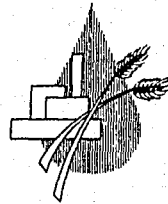


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Hess Bros. Contractors c/o Melvin J. Hess
(Name of Claimant)
200 W. 700 N. Malad, Idaho 83252 Telephone No. 766-4559
(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) Month July 1 1960

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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>		Use <u>Industrial</u>		Period of Use From <u>3-1</u>	To <u>12-1</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) 0.02 cfs TOTAL QUANTITY USED.
(cfs, af)

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

NE 1/4 SW 1/4, Sec. 16 Twp. 14S 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 and line into cement plant.

(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	
14S	36E	16									X								

No. of acres

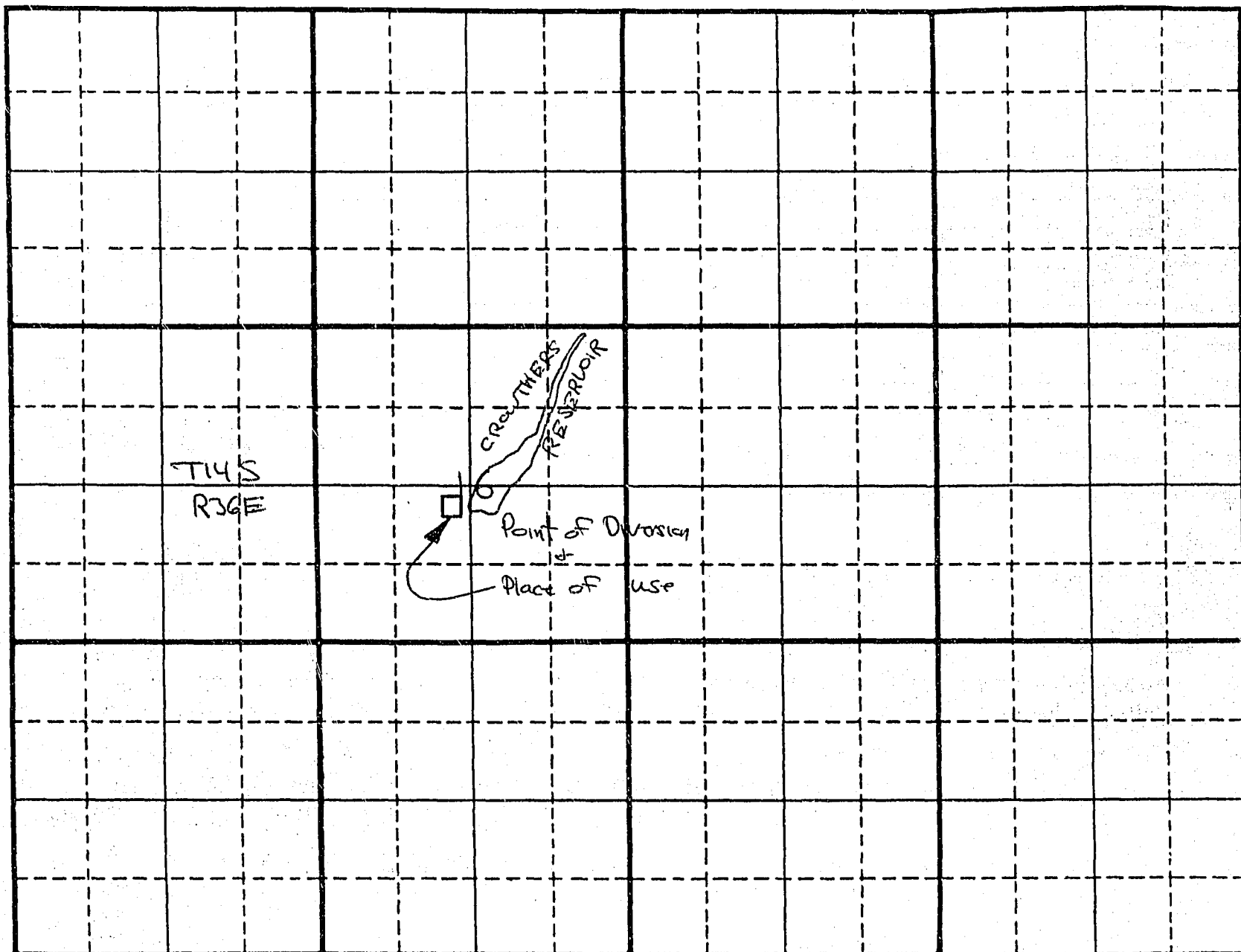
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Water is used to mix cement in a cement plant.

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. Sec. 16 township 14 S
Range 36 E B.M.

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 23rd day of May, 19 83.

