

Claim No. 15 4014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that JAMES BLAND WILLIAMS
(name of claimant)
of Malad City, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Warm Springs
-----, tributary to, -----

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>.35 cfs</u>	Use <u>stock</u>	Period of Use: From <u>11-1</u> To <u>3-31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: .35 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) January 1, 1906

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 3 Twp. 15S Rge. 35E B.M. County of Oneida
Additional points of diversion: none

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Ditch from Warm Springs into Big Malad River which borders claimant's property.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

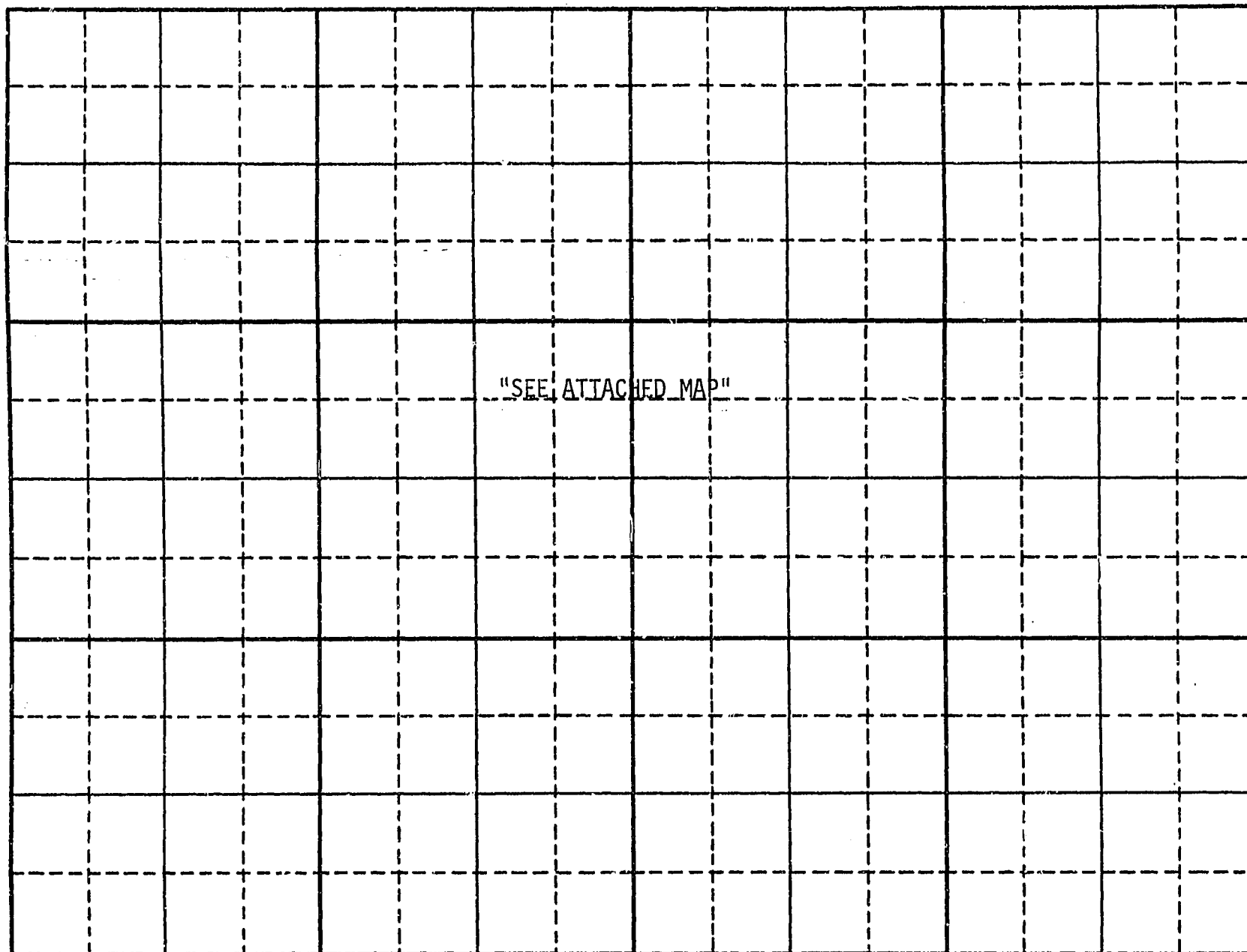
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>15S</u>	<u>35E</u>	<u>12</u>							X	X									

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: to water 300 range cows, 250 calves, 200 yearling calves and 20 horses

(7) If you are claiming water as a member of an organization, list name of organization: none

