

EXCEPTION TO CLAIM NO. 13-4108

I, Carl Christensen, wish to file an exception to Claim No. 13-4108 in the name of M. Glade Larsen. Said claim designates the place of use as the W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12, Twp. 14S, Rge. 40E, B.M., and the property is owned entirely by myself and Harley Jepsen. Harley Jepsen also owns all of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Twp. 12S, Rge. 40E, B.M., which is the legal description for Mr. Larsen's point of diversion.

RECEIVED

MAY 29 1979

Department of Water Resources
Eastern District Office

Carl Christensen

CARL CHRISTENSEN
Route #2
Preston, Idaho 83263

State of Idaho)
County of Bonneville) ss.

On this 29th day of May, 1979, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he executed the same.

S E A L

Ronald D. Carpenter

Notary Public residing at

Ellettsville, Idaho

My commission expires:

2/14/82

NOTICE OF EXCEPTION TO
CLAIM TO WATER RIGHT

#13-4075

STATE OF IDAHO)
County of Franklin) ss.

Vernon L. Keller, being first duly sworn upon oath hereby files duplicate copies of this Affidavit and an attachment containing a legal description of property deeded to him September 29, 1964, and notifies all persons that he disagrees that a right has been established as set forth in claim to water right #13-4075, as described in a claim by M. Glade Larsen and published as claim #13-4075. Upon information and belief supported by the attachment and related history of property, the affiant believes his claim is superior to that of the claimant for the following reasons:

1. The unnamed spring to which rights are claimed in #13-4075 originates on property owned by the affiant, Vernon L. Keller, which property was deeded to him on September 29, 1964 by Mildred B. Keller.
2. Such property contains all water rights.
3. The affiant has made diversion of said water and is entitled to the continued benefit of the same by reason of Idaho law.

DATED this 15 day of May, 1979.

Vernon L. Keller
Vernon L. Keller

SUBSCRIBED and sworn to before me this 15th day of May, 1979.

Diane Kay
NOTARY PUBLIC
Residing at: Swan Lake

My Commission Expires:

Lifetime

RECEIVED

MAY 16 1979

Department of Water Resources
Eastern District Office

part, the receipt whereof is hereby acknowledged, he ... granted, bargained and sold, and by these presents do ...
grant, bargain, sell, convey and affirm unto the said ...

helps and
wit:

Commencing at the Northwest corner of the Southeast quarter of Section 1, Township 14, South, Range 40 East of the Boise Meridian, and running thence South 160 rods, thence East 217.4 rods, thence North 1°55' West 4.27 chains, thence North 5°25' East 1.74 chains, thence North 60°30' West 2.26 chains, thence South 80°11' West 1119 feet, thence North 69°21' West 964 feet, thence North 60°36' West 369 feet, thence North 14°42' West 177 feet, thence North 26°59' East 111 feet, thence North 24°12' East 256 feet, thence North 9°39' East 189 feet, thence North 4°10' West 754 feet, thence North 36°30' West 544.5 feet to a point 924 feet East of the place of beginning, thence West 924 feet to the place of beginning.

Also beginning at the Northwest corner of the Northwest quarter of Section 7, Township 14 South, Range 41 East of the Boise Meridian, and running thence South 6.04 chains, thence South 82°55' East 17.45 chains to a point in the center of the County Road, thence North 13°30' East 2.94 chains, thence North 81°10' West 1.47 chains thence North 13°30' East 1.05 chains, thence South 81°10' East 1.47 chains, thence North 13°30' East .65 chains to a point in the center of Birch Creek, thence North 81°10' West 4.20 chains, thence North 1°55' West 2.97 chains to a point on the North line of Section 7, thence West 14.35 chains to a place of beginning. Excepting beginning at a point on the South side of road 200 feet, more or less, South of the Northwest corner of said Section 7, thence South 195 feet, thence South 83°15' East 612 feet, thence North 216 feet, thence North 83°15' West 612 feet to a point of beginning.

