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DEC 03 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

CLAIM TO A WATER RIGHT

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 BRICE CHECKERTS (Name of Claimant)
2250 N WESTSIDE HWY, DARTON ID 83232 Telephone No: (208) 747-3523
(Mailing Address) (Zip Code)

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) 4-1-1960
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)

GROUNDWATER

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:

(cfs or af)

(Irrigation, Domestic, Stock, Etc.)

(Both dates inclusive)
(MM/DD) (MM/DD)

Quantity <u>0.52 cfs</u>	Use <u>STOCKWATER</u>	Period of Use From <u>1-1</u> to <u>12-31</u>
Quantity <u>0.08 cfs</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 _____

4. 0.60 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Govt. Lot _____
Sec. 11 Township 15S 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.

WELL WITH TWO SUBMERSIBLE PUMPS TO PIPELINES TO DAIRY THAT
HANDLES 800 MD AND ON TO 4 HOMES WITH LAWN.

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	
15S	38E	11						3/4											

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
Stockwater for dairy with 800 HD, Domestic use for 4 homes
with 1/2 acre lawns.

NOTE: Include here the type and number of stock watered: _____

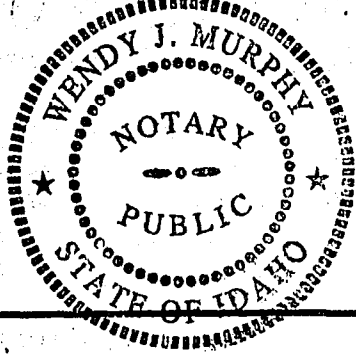
7. Remarks: _____
8. Map - Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township, and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph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

State of Idaho)
County of Bonneville) 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.

Bruce Chellett
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 30th day of September, 1998.



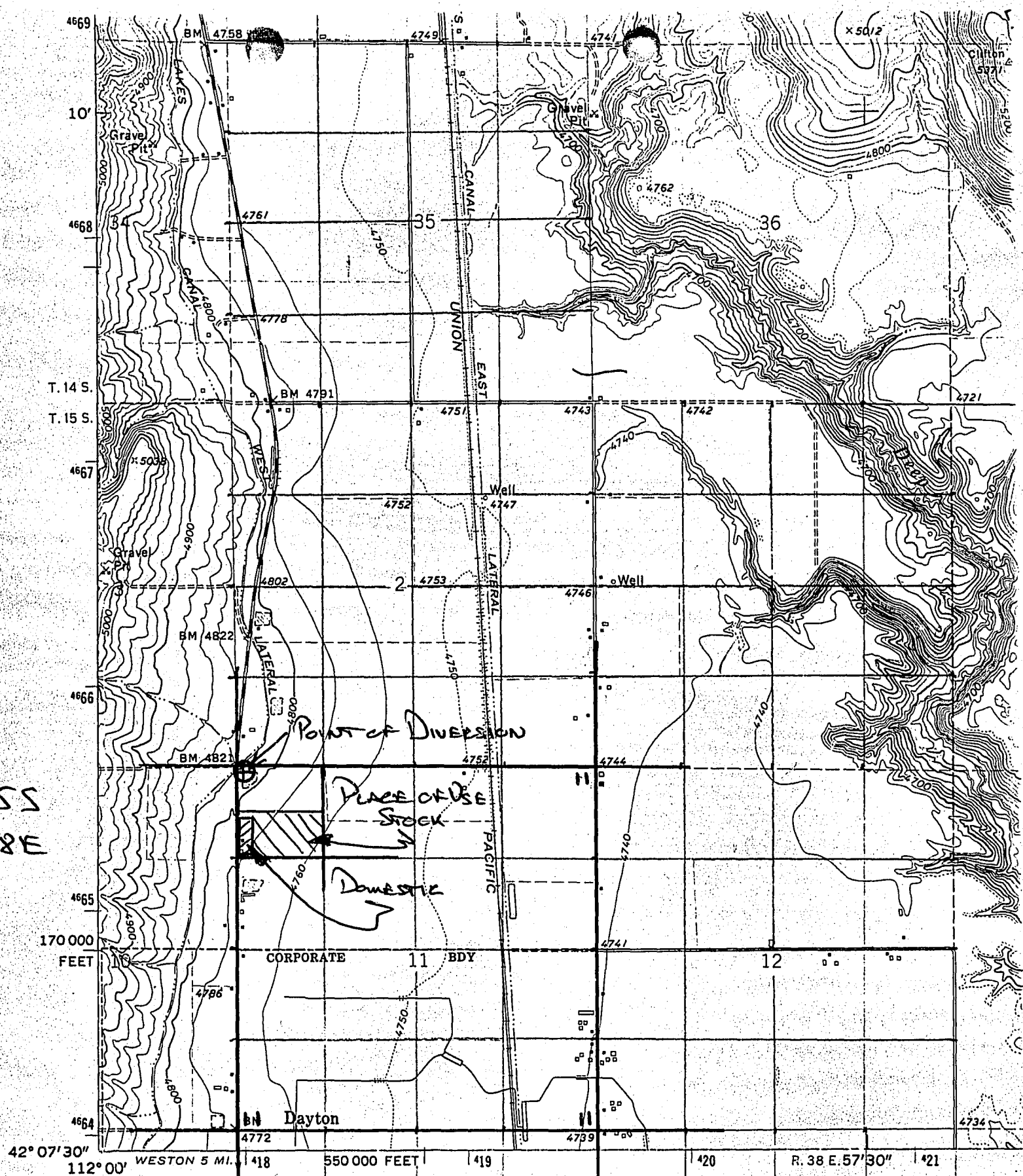
Wendy J. Murphy
Notary Public
Residing at: Idaho Falls
My commission expires: 6/23/2002

