

Section 31
Township 16N
Range 43E

Place of Use
and Point of
Direction

SW 1/4

Received by CW Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by Kaw Date 8-10-83 claimant by: _____
 \$30.00 fee received by CW Date 7/14/83 #29324
 Published in Ashton Herald _____
 Dates 9/1 - 9/5/83 _____

CLAIM TO A WATER RIGHT

Eastern District Offices 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. Exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

Notice is hereby given that

James P. Elmore OR Joan M. Elmore OR Winifred
(Name of Claimant) H. Elmore

RT 1 Box 101 Three Forks, Montana (Mailing Address) (Name of Claimant) 59752 Telephone No. 406-285-6679

(1) Date of priority: (When was the water first applied to a beneficial use) 1948 June 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)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	(Mo., Day)
Quantity ^①	0.04 CFS	Use	Domestic	Period of Use From 1-1	To 12-31
Quantity ^②	0.04 CFS	Use	Domestic	Period of Use From 1-1	To 12-31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .08 CFS TOTAL QUANTITY USED.
(cfs. at)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 31 Twp. 16N Rge. 43E 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.

(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.

[illegible]

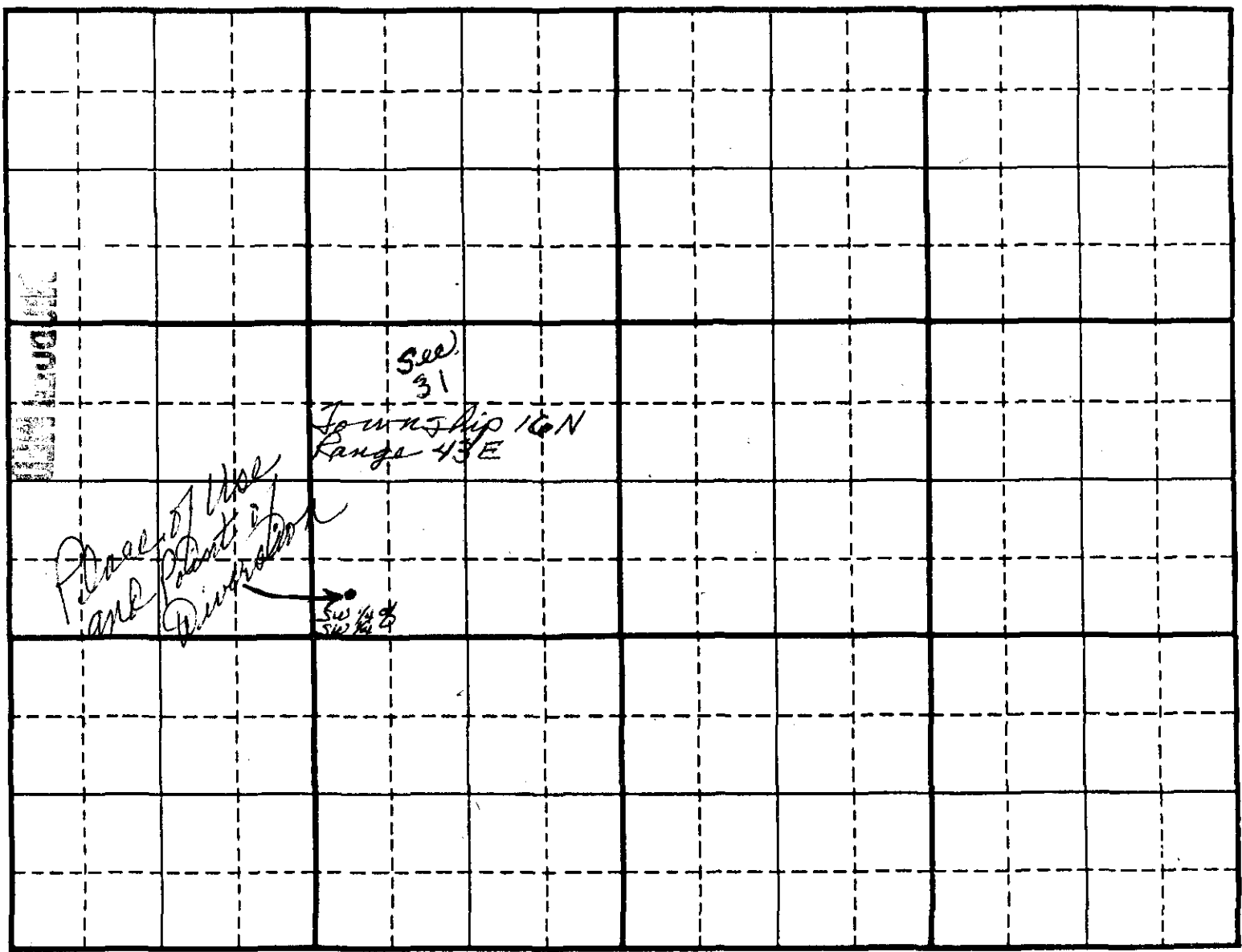
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for two (2) homes.

