

\$100 Fee

No. 13-04331

RECEIVED
DEC 03 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 25 1998

CLAIM TO A WATER RIGHT

Department of Water Resources

Department of Water Resources
Eastern Region

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Don A. Westover
(Name of Claimant)
P.O. Box 68 Clifton ID 83228
(Mailing Address) (Zip Code) Telephone No: 208-747-3957

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) June 1, 1904
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Sinks

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 or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD)	(MM/DD)
Quantity <u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	to <u>12-31</u>
Quantity <u>0.02 cfs</u>	Use <u>Stock</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 _____

4. 0.04 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 20 Township 14S Range 38E B.M., Franklin County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

gravel line from spring to water trough and one home

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
14S	38E	20			S														
		21						D											

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
all types of wildlife - In early spring + early summer
around 50 head of cattle - fall + winter usually only
50 to 60 - few chickens & ducks - we have had
30 horses - but none at present
 NOTE: Include here the type and number of stock watered: _____

7. Remarks: _____

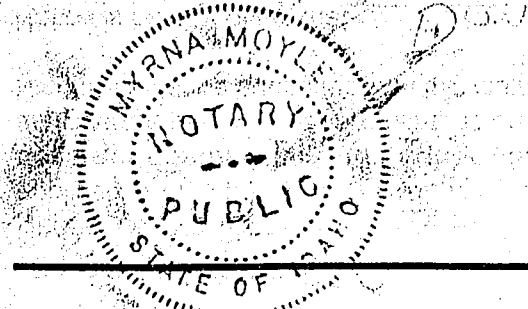
8. Map - Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

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 forgoing 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.

Don H. Delatorre
Claimant's Signature (and title if claim is for an organization)

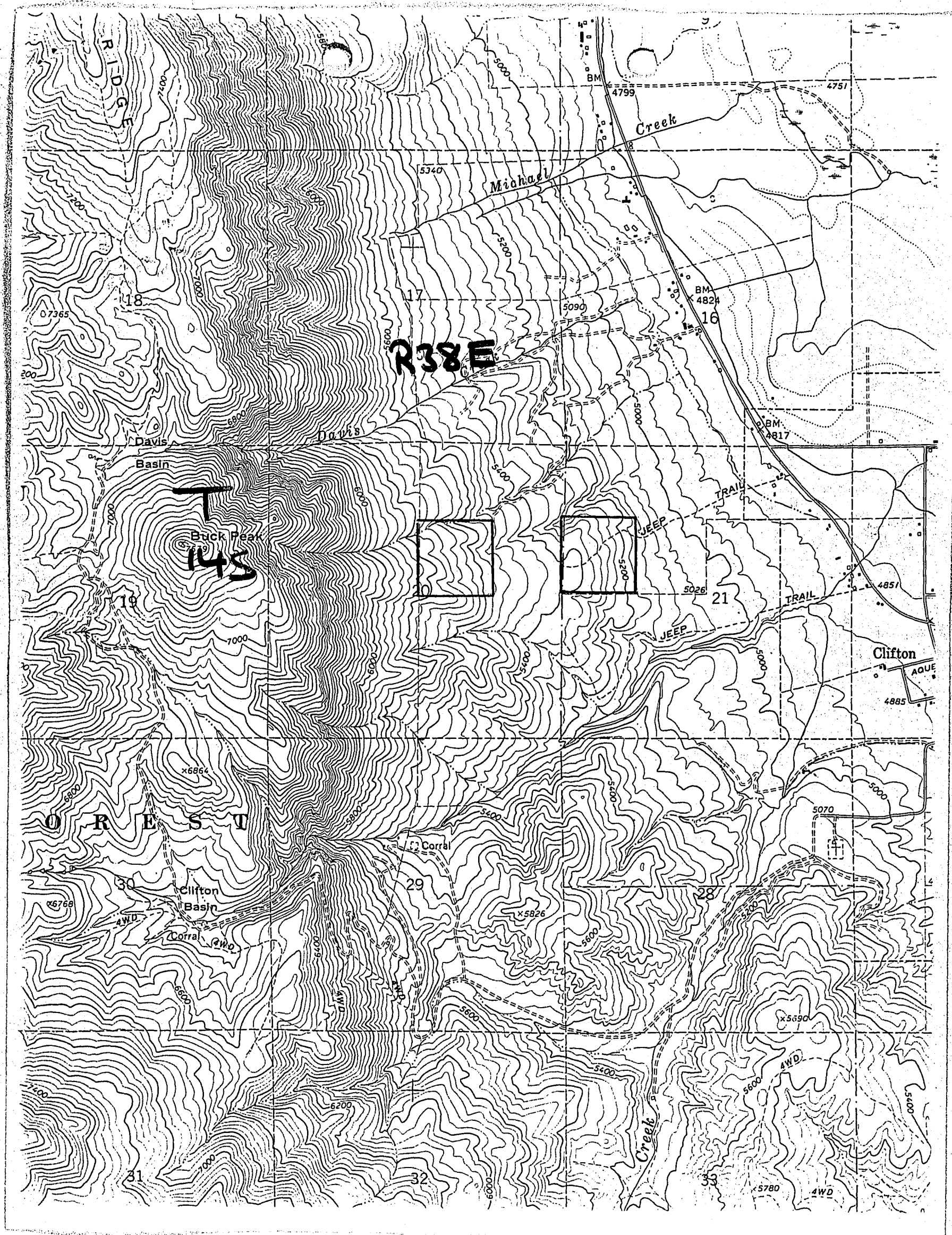
Sworn to before me this 23rd day of September, 1998.



