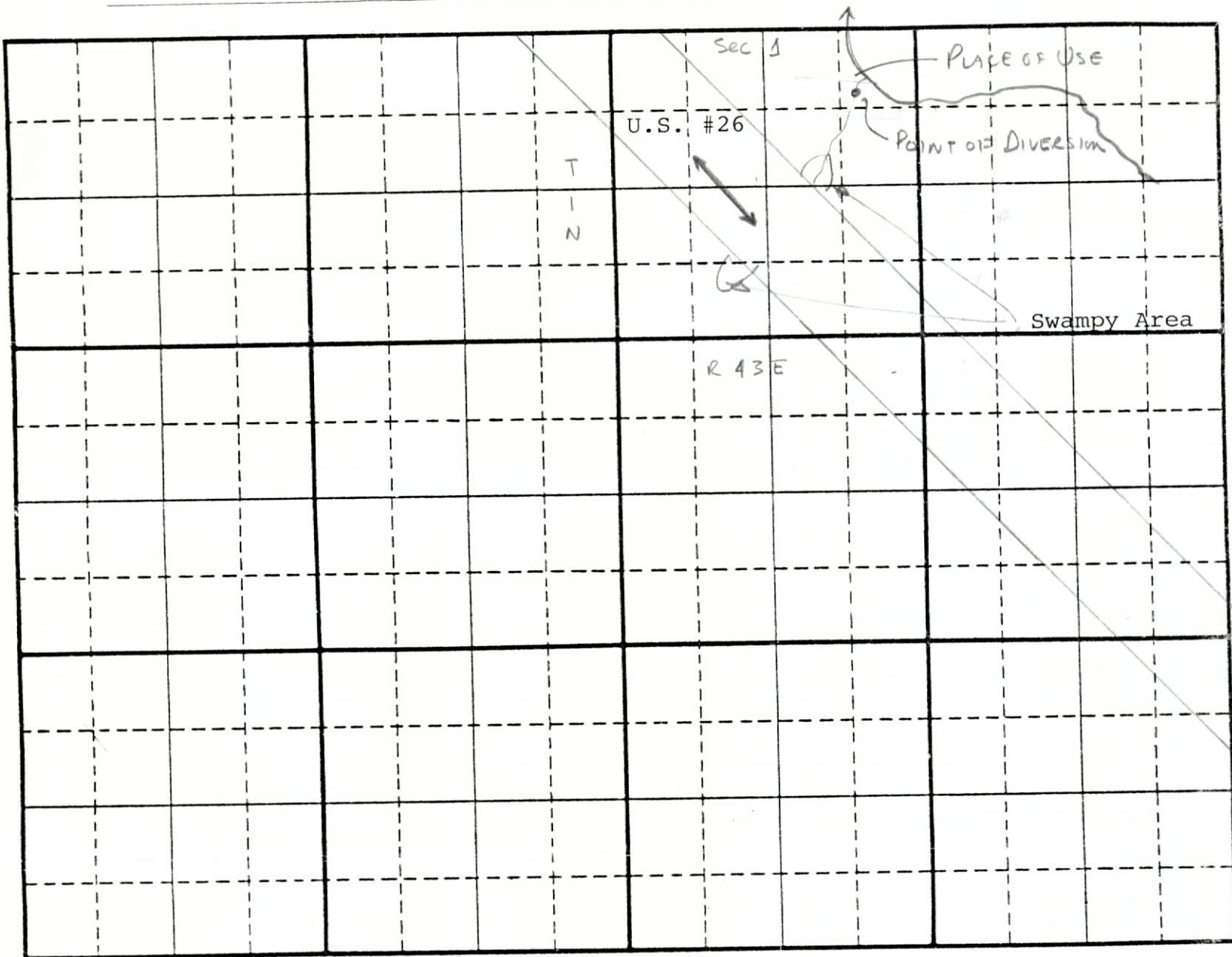


(8) Remarks This land was formerly flood irrigated but now is irrigated by sprinklers.



