

Claim No.

Section 42-225a, Idaho Code

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 Ernest Gregersen

(name of claimant)

Banida, Idaho 83264

(mailing address)

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 drain _____, tributary to; Oxford Slough Drain

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right

Amount 1.60 Use irrigation Period of Use: From Apr. 1 To Nov. 1

Amount	Use	Period of Use: From	To

Amount _____ Use _____ Period of Use: From _____ To _____

(cfs, gpm
cu-ft)

(dom., irri.,
stock, etc.)

(both dates inclusive)

- (3) Total quantity of water claimed: 1.60 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) Apr. 15, 1970

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11 Twp. 14S Rge. 38E B. M. County of Franklin

Additional points of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 14S, R. 38E, B.M.

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field,

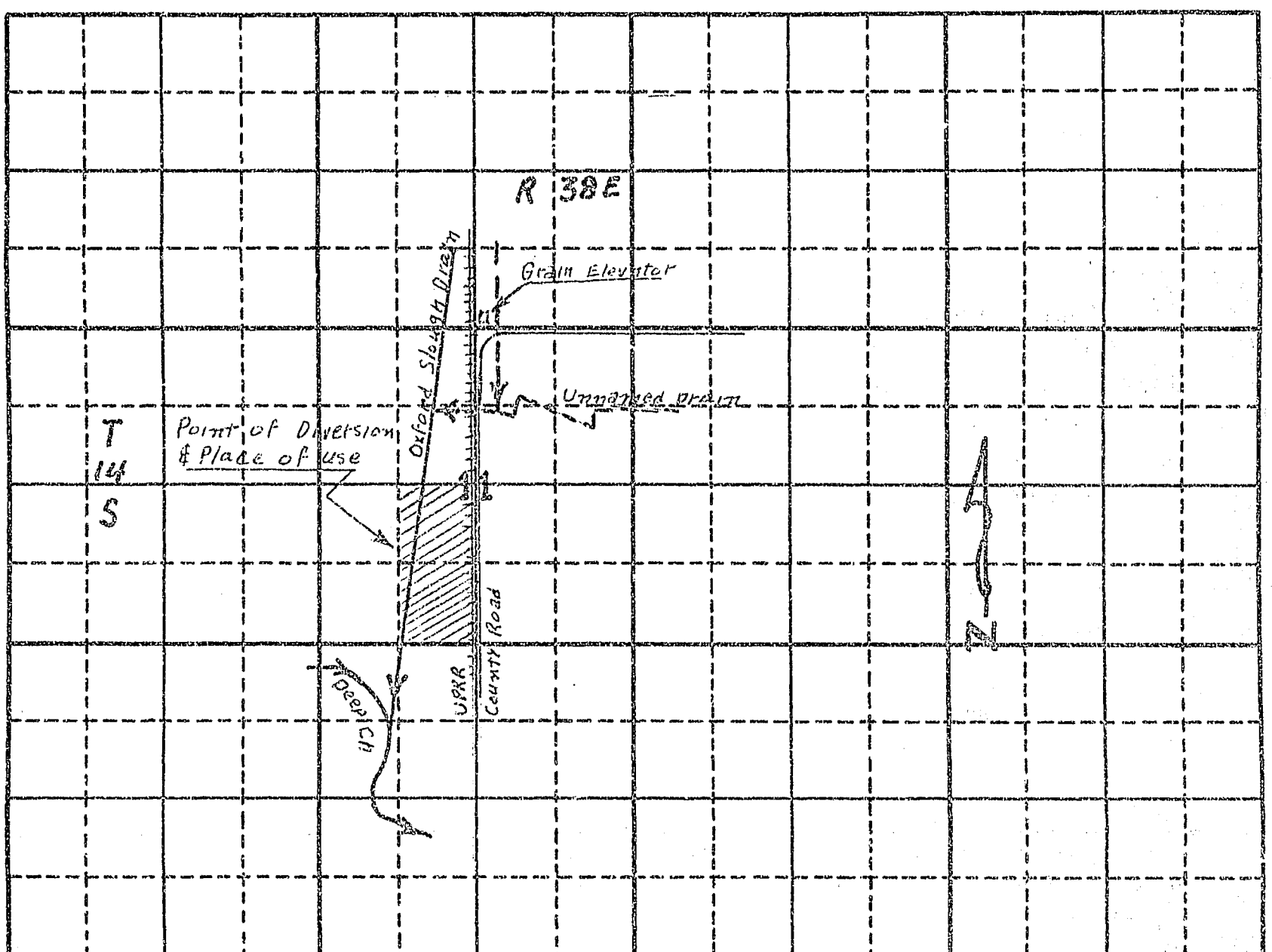
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is

00

- 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 Water from the unnamed drain flows into the Oxford Slough Drain from which it is pumped for irrigation of the land described. The drain is part of drainage district No. 3.



