Form No. 243
9/81

Claim No. 13 4219

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 Wayne G. or Debra Lee Fellows
(Name of Claimant)

Rt.2, Preston, ID 83263 Telephone No. 852-2127
(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) June 1, 1910

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)
Bear Creek Springs tributary to Mink 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) Period of Use From (Mo., Day)	To (Mo., Day)
Quantity	0.90cfs	Use Irrigation	5-1	11-1
Quantity		Use		
Quantity		Use		
Quantity		Use		
Quantity		Use		

(4) 0.90cfs (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 19 Twp. 14S Rge. 41E 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. Pond off springs with 10" line to gravity flow sprinklers.

(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	40E	24		16	36	4									5	5			66

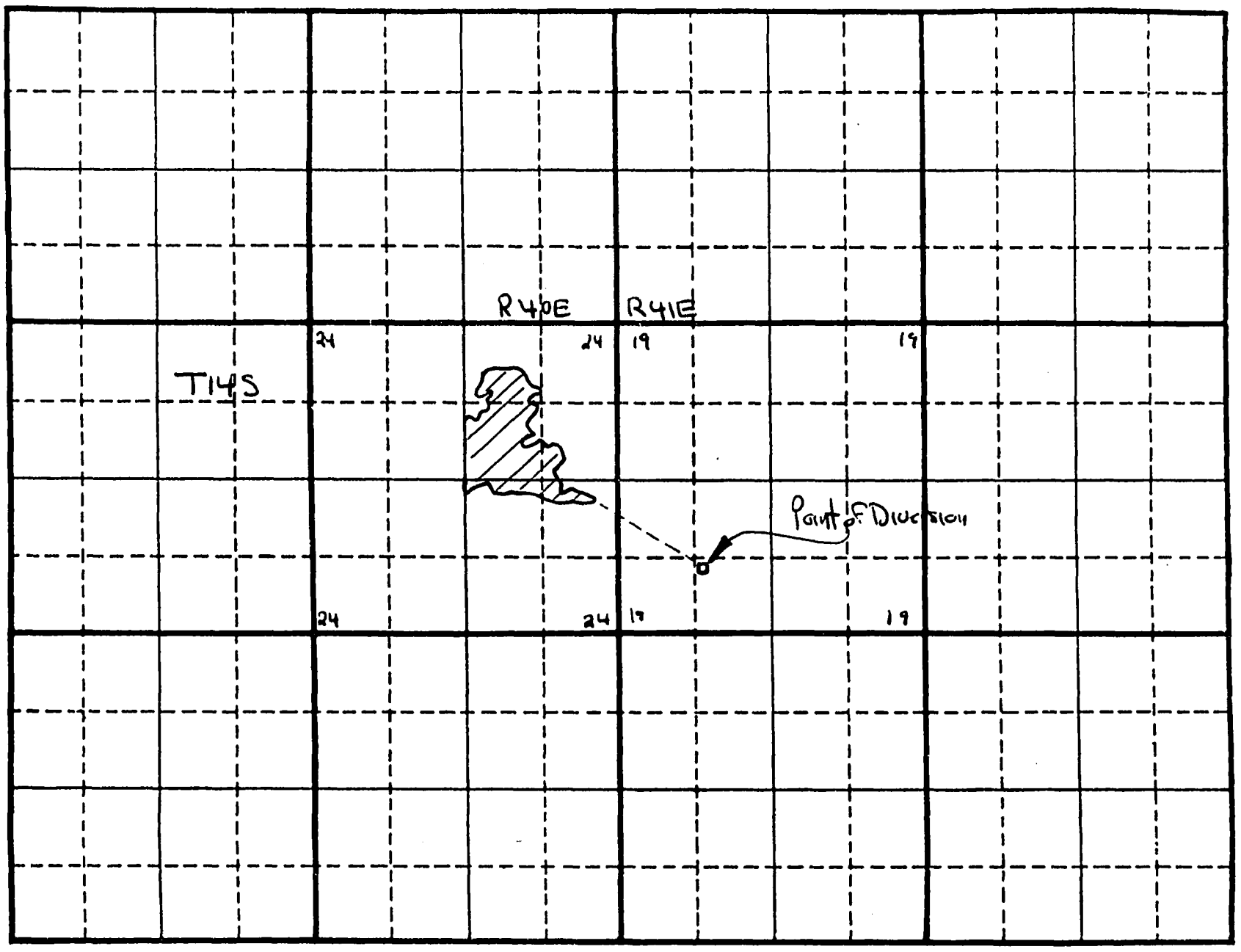
No. of acres 66

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 _____



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)
) ss.
County of Bonneville)

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.

Wayne S Fellows
(Claimant)

Sworn to before me this 28th day of June, 1983.

Colleen Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by CW	Date 6-30-83	Exception filed by:	Fowarded to claimant by:	Date	
Prelim. check by S.M.	Date 8-11-1983				
$30.00 fee received by CW	Date 7-6-83				
Published in Preston Citizen #2948					
Dates 9/1 - 9/8/83					

#875

SEP 15 1983

№ 1932

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

Sept 1, 1983, and ending

with the issue of Sept 8, 1983.

J. Walter Ross

Fee $ 13.75

Subscribed and sworn to before me this 30th day

of Sept, 1983.

Kevin D. Allen

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:

13-4249
FELLOWS, WAYNE G. &/or DEBRA LEE
RT. 2, PRESTON, ID 83263
Source: BEAR CREEK SPRINGS trib. to MINK CREEK
Priority Date: 06/01/1910
Diversion Pt: SESW Sec 19 T 14S R 41E
Use: IRRIGATION (0.90 CFS)
In: NWNE SWNE SENE NESE NWSE Sec 24 T 14S R 40E FOR 66 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 9/1 & 9/8/83.

Legal No. 1932 —22L— Published September 1, 8, 1983.

RECEIVED
OCT 5 1983
Department of Water Resources
Eastern District Office

13-4249

FELLOWS, WAYNE G. &/or DEBRA LEE

RT. 2, PRESTON, ID 83263

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Proofed
by phone
BP 6/30/83

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 13 4249 Applicant Wayne Fellows

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 # 13 N.

FINAL REGIONAL PROCESSING REVIEW:

Sept 19, 1983

- ✓ ☑ Affidavit of publication received.
- ☑ Claim published correctly.
- N/A ☐ Exceptions processed.

By Ernest Carlson Date Oct 11, 1983

STATE OFFICE PROCESSING:

- ☑ Claim review complete.

By RDH Date 11/1/83

RECEIVED
OCT 14 1983
Department of Water Resources

CW

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

September 20, 1983

RE: Claim to a Water Right No. 13-4247 WHITNEY
13-4248 MATTHEWS
13-4249 FELLOWS
13-4252 CLEVELAND HOT SPRINGS
13-4253 "

Application for Permit No. 13-7403 JONES
13-7404 "

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 September 1 and 8, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

October 11, 1983

RE: Claim to a Water Right No. 13-4249 FELLOWS

Dean C. Smith, Watermaster
Water District No. 13-N
Rt. #2, Box 533
Preston, ID 83263

Dear Mr. Smith:

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

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 19, 1983

WAYNE G. FELLOWS
DEBRA LEE FELLOWS
RT. 2
PRESTON ID 83263

RE: Claim No. 13-4249

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