

No 1388

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

Co-Publisher

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

June 18

19..81, and ending

June 25

with the issue of 19..81.

J. Walter Ross

Fee \$..16⁰⁰

Subscribed and sworn to before me this day

30th

of 19..81.

June

Kenneth D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires 19..82

June 7

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:

DAHLE, LARRY D. 13-4145
HEBDON, GARTH

RFD 2 BOX 183, PRESTON, ID 83263

Source: UNNAMED STREAM
tributary to CUB RIVER
IRRIGATION CANAL

Priority Date: 05/01/1940

Amount: 0.47 CFS

Diversion Point: SESW Sec 34 T 15S
R 39E, FRANKLIN CO.

Use: IRRIGATION (0.45 CFS) from
05/01 to 10/15

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

Place of Use: NWNW SWNE NENW
SENE Sec 03 T 16S R 39E FOR 43
ACRES

Diversion Means: DITCH

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.

A. KENNETH DUNN

Director

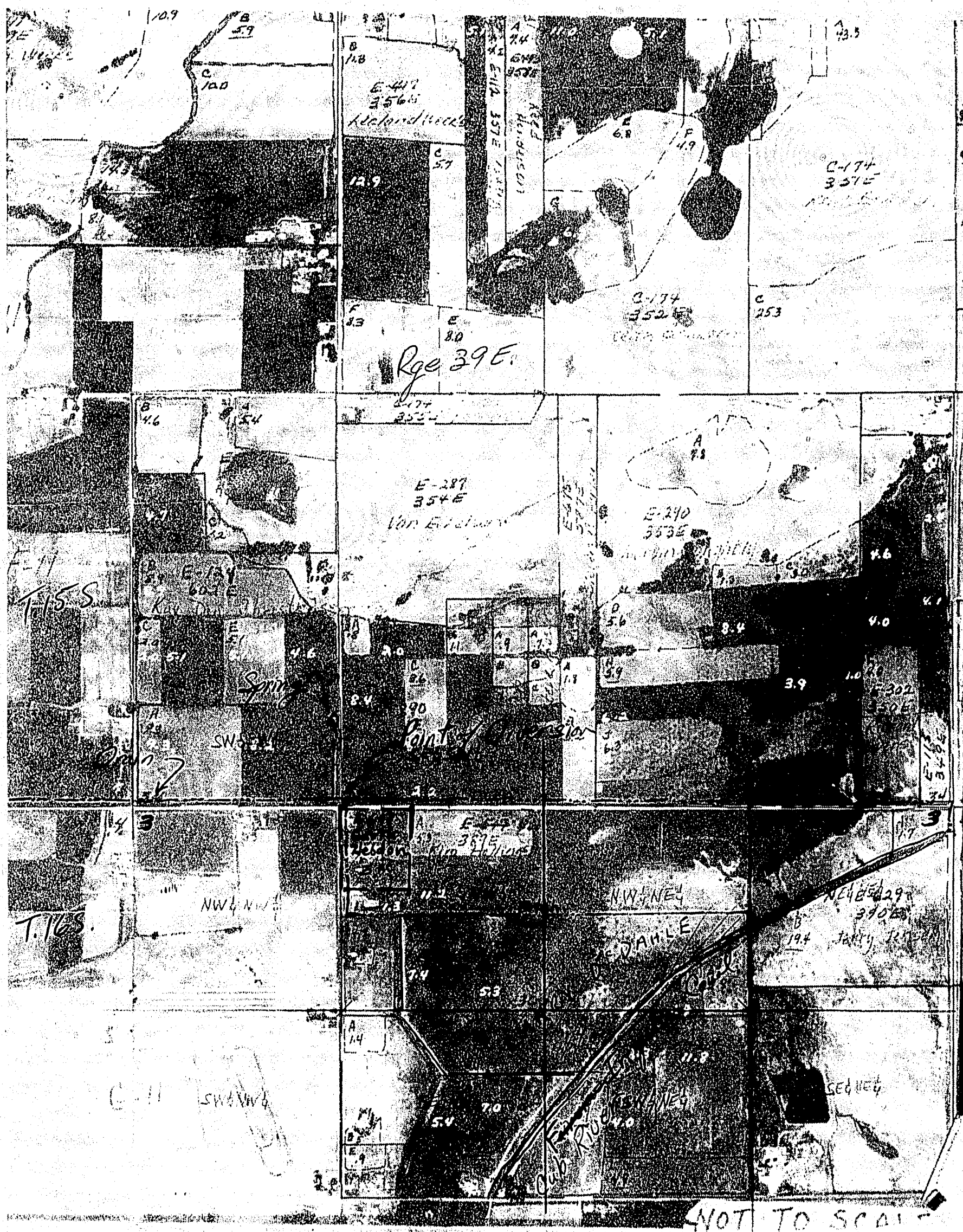
Published 6/18 & 6/25/81.

Legal No. 1388-32L - Pub June
18, 25, 1981.

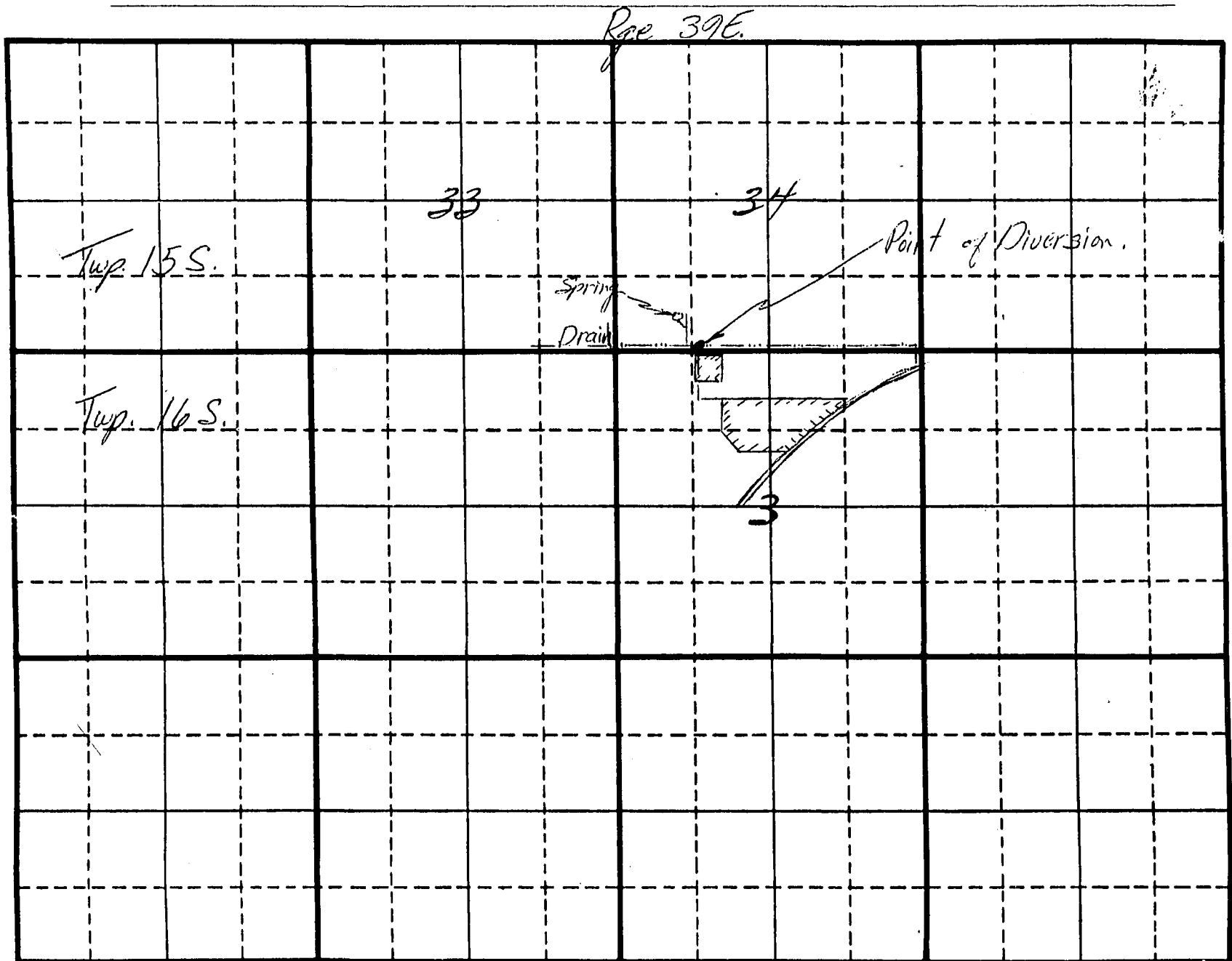
RECEIVED

JUL 6 1981

Department of Water Resources
Eastern District Office



- (8) Remarks Source of water is a drain extending along southern edge Sections 33 and 34 for approximately 1/2 mile a spring located on the east side of SW1/4SW1/4, Sec. 34, T. 15S, R. 39E. Approximately 500 feet north of southern border of said section.



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 _____)

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 2nd day of June, 1981

Larry D. Dahle
Forth Belton
(Claimant)

St. J. F. Fawcett
Notary Public
Residing at Preston, ID

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>EW</u>	Date <u>6/5/81</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>6/5/81</u>		claimant by:	
\$30.00 fee received by <u>EW</u>	Date <u>6/10/81</u>	# <u>17710</u>		
Published in <u>Preston Citizen</u>				
Dates <u>6/18 & 6/25/81</u>				

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 Larry D. Dahle and Garth Hebdon
(Name of Claimant)

RFD #2, Box 183, Preston, ID 83263
(Mailing Address)

Telephone No. 208-852-2039
(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, 1940

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 stream tributary to Cub River Irrigation Canal.

- (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>0.45 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>May 1</u>	To <u>Oct. 15</u>
Quantity	<u>0.02 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)	<u>0.47 cfs</u>	TOTAL QUANTITY USED.		

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

SE ¼ SW ¼, Sec. 34 Twp. 15S Rge. 39E 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. Water is collected in open ditch and distributed to the users.

- (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	
16S	39E	3		13	4		18			8									43

No. of acres 43

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water 100 head of range cattle and irrigate 60 acres.

NOTE: Include here the type and number of stock watered: 100 head of beef cattle.

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