

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 REX ROSELL MILLS

(Name of Claimant)

Route #1, Box 125-A, Malad City, ID 83252

(Mailing Address)

Telephone No. 766-4142

(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) May 1, 1912

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)

Bill Morgan Canyon Springs 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:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>3.0 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity <u>.03 cfs</u>	Use <u>stockwater</u>	Period of Use From <u>April 1</u>	To <u>Dec. 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 3.03 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NW ¼ SW ¼, Sec. 34 Twp. 12S Rge. 35E 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. Describe any changes in the system and give the date of the change. diversion ditch, field ditches, flood irrigation

- (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	
12S	35E	32												25					25
13S	35E	5			12					37	20					1			70

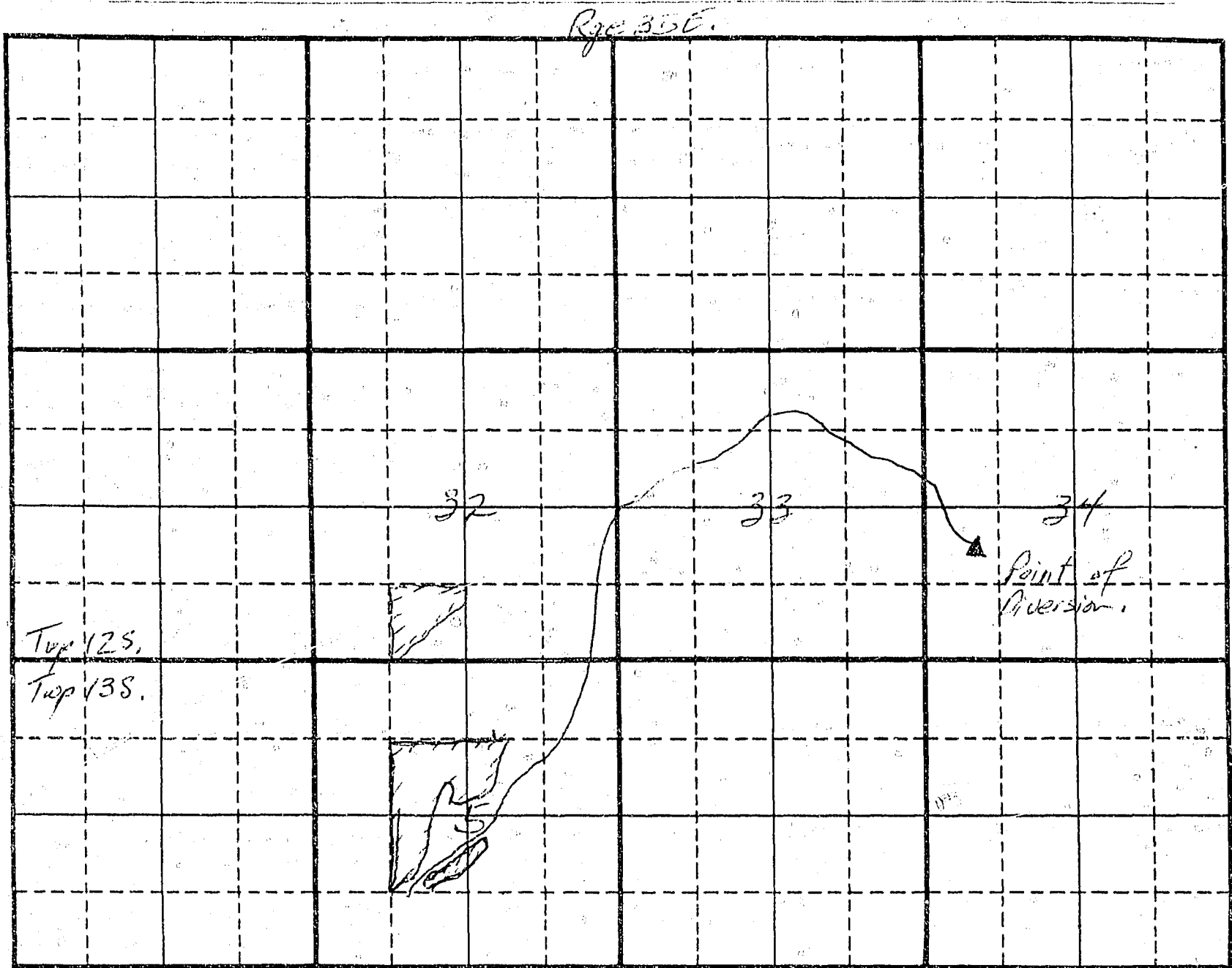
No. of acres 95

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: 70 head of range cattle.

