

Identification No. 29 4016 P

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Rex E. Heddon
post office address Bancroft Idaho.

2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 26 Township 6 S
Range 38 E B.M. located on un-named Springs (name of source)
tributary to To Ponce Creek in Car. ben County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

may 1955 amount: 2.8 c.f.s. or _____ acre feet
may 1900 amount: .1 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 2.9 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from April 1 to Oct 31 (both dates inclusive)
use Stock watering period of use from Jan 1 to Dec 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch _____
The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 100 head
Beef Cattle

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

This Claim is to record the water right
from three springs developed on our
property. ~~There~~ There locations are
as follows # 1 NE 1/4 SW 1/4 Section 26
2 NW 1/4 SE 1/4 Section 26
3 NW 1/4 SE 1/4 Section 26
All of Twp 6 S Rng 38 E

State of Idaho }
County of Caribou } 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 affiants knowledge.

Sworn to before me this 19th day of April, 1922.

G. E. Hubelson
Claimant

Norman C. Young
Notary Public
Residing at Idaho Falls

My commission expires 6-10-25

For Department Use Only

Received by <u>Bj</u> Date <u>4-28-72</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>NCY</u> Date <u>4/28/72</u>			
Fee received by <u>Bj</u> Date <u>4-28-72</u> Fee \$ <u>11.00 #1257</u>			
Approved for publication by <u>NCY</u>			
Published in <u>Caribou City Sun</u> Dates <u>5-4-11-72</u>			