Melvin J. Hess
(Claimant)

Laura E. Conner
Notary Public
Residing at Malad, Idaho

My commission expires 6-15-83

FOR DEPARTMENT USE ONLY

Received by AW Date 5-24-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Kew Date 5-26-83 claimant by: _____
\$30.00 fee received by AW Date 5-26-83 # 26324
Published in Idaho Enterprise _____
Dates 6/9 - 6/16/83 _____

The Idaho Enterprise

Kristine D. Jones, Publisher

P.O. Box 205
Malad, Idaho 83252
208-788-4773

An Affidavit of Publication, No. 421 was sent to you with a cost of \$48.75.

Here is the copy of the legal you requested.

Thank you

Jay Daniels

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

15-4153

JONES, WALTER
RFD BOX 17, MALAD, ID 83252
Source: SPRING trib. to SINKS
Priority Date: 06-01-1882
Diversion Pt: NENW NWNW Sec 05 T
15S R 36E
Use: IRRIGATION (1.60 CFS)
In: NENW SENW Sec 05 T 15S R 36E
FOR 79 ACRES

15-4152

JONES, RAMONA & or MARGARET
179 N. MAIN, MALAD, ID 83252
Source: GROUNDWATER
Priority Date: 04-01-1918
Diversion Pt: SWNW Sec 32 T 14S R 36E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.06 CFS)
In: SWNW Sec 32 T 14S R 36E

15-4157

JONES, NAT & or ADELE
EVANS, DAVID
346 E. 23RD, IDAHO FALLS, ID 83401
Source: SPRING trib. to SINKS
Priority Date: 07-01-1934
Diversion Pt: NWSE Sec 02 T 14S R 36E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: NESE NWSE Sec 02 T 14S R 36E

15-4156

JONES, NAT & or ADELE
346 E. 23RD, IDAHO FALLS, ID 83401
Source: SPRING trib. to SINKS
Priority Date: 07-01-1952
Diversion Pt: NESE Sec 02 T 14S R 36E
Use: STOCKWATER (0.02 CFS)
In: NESE Sec 02 T 14S R 36E

15-4155

HESS BROTHERS CONTRACTORS
200 W. 700 N., MALAD, ID 83252
Source: GROUNDWATER
Priority Date: 07-01-1960
Diversion Pt: NESW Sec 16 T 14S R 36E
Use: INDUSTRIAL (0.02 CFS)
In: NESW Sec 16 T 14S R 36E

15-4154

JONES, WALTER
RFD BOX 17, MALAD, ID 83252
Source: LITTLE MALAD RIVER trib.
to MALAD RIVER
Priority Date: 04-01-1880
Diversion Pt: NESE SWSE Sec 36 T 14S
R 35E
Use: IRRIGATION (1.50 CFS)
IRRIGATION STORAGE (45.0 AF)
IRRIGATION FROM STORAGE (180.0
AF)

In: NESE NWSE SWSE SESE Sec 36 T
14S R 35E NWSW Sec 31 T 14S R 36E
OR 74 ACRES

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 6-8 & 6-15-83.

15-4155

HESS BROTHERS CONTRACTORS

200 W. 700 N., MALAD, ID 83252

Source: GROUNDWATER

Priority Date: 07/01/1960

Diversion Pt: NESW Sec 16 T 14S R 36E

Use: INDUSTRIAL (0.02 CFS)

In: NESW Sec 16 T 14S R 36E

HESS BROS
CONTRACTORS AND BUILDINGS
FREE ESTIMATES ON BUILDING, LARGE OR SMALL
PHONE 766-4559
MALAD, IDAHO 83252

3382

92-86/1241

pay to the
order of

Leah Page of Malad, Idaho

\$30.00

thirty dollars

Dollars



HESS BROS.

Harold W. Jones

⑆124100860⑆ 90 00021 1⑆

Melvin Hess
200 W. 700 N.
Malad, ID 83252

Dear Mr. Hess:

Enclosed is your claim to a water right and check #92-86 for \$30. I have also enclosed a new claim form for your use.

You must indicate on line one of the new claim which month in 1960 use started. In several areas of the new form I have changed or added items which were implied in your original claim.

Please review the new claim and when completed sign and have it notarized. You can then send it to this office with your fee of \$30.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:jk

Enclosure

April 25, 1983

Melvin Hess
200 W. 700 N.
Malad, ID 83252

Dear Mr. Hess:

Enclosed is your claim to a water right. It has been returned because of a number of incomplete areas on the claim and it lacked the \$30.00 filing fee.

I've enclosed a new claim form and an instruction sheet. I would suggest you call me for assistance in filling out this new claim.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith Carlson

Right Number

15 4155

Applicant

Hess Bros Contractor

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.

June 27, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Sept. 12, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Juni

Date

9.20-83

CW



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

July 6, 1983

RE: Claim to a Water Right No. 15-4154 JONES
15-4155 HESS BROS.
15-4156 JONES

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on June 9 and 16, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

*Called
8-8-83*

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 1983

HESS BROTHERS CONTRACTORS
200 W. 700 N.
MALAD ID 83252

RE: Claim No. 15-4155

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

RECEIVED
SEP 19 1983
Department of Water Resources