(8) Remarks Map is attached



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Oneida)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 1st day of

February

1977

James Blount Wilson
(Claimant)

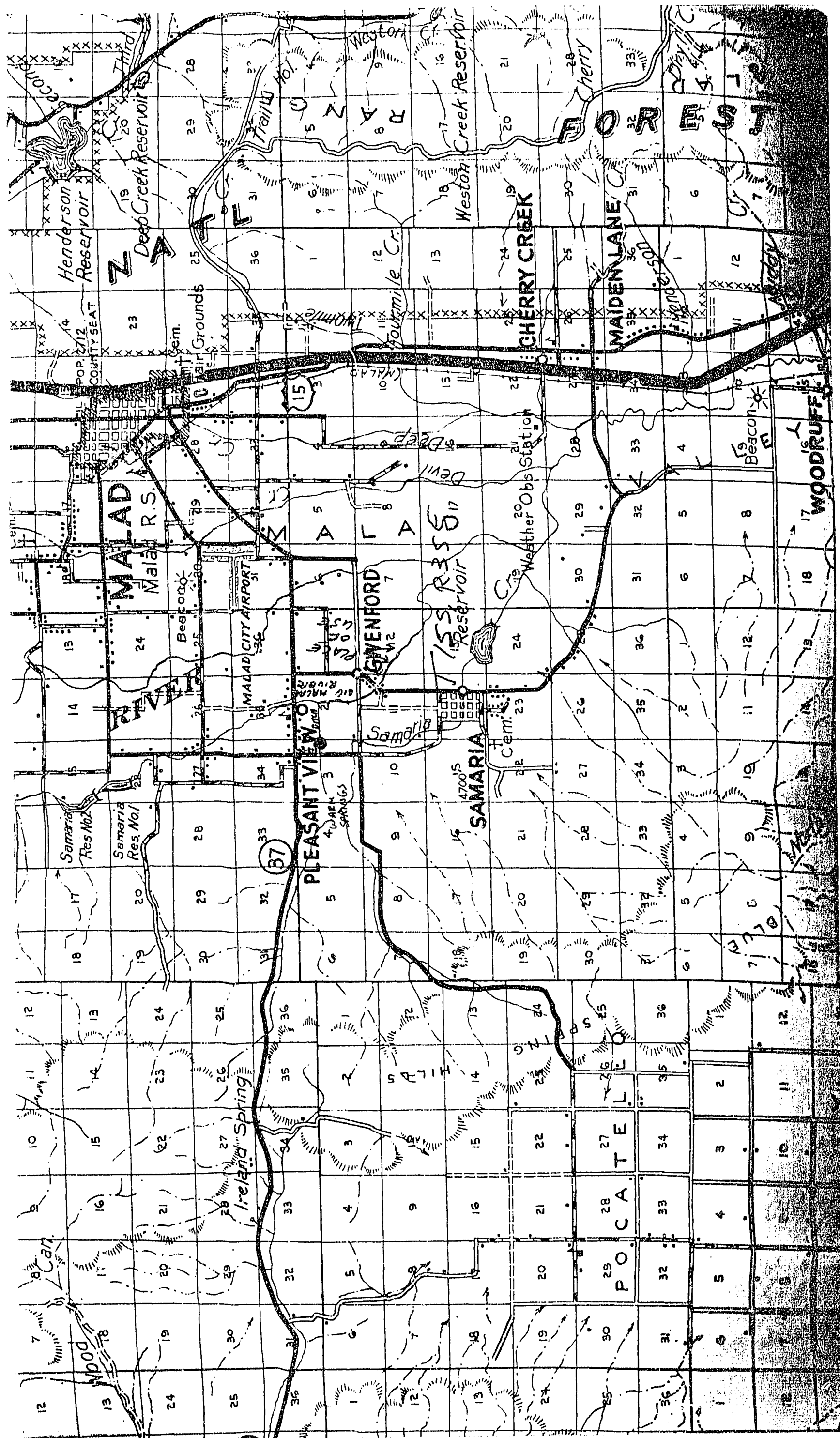
James D. Sullivan
Notary Public

Residing at Preston, Idaho

My commission expires lifetime

For Department Use Only

Received by <u>EW</u>	Date <u>3-29-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>3/29/77</u>		claimant by:	
\$10.00 fee received by <u>EW</u>	Date <u>3/29/77</u>			
Approved for publication by <u>me</u>	Date <u>4-18-77</u>			
Published in <u>Star Enterprise</u>	<u>#6487</u>			
Dates <u>April 7-14-1977</u>				



RECEIVED
APR 18 1977
Department of Water
Eastern District Office

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 15-4014**

NOTICE IS HEREBY GIVEN that James Bland Williams, Malad City, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.35 cubic feet per second of water from Warm Springs with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 15S, R. 35E, B.M., Oneida County.

