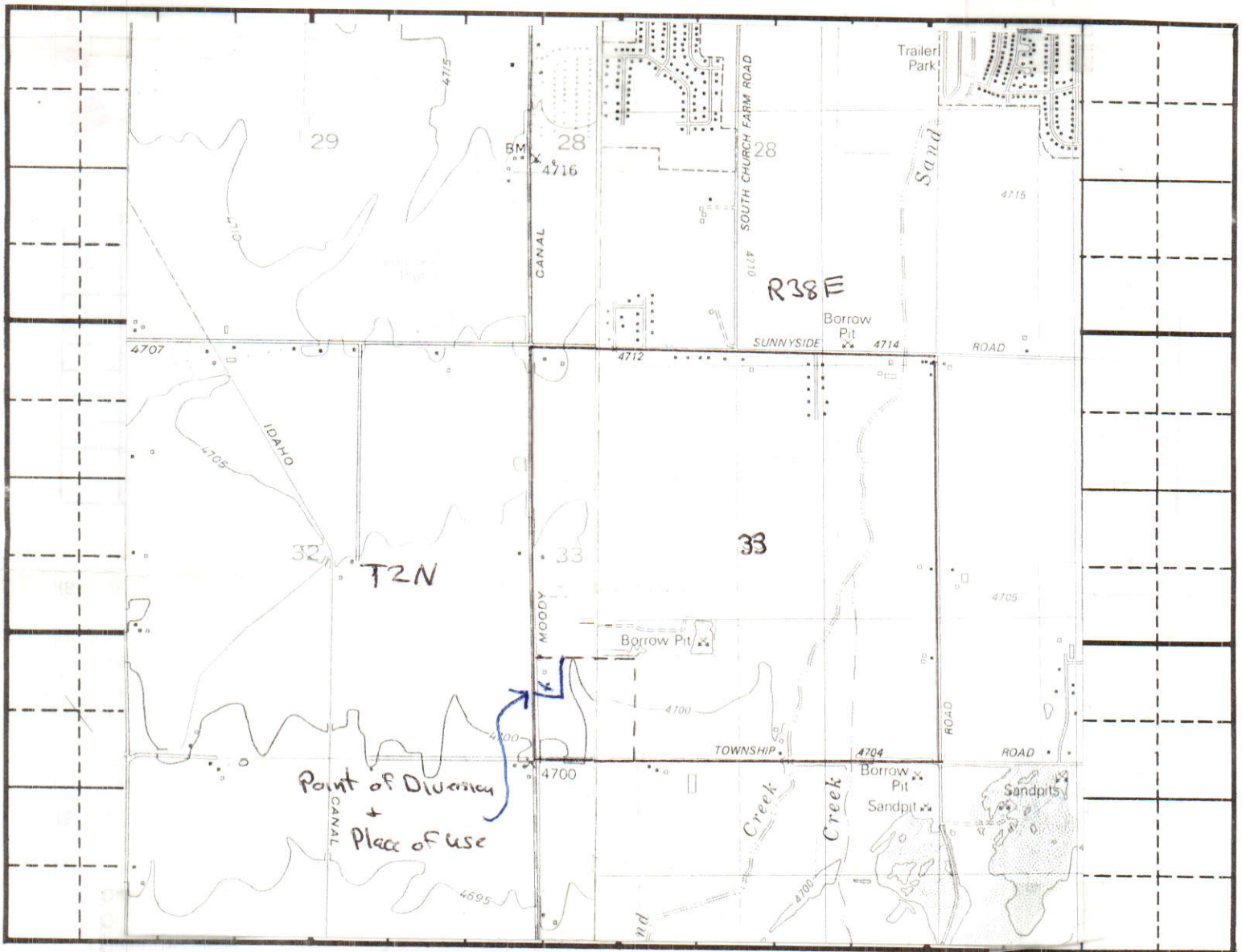


(8) Remarks _____



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 Idaho)
County of) ss.
County of)

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 _____ day of _____, 1983

Clayton Kirkendall
(Claimant)

Beverly A. Brown
Notary Public
Residing at 755 Adell, Ida Falls, Id.
83402

My commission expires _____

Assist. by HWS

FOR DEPARTMENT USE ONLY

Received by <u>aw</u>	Date <u>1-18-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>1-18-83</u>		claimant by:	
\$30.00 fee received by <u>aw</u>	Date <u>1-20-83</u>	<u>#23322</u>		
Published in <u>Post Register</u>				
Dates <u>2/3 & 24/10/83</u>				

