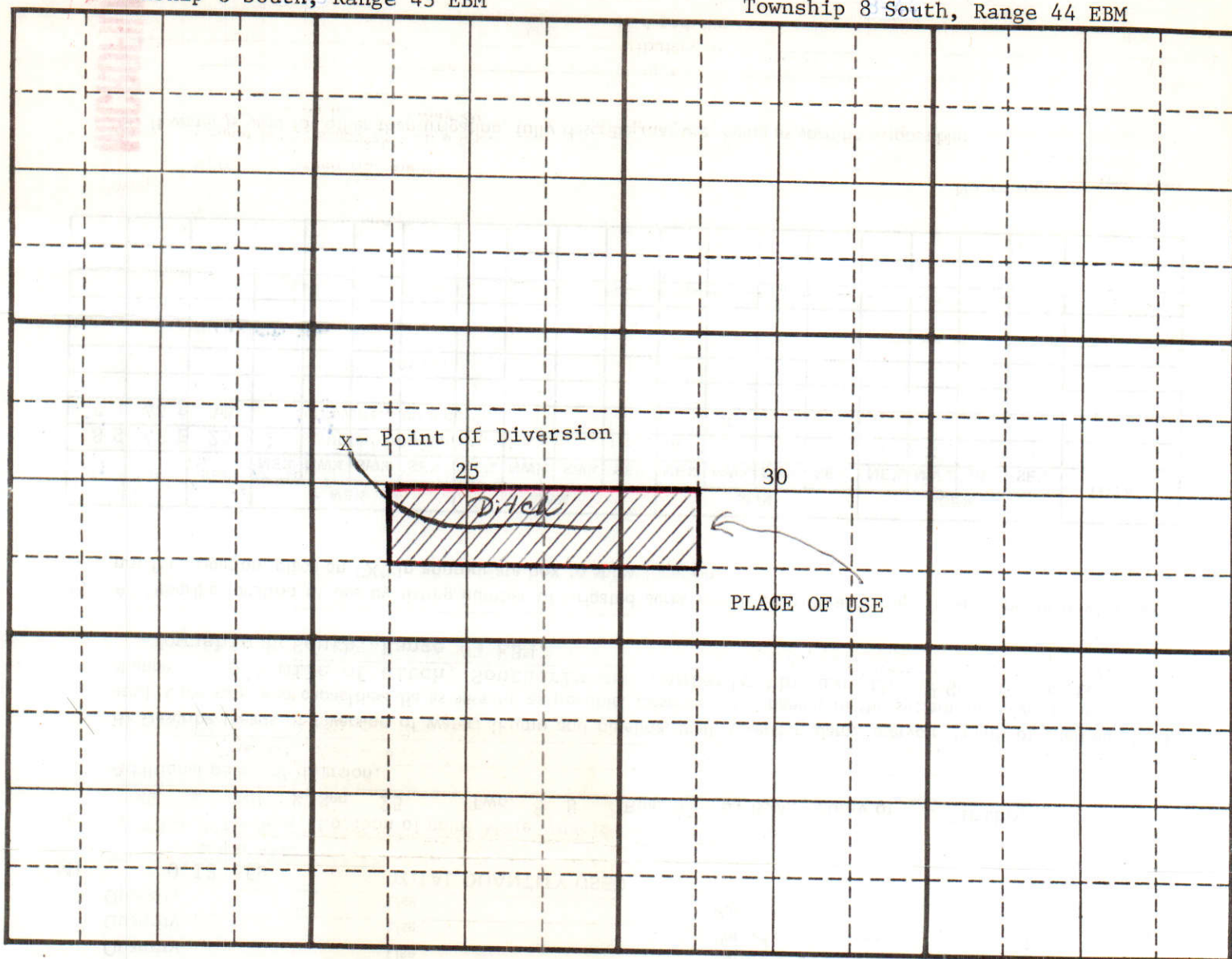


(8) Remarks The Claimant and one Farrell N. Beckstead are the only parties using the waters of Johnson Creek. Each party uses up to one-half of the total flow, as may be needed at any time.

Township 8 South, Range 43 EBM

Township 8 South, Range 44 EBM



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 ~~Utah~~ UTAH)
County of Cache) 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 14 day of JANUARY, 1983.