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

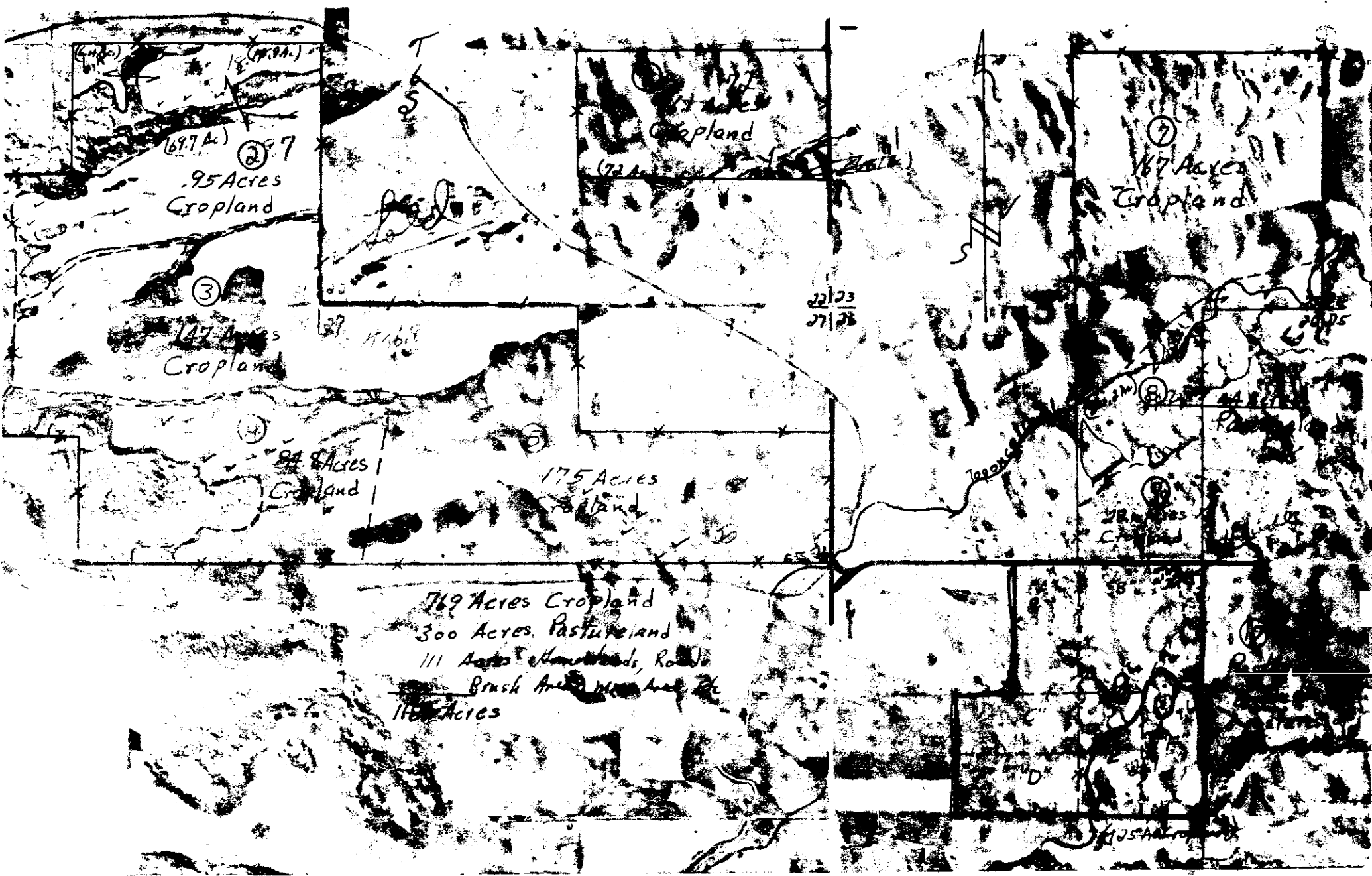
Caribou

Idaho

FARM NO. DATE 3/70
SCALE 4" = 1/4 MILE ACRES 1180
PHOTO NO. APPROXIMATE

R 38E

Reed Heddon



MAY 31 1972

Department of Water Administration
Eastern District Office

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 794016**

Notice is hereby given that Rex E. Hebdon, Bancroft, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 2.9 cubic feet per second of water from unnamed springs, tributary to Toponce Creek with point of diversion in the NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 26, T. 6S, R. 38E, B.M., Caribou County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 400 head of cattle, and from Apr. 1 to Oct. 31 for the irrigation of 140 acres with a priority of May, 1955 (2.8 c.f.s.) and May, 1800 (0.1 c.f.s.). The place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 26, T. 6S, R. 38E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho on May 4 and May 11, 1972.

**Affidavit of
Publication**

County of Caribou }
State of Idaho } ss.

V. E. Lansberry.....

being first duly sworn on his oath, states:

That he is ..publisher.... of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any

supplement thereof for ..two... successive weekly issues thereof, the date of the first publication

being the 4th..... day

of May....., 19..72

The date of the last publication

being the 11th..... day of

.....May....., 19..72

V. E. Lansberry
Subscribed and sworn to be

fore me this 26th..... day

of May....., 19..72

E. Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of November.....

19..74.

29 4016

June 16, 1972

Re: Claim to a Water Right No. 29-4016

Rex E. Hebdon
Bancroft,
Idaho 83217

Dear Mr. Hebdon:

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 or 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,

Donald W. McEldowney
Water Rights Supervisor
State Office

DWM:CR

Enc: copy

bcc: Idaho Falls District Office
240 South Holmes
Idaho Falls, Idaho

29 4016

RECEIVED

MAY 25 1972

Department of Water Administration

May 25, 1972

Re: Claim to a Water Right No. 29-4016

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Will you please submit an affidavit of publication and certified bill in connection with the above referenced claim. The legal notice was to have been published in your newspaper on May 4 and 11, 1972.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

29 4016

April 28, 1972

Re: Claim No. 29-4016 - Rex E. Hebdon

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

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 our 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 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. 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:BJ
Enc: Legal notice

Bill submitted 6-15-72. ck

29 4016

STATEMENT

Caribou County Sun

PRINTERS - PUBLISHERS

OFFICIAL NEWSPAPER FOR COUNTY OF CARIBOU,
CITIES OF SODA SPRINGS, GRACE AND BANCROFT

Soda Springs, Idaho 83276

June 1, 1972

Notice of Claim--Water right

Rex Hebdon

Bancroft

Publish May 4 & 11

"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."

V. E. Lansberry
V. E. Lansberry

Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Attn: Norman C. Young

29 4016

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NO. 29-4016

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~~XXXXXX~~ with a priority of May, 1955 (2.8 c.f.s.) and May, 1800 (0.1 c.f.s.).

The place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26, T. 6S, R. 38E, B.M.

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R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho
on May 4 and May 11, 1972.

Neg 29-4016

April 28, 1972

Mr. Rex E. Hebdon
Bancroft, ID 83217

Dear Mr. Hebdon:

Attached herewith is departmental Receipt No. 7287 in the amount of \$10 for your
Claim to a Water Right which was received in this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BJ

Attachment