

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Bruce Porter,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Claims To Water Rights

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on Oct. 26, 1983
and the last publication having been made
on Nov. 2, 1983

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Bruce Porter

~

Subscribed to and sworn to before me
this Nov. 3, 1983

David O. Garner
Notary Public.

(SEAL)

My commission expires Life.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

31-4126

STOSICH, VAUGHN T.
RT. 4, BOX 30, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 04/01/1948
Diversion Pt: NENW Sec 31 T 07N R 36E
Use: IRRIGATION (2.40)
In: NENW NWNW SWNW Sec 31 T 07N R
36E FOR 120 ACRES

25-4282

ELLSWORTH, OSCAR & SONS
RT. 1, ROBERTS, ID 83444
Source: GROUNDWATER
Priority Date: 05/01/1959
Diversion Pt: SWSW Sec 07 T 05N R 38E
Use: IRRIGATION (8.80 CFS)
In: NESW NWSW SWSW Sec 07 T 05N R
38E NESE SESE Sec 12 T 05N R 37E FOR
80 ACRES

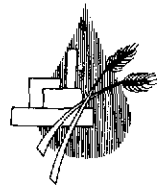
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN
Director

Publ. Oct. 26 and Nov. 2, 1983RS

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 Vaughn T. Stosich
(Name of Claimant)
Rt. 4, Box 30, Idaho Falls, ID 83402 Telephone No. 529-2859
(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) APRIL 1, 1948

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)
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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>2.40 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</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) 2.40 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 31 Twp. 7N Rge. 36E B.M., County of Jefferson
Additional points of diversion: (2 wells)

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. 2 wells with pumps to flood 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	31					40	40	40										120

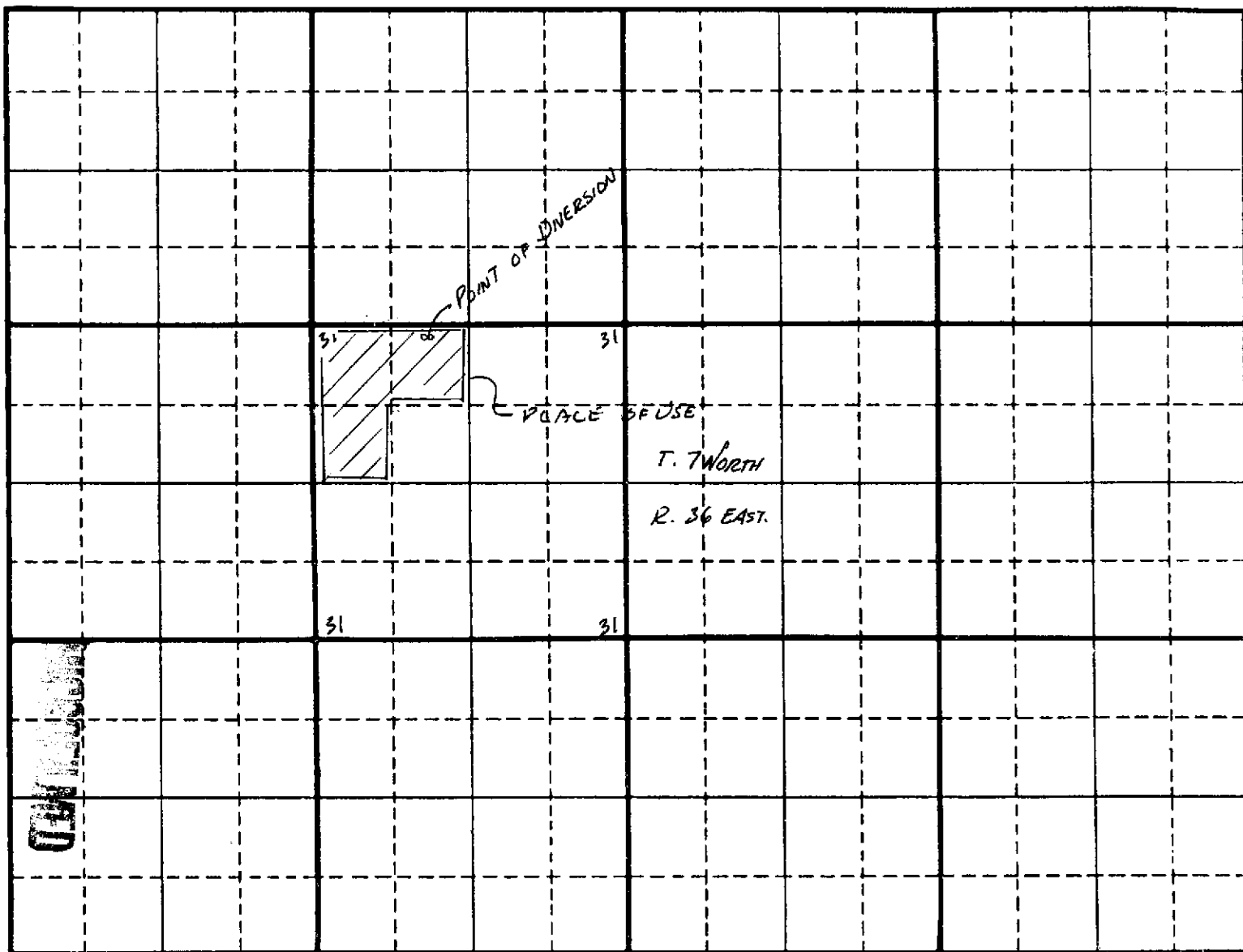
No. of acres 120

B) 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 _____



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 Bonneville) 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 19th day of September, 1983.

Langdon T. Strick
(Claimant)

Salmon Brannum
Notary Public
Residing at Rigby Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by S. McCormick Date 10-14-83 Exception filed by: _____ Date _____
Prelim. check by HWS Date 10-17-83
\$100 ~~\$30.00~~ fee received by SM Date 10-14-83 #29707
Published in Jefferson Star
Dates 10/22 - 11/13/83

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

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county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

NOT RECORDED
Bruce Porter
~

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on
water right, created by statute and
beneficial use.

31-4126
STOSICH, VAUGHN T.
RT. 4, BOX 88, IDAHO FALLS, ID 83402
Source: GROUNDWATER
Priority Date: 05/01/1948
Divers. Pt. NE 1/4 Sec 31 T 07N R 38E
Use: IRRIGATION (240)
In: NENW NWNW SW 1/4 Sec 31 T 07N R
38E FOR 120 ACRES

26-4282
ELLSWORTH, OSCAR
RT. 1, ROBERTS, ID 83401
Source: GROUNDWATER
Priority Date: 05/01/1948
Divers. Pt. NE 1/4 Sec 07 T 05N R 38E
Use: IRRIGATION (240)
In: NE 1/4 NWSW SW 1/4 Sec 07 T 05N R
38E NESE SESE Sec 12 T 05N R 37E FOR
80 ACRES

Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 105, Idaho Falls, Idaho
83402.

KEN DUNN
Director

Publ. Oct. 26 and Nov. 2, 1983RS

Subscribed to and sworn to before me

this Nov. 3, 1983

David L. Lander
Notary Public.

(SEAL)

My commission expires Life.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 31, 1990

RE: Claim No. 31-4126

Sidney Ashcraft & Jana L. Ashcraft
Hamer, ID 83425

Dear Mr. and Mrs. Ashcraft:

We are in receipt of the correspondence concerning ownership of the above referenced claim to a water right.

In Idaho, a claim to a water right is considered real property and is acquired when the property to which it is appurtenant is purchased. Proof of owning the land is proof of owning the claim, if the previous land owner did not exclude the water right from the sale. Therefore, we will place your correspondence in the file for future reference only and no further action will be taken.

If you have any questions, please let us know.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Clerical Specialist

SC:js

MicroFILMED

JUN 01 1990

STATE OF IDAHO
Department of Water Resources

ASSIGNMENT OF PERMIT

COPY

I, VAUGHN T. STOSICH, hereby
assign to SIDNEY ASHCRAFT and JANA L. ASHCRAFT
of Hamer, Idaho.

(Address)

XX All my right, title, interest in and to Permit Nos. 31-0262 and 31-4126
to appropriate the public waters of the State of Idaho.

 The following described portion of my right, title, and
interest in and to Permit No. to appropriate
the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by
listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet
per second for direct diversion, or acre feet for
storage.)

Made this 30th day of April, 1990.

Vaughn T. Stosich
Permit Holder Vaughn T. Stosich

Esther S. Stosich
Spouse of Permit Holder Esther Stosich

STATE OF IDAHO)
County of Bonneville)

On this 30th day of April, 1990, before me,
the undersigned, a Notary Public in and for said State,
personally appeared VAUGHN T. STOSICH and ESTHER STOSICH,
known or identified to me to be the person(s) who(se) name(s)
are/is subscribed to the within instrument, and acknowledged
me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written. JUN 01 1990

(SEAL)

My Comm. Exp. 4/14/93

[Signature]
Notary Public for Idaho
Residing at: 1111 E. 1st St. Pocatello, ID

MICROFILMED

LANE R. ARCHIBALD
ATTORNEY AT LAW

RECEIVED
MAY 03 1990

Department of Water Resources

497 N. CAPITAL AVENUE, SUITE 100
P.O. BOX 51156
IDAHO FALLS, IDAHO 83405-1156
TELEPHONE (208) 523-6660
FAX (208) 524-6072

May 1st, 1990

State of Idaho
Department of Water Resources
State House
Boise, Idaho 83701

Attn: Harold Jones

Re: Sidney Ascraft
Our File L-503

Dear Hal:

As per our conversation, please find enclosed a copy of the Assignment of Water Rights and a copy of the Warranty Deed.

Please made the proper changes.

Also please correspond with Mr. Ashcraft relative thereto.

Thank you.

