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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 Tubbs (Name of Claimant)
Route #1, Malad, ID 83252 (Mailing Address) Telephone No. 335-2268 (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) Sept - 1915

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)
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:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>28000 gpd/0.04</u>	Use <u>stockwater</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) 28000 gpd or 0.044 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 26 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. Pump and pipeline, 1½ miles of pipeline into 4,000 gallon storage tank.

(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	27			X														

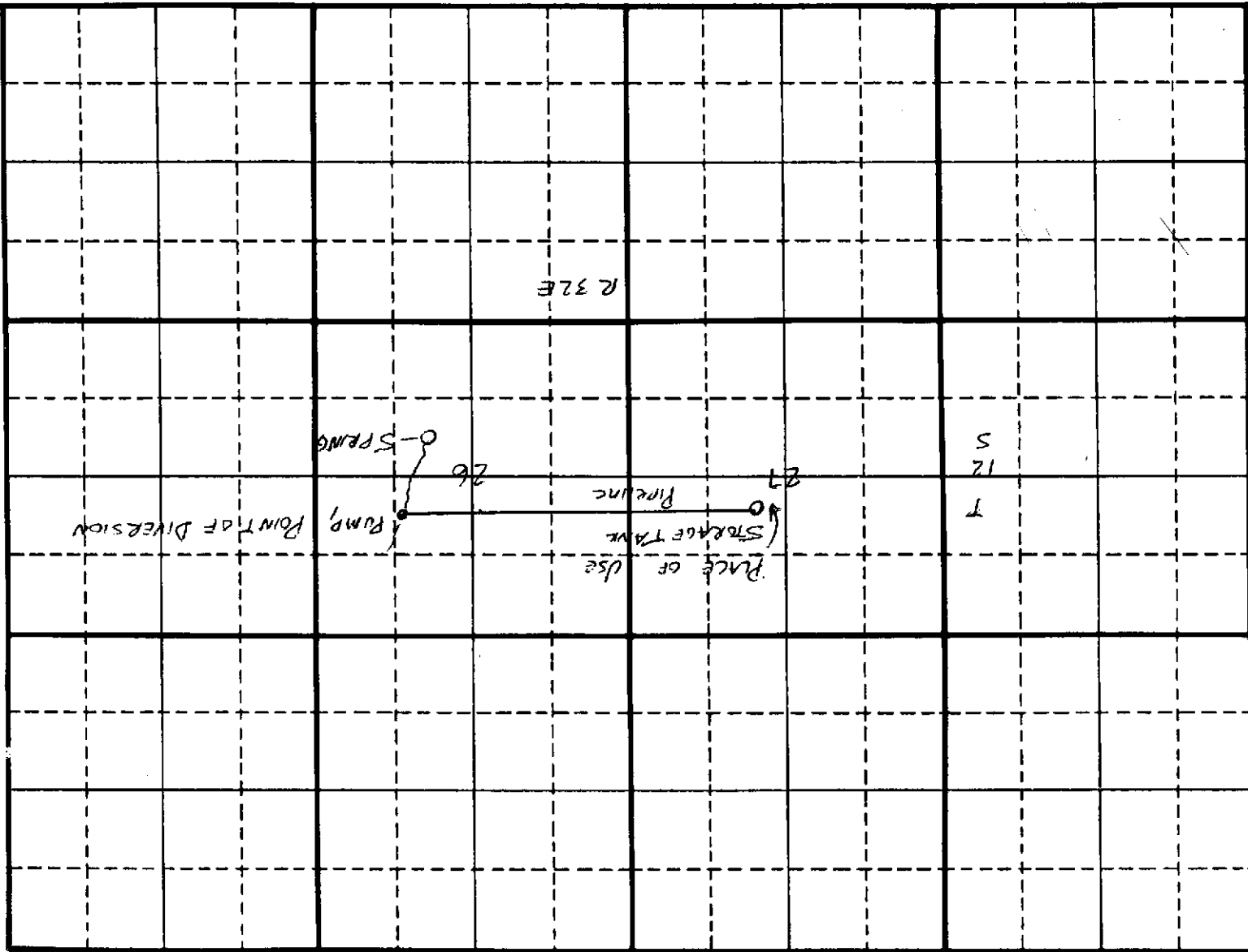
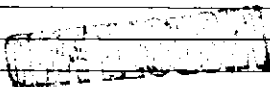
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: stockwater

