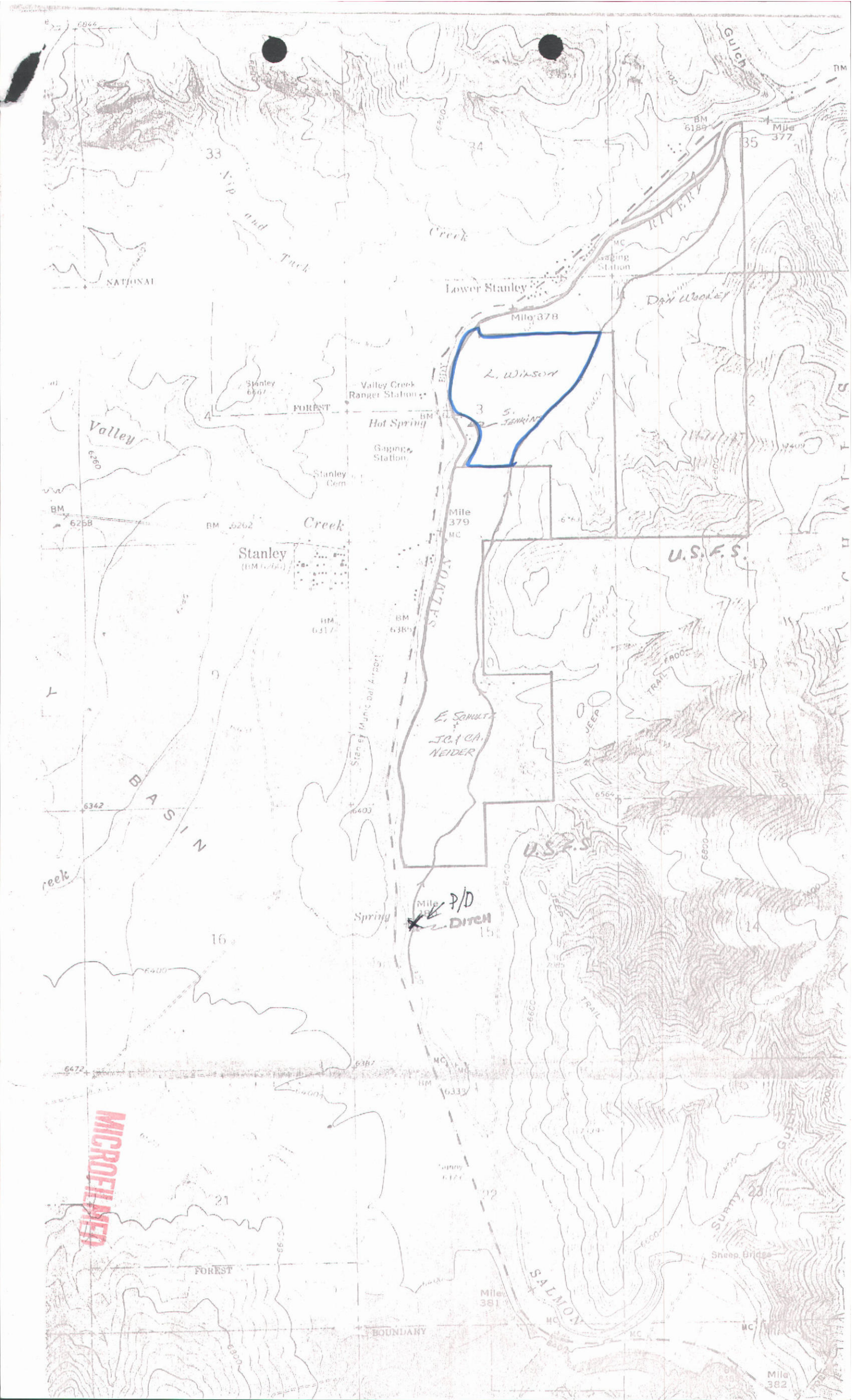




AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, ... MARGARET PARKS

Publisher of the Challis Messenger, a
weekly newspaper, published at Challis,
Idaho, do solemnly swear that the notice
hereto attached and made a part hereof,
was published in the regular and entire
issue of the Challis Messenger for 2
consecutive weeks, commencing with
the issue dated Mar 24
1983 and ending with the issue
dated Mar 31 1983.

Margaret Parks

Subscribed and sworn to before
this 1st day of April
1983

Echel M. Beck.

Notary Public, residing at Challis,
Idaho. My commission expires on

1/26/86

MICROFILMED

71-4033
CHIVERS, G. H. &/or
GLENIS
HC #36 BOX 177 CHAL-
LIS, ID 83226
Source: SALMON RIVER
trib. to SNAKE RIVER
Priority Date: 04/01/1937
Diversion Pt: LOT 03
(SWNW) Sec 15 T 10N R 13E
Use: IRRIGATION (6.66
CFS)
In: LOT 07 (SWNE) SENE
LOT 04 (NENW) LOT 06
(SENW) LOT 09 (NESW)
NESE LOT 08 (NWSE) Sec
03 T 10N R 13E FOR 110
ACRES

RECEIVED

APR 5 1983

Department of Water Resources
Southern District Office

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 Garth & Glen's Chivers
(Name of Claimant)
HC #63, Box 1771, Challis, ID 83226 Telephone No. 879-4407
(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) Salmon River 4-1-1937

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)
Salmon River tributary to Snake River

(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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
	<u>500 6.66 cfs</u>	<u>irrigation</u>		Period of Use From <u>Jun 1</u>	To <u>Nov 1</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) TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
lot 3 (SW 1/4 NW 1/4), Sec. 15 Twp. 10N Rge. 13E B.M., County of Custer
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. Wing dam, headgate, earth ditch 2700' long, gravity irrigation

(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	
<u>10N</u>	<u>13E</u>	<u>3</u>			<u>40</u>	<u>20</u>	<u>1</u>				<u>17</u>	<u>5</u>			<u>1</u>	<u>35</u>			<u>110</u>
					<u>177</u>	<u>177</u>	<u>174</u>				<u>175</u>	<u>179</u>				<u>178</u>			

