

RECEIVED

DEPARTMENT OF WATER RESOURCES

AUG 26 1977

Section 42-225a, Idaho Code

Department of Water Resources

CLAIM TO A WATER RIGHT

Notice is hereby given that Marguerite J. Tims
(name of claimant)

of Route 1, 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:

UN NAMED

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) spring
 _____, 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 .5 cfs Use Irrigation Period of Use: From May 1 To Sept. 31

Amount .04 Use Domestic Period of Use: From Jan. 1 To Dec. 31

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: 1.5 cubic feet per second, or _____ acre feet per annum, and/or 240 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) May 1955

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)
NW ¼ NW ¼, Sec. 16 Twp. 14 S. Rge. 36 E. B.M. County of Oneida
 Additional points of diversion NW ¼ SE ¼, Sec. 17, Twp. 14 S., Rge 36 E.B.M.
County of Oneida

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. _____

- (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.

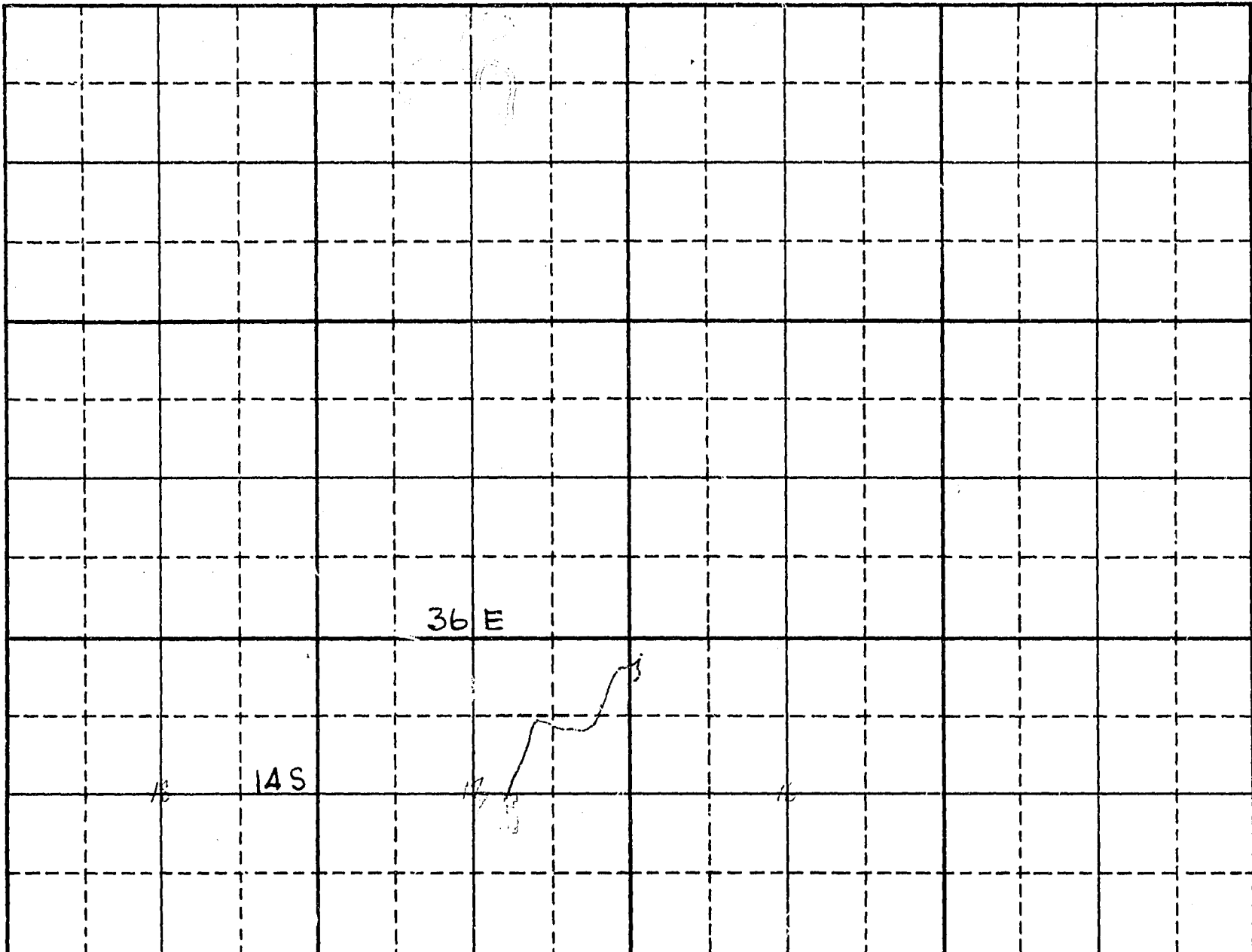
[illegible]

Total No. of acres 34

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic purposes for two families.