Sincerely,


Lane R. Archibald

LRA/wn
cc: Sid Ashcraft

MICROFILMED

JUN 01 1990

WARRANTY DEED

VAUGHN T. STOSICH and ESTHER STOSICH, husband and wife

as GRANTOR,

of Idaho Falls, State of Idaho, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto SIDNEY ASHCRAFT and JANA L. ASHCRAFT, husband and wife

Hamer, State of Idaho, as GRANTEE,

and to his successors and assigns forever, all of the following described real estate situated in the State of Idaho, to-wit:

Township 7 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho:

Section 31: Lots 1 and 2.

NE1/4 NW1/4.

EXCEPTING THEREFROM: Beginning at a point 27.5 feet South and S89°45'E 1317 feet from the NW corner of said Section 31 and running thence S0°49'W 150 feet; thence S89°45'E 150 feet; thence N0°49'E 150 feet to South fence of Highway; thence N89°45'W 150 feet to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point 27.5 feet South and S89°45'E 1317 feet from the NW corner of said Section 31 and running thence S0°49'W 150 feet to the TRUE POINT OF BEGINNING; thence S0°49'W 150 feet; thence S89°45'E 300 feet; thence Northeasterly 330 feet, more or less, to a point in the South fence of Highway that is South 27.5 feet and S89°45'E 1717 feet from the NW corner of said Section; thence S89°45'W 250 feet; thence S0°49'W 150 feet; thence N89°45'W 150 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: Any highway or county road right of ways.

ALSO SUBJECT TO the 1990 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH Water License No. 31-0262 and No. 31-4126, 3 wells, pumps and associated pump equipment located on the subject property.

ALSO TOGETHER WITH one (1) domestic well, pump and associated equipment located on (Continued)

TOGETHER WITH any and all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Grantor, for himself, his successors and assigns, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceable possession of said premises forever against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the 30th day of April, 1990

Vaughn T. Stosich
Vaughn T. Stosich

Esther S. Stosich
Esther Stosich

STATE OF IDAHO

County of Bonneville ss.

On this 30th day of April

19 90, before me, the undersigned, a Notary Public in and for said State, personally appeared Vaughn T. Stosich and Esther Stosich

known to me to be the person(s) whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho

Residing at

Idaho Falls

Commission Expiration Date:

4/14/93

Bonneville Land & Title Co.

497 N. Capital Ave., Suite 100 • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 524-6600

RECORDING DATA

MICROFILMED

JUN 01 1990

Legal Description (continued)
the subject property.

ALSO TOGETHER WITH an undivided one-half (1/2) interest in the well located approximately at a point which is S89°45'00"E 1906 feet, and South 75 feet from the Northwest corner of Section 31, Township 7 North, Range 36, E.B.M., subject to a right of access for maintenance and use of such well by Thomas Stosich (owner of the other undivided one-half (1/2) interest).

ALSO TOGETHER WITH all 1990 crops.

Grantor to remove all farm equipment on or before May 15th, 1990 and remove all hay and hay stacks on or before May 10th, 1990.

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JUN 01 1990

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED
SEP 02 1988

1. Applicant Vaughn T. Stosich Department of Water Resources

2. Address 1846 W. 1700 S., Idaho Falls, ID 83402

Telephone _____

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Proposed well location NE 1/4 NW 1/4, or Gov't lot No. _____,

Sec. 31, Twp. 7N, Rge. 36E, County Jefferson,

Lot, block and subdivision _____

4. Proposed use of well: (Check all that apply)

☐ Domestic ☐ Stockwater ☐ Monitoring

☒ Irrigation ☐ Industrial ☐ Municipal

☐ Injection ☐ Other, Specify _____

5. Well construction information:

☐ New well ☐ Deepen ☒ Replace

Proposed surface diameter 12" Maximum depth 120'

Anticipated bottom hole temperature: _____

☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)

6. Anticipated construction start date 2 to 3 weeks

7. Well Driller (if known) LaMar Barrus 023

Address _____

8. Applicant's signature Vaughn T. Stosich

Title owner

Date 8/25/88

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JUN 01 1990

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(✓) Approved

() Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

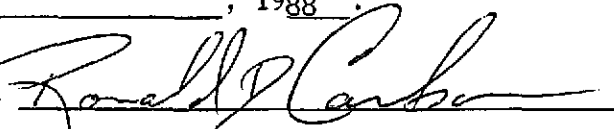
GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 25th day of August, 1988

Signed



Title

Eastern Regional Manager

Received by deg Fee \$100⁰⁰ Date 8-25-88

Receipt No. E001737 Construction start extension to JUN 01 1990

Extension approved by _____

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 14, 1983

VAUGHN T. STOSICH
RT. 4, BOX 30
IDAHO FALLS

ID 83402

RE: Claim No. 31-4126

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



State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 31 4126 Applicant Stosich

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.
- gfw. 14, 1983*

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Nov 10, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 11-16-83

RECEIVED

Department of Water Resources

31-4126-

STOSICH, VAUGHN T.

RT. 4, BOX 30, IDAHO FALLS, ID 83402

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