

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT

AMENDED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ralph and/or Levi Hughes

(Name of Claimant)

Route #1, Malad, Idaho 83252

(Mailing Address)

Telephone No. 766-2506

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 30, 1880

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.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed spring 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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.50 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity <u>0.50 cfs</u>	Use <u>TOTAL QUANTITY USED.</u>	Period of Use From _____	To _____		

- (4) _____ (cfs, gpd, AFA)

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

SW ¼ SE ¼, Sec. 24 Twp. 15S Rge. 35E B.M., County of Oneida

Additional points of diversion: RH

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. dam and ditches

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>15S</u>	<u>35E</u>	<u>24</u>													<u>20</u>				<u>20</u>

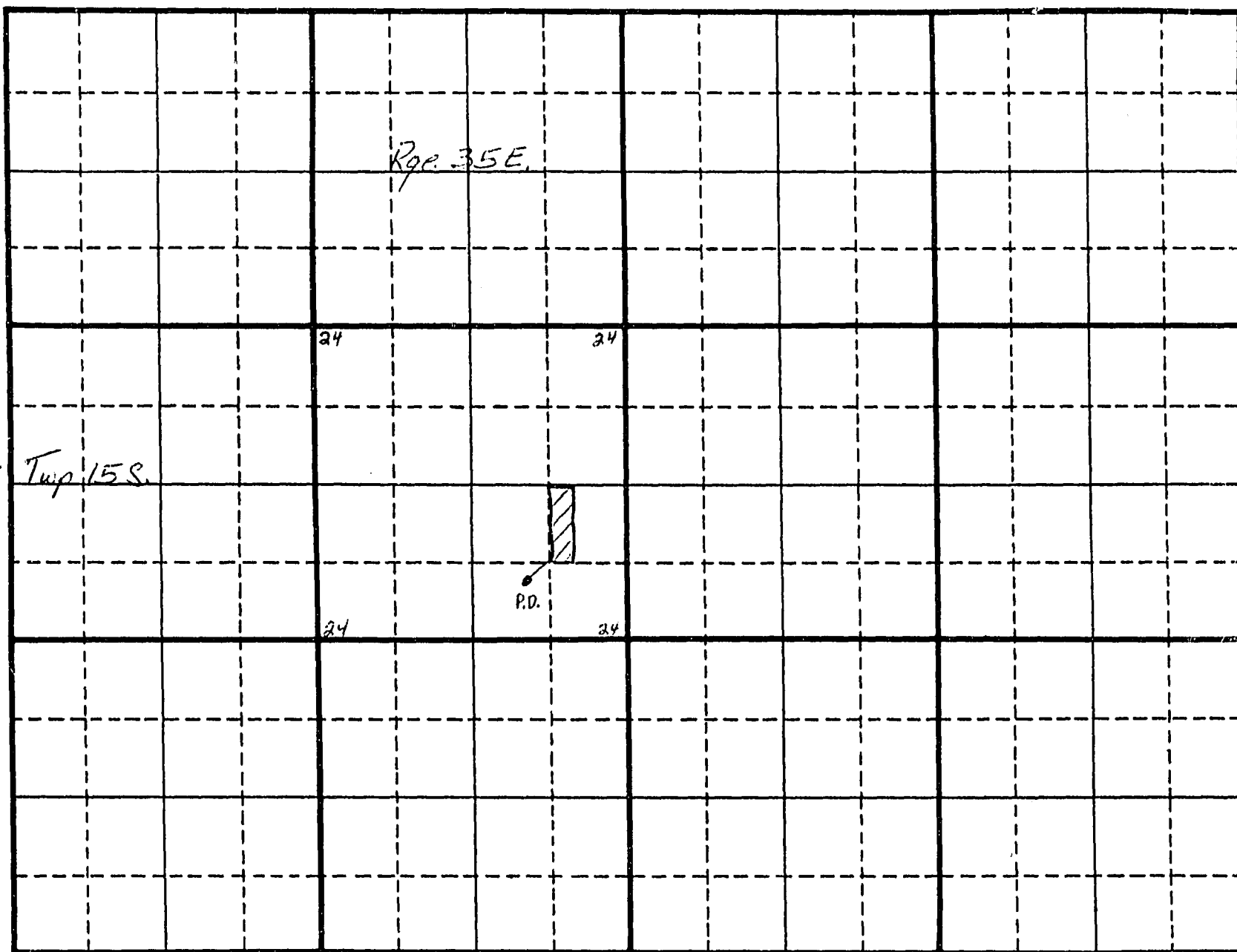
No. of acres 20

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

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 Osnide) 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 27 day of April, 19 79.

Ralph Hughes
(Claimant)

Notary Public
Residing at Payson, Idaho

My commission expires 5-14-82

FOR DEPARTMENT USE ONLY

Received by _____ dh	Date <u>4-23-79</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>RF</u>	Date <u>4-23-79</u>		claimant by: _____	
\$20.00 fee received by <u>N/A</u>	Date _____			
Published in <u>Idaho Enterprise</u>				
Dates <u>May 10 & 17, 1979</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

RALPH And/or LEVI HUGHES
(Name of Claimant)

RT #1 MALAD Ttl 83252
(Mailing Address)

(Zip Code)

Telephone No. 266-2506

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 7/30/1880

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.

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

UNNAMED Spring 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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.5 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Apr</u>	To <u>Nov</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) .5 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SW 1/4 SE 1/4, Sec. 24 Twp. 15S Rge. 36E B.M., County of ONIEDA

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

- (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	
15S	36E	24													20				20

