

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 Edna E. Hall \$/oz Gary L. Hall \$/oz Myron Jones
(Name of Claimant)
23 Basic Avenue, Malad City, Id Telephone No. 83252 766-4059
(Mailing Address) (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) Sept. 20, 1905

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)
Elkhorn Creek & tributaries tributary to Little Mafad River

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

		(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>2.0 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>May 1</u>	To <u>Nov 1</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)	2.0 cfs (cfs, gpd, AFA)	TOTAL QUANTITY USED.
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(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 14 Twp. 13S Rge. 35E B.M., County of Orinda
 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. *Water is diverted from Elk Horn Creek into a private ditch.*

approximately 1 mile long. The water is collected by a 12" diam pipe at the bottom of the ditch & flows into a gravity flow sprinkler system.

(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]

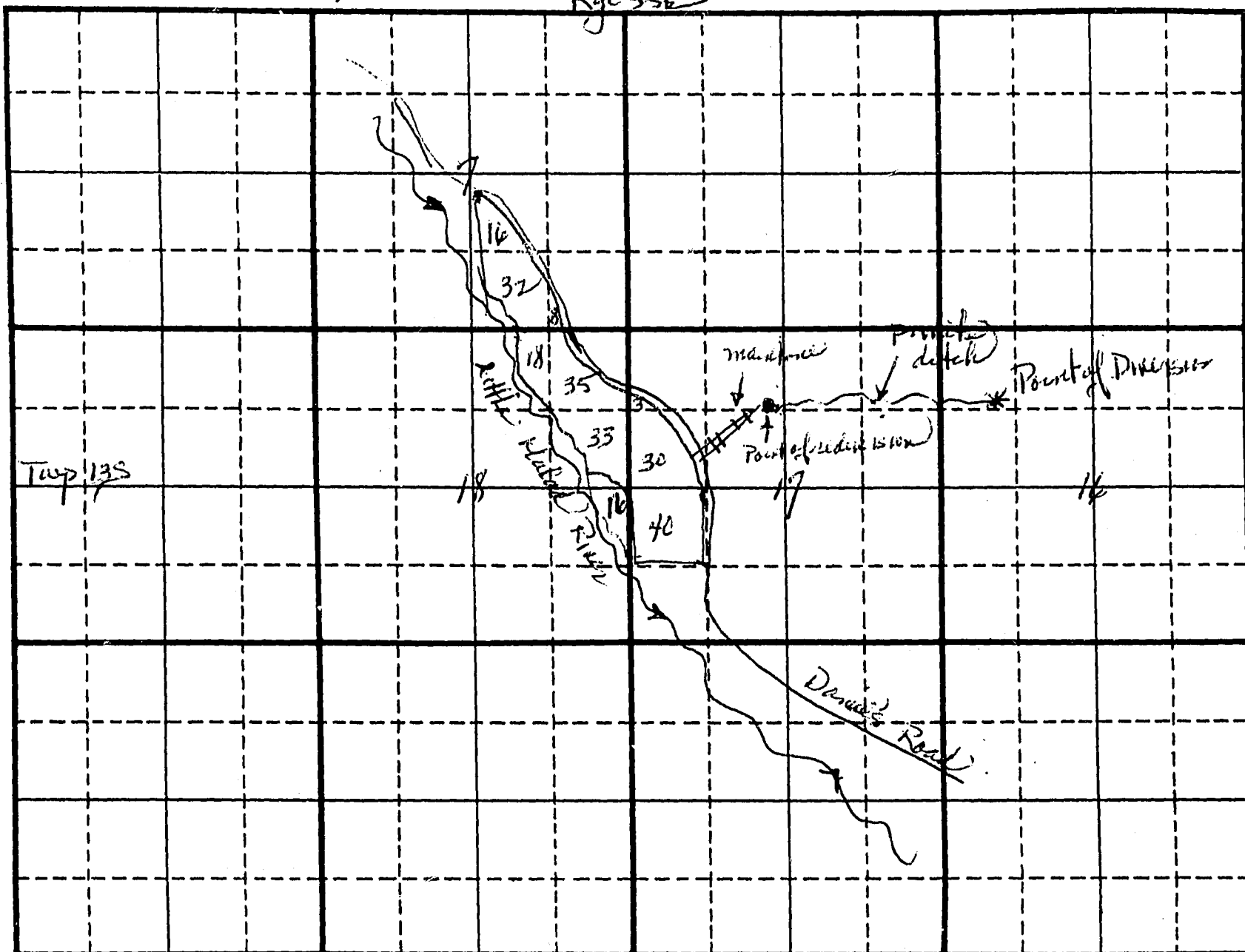
No. of acres 231 ac.

