

No Color
Documents
In File

2

NOTE:

The filing deadline has been extended with a substantially increased fee:

Date Claim Filed	Fee
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$100
7-01-1984 thru 6-30-1985	\$200

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public water resources 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

DAVID A BEAL
(Name of Claimant)

ROUTE #1, MALAD, IDAHO
(Mailing Address)

83252
(Zip Code)

Telephone No. 208-766-4437

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) MAY 1955

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 UNNAMED SPRING

(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>.5 CFS</u>	Use <u>IRRIGATION</u>	Period of Use From	<u>APRIL 1</u>	To <u>NOV 1</u>
Quantity	<u>.04 CFS</u>	Use <u>DOMESTIC</u>	Period of Use From	<u>JAN 1</u>	To <u>DEC 31</u>
Quantity		Use	Period of Use From		To
Quantity		Use	Period of Use From		To
Quantity		Use	Period of Use From		To

(4) .54 CFS TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 16 Twp. 14S. Rge. 36E. B.M., County of ONEIDA
Additional points of diversion: NW 1/4, SEC. 17 TWP. 14S, TGE 36 E.B.M., COUNTY OF ONEIDA

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.

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>14S</u>	<u>36E</u>	<u>17</u>														<u>34</u>			<u>34</u>

No. of acres 34

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

DOMESTIC PURPOSES FOR ONE FAMILY

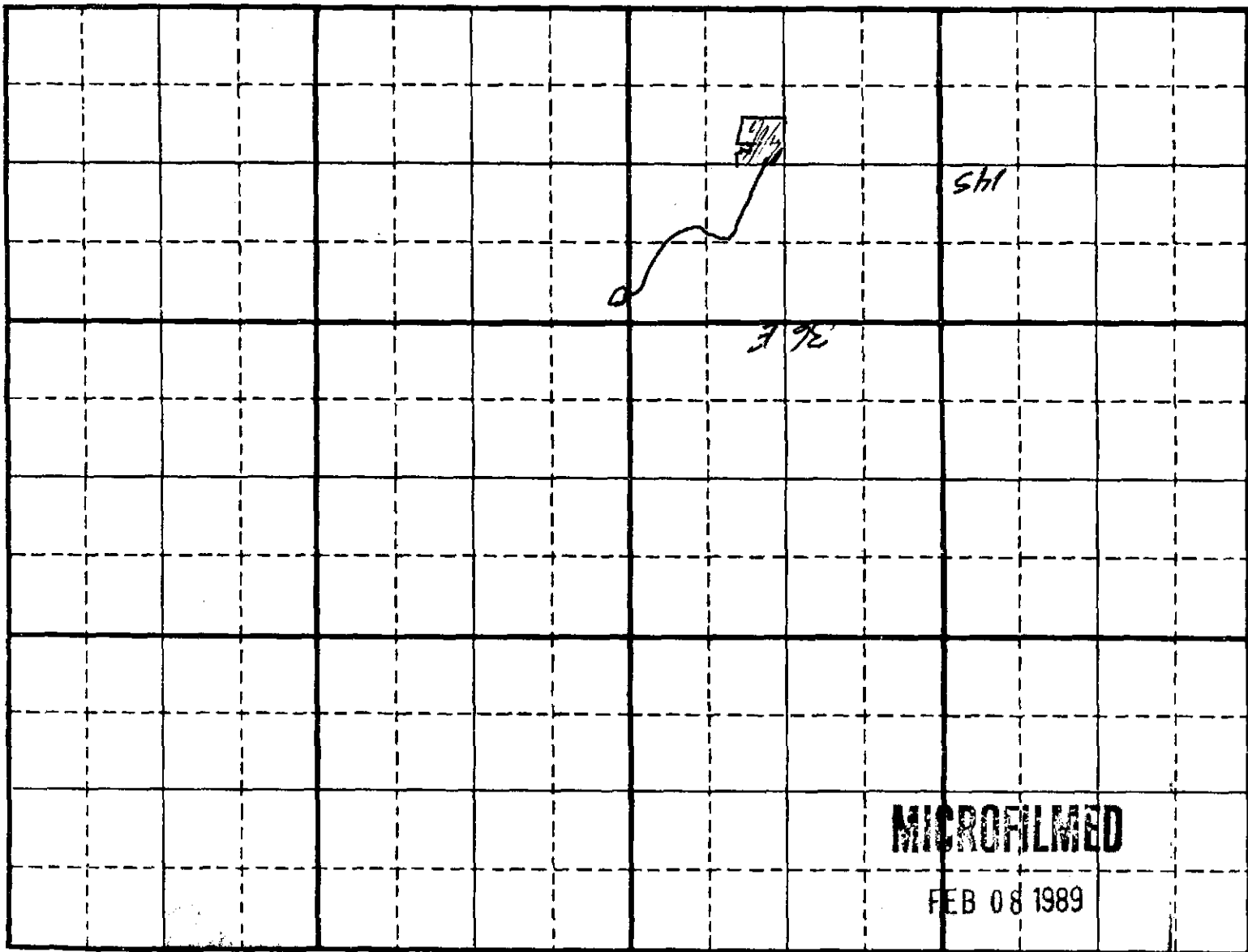
FEB 08 1989

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

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

FEB 08 1989

MICROFILMED



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 24 day of October

Barry J. Thompson
Notary Public
Residing at Grange, Idaho

My commission expires 6-94

FOR DEPARTMENT USE ONLY

Received by OC Date 10-24-88 Prelim. check by ALJ Date 10-28-88 Fee received by N.A. Date 10-28-88 Published in Idaho Enterprise (or) Idaho Enterprise Dates 11-17 & 11-24-88
Forwarded to claimant by: Date 10-24-88

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Oneida

Sandra Struhs

being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of 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

November 17, 1988, and ending

with the issue of November 24, 1988

Sandra Struhs

Fee \$ 38.28

Subscribed and sworn to before me this 6th day

of Jan, 1989.

Joyce A. Thundersberger
Notary Public, Residing at Malad, Idaho

My Commission Expires 2/17, 1993

Water right amended

NOTICE OF AMENDED CLAIM TO A WATER RIGHT NO. 15-4022

Notice is hereby given that Claim to a Water Right No. 15-4022 in the name of Marguerite J. Tims, Malad, Idaho, was filed with a priority date of May 1955 for the diversion and application to beneficial use of .5 cfs of water from an unnamed spring with the point of diversion within the NW1/4NW1/4, Sec.16, NW1/4SE1/4, sec. 17, T. 14S, R. 36E, B.M. County of Oneida; the water is claimed to be used from May 1 to September 31 for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 31E and from January 1 to December 31 for domestic purposes.

Claim No. 15-4022, now being amended in the name of David A. Beal, Malad, Idaho, proposes to change the amount of water to .54 cfs, the period of use for irrigation from April 1 to November 1, and the place of use for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 36E.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