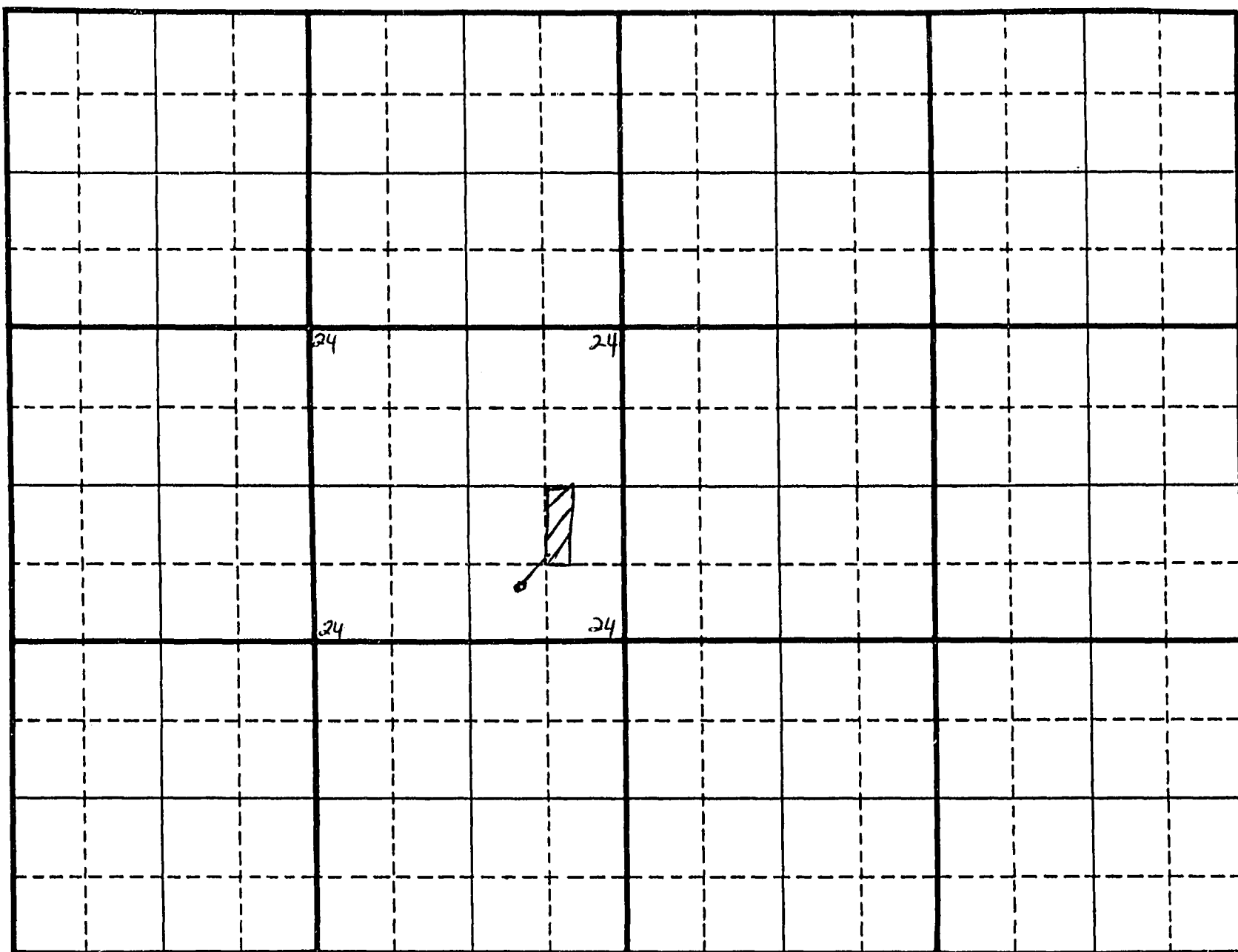
No. of acres 20

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

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 Bonneville) 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.

Ralph Hughes
(Claimant)

Sworn to before me this 23rd day of April, 1979.

Colleen Gray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>4-23-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RP</u>	Date <u>4-23-79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>4-23-79</u>	#11829		
Published in <u>Idaho Enterprise</u>				
Dates <u>May 3 & 10, 1979</u>				

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Mylene Allred being first duly sworn on
h. 11 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 publi-
cation 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 attach-
ed in the regular and entire edition of said newspaper and

not in any supplement thereof for 2 successive weekly
issues thereof of the date of the first publication being the

10th day of May, 1979, the day of the last
publication being the 17th day of May

1979

Subscribed and sworn to before me this 2nd of May
1979

Carla J. Hess
Notary Public, residing at Malad, Idaho

