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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Lindvall Drain Company (name of claimant)
of 40 Eugene Stucki, Paris (mailing address), claims a right to the diversion and beneficial use of the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed Drains, tributary to, Paris Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>5.4</u>	Use <u>Irrigation</u>	Period of Use: From <u>April 10</u> To <u>Nov 1</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 5.4 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1900

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

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

SE 1/4 SW 1/4, Sec. 14 Twp. 19S Rge. 43E B.M. County of Bear Lake
Additional points of diversion: SW 1/4 NE 1/4 SEC 14, NW 1/4 NE 1/4 SEC 14, SW 1/4 SW 1/4 SEC 12, NW 1/4 SW 1/4 SEC 12, SW 1/4 NW 1/4 T 19S R 43E

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. Dams in drain, earth ditches

- (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	43E	12			5				5		25	30	20					5	85
		11																	5
		14	5		15	30								20	10				85
		13					15	20	20	20	20				5				100

Total No. of acres 270

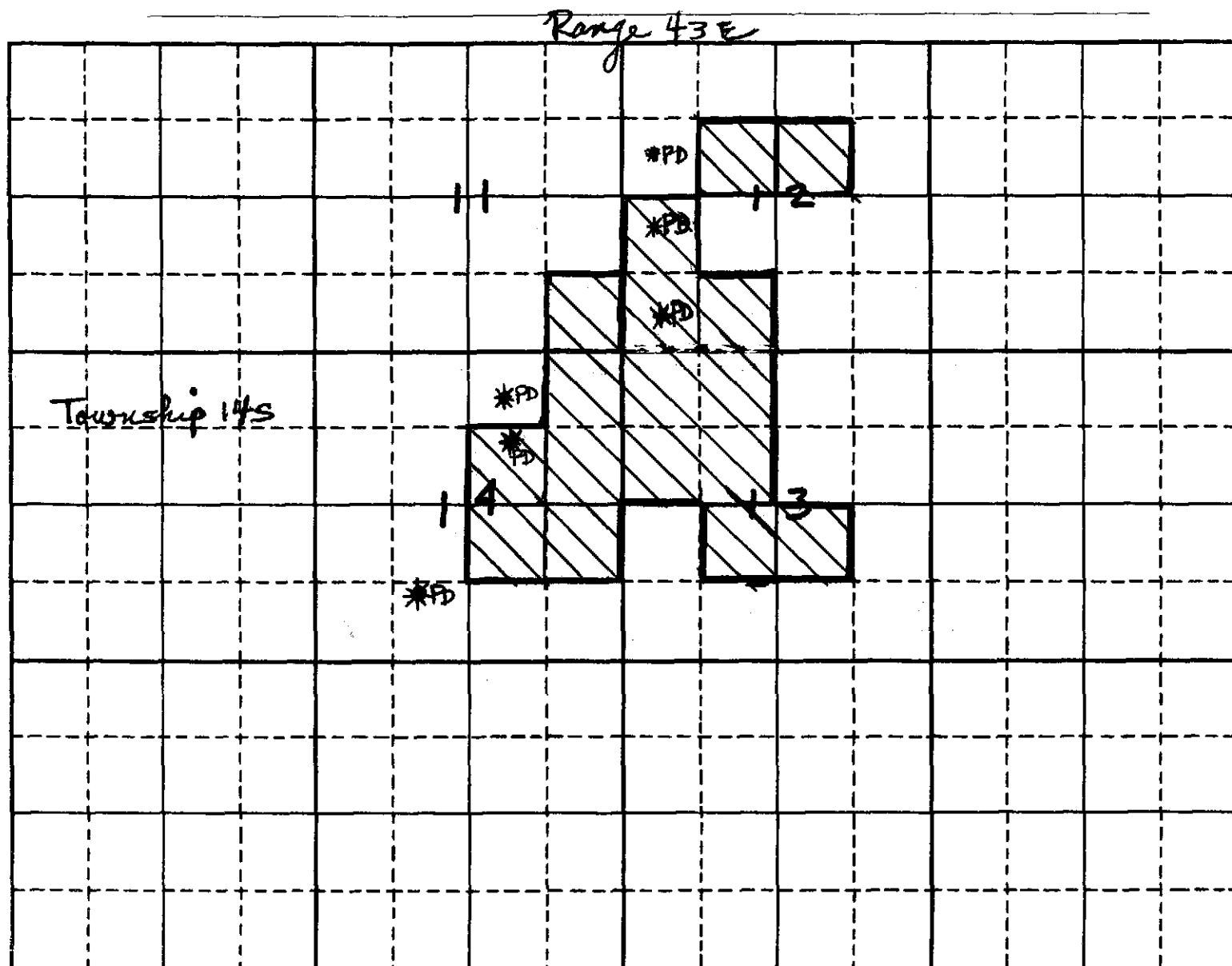
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

Lindvall Drain Company

MICROFILMED

(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 Bonneville)

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 affiants knowledge.