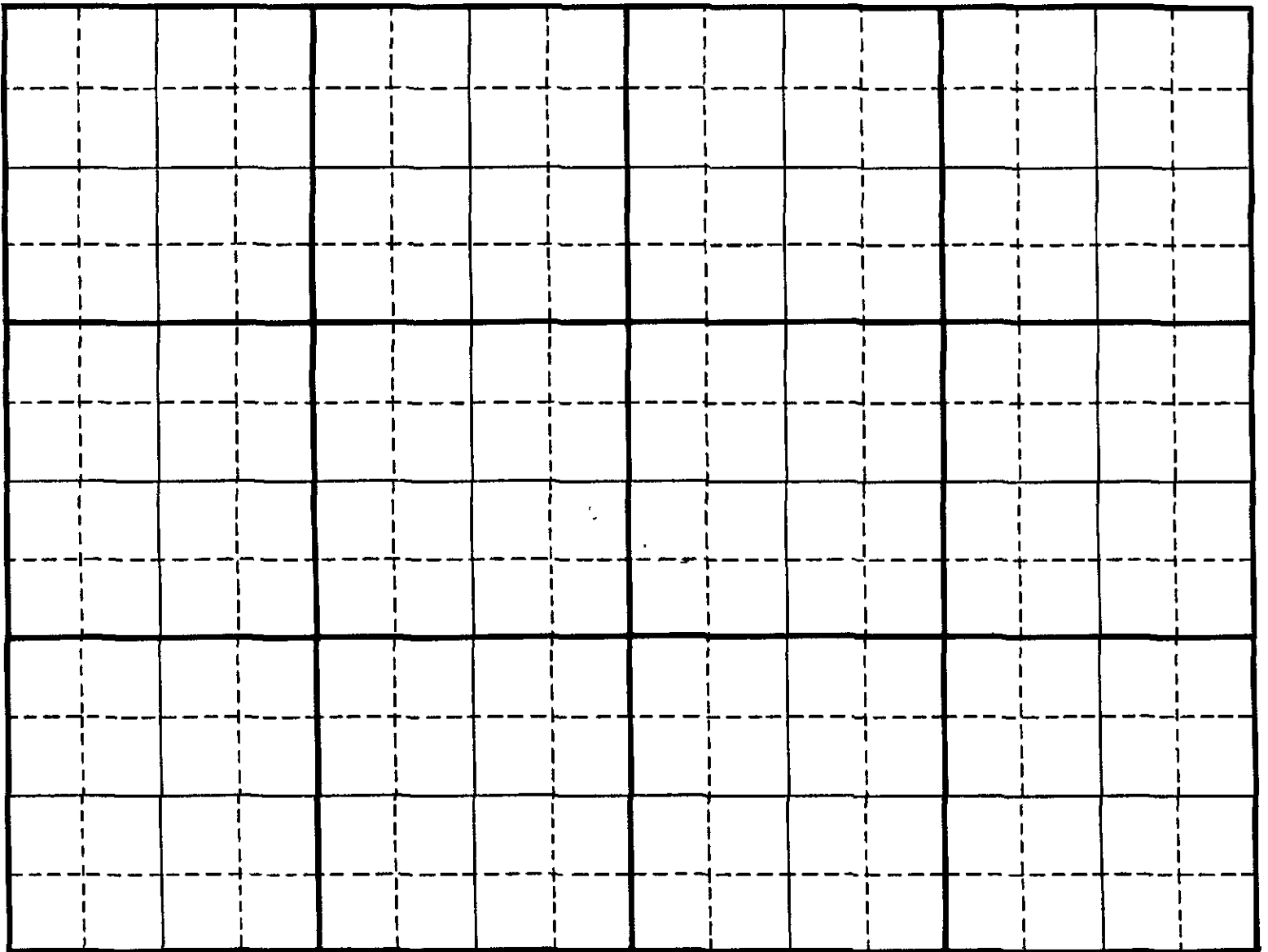
No. of acres 110

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

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:

(8) Remarks Ditch carries 20 cfs to be split among 3 farms. Claim is for 1/3 of the ditch capacity.

Priority date is date land was patented.



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 Custer) 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.

Stennis Chivers
(Claimant)

Sworn to before me this 2 day of February, 19 83.

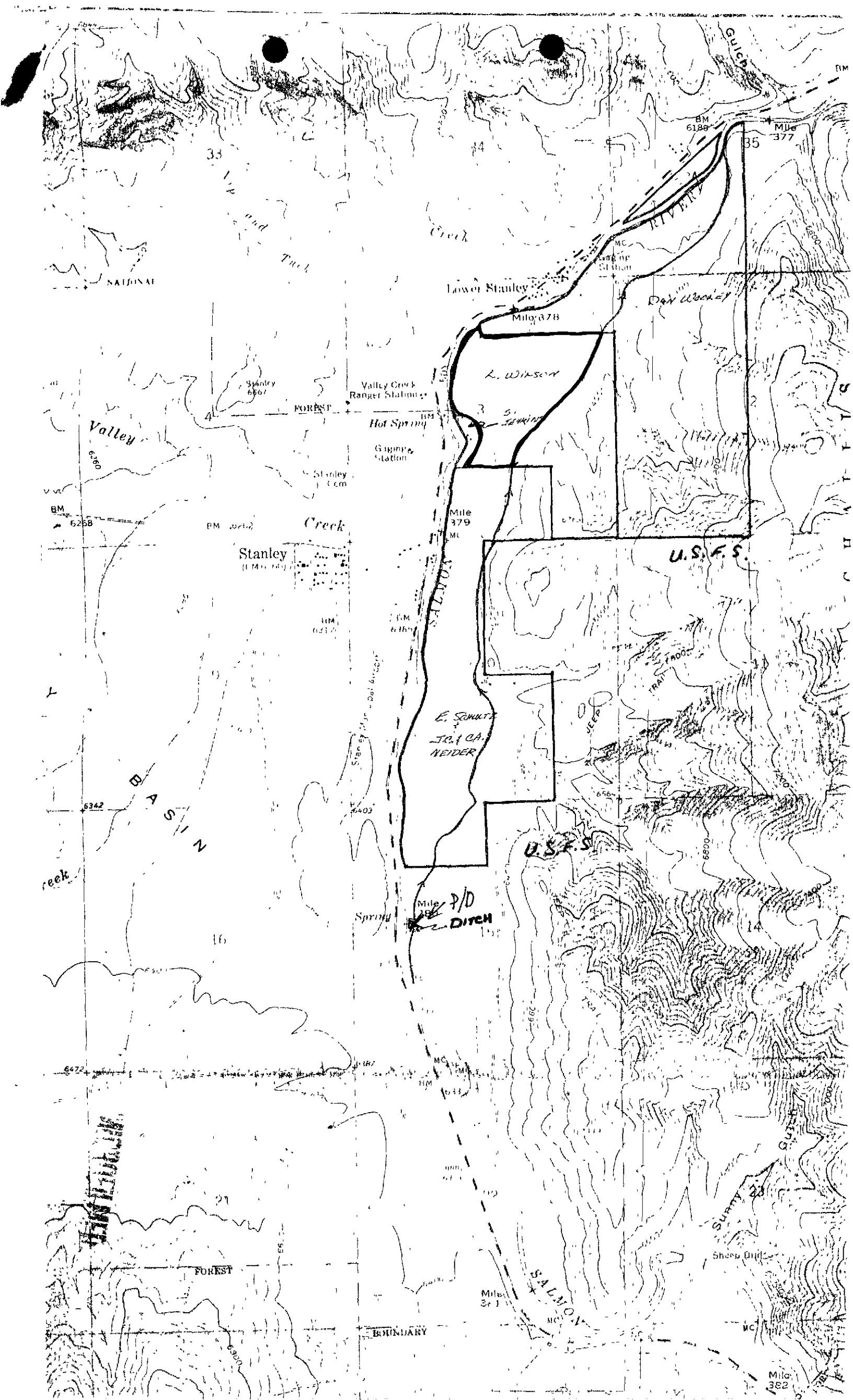
Loren O'Halloran
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JF Stanton Date 2-2-83 Exception filed by _____ Date _____
m. check by ADH Date 2/16/83
\$1.00 fee received by MAN Date 2/14/83 #23909
Published in Custer Publishing Co.
Dates 3/24 - 3/31/83

Forwarded to
claimant by _____



AFFIDAVIT OF PUBLICATION

State of Idaho County of Custer ss:

I, MARGARET PARKS ...

Publisher of the Challis Messenger, a weekly newspaper published at Challis Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 ... consecutive weeks, commencing with the issue dated Mar 24 ... 1983 and ending with the issue dated Mar 31 ... 1983

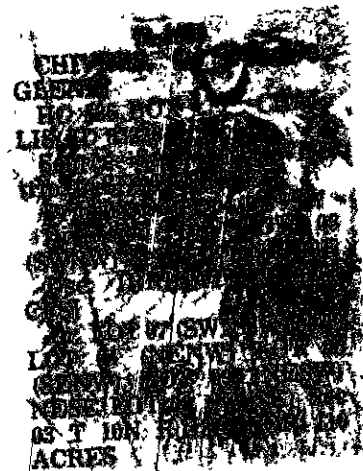
Margaret Parks ...

Subscribed and sworn to before this 1st day of April ... 1983

Echel M. Beck ...

Notary Public, residing at Challis Idaho My commission expires on

1/26/86 ...



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RECEIVED

APR 5 1983
Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

~~MARCH 31, 1983~~

April 12, 1983

GARTH CHIVERS
GLENIS CHIVERS
HC #36 BOX 1771
CHALLIS

ID 83226

RE: Claim No. 71-4030

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,

Allen D. Merritt

ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

RECEIVED
APR 14 1983

Department of Water Resources

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:

Z1-4033.

CHIVERS, GARTH &/or GLENIS

PO BOX 1771, CHALLIS, ID 83226

Source: SALMON RIVER trib. to SNAKE RIVER

Priority Date: 04/01/1937

Diversion Pt: LOT 03 (SWNW) Sec 15 T 10N R 13E

Use: IRRIGATION (6.66 CFS)

In: LOT 07 (SWNE) SENE LOT 04 (NENW) LOT 06 (SENW) LOT 09 (NESW) NESE
LOT 08 (NWSE) Sec 03 T 10N R 13E FOR 110 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 3/24 & 3/31/83.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

MARCH 17, 1983

Custer Publishing Company
P. O. Box 405
Challis, Idaho 83226

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 billings to this office before APRIL 4, 1983.

Yours truly,

Mary A. Hill
Secretary

Encl.

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

State of Idaho
Department of Water Resources

71-

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Adm

Right Number 71-4033 Applicant CHIVERS, Garth &/or Glenis

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. -None

By Adm Date 4/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 5/3/83

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