

STATE OF IDAHO
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 JAY NORMAN FONNESBECK AND EIRAY BALLS
6022 W. Hwy 36 WESTON ID 83286 Telephone No: 747-3295
(Mailing Address) (Name of Claimant) (Zip Code)

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) JUNE 13, 1960
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)

GROUNDWATER tributary to _____

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 or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>6 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>04/01</u> to <u>10/31</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

4. 6 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 36 Township 15S Range 37E B.M., FRANKLIN County; additional
points of diversion, if any: N10 1/4 NE 1/4 SEC. 8 T16S R38E

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.
2 ELECTRIC TURBINE PUMPS, EACH PUMPING 3 cfs, WHICH CARRY WATER TO DITCHES THROUGH AN 18" BURIED PVC MAINLINE AND ALSO A 10" MAINLINE, WHERE IT TRAVELS TO 2 IRRIGATION PLOTS AND THEN IS REPUMPED AT OWNERS PROPERTY THROUGH IRRIGATION MAINLINE AND LATERALS

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	
16S	38E	8			30	10					20			10	40	30	40	40	220
		9										40	40	10			40	40	90
		10														40	40	40	120
		11											30						30
		12											40	40					80
		21					40	30											110

TOTAL ACRES ~~74~~ 650

B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

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

7. Remarks: POINT OF DIVERSION #1 AND LAND USE LIST IS PREVIOUSLY RECOGNIZED BY WATER LICENSE 13-2209

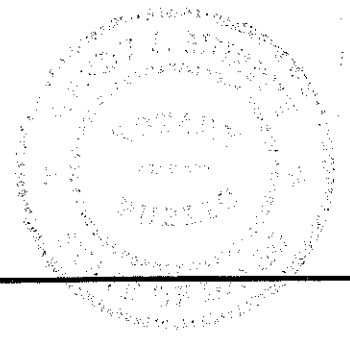
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of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

State of Idaho)
) ss.
 County of Bonneville)

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.

Elroy Ball / J. Forrester
 Claimant's Signature (and title if claim is for an organization)

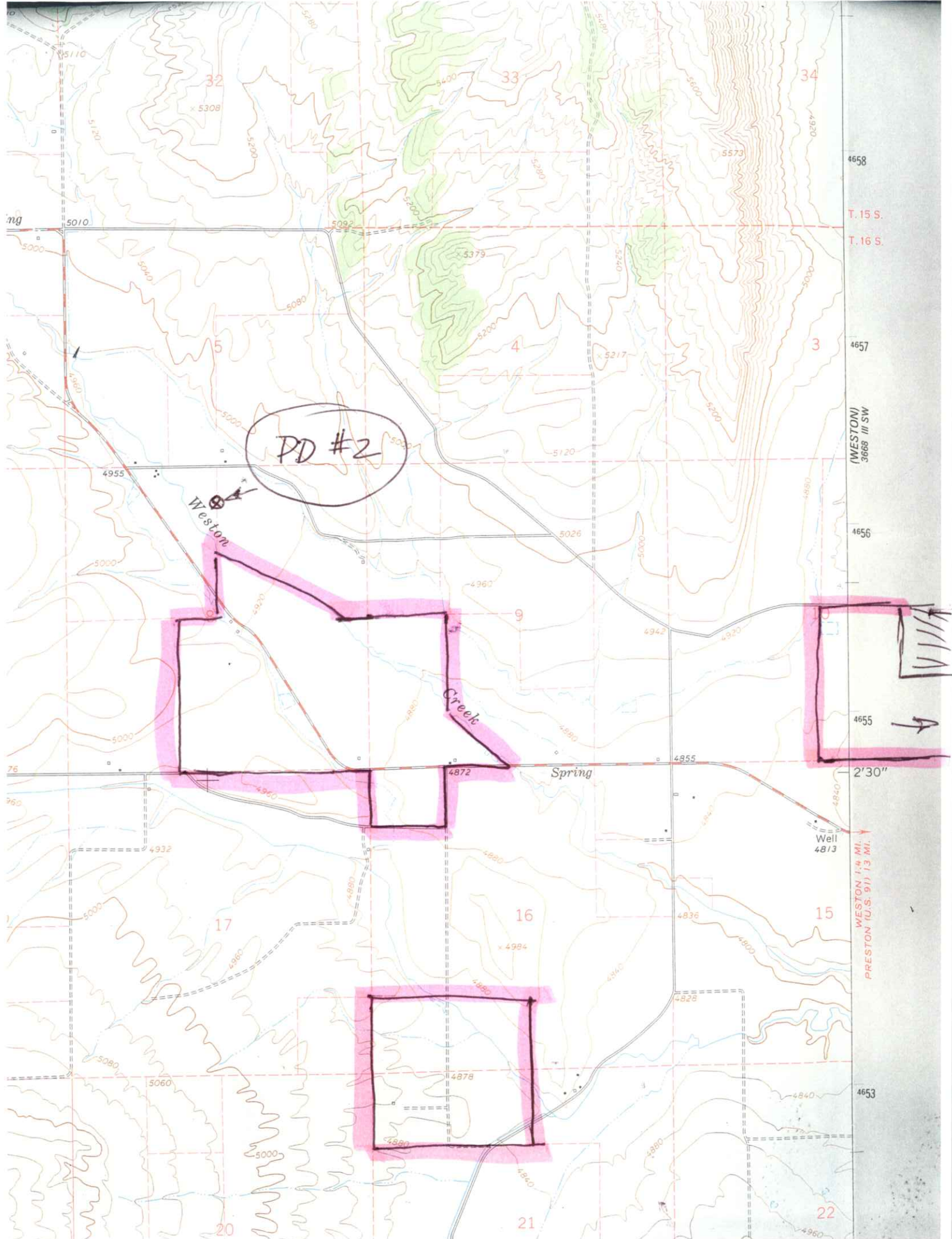
Sworn to before me this 30th day of June, 2005.