G. C. Wall
(Claimant)

Stanley L. Peck
Notary Public for the State of Utah.
Residing at Levan
Commission expires: 5/28/83

~~My commission expires~~

Received by OW Date 1-17-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Kaw Date 2-3-83 claimant by: _____
\$20.00 fee received by OW Date 2-3-83 # 23368
Published in Caribou County Sun Clyde C. Anderson cw Date 3-7-83
Dates 2/17 - 2/24/83

2-2-83 FOR DEPARTMENT USE ONLY

RECEIVED

MAR 17 1983

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

First Time Published

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

27-4080

WALLENTINE, J.C.

**564 N. 2ND E., LOGAN, UT
84321**

**Source: JOHNSON CREEK
trib. to SINKS**

Priority Date: 06-01-1924

**Diversion Point: SWNW Sec
25 T 08S R 43E**

**Use: STOCKWATER (0.13
CFS)**

**In: NESW NESE NWSE Sec
25 T 08S R 43E NWSW Sec 30 T
08S R 44E**

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

**Published Feb. 17 and 24, 1983
in the Caribou County Sun.**

**Affidavit of
Publication**

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

17th day of

February, 1983

The date of the last publication

being the 24th day of

February, 1983

Mark Steele

Subscribed and sworn to be-

fore me this 28th day

of February, 1983

Cl. Budget Steele

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984

MICROFILMED

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 J. C. Wallentine
564 North 2nd East - Logan, Utah 84321 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 752-3370

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, 1924

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)
Johnson Creek tributary to nothing - water sinks

(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	.13332 cfs	Use	stock water	Period of Use From	4/1	To	11/15
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) 0.13 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NW ¼, Sec. 25 Twp. 8 S Rge. 43 E. B.M., County of Caribou
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.
3/4 mile of ditch, Southerly and Easterly through the NE ¼ of Section 25, Township 8 South, Range 43 EBM.

(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	
8 S	43 E	25									X				X	X			
8 S	44 E	30										X							

No. of acres

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

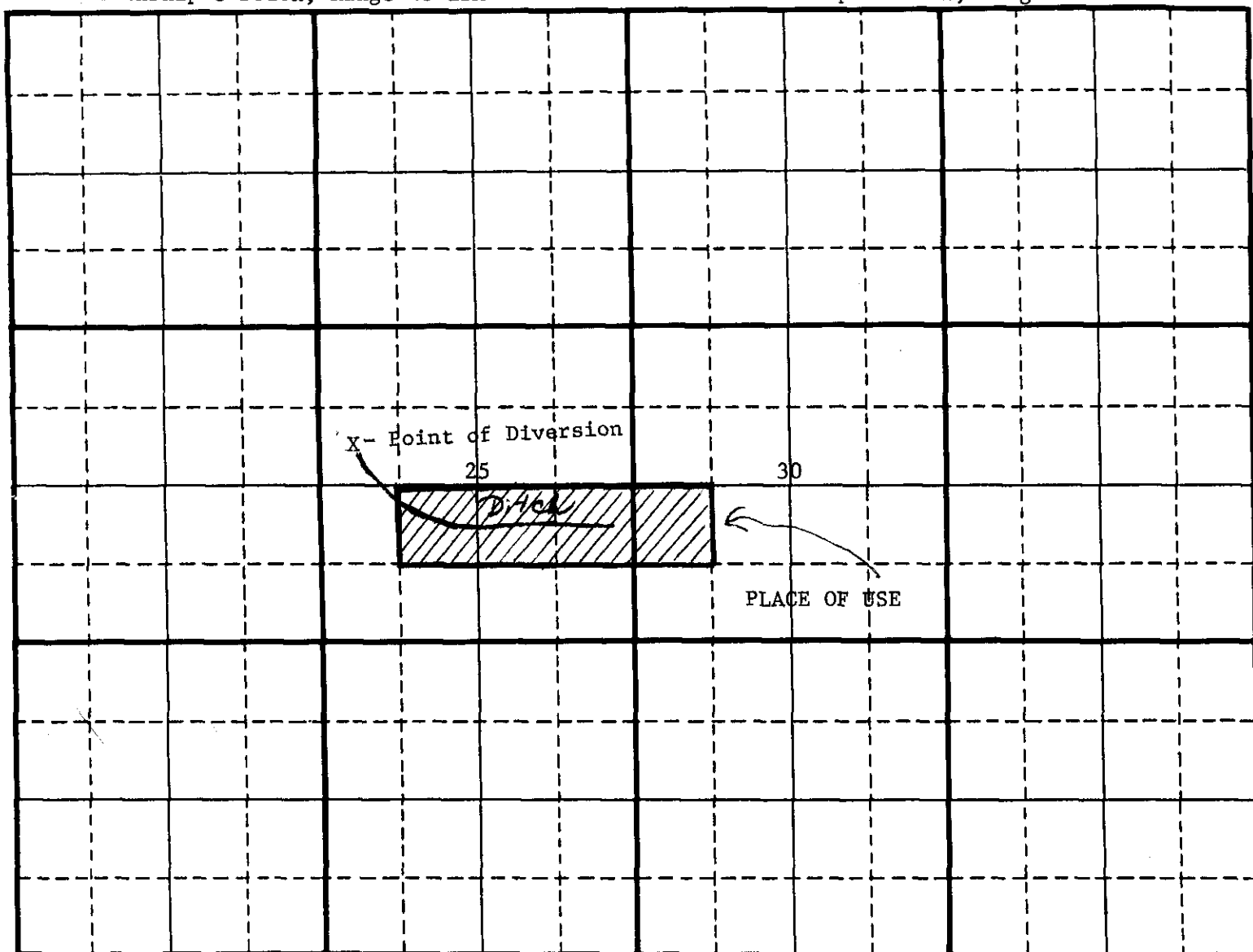
NOTE: Include here the type and number of stock watered: 600 head of cattle - 4 horses

