

Claim No. 13-04350

RECEIVED

AUG - 7 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

RECEIVED

JUN 16 2000

Department of Water Resources
Eastern Region

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 DARIEL G. SEAMONS
(Name of Claimant)
2362 W. 1500 N. Preston, ID 83263 Telephone No: 208-852-2772
(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) 29 Sept. 1931
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 Deep Creek

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 _____	Use _____	Period of Use From _____	to _____
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 NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Govt. Lot _____
Sec. 17 Township 15S Range 39E 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.
3/4 hp pump + 3/4 inch pipe from catch basin to house.

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	39E	17							D										

TOTAL ACRES _____

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

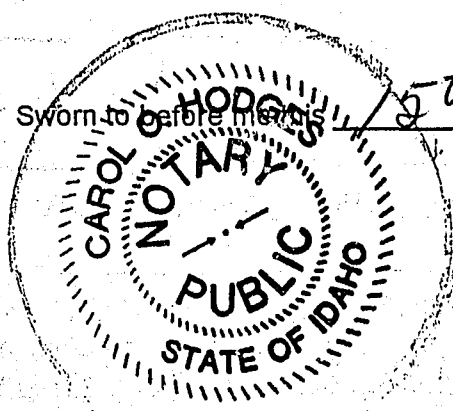
NOTE: Include here the type and number of stock watered: _____

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.



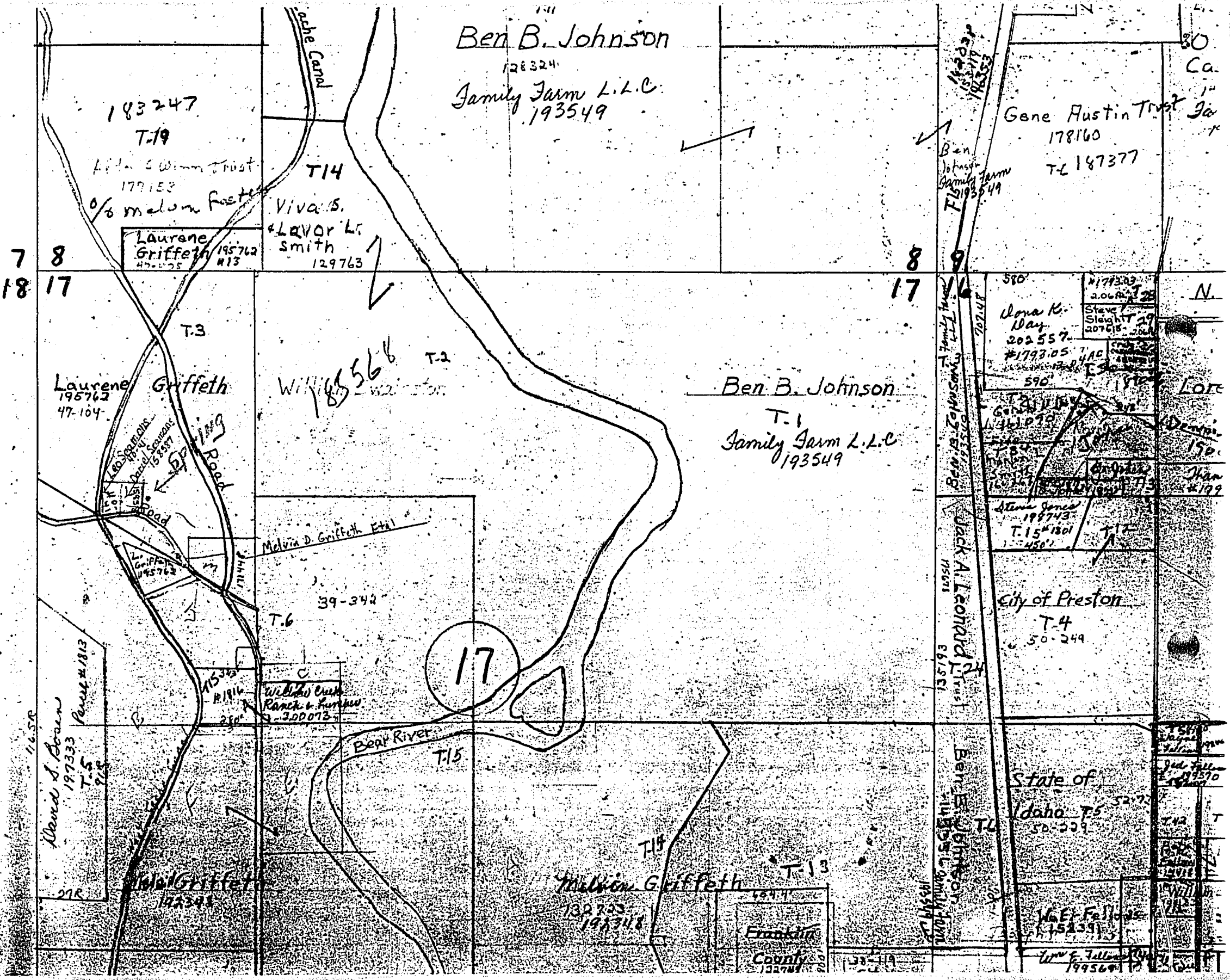
Sworn to before me this 15th day of June, 2000.

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

Notary Public
Residing at: Preston
My commission expires: 01-20-2005

FOR DEPARTMENT USE ONLY

Received by HWT Date 6-19-00 Published in Preston Citizen
Prelim. check by _____ Date _____ Publication dates 7/6 & 7/13/00
Fee 100.00 Receipt # E025912 Publication checked by SC Date 8/1/00
Receipt prepared by HWT Date 6-19-00 Exceptions filed by _____



Ben B. Johnson

128324
Family Farm L.L.C.
193549

Gene Austin Trust
178160
T.L. 187377

Ben B. Johnson

T.1
Family Farm L.L.C.
193549

City of Preston

State of Idaho

Malvin Griffith

132233
191311

Franklin
County

W.E. Fellows

152331

W.E. Fellows

199561

NOTICE OF CLAIMS TO WATER RIGHT

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

13-04350

SEAMONS, DARIEL G
2362 W 1500 N
PRESTON, ID 83263

Source: SPRING

Tributary: DEEP CREEK

Diversion Pt: NESWNW Sec 17 T 15S R 39E in FRANKLIN County.

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

Claimed Priority: 9/29/1931

In: FRANKLIN County
T15S R39E S17 SNNW

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: 7/ 6/2000 & 7/13/2000

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

JUNE 27, 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 JULY 24, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.



No 5038

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 31 2000

Department of Water Resources
Eastern Region

STATE OF IDAHO, }
County of Franklin } ss.

Necia Seamons
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

July 5, 2000, and ending

with the issue of July 12, 2000

Necia Seamons

Fee \$ 67.33

Subscribed and sworn to before me this 12 day

of July, 2000.

Karl J. Dreher

Notary Public, Residing at Preston, Idaho

My Commission Expires 8/04, 2001.

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T15S R39E S17 SWNW

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KARL J. DREHER, Director
Legal No. 5038 - Publish July 5
and 12, 2000.