

Claim No. 13-04349

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APR - 7 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 28 2000

Department of Water Resources
Eastern Region

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 CLAUDE ARCHIBALD
(Name of Claimant)
3323 E. Cub River Rd, Franklin, ID 83237 Telephone No: 208-646-2455
(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) May 31, 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)
Unnamed Drain 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:

Quantity	(cfs or af)	Use	(Irrigation, Domestic, Stock, Etc.)	Period of Use From	(Both dates inclusive)	(MM/DD)	(MM/DD)
Quantity	<u>0.02 cfs</u>	Use	<u>Stockwater</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	

4. 0.02 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 8
Sec. 8 Township 16S Range 40E 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.
underground tile drain using 8" tile pipe. The capacity varies depending on the amount of groundwater. We began using the water on the purchase date of the farm which is May 31, 1960.

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	
16S	40E	17		S															

TOTAL ACRES _____

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

NOTE: Include here the type and number of stock watered: 30 head of Dairy Cattle

7. Remarks: _____

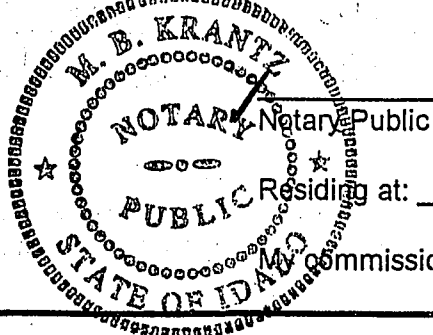
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of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

State of Idaho)
County of 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.

Blaine Marchwald
Claimant's Signature (and title if claim is for an organization)

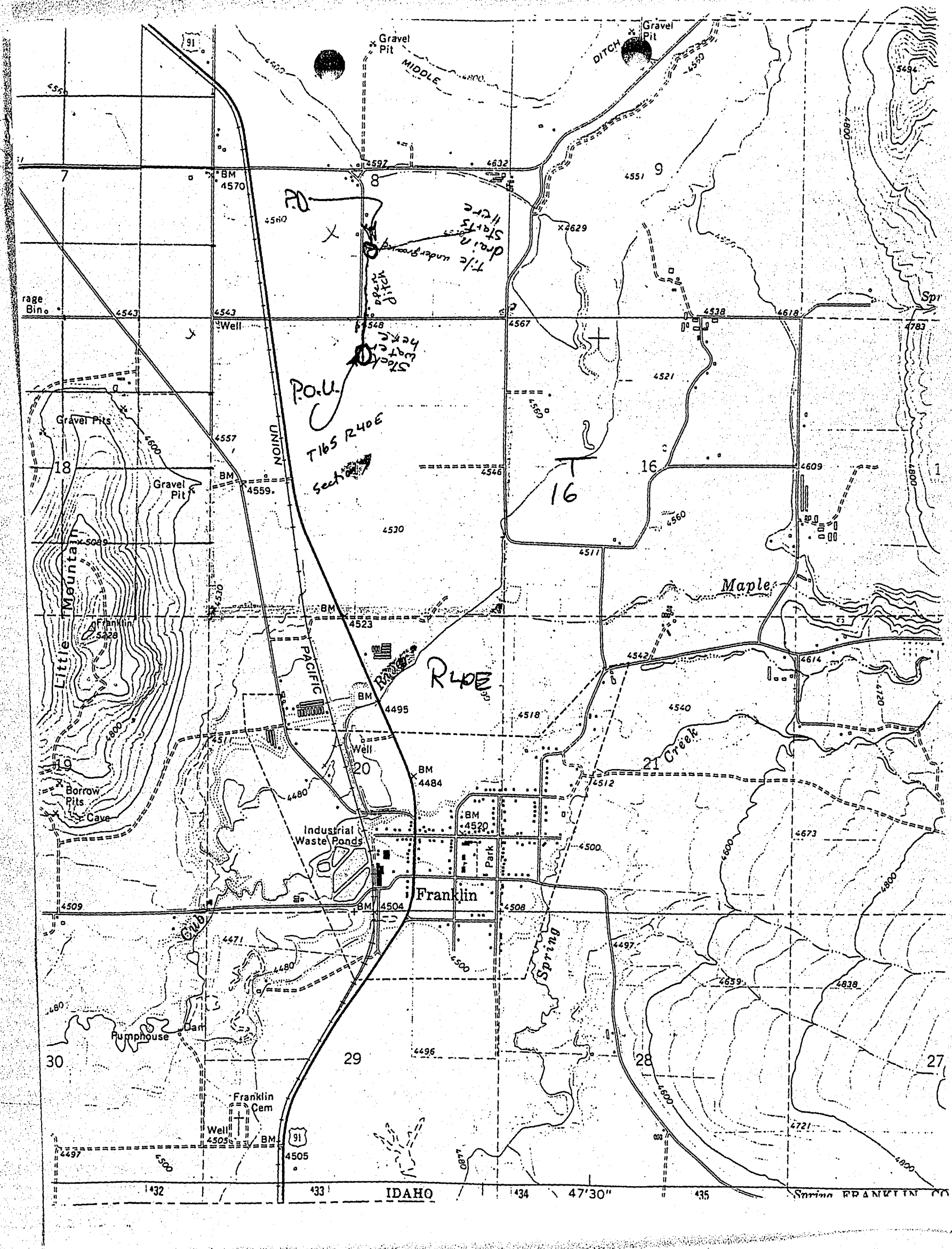
Sworn to before me this 25th day of February, 2000.



