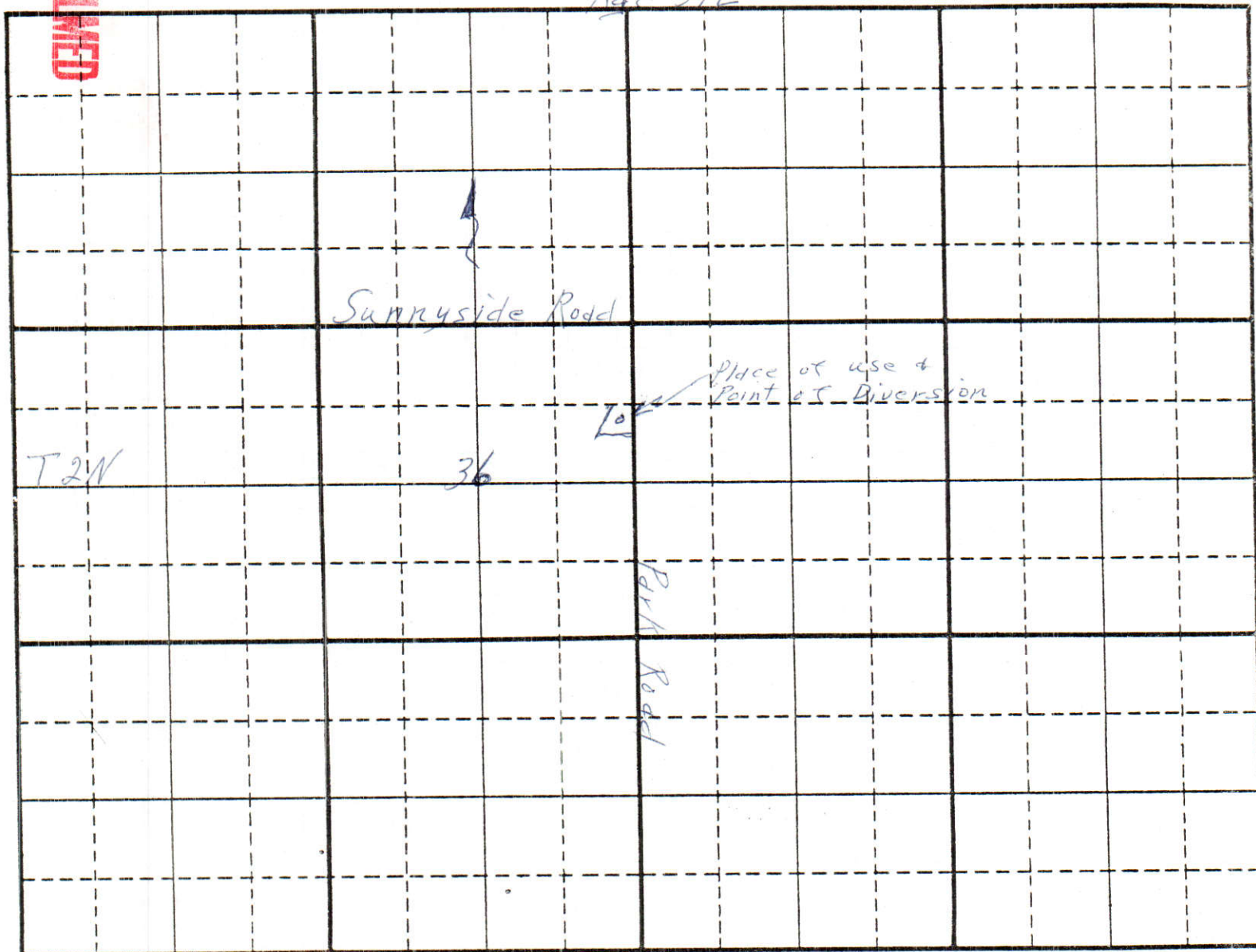


131
RECEIVED

Remarks _____

Rd 37E



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 Bonneville) 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 24th day of February, 19 81.

Carl J. Spencer
(Claimant)

Dolores Wray
Notary Public
Residing at Idaho Falls, Id

My commission expires 6/15/81

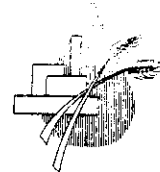
FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by _____	Date _____		claimant by: _____	
\$30.00 fee received by <u>OW</u>	Date <u>3-24-81</u>			
Published in <u>The Post Register</u>	<u>#17055</u>			
Dates <u>3/12 & 3/19/81</u>				

62 1000

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 Edith F. Spencer
(Name of Claimant)

Telephone No. 208-322-6050

Rt. 5, Box 314, Idaho Falls, Idaho 83401
(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) August 26, 1956

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)

Ground Water 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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.10</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>		
Quantity <u>0.06</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr 1</u>	To <u>Apr 1</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		

- (4) _____ TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 NE 1/4, Sec. 36 Twp. 2N Rge. 37E 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, Delivery system to 4 lots with one home on each lot

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	37E	36				2													2

No. of acres 2

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

Surface water from the Idaho Canal

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: Owners of each lot
Edith F. Spencer Tr 10 SE 1/4 NE 1/4 Sec 36 Twp 2N 37E B.M.
James Wakeman Tr 8 " " " " "
Leroy Lewis Tr 3 " " " " "
Harry H. Bennett " " " " "

Remarks _____

A hand-drawn map on a grid. The map shows a proposed diversion. Key features include:

- North Arrow:** Located in the upper left quadrant, pointing upwards.
- Sunnyside Road:** Labeled horizontally across the middle of the grid.
- Park Road:** Labeled vertically on the right side of the grid.
- T2N:** Labeled on the left side of the grid.
- 36:** Labeled in the center of the grid.
- Place of use & Point of Diversion:** Labeled near the intersection of Sunnyside Road and Park Road.

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.

Donnerville

Carl J. Spencer
(Claimant)

Sworn to before me this 24th day of February, 19 81

Notary Public
Residing at \

lic John G. Kelly, Jr.

My commission expires

6/15/81

Received by _____ Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$30.00 fee received by OW Date 3-24-81
Published in The Post Register #17055
Dates 3/12 & 3/19/81

Proof of Publication
The Post-Register

State of Idaho,

County of Bonneville

ss.

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman 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 12th day of March, 1981, last publication having been made on the 19th day of March, 1981, 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 20th day of March, 1981

Ted Delezene

Deon R. Napier
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:
25-4090
HARRIS, WENDELL R.
P.O. BOX 302, RIRIE, ID 83443
Source: SPRING tributary to MEADOW CREEK
Priority Date: 04/20/1958
Amount: 0.10 CFS
Diversion Point: NESW NWSE Sec 30 T 02N R 41E, BONNEVILLE Co.
Use: STOCKWATER (0.06 CFS) from 03/01 to 11/30; DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NESW NWSE Sec 30 T 02N R 41E
Diversion Means: PIPELINE.
25-4090
SPENCER, EARL F.
RT: 3 BOX 314, IDAHO FALLS, ID 83401
Source: GROUNDWATER
Priority Date: 08/26/1956
Amount: 0.16 CFS
Diversion Point: SENE Sec 36 T 02N R 37E, BONNEVILLE Co.
Use: IRRIGATION (0.06 CFS) from 04/01 to 11/01; DOMESTIC (0.10 CFS) from 01/01 to 12/31
Place of Use: SENE Sec 36 T 02N R 37E FOR 2 ACRES
Diversion Means: WELL, PUMP & PIPELINE.

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.

C. STEPHEN ALLRED
Director

Published: March 12, 19, 1981

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MAR 24 1981

Department of Water Resources
Eastern District Office

WATER RIGHT NUMBER 25-4090

OWNER LAST NAME - SPENCER

FIRST NAME - EARL F.

ORIG OWNER -

ADDRESS LINE 1 - RT. 3 BOX 314

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - IDAHO FALLS

STATE - ID ZIP CODE - 83401

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - STATRY CLM

STATUS -

PRIORITY - 08-26-1956

COUNTY - BONNEVILLE

TOTAL DIV. RATE -

.1600 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAFEY ACT -

RIGHT BASIS -

DIVERSION POINT - SENE 36 02N 37E LOT

REDIV -

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE -

.0600 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.1000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 02N RNG 37E SEC 36 TRACT SENE LOT

AC 02

DECREE NAME -

DATE -

TOTAL ACRES

2

REMARKS -

NON IRRIG USE - D/4 HOMES.

OTHER RIGHTS FOR SAME USE - IDAHO CANAL WATER.

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - WELL, PUMP & PIPELINE.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 25 4090

Applicant Earl F. Spencer

NOTE: 25-4090 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 Ernest Carlson Date March 25, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Mauroen Date 4/3/81

3/30

3/79

IDENT. NO. 25-4090

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

cu

3/5/81

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied

(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 1, 1981

EARL F. SPENCER
RT. 3 BOX 314
IDAHO FALLS

ID 83401

RE: Claim No. 25-4090

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

25-4090-

SPENCER, EARL F.

RT. 3 BOX 314, IDAHO FALLS, ID 83401

Source: GROUNDWATER

Priority Date: 08/26/1956

Amount: 0.16 CFS

Diversion Point: SENE Sec 36 T 02N R 37E, BONNEVILLE Co.

Use: IRRIGATION	(0.06 CFS)	from 04/01 to 11/01
DOMESTIC	(0.10 CFS)	from 01/01 to 12/31

Place of Use: SENE Sec 36 T 02N R 37E FOR 2 ACRES

Diversion Means: WELL, PUMP & PIPELINE.

001-1000000