The water is claimed to be used from Nov. 1 to March 31 for stockwatering purposes for 300 range cows, 250 calves, 200 yearling calves and 20 horses with a priority of 1-01-1906; the place of use is within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, T. 15S, R. 35E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

Director

Published in the Idaho Enterprise, Malad City, Idaho on April 7 and April 14, 1977.

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Suzanne Jones being first duly sworn on her oath, states: That she is secretary of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof the date of the first publication being the 7th day of April, 1977 the date of the last publication being the 14th day of April, 1977.

Suzanne Jones

Subscribed and sworn to before me this 15 day of April, 1977.

H. O. Taylor

Notary Public, residing at Malad, Idaho

My Commission expires the 15 day of Oct, 1977.

Costs:

30 lines at 23c per line first insertion \$ 6.90

..... lines tabulated at 34 $\frac{1}{2}$ c per line \$

15c per line each subsequent insertion \$ 4.50

TOTAL \$ 11.40

(Rates for legal notices are fixed by Idaho law)

February 17, 1977

C
James Bland Williams
Malad City,
Idaho 83252

U
Dear Mr. Williams:

The Department finds it necessary to return your claim to a water right and check No. 92-171 in the amount of \$10.00 since No. 6A, the place of use, has not been indicated. Please place an "X" in the appropriate 40-acre subdivision(s) in which this water is currently being used and resubmit to this office for further processing.

If you have any questions, please feel free to contact this office.

Very truly yours,

V
ERNEST M. CARLSEN
Water Resource Agent

EMC:CW

Attachment

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

RECEIVED

MAR 29 1977

Department of Water Resources
Eastern District Office

February 17, 1977

James Bland Williams
Malad City,
Idaho 83252

Dear Mr. Williams:

The Department finds it necessary to return your claim to a water right and check No. 92-171 in the amount of \$10.00 since No. 6A, the place of use, has not been indicated. Please place an "X" in the appropriate 40-acre subdivision(s) in which this water is currently being used and resubmit to this office for further processing.

If you have any questions, please feel free to contact this office.

Very truly yours,

Ernest M. Carlsen

ERNEST M. CARLSEN
Water Resource Agent

EMC:CW

Attachment

Enclosure

It has been corrected

NOTICE OF CLAIM TO A WATER RIGHT

NO. 15-4014

Notice is hereby given that James Bland Williams,

Malad City, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.35 cubic feet per second ~~XXXXXXFEET PER SECONDXXXXXX~~

of water from Warm Springs

with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 15S, R. 35E, B.M.

Oneida County

The water is claimed to be used from **Nov. 1 to March 31**

for stockwatering purposes for 300 range cows, 250 calves, 200 yearling calves
and 20 horses
with a priority of 1-01-1906;

the place of use is within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, T. 15S, R. 35E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

FX X X X EX K M X X X K G G M X S O M X X X

Director

Published in the Idaho Enterprise, Malad City, Idaho

on April 7 and April 14, 1977

the - J.
the - B.
the - C.

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 15-4014**

NOTICE IS HEREBY GIVEN that James Bland Williams, Malad City, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.35 cubic feet per second of water from Warm Springs with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 15S, R. 35E, B.M., Oneida County.

The water is claimed to be used from Nov. 1 to March 31 for stockwatering purposes for 300 range cows, 250 calves, 200 yearling calves and 20 horses with a priority of 1-01-1906; the place of use is within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12, T. 15S, R. 35E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

Director

Published in the Idaho Enterprise, Malad City, Idaho on April 7 and April 14, 1977.

April 1, 1977

RE: Claim to a Water Right No. 15-4010)
15-4011)
15-4012) VAUGHAN
15-4013)
15-4014 WILLIAMS
Application for Permit No. 15-7037 HOWELL

Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 4-18-77 by me

RDC:CW

Enc: Legal Notice (6)

April 5, 1977

RE: Claim to a Water Right No. 15-4014

James Bland Williams
Malad City,
Idaho 83252

Dear Mr. Williams:

Attached herewith is departmental receipt No. 6487 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CN

Attachment

cc: Williams & Castleton, Attorneys



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

April 25, 1977

RE: Claim to a Water Right No. 15-4014

Mr. James Bland Williams
Malad City,
Idaho 83252

Dear Mr. Williams:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim