

Claim No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that John Q. Riches
(name of claimant)
of 280 W. Center St., Smithfield, Utah 84335, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed spring
_____, tributary to, Battle Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|----------------------|-------------------------------|--|
| Amount <u>0.26</u> | Use <u>Irrigation</u> | Period of Use: From <u>Apr. 1</u> To <u>Nov. 1</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm
or a/f) | (dom., irri.,
stock, etc.) | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.26 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1902

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 13 Twp. 13S Rge. 39E B.M. County of Franklin
 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. Diversion dam and ditch

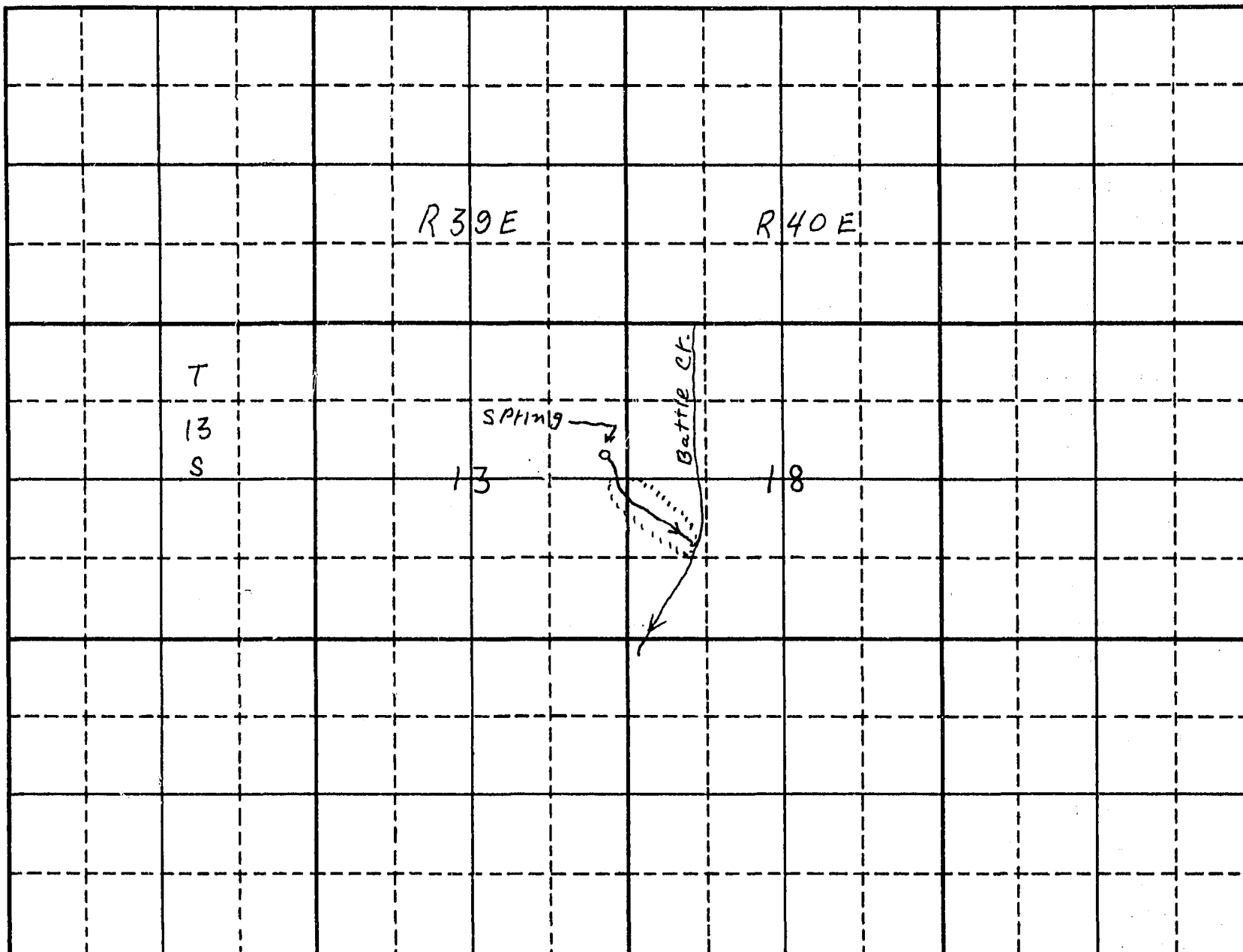
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 13

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) 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 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 affiants knowledge.