Proof of Publication
The Post-Register

RECEIVED
FEB 11 1983
Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the
Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily,
except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls
Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho
Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931,
and each of said newspapers having been published continuously and uninterruptedly, prior to consoli-
dation, for more than seventy-eighty (78) weeks and said Post-Register having been published contin-
uously and uninterruptedly from the date of such consolidation, up to and including the last publica-
tion of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was pub-
lished in said Post-Register for two consecutive weeks, first publication having been made
on the 3rd day of February, 1983, last publication
having been made on the 10th day of February, 1983, and that the
said notice was published in the regular and entire issue of said paper on the respective dates of
publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 10th day of February, 1983.
W. L. Napier
Notary Public

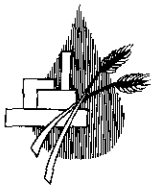
My commission expires September 30, 1984.

B10, 1M,

NOTICE OF CLAIMS TO WATER
RIGHTS
The following claim(s) have been filed
on water right(s) created by diversion and
beneficial use:
25-4158
KIRKENDALL, CLIFFORD
Rt. 3, BOX 46, IDAHO FALLS, ID
83401
Source: GROUNDWATER
Priority Date: 06/01/1948
Diversion Pt: SWSW Sec 33 T 02N R
38E
Use: STOCKWATER (0.02 CFS);
DOMESTIC (0.04 CFS)
In: SWSW Sec 33 T 02N R 38E
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: February 3, 10, 1983

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 Clifford Kirkendall
Box 46, Rt. 3, Idaho Falls, Idaho 83401 Telephone No. 522-7746
(Mailing Address) (Name of Claimant) (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, 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)
Groundwater tributary to _____

(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>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.02 cfs</u>	Use <u>Stock</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 _____

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 33 Twp. 2N Rge. 38E B.M., County of Bonneville
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. Well/pump with line to house and four stock tanks

