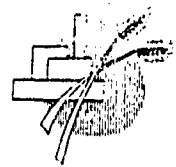


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 George Cole Reeder

(Name of Claimant)

Star Route, Preston, Idaho 83263

(Mailing Address)

Telephone No. 852-0623

(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) May 1, 1911

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)

Quakingasp Hollow or Sant Creek Stream tributary to Battle 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)	
Quantity	<u>0.3 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov 1</u>
Quantity	<u>0.04 cfs</u>	Use <u>Stockwater</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) .34 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SE 1/4 SW 1/4, Sec. 7 Twp. 13S 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. Portable 20 h.p. pump to handline sprinkler system; stock drink

directly from creek.

- (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	40E	7											15						15
													X			X			

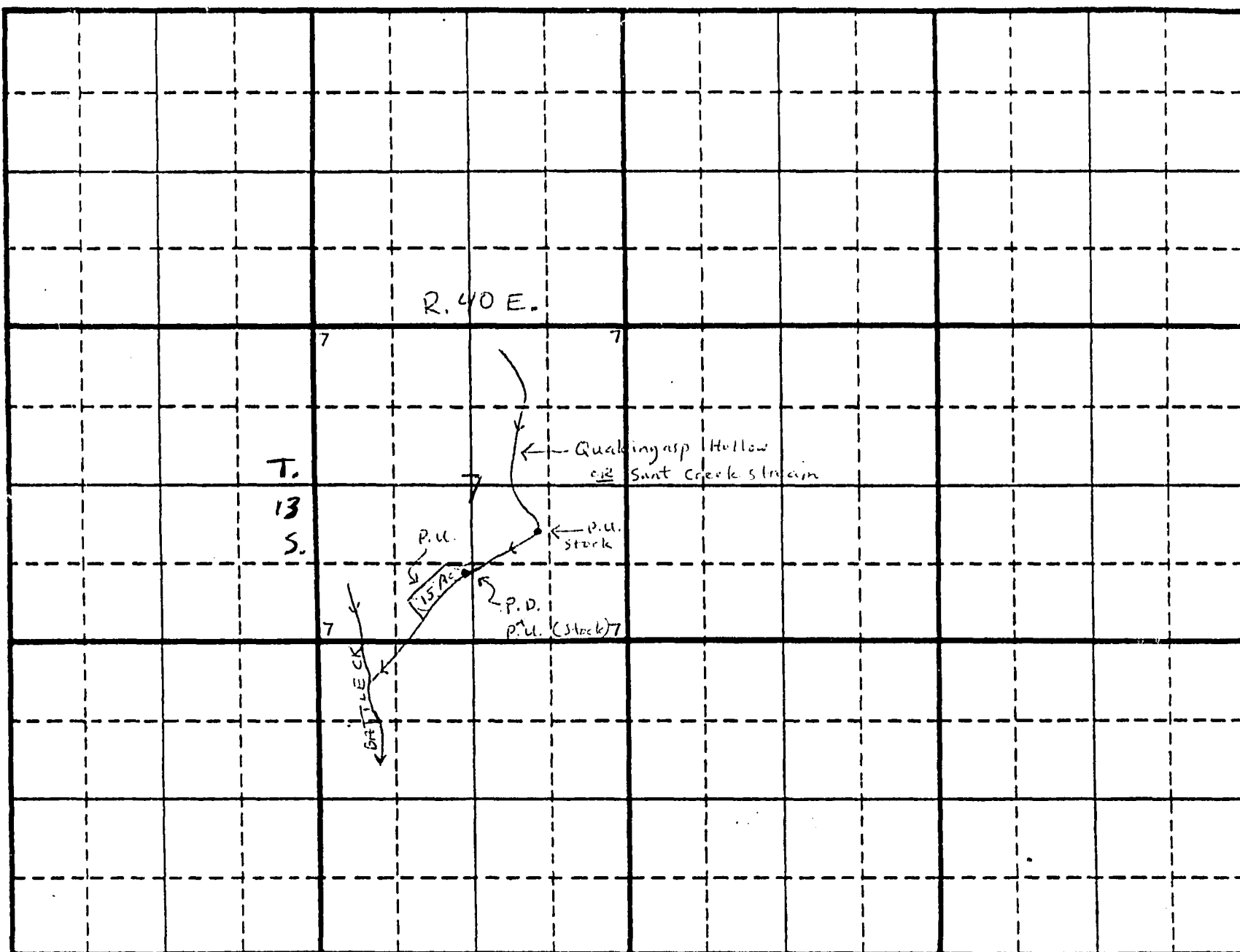
No. of acres 15

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: stock drink from creek at above "X"'s. There are no diversion works at these
points so the stock use does not have a designated p.d.