Wendy J. Murphy
 Notary Public
 Residing at: Idaho Falls
 My commission expires: 6/23/06

FOR DEPARTMENT USE ONLY

Received by K. Boyerck Date 6/30/05 Published in Preston Citizen
 Prelim. check by _____ Date _____ Publication dates 6/16 & 6/23/05
 Fee 250.00 Receipt # 6031017 Publication checked by _____ Date _____
 Receipt prepared by KPR Date 6/30/05 Exceptions filed by _____



PD #2

Weston

Creek

Spring

Well
4813

WESTON 1.4 MI.
PRESTON (U.S. 91) 1.3 MI.

(WESTON)
3668 III SW

4658

T. 15 S.

T. 16 S.

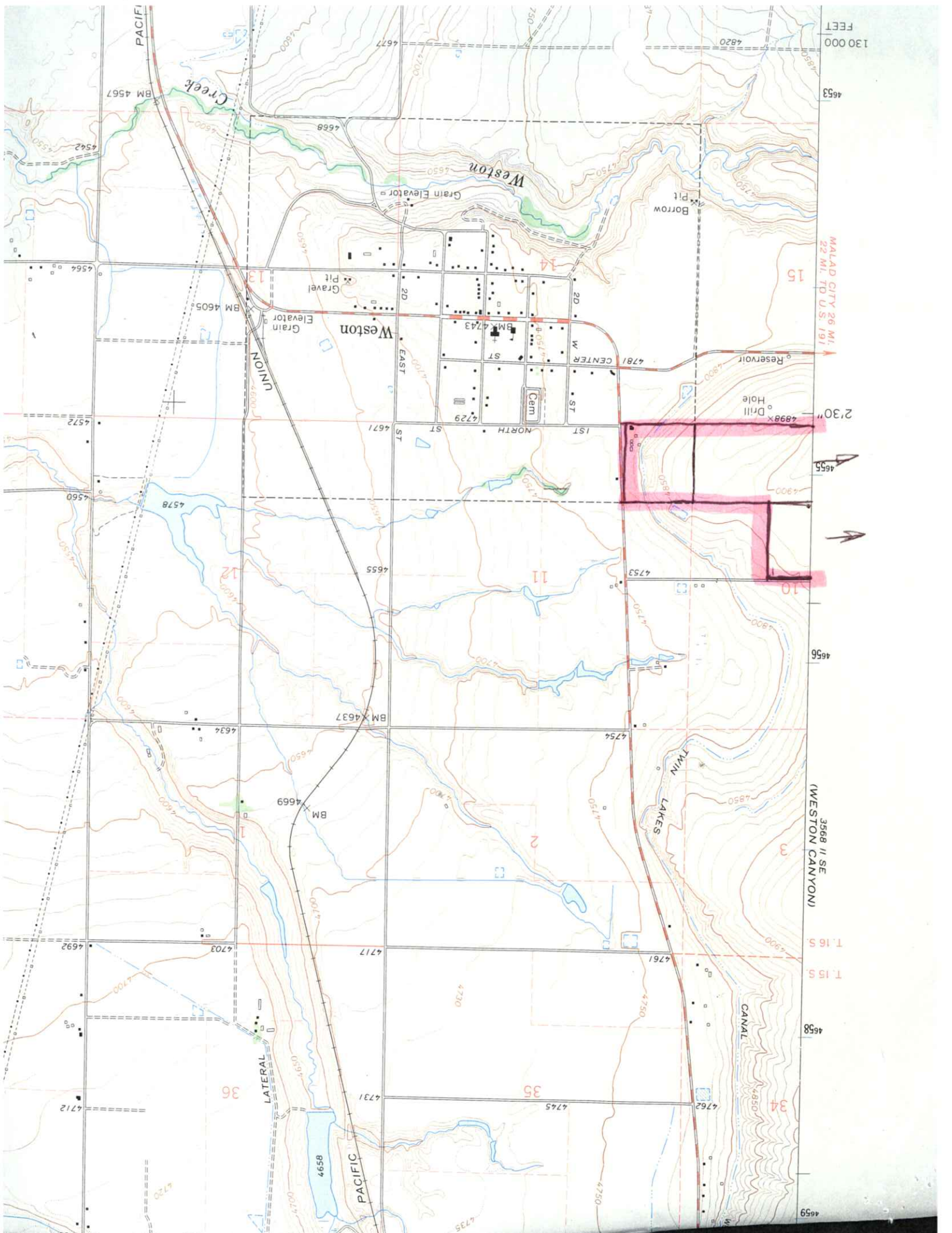
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2'30"

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FEET

MALAD CITY 26 MI.
22 MI. TO U.S. 191

3568 II SE
(WESTON CANYON)

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