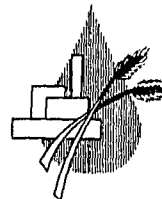


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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 Huitau Miles c/o Harry La(Monte) Miles 2nd  
(Name of Claimant)  
Rt. 3, Box 102 Preston, Idaho 83263 Telephone No. 852-2421  
(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) May 1, 1932

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)

Fox Hollow tributary to Deep 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, af)               | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        |                 |
|-------------------------|-------------------------------------|-------------------------------|-----------------|
|                         |                                     | (Mo., Day)                    | (Mo., Day)      |
| Quantity <u>0.20cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>4-1</u> | To <u>11-1</u>  |
| Quantity <u>0.02cfs</u> | Use <u>Stockwater</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) 0.20cfs TOTAL QUANTITY USED.  
(cfs, af)

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

SE ¼ NW ¼, Sec. 5 Twp. 14S 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. Headgate to ditch for flood irrigation

- (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 |       |
| 14S | 39E | 5    |     |     |     |     |     |     |     |     |     | 1   |     |     |     |     |     |     | 1     |
|     |     | 6    |     |     |     |     |     |     |     |     |     |     |     |     | 9   |     |     |     | 9     |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

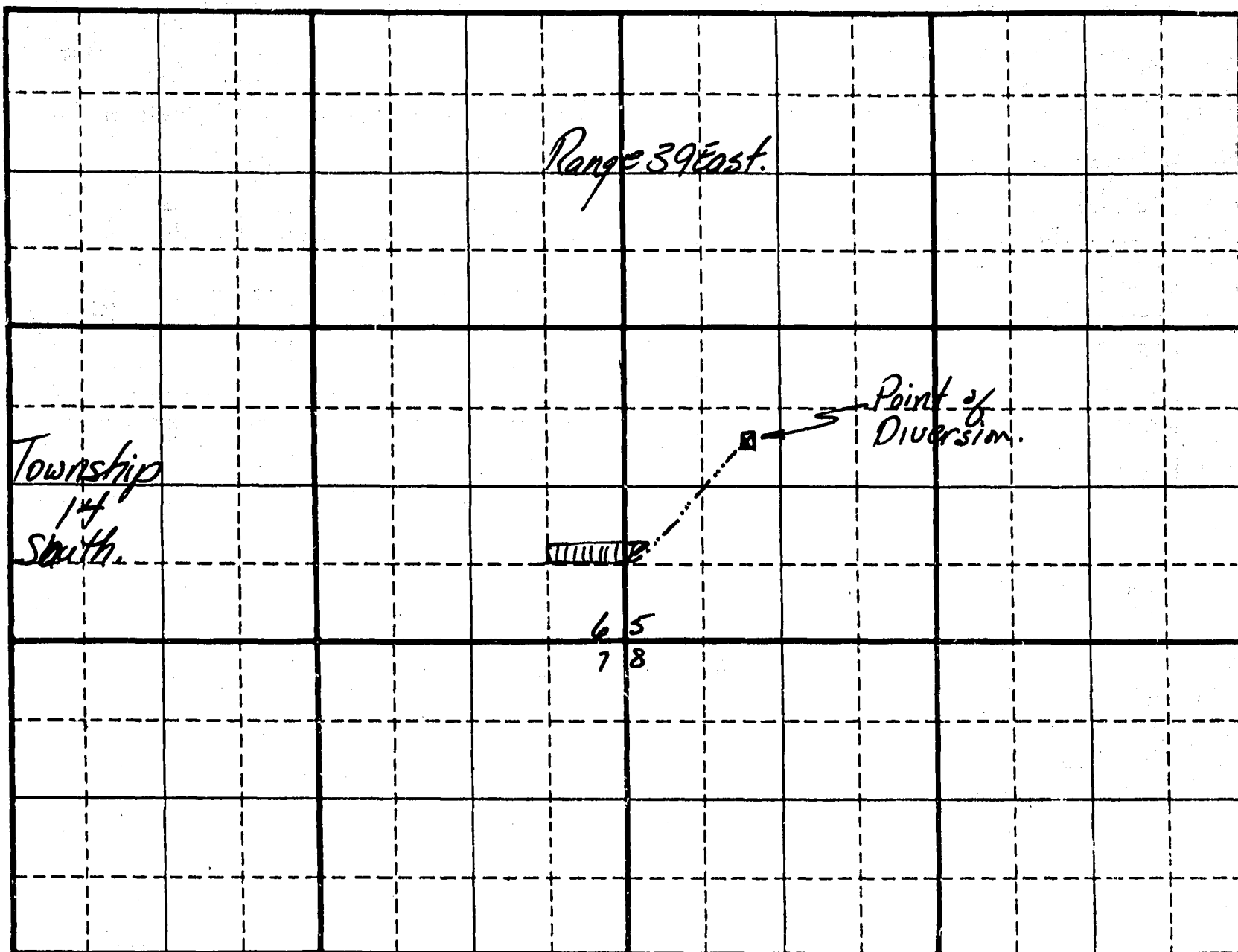
No. of acres 10

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

NOTE: Include here the type and number of stock watered: 30 head range cattle

- (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 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.

Sworn to before me this 29<sup>th</sup> day of June

Huitau Miles  
(Claimant)  
Allen Way  
Notary Public  
Residing at Idaho Falls, Id.

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by EMC Date 6-29-82 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by Kaw Date 6-29-82 Forwarded to claimant by: \_\_\_\_\_  
\$30.00 fee received by BP Date 6-29-82 # 22347  
Published in Preston Citizen  
Dates 7-8 & 7-15-82

4875

No 1663

# 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

July 8, 1982, and ending with the issue of July 15, 1982

Fee \$20.00

Subscribed and sworn to before me this 31st day of July, 1982

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

RECEIVED

AUG 6 1982

Department of Water Resources  
Eastern District Office

## NOTICE TO 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:

12-4282

MILES, HUITAU

RT. 3, BOX 102, PRESTON, ID 83363

Source: FOX HOLLOW tributary to DEEP CREEK

Priority Date: 05/01/1982

Amount: 0.20 CFS

Diversion Point: SENW Sec 06 T 14S R 39E, FRANKLIN Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 11/01

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

Place of Use: NWSW Sec 05 T 14S R 39E NESE Sec 06 T 14S R 39E FOR 10 ACRES

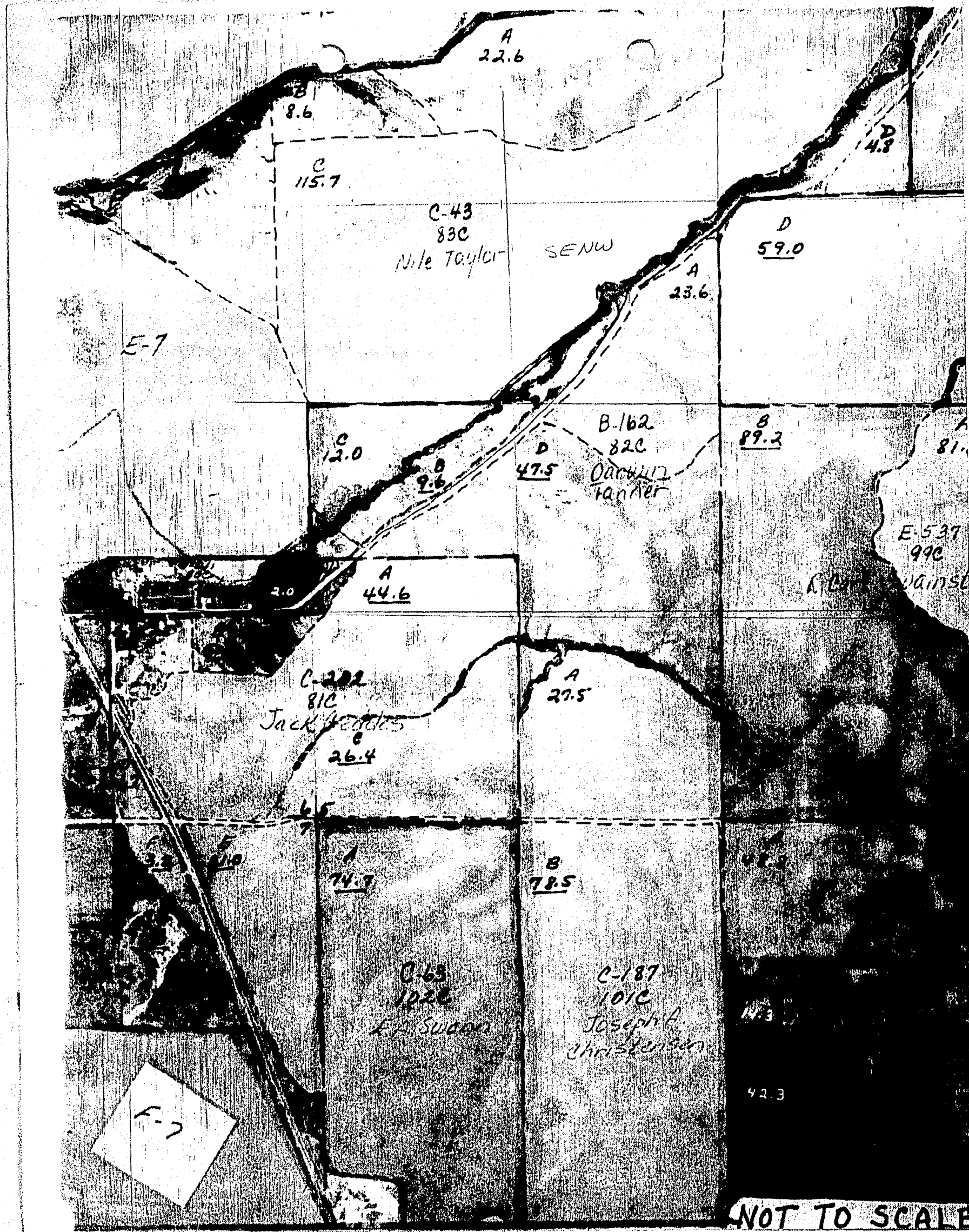
Diversion Means: HEADGATE & DITCH

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 83402.

A. KENNETH DUNN  
Director

Published 7/8 & 7/15/82.

Legal No. 1663 -32L- Published July 8, 15, 1982.



13-4202

MILES. HUITAU

RT. 3. BOX 102. PRESTON. ID 83263

Source: FOX HOLLOW tributary to DEEP CREEK

Priority Date: 05/01/1932

Amount: 0.20 CFS

Diversion Point: SENW Sec 05 T 14S R 39E. FRANKLIN Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (0.20 CFS) | from 04/01 to 11/01 |
| STOCKWATER      | (0.02 CFS) | from 01/01 to 12/31 |

Place of Use: NWSW Sec 05 T 14S R 39E NESE Sec 06 T 14S R 39E  
FOR 10 ACRES

Diversion Means: HEADGATE & DITCH

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 83402.

A. KENNETH DUNN

Director

Published 7/8 & 7/15/82.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JUNE 30, 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 JULY 26, 1982.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

Form 243a  
11/78

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

K.C. Wilson

Right Number

13 4202

Applicant

Huiton Miles

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.  
Send to W.D. # \_\_\_\_\_

July 26, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Aug 10, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

8/19/82



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

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

July 28, 1982

RE: Claim to a Water Right No. 13-4202 MILES

Preston Citizen  
P.O. 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 July 8 and 15, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Called 8-2-82 BP

COLLEEN WRAY  
Adm. Secretary

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JULY 26, 1982

HUITAU MILES  
RT. 3, BOX 102  
PRESTON

ID 83263

RE: Claim No. 13-4202

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

AUG 18 1982

Department of Water Resources