

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that James H. Jones

(Name of Claimant)

Route # 1, Box 165, Weston, Idaho 83286

(Mailing Address)

(Zip Code)

Telephone No. 852-0859

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 16, 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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed springs tributary to sinks

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>	Use <u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity <u>0.04 cfs</u>	Use <u>stockwater</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity <u>2.30 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>Apr 1</u>	To <u>Nov 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 2.30 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SW ¼ SW ¼, Sec. 19 Twp. 15S Rge. 39E B.M., County of Franklin

Additional points of diversion: NWNE, NWNW, Sec. 30, T. 15S, R. 39E which includes several points within the forementioned land descriptions

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. Describe any changes in the system and give the date of the change. Open ditch and covered tile drain to pond in the NW¼NE¼, Sec. 30, T. 15S, R. 39E.

- (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	
15S	39E	19											5	15			20		40
		30		15			40	20											75
15S	39E	19			X	Domestic													
15S	39E	30		X				X	Livestock Water										

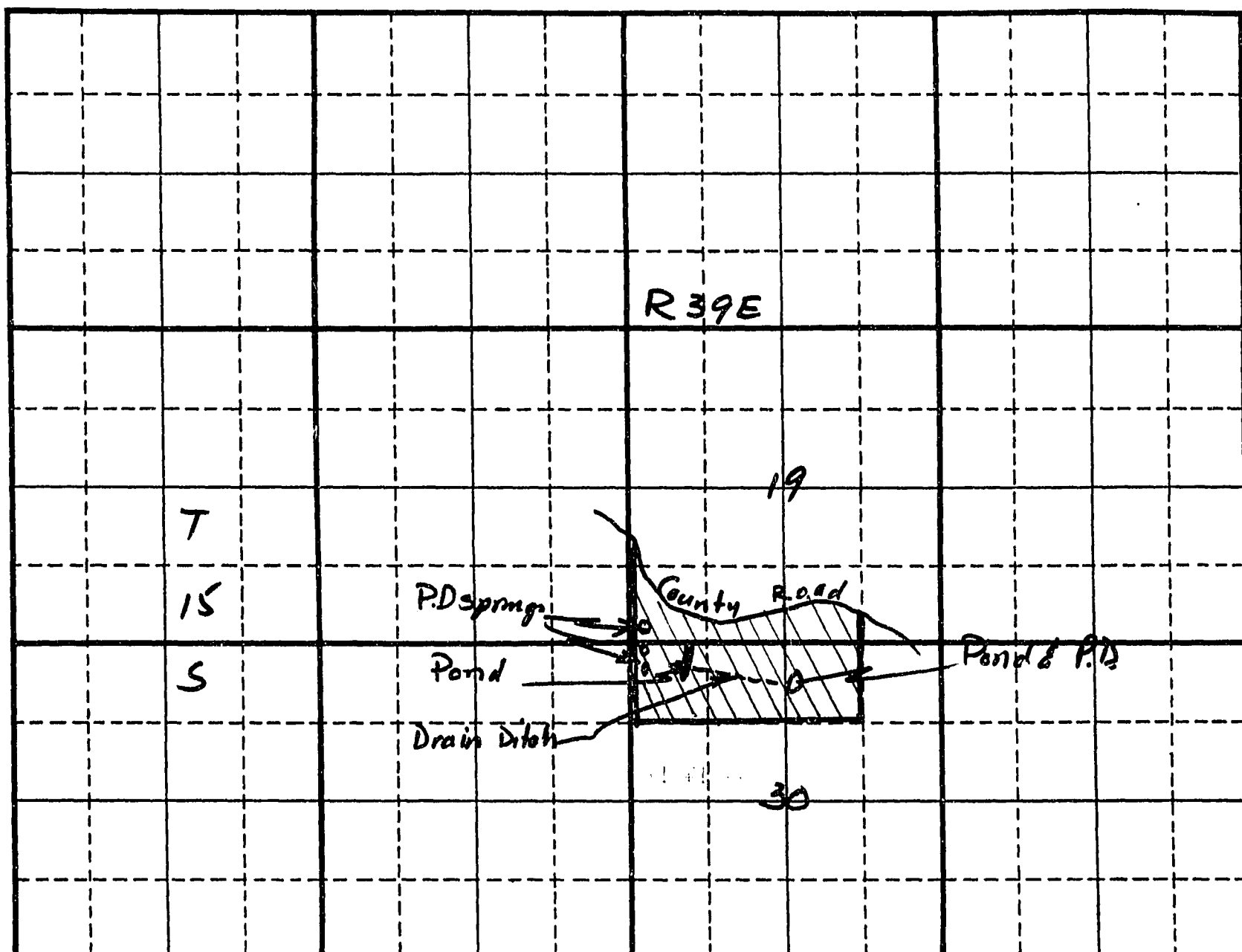
No. of acres 115

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 70 Dairy 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 affiant's knowledge.

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

(Claimant)
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>10-10-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>10-10-78</u>		claimant by:	
\$20.00 fee received by <u>CW</u>	Date <u>10-10-78</u>			
Published in <u>PRESTON CITIZEN</u>	<u>#1157</u>		<u>dh</u>	<u>11/8/78</u>
Dates <u>OCT 19 2 26 1978</u>				

N= 727

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

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 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

Oct 19, 1978, and ending
with the issue of Oct 28, 1978

Fee \$ 1929

Subscribed and sworn to before me this 29th day
of Oct., 1978.

Kevin O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECEIVED

NOV 7 1978

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

13-4079

Name: JONES, JAMES H.

Address: RT. NO. 1, BOX 165, WESTON, ID 83286

Source: UNNAMED SPRINGS tributary to SINKS

Priority Date: 03-16-1920

County: FRANKLIN

Amount: 2.30 CFS

Point of Diversion: SWSW S19 T15S R39E NWNE NWNW S30 T15S R39E

Use: IRRIGATION from 04-01 to 11-01

DOMESTIC from 01-01 to 12-31

STOCKWATER from 01-01 to 12-31

Place of Use: SWSW SESW SWSE S19 T15S R39E NWNE NENW NWNW S30 T15S R39E FOR 115 ACRES

Means: OPEN DITCH, TILE DRAIN, POND

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

C. STEPHEN ALLRED
Director

Published in the Preston Citizen on October 19, 1978 and October 26, 1978.

Legal No. 727-26L — Pub. Oct. 19 and 26, 1978.

82-AD

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on October 19, 1978 and October 26, 1978.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 13, 1978

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billings to this office before NOVEMBER 6, 1978.

Yours truly,

s/Ronald D. Carlson
Regional Supervisor

November 6, 1978

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

Gentlemen:

Re: Notice of Correction No. 13-7238 - Erhardt
Claim No. 13-4079 - Jones
Claim No. 13-4078 - Jones

Would you please send affidavits of publication and certified bills in connection with the above referenced applications. The legal notices were to have been published on October 19 and 26, 1978. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 8, 1978

**Mr. James H. Jones
Route #1, Box 165
Weston, Idaho 83286**

Re: Claim to Water Right No. 13-4079

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions or if this office can be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Regional Supervisor

Enclosure