Sworn to before me this 14th day of April

John W. Spencer
(Claimant) Pres

Ronald D Carter
Notary Public

Residing at Idaho Falls, Idaho

My commission expires 2/14/78

For Department Use Only

Received by <u>me</u>	Date <u>4-18-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RDC</u>	Date <u>4/18/77</u>		claimant by:	
\$10.00 fee received by <u>me</u>	Date <u>4-18-77</u>			
Approved for publication by <u>me</u>	<u>6-13-77</u>	<u>#6548</u>		
Published in <u>Times-Journal</u>				
Dates <u>April 28 + May 5-1977</u>				

RECEIVED

JUN 10 1977

Department of Water Resources
Eastern District Court

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Loren M. Thompson
being duly sworn,

deposes and says:

That he is the publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and 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

April 28, 1977, and ending
with the issue of May 5, 1977

Fees, 16.96Subscribed and sworn to before me this 7 day

of June, 1977
Wanda J. Thompson

Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 13, 1979

LEGAL NOTICES

NOTICE OF CLAIM TO A
WATER RIGHT

NO. 11-4060

Notice is hereby given that Lindvall Drain Company, Paris, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 5.40 cubic feet per second of water from unnamed drains tributary to Paris Creek with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 14S, R. 43E, B.M., Bear Lake County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 270 acres with a priority of Apr. 1, 1900; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 14S, R. 43E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED,
Director

Published in The News-Examiner, Montpelier, Idaho on April 28 and May 5, 1977.

A28M5

01 WATER RIGHT NUMBER - 11-4060 02 CLD (CD) NUMBER - 04001 - FIRST NAME 05001 - C ORIG. OWNER

06 ADD LINE 1 - C/C EUGENE STUCKI 07 ADD LINE 2 - 08 ADD LINE 3 - 09 CITY - PARIS 10 STATE - ID 11 ZIP - 832610000

12 STAGE - S STATUTORY CLAIM 13 STATUS - 14001 - UNNAMED DRAINS 15001 - PARIS CREEK

16 DIVERSION MEANS - 17 COUNTY - 07 BEAR LAKE 18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - 5.400 20 TOTAL DIVERSION VOLUME - .00 21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	DIVERSION POINTS		ST	REAM	INDEX	F	IELDS					
				LCT	RFLG					LOS					
22001 -	SESW	23001 - 14	24001 - 14S	25001 - 43E	26001 - 27001 -	100.0	172.0	6.0	2.0	0.0	0.0	0	0	0	1.9
22002 -	NWSW	23002 - 12	24002 - 14S	25002 - 43E	26002 - 27002 -	100.0	172.0	6.0	2.0	0.0	0.0	0	0	0	0.1
22003 -	SWNW	23003 - 12	24003 - 14S	25003 - 43E	26003 - 27003 -	100.0	172.0	6.0	2.0	0.0	0.0	0	0	0	4.8
22004 -	SWSW	23004 - 12	24004 - 14S	25004 - 43E	26004 - 27004 -	100.0	172.0	6.0	2.0	0.0	0.0	0	0	0	0.4
22005 -	SWNE	23005 - 14	24005 - 14S	25005 - 43E	26005 - 27005 -	100.0	172.0	6.0	2.0	0.0	0.0	0	0	0	0.0
22006 -	NWNE	23006 - 14	24006 - 14S	25006 - 43E	26006 - 27006 -	100.0	172.0	6.0	2.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	PLACE	DE	USE	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 14S	32001 - 43E	33001 - 13	34001 -	NENW	35001 - 15	36001 -	
30002 - 01 IRRIGATION	31002 - 14S	32002 - 43E	33002 - 13	34002 -	NWNW	35002 - 20	36002 -	
30003 - 01 IRRIGATION	31003 - 14S	32003 - 43E	33003 - 13	34003 -	SWNW	35003 - 20	36003 -	
30004 - 01 IRRIGATION	31004 - 14S	32004 - 43E	33004 - 13	34004 -	SESW	35004 - 20	36004 -	
30005 - 01 IRRIGATION	31005 - 14S	32005 - 43E	33005 - 13	34005 -	NESW	35005 - 20	36005 -	
30006 - 01 IRRIGATION	31006 - 14S	32006 - 43E	33006 - 13	34006 -	NWSE	35006 - 05	36006 -	
30007 - 01 IRRIGATION	31007 - 14S	32007 - 43E	33007 - 14	34007 -	NENE	35007 - 05	36007 -	
30008 - 01 IRRIGATION	31008 - 14S	32008 - 43E	33008 - 14	34008 -	SWNE	35008 - 15	36008 -	
30009 - 01 IRRIGATION	31009 - 14S	32009 - 43E	33009 - 14	34009 -	SENE	35009 - 30	36009 -	
30010 - 01 IRRIGATION	31010 - 14S	32010 - 43E	33010 - 14	34010 -	NESE	35010 - 20	36010 -	
30011 - 01 IRRIGATION	31011 - 14S	32011 - 43E	33011 - 14	34011 -	NWSE	35011 - 10	36011 -	
30012 - 01 IRRIGATION	31012 - 14S	32012 - 43E	33012 - 11	34012 -	SESE	35012 - 05	36012 -	
30013 - 01 IRRIGATION	31013 - 14S	32013 - 43E	33013 - 12	34013 -	SWNE	35013 - 05	36013 -	
30014 - 01 IRRIGATION	31014 - 14S	32014 - 43E	33014 - 12	34014 -	SESW	35014 - 05	36014 -	
30015 - 01 IRRIGATION	31015 - 14S	32015 - 43E	33015 - 12	34015 -	NWSW	35015 - 25	36015 -	
30016 - 01 IRRIGATION	31016 - 14S	32016 - 43E	33016 - 12	34016 -	SWSW	35016 - 30	36016 -	

