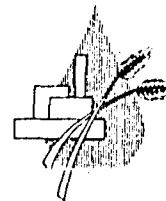


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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 Charles Vernon Westerberg  
(Name of Claimant)  
Rt 2 Preston, Idaho Telephone No. 852-1651  
(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) January 1, 1907

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 Station 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:

| Quantity<br>(cfs, af) | Use<br>(Domestic, Irrigation, Stock, Etc.) | Period of Use From To |               |
|-----------------------|--------------------------------------------|-----------------------|---------------|
|                       |                                            | (Mo., Day)            | (Mo., Day)    |
| <u>0.04</u>           | <u>Stock water</u>                         | <u>Jan 1</u>          | <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            |
| Quantity              | Use                                        | Period of Use From    | To            |

(4) 0.04 TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 SW 1/4, Sec. 22 Twp. 14S 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.  
Pipe from culvert to watering trough

(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 |       |
| 14S | 40E | 22   |        |        |        |        |        |        |        |        |        |        |        | X      |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

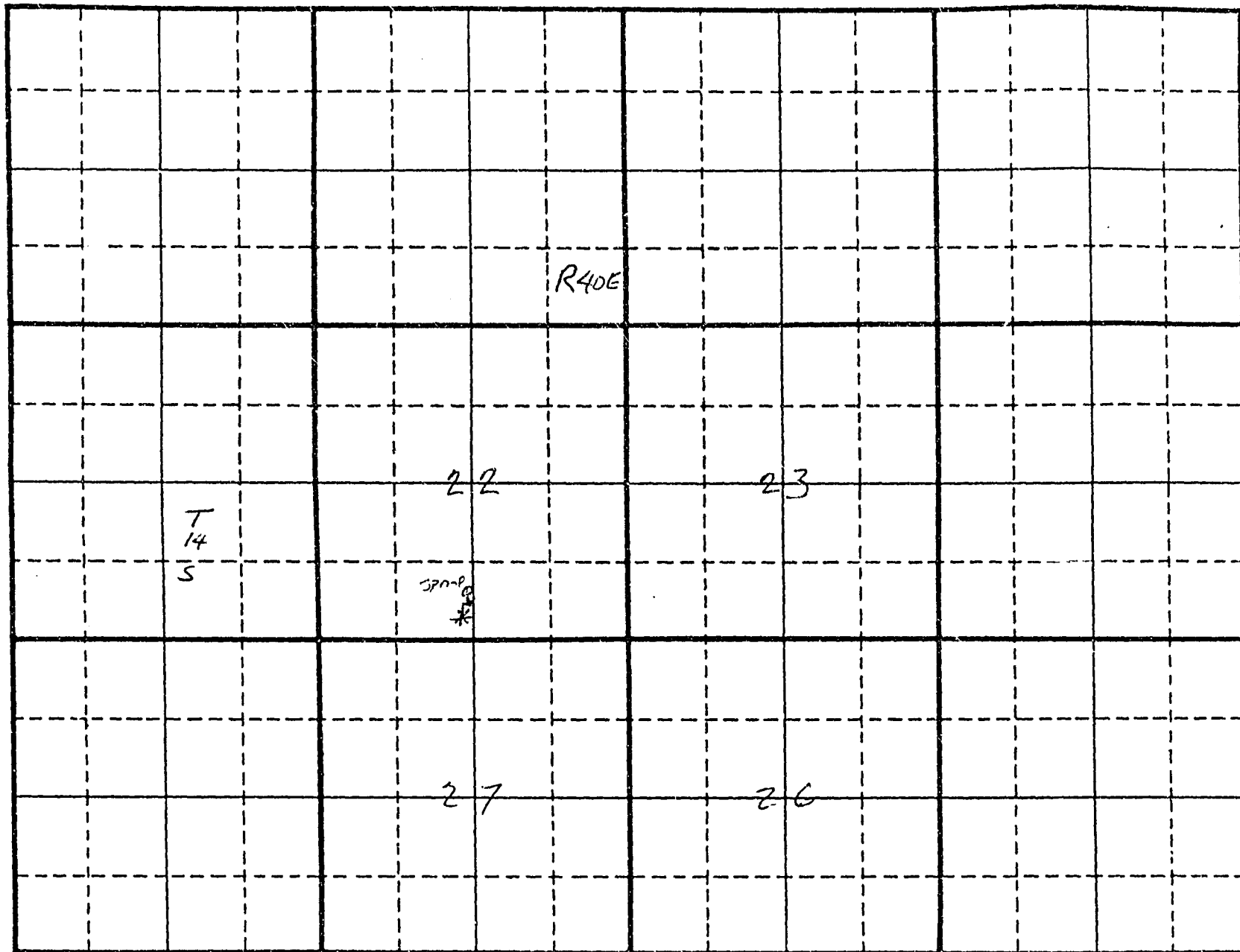
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: stock  
water for 30 head of Beef Cattle

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

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

(8) Remarks Many years water was pumped with a ram  
for domestic uses in the SW<sup>1</sup> SE<sup>4</sup> Sec 22. There  
is no domestic use at present time



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 Bingham ) 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 19<sup>th</sup> day of January, 1983.  
Charles Henry Westerberg  
(Claimant)

Ronald D. Carl  
Notary Public  
Residing at Firth, Idaho

My commission expires 2/14/84

FOR DEPARTMENT USE ONLY

Received by EMC Date 1/19/83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by KCW Date 1/25/83 claimant by: \_\_\_\_\_  
\$30.00 fee received by BP Date 1-27-83  
Published in Preston Citizen # 23352  
Dates 2/10 - 2/17/83

#875 FEB 28 1983

No 1792

## 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

Feb. 10, 1983, and ending with the issue of Feb. 17, 1983.

Fee \$ 12.50

Subscribed and sworn to before me this 28th day of Feb., 1983.

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

### NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use.

13-4218

WESTERBERG, CHARLES VERNON

RT-2, PRESTON, ID 83263

Source: SPRING tribu to STATION CREEK

Priority Date: 01/01/1907

Diversion Pt. SESW Sec 22 T 14S R 40E

Use: STOCKWATER (0.04 CFS)

In: SESW Sec 22 T 14S R 40E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

Published 2/10 & 2/17/83.

Legal No. 1792 -20L- Published February 10, 17, 1983.

RECEIVED

MAR 4 1983

Department of Water Resources  
Eastern District Office

13-4218

WESTERBERG, CHARLES VERNON

RT. 2, PRESTON, ID 83263

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Priority Date: 01/01/1907

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In: SESW Sec 22 T 14S R 40E

Proofed by phone  
2/8/83 BP

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 2/10 & 2/17/83.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

FEBRUARY 2, 1983

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 FEBRUARY 28, 1983.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C. Wilson

Right Number 13 4218 Applicant Charles Vernon Westenberg

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 March 8, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 3/15/83

Feb 28, 1983



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup-Suite 15  
Idaho Falls, Idaho 83401  
(208) 525-7161

March 3, 1983

RE: Claim to a Water Right No. 13-4218 WESTERBERG  
13-4219 BUTTARS  
13-4220 LOWE  
Application for Permit No. 13-7381 MOSER

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 February 10 and 17, 1983.

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., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

FEBRUARY 28, 1983

CHARLES VERNON WESTERBERG  
RT. 2  
PRESTON

ID 83263

RE: Claim No. 13-4218

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

MAR 14 1983

Department of Water Resources