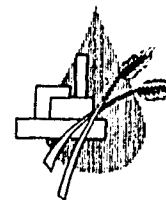


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Paul Link

Dept of Geology - Idaho State Univ, Pocatello ID 83209
(Mailing Address)

(Name of Claimant)

(Zip Code)

Telephone No. 236 3365 or 3846
234-1237

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) Jan 31, 1922

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 Bear River

- (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, af)	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		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 cfs TOTAL QUANTITY USED.
(cfs, af)

- (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. tank and pipe from spring, system is at least 20 years old

- (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	
15S	39E	19																X	

No. of acres _____

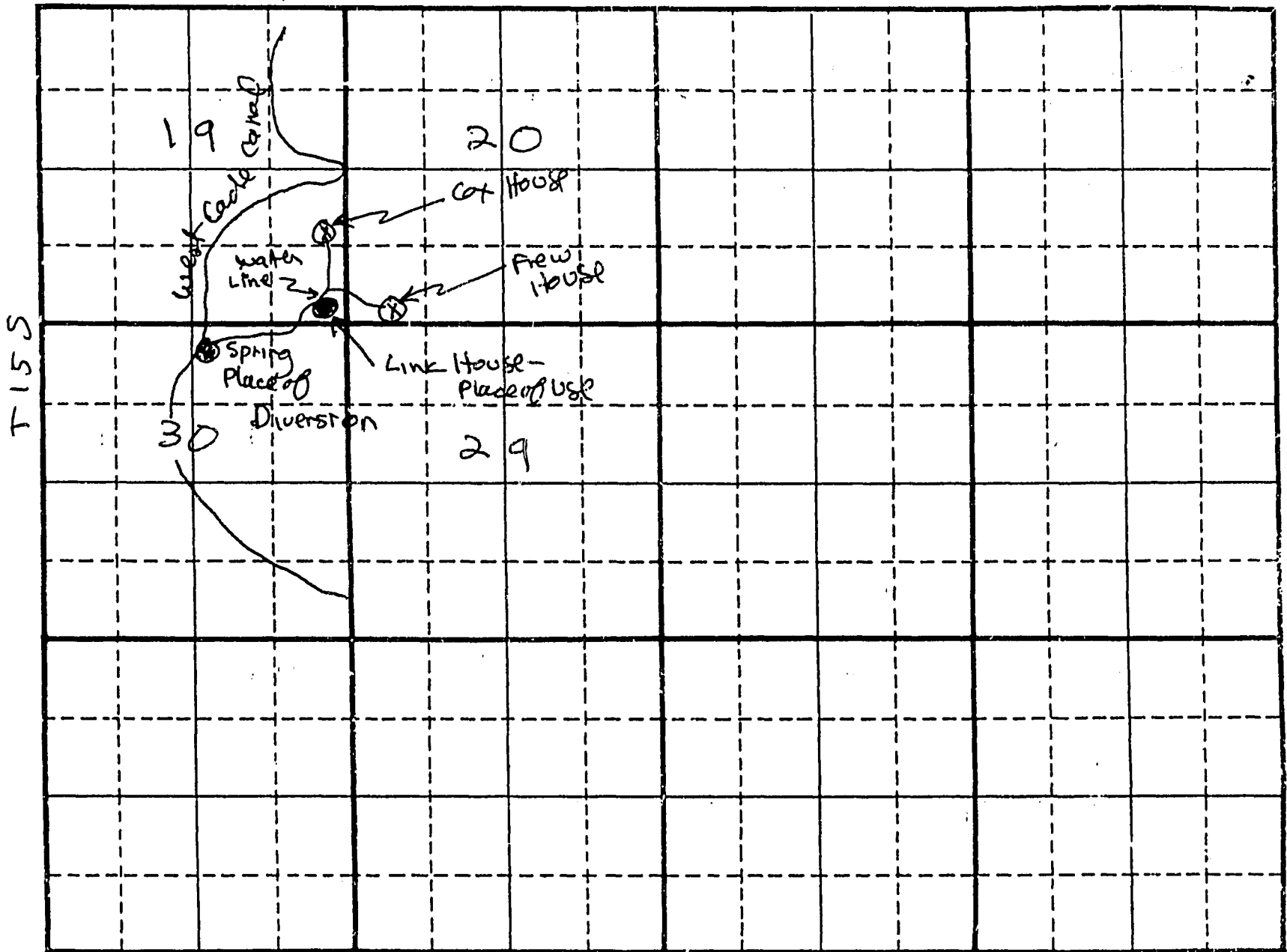
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

I am claiming only the share of water for my house.
The spring supplies 3 houses (Link, Cox, and Frew)
See map

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks Date of priority was taken from warranty deed
between J. A. Fife (party of first part) and W. D. Fife
(party of 2nd part) for the property - instrument #17041 1/2
Franklin County
R39E



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 Bannock) 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 23 day of May, 19 83

Paul Karl
(Claimant)

Jernedine A. Reynolds
Notary Public
Residing at Pocatello, Idaho

My commission expires March 12, 1986

FOR DEPARTMENT USE ONLY

Received by <u>AW</u>	Date <u>6-6-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Kew</u>	Date <u>6-8-83</u>		claimant by:	
\$30.00 fee received by <u>AW</u>	Date <u>6-9-83</u>	<u>#30820</u>		
Published in <u>Preston Citizen</u>				
Dates <u>6/23 & 6/30/83</u>				

#875

JUN 30 1983

No 1874

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 6-23, 1983, and ending with the issue of 6-30, 1983.

J. Walter Ross
Fee \$ 13.75

Subscribed and sworn to before me this 30th day of June, 1983.

Ken D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986.

RECEIVED

JUL 6 1983

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:
13-4230

LINK, PAUL
DEPT. OF GEOLOGY, IDAHO STATE UNIVERSITY, POCA TELLO, ID 83209
Source: SPRING trib. to BEAR RIVER

Priority Date: 01/31/1922
Diversion Pt: NWNE Sec 30 T 15S R 39E

Use: DOMESTIC (0.04 CFS)
In: SESE Sec 19 T 15S R 39E

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 6/23 & 6/30/83

13-4230

LINK. PAUL

DEPT. OF GEOLOGY, IDAHO STATE UNIVERSITY, POCA TELLO, ID 83209

Source: SPRING trib. to BEAR RIVER

Priority Date: 01/31/1922

Diversion Pt: NWNE Sec 30 T 15S R 39E

Use: DOMESTIC (0.04 CFS)

In: SESE Sec 19 T 15S R 39E

*Imaged
6-21-83*

NOTICE OF CLAIMS TO WATER RIGHTS

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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 6/23 & 6/30/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 15, 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 JULY 11, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith Carlson

Right Number 13 4230 Applicant Paul Link

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.
 - ☒ WD #1
- July 11, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By RDC Date 7/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 7/20/83

RECEIVED
JUL 20 1983
Department of Water Resources

aw

June 24, 1983

RE: Claim to a Water Right No. 13-4231 MINK CREEK IRRIG.
13-4230 LINK

Mr. Russell Stoker, Watermaster
Water District No. 11
279 East 3rd North
Soda Springs, ID 83276

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure (2)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 11, 1983

PAUL LINK
DEPT. OF GEOLOGY
IDAHO STATE UNIVERSITY
POCATELLO ID 83209

RE: Claim No. 13-4230

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

13-4230

Lark, Paul

Dept of Geolog, Idaho State University, Pocatello

Source Spring Out to Bear River

Priority Date: 01/31/1922

Diversion P/T NW NE Sec 30 T 15S R 39E

Use Domestic (0.04 CFS)

In SESE Sec 9-T 15S R 39E

6/23 6/30/83

OCT 1 1983

Department of Water Resources
Eastern District Office

10. 161. -66L- Published
22, 29, May 6, 1982.

**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

EREW, 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.

Office

diversion and beneficial use:
13-4257

COX, JAY TAYLOR &/or ILA K.
RT. 3, BOX 266, PRESTON, ID 83263

Source: SPRING trib. to SINKS

Priority Date: 01/31/1922

Diversion Pt: NWNE Sec 30 T 15S R
39E

Use: STOCKWATER (0.02 CFS)

Use: DOMESTIC (0.04 CFS)

In: SESE Sec 18 T 15S R 39E

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

Published 9/8 & 9/15/83.

Legal No. 1943 -21L- Published
September 8, 15, 1983.

IN THE DISTRICT COURT OF THE
SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE
COUNTY OF FRANKLIN

MARK ALLEN SPERRY,

Plaintiff.

CASE NO.

IN THE MATTER OF:
CLAIM TO WATER RIGHT
NO. 13-4257 COX

AFFIDAVIT

OCT 11 1983

Department of Water Resources
Eastern District Office

State of Idaho
County of FRANKLIN

CARLENE FREW being first duly sworn,
deposes and says: I wish to protest application and
claim for water rights for domestic and stock water of Claim
No 13-4257, of Jay Taylor Cox and Ila K. Cox, Route #3, Box 266,
Preston, Idaho, 83263.

I claim one-half interest in the spring, pipeline and water
resources. My predecessors helped as a fifty-fifty partner in
the development and laying of pipeline and construction of the
water facilities.

I also protest application made by Paul Link on the same
spring, Route #3, Preston, Idaho, for the same reasons.

C. Carlene Frew
(Signature)

Subscribed and sworn to before me this 7th day of October, 1983.

Per J. D. Smith
(Notary Public)

Residing at Preston, Idaho
My Commission Expires Lifetime

TO THE WATER
COMMISSION
BY 13-4257

State of Idaho
County of FRANKLIN
October 18, 1983

CAPITOL AREA

and says: I wish to
RE: Claim to a Water Right No. 13-4257

No. 13-4257, of Jay K. Cox
P.O. Box 266-263
Preston, Idaho 83263

Dear Claimants:

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

Enclosure

10 11 12

13-4230

October 18, 1983

Paul Link
Dept. of Geology
Idaho State University
Pocatello, ID 83209

Dear Mr. Link:

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.----

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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.

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If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

October 18, 1983

RE: Claims to Water Rights No. 13-4257 COX
13-4230 LINK ✓

Carlene Frew
Rt. #3, Box 263
Preston, ID 83263

Dear Ms. Frew:

We have received the exception dated October 7, 1983, 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