My Commission expires the 1st day of June 1980

Costs:
35 lines at 23c per line first insertion \$ 8.05

..... lines tabulated as 34 1/2c per line \$

15c per line each subsequent insertion \$ 5.25

TOTAL \$ 13.30

(Rates for legal notices are fixed by Idaho law)

RECEIVED

JUN 4 1979

Department of Water Resources
Eastern District Office

NOTICE OF AMENDED CLAIM TO A WATER RIGHT No. 15-4034

NOTICE IS HEREBY GIVEN
that Ralph and/or Levi Hughes
filed a claim to a water right
established by diversion and
application to beneficial use of
0.50 cfs of water from an un-
named spring tributary to sinks
with point of diversion within the
SW 1/4 SE 1/4, Sec. 24, T. 15S, R.
36E, B.M., Oneida County. The
water is claimed to be used from
4-1 to 11-1 with a priority of July
30, 1880 for the irrigation of 20
acres within the NE 1/4 SE 1/4, Sec.
24, T. 15S, R. 36E, B.M.
The claimants now propose to
amend the point of diversion to
within the SW 1/4 SE 1/4, Sec. 24, T.
15S, R. 35E, B.M., Oneida
County and the place of use to
within the NE 1/4 SE 1/4, Sec. 24, T.
15S, R. 35E, B.M.
Any exception to this amended
claim to a water right must 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, Idaho on May 10 &
17, 1979.

