

Claim No. 13 4068

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 Dee L. Andreasen and Etheleen L. Andreasen
(name of claimant)
of Star Rte. Box 41 Preston, Idaho 83263 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) Burton (2) and
and Ransom (1) springs, tributary to, excess flows into Cottonwood 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: 100 gal. per min.
D-22 Amount more or Use domestic Period of Use: From Jan. 1 1947 To Dec. 31 present
C/L5. Amount less 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: all cubic feet per second, or acre feet per annum, and/or 100 gal. gallons per minute. more or less

- (4) Priority claimed: (the date water was first applied to beneficial use) 1947

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)
NE ¼ NW ¼, Sec. 9 Twp. 13 S Rge. 40 E B.M. County of Franklin
Additional points of diversion: (2) 2½ inch pipe, about 600 ft. to holding tank distributed through 3 to 1 inch lines for domestic and stock use to four locations.
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. above

- (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.

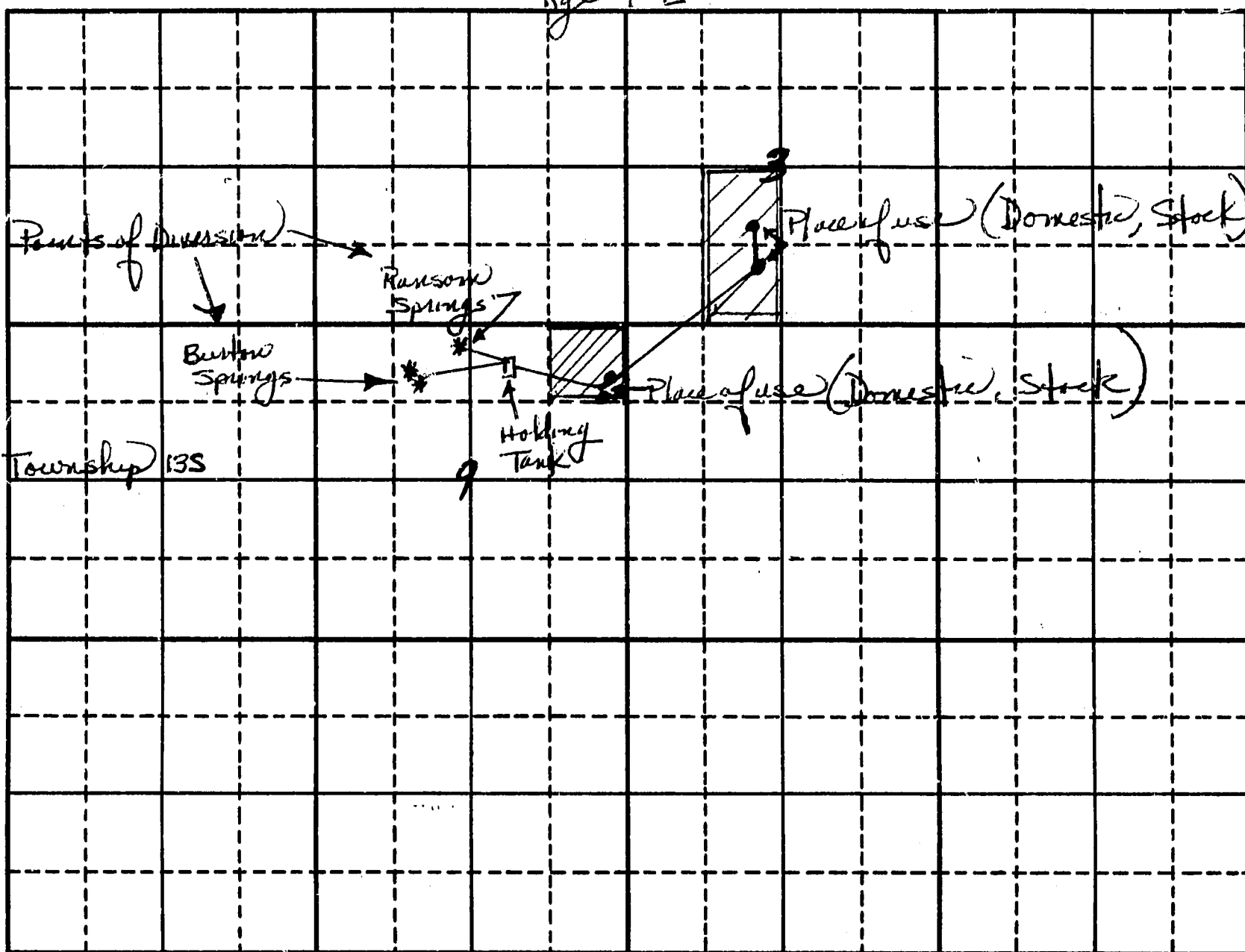
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	40E	3									X			X					
		9	X																

Total No. of acres

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: domestic and stock use at place of residence

- (7) If you are claiming water as a member of an organization, list name of organization:

- (8) Remarks I am enclosing a ASC photo map showing the springs,
pipeline and locations of use hoping this will be self
explanatory. Also enclosed is a letter from former owners of
said tract of land and users of the water.



