

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

SS.

County of Barnesville

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 affiants knowledge.

H. Allen Sellers
(Claimant)

Sworn to before me this 4th day of September, 19 23. (Claimant)

Notary Public
Residing at 2240 E 16

My commission expires

For Department Use Only

Received by mb Date 9-4-73 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by RDC Date 9/4/73 claimant by: _____
\$10.00 fee received by mb Date 9-4-73
Approved for publication by CW 9/27/73 #10329
Published in The Blackfoot News
Dates Sept. 13 + 20, 1973
Public app'd 10/1/73 NCY

RECEIVED

SEP 27 1973

Department of Water Administration
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss.

I, David Mark Brown do solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of general
circulation published each day except Sunday at Blackfoot,
Bingham County, Idaho, said newspaper having been so
published at Blackfoot, aforesaid for more than one year
past; that said newspaper heretofore complied with all the
provisions of Chapter 154 of the Sessions Laws of Idaho of
1933, approved March 11, 1933, and duly designated,
pursuant to law, a particular day of the week as the day on
which legal notices required by law or by the order of any
Court of competent jurisdiction within the State of Idaho
shall be published to-wit: Friday of each week; that the
notice attached hereto and which is a part of this affidavit
and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on
the 13th day of Sept, 1973.

and the last publication having been made on the
20th day of Sept, 1973; that said

notice was published in the regular and entire issue of every
number of the paper as aforesaid during the period and time
of publication, and that notice was published in the
newspaper and not in a supplement.

Subscribed and sworn to before me this 25th

day of Sept, 1973

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires

Nov 10, 1975

October 20, 1975

NOTICE OF CLAIM TO A WATER RIGHT NO. 25-4014

Notice is hereby given that H. Allen Sellers, Route 2, Box 80, Rigby, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.45 cubic feet per second of water from a spring tributary to sinks with point of diversion in the NE 1/4 NE 1/4, Sec. 11, T. 3S, R. 40E, B.M. Bingham County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 17 acres and stockwatering purposes for 75 head of stock with a priority of May, 1912; the place of use is within the NE 1/4 NE 1/4, Sec. 11, T. 3S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.
R. KEITH HIGGINSON
Director

(3552)

Pub.: 9-13, 20

3

25 4014

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that H. Allen Sellers
(name of claimant)
of Rt. #2, Box 80, Rigby, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to ends in swamp next to Crain Creek;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) spring
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|---|-----|-------------------------------|---------------------|---------------|----|------------------------|
| Amount | <u>.35</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | <u>.10</u> | Use | <u>Stock Water</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | | Use | | Period of Use: From | | To | |
| | (cfs, gpm, ~~gpm~~
~~xxx~~) | | (dom., irri.,
stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: .45 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May, 1912

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 11 Twp. 3S Rge. 40E B. M. County of Bingham
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. rock dams and ditches

- (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.

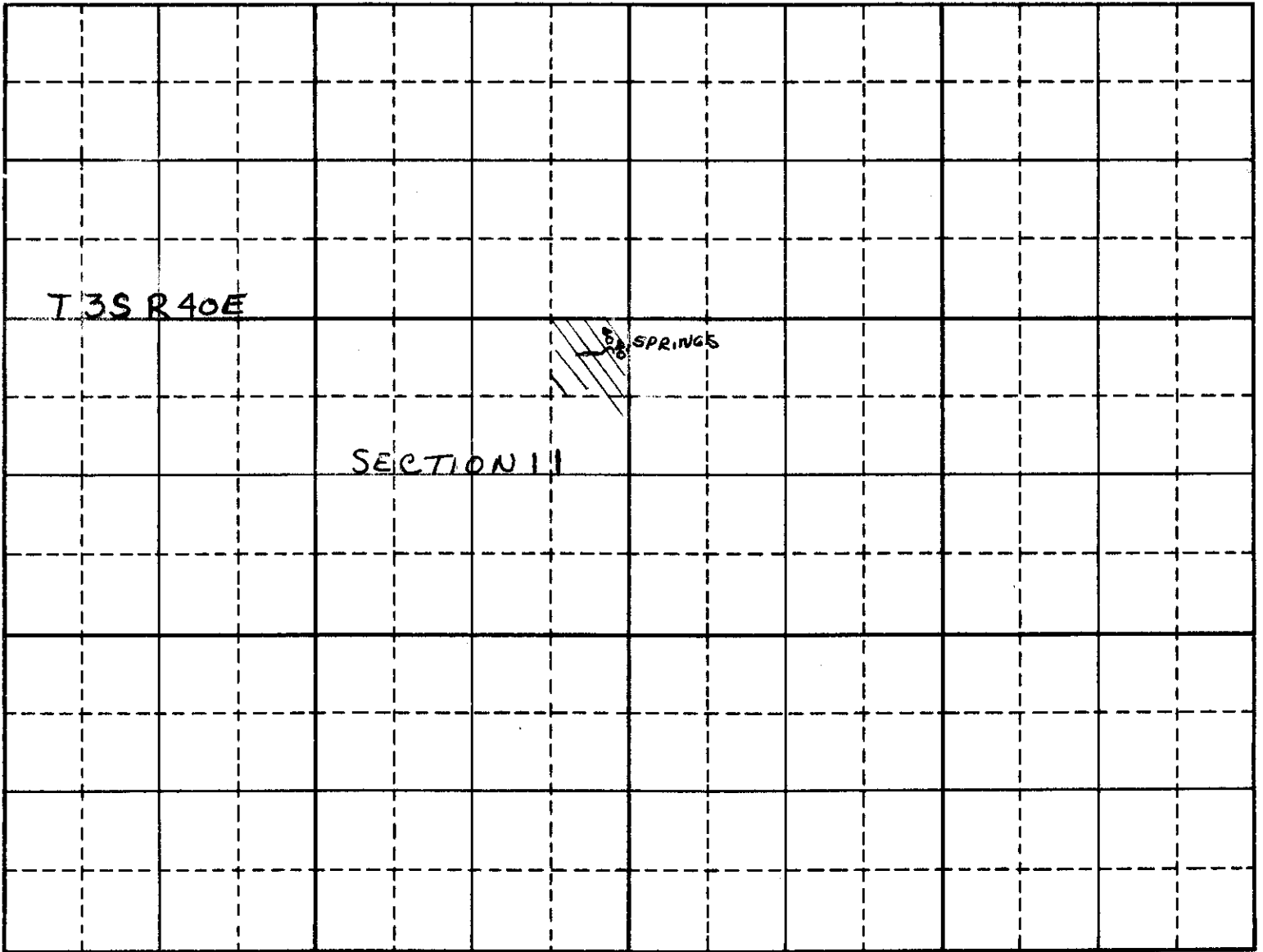
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3S	40E	11	17																17