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 MT)
County of Gallatin) 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.

James P. Elmore
Joan M. Elmore
(Claimant)

Sworn to before me this 27th day of June

1983.

Karen B. [Signature]
Notary Public
Residing at Three Forks, MT

My commission expires 4-1-85

FOR DEPARTMENT USE ONLY
Received by CW Date 7-13-83 Exception filed by: _____ Date _____
Prelim. check by Kay Date 8-10-83
\$30.00 fee received by CW Date 7/14/83 #50324
Published in Ashton Herald
Dates 9/1 - 9/8/83

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

Carol Bessy

being first duly sworn, upon his
oath, deposes and says:

That she is the *editor*.....
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of

*Notice of Claims to
Water Rights # 21-4133,
21-4132, 21-4130,
21-4129, 21-4128
and 21-4127.*

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for consecutive
issues thereof; first publication

having been made on the
day of *September*....., 19*83*.

and the last publication on the
.....day of *September*.....
19*83*.

And affiant further says that at the
times herein mentioned said news-
paper was made up of at least four
pages of at least five columns each,
printed from type matter, of at
least seventeen and three-fourths
inches deep.

Carol Bessy

Subscribed in my presence and

sworn to before me this *12th*.....

day of *September*.....

19*83*.

Linda Sildor

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.

NOTICE OF CLAIMS
TO WATER RIGHTS

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

21-4133
MCCREA, WM. GORDON &/or ALGENIA
S.
P.O. BOX 17, ISLAND PARK, ID 83429
Source: HOTEL CREEK trib. to HENRYS
FORK

Priority Date: 06/01/1902
Diversion Pt: NWSE Sec 12 T 13N R 42E
Use: STOCKWATER (2.00 CFS),
IRRIGATION (2.00 CFS)
In: SWSE Sec 12 T 13N R 42E NWNE
SWNE SENE Sec 13 T 13N R 42E FOR 65
ACRES

21-4132
CHESTER CANAL & IRRIGATING CO.
BOX 4, CHESTER, ID 83421
Source: FALL RIVER trib. to HENRYS
FORK

Priority Date: 04/01/1896
Diversion Pt: SWSE Sec 20 T 08N R 42E
Use: STOCKWATER (10.00 CFS)
In: SWSW SESE NESE SWSE SESE Sec
19 T 08N R 42E NWSW SWSW Sec 20 T
08N R 42E NWNE NENW NWNW SWNW
Sec 30 T 08N R 42E SWSW SESE SWSE
SESE Sec 23 T 08N R 41E NWSW SWSW
SESE SWSE SESE Sec 24 T 08N R 41E
NENE NWNE SWNE SENE NENW NWNW
SWNW SENW NESW NWSW SWSW SESE
NWSE SWSE Sec 25 T 08N R 41E NENE
NWNE NESW NWSW SWSW SESE NESE
NWSE SWSE Sec 26 T 08N R 41E
NESW NESE NWSE SESE Sec 27 T 08N R
41E NESE SESE Sec 34 T 08N R 41E
NENW NWNW SWNW SENW NWSW SWSW
Sec 35 T 08N R 41E