- (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)

) ss.

County of _____)

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 30 day of May, 1980.

Roll Miller
(Claimant)

Eddie L. Sperry
Notary Public
Residing at Mead, Idaho
83252

My commission expires July 10, 1983

FOR DEPARTMENT USE ONLY

Received by <u>kw</u>	Date <u>5/12/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jc</u>	Date		claimant by:	
\$20.00 fee received by <u>kw</u>	Date <u>5/13/80</u>	#13987		
Published in <u>Idaho Enterprise</u>				
Dates <u>5/22 & 5/29/80</u>				

**NOTICE OF CLAIM
TO WATER RIGHT
NOTICE IS HEREBY GIVEN**
that the following claim to water
right has been established by
diversion and application to
beneficial use:

No. 15-1060

MILLS, REX ROSELL
RT. 1 BOX 125-A, MALAD CITY,
ID 83252

Source: BILL MORGAN
CANYON SPRINGS tributary to
SINKS

Priority Date: 05-01-1912

Amount: 3.03 CFS

Diversion Point: NWSW Sec 34 T
12S R 35E, ONEIDA Co.

Use: IRRIGATION (3.00 CFS)
from 04-01 to 11-01.

STOCKWATER (0.03 CFS)
from 04-01 to 12-01

Place of Use: SESW Sec 32 T 12S
R 35E SWNE SENW NESW
NWSE Sec 05 T 13S R 35E FOR
95 ACRES

Diversion Means: DITCHES.

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

C. STEPHEN ALLRED
Director

Published 5-22 & 5-29-80.
5-22-29 12)

RECEIVED

JUN 2 1980

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Oneida, ss.

Carole Hammill being first duly sworn on
h.E.R. oath, states: That s.he 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
22 day of May, 1980, the day of the last
publication being the 29 day of May
1980.

Subscribed and sworn to before me this 30 of May
1980.

Marie P. Jones
Notary Public, residing at Malad, Idaho

My Commission expires the 1st day of July, 1981.

Costs:
37 lines at 23c per line first insertion \$8.51

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

15c per line each subsequent insertion 1 insert \$5.55

TOTAL \$14.06

(Rates for legal notices are fixed by Idaho law)

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

E. J. Rosell Mulls
(Name of Claimant)
Rt #1, Box 125-A, Malad City, ID 83252 Telephone No. 766-4142
(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) 1912

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)
Bill Meyer Canyon Springs tributary to Springs

(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.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
<u>3.00 cfs</u>		<u>Irrigation</u>		<u>April 1</u>		<u>Nov 1</u>	
<u>.03 cfs</u>		<u>stockwater</u>		<u>April 1</u>		<u>Dec 1</u>	

(4) 3.03 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 34 Twp. 12S Rge. 35E 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. Describe any changes in the system and give the date of the change.
diversion ditch, field ditches, flood irrigation

(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	
12S	35E	32												25					25
12S	35E	5			12					37	20					1			70