NOTE: Include here the type and number of stock watered: 75 cattle; 200 sheep

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

(9) 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 Bonneville) 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.

George Cole Reeder
(Claimant)

Sworn to before me this 1 day of December, 1980.

Kathleen A. Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

Received by J.K. Date 1 Dec 1980 Exception filed by: _____ Date _____
Prelim. check by EMC Date 12-2-1980 Forwarded to claimant by: _____
\$10.00 fee received by KW Date 12/1/80 # 16100
Published in Preston Citizen
Dates 12/11 & 12/18/80

No 1254

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

Dec. 11, 1980, and ending

with the issue of Dec. 18, 1980

Fee \$ 17.50

Subscribed and sworn to before me this 31st day of Dec., 1980.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

RECEIVED

JAN 6 1981

Department of Water Resources
Eastern District Office

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:

13-4134

REEDER, GEORGE COLE

STAR RT. PRESTON, ID 83263

Source: QUAKINGASP HOLLOW tributary to BATTLE CREEK; SALT CREEK STREAM tributary to BATTLE CREEK

Priority Date: 05/01/1911

Amount: 0.34 CFS

Diversion Point: SESW Sec. 07 T 13S R 40E, FRANKLIN Co.

Use: IRRIGATION (0.30 CFS) from 04/01 to 11/01; STOCKWATER (0.04 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 07 T 13S R 40E SESW NWSE Sec 07 T 13S R 40E FOR 15 ACRES.

Diversion Means: PUMP & SPRINKLER SYSTEM.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 12/11 & 12/18/80.

Legal No. 1254 - L - Pub Dec. 11, 1980.

RECEIVED

DEC 19 1980

NOTICE OF EXCEPTION TO

CLAIM NO. 13-4134

Department of Water Resources
Eastern District Office

An exception is hereby made to the claim of George Cole Reeder under his Claim No. 13-4134, as follows:

Strongarm Reservoir Irrigation District
Route 3
Preston, ID

does hereby claim prior rights to all the waters, springs and tributaries of Battlecreek by use and by the Budge Decree of 1903, and by the District Decree of 1920 subject to certain exceptions therein.

Both of these decrees are in the water records of the State of Idaho, and are well known by the Idaho Department of Water Resources, and are prior to any of the new claims of claimant.

In the District Decree there is a reference to a right of a certain John R. Reeder, dated May 1, 1911, for the irrigation of three (3) acres from a spring tributary to said Battle Creek.

Now the claimant, George Cole Reeder, is attempting to enlarge the three (3) acre secondary right by his present claim to water for fifteen (15) acres.

The above exception is made by the Strongarm Reservoir Irrigation District.

Joseph C. Hedin
Joseph C. Hedin, President

State of Idaho)
County of Franklin) ss

On the 18th day of December A.D. 1980, personally appeared before me

JOSEPH C. HEDIN, PRESIDENT OF STRONGARM RESERVOIR IRRIGATION DISTRICT

the signer of the within instrument, who duly acknowledged to me that he executed the same.

V. Ben T. Johnson
(Notary Public)

Residing at: Preston, Idaho
Commission Expires: Lifetime

IN THE MATTER OF:)

Claim to a Water Right #)
13-4134 in the name of)
George Cole Reeder)

AFFIDAVIT

State of Idaho)
County of _____)

K. H. SHUMWAY

being first duly sworn,

deposes and says: I hereby file any exception to claim #13-4134 for
0.34 cfs with a priority of 5/1/1911. The source of water under this claim
has previously been decreed in the case of Utah Power & Light Co. vs. Last
Chance Canal Company et.al. dated July 14, 1920, and has been utilized to
satisfy those rights diverted from Battle Creek. Furthermore, the quantity
of water flowing in Quaking Asp Hollow & Sant Creek is not sufficient for the
irrigation of 15 acres.

