

Claim No. 13-04339

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN - 1 1999

CLAIM TO A WATER RIGHT

Department of Water Resources

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 Checketts
(Name of Claimant)
2250 N. Westside Hwy Dayton, ID 83207 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) July 1, 1945
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>0.23 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	to <u>12-31</u>
Quantity <u>0.04 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. 0.27 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ 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 + pump to one home + 350 head of dairy cows.

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						D/S											

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

NOTE: Include here the type and number of stock watered: 350 head of Dairy Cattle

7. Remarks: _____

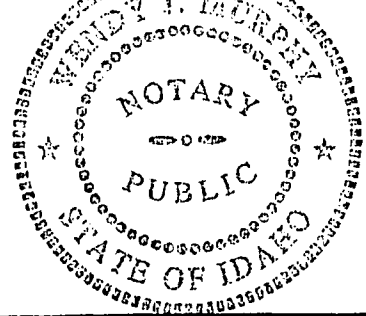
8. Map - Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of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

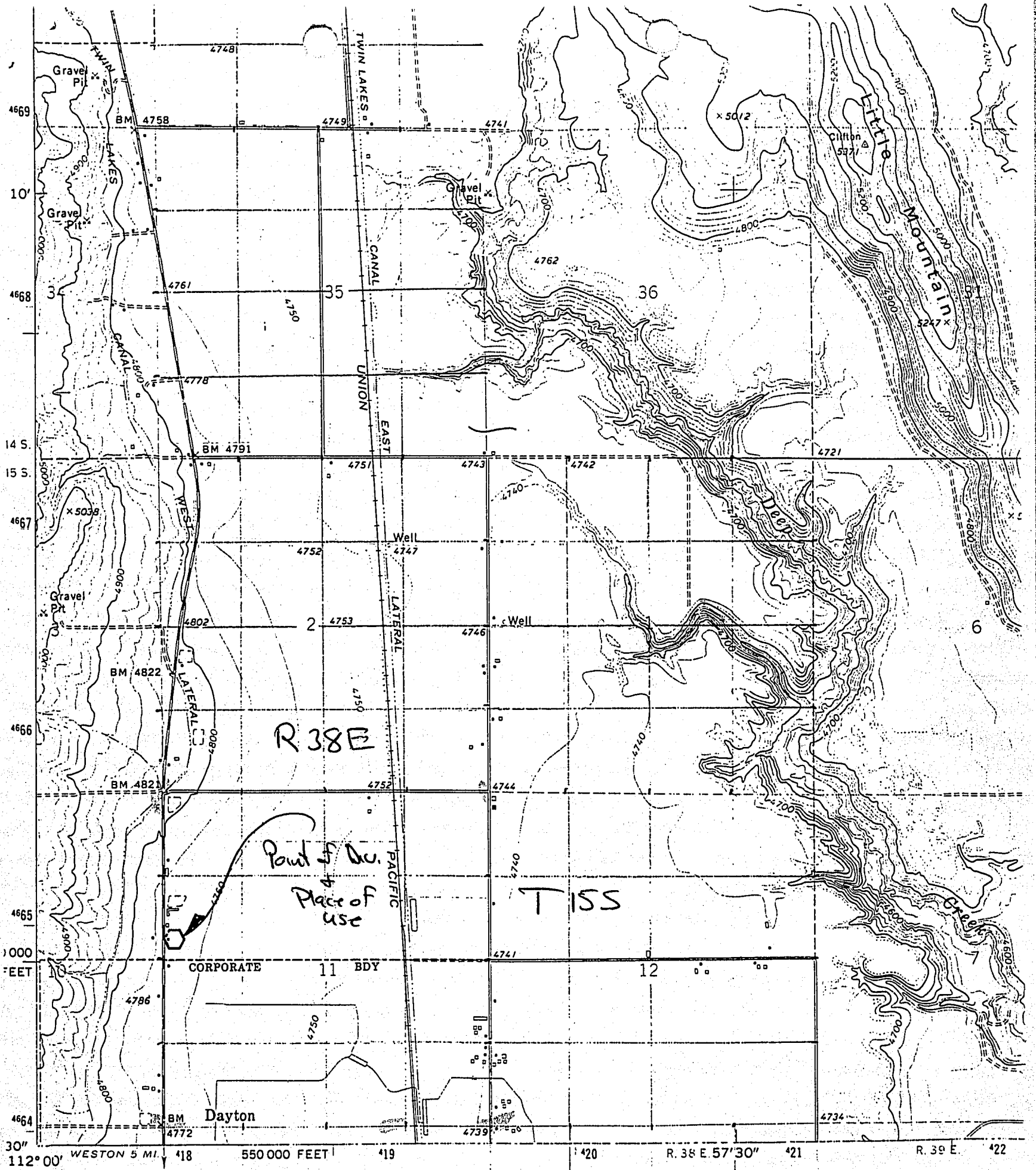
Sworn to before me this 12th day of April, 1999.



Wendy J. Murphy
Notary Public
Residing at: Idaho Falls
My commission expires: 6/23/00

FOR DEPARTMENT USE ONLY

Received by HWT Date 4-12-99 Published in Preston Citizen
Prelim. check by _____ Date _____ Publication dates 5/8/99 5/22/99
Fee \$100.00 Receipt # E024891 Publication checked by SC Date 5/27/99
Receipt prepared by _____ Date _____ Exceptions filed by _____

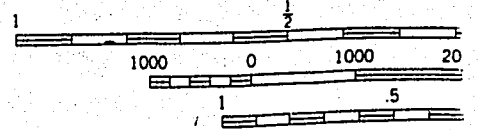
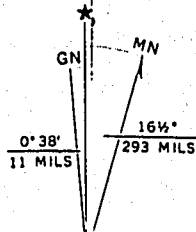


Mapped, edited, and published by the Geological Survey

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,



CONTO
DOTTED LINES
DATU

NOTICE OF CLAIMS TO WATER RIGHT

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

13-04339

CHECKETTS, BRICE
2250 N WESTSIDE HWY
DAYTON, ID 83232

Source: GROUNDWATER

Diversion Pt: SWSWNW Sec 11 T 15S R 38E in FRANKLIN County.

Use: DOMESTIC	(	0.040 CFS)
STOCKWATER	(	0.230 CFS)
Total Diversion:	(	0.270 CFS)

Claimed Priority: 7/ 1/1945

In: FRANKLIN County
T15S R38E S11 NWNW

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

KARL J. DREHER, Director

Published: 5/ 6/1999 & 5/13/1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 27, 1999

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

Dear Legal Dept.:

Enclosed you will find legal notices 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.

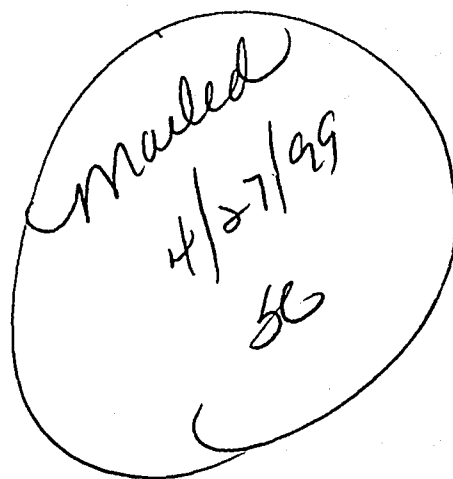
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 24, 1999.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



825

4811

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the 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

5/5, 1999, and ending

with the issue of 5/12, 1999

Fee \$ 54.14

Subscribed and sworn to before me this 12 day

of May, 1999.

Notary Public, Residing at Preston, Idaho

My Commission Expires 8/14, 2001.

NOTICE OF CLAIMS TO WATER RIGHT

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

13-04339

CHECKETTS, BRICE
2250 N WESTSIDE HWY
DAYTON, ID 83232
Source: GROUNDWATER
Diversion Pt: SWSWNW Sec 11 T
15S R 38E in FRANKLIN County

Use:

DOMESTIC (0.040 CFS)

STOCKWATER (0.230 CFS)

Total Diversion: (0.270 CFS)

Claimed Priority: 7/1/1945

In: FRANKLIN County

T15S R38E S11 NWNW

13-04340

CHECKETTS, BRICE
2250 N. WESTSIDE HWY.
DAYTON, ID 83232
Source: GROUNDWATER
Diversion Pt: NWSWNW Sec 11 T
15S R 38E in FRANKLIN County

Use:

STOCKWATER (0.450 CFS)

DOMESTIC (0.040 CFS)

Total Diversion: (0.490 CFS)

Claimed Priority: 7/1/1950

In: FRANKLIN County

T15S R38E S11 SWNW

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

KARL J. DREHER, Director
Legal No. 4811 - Publish May 5 and 12, 1999.

RECEIVED

MAY 27 1999

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

MAY 26, 1999

KARL J. DREHER
DIRECTOR

BRICE CHECKETTS
2250 N WESTSIDE HWY
DAYTON, ID 83232

Re: Claim No. 13-04339

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 D. CARLSON
Eastern Region Manager

Enclosure

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~