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 13 day of January, 1981.
Edna R. Hordon Ottino
(Claimant)

Reed H. H. H.
Notary Public
Residing at Idaho Falls

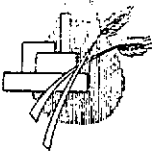
My commission expires _____

FOR DEPARTMENT USE ONLY

Received by kw Date 1/22/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 1/28/81 claimant by: _____
\$30.00 fee received by kw Date 1/28/81 #16199
Published in The Post Register
Dates 1/5 & 1/12/81

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 Edna Harden Ottino
(Name of Claimant)

Swan Valley, Idaho 83449 Telephone No. 483-3804
(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) July, 1959

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)
Rainey Creek tributary to Snake River

(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>0.14 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>0.14 cfs</u>	Use	Period of Use From	To

(4) 0.14 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 1 Twp. 1N Rge. 43E B.M., County of Bonneville
Additional points of diversion: Lots 18 - 22 and Lots 27 - 29.

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. Diversion is by means of an electric pump in the creek. The pump replaced a headgate and ditches in June 1974.

(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	
1N	43E	1	X	(Lots 18 - 22 and 27-29)				small irregular lots in											7
				Swan Valley, Idaho															

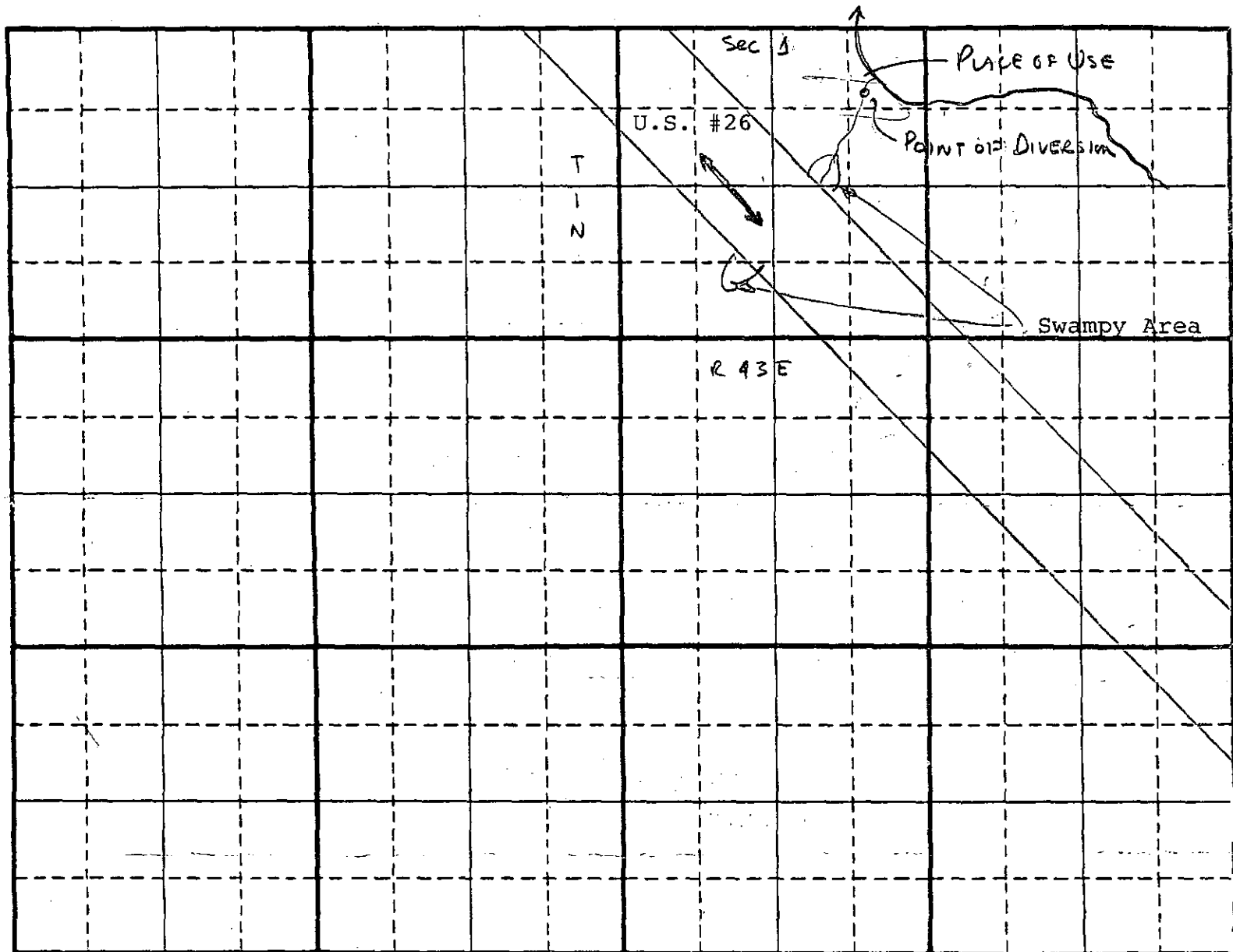
No. of acres 7

B) 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:

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

(8) Remarks This land was formerly flood irrigated but now is irrigated by sprinklers.



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 13 day of January, 1981.

Edna R. Warden Ottino
(Claimant)

Reed W. Ottino
Notary Public
Residing at Idaho Falls

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by EW Date 1/22/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 1/28/81
\$30.00 fee received by EW Date 1/28/81 #16199
Published in The Post Register
Dates 1/5 & 1/12/81

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 5th day of February, 1981, last publication having been made on the 12th day of February, 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 23rd day of February, 1981

Ted Delezene
Neon 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: off)

01-4038

PROGRESSIVE IRRIGATION DISTRICT

P.O. BOX 2093, IDAHO FALLS, ID 83401

Source: SNAKE RIVER, SOUTH FORK tributary to COLUMBIA RIVER

Priority Date: 06/01/1880

Amount: 200.00 CFS

Diversion Point: SESW Sec 05 T 03N R 41E SWSW Sec 31 T 04N R 41E, BONNEVILLE Co. & Jefferson Co.

Use: STOCKWATER (200.00 CFS) from 11/01 to 11/31

Place of Use: Within the boundaries of Progressive Irrigation District.

Diversion Means: HEADGATES FOR ANDERSON CANAL & EAGLE ROCK CANAL.

23-4031

OTTINO, EDNA HARDEN

SWAN VALLEY, ID 83449

Source: RAINEY CREEK tributary to SNAKE RIVER

Priority Date: 07/01/1959

Amount: 0.14 CFS

Diversion Point: NENE Sec 01 T 01N R 43E, BONNEVILLE Co.

Use: IRRIGATION (0.14 CFS) from 01/01 to 11/01

Place of Use: NENE Sec 01 T 01N R 43E FOR 7 ACRES

Diversion Means: PUMP.

25-4083

PROGRESSIVE IRRIGATION DISTRICT

P.O. BOX 2093, IDAHO FALLS, ID 83401

Source: WILLOW CREEK tributary to SNAKE RIVER

Priority Date: 06/01/1880

Amount: 50.00 CFS

Diversion Point: NWNE Sec 21 T 03N R 39E NESE Sec 27 T 03N R 38E, BONNEVILLE Co.

Use: STOCKWATER (50.00 CFS) from 11/01 to 11/31

Place of Use: Within the boundaries of Progressive Irrigation District

Diversion Means: DIVERSION WORKS FOR SAND CREEK & PAYNE DITCH.

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.

F.C. STEPHEN ALLRED

Director

Published: February 5, 12, 1981

RECEIVED

FEB 25 1981

Department of Water Resources
Eastern District Office

WATER RIGHT NUMBER 23-4031

OWNER LAST NAME - OTTINO

FIRST NAME - EDNA HARDEN

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - SWAN VALLEY

STATE - ID ZIP CODE - 83449

SOURCE - RAINEY CREEK

TRIBUTARY OF - SNAKE RIVER

STAGE - STATRY CLM

STATUS -

PRIORITY - 07-01-1959

COUNTY - BONNEVILLE

TOTAL DIV. RATE -

.1400 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENE 01 01N 43E LOT

REDIV -

USE DIV. RATE -

.1400

CFS

USE DIV. VOLUME -

.00 AFA

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

USE - IRRIGATION

PLACE OF USE - TWN 01N RNG 43E SEC 01

TRACT NENE LOT

AC 07

DATE -

TOTAL ACRES

7

DECREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - PUMP.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McInnis

Right Number 23 4031 Applicant _____

NOTE: 23-4031 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.
- 2/23

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date March 9, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Lawrence Date 3/11/81

RECEIVED
MARCH 11 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 25, 1981

EDNA HARDEN OTTINO
SWAN VALLEY

ID 83449

RE: Claim No. 23-4031

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
FEB 26 1981
WATER RESOURCES
DIVISION

Colbert

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
22-4048	DALLING, DOROTHY RT. 1 SUGAR CITY SOURCE: UNNAMED STREAM REMARKS: SOURCE IS IRRIGATION WASTEWATER.	10 83448					
				3.00 CFS	107N R41E S4NE(40) SENE(40)		
					SENE S18 S18 107N R41E		
						155 ACRES*	
23-4031	OTTINU, EDNA HARDEN SWAN VALLEY SOURCE: RAINEY CREEK	10 83449	07-01-1959 IRRIGATION 04-01 11-01	.14 CFS	101N R43E S01 101N R43E		STAIRY CLM
						7 ACRES*	
25-4082	KACKLEY, EVAN M. KACKLEY, LOIS C/O WILLIAM GOODMAN, ATTORNEY P.O. BOX 61 MURPET SOURCE: GROUNDWATER OTHER USES: S/400 RANGE. P/01 T05S R43E S03 N2SW S04 N2NE	10 83350	08-10-1932 STUCKWATER 06-01 12-15	.10 CFS	SWNE S04 T05S R43E		STAIRY CLM
25-4083	PROGRESSIVE IRRIGATION DISTRICT P.O. BOX 2093 IDAHO FALLS SOURCE: KILLUM CREEK OTHER USES: S/5000 HEAD RANGE, SHEEP & HOGS. REMARKS: P/0 WITHIN DISTRICT BOUNDARIES OF PROGRESSIVE IRRIGATION DIST.	10 83401	06-01-1880 STOCKWATER 11-01 11-31	50.00 CFS	SWNE S21 T03N R39E NESE S27 T03N R38E		STAIRY CLM
29-4188	CHRISTENSEN, W. J. CHRISTENSEN, DIXIE 4044 TECH FARM ROAD POCATELLO SOURCE: PORTNEUF RIVER REMARKS: AC. IRR. ACRES=6.75.	10 83201	04-01-1940 IRRIGATION 04-15 09-15	1.11 CFS	SWNW S07 T02S R35E S07 107S R35E		STAIRY CLM
29-7576	BALDWIN, ABRAHAM R. BALDWIN, LEONE RT. 1 NORTH BOX 111 POCATELLO SOURCE: GROUNDWATER OTHER USES: D/TWO FAMILIES.	10 83202	01-23-1981 IRRIGATION 04-01 11-01	.02 CFS	SWSE S08 T06S R34E S08 106S R34E		APPLICATION

W. M. contact

W. M.

February 3, 1981

RE: Claim to a Water Right No. 23-4031

PETERSON, MOSS & OLSEN
Attn: Reed L. Moss
485 "E" Street
Idaho Falls, ID 83401

Dear Mr. Moss:

Attached herewith is Departmental Receipt No. 16199 in the amount of \$30.00 for the above referenced claim submitted on behalf of Edna Harden Ottino.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

OTTINO, EDNA HARDEN

SWAN VALLEY, ID 83449

Source: RAINEY CREEK tributary to SNAKE RIVER

Priority Date: 07/01/1959

Amount: 0.14 CFS

Diversion Point: NENE Sec 01 T 01N R 43E, BONNEVILLE Co.

Use: IRRIGATION (0.14 CFS) from 04/01 to 11/01

Place of Use: NENE Sec 01 T 01N R 43E FOR 7 ACRES

Diversion Means: PUMP.

