

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, licence, 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 Willard C. Gibson ~~and~~ Rayola H. Gibson
(Name of Claimant)
Rt-1 Franklin, Idaho 83237 Telephone No. 646-2479
(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) April 1, 1876

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)
Crooked Creek tributary to maple Creek → Cub River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>3.00 c.f.s</u>	Use <u>irrigation</u>	Period of Use From <u>April 1</u>	To <u>July 10</u>
Quantity <u>.03 c.f.s</u>	Use <u>stock water</u>	Period of Use From <u>Jan 1</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) <u>3.03</u>	TOTAL QUANTITY USED.		

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

(5) (3pts) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 13 Twp. 16S Rge. 40E B.M., County of Franklin
 Additional points of diversion: NENE Sec 14 Twp 16S Rge 40E, SWSW sec 12 T 16S 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. Describe any changes in the system and give the date of the change. 5 headgates on 5 diversions from Crooked creek. Water

is conveyed to place of use by ditches & land is partially flood irrigated & sprinkled using a diesel lift motor.

- (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.

[illegible]

No. of acres 92 ad

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

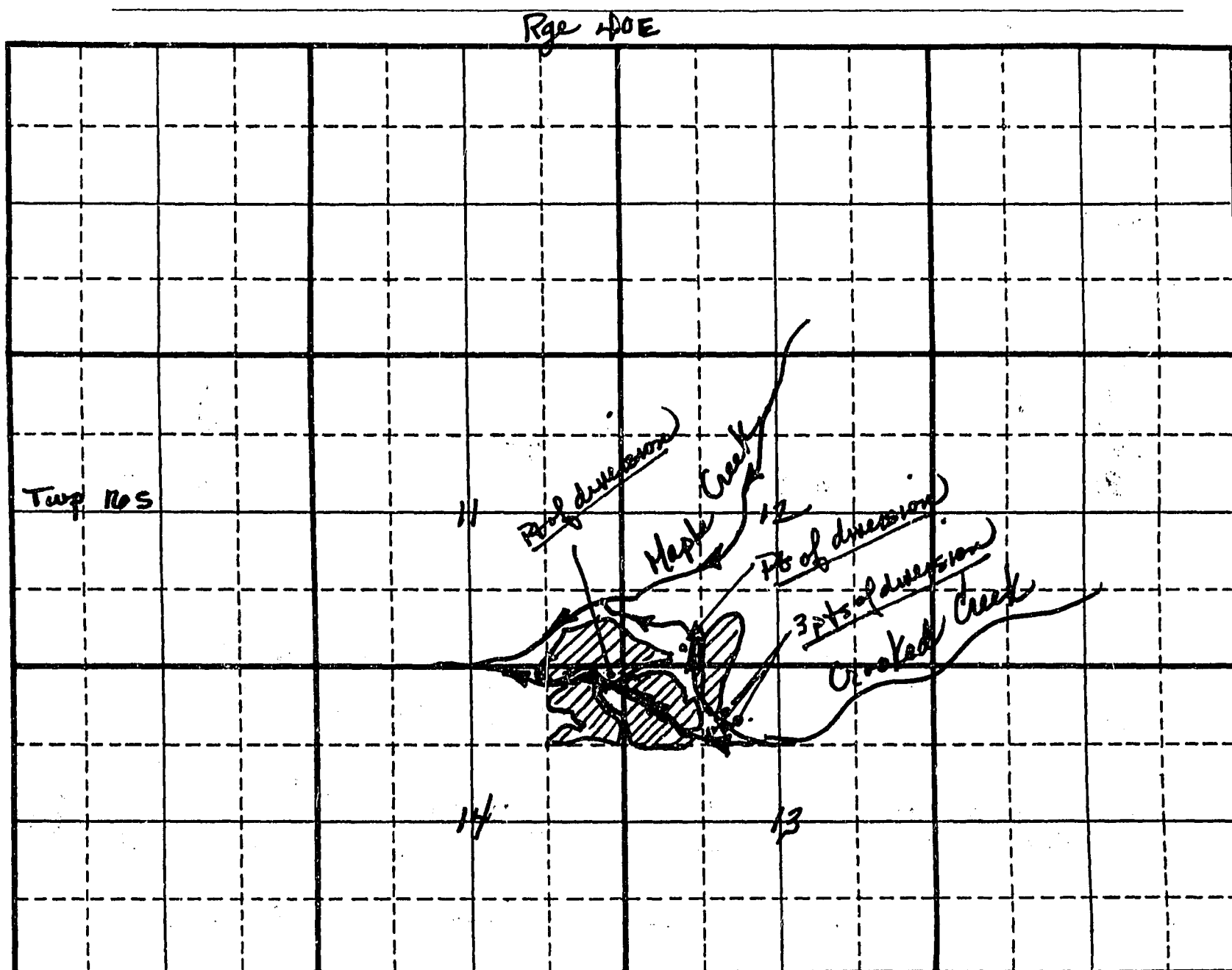
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
a maximum of 100 hd of rge cattle are watered from the creek

