

Claim No. 13 4072

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 Dallas W. Schumann
(name of claimant)
of Star Route, Box 32; Preston, ID 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) _____
Unnamed springs, tributary to, Battle Creek trib. to Bear River

(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>0.66</u>	Use	<u>irrigation</u>	Period of Use: From	<u>Apr 1</u>	To	<u>Nov 1</u>
Amount	<u>0.04</u>	Use	<u>domestic</u>	Period of Use: From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u>0.02</u>	Use	<u>stock</u>	Period of Use: From	<u>Jan 1</u>	To	<u>Dec 31</u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 0.72 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) 1920

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 SE ¼, Sec. 19 Twp. 13S Rge. 40E B. M. County of Franklin
Additional points of diversion: NE ¼ SE ¼, Sec. 19, T. 13S, R. 40E

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, pond, pump and pipeline.
A small area is also flood irrigated.

(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.

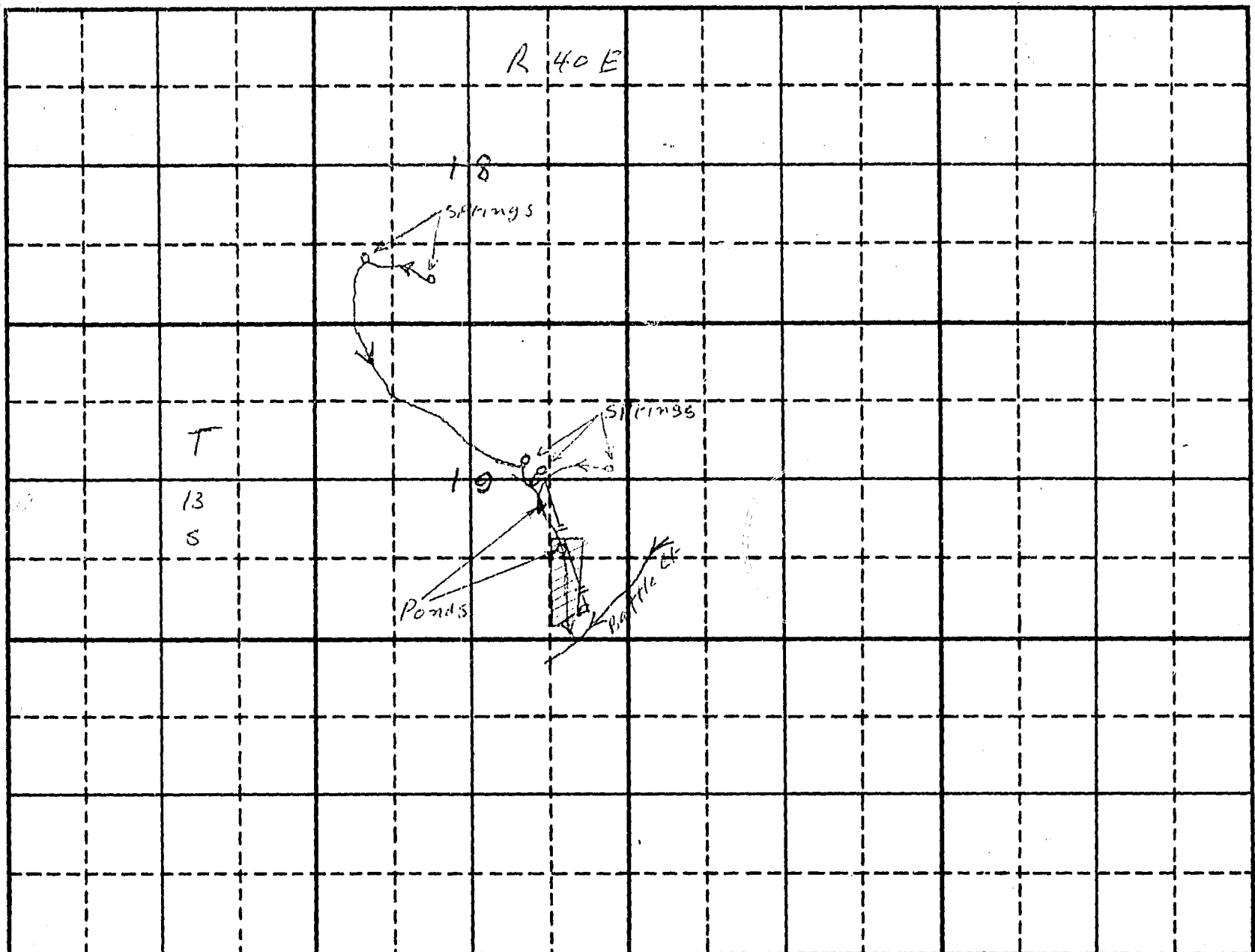
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13S	40E	19													11			22	33

