

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 John J. King

(Name of Claimant)

Route #1, Box 33, Weston, Idaho 83286

(Mailing Address)

Telephone No. 747-3234

(Zip Code)

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) January 1, 1918

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 spring tributary to Weston Creek

- (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>0.38 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity	<u>0.12 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 0.50 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NW 1/4 SW 1/4, Sec. 30 Twp. 15S Rge. 38E 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. Describe any changes in the system and give the date of the change. Domestic delivery system; pump and pipeline with 16 11/64" nozzles. What water isn't used for sprinkling, is used for flood irrigation.

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	38E	30									15	7							22

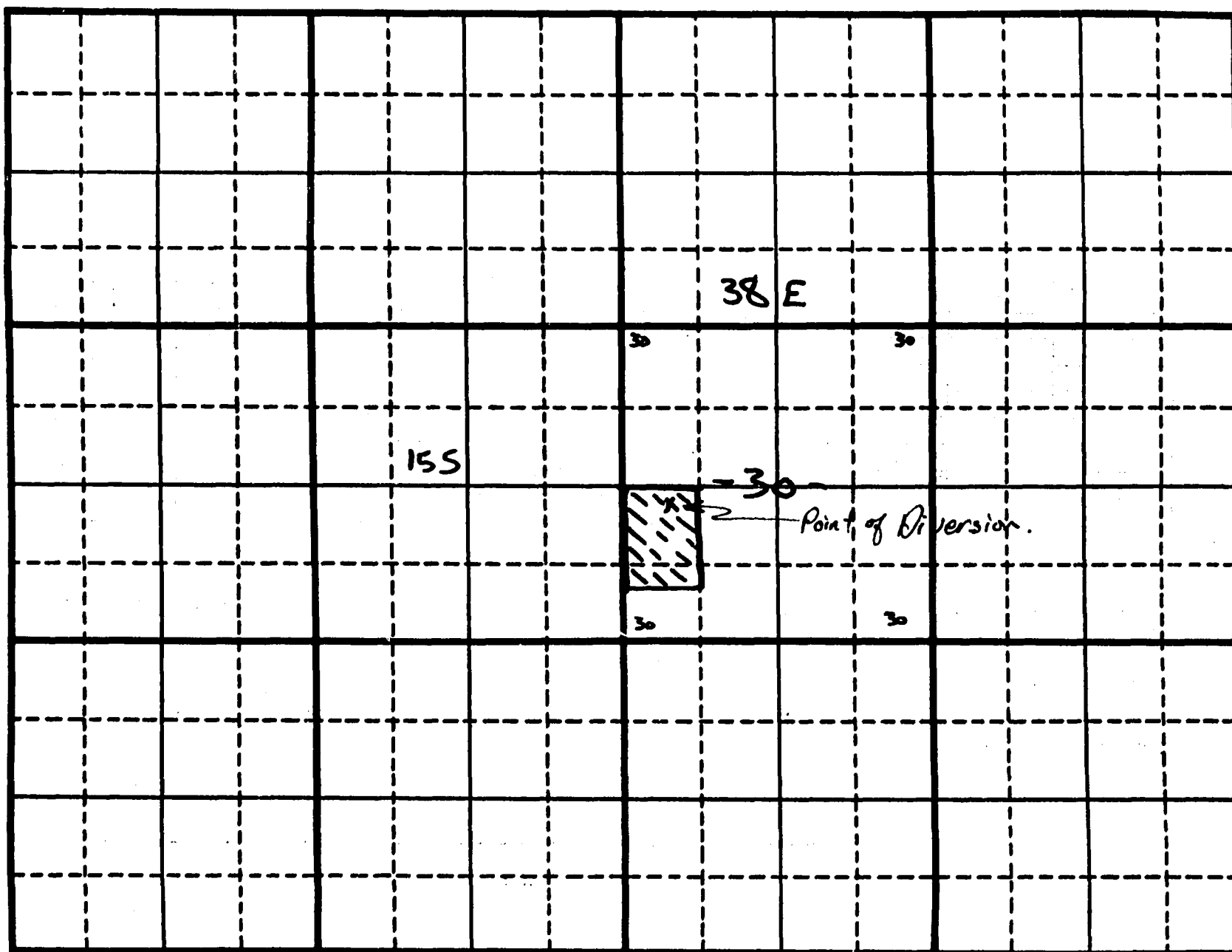
No. of acres 22

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic uses for single-family dwelling and stockwatering of 22 head of beef cattle.

