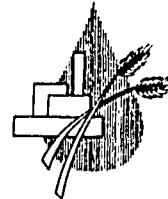


RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 13 1983

CLAIM TO A WATER RIGHT

Department of Water Resources
Eastern District Office

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 Rushville Irrigation Co.

(Name of Claimant)

Clifton, ID 83228

(Mailing Address)

Telephone No. 747-3491

(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, 1869

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)
-
- Michael Creek & Davis Creek
- 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>4.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>10-1</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)
- 4.0 cfs
- TOTAL QUANTITY USED.
-
- (cfs, af)

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

NE 1/4 SW 1/4, Sec. 16 Twp. 14S Rge. 38E B.M., County of FranklinAdditional points of diversion: NENE Sec. 17, NW 1/4, SENW, SWNE, SENE Sec. 16(Davis Creek diversion) NENE, NWNE, Sec. 17 (Michael Creek Diversion) T14SB) 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. R38E
Diversion dams to ditches

- (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	38E	8													32		20	38	90
		9									34	26	32	38		15	30	3	178
		15							19			17	10						46
		16	40	38	40	40	22	5	26	30	20	18	9	6	40	36	33	40	443
		17			13														13
		21	25	20			35	3		20									103
		22						40											40

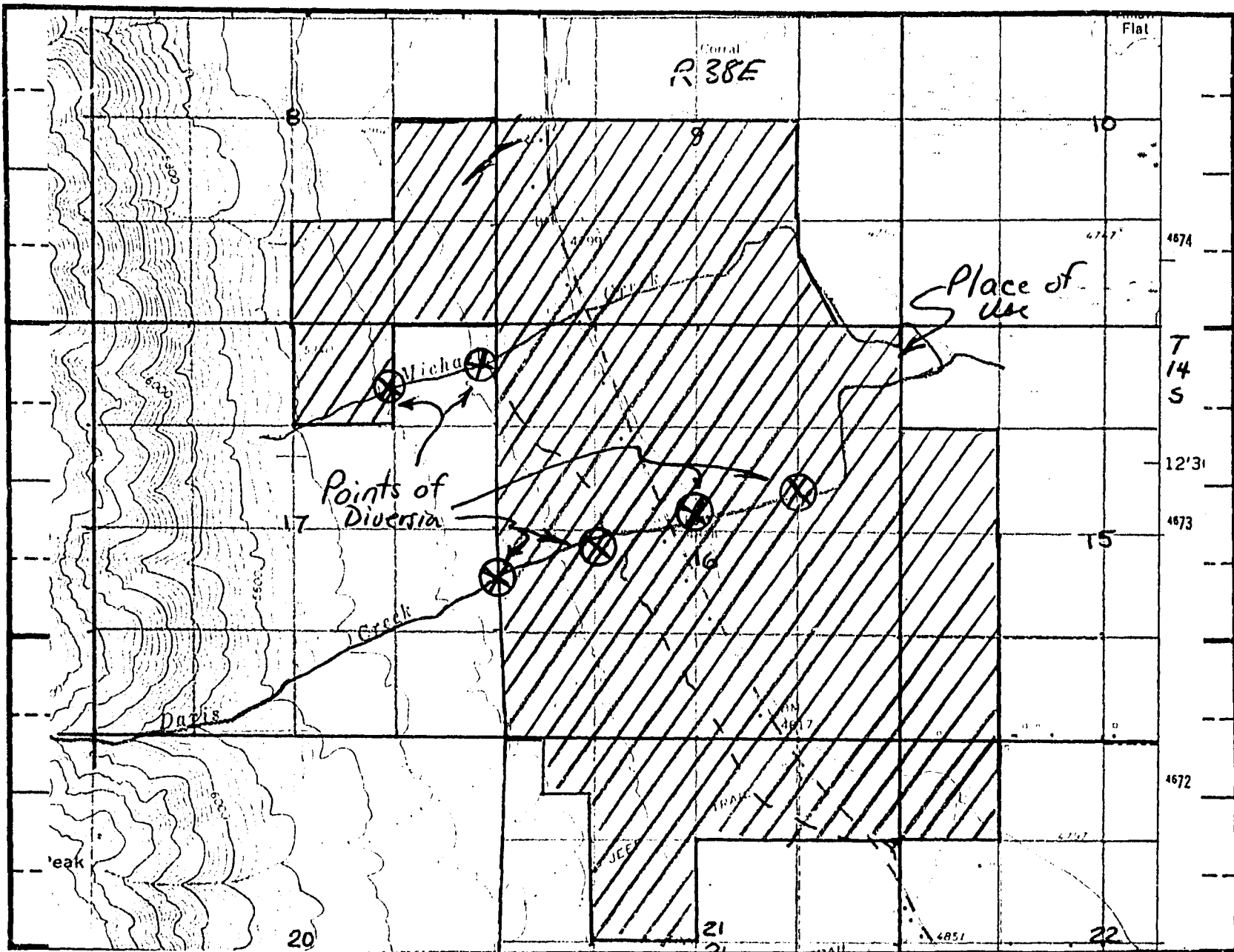
No. of acres 912

- 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:

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

(8) Remarks This claim is for high water that may occur in addition to
decreed water right No. 11-0882



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 13th day of June, 19 83.

D. David Bechtel
(Claimant) Secretary

Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>KCW</u>	Date <u>6/13/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>6-14-83</u>		claimant by:	
\$30.00 fee received by <u>BP</u>	Date <u>6/13/83</u>	<u>#30857</u>		
Published in <u>Preston Citizen</u>				
Dates <u>6/30 - 7/7/83</u>				

#875
AUG 23 1983

No 1878

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 3 1983

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

6-30, 1983, and ending

with the issue of 7-7, 1983

Fee \$ 22.50

Subscribed and sworn to before me this 31st day

of July, 1983

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

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:
13-4233
RUSHVILLE IRRIGATION CO.
CLIFTON, ID 83228.
Source: MICHAEL CREEK trib. to DEEP CREEK

DAVIS CREEK trib. to DEEP CREEK

Priority Date: 05/01/1869

Diversion Pt: NESW Sec 16 T 14S R 38E NESE Sec 17 T 14S R 38E NWSW SENW SWNE SENE Sec 16 T 14S R 38E NENE NWNE Sec 17 T 14S R 38E
Use: IRRIGATION (4.00 CFS)

In: NESE SWSE SESE Sec 08 T 14S R 38E NESW NWSW SWSW SESW NWSE SWSE SESE Sec 09 T 14S R 38E SWNW NWSW SWSW Sec 15 T 14S R 38E NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 16 T 14S R 38E NWNE Sec 17 T 14S R 38E NENE NWNE NENW NWNW SENW Sec 21 T 14S R 38E NWNW Sec 22 T 14S R 38E FOR 913 ACRES

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 6/30 & 7/7/83.

Legal No. 1878 -36L- Published June 30, July 7, 1983.

13-4233-

RUSHVILLE IRRIGATION CO.

CLIFTON, ID 83228

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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 6/30 & 7/7/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 22, 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 18, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

HWS

Right Number

1B 4233

Applicant

Rushville Trng.

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.

July 18, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Aug. 16, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

EW

Date

8/30/83

EW



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

July 20, 1983

RE: Application for Permit No. 13-7394 BECKSTEAD
Claim to a Water Right No. 13-4233 RUSHTON IRRIGATION CO.
13-4234 WHITNEY
13-4235 "
13-4236 "
13-4237 "
13-4238 HALL
13-4239 "

Preston Citizen
Box 472
Preston, ID 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 June 30 and July 7, 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

JULY 18, 1983

RUSHVILLE IRRIGATION CO.
CLIFTON ID 83228

RE: Claim No. 13-4233

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 23 1983
Department of Water Resources