- (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 Oneida) 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 24th day of August, 19 77.

Marguerite J. Tim
(Claimant)
James O. Allen
Notary Public
Residing at Malad City, Idaho

My commission expires 8-5-80

For Department Use Only

Received by <u>J. J.</u>	Date <u>8/26/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. J.</u>	Date <u>8/26/77</u>		claimant by:	
\$10.00 fee received by <u>J. J.</u>	Date <u>8/26/77</u>			
Approved for publication by <u>me</u>	Date <u>8-27-77</u>			
Published in <u>Idaho Enterprise</u>				
Dates <u>Sept 8-4-15-1977</u>				

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 27 1977

State of Idaho
County of Oneida, ss.

Suzanne Jones being first duly sworn on
Department of Water Resources
Eastern District Office

h.c. oath, states: That she is *Editor*
of the Idaho Enterprise, a newspaper of general circula-
tion 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 publi-
cation 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 circu-
lation 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 sub-
scribers 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 *8th* day of *September*, 19*77*
the date of the last publication being the *15th* day of
September, 19*77*.

Suzanne Jones

Subscribed and sworn to before me this *16th* day of
September, 19*77*.

Joseph H. Friedman
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)

NOTICE OF CLAIM TO A WATER RIGHT

No. 15-4022

NOTICE IS HEREBY GIVEN
that Marguerite J. Tims, Malad
City, Idaho has filed a claim to a
water right established by
diversion and application to
beneficial use of 0.50 cubic feet
per second of water from an
unnamed spring with point of
diversion in the NW¼NW¼, Sec.
16, NW¼SE¼, Sec. 17, 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 two
families and from May 1 to Sept.
31 for the irrigation of 34 acres
with a priority of May, 1955; the
place of use is within the
NW¼SE¼, Sec. 17, T. 14S, R.
31E, 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 Enter-
prise, Malad City, Idaho on
September 8 and September 15,
1977.

RECEIVED

AUG 26 1977

Department of Water Resources

J. W. CROWTHER
ATTORNEY AT LAW

PROSECUTING ATTORNEY
ONEIDA COUNTY, IDAHO

60 NORTH MAIN MALAD CITY, IDAHO
PHONE 766-2644

August 25, 1977

State of Idaho
Department of Water Resources
Boise, Idaho

Re: Claim to a Water Right - Marguerite J. Tims

Gentlemen:

Please process the attached Claim to a Water Right for
the above mentioned individual on land located in Oneida
County, Idaho. (Attached also is a check for \$10.00.)

If you have any questions, please let me know.

Very truly yours,

J. W. Crowther
J. W. Crowther *ia*

ia
Attachments

Note!

Send all correspondence to above counsel

J.J. 8/26/77

INTER-DEPARTMENT MEMO — 1

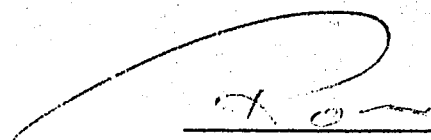
FROM Ronald D. Carlson

DATE August 30, 1977

TO File

SUBJECT Change in Claim for Marguerite J. Tims

As per a telephone conversation this date with J. W. Crowther, attorney for the claimant, he requested we included 0.04 c.f.s. for domestic use on the above referenced claim.



SIGNATURE

August 31, 1977

RE: Claim to a Water Right No. 15-4022

Mr. J. W. Crowther
Attorney at Law
60 North Main
Malad City, ID 83252

Dear Mr. Crowther:

Attached herewith is Departmental receipt No. 9225 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

R NALD D. CARLS N
Supervisor
Eastern Region

RDC:CD

Attachment

Copy sent

NOTICE OF CLAIM TO A WATER RIGHT

NO. 15-4022

Notice is hereby given that Marguerite J. Tims,
Malad City, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.50 cubic feet per second ~~acres feet per annum~~
of water from an unnamed spring

with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, 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 two families and from May 1 to Sept. 31 for the irrigation of
34 acres
with a priority of May, 1955;
the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 31E, 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
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the Idaho Enterprise, Malad City, Idaho
on September 8 and September 15, 1977

the-
m-
R. W. R.

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 15-4022

NOTICE IS HEREBY GIVEN that Marguerite J. Tims, Malad City, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second of water from an unnamed spring with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, 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 two families and from May 1 to Sept. 31 for the irrigation of 34 acres with a priority of May, 1955; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 14S, R. 31E, 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 September 8 and September 15, 1977.

September 2, 1977

RE: Claim to a Water Right No. 15-4022

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

Enc: Legal Notice (1)

Bill submitted September 27, 1977 by me

September 26, 1977

RE: Claim to a Water Right No. 15-4022

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper of September 8 and September 15, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

September 28, 1977

RE: Claim to a Water Right No. 15-4022 TIMS

Mr. J. W. Crowther
Attorney at Law
60 North Main
Malad City, ID 83252

Dear Mr. Crowther:

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

<u>Date Claim Filed</u>	<u>Fee</u>
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$100
7-01-1984 thru 6-30-1985	\$200

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
CLAIM TO A WATER RIGHT

OCT 24 1988

Department of Water Resources
Rights to the public water supplies
Eastern District Office
Department of Water Resources

Notice is hereby given that

Notice is hereby given that DAVID A BEAL
(Name of Claimant)
ROUTE #1, MALAD IDAHO 83252 Telephone No. 208-766-4437
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1955

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 is that a claim may be filed on single family domestic use from a ground water source.

- (1) Date of priority: (When was the water first applied to a beneficial use) MAY 1955

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: UNNAMED SPRING tributary to ~~UNNAMED SPRING~~

(4) .54 CFS TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NW ¼, Sec. 16 Twp. 14S. Rge. 36E. B.M., County of ONEIDA
Additional points of diversion: NW 56th, SE. 17 TWP. 14S, T96 36 E.B.M.
COUNTY OF ONEIDA

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. Describe any changes in the system and give the date of the change.

- (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.

[illegible]

No. of acres 34

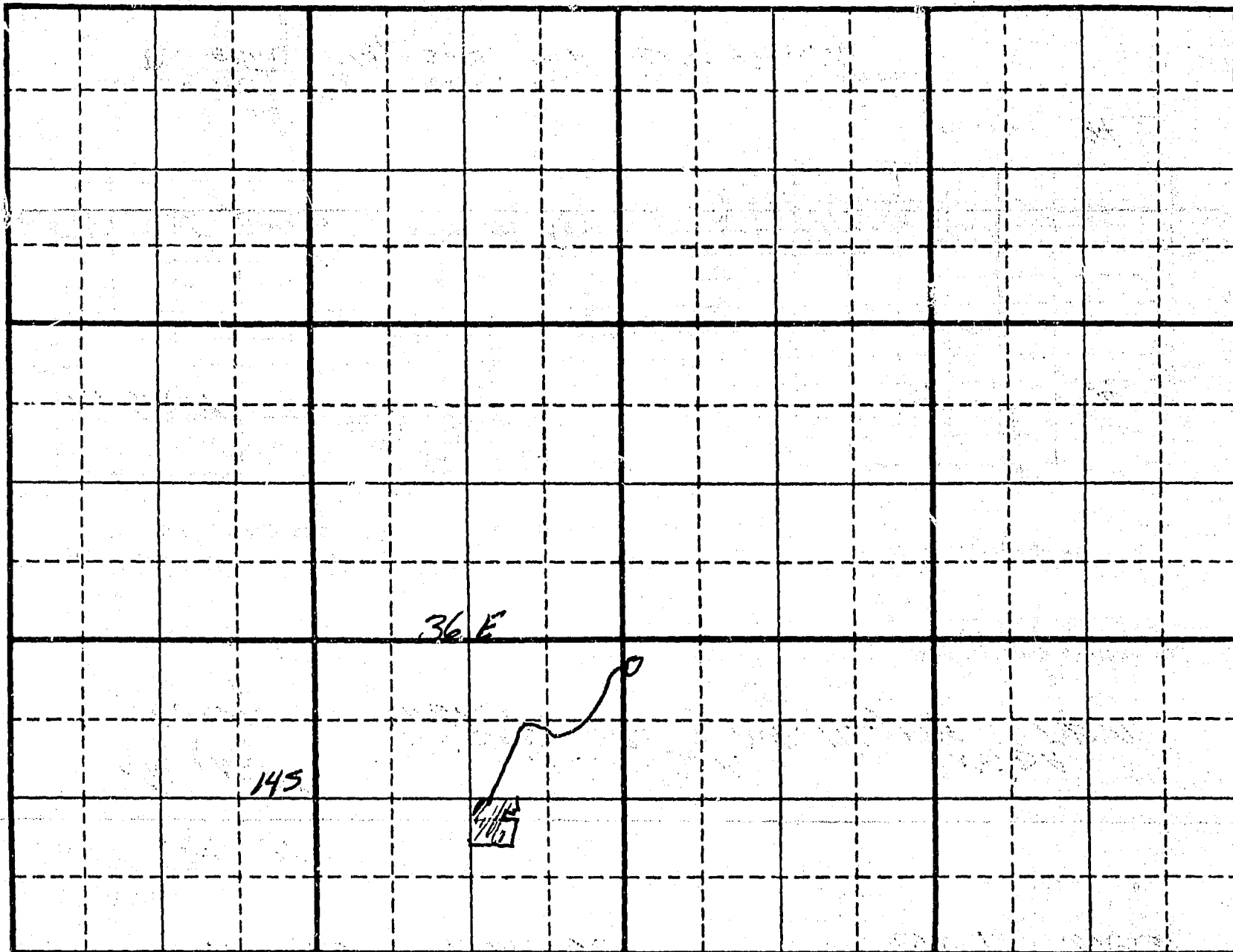
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Domestic Purposes for ONE Family