Also beginning at the Northeast corner of the Southwest quarter of Section 1, Township 14 South, Range 40 East of the Boise Meridian, and running thence West 1622 feet, more or less, to the East line of said Southwest quarter of Section 7, thence North 745 feet, more or less, to the place of beginning.

Together with all water rights,

Also commencing at the Northeast corner of Section 12, Township 14 South, Range 40 East of the Boise Meridian, and running thence South 189 feet, thence North 85°15' West 800 feet, thence 530 feet, thence East along Section line to the place of beginning.

Also, Lots 3 and 4, and the South half of the Northwest quarter of Section 1, Township 14 South, Range 40 East of the Boise Meridian, excepting the following described tract of land: Commencing at the Northeast corner of Lot 3 of said Section 1, and running thence West 1493 feet, thence South 42°30' East to a point 1014 feet North of the Southeast corner of the Northwest Quarter of said Section 1, thence North 1626 feet to the place of beginning.

Also excepting, Beginning 922 feet East and 196 feet South of the Northwest corner of Section 7, Township 14 South, Range 41 East of the Boise Meridian, thence South 48 feet to the North line of highway, thence South 86°22' East 252 feet, thence North 58 feet, thence North 86°22' West 252 feet to the place of beginning.

Also excepting therefrom a portion of the Northwest 1/4 of Section 7, Township 14 South, Range 41 East of the Boise Meridian, described as follows:

Commencing at a point 398.64 feet South and South 82°55' East 1009 feet from the Northwest Corner of said Section 7; running thence South 82°55' East 142.70 feet to the center of County Road; thence North 13°30' East 306.24 feet to the center of Birch Creek; thence North 81°10' West 142.70 feet; thence Southwesterly in a direct line to the place of beginning.

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NOTICE OF EXCEPTION TO
CLAIM TO WATER RIGHT

#13-4075

STATE OF IDAHO)
County of Franklin) ss.

Vernon L. Keller, being first duly sworn upon oath hereby files duplicate copies of this Affidavit and an attachment containing a legal description of property deeded to him September 29, 1964, and notifies all persons that he disagrees that a right has been established as set forth in claim to water right #13-4075, as described in a claim by M. Glade Larsen and published as claim #13-4075. Upon information and belief supported by the attachment and related history of property, the affiant believes his claim is superior to that of the claimant for the following reasons:

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2. Such property contains all water rights.
3. The affiant has made diversion of said water and is entitled to the continued benefit of the same by reason of Idaho law.

DATED this 15 day of May, 1979.

Vernon L. Keller
Vernon L. Keller

SUBSCRIBED and sworn to before me this 15th day of May, 1979.

Diane Kay
NOTARY PUBLIC
Residing at: Duane Lake

My Commission Expires:
Lifetime

in full money of the United States of America, in part, the receipt whereof is hereby acknowledged, he has granted, bargained and sold, and by these presents do grant, bargain, sell, convey and affirm unto the said part heirs and

Commencing at the Northwest corner of the Southeast quarter of Section 1, Township 14, South, Range 40 East of the Boise Meridian, and running thence South 160 rods, thence East 217.4 rods, thence North 1°55' West 4.27 chains, thence North 5°25' East 1.74 chains, thence North 60°30' West 2.26 chains, thence South 80°11' West 1119 feet, thence North 69°21' West 964 feet, thence North 60°36' West 369 feet, thence North 14°42' West 177 feet, thence North 26°59' East 111 feet, thence North 24°12' East 256 feet, thence North 9°39' East 189 feet, thence North 4°10' West 764 feet, thence North 36°30' West 544.5 feet to a point 924 feet East of the place of beginning, thence West 924 feet to the place of beginning.