(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	
2N	38E	33											X						

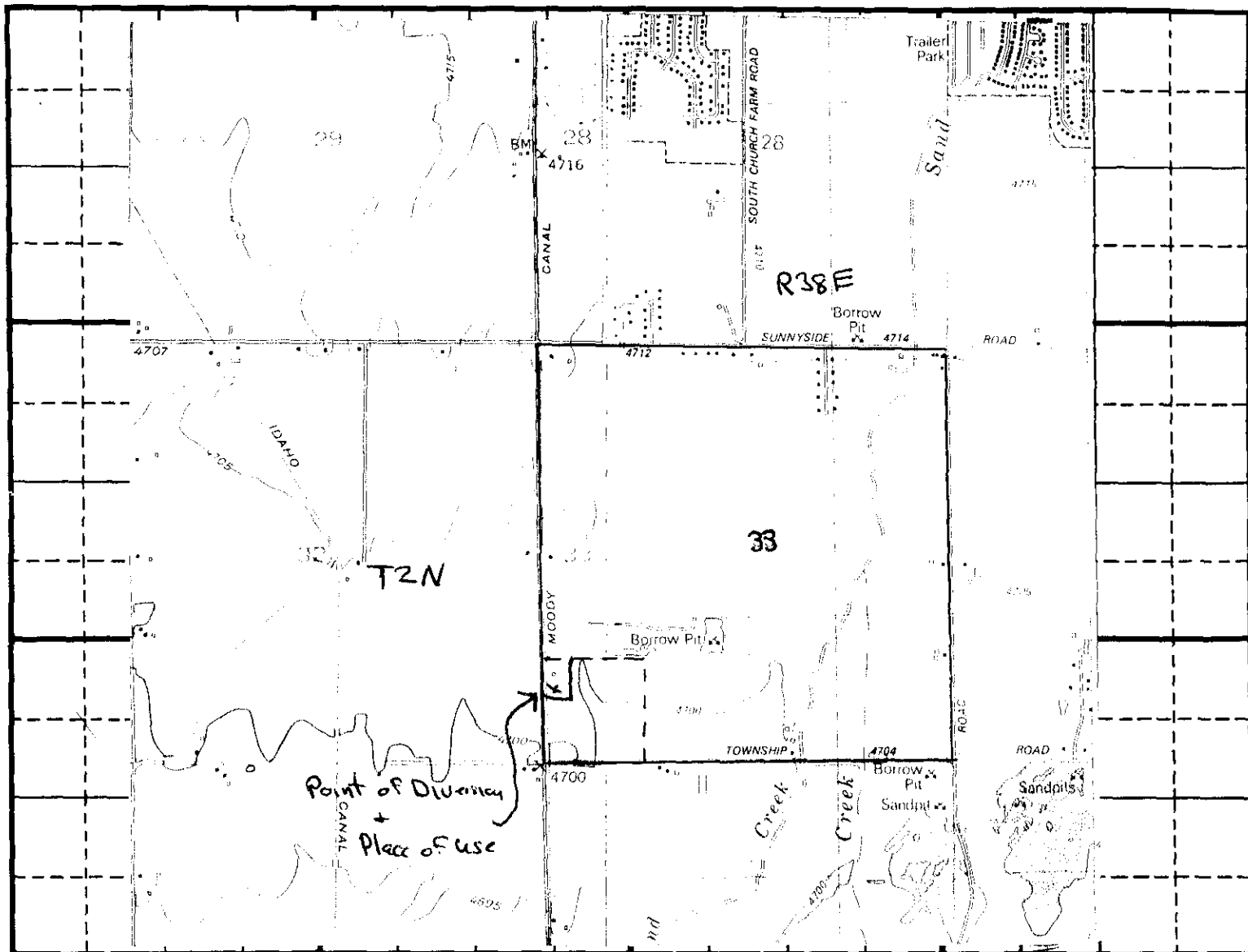
No. of acres _____

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

NOTE: Include here the type and number of stock watered: 6 head of horses + cattle

(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 Idaho)
County of _____) 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 _____ day of _____

Stephen R. Kunkel
(Claimant)
1-14-83

Beverly A. Brown
Notary Public
Residing at 755 Adell Ave. Tallahassee, FL 32301

My commission expires _____

Assist. by HWS
Received by HWS Date 1-18-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 1-18-83
\$30.00 fee received by HWS Date 1-20-83 # 23332
Published in Post Register
Dates 2/3 & 24/10/83

FOR DEPARTMENT USE ONLY

Proof of Publication

The Post-Register

RECEIVED
FEB 11 1983
Department of Water Resources
Eastern District Office

State of Idaho,
County of Bonneville { ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

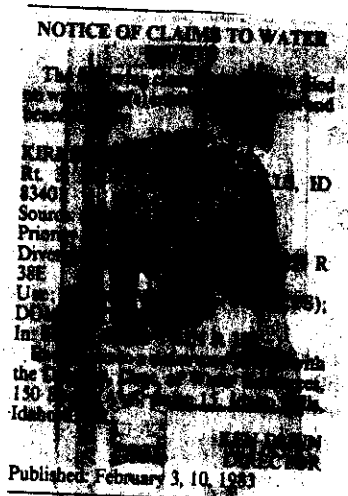
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 3rd day of February, 1983, last publication having been made on the 10th day of February, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 10th day of February, 1983.

W. L. Napier
Notary Public

My commission expires September 30, 1984.

B10, 1M,



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 21, 1983

CLIFFORD KIRKENDALL
RT. 3, BOX 46
IDAHO FALLS

ID 83401

RE: Claim No. 25-4158

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

RECEIVED
MAR 08 1983

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 25 4158 Applicant Rivkendall

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 EMC Date Feb 23, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 3/8/83



January 6, 1983

Clifford Kirkendall
Box 46, Rt. 3
Idaho Falls, ID 83401

Dear Mr. Kirkendall:

Enclosed is your claim to a water right. Please review it and if all is correct sign the document in the presense of a notary.

I need you to draw an arrow from the words "Point of Diversion" on section 8 (map) to the general area of your house and well in SWSW of section 33.

You can send the completed claim with a fee of \$30.00 to this office for processing.

Sincerely,

HAROLD W. HONES
Sr. Resource Agent

HWJ:bp

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 26, 1983

The Post Register
P. O. Box 1800
Idaho Falls, Idaho 83401

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 sales 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 FEBRUARY 21, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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 2/3 & 2/10/83.



25-4158

KIRKENDALL, CLIFFORD

RT. 3, BOX 46, IDAHO FALLS, ID 83401

Source: GROUNDWATER

Priority Date: 06/01/1948

Diversion Pt: SWSW Sec 33 T 02N R 38E

Use: STOCKWATER	(0.02 CFS)
DOMESTIC	(0.04 CFS)

In: SWSW Sec 33 T 02N R 38E

*Proofed by Phone
2/3/83 BP*

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before FEBRUARY 21, 1983.

KEN DUNN, Dir.

Published 2/3 & 2/10/83.