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

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

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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 Boise
) 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, 1981

Earl J. Tubb
Claimant
Notary Public
Residing at
977 West Idaho

My commission expires

July

FOR DEPARTMENT USE ONLY

Received by ONE Date 8/12/81 Exception filed by: 8/12/81 Forwarded to 8/12/81 Date
Prelim. check by ONE Date 8/13/81 # 19038 claimant by: 8/12/81 Date
Published in Lower Co. News 8/20/81 8/27/81 Dates

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

s.s.

Brett Crompton being first duly sworn
on oath, states:

That he..... is the Editor.....Manager
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 published in said
County uninterruptedly and continuously for over seventy-
eight consecutive 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 publica-
tion being the Aug. day of 19....., 19....81
the date of last publication being the

.....Aug... day of 26....., 19....81

(Signed) *Brett Crompton*

Subscribed and sworn to before me this

.....Aug..... day of 26....., 19....81

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

My Commission expires the

(SEAL) *lys*..... day of 19.....

Legal Notice

Published in the Power County
Press, Aug. 19; and Aug. 26, 1981.

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.

17-4031

TUBBS, EARL

RT. 1, MALAD, ID 83252

Source: SPRING tributary to
SINKS

Priority Date: 07/19/1913

Amount: 0.06 CFS

Diversion Point: NENE Sec 26 T 12S

R. 32E, POWER CO.

Use: STOCKWATER (0.02 CFS)

from 01/01 to 12/31

DOMESTIC (0.04 CFS) from 01/01

to 12/31

Place of Use: NENE Sec 26 T 12S R

32 E

Diversion Means: PIPELINE

17-4032

TUBBS, EARL

RT. 1, MALAD, ID. 83252

Source: SPRING tributary to
SINKS

Priority Date: 06/29/1940

Amount: 0.01 CFS

Diversion Point: NESW Sec 35 T 12S

R. 32E, POWER CO.

Use: STOCKWATER (0.01 CFS)

from 05/01 to 10/31

Place of Use: NESW Sec 35 T 12S R

32E

Diversion Means: DITCH & POND.

17-4033

TUBBS, EARL

RT. 1, MALAD, ID. 83252

Source: SPRING tributary to

SINKS

Priority Date: 09/01/1915

Amount: 0/04 CFS

Diversion Point: SWNE Sec 26 T 12S

R. 32E, POWER CO.

Use: STOCKWATER (0.04 CFS)

from 01/01 to 12/31

Place of Use: SWNE Sec 27 T 12S R

32E

Diversion Means: PUMP &
PIPELINE

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department of
Water Resources, 150 Shoup Ave.,
Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

RECEIVED

AUG 31 1981

Department of Water Resources
Eastern District Office

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 17 4033 Applicant J. L. L.

NOTE: 17-4033 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.
- a/n

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Sept 8, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 9/10/81

RECEIVED
SEP 10 1981

Department of Water Resources

RECEIVED

17-4033-

TUBBS, EARL

RT. 1. MALAD. ID 83252

Source: SPRING tributary to SINKS

Priority Date: 09/01/1915

Amount: 0.04 CFS

Diversion Point: SWNE Sec 26 T 12S R 32E, POWER Co.

Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31

Place of Use: SWNE Sec 27 T 12S R 32E

Diversion Means: PUMP & PIPELINE.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

July 28, 1981

Earl Tubbs
Route #1
Malad, ID 83252

Dear Mr. Tubbs:

Enclosed are the three claims submitted to this office along with your Check No. 92-86/2381 in the amount of \$90.00.

Part 1 of each form must have the month and year in which the water was first put to beneficial use.

If you have any questions please feel free to contact me.

Sincerely,

Steve McCormick, P.E.
Sr. Resource Analyst

SM:kw
Enclosures

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 9, 1981

EARL TUBBS
RT. 1
MALAD

ID 83252

RE: Claim No. 17-4033

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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