NOTE: Include here the type and number of stock watered: 22 beef cattle

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

- (8) Remarks We dug a drain through part of the springs in 1956, which developed more water than before. The springs run continually year-round, fluctuates some on extremely dry years.



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 affiant's knowledge.

Sworn to before me this 28th day of March

John J. King
(Claimant)

Sonnie Westover
Notary Public
Residing at Preston, Idaho

Bond
My commission expires 7/25/82

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>2-5-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RP</u>	Date <u>2-5-79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>2-5-79</u>	<u>#12868</u>		
Published in <u>Preston Citizen</u>				
Dates <u>February 22 and March 1, 1979</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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Notice is hereby given that John J. King
(Name of Claimant)
Rt #1 Box 33 Weston 83286 Telephone No. 747-3234
(Mailing Address) (Zip Code)

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) 1/1/1918
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)
Un Named Spring tributary to Weston Ck
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>38 cfs</u>		Use <u>Irr</u>		Period of Use From <u>Apr</u>	To <u>Nov</u>
Quantity <u>12</u>		Use <u>Domestic</u>		Period of Use From <u>Jan</u>	To <u>Dec 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 5 45 TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 30 Twp. 15S Rge. 38E 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. Describe any changes in the system and give the date of the change.
Domestic Delivery System; Pump & pipeline with 10 1 1/4" NOZ. What water isn't used for sprinkling, is used for flood irrigation.

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	38E	30																	21.6