5-10-17 12

J A D

NOTICE OF CLAIMS
TO WATER RIGHTS
NOTICE IS HEREBY GIVEN
THAT THE FOLLOWING
NOTICE IS HEREBY GIVEN
that the following claims to
water rights have been
established by diversion and
application to beneficial use:

No. 15-4034
HUGHES, RALPH &-or LEVI
ROUTE 1, MALAD, ID 83252
Source: UNNAMED SPRING
tributary to SINKS
Priority Date: 07-30-1880
Amount: 0.50 CFS
Diversion Point: SWSE Sec. 24 T
15S R 36E, ONEIDA Co.
Use: IRRIGATION (0.50 CFS)
from 04-01 to 11-01
Place of Use: NESE Sec. 24 T
15S R 36E FOR 20 ACRES
Diversion Means: DAM &
DITCHES

No. 15-4035
HUGHES, RALPH &-or LEVI
ROUTE 1, MALAD, ID 83252
Source: WATER CANYON
tributary to SINKS
Priority Date: 04-18-1888
Amount: 0.50 CFS
Diversion Point: NWNE Sec.
36 T 15S R 35E, ONEIDA Co.
Use: IRRIGATION (0.50 CFS)
from 04-01 to 11-01
Place of Use: SWSW Sec. 19 T
15S R 35E SESE Sec. 24 T 15S R
35E NENE NWNE SWNE SENE
NESE NWSE Sec. 25 T 15S R 35E
NWNW SWNW Sec. 30 T 15S R
35E FOR 335 ACRES
Diversion Means: DITCH

No. 15-4036
HUGHES, RALPH &-or LEVI
ROUTE 1, MALAD, ID 83252
Source: BIG CANYON
SPRINGS tributary to SINKS
ALDRIDGE CANYON
SPRING tributary to SINKS
Priority Date: 04-18-1888
Amount: 4.50 CFS

Diversion Point: SENE Sec. 34 T
15S R 35E SENE Sec. 35 T 15S R
35E ONEIDA Co.
Use: IRRIGATION (4.50 CFS)
from 04-01 to 11-01
Place of Use: SWSW Sec. 19 T
15S R 35E SESE Sec. 24 T 15S R
35E NENE NWNE SWNE SENE
NESE NWSE Sec. 25 T 15S R 35E
NWNW SWNW Sec. 30 T 15S R
35E FOR 335 ACRES
Diversion Means: HEADGATES
& DITCHES

No. 15-4037
HILL, KARINE W.
316 BANNOCK STREET,
MALAD, ID 83252
Source: MALAD RIVER
tributary to BEAR RIVER
Priority Date: 07-16-1889
Amount: 4.80 CFS
Diversion Point: SENW Sec. 18
T 15S R 35E, ONEIDA Co.
Use: IRRIGATION (4.80 CFS)
from 04-01 to 11-01
Place of Use: SWNE SWNW
SENE NWSE Sec. 19 T 15S R
36E FOR 160 ACRES
Diversion Means: DITCH

No. 15-4038
HILL, KARINE W.
316 BANNOCK STREET,
MALAD, ID 83252
Source: GROUNDWATER
Priority Date: 07-01-1945
Amount: 1.00 CFS
Diversion Point: SWNW SENW
Sec. 19 T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (1.00 CFS)
from 04-01 to 11-01
Place of Use: SWNE SWNW
SENE NWSE Sec. 19 T 15S R
36E FOR 160 ACRES
Diversion Means: ARTESIAN
WELLS

Any exception to any claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 1515
Lincoln Road, Idaho Falls, Idaho
83401.

C. STEPHEN ALLRED
Director
Published 5-3-10-79 12

AFFADAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Shirley J. Mills being first duly sworn on
h.c. 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 publi-
cation 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 attach-
ed in the regular and entire edition of said newspaper and

not in any supplement thereof for 2 successive weekly
issues thereof of the date of the first publication being the

3rd day of May, 1979, the day of the last
publication being the 10 day of May

1979
Subscribed and sworn to before me this 9 of May
1979.

Shirley J. Mills
Notary Public, residing at Malad, Idaho

My Commission expires the 1st day of June, 1980.