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Also, Lots 3 and 4, and the South half of the Northwest quarter of Section 1, Township 14 South, Range 40 East of the Boise Meridian, excepting the following described tract of land: Commencing at the Northeast corner of Lot 3 of said Section 1, and running thence West 1493 feet, thence South 42°30' East to a point 1014 feet North of the Southeast corner of the Northwest Quarter of said Section 1, thence North 1626 feet to the place of beginning.

Also excepting, Beginning 922 feet East and 196 feet South of the Northwest corner of Section 7, Township 14 South, Range 41 East of the Boise Meridian, thence South 48 feet to the North line of highway, thence South 86°22' East 252 feet, thence North 58 feet, thence North 86°22' West 252 feet to the place of beginning.

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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

M. GLADE LARSEN

(Name of Claimant)

3132 MORNINGSIDE CR SALT LAKE CITY 84117

(Mailing Address)

(Zip Code)

Telephone No. 272-2250

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 1925

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

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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity	<u>1 cfs</u>	Use	<u>IRR</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	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

- (4) 1 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SW 1/4 SE 1/4, Sec. 12 Twp. 14S Rge. 40E 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. Ditches & DAMS

- (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	
14S	40E	12														5	5		10

No. of acres 10

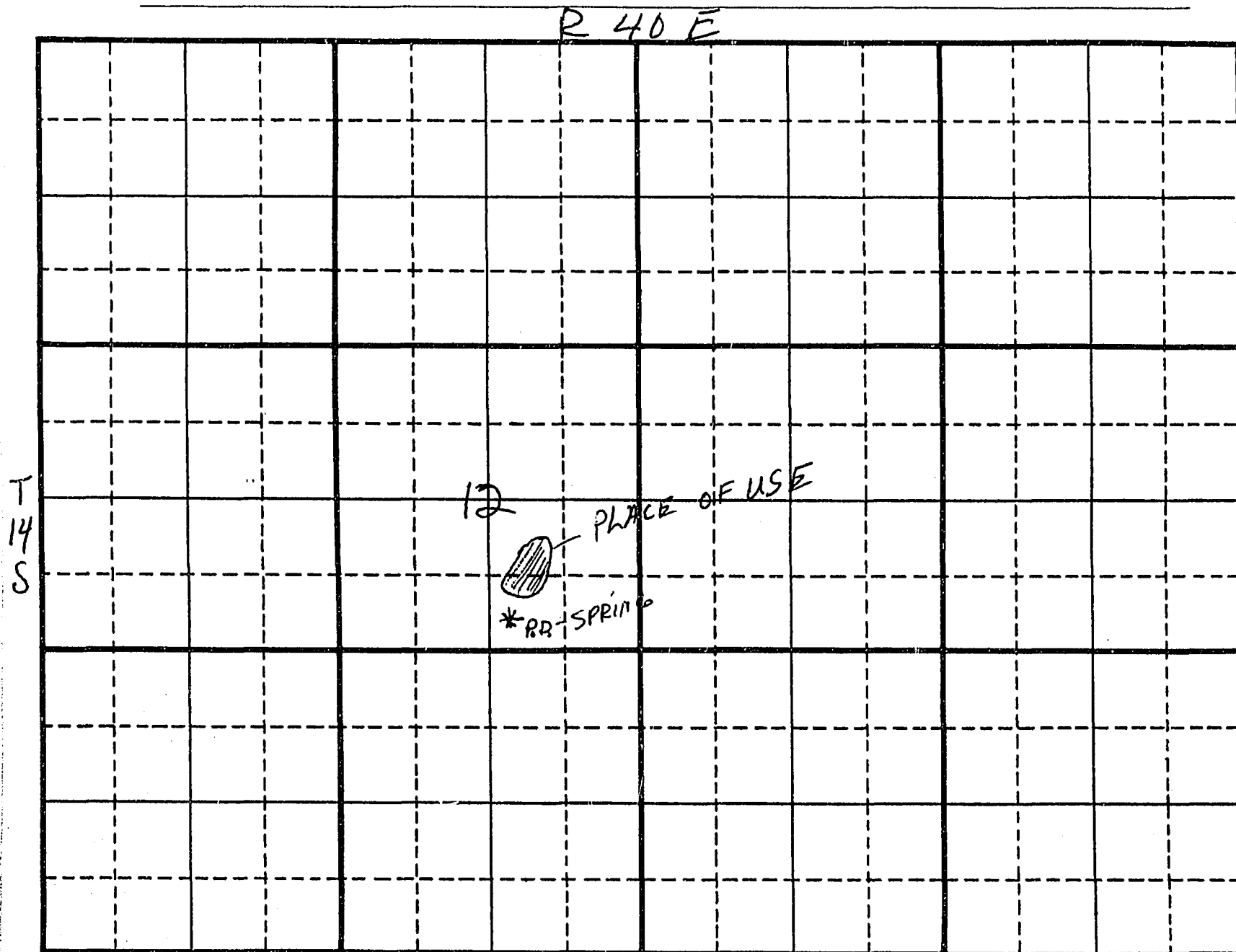
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