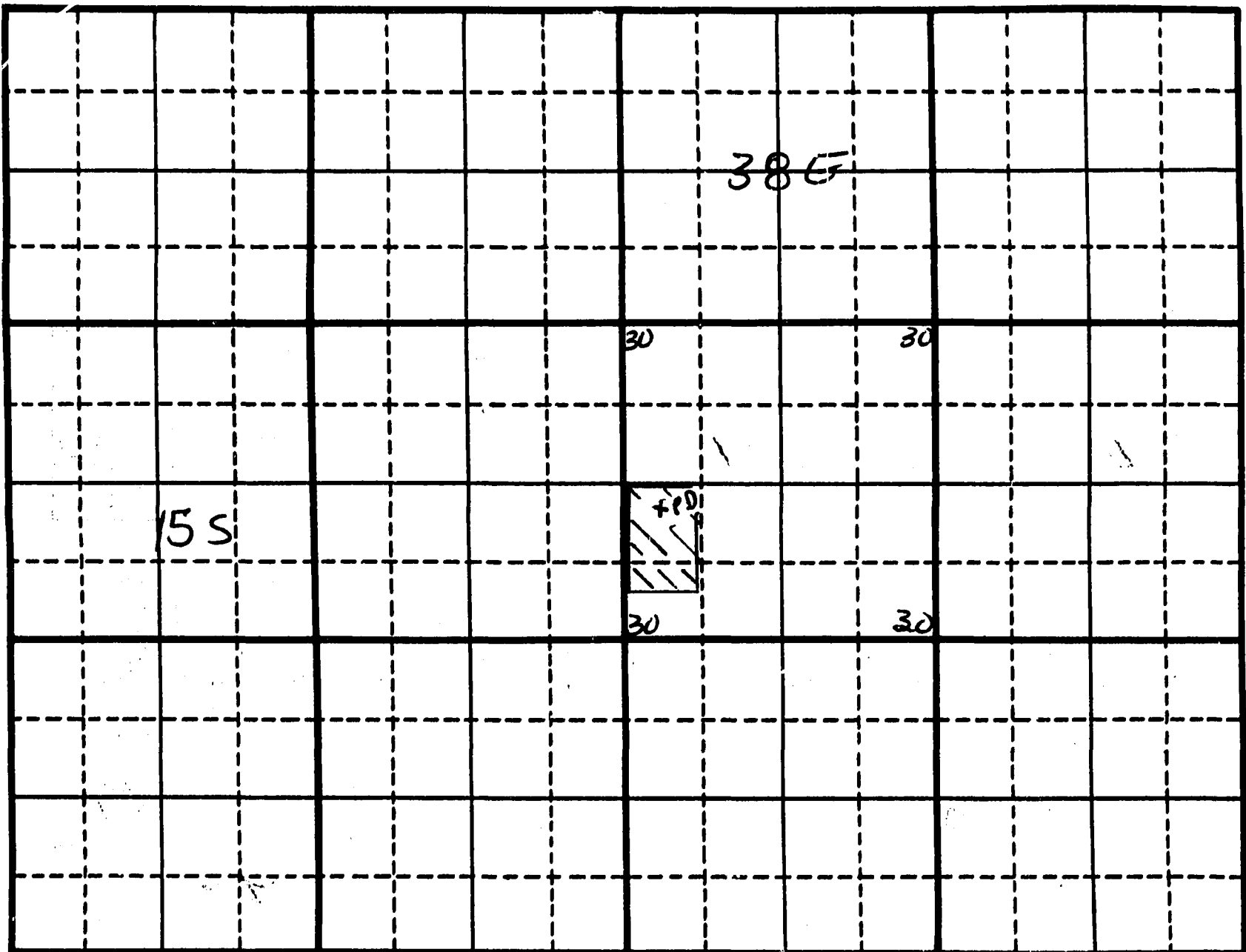
No. of acres 22

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic with 1 family And 22 head beef cattle

- NOTE: Include here the type and number of stock watered: 22 Beef CATTLE
(7) If you are claiming water as a member of an organization, list name of organization:

—VOID—

(8) Remarks We have dug a drain through part of the springs
and 1926, which developed more water than before. The springs
run continually year around, fluctuate some, but extremely
dry some.



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 affiant's knowledge.

Sworn to before me this

1

day of

Feb

1979.

John Junior King
(Claimant)

Notary Public
Residing at

Preston

My commission expires

May 9, 1982

FOR DEPARTMENT USE ONLY

Received by dh

Date 2-5-79

Exception filed by:

Forwarded to

Date

Prelim. check by R.P.

Date 2-5-79

claimant by:

\$20.00 fee received by dh

Date 2-5-79

#12868

Published in Preston Citizen

Dates February 22, March 1, 1979

I verify that the springs on the farm owned by
John J. King in Weston, Idaho, have been in use for
irrigation of various pieces of ground, culinary water
and watering of stock since January 1, 1918. *and before*

The springs are located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 30
Twp 15 S Rde 38E BM Franklin County.

