

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 Francis M. Carter
(Name of Claimant)
3632 Overland Avenue, Burley, ID 83318 Telephone No. 678-7824
(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, 1971

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)
spring 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:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
.05	Quantity <u>30,000 gpd</u>	Use <u>Stock</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 31</u>
	Quantity _____	Use _____	Period of Use From _____	To _____
	Quantity _____	Use _____	Period of Use From _____	To _____
	Quantity _____	Use _____	Period of Use From _____	To _____
	Quantity _____	Use _____	Period of Use From _____	To _____
.05 (4)	<u>30,000 gpd</u>	TOTAL QUANTITY USED.		
	(cfs, gpd, AFA)			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 27 Twp. 15 S. Rge. 23 E.B.M., County of Cassia
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. spring head, pipeline, troughs, water box

(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	
* 15S	23E	27												X			X		

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Watering 100 head of cattle

NOTE: Include here the type and number of stock watered: 100 head of cattle

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

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* From Map & Attachment 1

UNCLASSIFIED

A hand-drawn map on a grid. The grid is composed of solid lines forming large squares and dashed lines forming smaller squares. In the center-right area, there is a small circle labeled 'SPRING'. Below it, there is a small horizontal line with an arrow pointing to it from below, labeled 'TROUGH'.

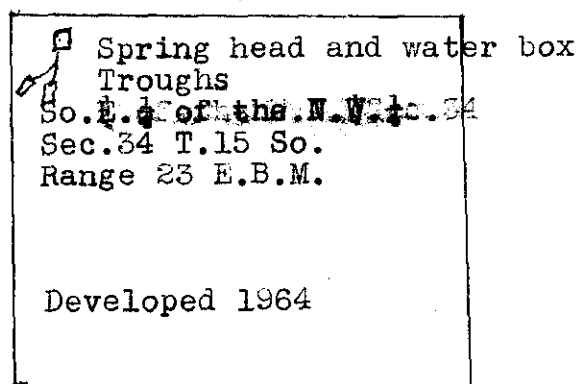
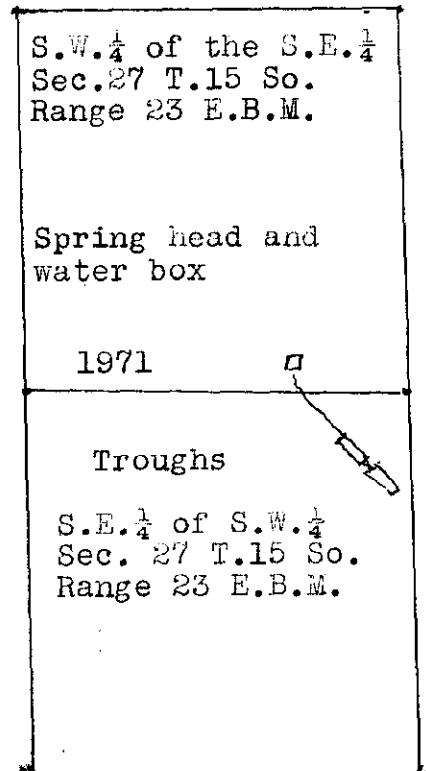
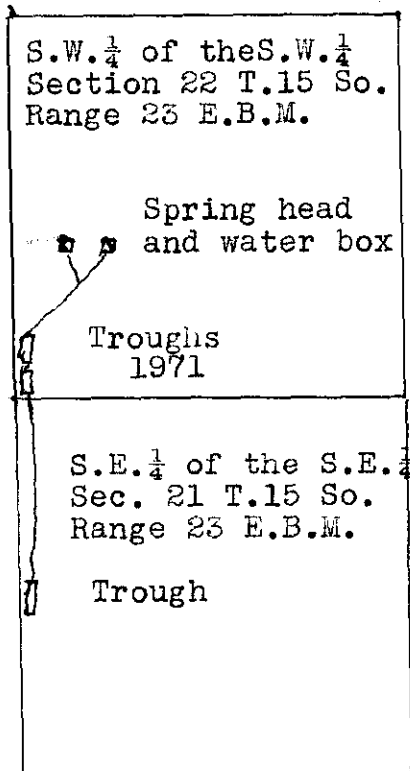
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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.

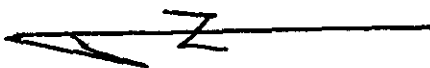
My commission expires 8-23-86

Received by <u>MACY</u>	Date <u>4/12/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JA</u>	Date <u>4/19/83</u>		claimant by:	
\$20.00 fee received by <u>MACY</u>	Date <u>4/15/83</u>	<u>#26195</u>		
Published in <u>South id press</u>				
Dates <u>5/19 & 5/26/83</u>				

Maps to identify location of water from springs that have been developed and piped into troughs by Francis M. Carter for the purpose of watering one hundred head of cattle.



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BEDKE & WHIPPLE
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 349
111 WEST 15TH STREET
BURLEY, IDAHO 83318

HERMAN E. BEDKE
DOUGLAS R. WHIPPLE

AREA CODE 208
TELEPHONE 678-5574

April 11, 1983

Idaho Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301

Re: Claims to Water Right - Francis M. Carter

Dear Sir or Madam

I have enclosed three Claims of Water Right on behalf of Francis M. Carter. I have also enclosed his check in the amount of \$90.00 to cover the cost of filing said claims.

Yours truly


Herman E. Bedke

HEB:jm

Enclosures

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SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

..... Mary Summers, being first
duly sworn, deposes and says that s/he is the

..... Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for two
consecutive weeks, commencing with the issue
dated May 19th 19..... 83, and ending
with the issue dated May 26th 19..... 83.

Mary Summers

Subscribed and sworn to before me
this 3rd day of June
19..... 83.

Kenneth Dunn Notary Public

Cost of Publication \$ 53.30
Notary Fee
Total Cost \$ 53.30

83-127

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:

43-4152

WARD, REUBEN A.
BOX 433, ELBA, ID 83326
Source: ROCKY CANYON trib. to SINKS
Priority Date: 10/15/1954
Diversion Pt: LOT 01 (SENW) Sec 30 T 13S R 25E
Use: IRRIGATION (6.00 CFS) STOCKWATER (0.02
CFS)
In: LOT 01 (NWNW) LOT 02 (SWNW) SENW NESW
Sec 30 T 13S R 25E FOR 86 ACRES

43-4163

COTTLE, ALBERT J.
MALTA, ID 83342
Source: CASSIA CREEK trib. to RAFT RIVER
Priority Date: 10-30-1917
Diversion Pt: SESE Sec 11 T 13S R 26E
Use: IRRIGATION (0.06 CFS)
In: SWNW Sec 12 T 13S R 26E FOR 2.75 ACRES

45-4181

CURTIS, BURDELL
338 W. 13th, BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1910
Diversion Pt: SENW Sec 06 T 11S 25E
Use: STOCKWATER (0.02 CFS)
In: SENW Sec 06 T 11S R 25E

45-4180

CARTER, FRANCIS M.
3632 OVERLAND AVE., BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1964
Diversion Pt: SENW Sec 34 T 15S R 23E
Use: STOCKWATER (0.05 CFS)
In: SENW Sec 34 T 15S R 23E

45-4179

CARTER, FRANCIS M.
3632 OVERLAND AVE., BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1971
Diversion Pt: SWSW Sec 22 T 15S R 23E
Use: STOCKWATER (0.05 CFS)
In: SESE Sec 21 T 15S R 23E SWSW Sec 22 T 15S R
23E

45-4178

CARTER, FRANCIS M.
3632 OVERLAND AVE., BURLEY, ID 83318
Source: SPRING trib. to SINKS
Priority Date: 04/01/1971
Diversion Pt: SWSE Sec 27 T 15S R 23E
Use: STOCKWATER (0.05 CFS)
In: SESW SWSE Sec 27 T 15S R 23E

45-4177

ADAMS, KYLE
OAKLEY, ID 83346
Source: LITTLE COTTONWOOD CREEK trib. to SINKS
Priority Date: 04/01/1961
Diversion Pt: NWSW Sec 01 T 14S R 21E
Use: IRRIGATION (2.60 CFS)
In: NESW NWSW SWSW SESW NWSE SWSE Sec 19 T
13S R 22E NENW NWNW SWNW SENW NWSW Sec 30
T 13S R 22E FOR 367 ACRES

45-4176

FUNK, MARTIN M.
RT. 2 BOX 2042, BURLEY, ID 83318
Source: GROUNDWATER
Priority Date: 04/15/1962
Diversion Pt: SESW Sec 02 T 11S R 21E
Use: IRRIGATION (0.23 CFS)
In: SWSE Sec 02 T 11S R 21E FOR 13 ACRES

Any exception to any claim of water right may
be filed with the Director of the Idaho Department
of Water Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301.

A. KENNETH DUNN
Director

Published in the South Idaho Press May 19 and
26, 1983

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3572

JUNE 14, 1983

POOR QUALITY ORIGINAL

FRANCIS M. CARTER
3632 OVERLAND AVE.
BURLEY

ID 83318

RE: Claim No. 45-4178

Dear Claimant:

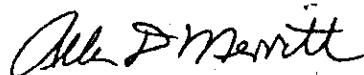
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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,



ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

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45-4128-

CARTER, FRANCIS M.

3632 OVERLAND AVE., BURLEY, ID 83318

Source: SPRING trib. to SINKS

Priority Date: 04/01/1971

Diversion Pt: SWSE Sec 27 T 15S R 23E

Use: STOCKWATER (0.05 CFS)

In: SESW SWSE Sec 27 T 15S R 23E

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 5/19 & 5/26.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 6, 1983

South Idaho Press
P.O. Box 190
Burley, Idaho 83318

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 galley 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 billing to this office before JUNE 6, 1983.

Yours truly,

Mary R. Newby
Secretary

Encl.

RECEIVED