N/A

NOTE: Include here the type and number of stock watered:

- (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 Bingham) 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 12th day of April, 19 79.

M. Wade Law
(Claimant)

Ronald D. Carter
Notary Public
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>4-12-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RP</u>	Date <u>4/12/79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>4/12/79</u>	#11811		
Published in <u>Preston Citizen</u>		Carl Christensen	<u>dh</u>	<u>6-13-79</u>
Dates <u>April 19 & 26, 1979</u>		Vernon L. Keller	<u>dh</u>	<u>6-13-79</u>
<u>May 10 & 17, 1979</u>				

No 881

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

May 10, 1979, and ending

with the issue of May 17, 1979.

Fee \$ 11.60

Subscribed and sworn to before me this 4th day

of June, 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:

13-4108

LARSEN, M. GLADE
3182 MORNINGSIDE CREEK, SALT
LAKE CITY, UT 84117

Source: UNNAMED SPRING tributary to SINKS

Priority Date: 04-01-1925

Amount: 1.00 CFS

Diversion Point: SWSE Sec 12 T 14S R 40E, FRANKLIN Co.

Use: IRRIGATION (1.00 CFS) from 04-01 to 11-01

Place of Use: NWSE SWSE Sec 12 T 14S R 40E FOR 10 ACRES

Diversion Means: DITCHES AND DAMS

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

Legal No. 881-29L - Pub. May 10 and May 12, 1979

RECEIVED

JUN 7 1979

Department of Water Resources
Eastern District Office

No 875

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

being duly sworn,

deposes and says:

That he is the 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 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

....., 19....., and ending with the issue of 19.....

Fee \$ 7.25

Subscribed and sworn to before me this 26th day of April, 1979.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982.

only ran one cancelled

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:

13-4075

13-4128

LARSEN, M. GLADE
3132 MORNINGSIDE CREEK, SALT LAKE CITY, UT 84117
Source: UNNAMED SPRING tributary to SINKS
Priority Date: 04-01-1925
Amount: 1.00 CFS
Diversion Point: SWSE Sec 12 T 14S R 40E, FRANKLIN Co
Use: IRRIGATION (1.00 CFS) from 04-01 to 11-01
Place of Use: NWSE SWSE Sec 12 T 14S R 40E FOR 10 ACRES
Diversion Means: DITCHES AND DAMS

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

Legal No. 876-29L - Pub. April 18 and 23, 1979.

RECEIVED

MAY 2 1979

Department of Water Resources
Eastern District Office

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ARK

Right Number _____ Applicant M. Glade Larsen

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. YES

By Ernest Carlson Date 6/18/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani Date 6/28/79

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:

13-4108

~~13-4075~~

LARSEN, M. GLADE

3182 MORNINGSIDE CREEK, SALT LAKE CITY, UT 84117

Source: UNNAMED SPRING tributary to SINKS

Priority Date: 04/01/1925

Amount: 1.00 CFS

Diversion Point: SWSE Sec 12 T 14S R 40E, FRANKLIN Co.