Costs 5 lines at 23c per line first insertion \$ 21.85

..... lines tabulated as 34 1/2c per line \$

15c per line each subsequent insertion \$ 14.25

TOTAL \$ 36.10

(Rates for legal notices are fixed by Idaho law)

RECEIVED

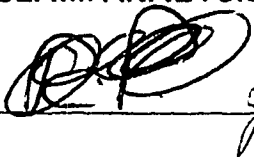
MAY 10 1979

Department of Water Resources
Eastern District Office

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:  J.C.

Right Number _____ Applicant Ralph Hughes

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

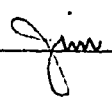
FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 6/5/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By  Date 6/12/79

April 26, 1979

Ralph Hughes
Route 1
Malad, Idaho 83252

Dear Mr. Hughes:

In the Department's review of the claims you recently filed in this office, an inconsistency was found in the legal description for the point of diversion in the claim for water from Big Canyon and Aldridge Canyon Springs and their location in the plat map. Hoping the plat map is correct, we have retyped this claim, identifying the location for the points of diversion under Item 5 as being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 15S, R. 35E, B.M. I suggest you confirm these locations to make sure they are correct.

Since it was necessary to return the above mentioned claim, we are also forwarding the other two claims you filed on the same day, and which we have taken the liberty to retype in order to provide a neater copy for our records. Please sign these claims in the presence of a notary public and return to this office. Since we have begun processing of your claim,, we would appreciate the claims being returned to our office no later than May 11, 1979.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enclosures

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

15-4034

HUGHES, RALPH &/or LEVI

ROUTE 1, MALAD, ID 83252

Source: UNNAMED SPRING tributary to SINKS

Priority Date: 07/30/1880

Amount: 0.50 CFS

Diversion Point: SWSE Sec 24 T 15S R 36E, ONEIDA Co.

Use: IRRIGATION (0.50 CFS) from 04/01 to 11/01

Place of Use: NESE Sec 24 T 15S R 36E FOR 20 ACRES

Diversion Means: DAM & DITCHES

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

C. STEPHEN ALLRED
Director

Published 5/3 & 5/10/79.

per telecon 5/7/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 27, 1979

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before MAY 21, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 15-4034

Notice is hereby given that Ralph and/or Levi Hughes filed a claim to a water right established by diversion and application to beneficial use of 0.50 cfs of water from an unnamed spring tributary to sinks with point of diversion within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 15S, R. 36E, B.M., Oneida County. The water is claimed to be used from 4/1 to 11/1 with a priority of July 30, 1880 for the irrigation of 20 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 15S, R. 36E, B.M.

The claimants now propose to amend the point of diversion to within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 15S, R. 35E, B.M., Oneida County and the place of use to within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 15S, R. 35E, B.M.

Any exception to this amended claim to a water right must 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, Idaho on May 10 & 17, 1979.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

very light

1925 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7184

MAY 4, 1979

Idaho Enterprise
P.O. Box 209
Pocatello, Idaho 83252

Dear Sir:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for the consecutive weekly issues) in your newspaper. We have placed marks that for you to submit a yellow card to this office for review before the first publication date. If you cannot publish the notice or if published dates please notify us immediately.

An affidavit of publication must be filed in the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication bill to this office before MAY 22, 1979.

Very truly,

RONALD D. CARLSON
Administrator

Encl.



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

May 30, 1979

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

Dear Sir:

Re: Claim No. 15-4031 - John
Amended Claim No. 15-4034 - Hughes
Amended Claim No. 15-4035 - Hughes
Amended Claim No. 15-4036 - Hughes
Application No. 15-7057 - Davis
Claim No. 17-4028 - Garn Farms

Please send affidavits of publication and certified bills for
the above referenced application and claims as soon as possible.

Thank you,

DONNA HENRIQUES
Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 21 1979

RALPH HUGHES
LEVI HUGHES
ROUTE 1
MALAD

ID 83252

RE: Claim No. 15-4034

Dear Claimant:

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 that information or evidence added at any time. Please refer to the claim identification number when corresponding with this 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.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure