

A hand-drawn diagram on a grid. A horizontal line is drawn across the middle of the grid, with arrows at both ends. A circle with an 'X' inside is placed on this line. The number '35' is written on the grid lines above and below the line, indicating a distance or measurement.

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.

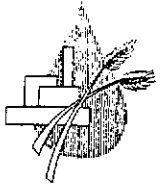
Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

William R. Rhoads
Notary Public
Residing at Idaho Falls

My commission expires MAY 4, 1984

Received by BR Date 5/4/81 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by JK Date 5/4/81 claimant by: _____
 \$0.00 fee received by BCS Date 5/6/81 92-292/124 #17026
 Published in Winston-Salem Herald _____
 Dates 5/28 & 6/04/81 _____

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 Edward and/or Clynneeth Kirkham [Kirkham Bros.]
(Name of Claimant)
Rt. #1, Ashton, Idaho 83420 Telephone No. 652-3586
(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 1, 1908

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)
Spring tributary to Falls 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:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.1 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</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) 0.1 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 35 Twp. 9N 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. Rocked up spring development

(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	
9N	43E	35									X								

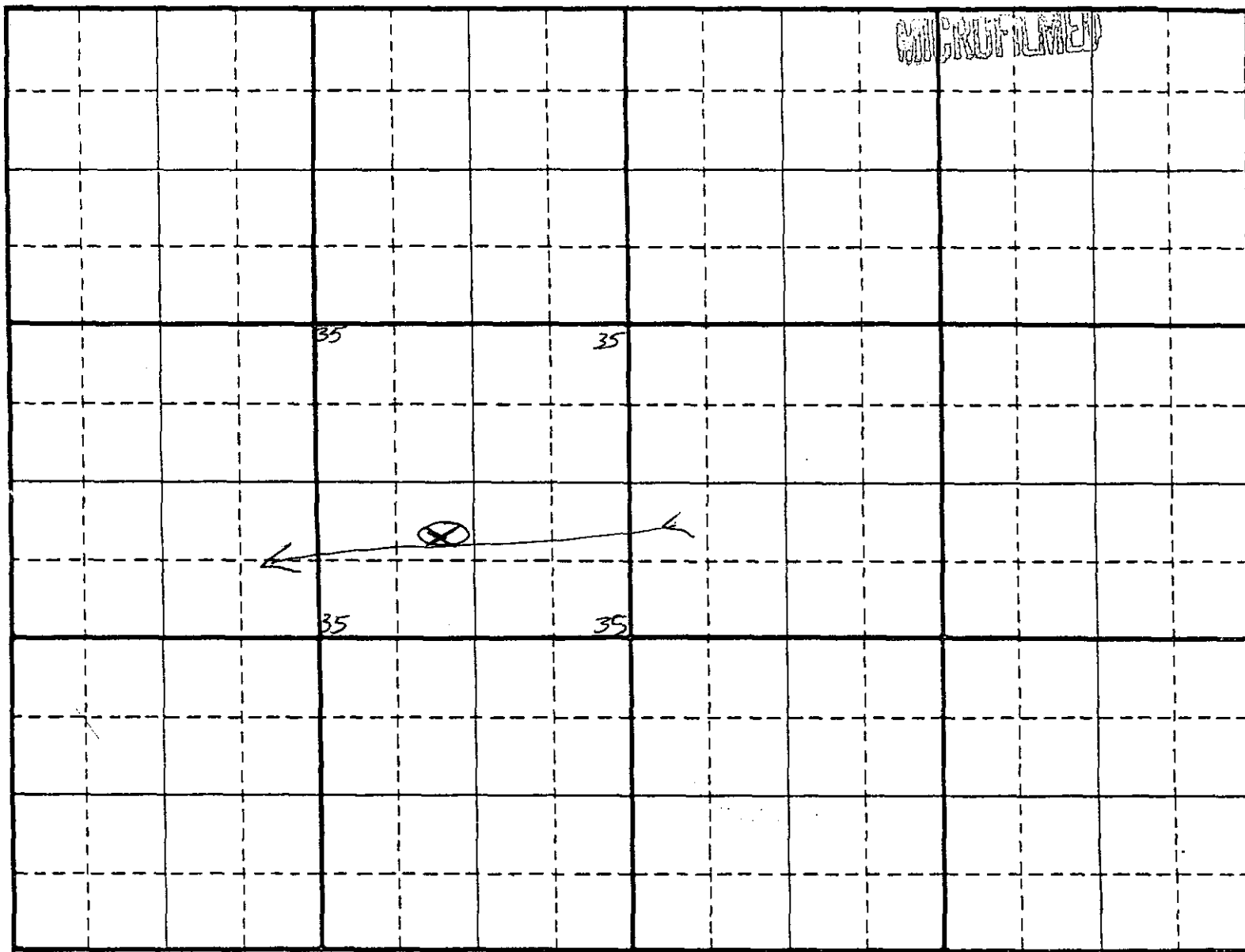
No. of acres _____

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

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: 300 range cattle and 50 sheep

(9) 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 Bonn) 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 6th day of MAY

Edward Trickham
(Claimant)

William R. Rhoads
Notary Public
Residing at Idaho Falls

My commission expires MAY 4, 1984

FOR DEPARTMENT USE ONLY

Received by <u>BR</u>	Date <u>5/4/81</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>5/5/81</u>		claimant by:	
\$30.00 fee received by <u>BCS</u>	Date <u>5/6/81</u>	<u>92-292/1241 #17026</u>		
Published in <u>Coastal Record</u>				
Dates <u>5/28 & 6/04/81</u>				

AFFIDAVIT OF
PUBLICATION

State of Idaho

ss.