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)
) ss.
 County of Caribou)

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 9th day of

Sec. R. Anderson & the late R. Anderson
 (Claimant)

December, 19 77.

Eddie Dean Porter

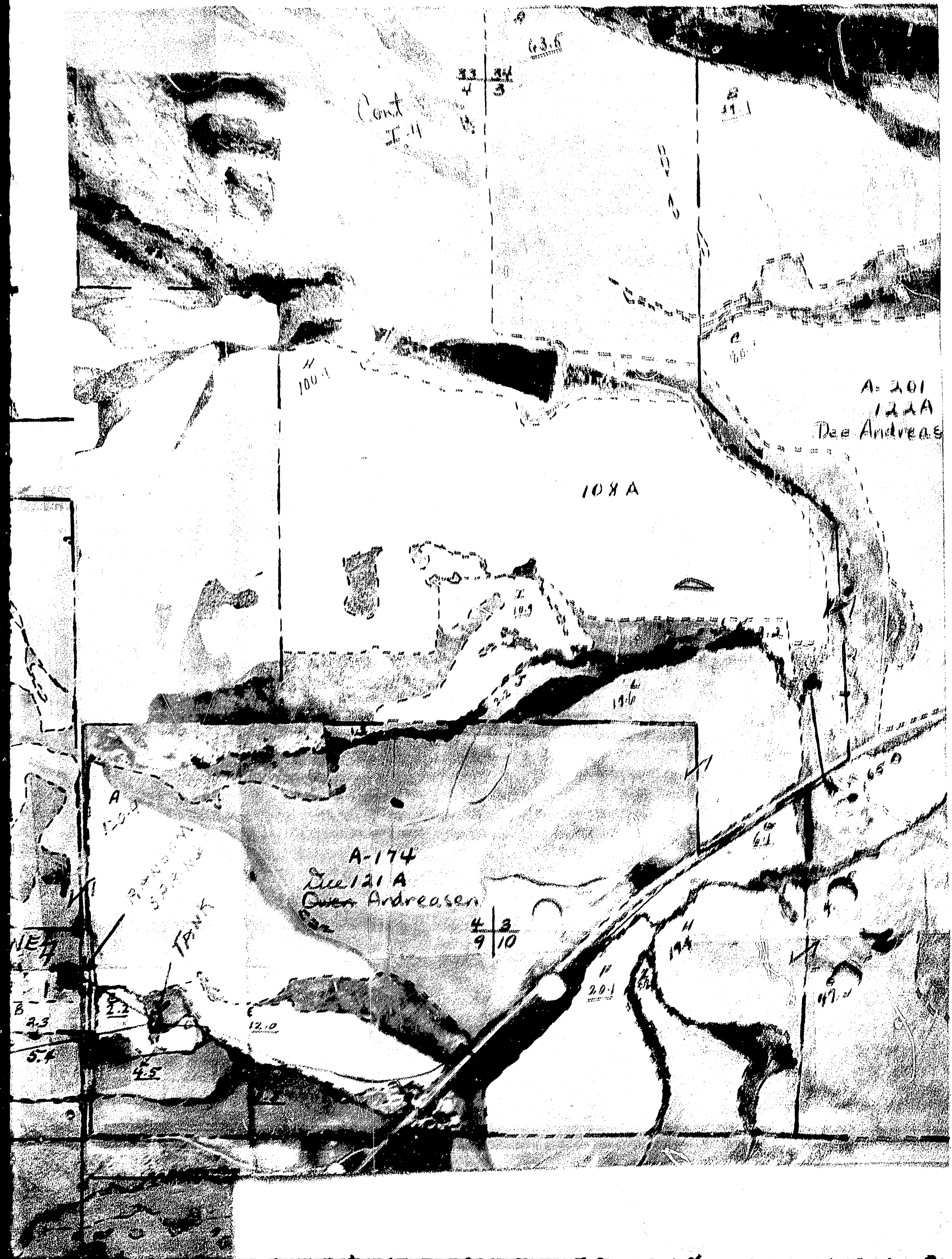
Notary Public

Residing at Grace, Idaho

My commission expires Lifetime

For Department Use Only

Received by <u>CW</u>	Date <u>1-17-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AKL</u>	Date <u>1/17/78</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>1-17-78</u>			
Approved for publication by <u>ME</u>	Date <u>2-13-78</u>			
Published in <u>(Western Citizen)</u>				
Dates <u>Jan 26 & February 2, 1978</u>				