R. Keith Higginson,
Director

Published in THE IDAHO ENTERPRISE
11/17/1988 & 11/24/1988
No. 1099
11-17, 24 T2

RECEIVED

NOV 26 1988

RECEIVED

JAN 12 1989

Department of Water Resources
Eastern District Office

Department of Water Resources

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

UNNAMED

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

A hand-drawn map on a grid showing a coastline segment. The map includes labels '14S', '36E', and '16' at various points along the coastline. A small shaded area is marked near the label '17'.

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.

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.

Marqueto J. Lim
(Claimant)

My commission expires 8-5-80

For Department Use Only

Received by <u>DW. J. J.</u>	Date <u>8-30-77</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>J. J.</u>	Date <u>8/26/77</u>	_____	claimant by: _____	_____
\$10.00 fee received by <u>J. J. # 9225</u>	Date <u>8/26/77</u>	_____	_____	_____
Approved for publication by <u>Mr. P. 27-77</u>	_____	_____	_____	_____
Published in <u>State Enterprise</u>	_____	_____	_____	_____
Dates <u>Sept 8-4 15-19 77</u>	_____	_____	_____	_____

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 27 1977

State of Idaho
County of Oneida, ss.

Suzanne Jones being first duly sworn on
Department of Water Resources
Eastern District Office

her oath, states: That she is Secretary
of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, 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 said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published 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 8th day of September, 1977 the date of the last publication being the 15th day of September, 1977.

Suzanne Jones
Subscribed and sworn to before me this 16th day of September, 1977.

Joseph H. Freidenberger
Notary Public, residing at Malad, Idaho

My Commission expires the _____ day of _____, 19_____.

Costs:

34 lines at 23c per line first insertion \$ 7.82
_____ lines tabulated at 34½c per line \$ _____
15c per line each subsequent insertion \$ 5.10
TOTAL \$12.92

(Rates for legal notices are fixed by Idaho law)

NOTICE OF CLAIM TO A WATER RIGHT

No. 15-4022

NOTICE IS HEREBY GIVEN that Marguerite J. Tims, Malad City, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second of water from an unnamed spring with point of diversion in the NW¼NW¼, Sec. 16, NW¼SE¼, Sec. 17, T. 14S, R. 36E, B.M., Oneida County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families and from May 1 to Sept. 31 for the irrigation of 34 acres with a priority of May, 1965; the place of use is within the NW¼SE¼, Sec. 17, T. 14S, R. 31E, 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.

C. STEPHEN ALLRED
Director

Published in the Idaho Enterprise, Malad City, Idaho on September 8 and September 15, 1977.

me

SEP 27 1977

State of Idaho
Department of Water Resources

	INITIAL	DATE
Distributed for Staffing	<u>CW</u>	<u>10-24-88</u>
Submitted for Advertising	<u>HWS</u>	<u>10-28-88</u>

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 15-4022 Applicant David Beal

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.
- ☐ W.D. N.A.

FINAL REGIONAL PROCESSING REVIEW:

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

By HWS Date 1-23-89

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 2/2/89

RECEIVED
JAN 27 1989

Department of Water Resources

December 28, 1988

IDAHO ENTERPRISE
P.O. Box 205
Malad City, Idaho 83252

RE: Amended Claim To A Water Right No. 15-04022;
David A. Beal

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 17, and November 24, 1988.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary

FILMED
FEB 08 1989

NOTICE OF AMENDED CLAIM TO A WATER RIGHT
NO. 15-4022

Notice is hereby given that Claim to a Water Right No. 15-4022 in the name of Marguerite J. Tims, Malad, ID, was filed with a priority date of May 1955 for the diversion and application to beneficial use of .5 cfs of water from an unnamed spring with the point of diversion within the NW1/4NW1/4, Sec. 16, NW1/4SE1/4, Sec. 17, T. 14S, R. 36E, B.M. County of Oneida; the water is claimed to be used from May 1 to September 31 for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 31E and from January 1 to December 31 for domestic purposes.

Claim No. 15-4022, now being amended in the name of David A. Beal, Malad, ID, proposes to change the amount of water to .54 cfs, the period of use for irrigation from Apr. 1 to Nov. 1, and the place of use for irrigation of 34 acres within the NW1/4 SE1/4, Sec. 17, T. 14S, R. 36E.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, ID 83402.

R. Keith Higginson, Director

Published in THE IDAHO ENTERPRISE 11/17/1988 & 11/24/1988

*Called 12-14-88
to Idaho
W.D. 12-14-88
Called 12-25-88*

FILED
FEB 08 1989

September 28, 1977

RE: Claim to a Water Right No. 15-4022 TIMS

Mr. J. W. Crowther
Attorney at Law
60 North Main
Malad City, ID 83252

Dear Mr. Crowther:

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
Supervisor
Eastern Region

RDC:CD

Enc: Copy of claim

September 26, 1977

RE: Claim to a Water Right No. 15-4022

Idaho Enterprise
P.O. Box 205
Malad City, ID 83252

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper of September 8 and September 15, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

September 2, 1977

RE: Claim to a Water Right No. 15-4022

Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

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
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1)

Bill submitted September 27, 1978 by me

MICROFILMED

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 15-4022

NOTICE IS HEREBY GIVEN that Marguerite J. Tims, Malad City, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second of water from an unnamed spring with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 36E, B.M., Oneida County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families and from May 1 to Sept. 31 for the irrigation of 34 acres with a priority of May, 1965; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 31E, 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.

C. STEPHEN ALLRED
Director

Published in the Idaho Enterprise, Malad City, Idaho on September 8 and September 15, 1977.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 15-4022

Notice is hereby given that Marguerite J. Tims,

Malad City, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.50 cubic feet per second ~~acre feet per annum~~

of water from an unnamed spring

with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 36E,

B.M., Oneida County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic

purposes for two families and from May 1 to Sept. 31 for the irrigation of
34 acres

with a priority of May, 1955;

the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 31E, 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.

C. STEPHEN ALLRED

~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Idaho Enterprise, Malad City, Idaho

on September 8 and September 15, 1977

*He-L
Mc-L
Mc-L
Mc-L*

August 31, 1977

RE: Claim to a Water Right No. 15-4022

Mr. J. W. Crowther
Attorney at Law
60 North Main
Malad City, ID 83252

Dear Mr. Crowther:

Attached herewith is Departmental receipt No. 9225 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Attachment

RECEIVED
Cone
Sept

INTER-DEPARTMENT MEMO — 1

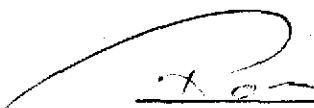
FROM Ronald D. Carlson

DATE August 30, 1977

TO File

SUBJECT Change in Claim for Marguerite J. Tims

As per a telephone conversation this date with J. W. Crowther, attorney for the claimant, he requested we included 0.04 c.f.s. for domestic use on the above referenced claim.


SIGNATURE

RECEIVED
AUG 31 1977
FBI - BOSTON

RECEIVED

AUG 26 1977

Department of Water Resources

J. W. CROWTHER
ATTORNEY AT LAW

PROSECUTING ATTORNEY
ONEIDA COUNTY, IDAHO

60 NORTH MAIN MALAD CITY, IDAHO
PHONE 766-2644

August 25, 1977

State of Idaho
Department of Water Resources
Boise, Idaho

Re: Claim to a Water Right - Marguerite J. Tims

Gentlemen:

Please process the attached Claim to a Water Right for the above mentioned individual on land located in Oneida County, Idaho. (Attached also is a check for \$10.00.)

If you have any questions, please let me know.

Very truly yours,

J. W. Crowther
J. W. Crowther ia

ia
Attachments

Note!

Send all correspondence to above counsel

J.J. 8/26/77

RECEIVED