21-4130
WILD ROSE RANCH, INC.
MACKS INN, ID 83433
Source: SPRING trib. to SNAKE RIVER,
NORTH FORK
Priority Date: 06/30/1898
Diversion Pt: NWNE Sec 32 T 16N R 43E
NENE Sec 32 T 08N R 43E
Use: IRRIGATION (0.50 CFS)
In: SWNE SENE NESE Sec 32 T 16N R
43E FOR 35 ACRES

21-4129
ELMOSE, JAMES P. &/or JOAN M.
TUBBS, WINIFRED H.
RT. 1, BOX 101, THREE FORKS, MT
59752

Source: GROUNDWATER
Priority Date: 06/01/1948
Diversion Pt: SWSW Sec 31 T 16N R 43E
Use: DOMESTIC (0.08 CFS)
In: SWSW Sec 31 T 16N R 43E

21-4128
RANKIN MOTEL
BOX 58, ASHTON, ID 83420
Source: GROUNDWATER
Priority Date: 02/28/1925
Diversion Pt: NENE Sec 35 T 09N R 42E
Use: COMMERCIAL (0.08 CFS),
DOMESTIC (0.02 CFS)
In: NENE Sec 35 T 09N R 42E

21-4127
MAC KAY, GLEN W. &/or DOROTHY J.
P.O. BOX 10, ISLAND PARK, ID 83429
Source: GROUNDWATER
Priority Date: 07/01/1941
Diversion Pt: SESE Sec 15 T 13N R 43E
Use: COMMERCIAL (0.08 CFS),
DOMESTIC (0.04 CFS)
In: SESE Sec 15 T 13N R 43E
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

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 19, 1983

JAMES P. ELMOSE
JOAN M. ELMOSE
WINIFRED H. TUBBS
RT. 1, BOX 101
THREE FORKS

MT 59752

RE: Claim No. 21-4129

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

RECEIVED

FINAL REVIEW BY:

Keith C. Wilson

Right Number

21 4129

Applicant

Elmore, Elmore & Winifred Tubbs

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.

Sept. 19, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Sept. 20, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

JWA

Date

9-28-83

RECEIVED
SEP 23 1983

Department of Water Resources

CW

JAMES OR JOAN ELMOSE

ROUTE 1, BOX 101
THREE FORKS, MT 59752

32

PAY TO THE
ORDER OF

Idaho Dept of Water Resources 30.00
Thirty Dollars & no/100

93-213
921

DOLLARS

MANHATTAN

State BANK
PH. (406) 284-3228 • P.O. BOX 128
MANHATTAN, MONTANA 59741

MEMO

⑆092102136⑆ ⑈3952301194⑈ 3248

R RESOURCES

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

James and Joan Elmore
Rt.1, Box 101
Three Forks, MT 59752

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- ✓ Complete name. *Use "or" between names and include Mrs Winifreds name. (only one person then needs to sign claim)*
- Complete mailing address.
- ✓ Date of priority (month, day, and year). *when water was first used for two homes. Case only one date.*
- ✓ Source of water. *Groundwater*
- ✓ Quantity claimed to have been used. *0.08 cfs for Domestic 1/1 to 12/31*
- Nature of use and period of use.
- ✓ Location of point(s) of diversion. *Township 16N Range 43E*
- ✓ Location of place of use (acres irrigated if water is claimed for irrigation). *Township 16N Range 43E*
- Filing Fee (Amount \$ _____).
- Signature.
- Notarization of signature.
- ✓ Other: *Item 5B well pump - to two domestic homes*
Item 6B "Domestic use for two homes"
Map Give Township, range and identify Point of Diversion and Place of Use

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

Keith C Wilson

21-4129

ELMOSE, JAMES P. &/or JOAN M.
TUBBS, WINIFRED H.

RT. 1, BOX 101, THREE FORKS, MT 59752

Source: GROUNDWATER

Priority Date: 06/01/1948

Diversion Pt: SMSW Sec 31 T 16N R 43E

Use: DOMESTIC (0.08 CFS)

In: SMSW Sec 31 T 16N R 43E