NE 1/4 NW 1/4 SEC 9 TSP 135 RGE 40 A E 24.1

RANGE 40 E

B 21.5

A 120.4

D 26.1

C 11.4

E 30.0

A-174
119A

Owner
Pete
Andreasen

A-174

121A
Selmer
Andersen

NE 1/4

B 2.3

G 5.4

H 2.5

BURTON
SPRINGS

NW 1/4

C 22.1

J 49.0

I 14.1

TSP 135

A-174

124A

LeRoy Perry

E 5.2

G 4.8

D 6.5

C 1.1

B 5.1

A 13.6

F 16.9

G 30.9

I 5.0

H 52.8

No 559

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Kevin D. Allen

being duly sworn,

deposes and says:

That he is the Office Manager 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 2 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

Jan 26, 1978, and ending
with the issue of Feb. 2, 1978

Kevin D. Allen

Fee \$ 15.54

Subscribed and sworn to before me this 9 day
of February, 1978

Rattie E. Casperson

Notary Public, Residing at Preston, Idaho

My Commission Expires August 11, 1980

RECEIVED

FEB 13 1978

Department of
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT NO. 13-4068

Notice is hereby given that Dee L. Andreasen & Ethleen L. Andreasen, Preston, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.22 cubic feet per second of water from Burton and Ransom Springs tributary to Cottonwood Creek with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13S, R. 40E, B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and stockwatering with a priority of 1947; the place of use is within the E $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, 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.

C. STEPHEN ALLRED
Director

Published in the Preston Citizen, Preston, Idaho on January 26 and February 2, 1978.

Legal No. 559-21L — Pub. Jan. 26, Feb. 2, 1978

RECEIVED

November 25, 1977

JAN 17 1978

Department of Water Resources
Eastern District Office

TO WHOM IT MAY CONCERN:

Prior to the summer of 1976, we, Owen L. Andreasen and Jessie T. Andreasen, were the owner-operators of tract of land, namely, NE $\frac{1}{4}$, NW $\frac{1}{4}$ - Sec. 9 - TSP 13 - Range 40 E. The Burton-Ransom springs are located on this tract of land and control and ownership has always belonged or been the property of the legal owner of such land.

In 1947, a culinary water system was completed. Water was piped from two of the springs into a holding tank, then distributed to four residences through a common distribution line for domestic purposes. This use of such water should continue. However, this water, any surplus water from these two springs, and water from the third spring and any additional hook-ups was controlled and owned by us. This control and ownership was transferred to Dee L. Andreasen and Etheleen L. Andreasen, husband and wife in 1976, by virtue of their purchasing this tract of land and we feel this "water right" should be established for them.

Owen L. Andreasen

Owen L. Andreasen

Jessie T. Andreasen

Jessie T. Andreasen

As a previous owner-operator of part of the tract of land mentioned above, and being well acquainted with all the details of the matter, I verify the above and recommend the "water right" be established for Dee L. Andreasen and wife Etheleen L. Andreasen, present owners.

Max Andreasen

Max W. Andreasen
Margene Andreasen

RECEIVED

JAN 17 1978

Department of Water Resources
Eastern District Office

Greerton, Idaho
January 13, 1978

Dear Sir:

I am trying to establish a "claim to water right", which long (the water) has been a part of the family farm set up. I hope the enclosed material is satisfactory, and will be looking forward to hearing from the Department

Sincerely,

Dee L. Andreasen



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

January 18, 1978

RE: Claim to a Water Right No. 13-4068

Dee L. Andreasen
Star Route, Box 41
Preston, ID 83263

Dear Mr. Andreasen:

Attached herewith is Departmental receipt No. 9173 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

COLLEEN WRAY
Secretary

CW:CD

Attachment

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4068

Notice is hereby given that Dee L. Andreasen & Etheleen L. Andreasen,
Preston, Idaho

have ~~had~~ filed a claim to a water right established by diversion and application
to beneficial use of 0.22 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from Burton and Ransom Springs tributary to Cottonwood Creek
with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13S, R. 40E, B.M.,
Franklin County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes and stockwatering
with a priority of 1947;
the place of use is within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, 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.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Preston Citizen, Preston, Idaho
on January 26 and February 2, 1978

*Me-2
Me-Q.*

January 19, 1978

RE: Claim to a water right No. 13-4068 ANDREASEN
Application for Permit No. 13-7229 STENSAAS

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 2-13-78 by Cal

RDC:CW

Enc: Legal Notice (2)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

February 13, 1978.

RE: Claim to a Water Right No. 13-4068

Dee L. Andreasen
and Etheleen L. Andreasen
Star Rte., Box 41
Preston, Idaho 83263

Dear Mr. Andreasen:

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:CD

Enclosure