Use: IRRIGATION (1.00 CFS) from 04/01 to 11/01

Place of Use: NWSE SWSE Sec 12 T 14S R 40E FOR 10 ACRES

Diversion Means: DITCHES AND DAMS

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 4/19 & 4/26/79.

Ran 4/19/79 with wrong #

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 13, 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 MAY 7, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

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:

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C. STEPHEN ALLRED

Director

Published 5/10 & 5/17/79.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 4, 1979

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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 MAY 29, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

CARL E. MALOUF
RAYMOND N. MALOUF
JAMES C. JENKINS

MALOUF & MALOUF
LAW OFFICES
21 WEST CENTER
LOGAN, UTAH 84321

TELEPHONE
(801) 752-9380

May 11, 1979

Ernest M. Carssen
State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

RECEIVED

MAY 16 1979

Department of Water Resources
Eastern District Office

Dear Mr. Carssen:

Enclosed is an Exception to Water Claim #13-4075. *WRANG. B. M. GLADE LARSEN*
Please advise me of any further proceedings on the matter.

Sincerely,

Ray Malouf
Raymond N. Malouf

RNM/jd

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

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

June 11, 1979

M. Glade Larsen
3132 Morningside Creek
Salt Lake City, Utah 84117

RE: Claim No. 13-4108

Dear Sir:

Enclosed is a copy of an exception filed in connection with your above-referenced claim. This exception is filed in accordance with the provisions of Section 42-244, IDAHO CODE, which states the following in part:

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

RONALD D. CARLSON
Regional Supervisor

RDC/dh

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

June 11, 1979

Carl Christensen
Route 2
Preston, Idaho 83263

RE: Claim No. 13-4108

Dear Sir:

We have received your correspondence concerning the above-referenced Claim to a Water Right. The following is a quote from the provisions under which this Claim has been filed (Section 42-244, IDAHO CODE):

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

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If we may be of any further assistance, feel free to contact us.

Sincerely,

RONALD D. CARLSON
Regional Supervisor

RDC/dh



John V. Evans
Governor

C. Stephen Allred
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

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

June 13, 1979

Raymond N. Malouf
Malouf & Malouf
21 West Center
Logan, Utah 84321

Dear Sir:

Re: Claim to Water Right No. 13-4108 - M. Glade Larsen (originally
numbered 13-4075 - departmental error)

We have received the exception dated May 15, 1979, filed in behalf of
Vernon L. Keller

against the above referenced claim to a water right. The following is a
quote from the provisions of the Idaho Code under which this claim has been
filed:

42-225b. Recording of claims by department---Corrections -
At any time after filing a claim under the provisions of this section,
any person who disagrees that a right has been established as set forth
in said claim may file an exception thereto in duplicate, in affidavit
form, accompanied by such proof as said person deems appropriate. An
exception filed shall be made a part of the file of the claim in the
Department of Water Administration (renamed Department of Water Resources,
July 1, 1974) and shall be considered the same as other evidence in said
file. A copy of an exception filed shall be forwarded to the claimant by
the Department of Water Resources. Such claims may be corrected by the
claimant only by filing of an amended claim in the same form as the
original which shall be recorded and numbered by the department the
same as the original and for which no additional filing fee shall be
required.

Only the above action has been contemplated by the Idaho Legislature and
we are not authorized to hold hearings or evaluate for conformation or
final censorship of the described rights. If you have any questions
regarding this matter, please contact me.

