

Claim No. 15 4020

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 D.L. Evans Farms, Inc.
(name of claimant)
of 25 Main Street, Malad, Idaho 83252, 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) Ground water
_____, 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>1.2 cfs</u> | Use | <u>irrigation</u> | Period of Use: From | <u>1 April</u> | To | <u>October 1</u> |
| Amount | <u>.04 cfs</u> | Use | <u>domestic</u> | Period of Use: From | <u>1 January</u> | To | <u>31 December</u> |
| 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: 1.24 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) July 1962

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 1/4 NE 1/4, Sec. 28 Twp. 14S Rge. 36E B. M. County of Oneida
Additional points of diversion: _____

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. well, pump, open ditch

- (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.

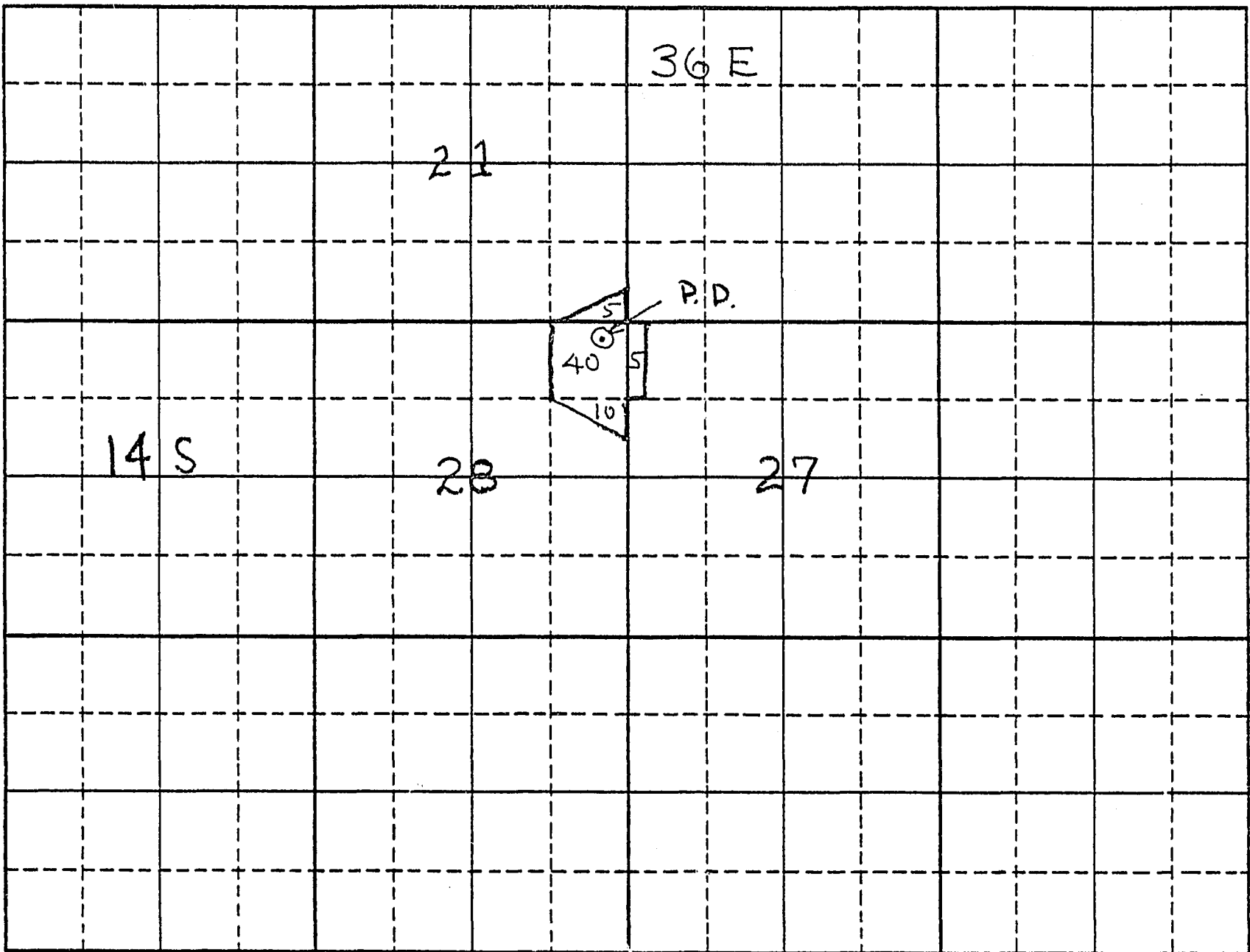
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	36	28	40			10													50
		27					5												5
		21															5		5

Total No. of acres 60

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: irrigate 1/2 acre of lawn

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



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)
County of Ada) ss.

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 29th day of July, 1977.

Catherine L. Weaver
Notary Public

Residing at Boise, Idaho

My commission expires June 15, 1981

For Department Use Only

Received by <u>KLW</u>	Date <u>8-01-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KLW</u>	Date <u>7-29-77 3pm</u>		claimant by:	
\$10.00 fee received by <u>KTN</u>	Date <u>7-29-77 #8557</u>			
Approved for publication by <u>me 8-22-77</u>				
Published in <u>Idaho Enterprise</u>				
Dates <u>Aug. 11 + 18 - 1977</u>				

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 11th day of August, 1977 the date of the last publication being the 18th day of August, 1977.

Suzanne Jones

Subscribed and sworn to before me this 19th day of August, 1977.

Wanda Edwards
Notary Public, residing at Malad, Idaho

My Commission expires the _____ day of _____, 19_____.

Costs:

34 lines at 23c per line first insertion \$ 7.82
_____ lines tabulated at 34½c per line \$ _____
15c per line each subsequent insertion \$ 5.10
TOTAL \$12.92

(Rates for legal notices are fixed by Idaho law)

RECEIVED

AUG 22 1977

Department of Water Resources
Malad District Office

NOTICE OF CLAIM TO A WATER RIGHT NO. 15-4020

NOTICE IS HEREBY GIVEN that D.L. Evans Farms, Inc., Malad City, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.24 cubic feet per second of water from a ground-water source with point of diversion in the NE¼NE¼, Sec. 28, T. 14S, R. 36E, B.M., Oneida County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and from Apr. 1 to Oct. 1 for the irrigation of 60 acres with a priority of July, 1962; the place of use is within the E½NE¼, Sec. 28, NW¼NW¼, Sec. 27, SE¼SE¼, Sec. 21, T. 14S, R. 36E, 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.

C. STEPHEN ALLRED
Director

Published in the Idaho Enterprise, Malad City, Idaho on August 11 and August 18, 1977. smc

NOTICE OF CLAIM TO A WATER RIGHT

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C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Idaho Enterprise, Malad City, Idaho
on August 11 and August 18, 1977

me-d.
aw-y.
me-d.

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C. STEPHEN ALLRED
Director

Published in the Idaho Enterprise, Malad City, Idaho on August 11 and August 18, 1977.

August 5, 1977

RE: Claim to a Water Right No. 15-4019
15-4020 EVANS

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

RDC:CW

Bill submitted 8-22-77 by CW

Enc: Legal Notice (2)

August 29, 1977

RE: Claim to a Water Right No. 15-4020

D. L. Evans Farms, Inc.
25 Main Street
Malad City, ID 83252

Gentlemen:

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:CD

Enc: Copy of claim