

THE CHRONICLE-NEWS

ST. ANTHONY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Fremont } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE CHRONICLE-NEWS, a weekly
newspaper printed and published weekly at St.
Anthony, Fremont 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 2
consecutive issues, the first publication hav-

ing been made on June 27, 1985
and the last publication having been made

on July 4, 1985.

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.

Terry Weatherston
~~~~~

Subscribed to and sworn to before me  
this July 5, 1985

*Jerri Garner*  
Notary Public.

(SEAL)

My commission expires life

### NOTICE OF CLAIMS TO WATER RIGHTS

21-4163

CRAPO FARMS, INC.  
ROUTE 2 BOX 155, ST. ANTHONY, ID  
83445

Source: WASTEWATER  
Priority Date: 06/03/1899  
Diversion Pt: NWSW Sec 09 T 07N R 40E  
Use: IRRIGATION (6.00 CFS),  
STOCKWATER (6.00 CFS)  
In: NESW NWSW SWSW Sec 09 T  
07N R 40E FOR 160 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. June 27 and July 4, 1985CN

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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 CRAPO FARMS, INC.  

(Name of Claimant)

Route 2, Box 155; St. Anthony, Idaho 83445 Telephone No. 624-3293

(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) June 3, 1899--see attached notice

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)  
waste or seepage water from Egin tributary to and St. Anthony Canals

(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>6.0 cfs</u> | Use                                 | <u>Irrigation</u> | Period of Use From <u>April 1</u> | To <u>Nov. 1</u>  |
| Quantity  | <u>6.0 cfs</u> | Use                                 | <u>Stockwater</u> | Period of Use From <u>Jan. 1</u>  | To <u>Dec. 31</u> |
| Quantity  |                | Use                                 |                   | Period of Use From                | To                |
| Quantity  |                | Use                                 |                   | Period of Use From                | To                |
| Quantity  |                | Use                                 |                   | Period of Use From                | To                |

(4) 6.0 cfs TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NW ¼ SW ¼, Sec. 9 Twp. 7 N. Rge. 40 E. B.M., County of Fremont  
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. Old existing drain ditch picks up seepage water from mentioned canals and drains south to Henry's Fork of Snake River.

(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 |       |
| 7 | N | 40E  | 9   |     |     |     |     |     |     |     | 40  | 40  | 40  | 40  |     |     |     |     | 160   |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|   |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres 160

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Over the years the various owners of the land have pastured up to 200 head of cattle and have fed varying numbers through the winters and have always used water from the ditch for the cattle when it was available.

NOTE: Include here the type and number of stock watered: up to 200 head of cattle

(7) If you are claiming water as a member of an organization, list name of organization:

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Remarks \_\_\_\_\_

[illegible]

**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 )  
 ) ss.  
County of Fremont )

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.

oses and says that he, she, they subscribed the foregoing claim,  
that the matters and facts therein are true to the best of the  
James H. Case  
James H. Case  
(Claimant)

Sworn to before me this 22 day of May, 1985.

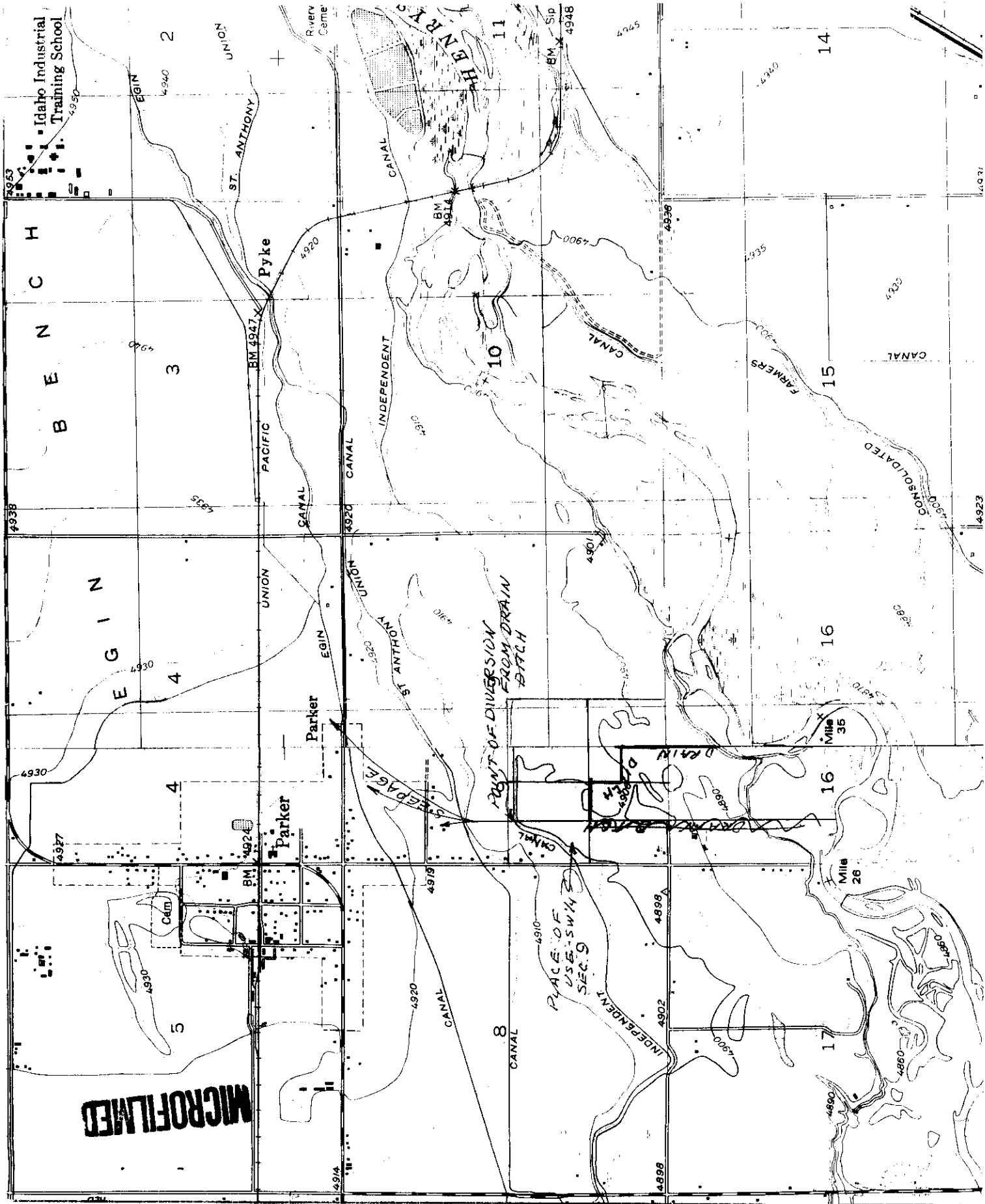
Notary Public  
Residing at Parker, Idaho

My commission expires life

**FOR DEPARTMENT USE ONLY**

Received by CW Date 6-12-85 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
 Prelim. check by Am Date 6-14-85 # 33332 claimant by: \_\_\_\_\_  
~~\$30.00~~ fee received by CW Date \_\_\_\_\_  
 Published in Premont So. Union News \_\_\_\_\_  
 Dates 6-27 & 7-4-85 \_\_\_\_\_

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## NOTICE OF WATER RIGHT.

STATE OF IDAHO, } ss.  
County of Fremont

TO ALL CONCERNED, NOTICE IS HEREBY GIVEN:

1st. That Frank H. Mason & Fred H. Mason of Parker  
State of Idaho of  
hereby claim the use of the waters of seepage from Egan & St. Anthony Canals  
North line of SW 1/4 Sec 9 T. 7 N. R. 40 E.  
to the extent of size cubic feet per second.

2d. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: Forty three rods east of the NW corner of  
the South west 1/4 of Section 9 Township 7 North, Range  
40 East Boise Meridian. Notice is posted on siphon  
carrying said seepage water under Independent  
Canal.

(In above description give legal subdivision of land or describe the place with reference to some prominent landmark.)

3d. The purpose for which said water is intended to be used is Agricultural and  
Domestic

The place of intended use is on ranch owned by Frank H. Mason  
as above described

4th. It is intended to divert said water by means of ditch.

The general course of the proposed canal is South

The length of the proposed canal is about one half mile

It is intended to use said water for irrigating the following described land: South west 1/4  
of Section 9 Township 7 North Range 40 East Boise  
Meridian

5th. It is intended to have the works for diversion and use of said water as aforesaid completed within  
four years. (This must in no case exceed five years.)

WITNESS our hands at Parker County of Fremont Idaho,  
this 7th day of June 1899

Frank H. Mason  
Fred H. Mason

Claimants.

STATE OF IDAHO, } ss.  
County of Fremont

Frank H. Mason

being first duly sworn, depose and say that he I am of lawful age and the appropriate  
claimant of the Water Right mentioned in the foregoing notice and whose name is subscribed thereto. That  
the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted  
in a conspicuous place at or near the place of intended diversion (as provided by law) on the 8th  
day of June 1899, at 30 minutes past 7 o'clock A. M.

Fred H. Mason

Subscribed and sworn to before me this 9th day of June 1899

E. J. Barbene  
Notary Public

NOTE.—The above Certificate may, where there are several claimants, be made and sworn to by one of them.

Filed for record this 10th day of June 1899 at 9th o'clock A. M.  
By Rose E. Davis Deputy. A. M. Carter Recorder.

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# THE CHRONICLE-NEWS

ST. ANTHONY, IDAHO

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Fremont } ss

I, Terry Weatherston

being first duly sworn, depose and say, that I am the printer of THE CHRONICLE-NEWS, a weekly newspaper printed and published weekly at St. Anthony, Fremont County, Idaho; and I do solemnly swear that the

### Notice Of Claims To Water Rights

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

supplement issue thereof for 2 consecutive issues, the first publication hav-

ing been made on June 27, 1985 and the last publication having been made

on July 4, 1985

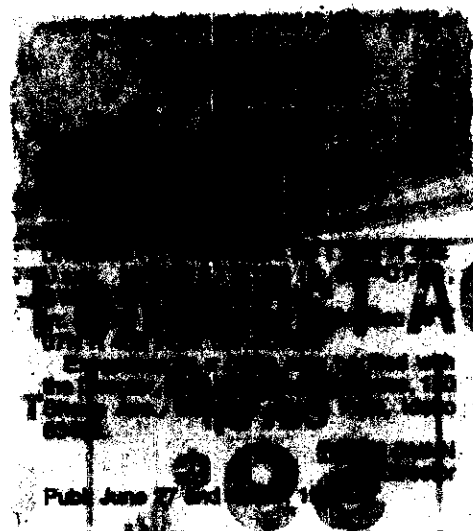
Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly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

*Terry Weatherston*  
~~~~~