Total No. of acres 17

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
75 head of stock

- (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

ss.

County of Bonneville

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 affiants knowledge.

Sworn to before me this 4th day of September, 1973.

H. Allen Sellers
(Claimant)

Norman C. Young
Notary Public
Residing at Edna Falls

My commission expires

6/10/75

For Department Use Only

Received by mb Date 9-4-73
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\$10.00 fee received by mb Date 9-4-73
Approved for publication by GW 9/29/73 #10324
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Exception filed by:

Forwarded to
claimant by:

Date

RECEIVED

SEP 27 1973

Department of Water Administration
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham }
State of Idaho } ss.

I, David Mark Brown do solemnly
swear that I am the Publisher

of The Blackfoot News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive weeks, the first publication having been made on the 13th day of Sept, 1973

and the last publication having been made on the 20th day of Sept, 1973; that said

notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 25th day of Sept, 1973

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires

~~XXXXXX~~
October 20, 1975

**NOTICE OF CLAIM
TO A WATER RIGHT**
190, 20-424

Notice is hereby given that H. Allen Smith, Route 2, Box 80, Rigby, Idaho, has filed a claim to a water right established by diversion, and is entitled to beneficial use of 1.5 cubic feet per second of water from a spring tributary to sink with point of diversion in the NE 1/4 of Sec. 11, T. 35 N., R. 40E, S. 10, Bingham County, Idaho.

The claim is subject to be sold to the State of Idaho for 75 years, and the priority of the claim is as of use is as shown on the map, Sec. 11, T. 35 N., R. 40E, S. 10, Bingham County, Idaho.

The claim of H. Allen Smith is filed with the Department of Water Administration, 1515 Lincoln Blvd., Boise, Idaho, 83721.

R. KEITH HIGGINSON
Director

(358)
Pub. 1-743, 20

25 40-1

WATER RIGHT NUMBER 25-4014

WATER RIGHTS EDIT REPORT

07/26/79

PAGE 40

ACT
ION

N OWNER LAST NAME - SELLERS
N ADDRESS LINE 1 - RT. 2 BOX 80

FIRST NAME - H. ALLEN

CITY - RIGBY

STATE - ID

N SOURCE - SPRING

N STAGE - STATUTORY CLAIM

PRIORITY - 05-01-1912 COUNTY - BINGHAM

TOTAL DIV. RATE -

.4500CFS

N DIVERSION POINT - NENE 11 03S 40E

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

USE DIV. RATE - .3500CFS

N FROM - 04-01 TO - 11-01 USE - STOCKWATER

USE DIV. RATE - .1000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 03S RNG 40E SEC 17 TRACT NENE

AC 17

N NON IRRIG USE - S/75 HEAD.

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

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

from _____ to _____ for _____ purposes. Amount _____

ch 7-24-79

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):
S/75 head.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

1515 Lincoln Road

October 1, 1973

Re: Claim to a Water Right No. 25-4014

Mr. H. Allen Sellers
Route #2 Box 80
Rigby, Idaho 83442

Dear Mr. Sellers:

The Department of Water Administration has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you of the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right: it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Copy of claim

25 4014

1515 Lincoln Road

September 6, 1973

Re: Claim to a Water Right No. 25-4014 H. Allen Sellers

The Blackfoot News
P. O. Box 70
Blackfoot, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Legal Notice (1)

Bill submitted 9-27-73 by mb

25-4014

**NOTICE OF CLAIM
TO A WATER RIGHT
NO: 25-4014**

Notice is hereby given that H. Allen Sellers, Route 2, Box 80, Rigby, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.45 cubic feet per second of water from a spring tributary to sinks with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 3S, R. 40E, B.M. Bingham County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 17 acres and stockwatering purposes for 75 head of stock with a priority of May, 1912; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 3S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

(3552)

Pub.: 9-13, 20

25 4014

NOTICE OF CLAIM TO A WATER RIGHT

NO. 25-4014

Notice is hereby given that H. Allen Sellers,

Route 2 Box 80, Rigby, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.45 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from a spring tributary to sinks

with point of diversion in the NE1/4, Sec. 11, T. 3S, R. 40E, B.M.

Bingham County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation
of 17 acres and stockwatering purposes for 75 head of stock

with a priority of May, 1912;

the place of use is within the NE1/4, Sec. 11, T. 3S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho,
83401.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho

on September 13 and September 20, 1973.

25 4014

*Allen
Sellers*