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SEP 02 1993

Claim No. 13-4318

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STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

JUL - 7 1993

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 Roger Jay Seamons

(Name of Claimant)

2177 E. 9000 N. Preston IDAHO

(Mailing Address)

83263

(Zip Code)

Telephone No. 208-852-2180

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) August 14, 1975

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)

ground water

tributary to

- (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>.04 ds</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 ds 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. 13S Rge 40EAST 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. Well - pump (1hp) pipeline - 223 ft (from well to home)
well casing 6" diameter - (80 ft deep)

- (6) A) Describe location or 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	
<u>13S</u>	<u>40E</u>	<u>30</u>		<u>D</u>															

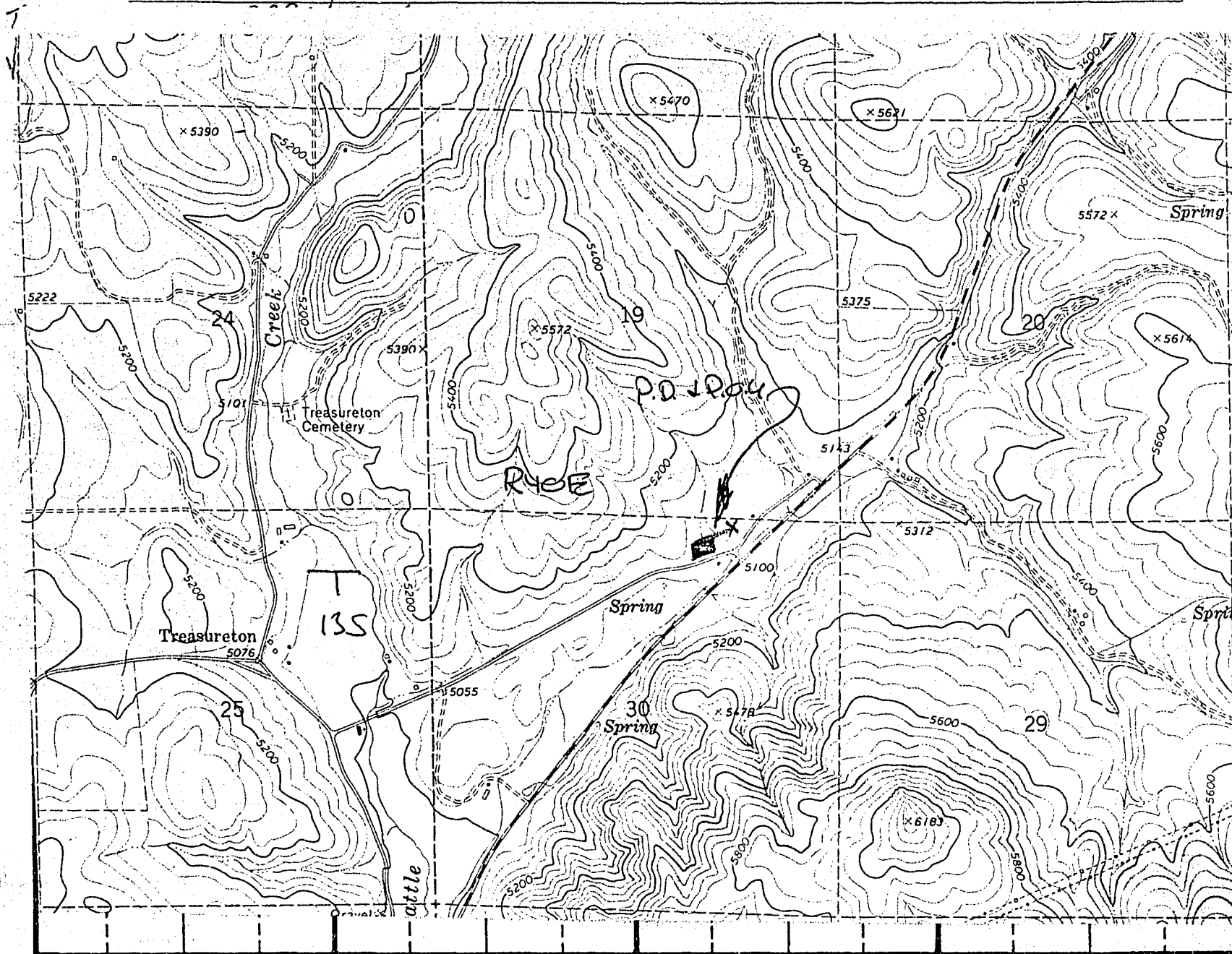
No. of acres

- 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.

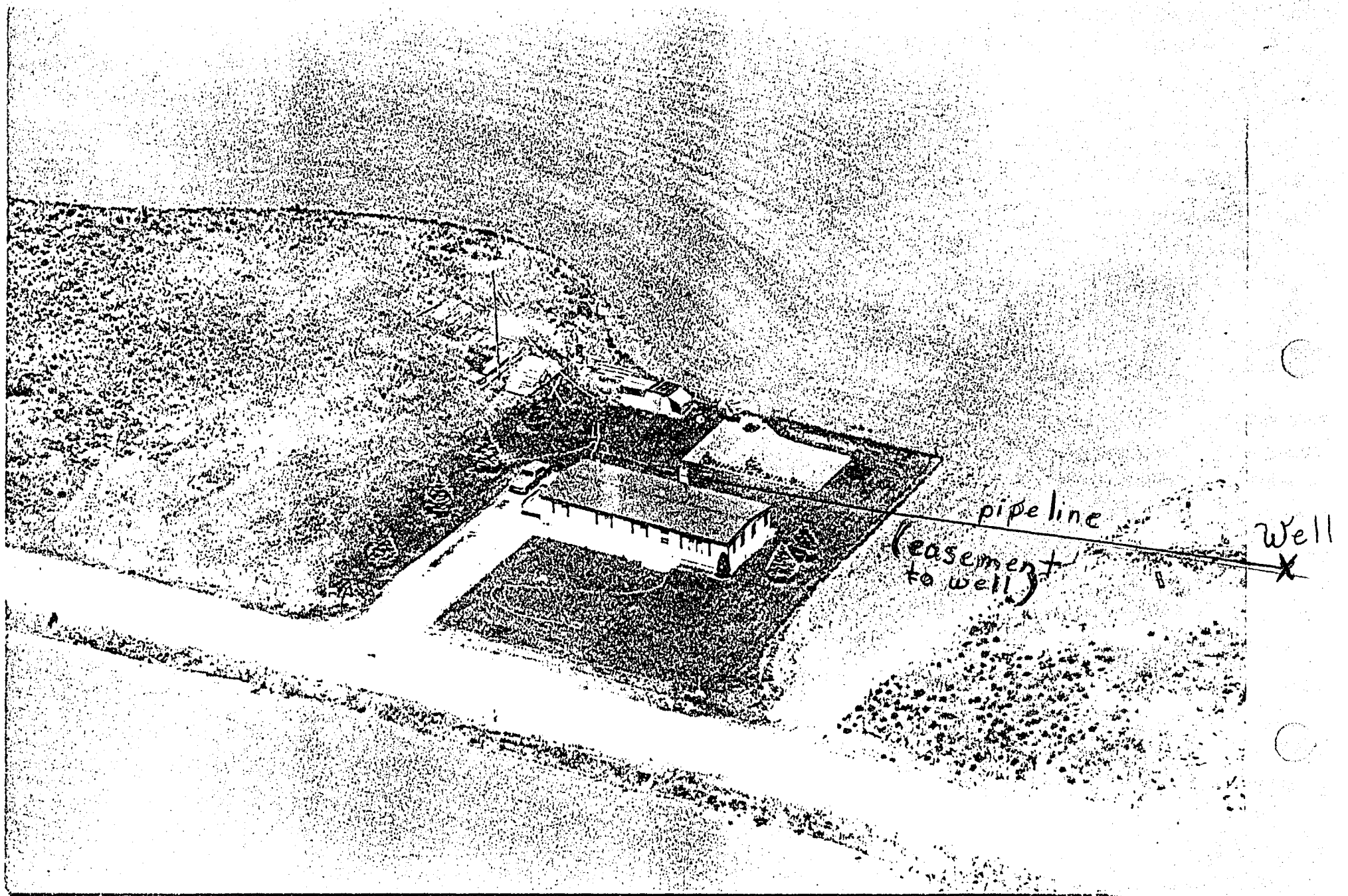
State of Idaho)
County of Franklin) ss.