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

- (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 ONEIDA) 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 affiant's knowledge.

Sworn to before me this 24 day of OCTOBER 19 88.

Betty J. Thompson
Notary Public
Residing at Idaho Falls

My commission expires 6-94

FOR DEPARTMENT USE ONLY			
Received by <u>GW</u>	Date <u>10-24-88</u>	Exception filed by:	Forwarded to
Prelim. check by <u>HCJS</u>	Date <u>10-28-88</u>		claimant by:
\$30.00 fee received by <u>N.A.</u>	Date		
Published in <u>Idaho Enterprise</u> (RA)			
Dates <u>11-17 & 11-24-88</u>			

No 1099

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Sandra Struks

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; 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 November 17, 1988, and ending with the issue of November 24, 1988

Sandra Struks

Fee \$ 38.28

Subscribed and sworn to before me this 6th day of Jan, 1989.

[Signature]
Notary Public, Residing at Malad, Idaho

My Commission Expires 2/17, 1993

Water right amended

NOTICE OF AMENDED CLAIM TO A WATER RIGHT NO. 15-4022

Notice is hereby given that Claim to a Water Right No. 15-4022 in the name of Marguerite J. Tims, Malad, Idaho, was filed with a priority date of May 1955 for the diversion and application to beneficial use of .5 cfs of water from an unnamed spring with the point of diversion within the NW1/4NW1/4, Sec. 16, NW1/4SE1/4, Sec. 17, T. 14S, R. 36E, B.M. County of Oneida; the water is claimed to be used from May 1 to September 31 for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 31E and from January 1 to December 31 for domestic purposes.

Claim No. 15-4022, now being amended in the name of David A. Beal, Malad, Idaho, proposes to change the amount of water to .54 cfs, the period of use for irrigation from April 1 to November 1, and the place of use for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 36E.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

R. Keith Higginson,
Director

Published in THE IDAHO ENTERPRISE
11/17/1988 & 11/24/1988
No. 1099
11-17, 24 T2

RECEIVED

JAN 12 1989

Department of Water Resources
Eastern District Office

9

NOTICE OF AMENDED CLAIM TO A WATER RIGHT
NO. 15-4022

Notice is hereby given that Claim to a Water Right No. 15-4022 in the name of Marguerite J. Tims, Malad, ID, was filed with a priority date of May 1955 for the diversion and application to beneficial use of .5 cfs of water from an unnamed spring with the point of diversion within the NW1/4NW1/4, Sec. 16, NW1/4SE1/4, Sec. 17, T. 14S, R. 36E, B.M. County of Oneida; the water is claimed to be used from May 1 to September 31 for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 31E and from January 1 to December 31 for domestic purposes.

Claim No. 15-4022, now being amended in the name of David A. Beal, Malad, ID, proposes to change the amount of water to .54 cfs, the period of use for irrigation from Apr. 1 to Nov. 1, and the place of use for irrigation of 34 acres within the NW1/4SE1/4, Sec. 17, T. 14S, R. 36E.

Any exception to any claim of water right may be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, ID 83402.

R. Keith Higginson, Director

Published in THE IDAHO ENTERPRISE 11/17/1988 & 11/24/1988

*Called 12-14-88
for affidavit
Will send A.S.A.P.
Called 12-23-88*

December 28, 1988

IDAHO ENTERPRISE
P.O. Box 205
Malad City, Idaho 83252

RE: Amended Claim To A Water Right No. 15-04022;
David A. Beal

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on November 17, and November 24, 1988.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary