

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 E.D. 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) June 20, 1960

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 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>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</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

(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. Collection box with distribution line to single domestic home

(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.

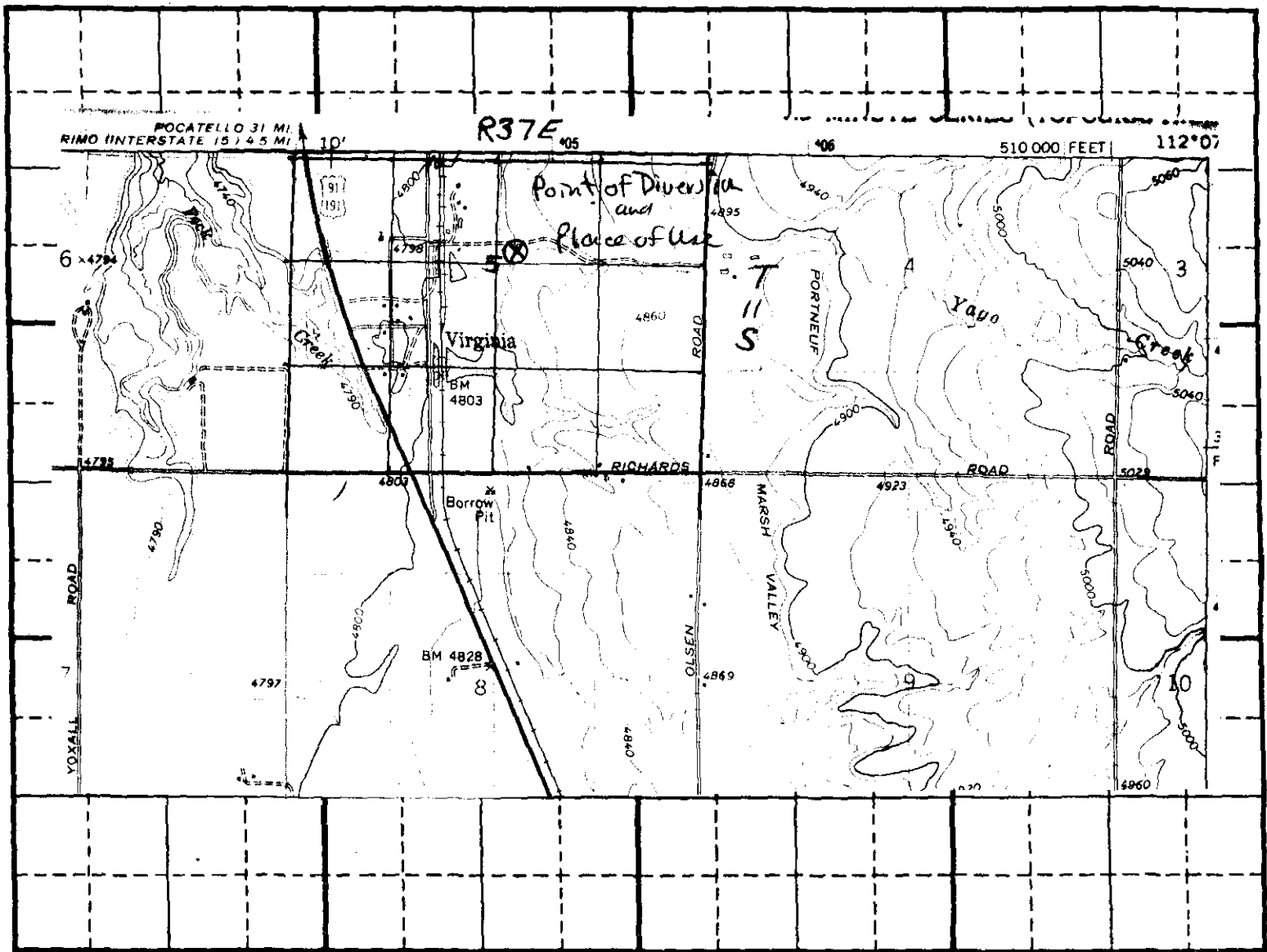
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	37E	5			X														

No. of acres

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

NOTE: Include here the type and number of stock watered:
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)
County of Bingham) 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 1st day of April, 1983.

E. D. Layton
(Claimant)

Donald J. Carter
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/84

Assigned by Kaw 4-1-83

FOR DEPARTMENT USE ONLY

Received by HWS Date 4-01-83
Check by KCW Date 4-01-83
\$30.00 fee received by KCW Date 4-01-83
Furnished in Idaho State Journal #25589
Dates 4/14 - 4/21/83

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

being first duly sworn on oath deposes and says: That she
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:

<u>April 14</u>	<u>, 1983</u>	<u> </u>	<u>, 19</u>
<u>April 21</u>	<u>, 1983</u>	<u> </u>	<u>, 19</u>
<u> </u>	<u>, 19</u>	<u> </u>	<u>, 19</u>
<u> </u>	<u>, 19</u>	<u> </u>	<u>, 19</u>
<u> </u>	<u>, 19</u>	<u> </u>	<u>, 19</u>

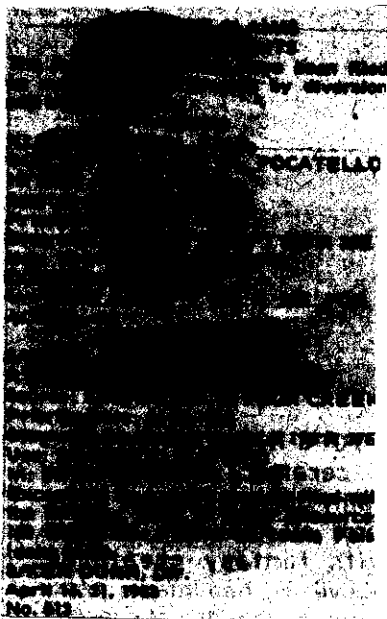
That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 22nd

day of April, 1983

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILM

RECEIVED
L. R. 22 1983
Department of Water Resources
Eastern District Office

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4318

KLIMBACH, CARL PAUL
BOX 217, RT. 3 SOUTH, POCATELLO
ID 83204

Source: GROUNDWATER
Priority Date: 04-01-1953
Diversion Pt: SESE Sec 21 T 07S R 35E
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SESE Sec 21 T 07S R 35E FOR
ACRES

29-4317

SAXTON, E.D.
RT. 1, BOX 77, DOWNEY, ID 83234
Source: SPRING trib. to PECK CREEK
Priority Date: 06-20-1960
Diversion Pt: SWNE Sec 05 T 11S R 37E
Use: DOMESTIC (0.04 CFS)
In: SWNE Sec 05 T 11S R 37E
Exceptions to a claim may be filed with
the Director, Dept. of Water Resource
150 Shoup Ave., Suite 15, Idaho Falls
Idaho 83402
S/KEN DUNN, Dir.
April 14, 21, 1983
No. 813

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____

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 2, 1983

E.D. SAXTON
RT. 1, BOX 77
DOWNEY

ID 83234

RE: Claim No. 29-4317

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
MAY 12 1983

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 29 4317 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 May 5, 1983

May 2, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By tw Date 5/12/83

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 6, 1983

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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 MAY 2, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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NOTICE OF CLAIMS TO WATER RIGHTS

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

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 4/14 & 4/21/83.

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29-4317

SAXTON, E.D.

RT. 1. BOX 77. DOWNEY. ID 83234

Source: SPRING trib. to PECK CREEK

Priority Date: 06/20/1960

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

Use: DOMESTIC (0.04 CFS)

In: SWNE Sec 05 T 11S R 37E

18 29-4317
19 SAXTON, E.D.
20 RT. 1. BOX 77. DOWNEY. ID 83234
21 Source: SPRING trib. to PECK CREEK
22 Priority Date: 06-20-1960
23 Diversion Pt: SWNE Sec 05 T 11S R 37E
24 Use: DOMESTIC (0.04 CFS)
25 In: SWNE Sec 05 T 11S R 37E
26 Exceptions to a claim may be filed with
27 the Director, Dept. of Water Resources,
28 150 Shoup Ave., Suite 15, Idaho Falls,
29 Idaho 83402
30 S/KEN DUNN, Dir.
31 April 14, 21, 1983
32 No. 813
33 <o<o<o<o

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