USE CODE / USE
30017 - 01 IRRIGATION

TWN

RNG

SEC

TRACT

ACRES

LOT

TOTAL ACRES: 270

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 0401 38001 - 1101 39001 - 01 IRRIGATION 40001 - 5.400 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS

NYJ CEHIB3A

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - D A T E S - 1-APR-1900 55 LICENSE - D A T E S - 53 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 54 DLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM NAME - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -
52 HEARING - 60 ORDER SHOW CAUSE -
53 VERIFIED - 61 DATE_1 -
54 LAST UPDATE - 19-MAR-1986 62 DATE_2 -

IDENT. NO. 11-4060

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____

OTd No. _____

New No. _____

11-4060

Record

1. Original Owner: Lindvall Drain Co.

Present Owner: _____

2. Address: c/o Eugene Stucki3. City: Paris State: Id Zip: _____4. A. Source of Water: unnamed drainsB. Tributary of: Paris creek5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 4-1-1900D. County: 07E. Total Diversion Rate: 5.4

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SESW</u>	<u>14</u>	<u>14S</u>	<u>43E</u>	_____	_____
	<u>SWNE</u>	<u>14</u>	<u>14S</u>	<u>43E</u>	_____	_____
	<u>NWNE</u>	<u>14</u>	<u>14S</u>	<u>43E</u>	_____	_____
	<u>SWSW</u>	<u>12</u>	<u>14S</u>	<u>43E</u>	_____	_____
	<u>NWSW</u>	<u>12</u>	<u>14S</u>	<u>43E</u>	_____	_____
	<u>SWNW</u>	<u>12</u>	<u>14S</u>	<u>43E</u>	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 11-1 for A purposes. Amount 5.4
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use code: A

9. A. Decree Name:
B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

C. Stephen Allred
Director

June 14, 1977

RE: Claim to a Water Right No. 11-4060

Lindvall Drain Company
c/o Eugene Stucki
Paris, Idaho 83261

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

Enc. Copy of Claim

April 27, 1977

RE: Claim to a Water right No. 11-4060

Lindvall Drain Company
c/o Eugene Stuckl
Paris, Idaho 83261

Gentlemen:

Attached herewith is departmental receipt No. 6548 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

MICROFILMT

April 22, 1977

RE: Application for Permit No. 11-7112 WALLENTINE (correction)
11-7113 KELSEY
11-7114 "
Claim to a Water Right No. 11-4060 LINDVALL DRAIN CO.

The News-Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted _____ by _____

RDC: CW

Enc: Legal Notice (4)

*Called 6-07-77
CW*

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4060

Notice is hereby given that Lindvall Drain Company,
Paris, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 5.40 cubic feet per second ~~XXXXXXXXXXXXXXXXXX~~
of water from unnamed drains tributary to Paris Creek
with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 14S, R. 43E, B.M., Bear Lake County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the
irrigation of 270 acres
with a priority of Apr. 1, 1900;
the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 14S,
R. 43E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the News-Examiner, Montpelier, Idaho
April 28 and May 5, 1977

RECORDED

me-f.
me-c.