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.

Sworn to before me this 9th day of July, 19 93.
Roger J. Seasmans (Claimant)
Gerry B. Shepherd Notary Public
Residing at Dayton, Idaho

My commission expires 11-18-94

FOR DEPARTMENT USE ONLY
Received by HWJ Date 7-12-93 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$30.00 fee received by HWJ Date 7-12-93 # B018834
Published in Preston Citizen
Dates 8-6-93-93



Reception ☐
Indexed ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

150138

For Value Received EARL M. HYMAS and CAROL DEENE S. HYMAS, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto ROGER J. SEAMONS and JEANIE SEAMONS,
husband and wife,
Star Route
Preston, ID 83263

the grantee, the following described premises, in FRANKLIN County, Idaho, to wit:

Township 13 South, Range 40 East of the Boise Meridian

Section 30: Commencing at a point South 40°58' West 631.6 feet from the Northeast corner of the NW¼NE¼ of Section 30, and running thence South 13°08' East 133 feet to the North boundary line of County Road; thence South 76°52' West 327.52 feet along said County Road; thence North 13°08' West 133 feet; thence North 76°52' East 327.52 feet to the place of beginning.

Recorded at the request of

Roger J. Seamon

a.m. JUL 3 1979 2:00 p.m.

MICHAEL D. KUNZ, RECORDER

By Linda Larson Deputy
FRANKLIN COUNTY, IDAHO

ALSO, an EASEMENT for culinary water line and well;

Commencing at a point South 40°58' West 631.6 feet and South 13°08' East 33.3 feet; from the Northeast corner of the NW¼NE¼ of Section 30, and running thence North 78° East 155 feet; thence South 13°08' East 20 feet; thence South 78° West 155 feet; thence North 13°08' West 20 feet to the place of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 29, 1979

Earl M. Hymas
Carol Deene S. Hymas

(NOTARY SEAL)

State of Idaho
County of Franklin }

ss. On the 29th day of June A.D. 1979

NOTICE OF CLAIMS TO WATER RIGHT

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

13-04318

SEAMONS, ROGER JAY
2177 E 9000 N
PRESTON, ID 83262

Source: GROUNDWATER

Diversion Pt: NWNE Sec 30 T 13S R 40E in FRANKLIN County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 8/14/1975

In: FRANKLIN County
T13S R40E S30 NWNE

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON, Director

Published: 8/ 5/1993 & 8/12/1993

875

3647

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

8-4, 1993, and ending
with the issue of 8-11, 1993

Fee \$ 31.33

Subscribed and sworn to before me this 12 day
of Aug, 1993.

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995.

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AUG 27 1993

Department of Water Resources
Eastern District Office

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SEAMONS, ROGER JAY
2177 E 9000 N
PRESTON, ID 83263

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Diversion Pt: NWNE Sec 30 T 13S R
40E in FRANKLIN County.

Use: DOMESTIC (.040 CFS) Total
Diversion: (.040 CFS)

Date Filed: 8/14/1993

In: FRANKLIN County T13S R40E
S30 NWNE

Exceptions to a claim may be filed
with the Director, Dept. of Water Re-
sources, Eastern Region, 900 N. Sky-
line, Idaho Falls, Idaho 83402.

R. KEITH HIGGINSON, Director
Legal No. 3647 — Publish Aug. 4,
11, 1993.