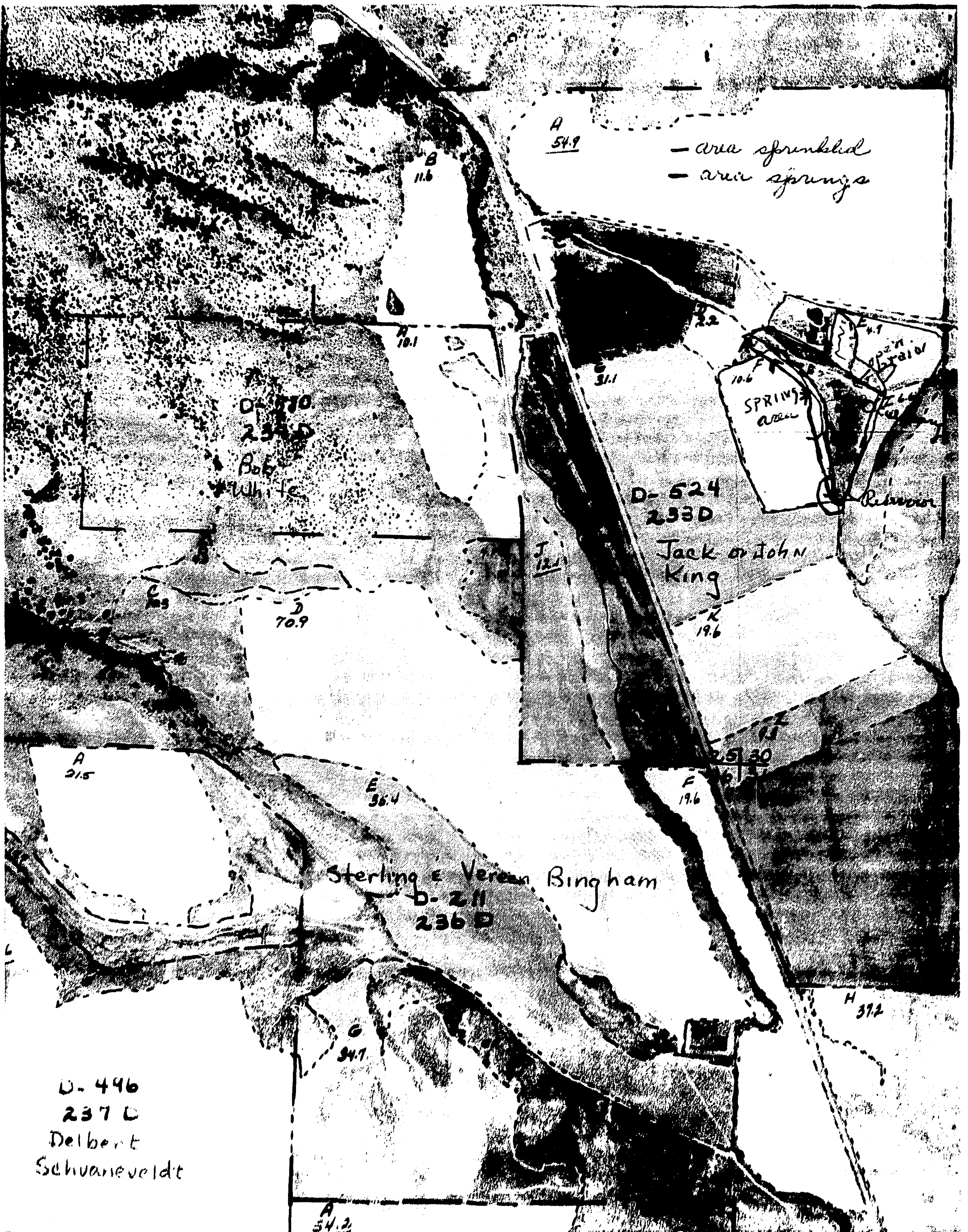
Richard Lemmon

Jack W. Glover

RECEIVED

FEB 5 1979

Department of Water Resources
Eastern District Office



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

Feb. 22, 1979, and ending

with the issue of MAR 1, 1979.

Fee \$ 17.76

Subscribed and sworn to before me this 1ST day of March, 1979.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

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

12-2004

KING, JOHN J.
ROUTE 1, BOX 12, PRESTON, IDAHO
Source: UNNAMED SPRING (tributary to PRESTON CREEK)
Priority Date: 01/01/1918
Amount: 0.20 CFS
Diversion Point: 1000' S. 100' E. 1/4 S.E. FRANKLIN CO.

Use: DOMESTIC (0.12 CFS) from 12/11/71
IRRIGATION (0.08 CFS) from 12/11/71
Place of Use: NW 1/4 SW 1/4 Sec 10, T1N, R1E, S1E, FOR 20 ACRES

Diversions Means: PUMP AND PIPING
Any objection to any claim of water right(s) filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Boise, ID 83725.

Published 1/23 & 3/1/79.

Legal No. 634-94. - Pub. Pub. 11 and 12, 1979.

RECEIVED

MAR 2 1979

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RP

Right Number _____

Applicant John King

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. none

By emc

Date 4/3/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By S.J.

Date 4/16/79

James BB

February 6, 1979

John J. King
Route #1, Box 33
Weston, Idaho 83286

Dear Sir:

Re: Claim to a Water Right

Attached herewith is Departmental receipt No. 12868 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

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:

13-4094-

KING, JOHN J.

ROUTE 1, BOX 33, WESTON, ID 83286

Source: UNNAMED SPRING tributary to WESTON CREEK

Priority Date: 01/01/1918

Amount: 0.50 CFS

Diversion Point: NSW Sec 30 T 15S R 38E, FRANKLIN Co.

Use: DOMESTIC (0.12 CFS) from 01/01 to 12/31
IRRIGATION (0.38 CFS) from 04/01 to 11/01

Place of Use: NSW SWSW Sec 30 T 15S R 38E FOR 22 ACRES

Diversion Means: PUMP & PIPELINE

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 1/22 & 3/1/79.

2/22

ew-h.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 16, 1979

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. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 12, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

March 20, 1979

Mr. John J. King
Route 1, Box 33
Weston, Idaho 83286

Dear Mr. King:

Enclosed you will find a copy of your original claim to a water right for water from an unnamed spring tributary to Weston Creek and a typed claim to a water right which, for your convenience, was completed in our office and should contain the same information as the original.

The Department has completed processing of your claim but, in order to provide a neater copy for our records, we would appreciate your signing the typed form in the presence of a notary public and returning it to the eastern regional office. Should you have any questions, feel free to contact me.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 323-7186

MARCH 12, 1979

JOHN J. KING
ROUTE 1, BOX 33
WESTON.

ID 83286

RE: Claim No. 13-4094

Dear Claimant:

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 may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

Mailed to claimant 4/3/79