Myrna Moyle
Notary Public
Residing at: Cipston - Franklin County
My commission expires: 2-1-99

FOR DEPARTMENT USE ONLY

Received by WM Date 9/25/98 Published in Preston Citizen
Prelim. check by _____ Date _____ Publication dates 10-29 & 11-5-98
Fee \$100.00 Receipt # 15024486 Publication checked by SC Date 11/30/98
Receipt prepared by GLF Date 9-28-98 Exceptions filed by _____



NOT OF CLAIMS TO WATER RIGHT

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

13-04331

WESTOVER, DON A
PO BOX 68
CLIFTON, ID 83228

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNE Sec 20 T 14S R 38E in FRANKLIN County.

Use: DOMESTIC	(	0.040 CFS)
STOCKWATER	(	0.020 CFS)
Total Diversion:	(	0.040 CFS)

Claimed Priority: 6/ 1/1904

In: FRANKLIN County	
T14S R38E S20	SWNE
S21	SWNW

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

Published: 10/29/1998 & 11/ 5/1998

KARL J. DREHER, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 20, 1998

Legal Notices Department
THE PRESTON CITIZEN
P.O. BOX 472
PRESTON, ID 83263

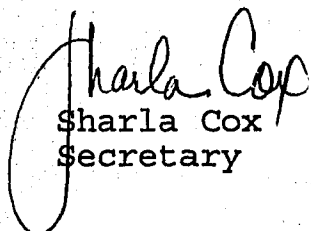
Gentlemen:

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. 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 NOVEMBER 16, 1998.

Yours truly,


Sharla Cox
Secretary

Encl.

*Mailed
10/20/98
SC*



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 18, 1998

DON A WESTOVER
PO BOX 68
CLIFTON, ID 83228

Re: Claim No. 13-04331

Dear Claimants(s):

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 the information or evidence added at any time. Please refer to the claim identification number when corresponding with the 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.

Sincerely,

RONALD CARLSON
Eastern Regional Manager

RDC:sc

Enc

875

4711

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the PUBLISHED 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

10/28, 1998, and ending
with the issue of 11/4, 1998

Fee \$ 65.06
Subscribed and sworn to before me this Nov day
of 1998

Notary Public, Residing at Preston, Idaho

My Commission Expires 8/01, 2001

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been filed on water rights created
by diversion and beneficial use:

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WESTOVER, DON A.
PO BOX 68
CLIFTON, ID 83228
Source: SPRING
Tributary: SINKS
Diversion Pt: SWNE Sec 20 T 14S R
38E in FRANKLIN County
Use: DOMESTIC (0.040 CFS)
STOCKWATER (0.020 CFS)
Total Diversion: (0.040 CFS)
Claimed Priority: 6/1/1904
In: FRANKLIN County
T14S R38E S20 SWNE
S21 SWNW

13-04332
CHECKETTS, BRICE
2250 N. WESTSIDE HWY.
DAYTON, ID 83232
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 11 T
15S R 38E in FRANKLIN County
Use: STOCKWATER (0.520 CFS)
DOMESTIC (0.080 CFS)
Total Diversion: (0.600 CFS)
Claimed Priority: 4/1/1960
In: FRANKLIN County
T15S R38E S11 NWNW

Exceptions to a claim may be
filed with the Director, Depart-
ment of Water Resources, Eastern
Region, 900 N. Skyline Dr., Ste A,
Idaho Falls, ID 83402.

KARL J. DREHER, Director
Legal No. 4711 - Publish Oct.
28 and Nov. 4, 1998.

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NOV 30 1998

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Eastern Region

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