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

- (8) Remarks The Claimant and one Farrell N. Beckstead are the only parties using the waters of Johnson Creek. Each party uses up to one-half of the total flow, as may be needed at any time.

Township 8 South, Range 43 EBM

Township 8 South, Range 44 EBM

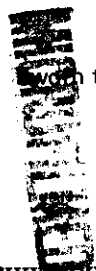


Scale: 2 inches equal 1 mile.

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~~ UTAH)
County of Cache) 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.



Subscribed to before me this 14 day of JANUARY, 1983.

A. C. Waller
(Claimant)

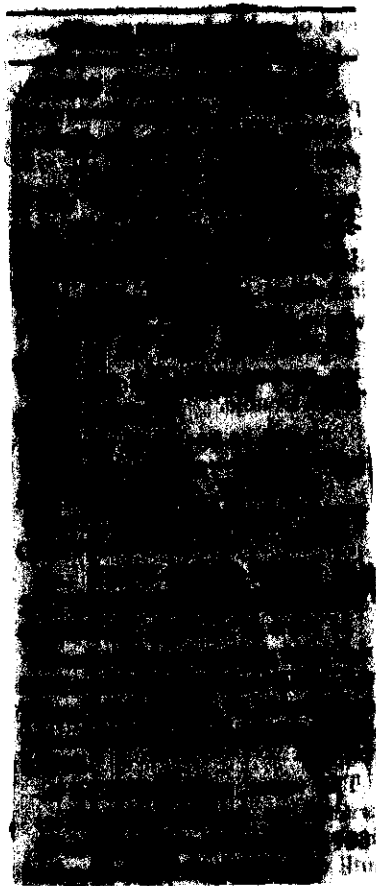
Shirley L. Quinn
Notary Public for the State of Utah.
Residing at SEAN
Commission expires: 5/28/83

Received by OW Date 1-17-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KW Date 2-3-83 claimant by: _____
\$20.00 fee received by OW Date 2-3-83 # 23368
Published in Caribou County Sun Clyde C. Anderson cw Date 3-7-83
Dates 2/17 : 2/24/83

RECEIVED

MAR 17 1983

Department of Water Resources
Eastern District Office



MICROFILMED

COLLEEN WRAY
Adm. Secretary

Enclosure: original claim

MICROFILMED

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

17th day of
February, 1983

The date of the last publication
being the 24th day of
February, 1983

Subscribed and sworn to be-
fore me this 28th day
of February, 1983

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March
1984

RECEIVED
APR 14 1983

Department of Water Resources

April 8, 1983

RE: Claim to a Water Right No. 27-4080

J.C. Wallentine
564 North 2nd East
Logan, Utah 83421

Dear Mr. Wallentine:

Upon final review by the State Office it was noted that your notary failed to put his seal on your claim form. Before your claim can be entered in the Department's official files, this seal must be affixed to your claim. Please take your claim to the notary, have the seal affixed and return it to this office as soon as possible. We appreciate your cooperation in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Enclosure: original claim

MICROFILMED

RECEIVED
APR 14 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 7, 1983

J.C. WALLENTINE
564 N. 2ND E.
LOGAN

UT 84321

RE: Claim No. 27-4080

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

MICROFILMED

RECEIVED
MAR 29 1983

Department of Water Resources

March 8, 1983

RE: Application for Permit No. 13-7382 RUUD or PRESCOTT

Claim to a Water Right No. 27-4080 WALLENTINE

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on February 17 and 24, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

March 7, 1983

RE: Claim to a Water Right No. 27-4080

J. C. Wallentine
564 North Second East
Logan, Utah 84321

Dear Mr. Wallentine:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
.At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

MICROFILMED

March 7, 1983

-Suite 15

RE: Claim to a Water Right No. 27-4080 WALLENTINE

Dlyde C. Anderson
250 South First East
Soda Springs, ID 83276

Dear Mr. Anderson:

We have received the exception dated February 28, 1983, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department----Corrections.----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: Nelson & Harding, Attorneys

MICROFILMED

RECEIVED

MAR 2 1983

Department of Water Resources
Eastern District Office

EXCEPTION TO CLAIM OF WATER RIGHT

27-4080

COMES NOW Clyde C. Anderson, 250 South First East, Soda Springs, Idaho 83276, and files an Exception to the Claim of Water Right filed by J.C. Wallentine, 564 North Second East, Logan, Utah 84321, filing No. 27-4080 on the following grounds and basis:

1. The Notice of Claim does not clearly state whether the permit requested would be subject to prior water rights.

2. The Water Rights requested for the purposes requested is excessive.

3. The undersigned reserves the right to amend this exception at such time as he has more information available and in the event he wants to make further exceptions on other grounds and basis.

DATED: This 28th day of February, 1983.

Clyde C. Anderson
CLYDE C. ANDERSON

STATE OF IDAHO)
: ss.
County of Caribou)

On this 28th day of February, 1983, before me, the undersigned Notary Public in and for said State, personally appeared Clyde C. Anderson, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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 IDAHO
Residing at Soda Springs

(SEAL)

CERTIFICATE OF MAILING

A copy of the above Exception was mailed to J. C.
Wallentine, 564 North Second East, Logan, Utah 84321, on
the 28th day of February, 1983.


DON L. HARDING
Attorney for Clyde C. Anderson

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

Right Number 27 4080 Applicant J.C. Wallentine

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.

March 7, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By EW Date 3-7-83
EMC 3-23-83.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By C Date 5-2-83
Jan

MICROFILMED

IDENT. NO. 27 4680

WATER RIGHT
DATA ENTRY LOG

[illegible]

January 20, 1983

J.C. Wallentine
564 North 2nd East
Logan, UT 84321

Dear Mr. Wallentine:

Enclosed is a claim to a water right and check #92-112 for \$30.00 that were received by this office. Due to the nature of a claim, the claim must be returned to the claimant if there are any problems. The problems are noted in red on a copy of the claim.

Upon receipt of a completed copy of the claim, form, processing will begin.

Please feel free to contact this office for any additional assistance that may be necessary.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:bp

Enclosures

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 1/27 & 2/24/83.

MICROFILMED

27-4080

WALLENTINE, J.C.

564 N. 2ND E., LOGAN, UT 84321

Source: JOHNSON CREEK trib. to SINKS

Priority Date: 06/01/1924

Diversion Pt: SWNW Sec 25 T 08S R 43E

Use: STOCKWATER (0.13 CFS)

In: NESW NESE NWSE Sec 25 T 08S R 43E NWSW Sec 30 T 08S R 44E

RECEIVED
JUL 1 1924