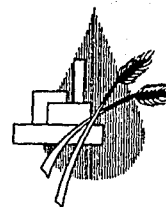


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Paul E. Tubbs

(Name of Claimant)

Rt. #1, Box 57, Malad, Idaho 83252

(Mailing Address)

Telephone No. 766-4666

(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) November 23, 1959

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)

groundwater

tributary to

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.30 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 _____	Use _____	Period of Use From _____	To _____

- (4) 0.30 cfs TOTAL QUANTITY USED.

(cfs, af)

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

NW 1/4 SE 1/4, Sec. 30 Twp. 15S 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. Describe any changes in the system and give the date of the change. well, pump to 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	
15S	36E	29							40			20							60
		30												20					20

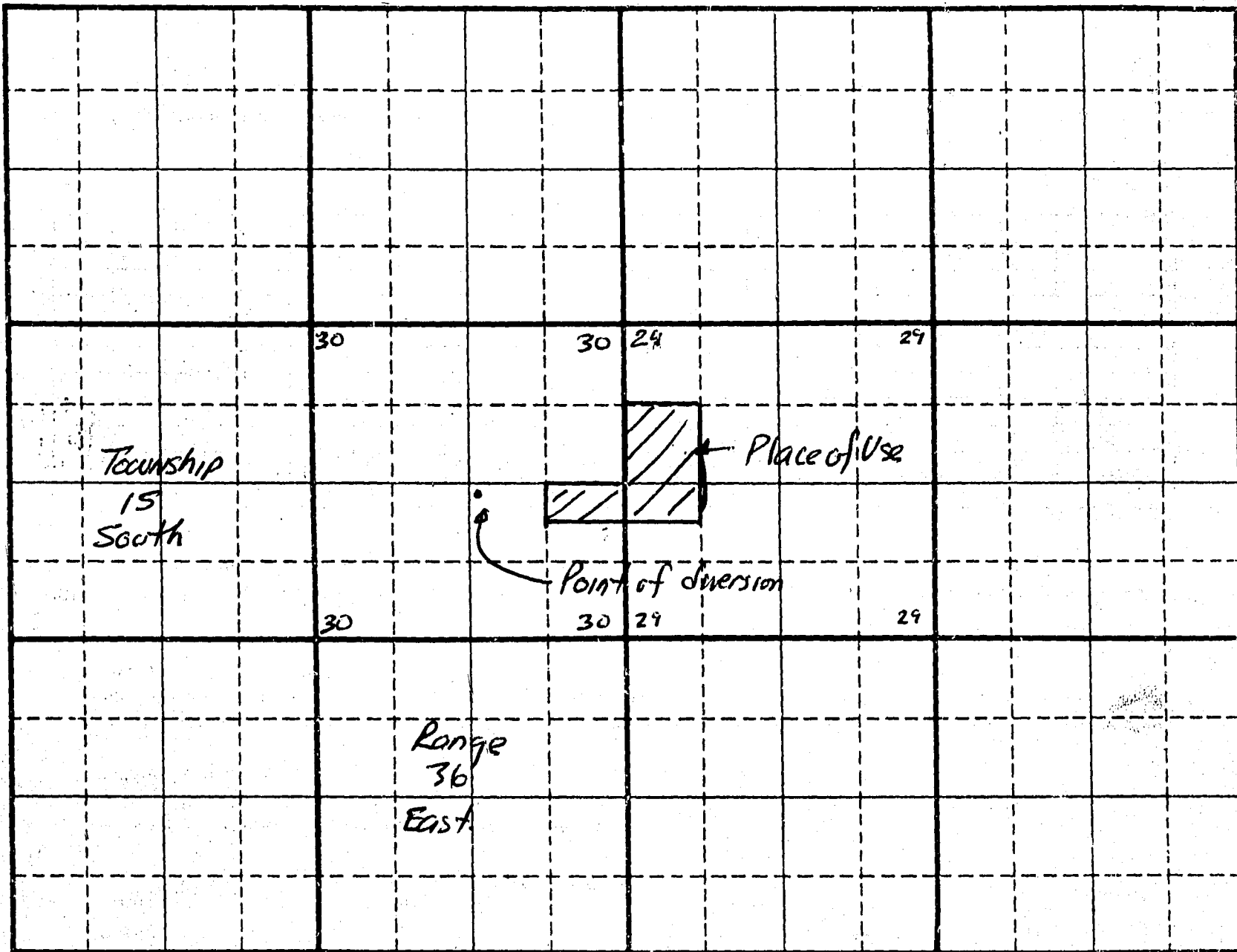
No. of acres 80

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.

Sworn to before me this 20th day of Sept

Paul E. Yabbs
(Claimant)

, 19 82

Calvin Wray
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6/15/82

FOR DEPARTMENT USE ONLY

Received by S.M.

Date 9/20/82

Exception filed by: _____

Forwarded to

Date

Prelim. check by KCW

Date 9/20/82

claimant by: _____

\$30.00 fee received by CW

Date 9-20-82

#22507

Published in Idaho Enterprise

Dates 9/30 & 10/7/82

Nº 316

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Helen Stard
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 September 30, 19 82, and ending with the issue of October 7, 19 82

Fee \$ 27.95

Subscribed and sworn to before me this 7th day of October, 19 82

Joan Hawken
Notary Public, Residing at Malad, Idaho

My Commission Expires May 5, 19 85

OCT 12 1982

Department of Water Resources
Eastern District Office

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:

15-4123
TUBBS, PAUL E.
RT. 1, BOX 57, MALAD, ID 83252
Source: GROUNDWATER
Priority Date: 11-23-1959
Amount: 0.30 CFS
Diversion Point: NWSE Sec 30 T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (0.30 CFS) from 04-01 to 11-01
Place of Use: SWNW NWSW Sec 29 T 15S R 36E NESE Sec 30 T 15S R 36E FOR 80 ACRES
Diversion Means: WELL AND PUMP
15-4124

TUBBS, PAUL E.
RT. 1 BOX 57, MALAD, ID 83252
Source: GROUNDWATER
Priority Date: 04-01-1948
Amount: 1.20 CFS
Diversion Point: NWNW Sec 29 T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (1.20 CFS) from 04-01 to 11-01
STOCKWATER (0.02 CFS) from 01-01 to 12-31

Place of Use: NENW NWNW Sec 29 T 15S R 36E FOR 60 ACRES
Diversion Means: WELLS AND DITCH
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

Published 9-30 & 10-7-82.

15-4123

TUBBS, PAUL E.

RT. 1, BOX 57, WALAD, ID 83252

Source: GROUNDWATER

Priority Date: 11/23/1959

Amount: 0.30 CFS

Diversion Point: NWSE Sec 30 T 15S R 36E, ONEIDA Co.

Use: IRRIGATION (0.30 CFS) from 04/01 to 11/01

Place of Use: SWNW NWSW Sec 29 T 15S R 36E NESE Sec 30 T 15S R 36E
FOR 80 ACRES

Diversion Means: WELL AND PUMP

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

Right Number

15 4123

Applicant

Paul E. Tubbs

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

Nov. 5, 1982

Oct 18, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

11/9/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 18, 1982

PAUL E. TUBBS
RT. 1, BOX 57
MALAD

ID 83252

RE: Claim No. 15-4123

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

RECEIVED
NOV 09 1982

Department of Water Resources