

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



AMENDED

CLAIM TO A WATER RIGHT

AMENDED

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 E. D. or Eva M. Saxton
(Name of Claimant)
Rt. #1, Box 77, Downey, ID 83234 Telephone No. 897-5190
(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) March 20, 1913

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)
Stream tributary to Peck Creek

(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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
0.04 cfs		irrigation		4/1	11/1
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
Quantity		Use		Period of Use From	To

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ NE ¼, Sec. 5 Twp. 11S Rge. 37E B.M., County of Bannock
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.
Headgate to ditch for fllood irrigation, 1978 develoned
sprinkler system from ditch and stream

(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	
11S	37E	5			1.5														1.5

No. of acres 1.5

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:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



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Notice is hereby given that E.D. Saxton or Eva M. Saxton
(Name of Claimant)
Rt 1 Box 77, Downey Idaho 83234 Telephone No. 897-5190
(Mailing Address) (Zip Code)

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(1) Date of priority: (When was the water first applied to a beneficial use) March, 20, 1914

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)
Stream tributary to Peck Creek

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</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

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4, Sec. 5 Twp. 11S Rge. 37E B.M., County of Bannock
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. Headgate to ditch for flood irrigation, 1978 developed sprinkler system from ditch and stream

(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	
11S	37E	5			1.5														1.5

No. of acres 1.5

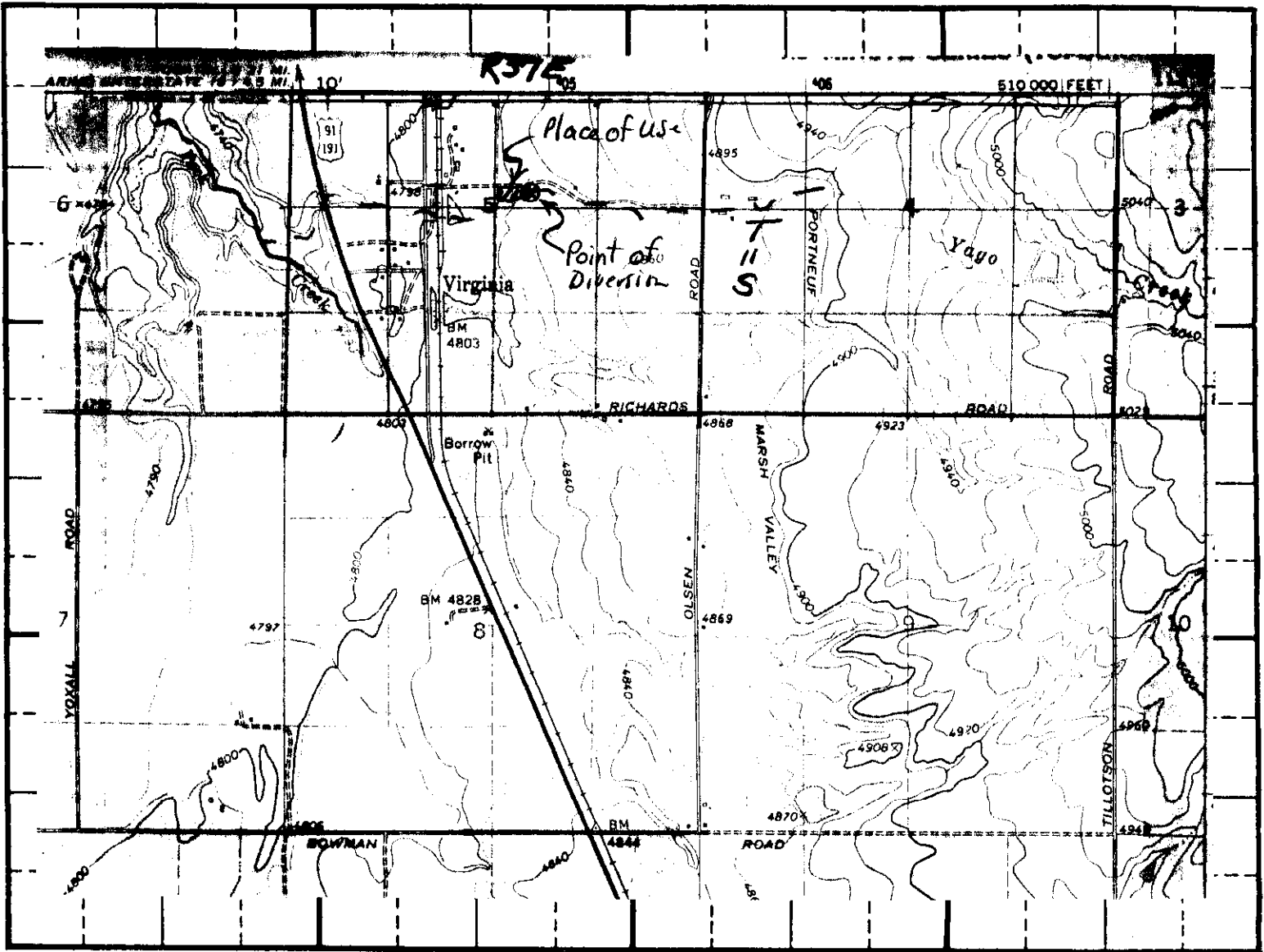
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

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(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)
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 6th day of April, 1983.

