

23

23

PLACE OF USE AND POINT OF DIVERSION.

TOWNSHIP  
1  
NORTH

23

23

RANGE  
38  
EAST.

52 JUL 13

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 Deon Heath  
(Name of Claimant)  
3965 First Street, Idaho Falls, Idaho 83401 Telephone No. 522-2129  
(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) April 1, 1927

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>0.06 cfs</u> | Use                                 | <u>domestic</u>   | Period of Use From <u>1/1</u> | To <u>12/31</u> |
| Quantity        | <u>0.02</u>     | Use                                 | <u>irrigation</u> | Period of Use From <u>4/1</u> | To <u>11/1</u>  |
| Quantity        | <u>0.02</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 _____        |

(4) 0.10 TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE 1/4 NW 1/4, Sec. 23 Twp. 1N 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 and distribution lines to place of use

(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. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTAL |
|----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |     |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |       |
| 1N | 38E | 23   |     |     |     |     | 1   |     |     |     |     |     |     |     |     |     |     |     | 1     |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres 1

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

NOTE: Include here the type and number of stock watered: 10 head of livestock

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

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PLACE OF USE AND POINT OF DIVERSION.

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TOWNSHIP  
1  
NORTH

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RANGE  
38  
EAST

Received by SM Date 1/6/82 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by AWJ Date 1-6-82 claimant by: \_\_\_\_\_  
\$20.00 fee received by aw Date 1-06-82  
Published in East Register # 20033  
Dates aw 14 & 27, 1982

# Proof of Publication The Post-Register

FEB 1 1982

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 14th day of January, 1982, last publication having been made on the 21st day of January, 1982, 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 27th day of January, 1982.

Notary Public

My commission expires September 30, 1984.

B10, 1M,

## 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:

25-4112

BUTIKOFER, MERRILL  
RT. 6, BOX 349, IDAHO FALLS, ID  
83401

Source: GROUNDWATER

Priority Date: 01/01/1946

Amount: 0.09 CFS

Diversion Point: LOT 63 (NWSW) Sec 19  
T 03N R 38E, BONNEVILLE Co.

Use: STOCKWATER (0.03 CFS) from  
01/01 to 12/31; DOMESTIC (0.06 CFS)  
from 01/01 to 12/31

Place of Use: NWSW Sec 19 T 03N R  
38E

Diversion Means: WELL AND PUMP

25-4113

HEATH, DEON  
3965 FIRST STREET, IDAHO FALLS,  
ID 83401

Source: GROUNDWATER

Priority Date: 04/01/1927

Amount: 0.10 CFS

Diversion Point: NENW Sec 23 T 01N R  
38E, BONNEVILLE Co.

Use: IRRIGATION (0.02 CFS) from  
04/01 to 11/01; STOCKWATER (0.02  
CFS) from 01/01 to 12/31; DOMESTIC  
(0.06 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 23 T 01N R  
38E FOR 1 ACRE

Diversion Means: WELL AND PUMP

Any exception to any claim of water  
right may be filed with the Director of  
the Idaho Department of Water Re-  
sources, 150 Shoup Ave., Idaho Falls,  
Idaho 83402.

A. KENNETH DUNN  
Director

Published: January 14, 21, 1982

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

FEBRUARY 1, 1982

DEON HEATH  
3965 FIRST STREET  
IDAHO FALLS ID 83401

RE: Claim No. 25-4113

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

MAILED

RECEIVED  
FEB 05 1982

Department of Water Resources

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State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 25 4113 Applicant Heath

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.

2/21/82

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Feb 3, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 2/5/82

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| TRACT | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------|-----|-----|-----|--------------|---------------|-------|
|-------|-----|-----|-----|--------------|---------------|-------|

IDAHO STREAM CODE INDEX

IDENT. NO. 25 4113

WATER RIGHT  
DATA ENTRY LOG

[illegible]

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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 83402.

A. KENNETH DUNN

Director

Published 1/14 & 1/21/82.

RECEIVED  
JAN 21 1982  
IDAHO DEPT. OF WATER RESOURCES  
IDAHO FALLS, IDAHO

HEATH, DEON

3965 FIRST STREET, IDAHO FALLS, ID 83401

Source: GROUNDWATER

Priority Date: 04/01/1927

Amount: 0.10 CFS

Diversion Point: NENW Sec 23 T 01N R 38E, BONNEVILLE Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (0.02 CFS) | from 04/01 to 11/01 |
| STOCKWATER      | (0.02 CFS) | from 01/01 to 12/31 |
| DOMESTIC        | (0.06 CFS) | from 01/01 to 12/31 |

Place of Use: NENW Sec 23 T 01N R 38E FOR 1 ACRES

Diversion Means: WELL AND PUMP

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