

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 Russell F. Fisher
(Name of Claimant)
2325 Sherbrooke Road, Winter Park, Florida 32792 Telephone No. (305) 644-4415
(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) November 16, 1900

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 unnamed stream (intermittent)

- (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>0.02 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
Quantity		Use	Period of Use From	To

- (4) 0.02 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 29 Twp. 13S 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. Pipeline from spring to catch basin and then piped to house.

- (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	
13S	38E	28														X	X		

No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for two households, lawn and garden.

NOTE: Include here the type and number of stock watered: 10 head, at times

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

A 10x10 grid map representing a section of land. The grid is divided into four quadrants by a central horizontal and vertical line. The top-left quadrant is labeled "Range 38E". The bottom-left quadrant is labeled "Township 13S". The bottom-left quadrant is further divided into two sections, labeled "29" and "28". In section 29, there is a label "*spring". In section 28, there are two labels, "*house", one above the other. A small, dark, irregular shape is located in the bottom-center of the grid, between sections 29 and 28.

State of ~~Idaho~~ Florida)
County of Orange) ss.

Russell A. Fisher
(Claimant)

Janette C. Chaffee
Notary Public
Residing at _____
address _____
Post Office Box 1000
Winter Park, Florida 32790

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MARCH 19 1980
My commission expires BONDED THRU GENERAL INS. UNDERWRITERS.

Received by dh Date 9-10-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by jc Date _____ claimant by: _____
\$20.00 fee received by ig Date 8-23-79 #14726
Published in Preston Citizen _____
Dates 9/20 & 9/27/79 _____

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.

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(Name of Claimant)

2325 Sherbrooke Rd., Winter Park, Florida 32792

(Mailing Address)

(Zip Code)

Telephone No. (305) 644-4415

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- (1) Date of priority: (When was the water first applied to a beneficial use) 1900

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)

unn. spring

tributary to

unn. stream (intermittent)

- (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)
Quantity 0.02 cfs

(Domestic, Irrigation, Stock, Etc.)
Use Domestic

(Both dates inclusive)
(Mo., Day) (Mo., Day)
Period of Use From Jan. 1 To Dec. 31

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.

(cfs, gpd, AFA)

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

NE 1/4 SE 1/4, Sec. 29 Twp. 13S 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. Pipeline from spring to catch basin and then piped to house.

- (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	
13S	38E	28														X			

No. of acres

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

Domestic use for two households, lawn & garden

NOTE: Include here the type and number of stock watered: 10 hd (at times)

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

- 10.12 -

(8) Remarks _____

RGE 38E

TWP. 13S

29

28

*spring

*house

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)
) ss.
County of Ada)

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 23rd day of August, 19 79.

Notary Public
Residing at Boise, Id

My commission expires 3/8/80

dh 8-27-79 FOR DEPARTMENT USE ONLY
Received by JS Date 8/23/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by JS Date 8/23/79 Rec'd # 14426
Published in _____
Dates _____

13 00

Water Res.

NO 945

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

Sept 20, 1979, and ending with the issue of Sept 27, 1979.

Fee \$ 1008

Subscribed and sworn to before me this 2nd day of Oct, 1979.

Ken D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

NOTICE OF CLAIM TO A WATER RIGHT NO. 13-4111

Notice is hereby given that Russell F. Fisher, Winter Park, Florida, has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring tributary to an unnamed stream with point of diversion in the NE 1/4 SE 1/4, Sec. 29, T. 13S, R. 38E, B.M., Franklin County.

The water is claimed to be used from 1/1 to 12/31 for domestic uses for 2 single-family residences with a priority of 11/16/1900; the place of use is within the W 1/2 SE 1/4, Sec. 28, T. 13S, R. 38E, B.M.

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

C. STEPHEN ALLRED
Director

Published in the Preston Citizen, Preston, Idaho on 9/20 and 9/27/79.

Legal No. 945-28L - Pub. Sept. 20 and 27, 1979.

RECEIVED

OCT 5 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: jc

Right Number

13 4111

Applicant

Fisher

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 Ernest Carlson

Date

10/12/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

June

Date

10/29/79

August 28, 1979

Russell F. Fisher
2325 Sherbrooke Road
Winter Park, Florida 32792

Dear Mr. Fisher:

Our regional office recently received your claim to a water right which was receipted in our state in Boise. However, before we can continue processing of this document, it will be necessary for you to indicate a month and day along with the year you list as the priority date in Item 1.

For this reason, you will find enclosed a typed copy of your claim. After completing the above item, sign the claim in the presence of a notary public and return it to this office. As your claim has already been receipted, we would appreciate your prompt attention to this matter.

Sincerely,

JOHN CARLSON
Water Resource Agent

JC:dh

Enclosure

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4111

Notice is hereby given that Russell F. Fisher, Winter Park,
Florida
has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~acre feet per annum~~
of water from an unnamed spring tributary to an unnamed stream
with point of diversion in the NELSE, Sec. 29, T. 13S, R. 38E, B.M.,
Franklin County.

The water is claimed to be used from 1/1 to 12/31
for domestic uses for 2 single-family residences
with a priority of 11-16-1900;
the place of use is within the WSE, Sec. 28, T. 13S, R. 38E, B.M.

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

C. STEPHEN ALLRED
~~By KEITH HIGGINSON~~

Director

Published in the Preston Citizen, Preston, Idaho
on 9/20 and 9/27/79

CW-A.

September 14, 1979

Preston Citizen
Box 472
Preston, Idaho 83263

Re: Claim to Water Right 13-4111

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

Bill submitted _____ by _____

RDC:dh

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 8, 1979

RUSSELL F. FISHER
2325 SHERBROOKE ROAD
WINTER PARK FL 32792

RE: Claim No. 13-4111

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