NOTE: Include here the type and number of stock watered: 100 hd of rge cattle

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

n/a

(8) Remarks _____



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.

Willard Selbo
(Claimant)

Sworn to before me this 8 day of February, 19 79.

Kurt L. Linsford
Notary Public
Residing at Preston, Id.

My commission expires 11-24-80

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>2-9-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>APK</u>	Date <u>1/29/79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>2-9-79</u>	#12877		
Published in <u>Preston Citizen</u>				
Dates <u>February 22 & March 1, 1979</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

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 endingwith the issue of Mar 1, 1979Fee \$..... 1776

Subscribed and sworn to before me this 15 day
of March, 1979.

..... Kevin O. 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) to water right(s) have been established by diversion and application to beneficial use:

13-4098

GIBSON, WILLARD C. AND/OR RAYOLA H.
ROUTE 1, FRANKLIN, ID 83237

Source: CROOKED CREEK tributary to MAPLE CREEK
Priority Date: 04/01/1876

Amount: 3.03 CFS

Diversion Point: NENW Sec 13 T 16S R 40 E NENE Sec 14 T 16S R 40E SWSW Sec 12 T 16S R 40E, FRANKLIN CO.

Use: STOCKWATER (0.03 CFS) from 01/01 to 12/31

IRRIGATION (3.00 CFS) from 04/01 to 07/10

Place of Use: SWSW SESW Sec 12 T 16S R 40E NENW NWNW Sec 13 T 16S R 40E NENE Sec 14 T 16S R 40E SESE Sec 11 T 16S R 40E FOR 92 ACRES

Diversion Means: HEADGATES & DITCHES

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.

Legal No. 835-24L - Pub. Feb. 22 and March 1, 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 Gibson

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.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By S.S. Date 3/16/79

February 12, 1979

Willard C. Gibson &/or
Rayola H. Gibson
Franklin, Idaho 83237

Dear Mr. and Ms. Gibson:

Attached herewith is Departmental receipt No. 12877 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:

13-4098-

GIBSON, WILLARD C. &/or RAYOLA H.

ROUTE 1, FRANKLIN, ID 83237

Source: CROOKED CREEK tributary to MAPLE CREEK

Priority Date: 04/01/1876

Amount: 3.03 CFS

Diversion Point: NENW Sec 13 T 16S R 40E NENE Sec 14 T 16S R 40E SWSW
Sec 12 T 16S R 40E, FRANKLIN Co.

Use: STOCKWATER (0.03 CFS) from 01/01 to 12/31
IRRIGATION (3.00 CFS) from 04/01 to 07/10

Place of Use: SWSW SESW Sec 12 T 16S R 40E NENW NWNW Sec 13 T 16S R 40E NENE
Sec 14 T 16S R 40E SESE Sec 11 T 16S R 40E FOR 92 ACRES

Diversion Means: HEADGATES & DITCHES

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 2/22 & 3/1/79.

aw-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 galley 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 12, 1979

WILLARD C. GIBSON
RAYOLA H. GIBSON
ROUTE 1
FRANKLIN

ID 83237

RE: Claim No. 13-4098

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

mailed to claimants 3/13/79

Enclosure