Very truly yours,

/s/ 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

MAY 7, 1979

M. GLADE LARSEN
3132 MORNINGSIDE CREEK
SALT LAKE CITY UT 84117

RE: Claim No. ~~43-4075~~ 13-4108

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED CLAIM TO A WATER RIGHT AMENDED

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 M. Glade Larsen (Name of Claimant)
3132 Morningside Cir. Salt Lake City, UT 84117 Telephone No. 272-2250
(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 1925
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 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>1 CFS</u>	Use	<u>Irrigation</u>	Period of Use From	<u>April 1</u> To <u>Nov. 1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 12 Twp. 14S Rge. 40E 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. Ditches & Dams

- (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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
14S	40E	12																10	10

No. of acres 10

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

NOTE: Include here the type and number of stock watered:

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

R40E

R41E

12

PD

7

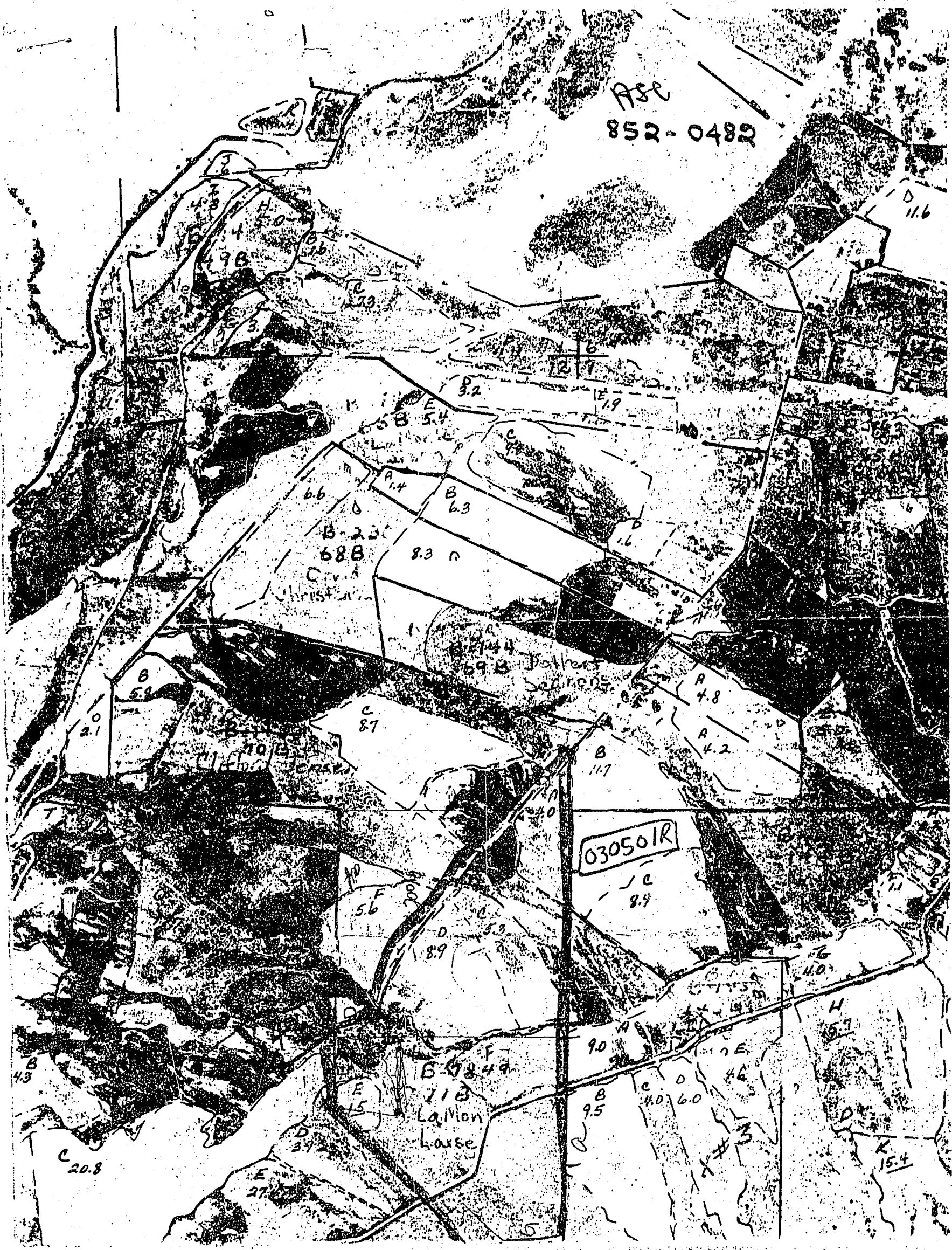
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions section, township and range of the public land survey system.