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 Franklin) 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.

Ernest Hegerberg
(Claimant)

Sworn to before me this 19th day of February, 19 76.

Connie Westover
Notary Public
Residing at Preston, Idaho

Bond
My commission expires 7/3/78

For Department Use Only

Received by <u>AW</u>	Date <u>2-25-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AW</u>	Date <u>2-25-76</u>		claimant by:	
\$10.00 fee received by <u>AW</u>	Date <u>2-25-76</u>			
Approved for publication by <u>ms</u>	Date <u>3-24-76</u>			
Published in <u>the Preston Citizen</u>				
Dates <u>3-4 - 3-11-1976</u>				

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Franklin

 being duly sworn,

deposes and says:

That he is the *Co - publisher* 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 of 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

..... March 4, 1976, and ending
with the issue of March 11, 1976.

Fee \$.....12.21.....

Subscribed and sworn to before me this23..... day
ofMarch....., 19..26..,

Robert D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 1978

[illegible]



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

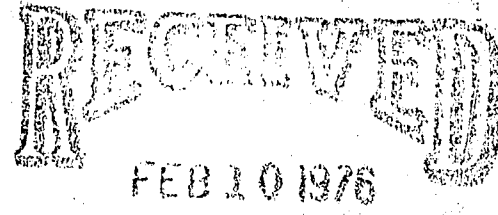
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

February 3, 1976



Department of Water Resources
Eastern District Office

Mr. Phil Wykle
429 South Main
Logan, Utah 84321

Originally requested form

Dear Mr. Wykle:

Pursuant to our telephone conversation this day, please find enclosed an application for permit and a claim to a water right form with instructions.

The statutory filing fee for a claim is \$10.00. The filing fee for an application, assuming that you are filing on one inch per acre for 80 acres is \$35.00. The Idaho Code limits the rate of diversion to one-inch per acre unless otherwise justified such as sandy soils determined by Soil Conservation experts. It is allowable to have one-inch per acre from a ground-water source and one-inch per acre from a surface source.

If we can be of further assistance, please feel free to contact this office.

Very truly yours,

Bill Rhoads

BILL RHOADS
Regional Planner

BR:cw

Enclosures

C
O
P
Y

February 12, 1976

Mr. Ernest Gregersen
Banida
Idaho 83264

Dear Mr. Gregersen:

We are unable to accept your claim to a water right because it was not submitted in correct form for processing. From the information given we have prepared a claim to a water right form which is enclosed, along with your check No. 92-171 in the amount of \$10.00.

Please inspect the claim carefully and if it meets with your approval, sign it before a notary public and return it to this office with the statutory \$10.00 filing fee.

If you have any questions about your claim, please do not hesitate to contact us.

Very truly yours,

LOREN O. HOLMES
Assistant Regional Supervisor

RECEIVED

FEB 25 1978

Department of Water Resources
Eastern District Office

Bonita, Ida.
Feb 24, 1976

Loren Holmes
Idaho Falls, Ida.
Dear Sir;

Thank you for
making up this form
and for the
assistance given
in getting this water
filing prepared.

Do I get a copy of
the filing when every-
thing is completed?

Thank you
Ernest Egerman

February 26, 1976

RE: Claim to a Water Right No. 13-4032

Mr. Ernest Gregersen
Banda,
Idaho 83264

Dear Mr. Gregersen:

Attached herewith is departmental receipt No. 15645 in the amount of \$10.00
for the above referenced claim to a water right.

Very truly yours,

RONALD B. CARLSON
Supervisor,
Eastern Region

RDC:CH

Attachment

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4032

Notice is hereby given that Ernest Gregersen,

Banida, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.60 cubic feet per second ~~XXXXXXXXXXXX~~

of water from an unnamed drain tributary to Oxford Slough Drain

with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 14S, R. 38E,

S.M., Franklin County

The water is claimed to be used from Apr. 1 to Nov. 1 for the

irrigation of 80 acres

with a priority of Apr. 15, 1970 ;

the place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 11, T. 14S, R. 38E, S.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 March 4 and March 11, 1976

February 27, 1976

RE: Claim to a Water Right No. 13-4032 GREGERSEN
Application for Permit No. 13-7128 PORTER

The Preston Citizen
Box 472
Preston, Idaho 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
Supervisor,
Eastern Region

Bill submitted 3-24-76 by (CW)

RDC:CM

Enc: Legal Notice (2)

March 22, 1976

RE: Application for Permit No. 13-7128 PORTER

Claim to a Water Right No. 13-4032 GREGERSEN

The Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on March 4 and March 11, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CH

cc: IDWR - State Office

March 24, 1976

RE: Claim to a Water Right No. 13-4032

Mr. Ernest Gregersen
Banida, Idaho 83264

Dear Mr. Gregersen:

The Department of Water Resources 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,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

Enc: Copy of Claim