K. H. Shumway
(Signature)

Subscribed and sworn to before me this 16 day of December 1980

Kathleen A. Walker
(Notary Public)

Residing at Idaho Falls
My Commission Expires 2/15/1983

AGREEMENT

This agreement made and entered into this 13th day of June, 1921, by and between W.R. Sant of Preston, Idaho, the party of the first part and ~~John T. Reeder of Stock Valley, Idaho, the party of the second part~~, WITNESSETH:-

That whereas, a controversy arose respecting the water claims of the above named parties and also as to a right of way, and,

Whereas, it has been ^{damned} best to settle the whole controversy out of court, it is therefore agreed by and between the said parties as follows, to-wit:-

FIRST: That the said W.R. Sant is the owner and entitled to the use of all that certain stream of water known as THE QUAKENGASP HOLLOW OR SANT CREEK STREAM from the beginning of each year and until the 15th of ^{June} each and every year.

SECOND:-That the said W.R. SANT is to have free of charge a right of way over the lands of the party of the second part where the said ditch is now located.

THIRD:-THAT the party of the second part, to-wit, the said John T. Reeder is to have the stream known as the STOCK VALLEY BRANCH OR SANT CREEK during the ~~the remainder~~ remainder of the year after the said June 15th of each and every year; and the said Reeder is to have all the water of the said QUAKENGASP HOLLOW OR SANT CREEK STREAM AFTER THE SAID 15th day of June of each year; that is to say all the water belongs to SANT UNTIL JUNE 15th of each year and after said 15th day of June it belongs to said Reeder.

DATED JUNE 13th, 1921.

SIGNED IN THE PRESENCE OF

W. R. Sant
John T. Reeder

Subscribed to before me
this 13th day of June 1921
Arthur W. Hart J.P.

17378

Agreement

W. R. Saut

John J. Reeder

June 13. 22

John J. Reeder

P 10 3rd June 22

Miscellaneous

570

John A. Koford

June 13. 22

069

Board

Page

13-4134-

REEDER, GEORGE COLE

STAR RT., PRESTON, ID 83263

Source: QUAKINGASP HOLLOW tributary to BATTLE CREEK
SANT CREEK STREAM tributary to BATTLE CREEK

Priority Date: 05/01/1911

Amount: 0.34 CFS

Diversion Point: SESW Sec 07 T 13S R 40E, FRANKLIN Co.

Use: IRRIGATION	(0.30 CFS)	from 04/01 to 11/01
STOCKWATER	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SESW Sec 07 T 13S R 40E SESW NWSE Sec 07 T 13S R 40E
FOR 15 ACRES

Diversion Means: PUMP & SPRINKLER SYSTEM.

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 12/11 & 12/18/80.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

DECEMBER 4, 1980

The Preston Citizen
P. O. 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 billings to this office before DECEMBER 29, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

December 18, 1980

RE: Claim to a Water Right No. 13-4134 REEDER

Mr. K. H. Shumway
Treasureton Route
Preston, Idaho 83263

Dear Mr. Shumway:

We have received the exception dated December 16, 1980, filed 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 us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

December 18, 1989

RE: Claim to a Water Right No. 13-4134

Mr. George Cole Reeder
Star Route
Preston, Idaho 83263

Dear Mr. Reeder:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. 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 us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

December 23, 1980

RE: Claim to a Water Right No. 13-4134 REEDER

Joseph C. Hedin
Strongarm Reservoir Irrigation District
Rt. #3
Preston, Idaho 83263

Dear Mr. Hedin:

We have received the exception dated December 18, 1980, filed 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 us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: Ben Johnson

December 23, 1980

RE: Claim to a Water Right No. 13-4134

George Cole Reeder
Star Route
Preston, Idaho 83263

Dear Mr. Reeder:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. 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 us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

DECEMBER 30, 1980

GEORGE COLE REEDER
STAR RT.
PRESTON

ID 83263

RE: Claim No. 13-4134

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

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 13 4134 Applicant Rader

NOTE: 13-4134 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.
- 12/29

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson Date 1-7-1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 1/9/81