County of Fremont

Carol Bessey

being first duly sworn, upon his ~~his~~ ^{her}
oath, deposes and says:

That he 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 #21-4077
(Kirkham).....

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 2..... consecutive
issues thereof; first publication

having been made on the 28....

day of May....., 1981,

and the last publication on the

4...day of June.....

1981..

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 Bessey
Subscribed in my presence and

sworn to before me this 9th.....

day of June.....,

1981.

Linda Sheldon

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

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:

Application No.: 21-4077

Applicant: KIRKHAM, EDWARD &/or
CLYNNETH; KIRKHAM BROTHERS, RT. 1,
ASHTON, ID 83420

Source: SPRING tributary to FALLS RIVER

Priority Date: 06/01/1908

Amount: 0.10 CFS

Diversion Point: NESW Sec 35 T 09N R
43E, FREMONT Co.

Use: STOCKWATER (0.10 CFS) from
01/01 to 12/31

Place of Use: NESW Sec 35 T 09N R 43E

Diversion Means: SPRING.

Any exception to any claim of water right
may be filed with the Director of the Idaho
Department of Water Resources, 150 Shoup
Ave., Idaho Falls, Idaho 83401.

A. KENNETH DUNN

Director

Publ. May 28 and June 4, 1981 AH

RECEIVED

JUN 10 1981

Department of Water Resource
Eastern District Office

OK kw
7/1/81

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08/04/81

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
11-7258	SALT LAKE CITY SOURCE: GROUNDWATER OTHER USES: 9710 HOMES.	UT R4106	TRIBUTARY:					
11-7259	JONES, FERRIS L. 1155 EAST 3745 SOUTH SALT LAKE CITY SOURCE: MUD CREEK	05-19-1981 UT R4106	IRRIGATION TRIBUTARY:	04-15 10-15 MUD CREEK	1.48 CFS	SESW S31 LT04 (SASW)(49) T12S R43E SFSW(25) S31 T2S R43E	APPLICATION 7.4 ACRES*	
13-4109	WATSON, WILLIAM CELESTIA SOURCE: SLIDE CREEK	04-01-1980 ID R3228	IRRIGATION TRIBUTARY:	04-01 11-01 SLIDE CREEK	.45 CFS	SESW S17 R43E(12) T14S R38E S17 T14S R38E	STATRY CLM 12 ACRES*	
21-4077	FIREMAN, EDWARD FIREMAN, CLYDE JR FIREMAN BROTHERS PT. 1 ASHTON SOURCE: SPRING OTHER USES: 8700 PACE, 50 SHEEP.	06-01-1908 ID R3420	STOCKWATER TRIBUTARY:	01-01 12-31 FALLS RIVER	.10 CFS	SESW S35 NFSW T09N R43E S35 T09N R43E	STATRY CLM	
21-7278	EGGERT, Z. J. P.O. BOX 517 ASHTON SOURCE: SPRING CREEK OTHER RIGHTS: 21-7214.	05-07-1981 ID R3420	IRRIGATION TRIBUTARY:	01-01 12-31 HENRY'S FURK	50.00 AFA	SESW S23 T09N R42E	APPLICATION	
			IRRIGATION	01-01 11-01	50.00 AFA		SAME AS OTHER USE	
					50.00 AFA			
					---*CFS			
21-7279	JACKSON, LESLIE JACKSON, WILLIS PT. 1 BOX 79 ASHTON SOURCE: SPRING OTHER USES: 8750 PACE, 27-158150.	05-12-1981 ID R3420	STOCKWATER TRIBUTARY:	01-01 12-31 SLIDE CREEK	1.40 AFA	SESW S03 T09N R41E	APPLICATION	
			STOCKWATER	01-01 12-31	1.40 AFA		SAME AS OTHER USE	

Idaho Department of Water Resources
Regional District Office

POOR QUALITY ORIGINAL

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: SK

Right Number 21 4077 Applicant Kirkham

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.
- 6/15

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date July 8, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 7/14/81

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JUNE 17, 1981

EDWARD KIRKHAM
CLYNNETH KIRKHAM
KIRKHAM BROTHERS
RT. 1
ASHTON

ID 83420

RE: Claim No. 21-4077

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
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MAY 22, 1981

The Ashton Herald
P. O. Box 258
Ashton, Idaho 83420

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 JUNE 15, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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21-4077-

KIRKHAM, EDWARD &/or CLYNNETH

KIRKHAM BROTHERS, RT. 1, ASHTON, ID 83420

Source: SPRING tributary to FALLS RIVER

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Amount: 0.10 CFS

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Use: STOCKWATER (0.10 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 35 T 09N R 43E

Diversion Means: SPRING.

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