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.

M. Mack Larson
(Claimant)

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY			
Received by <u>dh</u>	Date <u>7-30-79</u>	Exception filed by: _____	Forwarded to _____
Prelim. check by <u>RDC</u>	Date <u>7-30-79</u>		claimant by: _____
\$20.00 fee received by <u>N/A</u>	Date _____		
Published in <u>Preston Citizen</u>			
Dates <u>August 9 & 16, 1979</u>			



RECEIVED

FEB 2 1979

Department of Water Resources
Eastern District Office

QUIT CLAIM DEED

THIS INDENTURE made this 12th day of May in the year
A. D., one thousand nine hundred thirty, between Ezra E. Larsen and his wife,
Beatrice Larsen

of the county of Franklin, State of Idaho, part 198
of the first part, and Marius W. Hansen (owner, presently by his loan)
of the County of Franklin, State of Idaho, part Y of the second part.

WITNESSETH:—That the said part 198 of the first part, for and in consideration of the sum
of One Hundred Twenty Five and no/100 DOLLARS
lawful money of the United States of America, to them in hand paid, by the said part Y of the
second part, the receipt whereof is hereby acknowledged, do by these presents demise, release,
and forever Quitclaim unto the said part Y of the second part, and to his heirs and assigns
forever, all that certain lot or parcels of land, situated
being and being in Franklin
County, State of Idaho, and bounded and particularly described as follows to-wit:

All their right, title, and interest in and to all of
the waters arising from certain springs located at a point Thirteen
Hundred thirty (1330) feet West and Ten Hundred Sixty three (1063) feet
North and Two hundred seventy six (276) feet East of the Southeast
corner of Section Twelve (12), Township Fourteen (14) South of Range
Forty (40) East of the Boise Meridian, and located in the County of
Franklin, State of Idaho.

thereunto belonging, or in anywise appertaining, and the reversion, reversions, remainder, and re-
mainders, rents, the issues, and the profits thereof,

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances,
unto the said part Y of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said part 198 of the first part ha ve hereunto set their
hand s and seal s the day and year first above written.

Signed in the presence of
Taylor Nelson
J. Lynn Bell

Ezra E. Larsen
Beatrice Larsen

No 924

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

Aug 9, 1979, and ending with the issue of Aug 16, 1979

Fee, \$ 10.44

Subscribed and sworn to before me this 29th day of August, 1979

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

NOTICE OF AMENDED CLAIM TO WATER RIGHT No. 13-4183

Notice is hereby given that Claim to a Water Right No. 13-4108 in the name of M. Glade Larsen was filed for the diversion of 1.00 cfs of water from an unnamed spring tributary to sinks with point of diversion within the SW 1/4 SE 1/4, Sec. 12, T. 14S, R. 40E, B.M., Franklin Co., for the irrigation of 10 acres from 4/1 to 11/1 within the W 1/2 SE 1/4, Sec. 12, T. 14S, R. 40E.

The claimant now proposes to amend Claim No. 13-4108, changing the diversion point to within the SE 1/4 SE 1/4, Sec. 12, T. 14S, R. 40E, B.M., Franklin Co. and the place of use to within the SE 1/4 SE 1/4, Sec. 12, T. 14S, R. 40E.

Any exception to the amending of this claim must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published 8/9 and 8/16/79 in the Preston Citizen, Preston, Idaho.

Legal No. 821-291 - Pub. Aug. 9 and 16, 1979.

ACK

RECEIVED

SEP 10 1979

Department of Water Resources
Eastern District Office