trubbs
(Claimant)

Cindy Williams
Notary Public
Residing at Malad, Idaho

My commission expires 4-5-86

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>7-17-84</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$30.00 fee received by <u>CW</u>	Date			
Published in				
Dates				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
COUNTY OF POWER

...Brett Crompton..... being first duly
sworn on oath, states:

That ...he.. is the editor.....
of the Power county Press, a newspaper of
general circulation in Power County, Idaho,
published weekly at American Falls in said
county, that said newspaper has been pub-
lished in said county uninterruptedly and
continuously for over seventy-eight consec-
utive weeks, prior to the first publication
of the annexed notice or advertisement:

That the annexed notice or advertisement
was published as per clipping attached in
the regular and entire edition of said
newspaper and not in any supplement thereof

for....2.. successive weekly issues thereof,
the date of the first publication being the

.....29.... day of ..August.....1984....
and the date of last publication being the

.....6..... day of September.....1984....

(Signed) *Brett Crompton*

Subscribed and sworn to before me this

.....6..... day of September.....1984....

Rance Holt
Notary Public, residing at
American Falls, Idaho

(SEAL)

My commission expires the

.....10 day of March 1986.

RECEIVED

SEP 10 1984

Department of Water Resources
Eastern District Office

**Notice of claims
to water rights**

Published in The Power County
Press August 29 & September 6,
1984.

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

17-4064
TUBBS, EARL J. &/or BETTY F.
BOX 47, ARBON, ID 83212
Source: SOUTH FORK SPRING
trib. to SOUTH BULL CANYON
Priority Date: 04/01/1940
Diversion Pt: NESW Sec 35 T 12S R
32E
Use: STOCKWATER (0.05 CFS)
In: SENW NESW Sec 35 T 12S R
32E

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 17, 1984

EARL J. TUBBS
BETTY F. TUBBS
BOX 47
ARBON

ID 83212

RE: Claim No. 17-4064

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

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: AUG 3 1984

Right Number 17 4064 Applicant Tubbs

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 Ernest Carlson Date Sept. 17, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sa Date 11/1/84

9-17-84

RECEIVED
SEP 19 1984

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Department of Water Resources

EARL OR BETTY F. TUBBS
BOX 47 33 58
ARBON, IDAHO 83212

No. 89
July 16 1984 97-174/1243

782

Pay to the order of Ida. Dep't. of Water Resources \$ 30.00
Thirty and no Dollars



BEAR RIVER
STATE BANK
TREMONTON, UTAH 84337

For Water Right Claim

Betty F. Tubbs

⑆124301740⑆ 57 72650 7⑈

Rocky Mountain Bank Note

RESOURCES

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

Earl Tubbs
Box 47
Arbon, ID 83212

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- _____ Complete name.
- _____ Complete mailing address.
- _____ Date of priority (month, day, and year).
- _____ Source of water.
- _____ Quantity claimed to have been used.
- _____ Nature of use and period of use.
- / _____ Location of point(s) of diversion. DRAW THE SYSTEM ON THE MAP PROVIDED
- / _____ Location of place of use (acres irrigated if water is claimed for irrigation).
- ✓ _____ Filing Fee (Amount \$ 30.00).
- _____ Signature.
- _____ Notarization of signature.
- / _____ Other: SIGN, HAVE NOTORIZED, AND
RETURN

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Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Enc. Check #97-174 for \$30

Sincerely,

Gerald Ramsey

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 22, 1984

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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 SEPTEMBER 17, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 8/30 & 9/6/84.

MICROFILMED

TUBBS, EARL J. &/or BETTY F.

BOX 47, ARBON, ID 83212

Source: SOUTH FORK SPRING trib. to SOUTH BULL CANYON

Priority Date: 04/01/1940

Diversion Pt: NESW Sec 35 T 12S R 32E

Use: STOCKWATER (0.05 CFS)

In: SENW NESW Sec 35 T 12S R 32E

Notice of claims to water rights

Published in The Power County
Press August 29 & September 6,
1984.

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

17-4064
TUBBS, EARL J. &/or BETTY F.
BOX 47, ARBON, ID 83212
Source: SOUTH FORK SPRING
trib. to SOUTH BULL CANYON
Priority Date: 04/01/1940
Diversion Pt: NESW Sec 35 T 12S R
32E
Use: STOCKWATER (0.05 CFS)
In: SENW NESW Sec 35 T 12S R
32E

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