

No 1609

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

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

April 15, 1982, and ending

with the issue of April 22, 1982.

Fee \$ 18.75

Subscribed and sworn to before me this 30th day

of April, 1982.

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

MAY 7 1982

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.

13-4199

FREW, CARLENE

PRESTON, ID 83263

Source: SPRINGS tributary to SINKS

Priority Date: 08/01/1944

Amount: 0.04 CFS

Diversion Point: NWNE Sec 30 T 15S R 39E, FRANKLIN Co.

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

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

Place of Use: SWSW Sec 20 T 15S R 39E

Diversion Means: SPRING & PIPELINE

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 83402.

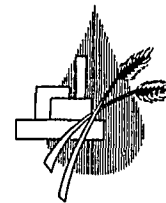
A. KENNETH DUNN
DIRECTOR

Published 4/15 & 4/22/82.

Legal No. 1609 -30L- Published April 15, 22, 1982.

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 Carlene Frew
(Name of Claimant)
Preston, Idaho 83263 Telephone No. 852-1915
(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) 8 1 1944

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)
Springs 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.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>		
Quantity <u>0.02 cfs</u>	Use <u>Stock</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 _____		

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 30 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: One inch pipeline from spring

(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	
<u>15S</u>	<u>39E</u>	<u>20</u>											X						

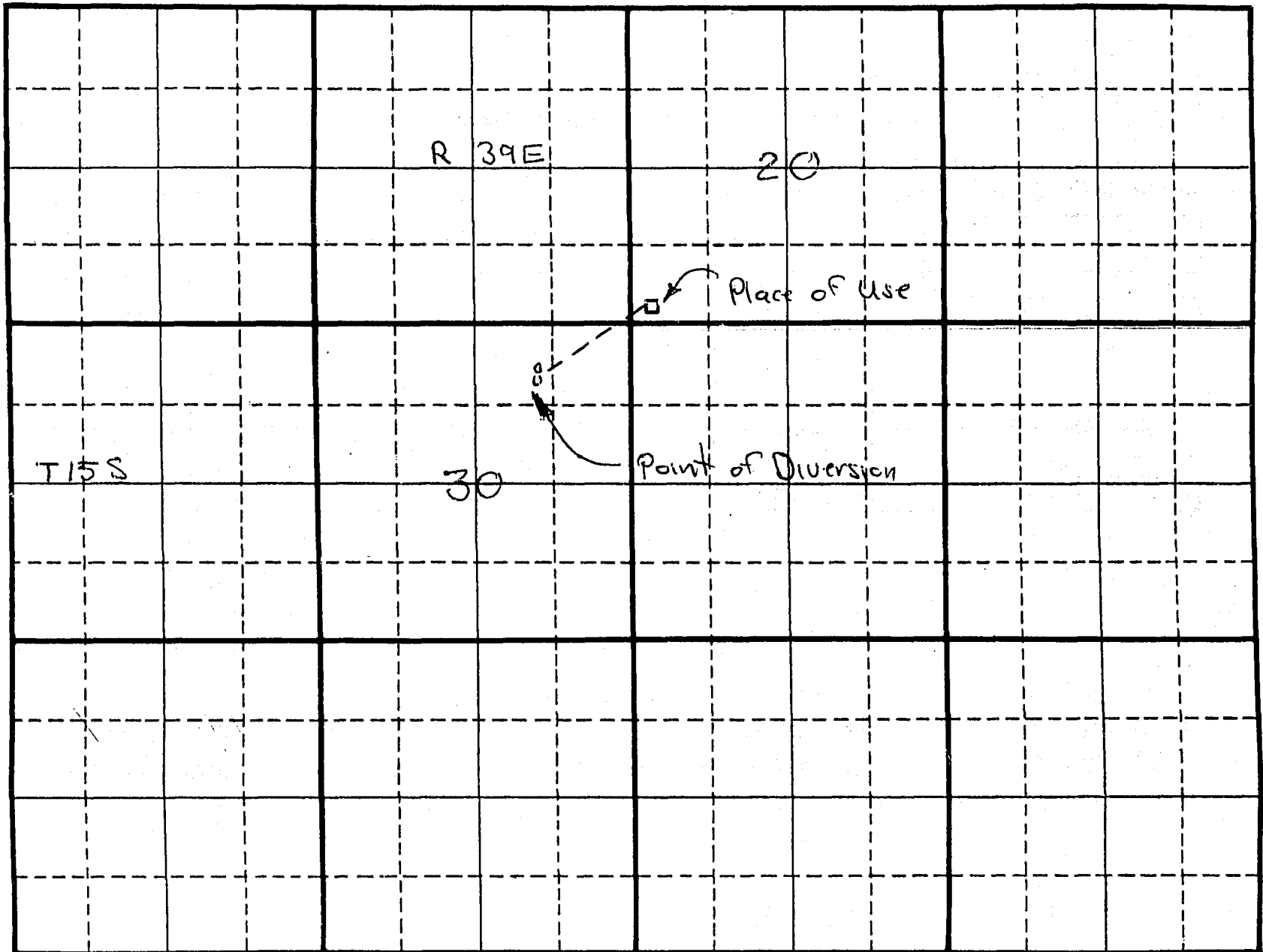
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
I claim 1/2 interest in springs developed and used for domestic and stockwater uses.

NOTE: Include here the type and number of stock watered: 2 horses

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

(8) Remarks My predecessors helped develop the springs and
pipec them to my place over 40 years ago.



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 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 affiant's knowledge.

Carlene Frew
(Claimant)

Sworn to before me this 25th day of March, 1982.

Beverly M. Mortensen
Notary Public
Residing at Preston, Idaho

My commission expires Lifeterm

assisted by HWJ
Received by CW Date 3-26-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWJ Date 3-26-82 claimant by: _____
\$20.00 fee received by CW Date 3-26-82
Published in Preston (Idaho) #20184
Dates 4-15 4-22-82

FOR DEPARTMENT USE ONLY

March 16, 1982

Carlene Frew
Preston
Idaho 83263

Dear Ms. Frew:

Enclosed you will find your claim to a water right and check 4727 for \$30. Several items needed changing and I have included a new claim form which I have partially filled in.

Using blue pen on line one you need to fill in a month, day and year when the spring was first used as you claim.

On line 2, you must write the word sinks if the spring is not tributary to any other water course.

When these items are complete, you can then sign the document in the presence of a notary and send the claim with a check for \$30 to this office.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:brs

enclosure: as stated

13-4199

FREM, CARLENE

PRESTON, ID 83263

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Priority Date: 08/01/1944

Amount: 0.04 CFS

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

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Diversion Means: SPRING & PIPELINE

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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 83402.

A. KENNETH DUNN

Director

Published 4/15 & 4/22/82.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 8, 1982

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 billing to this office before MAY 3, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

By KW Date 5/27/82

May 3, 1982

RE: Claim to a Water Right No. 13-4199 FREQ

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on April 15 and 22, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

MAY 3, 1982

CARLENE FREW
PRESTON

ID 83263

RE: Claim No. 13-4199

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

RECEIVED
MAY 13 1982

Department of Water Resources