John L. Riches
(Claimant)

Sworn to before me this 2nd day of June, 1975.

Loren O. Halmer
Notary Public

Residing at Idaho Falls, Idaho

My commission expires March 26, 1979

For Department Use Only

Received by <u>OW</u>	Date <u>6-02-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J-7</u>	Date <u>6-02-75</u>		claimant by:	
\$10.00 fee received by <u>OW</u>	Date <u>6-02-75</u>			
Approved for publication by <u>OW</u>	<u>7-08-75 #4267</u>			
Published in <u>The Preston Citizen</u>				
Dates <u>June 12 & 19, 1975</u>				

No 2966

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co. published* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 12, 19 *75*, and ending with the issue of *June 19*, 19 *75*

Fees, \$ *12.58*

Subscribed and sworn to before me this *7* day

of *July*, 19 *75*.

William D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19 *78*.

RECEIVED

JUL 8 1975

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4027

Notice is hereby given that John Q. Riches, Smithfield, Utah, has filed a claim to a water right established by diversion and application to beneficial use of 0.26 cubic feet per second of water from an unnamed spring tributary to Battle Creek, with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 13S, R. 39E, B.M., Franklin County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 13 acres with a priority of 1902; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 13S, R. 39E, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 13S, R. 40E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on June 12 and June 19, 1975.

Legal NO. 2966 - Pub. June 12, 19, 1975.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4027

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Franklin County.

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the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 13S, R. 39E,
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 13S, R. 40E, B.M.

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on June 12 and June 19, 1975

*CW-L
CW-M
CW-A*

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R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on June 12 and June 19, 1975.

Legal NO. 2966 — Pub.
June 12, 19, 1975.

June 4, 1975

RE: Application for Transfer No. 13-2242 WARD
Claim to a Water Right No. 13-4027 RICHES
Claim to a Water Right No. 13-4028 BAKER
Application for Permit No. 13-7116 HART

The Preston Citizen
Box 472
Preston, ID 83263

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 time for you to submit us a galley proof for 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. 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.

Very truly yours,

RONALD D. CARLSON
District Engineer

Bill submitted _____ by _____

RDC:MB

Enc: Legal Notice (4)

no bill

June 30, 1975

RE: Application for Transfer No. 13-2242 Ward
Claim to a Water Right No. 13-4027 Riches
Claim to a Water Right No. 13-4028 Baker
Application for Permit No. 13-7116 Hart

The Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on June 12 and June 19, 1975.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Called 7/7/75

July 7, 1975

C

RE: Application for Transfer No. 13-2242 Ward
Claim to a Water Right No. 13-4027 Riches
Claim to a Water Right No. 13-4028 Baker
Application for Permit No. 13-7116 Hart

O

The Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

P

Enclosed please find the publication bill which you submitted for the above referenced applications. However, we have not received the affidavits of publication so we are returning it so these documents can be included.

Thank you for your cooperation in this matter.

Y

Very truly yours,

MECHELLE BUTTE
Senior Clerk

Enclosure

July 8, 1975

RE: Claim to a Water Right No. 13-4027

Mr. John Q. Riches
280 W. Center St.
Smithfield, Utah 84335

Dear Mr. Riches:

The Department of Water Resources had 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,

RONALD D. CARLSON
District Engineer

RDC:MB

Enc: Copy of claim