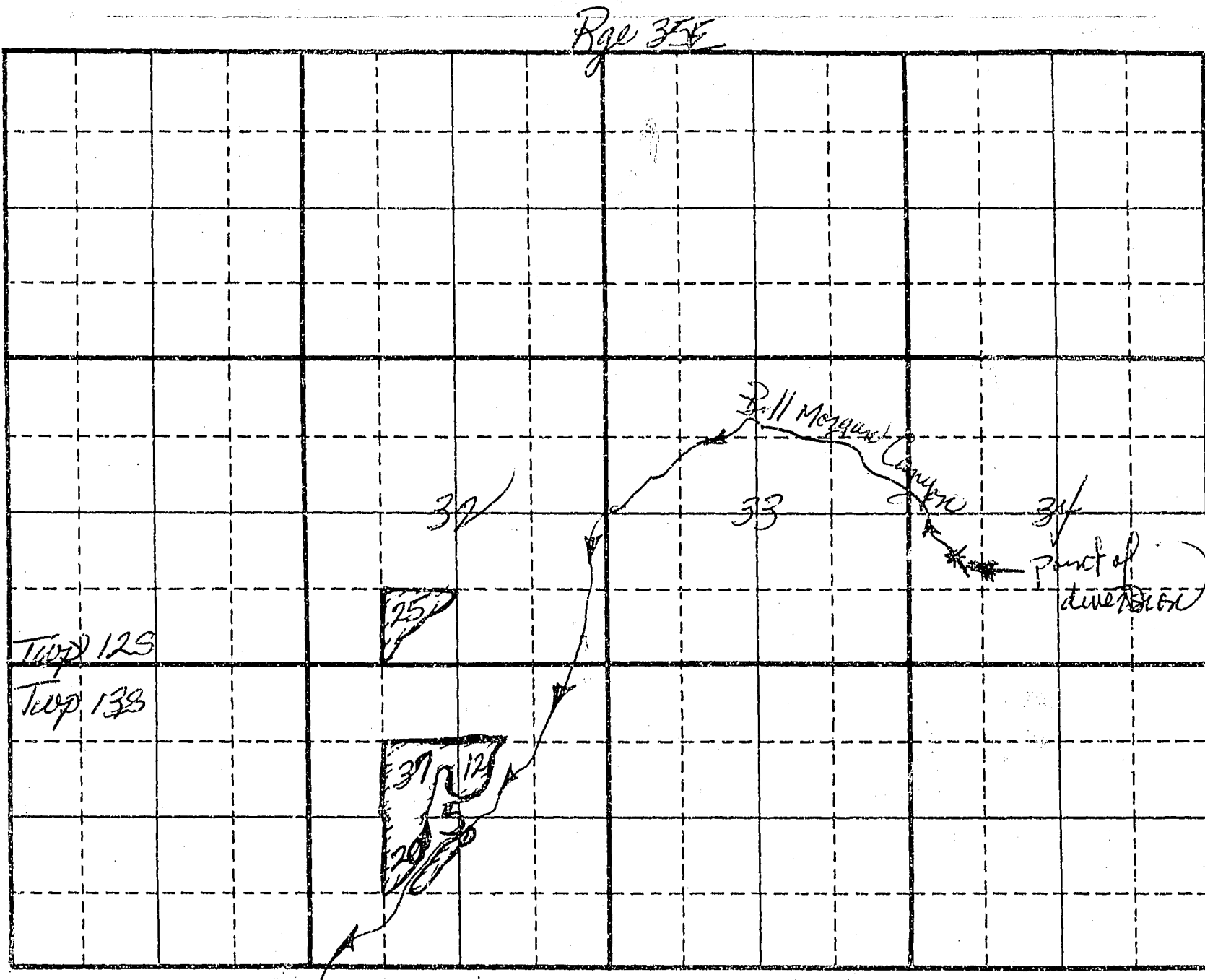
No. of acres 95

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: 10 head of range cattle

(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.

Ray Ross Mills
(Claimant)

Sworn to before me this 3 day of March, 1980.

Elsie L. Sperry
Notary Public
Residing at Maead, Ida

My commission expires July 10, 1983

FOR DEPARTMENT USE ONLY

Received by <u>tw</u>	Date <u>5/12/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>je</u>	Date		claimant by:	
\$20.00 fee received by <u>je</u>	Date <u>5/13/80</u>	# <u>13987</u>		
Published in <u>Idaho Enterprise</u>				
Dates <u>5/22 & 5/29/80</u>				

15-4060.

MILLS, REX ROSELL

RT. 1 BOX 125-A, MALAD CITY, ID 83252

Source: BILL MORGAN CANYON SPRINGS tributary to SINKS

Priority Date: 05/01/1912

Amount: 3.03 CFS

Diversion Point: NWSW Sec 34 T 12S R 35E, ONEIDA Co.

Use: IRRIGATION	(3.00 CFS)	from 04/01 to 11/01
STOCKWATER	(0.03 CFS)	from 04/01 to 12/01

Place of Use: SESW Sec 32 T 12S R 35E SWNE SENW NESW NWSE Sec 05 T 13S R 35E
FOR 95 ACRES

Diversion Means: DITCHES.

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:

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 5/22 & 5/29/80.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 16, 1980

The 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 billing to this office before JUNE 9, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

May 20, 1980

RE: Claim to a Water Right No. 15-4060

Rex Rosedl Mills
Route #1, Box 125-A
Malad City, ID 83252

Dear Mr. Mills:

We are in receipt of your claim to a water right and your check for \$20.00.
Attached herewith is Departmental Receipt No. 13987 in the amount of \$20.00.

We are enclosing a typed copy of your original claim form for your notarized signature, in order that we might have a neater copy for our records. Please review the typed form, sign it in the presence of a notary and return it to this office as soon as possible in order that the processing is not delayed.

If you have any questions please feel free to contact this office referring to the above Claim Number.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 12, 1980

REX ROSELL MILLS
RT. 1 BOX 125-A
MALAD CITY ID 83252

RE: Claim No. 15-4060

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

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JC

Right Number

15 4060

Applicant

Mills

NOTE: 15-4060 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. 6/9
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

6-17-1980.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

W. Hansen

Date

6/23/80