RECORDED

PETERSEN, MOSS & OLSEN

GEORGE C. PETERSEN, JR.
REED L. MOSS
DENNIS M. OLSEN
GREGORY P. MEACHAM
WM. CHARLES CARR
EARL BLOWER
STEPHEN D. HALL
ALAN E. BARBER

ATTORNEYS AT LAW
485 "E" STREET
IDAHO FALLS, IDAHO 83401

TELEPHONE
AREA CODE 208
523-4650

January 20, 1981

RECEIVED

JAN 22 1981

Department of Water Resources
Eastern District Office

Mr. Steve McCormick
Water Resource Analyst
Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Re: Water Claim of Edna Harden Ottino

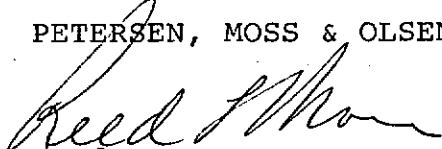
Dear Mr. McCormick:

Pursuant to your letter to me of December 30, 1980, enclosed herewith will be the modified Claim to a Water Right which we are filing on behalf of Edna Harden Ottino. Also enclosed will be our check in the amount of \$30.00 to cover the cost of filing. We will appreciate your processing this claim at your earliest opportunity.

Thank you for your help in this matter.

Very truly yours,

PETERSEN, MOSS & OLSEN


Reed L. Moss

RLM/mas
Enclosures

RECEIVED

PETERSEN, MOSS & OLSEN
ATTORNEY AT LAW
485 E STREET
IDAHO FALLS, IDAHO 83401

17271

December 16 1980 92-41/1241

Pay to the order of Department of Reclamation \$ 10.00

-----Ten and No/100----- Dollars

Edna Harden Water Claim

NORTHCATE MILE OFFICE
The Bank of Commerce
P. O. BOX 1887 IDAHO FALLS, IDAHO 83401

YOUR ENDORSEMENT ON THIS CHECK ACKNOWLEDGES PAYMENT IN FULL FOR THE ABOVE.

PETERSEN, MOSS & OLSEN

Reed L. Moss

⑆124100417⑆ 11 6020472 41⑈

Reed L. Moss
PETERSON, MOSS & OLSEN
485 "E" Street
Idaho Falls, ID 83401

Dear Mr. Moss:

Enclosed is the claim to a water right submitted in behalf of Edna Harden Ottina, along with your Check No. 92-41/17271 for \$10.00.

Unfortunately, there area few errors on the form. I have taken the liberty to partially complete a newer claim form which contains some of the corrections.

Part 3 has been changed to 0.14 cfs (7 miners inches) from April 1 to November 1.

Part 5 should show the point of diversion to the nearest 40 acre tract or quarter-quarter of the section. Part 6 should also show this same information.

The domestic use need not be recorded since single family domestic use from groundwater is exempt from filing.

Also, the filing fee is now \$30.00.

If you have any questions, please feel free to contact me.

Sincerely,

STEVE McCORMICK
Water Resource Analyst

SM:kw
Enclosures

RECEIVED
DEC 17 1980

RECEIVED

DEC 22 1980

PETERSEN, MOSS & OLSEN

ATTORNEYS AT LAW

485 "E" STREET

IDAHO FALLS, IDAHO 83401

December 16, 1980

GEORGE C. PETERSEN, JR.
REED L. MOSS
DENNIS M. OLSEN
GREGORY P. MEACHAM
WM. CHARLES CARR
EARL BLOWER
STEPHEN D. HALL
ALAN E. BARBER

Department of Water Resources
TELEPHONE
523-4650

Department of Reclamation
Room 107
Statehouse
Boise, Idaho 83720

Gentlemen:

Enclosed herewith is a Claim to a Water Right which we are filing on behalf of Edna Harden Ottina, who resides in Swan Valley, Idaho. Enclosed for this purpose, therefore, is an original and copy of the claim along with our check in the amount of \$10.00 representing the filing fee.

Will you please proceed with the usual publication to establish the claim.

Very truly yours,

PETERSEN, MOSS & OLSEN

Reed L. Moss
Reed L. Moss

RLM/mas
Enclosures

RECEIVED

DEC 20 1980

Department of Water Resources
Eastern District Office

RECEIVED