Eva M. Saxon
(Claimant)

Colleen Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6-15-85

ASSISTED BY Kcw 4-1-83 FOR DEPARTMENT USE ONLY
Received by _____ Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWJ Date 4/7/83 claimant by: _____
\$30.00 fee received by BP Date 4/6/83 #28003
Published in Idaho State Journal
Dates 4/21 & 4/28/83

MICROFILMED

58 1051

RECEIVED

} SS.

JUN 6 1983

Jeri Larsen Department of Water Resources
Eastern District Office

May 26	1983		19
June 2	1983		19
	19		19
	19		19
	19		19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 3rd

day of June, 1983

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

JUN 6 1983

Department of Water Resources
Eastern District Office

being first duly sworn on oath deposes and says: That _____
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

_____, 19____, _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____

NOTICE OF AMENDED CLAIM TO A WATER RIGHT NO. 29-4321

Notice is hereby given that Claim to a Water Right No. 29-4321 in the name of E.D. or Eva M. Saxton, Downey, Idaho, was filed with a priority date of March 20, 1914 for the diversion and application to beneficial use of 0.04 cfs of water from an unnamed stream source tributary to Peck Creek with the point of diversion within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T. 11S, R. 37E, B.M. Bannock County; the water is claimed to be used from 4-1 to 11-1 for the irrigation of 1.5 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T. 11S, R. 37E, B.M.

The claimant now proposes to amend Claim No. 29-4321 amending the priority date to March 20, 1913.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

S/A. KENNETH DUNN
Director
May 26, June 2, 1983
No. 952

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Subscribed and sworn to before me this _____

day of _____, 19____

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

MAY 2 1983

Department of Water Resources
Eastern District Office

Jeri Larsen

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed
on water right(s) created by diversion
and beneficial use:

29-4328

GILBERT, ERVIN
DOWNEY, ID 83234
Source: SPRINGS trib. to SINKS
Priority Date: 04-01-1934
Diversion Pt: SESE Sec 30 T 10S R 37E
Use: IRRIGATION (2.00 CFS)
In: NWNW SWNW NWSW Sec 29 T 10S
R 37E NENE SWNE SENE NESE
NWSE SWSE SESE Sec 30 T 10S R 37E
FOR 158 ACRES

29-4327

GEBHARDT, LAURENCE P. &/or
JANIE S.
37 AILEEN DR., MADISON, CT 06443
Source: GROUNDWATER
Priority Date: 08-14-1951
Diversion Pt: SESE Sec 09 T 06S R 34E
Use: DOMESTIC (0.08 CFS)
In: SESE Sec 09 T 06S R 34E

29-4324

GILBERT, ERVIN
DOWNEY, ID 83234
Source: UNNAMED STREAM trib. to
PECK CREEK
Priority Date: 04-01-1950
Diversion Pt: NESE Sec 06 T 11S R 37E
Use: IRRIGATION (0.50 CFS)
In: NWNE Sec 06 T 11S R 37E FOR 25
ACRES

29-4323

BENNETT FARMS
BOX 59, DOWNEY, ID 83234
Source: UNNAMED STREAM trib. to
PECK CREEK
Priority Date: 04-14-1913
Diversion Pt: SWSE Sec 05 T 11S R 37E
Use: IRRIGATION (1.70 CFS)
In: SWNE NESW SESW NWSE SWSE
Sec 05 T 11S R 37E FOR 100 ACRES

29-4322

BENNETT FARMS
BOX 59, DOWNEY, ID 83234
Source: SPRINGS trib. to PECK
CREEK
Priority Date: 04-14-1913
Diversion Pt: SWNE Sec 05 T 11S R 37E
Use: IRRIGATION (0.10 CFS)
In: SWNE Sec 05 T 11S R 37E FOR 5
ACRES

29-4321

SAXTON, E.D. &/or EYAN M.
RT. 1, BOX 77, DOWNEY, ID 83234
Source: UNNAMED STREAM trib. to
PECK CREEK
Priority Date: 03-20-1914
Diversion Pt: SWNE Sec 05 T 11S R 37E
Use: IRRIGATION (0.04 CFS)
In: SWNE Sec 05 T 11S R 37E FOR 2
ACRES