FOR DEPARTMENT USE ONLY

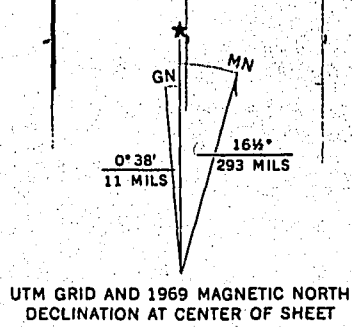
Received by HPM Date 9-30-98 Published in Preston Citizen
Prelim. check by _____ Date _____ Publication dates 10-29-98 11-5-98
Fee \$250.00 Receipt # E024496 Publication checked by SC Date 11/30/98
Receipt prepared by HPM Date 9-30-98 Exceptions filed by _____

TISS
R 38E

(WESTON CANYON)
3569 II SE



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1968. Field checked 1969
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
east zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue
Fine red dashed lines indicate selected fence lines



TI
FOR SALE BY U. S.
A FOLDER

SEP-30-98 WED 11:16

BURLEY FARM CREDIT

FAX NO. 2086781302

P. 01/02

SCHEDULE A

Township 15 South, Range 38 East of the Boise Meridian, Franklin County, Idaho.

Section 11: Commencing at the Northwest corner of Section 11, designated by a marker dated 1967 and bearing the inscription "Section Y376", which marker is set in the Twin Lakes Canal Company bridge abutment, thence East 52 feet; thence South 340 feet; thence East 158 feet; thence North 340 feet; thence East 788 feet; thence South 2475 feet; thence West 998 feet; thence North 895 feet; thence East 50 feet; thence North 40 feet; thence West 50 feet; thence North 1540 feet, to the POINT OF BEGINNING.

TOGETHER WITH an easement for the existing irrigation mainline running along the West side of the above-described property. This easement includes the right to use said mainline, and the right to repair, maintain, and replace the same, together with a right-of-way extending six feet on either side of the mainline for access to the line, and for maintenance, repair or replacement thereof.

TOGETHER WITH easements for three existing irrigation mainlines running from the pond in the NW1/4NW1/4NW1/4 of the above-described property, and thence across the above-described property. This easement includes the right to use said mainlines, and the right to repair, maintain, and replace the same, together with a right-of-way extending six feet on either side of the mainlines for access to the line, and for maintenance, repair, or replacement thereof.

EXCEPTING Highway and County Road right of way.

ALSO EXCEPT: Commencing at the Northwest corner of Section 11, designated by a marker dated 1967 and bearing the inscription "Section Y376", which marker is set in the Twin Lakes Canal Company bridge abutment, thence East 320 feet to the TRUE POINT OF BEGINNING; thence South 280 feet; thence East 156 feet; thence North 280 feet; thence West 156 feet, to the TRUE POINT OF BEGINNING.

(41010-441)

NOTICE OF CLAIMS TO WATER RIGHT

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

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, Dept. of Water
Resources, Eastern Region, 900 N Skyline Ste A, Idaho Falls, Idaho 83402.

KARL J. DREHER, Director

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



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

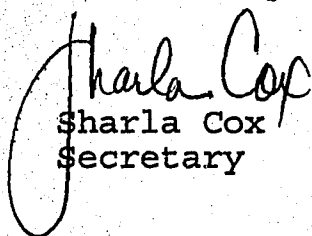
Gentlemen:

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

BRICE CHECKETTS
2250 N WESTSIDE HWY
DAYTON, ID 83232

Re: Claim No. 13-04332

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

No 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, 1991, and ending
with the issue of 11/4, 1991

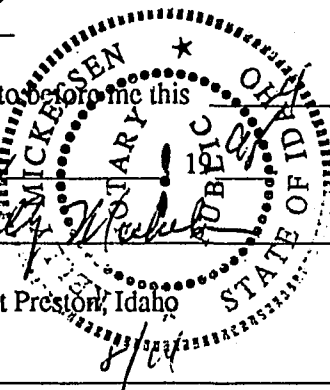
Fee \$

Subscribed and sworn to before me this

of

Notary Public, Residing at Preston, Idaho

My Commission Expires



NOTICE 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

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

Department of Water Resources
Eastern Region