Subscribed to and sworn to before me
this July 5, 1985

Doris Garner
Notary Public.
(SEAL)

My commission expires life



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 15, 1985

CRAPO FARMS, INC.
ROUTE 2 BOX 155
ST. ANTHONY ID 83445

RE: Claim No. 21-4163

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

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: JUN 14 1985

Right Number 21 4163

Applicant CRAPP FARMS INC

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.

By Ernest Carlson Date July 15, 1985

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 7/18/85

7-15-85

RECEIVED
WATER DISTRICT
1985
Department of Water Resources
MICROFILMED

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO
IDAHO FIRST NATIONAL BANK BUILDING
P.O. BOX 129
IDAHO FALLS, IDAHO 83402

WILLIAM S. HOLDEN
R. VERN KIDWELL, P.A.
FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO

JAMES D. HOLMAN
GAYLE A. SORENSON
DONALD L. HARRIS
BRUCE T. SMITH
GREGOR S. CHVISUK
RANDALL B. REED

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)

TELEPHONE 523-0620
AREA CODE 208

June 11, 1985

RECEIVED

JUN 12 1985

Department of Water Resources
Eastern District Office

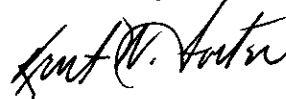
Department of Water Resources
150 Shoup Avenue, Suite No. 15
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing with this letter a completed claim to a water right on behalf of our client, Crapo Farms, Inc. Attached is a copy of an old notice of water right, as well as our client's check in the amount of \$200.00 made payable to the Idaho Department of Water Resources, for the filing fee.

We would appreciate it if you would keep us advised of the processing of this claim.

Yours very truly,



Kent W. Foster

KWF:cl
#1592.00
Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 19, 1985

Fremont County Chronicle News
P. O. Box 568
St. Anthony, Idaho 83445

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 billing to this office before JULY 15, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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NOTICE OF CLAIMS TO WATER RIGHTS

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

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, Dir.

Published 6/27 & 7/4/85.

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21-4163

CRAPO FARMS, INC.

ROUTE 2 BOX 155, ST. ANTHONY, ID 83445

Source: WASTEWATER

Priority Date: 06/03/1899

Diversion Pt: NWSW Sec 09 T 07N R 40E

Use: IRRIGATION	(6.00 CFS)
STOCKWATER	(6.00 CFS)

In: NESW NWSW SWSW SESW Sec 09 T 07N R 40E FOR 160 ACRES

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