29-4320

BENNETT FARMS
BOX 59, DOWNEY, ID 83234
Source: UNNAMED STREAM trib. to
PECK CREEK
Priority Date: 04-01-1930
Diversion Pt: NESE Sec 06 T 11S R 37E
Use: IRRIGATION (0.50 CFS)
In: SWNE SENE NESE Sec 06 T 11S R
37E FOR 25 ACRES

29-4319

MCPHERSON, DAVID JAMES &/or
CATHY LEE
RT. 1, BOX 42, POCATELLO, ID 83201
Source: GROUNDWATER
Priority Date: 06-15-1947
Diversion Pt: SWNW Sec 16 T 06S R 34E
Use: IRRIGATION (0.03 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 16 T 06S R 34E FOR 4
ACRES

Exceptions to a claim may be filed with
the Director, Dept. of Water Resources.

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

April 21	1983	19
April 28	1983	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Subscribed and sworn to before me this

29th

day of April, 19 83

Notary Public, State of Idaho

Residence: Pocatello, Idaho

MICROFILMED

June 24, 1983

RE: Amended Claim to a Water Right No. 29-4321

E.D. or Eva M. Saxton
Rt. #1 Box 77
Downey, ID 83234

Dear Mr. & Mrs. Saxton:

The Department of Water Resources has completed the processing of your amended 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 or the court.

As you are aware, the filing of your amended 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 amended 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 amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

MICROFILMED

May 24, 1983

RE: Amended Claim to a Water Right No. 29-4321 SAXTON
No. 29-4340 FOLTZ

Mr. Thomas Bloxham, Watermaster
Water District No. 29
Downey, ID 83234

Dear Mr. Bloxham:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 29-4321

Notice is hereby given that Claim to a Water Right No. 29-4321 in the name of E.D. or Eva M. Saxton, Downey, Idaho, was filed with a priority date of March 20, 1914 for the diversion and application to beneficial use of 0.04 cfs of water from an unnamed stream source tributary to Peck Creek with the point of diversion within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T. 11S, R. 37E, B.M. Bannock County; the water is claimed to be used from 4/1 to 11/1 for the irrigation of 1.5 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T. 11S, R. 37E, B.M.

The claimant now proposes to amend Claim No. 29-4321 amending the priority date to March 20, 1913.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoun Ave., Suite 15, Idaho Falls. Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Idaho State Journal on 5/26 & 6/2/83.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

Amended

INITIAL REVIEW BY: *HWJ*

Right Number *29-4321*

Applicant *Saxton*

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By *Ernest Carlson* Date *June 22, 1983*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *RC* Date *7/12/83*

June 13, 1983

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RECEIVED
JUL 12 1983

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

1 ASHLEIGH BLVD.

John V. Evans
Governor

150 Sycup
Idaho Falls, Idaho 83401
(208) 325-7161

Kenneth Dunn
Director

May 2, 1983

RE. 29-4321

Eva M. Saxton
Rt.#1, Box 77
Downey, ID 83234

Dear Mrs. Saxton:

For your convenience a typed claim to a water right with a March 20, 1983 priority is enclosed.

Please review the claim and sign in front of a notary, and return to this office as soon as possible. (No filing fee is necessary).

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:jk

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

April 18, 1983

RE: Amended Claim to a Water Right No. 29-4156 SMITH
Claim to a Water Right No. 29-4320 BENNETT
29-4321 SAXTON
29-4322 BENNETT
29-4323 BENNETT
29-4324 GILBERT

Tom Bloxham, Watermaster
Water District No. 29
Downey, ID 83234

Dear Mr. Bloxham:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure (6)

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 29 4321 Applicant Saxton

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.
UD #23

May 9, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date May 10, 1983

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____

MICROFILMED

29-4321

SAXTON, E.D. &/or EVA M.

RT. 1, BOX 77, DOWNEY, ID 83234

Source: UNNAMED STREAM trib. to PECK CREEK

Priority Date: 03/20/1914

Diversion Pt: SWNE Sec 05 T 11S R 37E

Use: IRRIGATION (0.04 CFS)

In: SWNE Sec 05 T 11S R 37E FOR 2 ACRES

57 29-4321
58 SAXTON, E.D. &/or EVA M.
59 RT. 1, BOX 77, DOWNEY, ID 83234
60 Source: UNNAMED STREAM trib. to
61 PECK CREEK
62 Priority Date: 03-20-1914
63 Diversion Pt: SWNE Sec 05 T 11S R 37E
64 Use: IRRIGATION (0.04 CFS)
65 In: SWNE Sec 05 T 11S R 37E FOR 2
66 ACRES
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