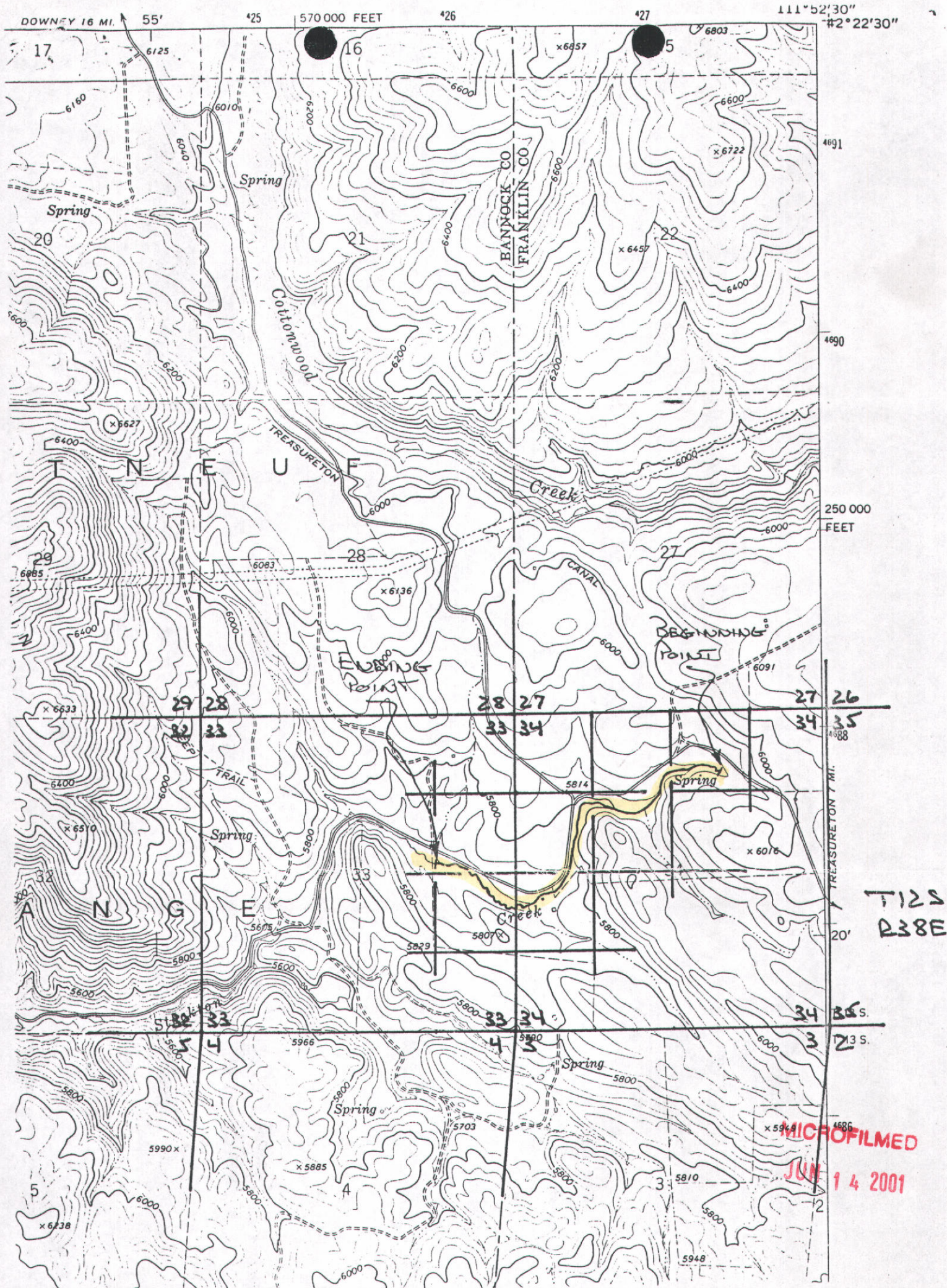
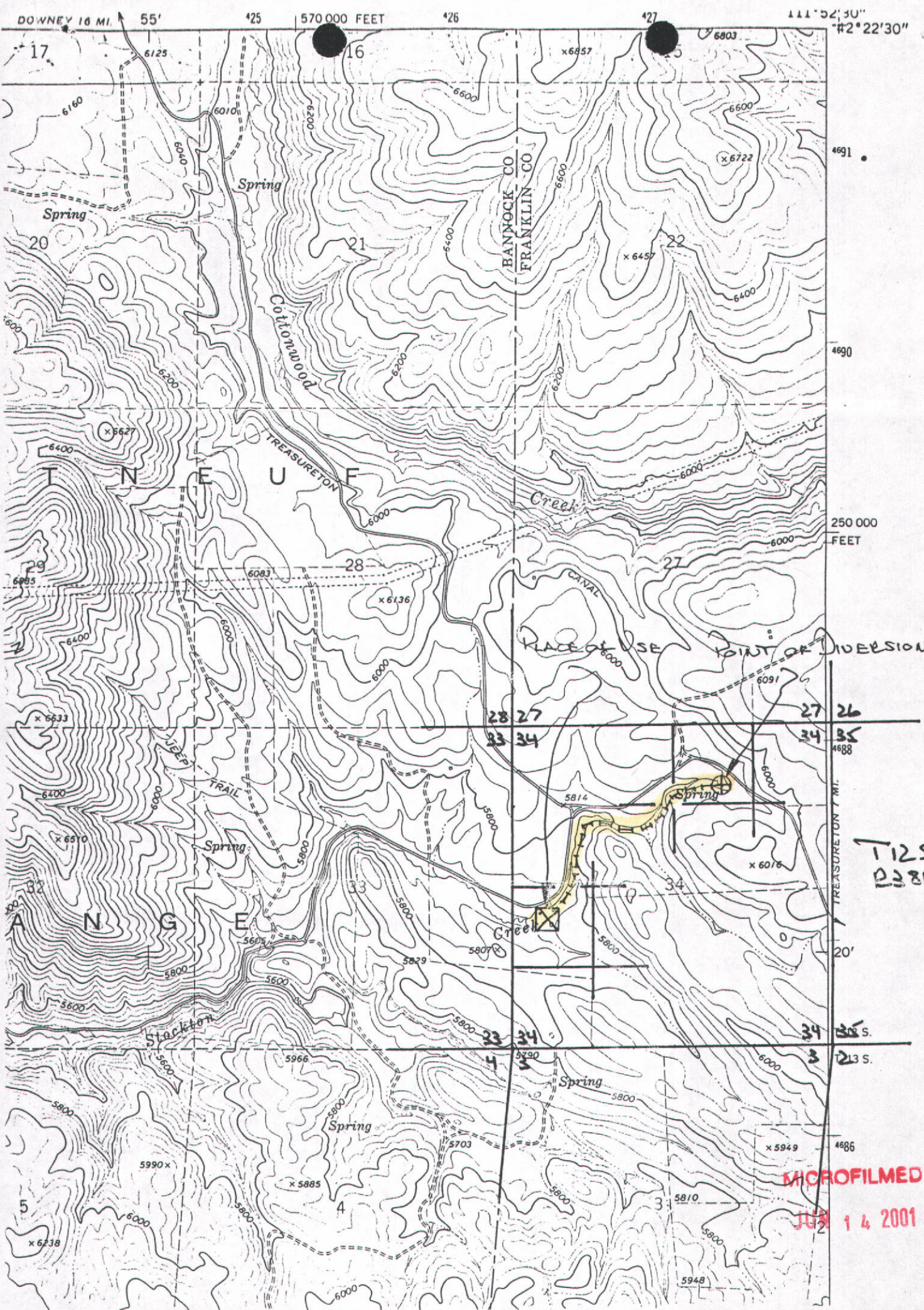