Total No. of acres 33

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
stock water for 100 head of beef cattle

(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.

Dallas W. Schumann
(Claimant)

Sworn to before me this 10th day of April, 1978.

Loren O. Halmer
Notary Public
Residing at Idaho Falls, Id

My commission expires Mar 26, 1979

For Department Use Only

Received by <u>C.D.</u>	Date <u>4-10-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>L.H.</u>	Date <u>4-10-78</u>		claimant by:	
\$10.00 fee received by <u>C.D.</u>	Date <u>4-10-78</u>	9923		
Approved for publication by <u>C.D.</u>	Date <u>5-03-78</u>			
Published in <u>Creston (Creston)</u>				
Dates <u>April 20 & 27, 1978</u>				

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

.....APRIL 20....., 1978, and ending
with the issue of APRIL 27....., 1978.

.....Kevin D. Allen.....
Fee \$ 15.54

Subscribed and sworn to before me this 1st..... day
of May....., 1978.

.....Notary Public.....

Notary Public, Residing at Preston, Idaho

Commission Expires August 11....., 1980

RECEIVED

MAY 3 1978

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT NO. 13-4072

Notice is hereby given, that, Dallas W. Schumann, Preston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.72 cubic feet per second of water from unnamed springs tributary to Battle Creek tributary to Bear River with point of diversion in the SE 1/4 SE 1/4, NE 1/4 SE 1/4, Sec. 19, 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 purposes for 100 head of beef and from Apr. 1 to Nov. 1 for the irrigation of 33 acres with a priority of 1920; the place of use is within the E 1/2 SE 1/4, Sec. 19, 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 April 20 and April 27, 1978.

Legal No. 618-21L -- Pub. April 20 and 27, 1978.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4072

Notice is hereby given that Dallas W. Schumann,
Preston, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.72 cubic feet per second ~~acre feet per annum~~
of water from unnamed springs tributary to Battle Creek tributary to Bear River
with point of diversion in the SE¹/₄SE¹/₄, NE¹/₄SE¹/₄, Sec. 19, 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 purposes for 100 head of beef and from Apr. 1 to
Nov. 1 for the irrigation of 33 acres
with a priority of 1920;
the place of use is within the SE¹/₄SE¹/₄, Sec. 19, 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 April 20 and April 27, 1978

cw-A
me-d

April 14, 1978

RE: Claim to a Water Right No. 13-4072 SCHUMANN
Application for Permit No. 13-7231 HOBBS

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
Supervisor
Eastern Region

Bill submitted 5-03-78 by CW

RDC:CS

Enclosure: Legal Notices (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

April 28, 1978

RE: Claim to a Water Right No. 13-4072 DALLAS W. SCHUMANN

Mr. Joseph C. Hedin, President
Strongarm Reservoir Irrigation District
Preston, Idaho 83263

Dear Mr. Hedin:

We are returning your letter of protest concerning the above referenced claim to a water right.

If you do not agree with the information that is contained in the above referenced claim to a water right, then you should file an exception, which must be in affidavit form, indicating why the right claimed is incorrectly represented. There is no time limitation for filing an exception to a claim, however, we request that if you choose to file an exception you submit it as soon as possible to assist us in rapid processing. For your convenience, we have enclosed an affidavit form.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures



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

May 9, 1978

RE: Claim to a Water Right No. 13-4072

Mr. Dallas Schumann
Star Route, Box 32
Preston, Idaho 83263

Dear Mr. Schumann:

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:CW

Enc: Copy of Claim