

13 4103

Section 42-225a, Idaho Code

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

CALVIN L. SHARP
(name of claimant)

of Star Rt. Preston Id
(mailing address)

852-1893

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Forsgren Sp., tributary to, Sinks

(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 104 cts Use Domestic Period of Use: From Jan 1 To Dec 31

Amount 102cts Use Stock Period of Use: From Jan 1 To Dec 31

Amount _____ Use _____ Period of Use: From _____ To _____
(cfs, gpm (dom., irri., (both dates inclusive)
or a/f) stock, etc.)

(4) Priority claimed: (the date water was first applied to beneficial use) 10th June 1959

(5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 31 Twp. 14S Rge. 40E B. M. County of Franklin

Additional points of diversion:

Box & Storage tank

[illegible]

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

Single Family Household and 200 head dairy & milkline operation

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

(8) Remarks _____

A hand-drawn diagram on graph paper. A vertical line is drawn across the center. There are two 'X' marks on this line. The lower 'X' is labeled 'XSpring' with a horizontal line underneath the text. The upper 'X' is labeled 'place of use' with a horizontal line above the text. To the left of the vertical line, the number '31' is written twice, once near each 'X'. To the right of the vertical line, the number '31' is also written twice, once near each 'X'.

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 affiants knowledge.

Sworn to before me this 29 day of February, 1979

Notary Public
Residing at Presbyterian Church

Residing at Green St.

My commission expires 04/11/2011

For Department Use Only

Received by dh Date 2-26-79 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by _____ Date _____
~~5.00~~ fee received by dh Date 2-26-79 #12904
 Approved for publication by Recorder-Herald _____
 Published in Preston Citizen _____
 Dates March 8 & 15, 1979 _____

841

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

Mar. 8

, 1979, and ending

with the issue of

Mar. 15

Fee \$ 31.08

Subscribed and sworn to before me this

30th

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:

13-4100

BUTTARS, MORGAN
WESTON, ID 83286

Source: PEST HOUSE CREEK tributary to WESTON CREEK

Priority Date: 04/01/1965

Amount: 168.0 AC-FT

Diversion Point: NENW Sec 30 T 15S R 38E,

FRANKLIN CO.

Use: IRRIGATION STORAGE (6.0 AC-FT) from 01/01 to 12/31

IRRIGATION FROM STORAGE (168.0 AC-FT) from 04/01 to 11/01

FISH PROP. STORAGE (6.0 AC-FT) from 01/01 to 12/31

Place of Use: NENW SENW NESW SESW Sec 30 T 15S R 38E NWSE SWSE SESE Sec 31 T 15S R 38E FOR 173 ACRES

Diversion Means: EARTH FILL DAM WITH METAL SCREW GATE

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 3/8 & 3/15/79.

Legal No. 841-31L - Pub. March 8 and 15, 1979.

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426

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:

13-4103

SHARP, CALVIN L.

STAR ROUTE, PRESTON, ID 83286

Source: FORSGREN SPRING tributary to SINKS

Priority Date: 06/10/1959

Amount: 0.06 CFS

Diversion Point: NESW Sec 31 T 14S R 40E, FRANKLIN CO.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: SENW Sec 31 T 14S R 40E

Diversion Means: PIPE & STORAGE TANK

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 3/8 & 3/15/79.

Legal No. 841-22A - Pub. March 8 and 15, 1979.

RECEIVED

APR 4 1979

Department of Water Resources
Eastern District Office20
4
7

Form 243a
11/78

Rod

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number _____ Applicant Shamp

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 4/4/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By I.J. Date 4/6/79

February 27, 1979

Calvin L. Sharp
Star Route
Preston, Idaho 83263

Dear Mr. Sharp:

Re: Claim to a Water Right

Attached herewith is Departmental receipt No. 12904 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

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STAR ROUTE, PRESTON, ID 83286

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Diversion Means: PIPE & STORAGE TANK

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 3/8 & 3/15/79.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 2, 1979

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Enlosed 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 26, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

April 2, 1979

The Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Re: Application for Permit No. 13-7249 - Checketts
Claim to Water Right No. 13-4100 - Butters
" " " " No. 13-4013 - Sharp

Please send affidavits of publication and certified bills in connection with the above referenced application and claims. The legal notices were to have been published March 8 and 15, 1979. 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
Eastern Region

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

MARCH 26, 1979

CALVIN L. SHARP
STAR ROUTE
PRESTON

ID 83286

RE: Claim No. 13-4103

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 4-5-79