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 The water claimed on this document shall be divided
in half, 1/2 of the water of Elk Horn Creek being claimed
by Myron Jones and 1/2 the water of Elk Horn Creek being
claimed by Edna Hill & Gary Hill.
Rge 3SE



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 9th day of May, 1979

Edna E. Hill

Myron Jones

Gary D. Hill (Claimant)

Notary Public
 Residing at Malid, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>5-11-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>5-11-79</u>	#11874 & 11875		
Published in <u>Idaho State Journal</u>				
Dates <u>May 24 & 31, 1979</u>				

RECEIVED

JUN 4 1979

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

NOTICE IS HEREBY GIVEN
that the following claim to water
right have been established by
diversion and application to
beneficial use:

No. 15-4043

HILL, EDNA E. &-or GARY L.
JONES, MYRON
23 BUSH AVENUE, MALAD, ID
83252

Source: ELKHORN CREEK &
TRIBUTARIES tributary to
LITTLE MALAD RIVER

Priority Date: 09-20-1905

Amount: 2.00 CFS

Diversion Point: NWNW Sec 16
T 13S R 35E, ONEIDA Co.

Use: IRRIGATION (2.00 CFS)
from 05-01 to 11-01

Place of Use: NENE NWNE
SENE NESE Sec 18 T 13S R 35E
NWSE SWSE SESE Sec 07 T 13S
R 35E NWNW SWNW NWSW Sec
17 T 13S R 35E FOR 231 ACRES
Diversion Means: DITCH

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 5-24 & 5-31-79.
5-24-31-12

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Theresa J. Tubbs 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
24th day of *May*, 19*79*, the day of the last
publication being the *31st* day of *May*,
19*79*.

87
Subscribed and sworn to before me this *28th* of *May*,
19*79*.

Theresa J. Tubbs
Theresa J. Tubbs
Notary Public, residing at Malad, Idaho

My Commission expires the *28th* day of *May*, 19*79*.

Costs:
36 lines at 23c per line first insertion \$ *8.28*

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

15c per line each subsequent insertion \$ *5.40*

TOTAL \$ *13.68*

(Rates for legal notices are fixed by Idaho law)

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: S.M.

Right Number _____ Applicant Edna E. Hill for Gary L. Hill

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. 9/4/79
- ☒ Claim published correctly.
- ☒ Exceptions processed. NONE

By Ernest Carlson Date 6/11/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 4/18/79



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 14, 1979

Edna E. Hill
23 Bush Avenue
Malad, Idaho 83252

Dear Ms. Hill:

Re: Claim to Water Right

Attached herewith is Departmental receipt No.'s 11874 and 11875
totaling \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachments
Copy to Myron Jones, Jr.

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:

15-4043-

HILL, EDNA E. &/or GARY L.
JONES, MYRON

23 BUSH AVENUE, MALAD, ID 83252

Source: ELKHORN CREEK & TRIBUTARIES tributary to LITTLE MALAD RIVER

Priority Date: 09/20/1905

Amount: 2.00 CFS

Diversion Point: NWNW Sec 16 T 13S R 35E, ONEIDA Co.

Use: IRRIGATION (2.00 CFS) from 05/01 to 11/01

Place of Use: NENE NWNE SENE NESE Sec 18 T 13S R 35E NWSE SWSE SESE
Sec 07 T 13S R 35E NWNW SWNW NWSW Sec 17 T 13S R 35E
FOR 231 ACRES

Diversion Means: DITCH

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 5/24 & 5/31/79.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 18, 1979

Idaho State Journal
Box 431
Pocatello, Idaho 83201

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 billing to this office before JUNE 11, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

Gally check per
telecon with

Turn at
Shels Enterprise

5-22-79 dk

ENCL:

ENCLOSURE
BOMBER D. CHURCH

Amos (101)

Office phone time 11:45

Please send the following of information and information prior to 11:45

With the information prior to 11:45, information is requested

No additional of information will be admitted to the Department of

Information

For security reasons the notes on the enclosed paper please consider as
strictly confidential. The notes on the enclosed paper are for your information only. If
you have any questions or need any more information, please contact the person
on the paper indicated. Please do not discuss the matter with anyone else.
Enclosed you will find a letter which contains information to your satisfaction.

Respectfully,

Enclosure 1990 83301

Box 433

1990 83301 1000001

WBA 101 1015

(1000) 101 1015

1990 101 1015 10 83301

1990 101 1015 1000001

ENCLOSURE 101 1015
ENCLOSURE 101 1015 1000001

2 x 4 1/2 in. 101 1015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 11, 1979

EDNA E. HILL
GARY L. HILL
MYRON JONES
23 BUSH AVENUE
MALAD

ID 83252

RE: Claim No. 15-4043

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