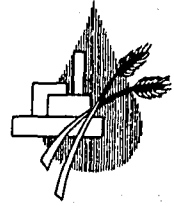


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



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 Hope C. Mylroie (Name of Claimant)
5007 E. Maple Creek, Franklin, Idaho 83237 (Mailing Address) Telephone No. 208-646-2498 (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, 1878

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)
Spring tributary to Maple 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>.04 cfs</u>	Use <u>domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>.02 cfs</u>	Use <u>stock</u>	Period of Use From <u>Jan 1</u>	To <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

(4) 0.04 cfs 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 NW 1/4, Sec. 14 Twp. 16S 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. collection box, gravity flow 1 1/4" pipeline, 1200 ft.

(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	
16S	40E	14									X								

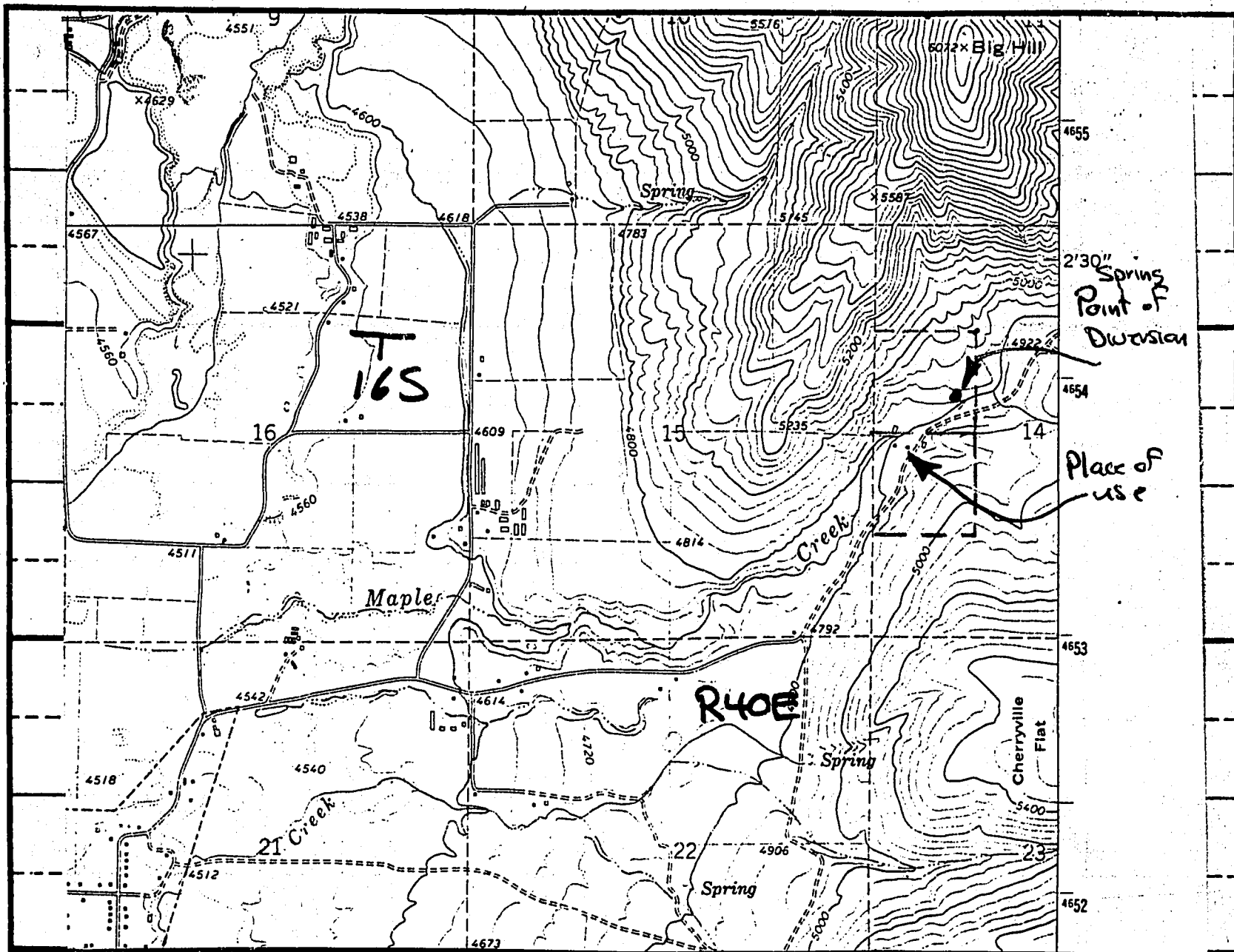
No. of acres _____

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

NOTE: Include here the type and number of stock watered: cattle & horses, 50 head

(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 Franklin) 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.

Hope O. Waples
(Claimant)

Sworn to before me this 5 day of June, 19 87.

Carolyn M. Stone
Notary Public
Residing at Franklin County

My commission expires 4-3-91

FOR DEPARTMENT USE ONLY

Received by <u>OW</u>	Date <u>6-8-87</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWT</u>	Date <u>6-9-87</u>		claimant by:	
\$30.00 fee received by <u>OW</u>	Date <u>6-9-87</u> # <u>41217</u>			
Published in <u>Preston Citizen</u>				
Dates <u>6-18 + 6-25-87</u>				

73.15111

RECEIVED

JUN 8 1987

Department of Water Resources
Eastern District Office

May 19, 1987

To Whom it May Concern:

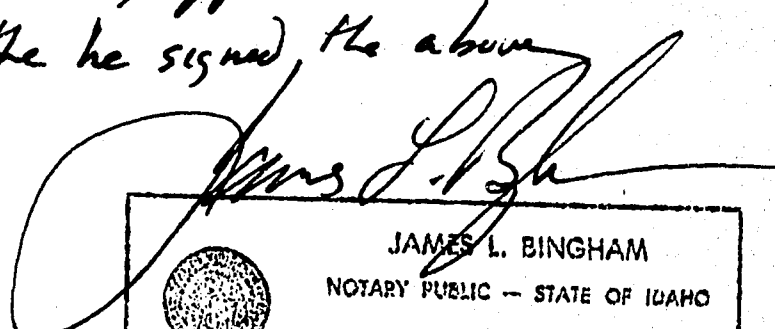
According to my knowledge and my records, all the tributary water to Maple Creek was filed on by the Franklin Pioneer Irrigation Co. in 1878. The spring which supplies the cullinary water for use at the residence of Hope C. Mylroie was used for domestic purposes prior to that time. It has been used as cullinary water for over 100 years.

Thank you

Signed C. Wallace Chatterton (68Yr.)
old

5238 E. Maple Cr.
Franklin, Ida. 83237

ON MAY 20, 1987 before me JAMES L. Bingham
A Notary Public, personally appeared C. Wallace
Chatterton. I certify that he signed the above


JAMES L. BINGHAM
NOTARY PUBLIC — STATE OF IDAHO

RECEIVED

MAY 27 1987

Department of Water Resources
Eastern District Office

#875

JUN 24 1987

No 2990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

J. Warren 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

June 18, 1987, and ending

with the issue of June 25, 1987

Fee \$ 22.75

Subscribed and sworn to before me this 26th day

of June, 1987.

K. O. Oee

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1992

NOTICE OF CLAIMS TO WATER RIGHTS

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

13-4297
MYLROIE, HOPE C.
5007 EAST MAPLE CREEK
FRANKLIN, ID 83237
Source: SPRING (trib) to MAPLE CREEK
Diversion Pt: SESWNW Sec 14 T 16S R 40E
Use: STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Priority Date: 06/01/1878
In: NWSW Sec 14 T 16S R 40E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup, Suite 15, Idaho Falls, Idaho 83402 on or before JULY 6, 1987.

KEN DUNN, Dir.
Legal No. 2990 - 26L - Publish June 18, 25, 1987.

RECEIVED

JUL 1 1987

Department of Water Resources
Eastern District Office

CLAIMS

NOTICE OF APPLICATION FOR WATER RIGHT

The following ^{Claim} ~~application(s)~~ have been filed ^{on water right(s)} ~~to appropriate the public~~
~~waters of the State of Idaho:~~
created by diversion & beneficial use:

6-16 : Paper
notified of above
correction

Exceptions to a claim may

~~The permittee will be subject to all prior water rights. Protests~~
~~must~~ be filed with the Director, Dept. of Water Resources, Eastern Region,
150 Shoup, Suite 15, Idaho Falls, Idaho 83402, ~~on or before JULY 6, 1987.~~

KEN DUNN, Dir.

Published 6/18 & 6/25/87.

13-4297

MYLROIE, HOPE C.

5007 EAST MAPLE CREEK, FRANKLIN, ID 83237

Source. SPRING trib. to MAPLE CREEK

Diversion Pt. SESWNW Sec 14 T 16S R 40E

Use. STOCKWATER	(0.020 CFS)
DOMESTIC	(0.040 CFS)

Priority Date: 06/01/1878

In. NWSN Sec 14 T 16S R 40E

6-16 : TF
Preston citizen
to proof ad;
everything O.K.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 10, 1987

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 billings to this office before JULY 6, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

June 22, 1987

Conan Foster, Watermaster
Water District #13-A
Rt. 3
Preston, Idaho 83263

RE: Claim to a Water Right No. 13-4297.

Dear Mr. Foster:

Enclosed for your information only are copies 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.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dg

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 6, 1987

HOPE C. MYLROIE
5007 EAST MAPLE CREEK
FRANKLIN ID 83237

RE: Claim No. 13-4297

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 Manager

Enclosure

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT
13 4297

Right Number _____ Applicant Mylroie

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. WD B-A log 6-22-87
- ☒ 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 Calan Date 8 July 1987

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Sc Date 7/15/87

RECEIVED
JUL 15 1987

Department of Water Resources