

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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SEP 28 2004

CLAIM TO A WATER RIGHT

Department of Water Resources
Eastern Region

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 Garland R Rasmussen
(Name of Claimant)
5487 East Highway 36, Preston, Idaho 83263 Telephone No. (208) 852-0452
(Mailing Address) (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) 13 February 1889
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)
Unnamed Spring tributary to Mink 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:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>.02</u>	Use <u>Stockwater</u>	Period of Use From <u>Jan 1</u> to <u>Dec 31</u>
Quantity <u>.04</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u> to <u>Dec 31</u>
Quantity <u>.02</u>	Use <u>Wildlife</u>	Period of Use From <u>Jan 1</u> to <u>Dec 31</u>
Quantity _____	Use _____	Period of Use From _____ to _____

4. .06 TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 11 Township 14S Range 40E 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.

1. Pipe line to stock trough, Pipe is two inches in diameter

2. pipeline to a single family homestead from the spring

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
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
14S	40E	11											S/W	S/W					

TOTAL ACRES _____

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

a single family homestead.

NOTE: Include here the type and number of stock watered: 40 cattle & six horses

7. Remarks: I have owned the land and used the water since 1958. My Grandfather homesteaded this farm on 13 February 1889 and it has been in the family since.
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.

Gardner Rasmussen

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

Sworn to before me this 14 day of Sept 2009.

Notary Public

Residing at:

My commission expires:

FOR DEPARTMENT USE ONLY

Received by _____ Date _____
 Prelim. check by DML Date _____
 Fee 100.00 Receipt # C074713
 Receipt prepared by M Date 8-2-2009

Published in Preston Citizen
 Publication dates 12/15 & 12/22/09
 Publication checked by _____ Date _____
 Exceptions filed by _____



NE SE SW

We tried to copy this but were not able to so we
retyped it

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SEP 28 2004

Department of Water Resources
Eastern Region

Sheet No. 1

RECEIVED

SEP 28 2004

Department of Water Resources
Eastern Region

PATENT

Grantor, --

The United States of America, by the President,
William McKinley, by F. M. McKean, Secretary, by
C. H. Bush, Recorder of the General Land Office
(Seal)

Grantee, --

Hans Rasmussen

Date, --

Feb. 13, 1889

Consideration. --

Act of Congress of May 20, 1862

Recorded, --

Apr. 6, 1899 at 9:10 A.M. in Book "1" of
Homesteads at page 278 Records of Franklin
County, Idaho.

Acknowledged, --

—

DESCRIPTION AND REMARKS

The East half of the Northwest quarter, the Southwest quarter of the Northeast quarter and the Northeast quarter of the Southwest quarter of Section Eleven in Township Fourteen South of Range Forty East of Boise Meridian in Idaho, containing One hundred sixty acres.

Reference: Book "A" of Homesteads at page 353 Original Records of Oneida, County Idaho.

1. August 2004

Mr. Garland R. Rasmussen
5487 East Highway 36
Preston Idaho 83263

RECEIVED
SEP 28 2004

Department of Water Resources
Eastern Region

Dear Mr. Rasmussen.

Please sign the enclosed Claim to a Water Right. It must be notarized also, then return it to this office. If you would please enclose a copy of the homestead papers. These will support the priority date.

Sincerely,
Dennis M. Dunn
Sr. Water Resource Agent.

Idaho Department of Water Resources
900 North Skyline, Suite A
Idaho Falls, Idaho 83401

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AUG 05 2004Department of Water Resources
Eastern RegionRECEIVED
CIB No.

AUG 02 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUL 28 2004

Department of Water Resources
Eastern Region

CLAIM TO A WATER RIGHT

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(Name of Claimant)
5487 E Hwy 36 Preston ID 83263 Telephone No: (208) 852-0452
(Mailing Address) (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) 1927
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2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed spring tributary to Mink 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:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>0.00022</u>	Use <u>stock water</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
Quantity <u>0.00001</u>	Use <u>domestic</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
Quantity <u>0.00010</u>	Use <u>wildlife</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____ to _____

4. 0.00033 cfs - 10289 gpm TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 14 Township 14 S Range 40 E 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.

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	SW	SE	
14S	40E	14																	

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. Stock water for cattle & horses and water fowl and other wild life

NOTE: Include here the type and number of stock watered: up to 40 head of beef cattle & up to 6 head of horses.

7. Remarks: I have owned this land & used this water since 1958 and have been in the family since 1887 when it was homesteaded by my Grandfather.

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.

David R. Rasmussen
 Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 22 day of July, 2004.

Jelly Rasmussen
 Notary Public

Residing at: Austin Id

My commission expires: 08-05

FOR DEPARTMENT USE ONLY

Received by _____ Date _____
 Prelim. check by _____ Date _____
 Fee \$100.00 Receipt # C074713
 Receipt prepared by JM Date 8-2-04

Published in _____
 Publication dates _____
 Publication checked by _____ Date _____
 Exceptions filed by _____



Map of T 1207
Farm 602
Garland Rasmussen
2004 Year

0.08 0 0.08 0.16 0.24 0.32 Miles

A horizontal scale bar with alternating black and white segments, corresponding to the mile markings above it.

Map Printed: May 25, 2004