M. B. Krantz
Notary Public
Residing at: Preston ID
Commission expires: 9-24-2004

FOR DEPARTMENT USE ONLY

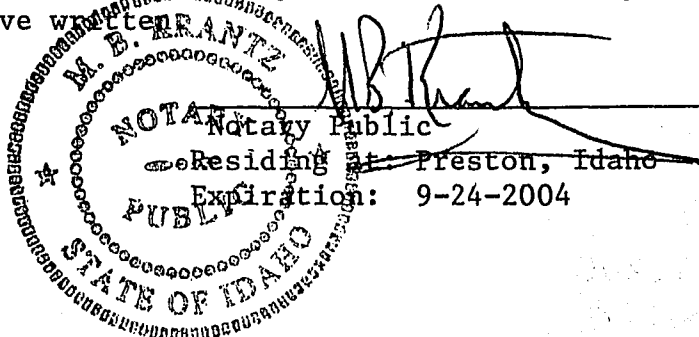
Received by _____ Date _____
Prelim. check by _____ Date _____
Fee 100.00 Receipt # E025610
Receipt prepared by HWS Date 2-16-2000
Published in Preston Citizen
Publication dates 3-16 & 3-23-2000
Publication checked by SV Date 4/3/00
Exceptions filed by _____



STATE OF IDAHO
COUNTY OF FRANKLIN

On this 14th day of February, 2000, before me M. B. Krantz, a Notary Public in and for said county and state, personally appeared Bennie L. Sorsenson, known or identified to me to be the person who executed this instrument, and acknowledged to me that he executed the same.

In Witness whereof I have set my hand and affixed by seal the day and year first above written.



I - BEN SORENSON - OWNS A FARM
JOINING CLINE ARCHIBALD FARM.
I HAVE SEEN THEM WATERING STOCK
FROM THIS DRAIN SINCE I BOUGHT MY
FARM ON 1-1-70.

THIS DRAIN ORIGINATES ON THEIR
FARM AND RUNS TO THE BARROW PIT
AND GRAVITIES TO THEIR PASTURES
WHERE THE STOCK WATERS. IN
OTHER WORDS - IT ORIGINATES ON
THEIR PROPERTY AND ENDS ON
THEIR PROPERTY.

THE DRAIN IS CONTROLLED BY THEIR
IRRIGATION WATER THAT THEY PUT ON
THEIR FIELD. ACTUALLY ITS THEIR WATER
IN THE FIRST PLACE.

Bennie Sorenson

NOTICE OF CLAIMS TO WATER RIGHT

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

13-04349

ARCHIBALD, CLAINE
3323 E CUB RIVER RD
FRANKLIN, ID 83237

Source: UNNAMED DRAIN

Tributary: SINKS

Diversion Pt: NWSWSE Sec 8 T 16S R 40E in FRANKLIN County.

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

Claimed Priority: 5/31/1960

In: FRANKLIN County
T16S R40E S17 NWNE

Exceptions to a claim may be filed with the Department of Water
Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls, Idaho
83402, together with an exception fee of \$25.00.

Published: 3/16/2000 & 3/23/2000

KARL J. DREHER, Director



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

MARCH 6, 2000

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 APRIL 3, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.

*Mailed
3/7/2000
se*

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

875



4964

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Necia Leamans
being duly sworn,

deposes and says:
That he is the EDITOR 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

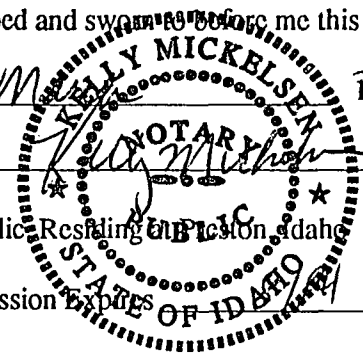
newspaper once a week for 2 consecutive weeks in the regular
and entire issue of said paper during the period of time of publication, and
was published in the newspaper proper and not a supplement; that said
paper has been established and regularly published for more than seventy-
eight consecutive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
3/15, 1800, and ending
with the issue of 3/22 1800

Necia Leamans
Fee \$ 59.61

Subscribed and sworn to before me this 20 day
of March

Notary Public, Residing in Preston, Idaho
My Commission Expires 3/20/61



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PRESTON, ID 83263

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Tributary: SINKS

Diversion Pt: NWSWSE Sec 8 T
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Use: STOCKWATER (0.020 CFS)
Total Diversion: (0.020 CFS)

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In: FRANKLIN County
T16S R40E S17 NWNE

Exceptions to a claim may be
filed with the Department of Wa-
ter Resources, Eastern Region, 900
N. Skyline Dr., Ste. A, Idaho Falls,
ID 83402, together with an excep-
tion fee of \$25.00.

KARL J. DREHER, Director
Legal No. 4964 - Publish
March 15 and 22, 2000.



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

APRIL 5, 2000 KARL J. DREHER
DIRECTOR

CLAINE ARCHIBALD
3323 E CUB RIVER RD
FRANKLIN, ID 83237

Re: Claim No. 13-04349

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

RONALD D CARLSON
Eastern Region Manager

Enclosure

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