

04/29/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13316

NAME AND ADDRESS: MIKE CHAMBERS
705 E TOPONCE CANYON RD
BANCROFT ID 83217

EILEEN M CHAMBERS
705 E TOPONCE CANYON RD
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.04 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/21/1944

POINT OF DIVERSION:
T06S R38E S33 SWSE Begin of Stream Flow Within CARIBOU County
T06S R38E S33 SESE End of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County
T06S R38E S33 SWSE T06S R38E S33 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-13316

MIKE CHAMBERS
705 E TOPONCE CANYON RD
BANCROFT ID 83217
Telephone Number: (208) 648-7347

EILEEN M CHAMBERS
705 E TOPONCE CANYON RD
BANCROFT ID 83217
Telephone Number: (208) 648-7347

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

3/13/03

SIGNATURE:

Michael E. Chambers

Please print your name:

Michael E. Chambers

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

JERRY W. HATCH
850 WEST ELVA
IDAHO FALLS, IDAHO 83402

March 7, 2002

RE: Animals living on the farm.

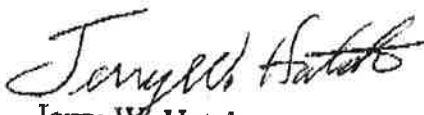
In 1944 Wayne and Marcelle Hatch (my parents) bought the farm that is now addressed at 3043 Kelly Toponce Road. The farm is located at the mouth of Toponce canyon. Toponce Creek runs through the entire farm.

When they bought the farm they also bought the horses and cows that were there. We have had animals on the farm since 1944. I cannot verify how long before 1944 there were animals on the farm.

In my memory of the canyon since 1944, animals have consistently watered from Toponce Creek on each of the farms where Toponce Creek runs.

The water stopped running in the creek close to the time when the pipe line was installed a few years ago.

We now have to pump water to the animals that are on the farm today


Jerry W. Hatch

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 29-13316
Date Received: 3/11/2002
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MIKE CHAMBERS Phone: (208) 648-7347
705 E TOPONCE CANYON RD
BANCROFT ID USA 83217

EILEEN M CHAMBERS Phone: (208) 648-7347
705 E TOPONCE CANYON RD
BANCROFT ID USA 83217

2. Date of Priority: 10/21/1944

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	38E	33	SW SE	CARIBOU	Beginning Point
06S	38E	33	SE SE	CARIBOU	Ending Point

5. Description of diverting works:

STOCK WATER FROM TOPONCE CREEK

6. Water is used for the following purposes:

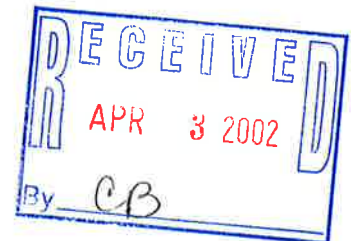
Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	38E	33	SW	SE	STOCKWATER	
			SE	SE	STOCKWATER	

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 111 CATTLE AND 17 HORSES

15. Basis of Claim: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Eastern Region

CIVIL CASE NUMBER: 39576

Identification No. 29-13316Date Received 3-11-02Receipt Number E027522

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT

3/8/02
CK# 12659

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Mike & Eileen Chambers Phone (208) 648-7347Mailing Address 1705 E. Toponce Canyon Rd. Zip 832172. Date of Priority (Only one per claim) Oct - 21 - 1944 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Toponce Crk.
which is tributary to (b) Portneut River. Name or kind of source4. Location of point of diversion is: Township 6S Range 38ESection 33, 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.,County of CaribouAdditional points of diversion if any: SESE Sec. 33 T6S R38E.5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Stock water from Toponce creek.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from 4/1 Month/Day to 12/31 Month/Day amount 0.04 (cfs)(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 111 head of range cattle, 17 horses.

10. Place of use is: Township: 65 Range 38E
Section 33, SW 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any SESE Sec. 33, T65, R38E

11. In which county (ies) are lands listed above as place of use located? Caribou.

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

☒ None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 3/8/02

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Bannock) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 8th day of March, 192002

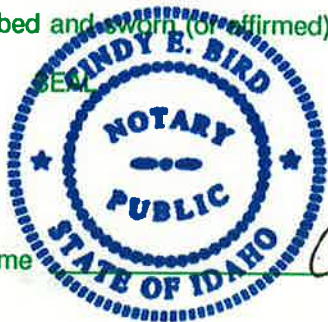
Notary Public Cindy Le Bird

Residing at Sara Hot Springs

My Commission Expires May 1, 2007

Last Name Chambers Ident No. _____

Copies: White-State, Yellow-Claimant



IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

(PORTN)