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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 12 2001

JUN 08 2001

Department of Water Resources
Eastern Region

Department of Water Resources

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Melvin Foster
1000 N 2300 W Preston ID 83243 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No: (208) 852-1075

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

1. Date of Priority: (When the water was first applied to beneficial use) 4-1-1870
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Stockton Creek

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 or af)	Use	(Irrigation, Domestic, Stock, Etc.)	Period of Use From	(Both dates inclusive) (MM/DD)	to	(MM/DD)
Quantity <u>0.04 CFS</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</u>		to <u>12-31</u>	
Quantity <u>0.09 CFS</u>		Use <u>Stock water</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 _____	

4. 0.13 CFS TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NW $\frac{1}{4}$ of NE NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 34 Township 12S Range 39E B.M., Franklin County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

collection box at 3/4 mile pipeline to home. Ditch from
springs at 3/4 mile to yard + garden

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6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
125	39E	34													DS				

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
Single family home with 1/2 acre lawn & garden

NOTE: Include here the type and number of stock watered: up to 400 head of range cattle

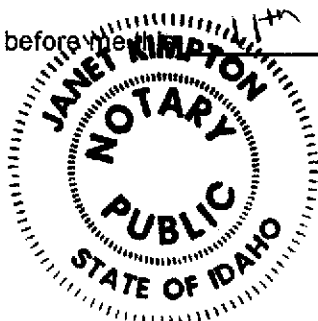
7. Remarks: _____
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

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 forgoing 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.

Melvin Foster
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this _____ day of April, 2001.



Janet Kimpton
Notary Public

Residing at: Preston, Id.

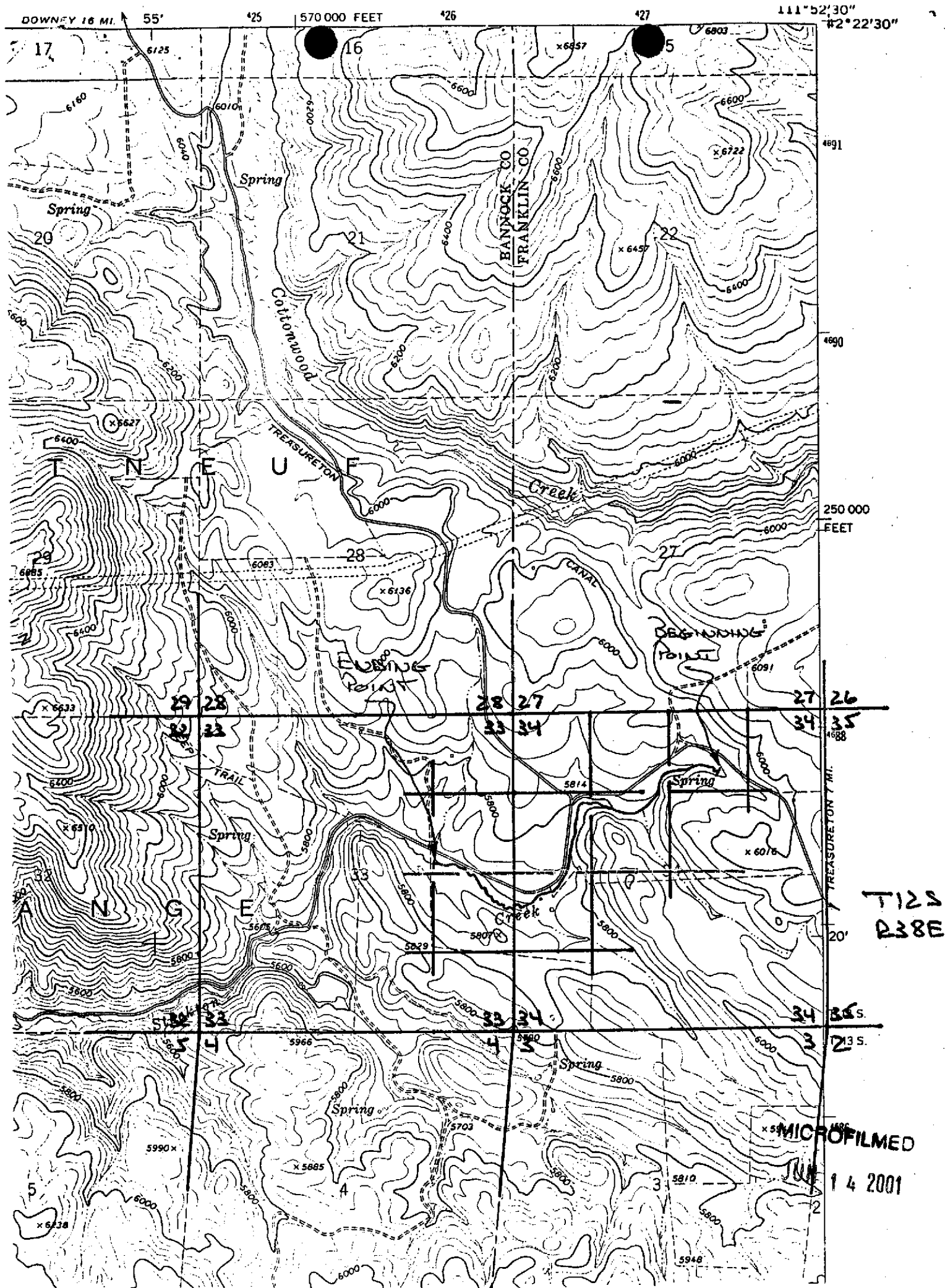
My commission expires: 3-30-2006

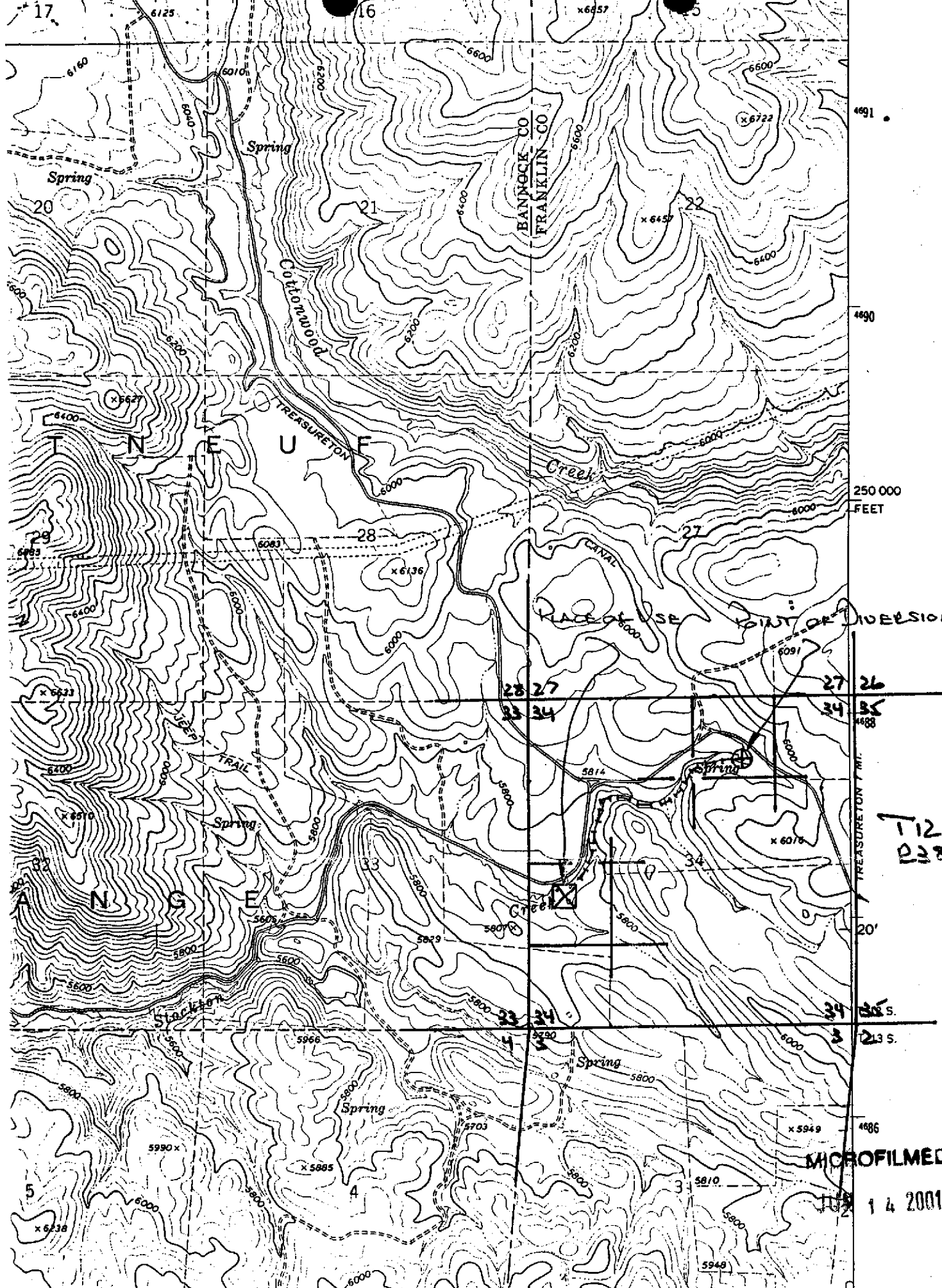
FOR DEPARTMENT USE ONLY

Received by HWT Date 4-12-01
Prelim. check by n Date 4-11-01
Fee 250.00 Receipt # E026630
Receipt prepared by HWT Date 4-12-01

Published in Preston Citizen
Publication dates 5/3 & 5/10/01
Publication of MICROFILMED Date 6/5/01
Exceptions filed by _____

JUN 14 2001





T12S
R28E

MICROFILMED

14 2001

Distributed for Staffing

Submitted for Advertising

Huf

4-12-01

State of Idaho
Department of Water Resources

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Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

HWT

Right Number

13-7597

Applicant

Roster

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. _____

FINAL REGIONAL PROCESSING REVIEW:

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

By

Huf

Date

6-5-01

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By

Date

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Rodney Boam

being duly sworn,

deposes and says:

That he is the *Editor* of THE PRESTON
 TIZEN, 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 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

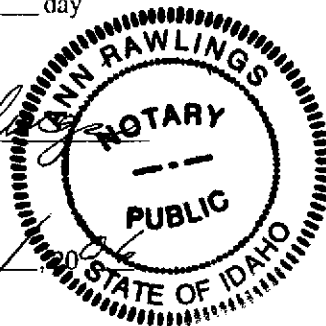
May 2, , 2001, and ending

with the issue of May 9, 2001

Rodney Boam

Fec \$ 65.00Subscribed and sworn to before me this 25th dayof May, 2001.

Notary Public, Residing at Preston, Idaho

My Commission Expires 10/26/2004NOTICE OF CLAIMS TO
WATER RIGHT

The Following claim(s)
 have been filed on water rights
 created by diversion and bene-
 ficial use:

13-7597

MELVIN D. FOSTER
 1600 N 2300 W
 PRESTON, ID 83263

Point(s) of Diversion: NWNE
 S34 T12S R39E, FRANKLIN
 County.

Source: SPRING

Use: DOMESTIC 01/01 To
 12/31 0.04 CFS

Use: STOCKWATER 01/01 To
 12/31 0.09 CFS

Total Diversion: 0.13 CFS

Priority Date: 04/01/1870

Place Of Use: DOMESTIC
 T12S R39E S34 NESE

Place Of Use: STOCKWATER
 T12S R39E S34 NESE

Exceptions to a claim may
 be filed with the Department of
 Water Resources, Eastern Re-
 gion, 900 N Skyline Dr Ste A,
 Idaho Falls, ID 83402, together
 with an exception fee of \$25.00.

KARL J. DREHER, Director

Legal No. 5174 - Publish
 May 2 and 9, 2001.

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Department of Water Resources
 Eastern Region

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JUN 7 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 24, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Melvin D Foster
1600 N 2300 W
Preston ID 83263

RE: Applications for Permit #13-07597

Dear Applicant:

This office is currently in the process of advertising the application in the Preston Citizen on May 3 and 10, 2001. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ::sc

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JUN 14 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 24, 2001

Legal Notice Department

PRESTON CITIZEN

PO BOX 472

PRESTON ID 83263

RE: Statutory Claim No. 13-7597

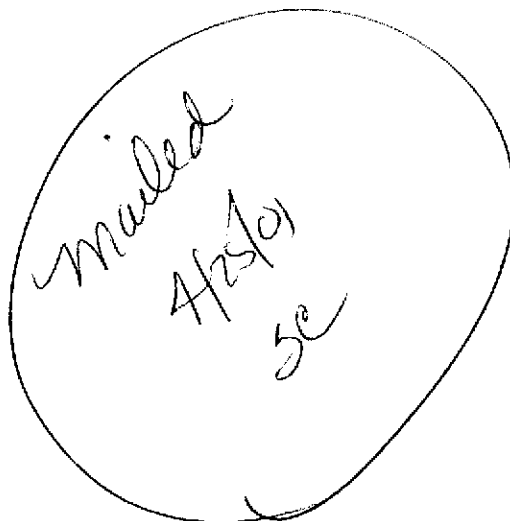
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before May 21, 2001. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant



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JUN 14 2001

The following claim(s) have been filed based on diversion and beneficial use of water:

13-7597

MELVIN D FOSTER

1600 N 2300 W

PRESTON ID 83263

Point(s) of Diversion: NWNE S34 T12S R39E, FRANKLIN County

Source SPRING

Use: DOMESTIC	01/01 To 12/31	0.04 CFS
---------------	----------------	----------

Use: STOCKWATER	01/01 To 12/31	0.09 CFS
-----------------	----------------	----------

Total Diversion:	0.13 CFS
------------------	----------

Priority Date: 04/01/1870

Place Of Use: DOMESTIC

T12S R39E S34 NESE

Place Of Use: STOCKWATER

T12S R39E S34 NESE

Exceptions to a claim may be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with an exception fee of \$25.00.

KARL J DREHER, Director

Published on May 3 and 10, 2001

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JUN 1 6 2001