

No Color
Documents
In File

Decreed in Court case
of St. Charles Irr. Co.
vs. Keith Higginson
dated January 3, 1974-
see file 11-m

Identification No. 11-4004
Claim No. 42117
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Utah Power & Light Company
post office address P. O. Box 899, Salt Lake City, Utah
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 13 Township 15 S
Range 43 E B.M. located on St. Charles Creek (Little Creek)
(name of source)
tributary to Bear River (Bear Lake) in Bear Lake County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

<u>May 20, 1887</u>	amount: <u>2.3</u> c.f.s. or <u>350</u> acre feet	
_____	amount: _____ c.f.s. or _____ acre feet	
_____	amount: _____ c.f.s. or _____ acre feet	
Total claimed _____ c.f.s. or <u>350</u> acre feet.		

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use <u>irrigation</u>	period of use from <u>April 15</u> to <u>Oct. 15</u>	(both dates inclusive)
use _____	period of use from _____ to _____	(both dates inclusive)
use _____	period of use from _____ to _____	(both dates inclusive)
use _____	period of use from _____ to _____	(both dates inclusive)

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of steel, timber and earth embankment; length is 20 feet; height is 7 feet; width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known None

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g.p.m.; name and address of well driller is _____

11-4004

_____, if so, give dates and explain

width of bottom of ditch is varies feet; depth of water is 2 to 3 feet; grade of ditch per 1000

maximum length of pipe line to first place of use is _____feet; diameter of pipe line is _____inches;

Please explain any changes or increase in size of conveying system since water was first appropriated, giving

total capacity of reservoir is _____acre feet; active capacity of reservoir is _____acre feet;

period of storage is from _____ to _____; is reservoir drained each year _____;

location of reservoir by 40-acre subdivisions

describe

Year	2015	2016	2017	2018	2019	2020
Revenue	100	100	100	100	100	100
Expenses	100	100	100	100	100	100
Net Income	0	0	0	0	0	0

Total number of acres to be irrigated 117.0

Explain any significant increase in area irrigated since first use. Give dates and acreages if known.

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

b. Do you get water through a ditch owned by several users? Yes If yes, give the name of the ditch Wayne Transtrum & Patience C. Payne. The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The number of acres irrigated each year depends on the elevation of Bear Lake and North Lake and the acreage varies greatly from year to year. It is estimated 117 acres would be irrigated in a dry water year with the Bear and North Lakes low.

The 350 a. f. claimed is based on 3 a. f. per acre per year and 2.3 c.f.s. is based on 1 c.f.s. per 50 acres.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

October 31, 1967

(Date)

State of ~~Utah~~ Utah

County of Salt Lake } ss.

On this 31 day of October 19 67, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(they)~~ executed the same.

Paul A. Blanchard
(Signature of Claimant) ~~VICE-PRESIDENT~~

Eileen J. Bradman
Notary Public residing at Salt Lake City, Utah

My commission expires 9/9/69

For Department Use Only

Received by ef Date 11-3-67

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by DW Date 11-3-67

Fee received by ef Date 11-3-67 Fee \$ 10.00

Approved for publication by MS 11-8-67

Published in Staris Post Dates 11/16/67

11-4004

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.

2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.

3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount: 0.8 c.f.s. or	acre feet
		June 1, 1901	amount: 0.4 c.f.s. or	acre feet
Total claimed:		1.2 c.f.s. or	acre feet	

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.

5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.

6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Utah Power & Light Company
post office address P. O. Box 899, Salt Lake City, Utah
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 13 Township 15 S
Range 43 E B.M. located on St. Charles Creek (Little Creek)
(name of source)
tributary to Bear River (Bear Lake) in Bear Lake County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

May 20, 1887 amount: 2.3 c.f.s. or 350 acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or 350 acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 15 to Oct. 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of steel, timber and earth embankment; length is 20 feet; height is 7 feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known None

- b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

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Conveying works: length of ditch to place of use is 5000 feet; width of ditch at top is varies feet; width of bottom of ditch is varies feet; depth of water is 2 to 3 feet; grade of ditch per 1000 feet is varies feet; material through which ditch passes is sandy loam ; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____ ; grade of pipe per 1000 feet is _____ . Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? Yes If yes, give the name of the ditch Wayne Transtrum & Patience C. Payne. The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The number of acres irrigated each year depends on the elevation of Bear Lake and North Lake and the acreage varies greatly from year to year. It is estimated 117 acres would be irrigated in a dry water year with the Bear and North Lakes low.

The 350 a. f. claimed is based on 3 a. f. per acre per year and 2.3 c.f.s. is based on 1 c.f.s. per 50 acres.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

October 31, 1967

(Date)

State of ~~Utah~~ **Utah**

County of **Salt Lake**

ss.

On this **31** day of **October** 19 **67**, personally appeared before me the signer ^{of} of the

above instrument, who duly acknowledged to me that he ~~(she, they)~~ executed the same.

Paul A. Blanchard
(Signature of Claimant) **VICE-PRESIDENT**

Eileen J. Meehan
Notary Public residing at **Salt Lake City, Utah**

My commission expires **9/9/69**

For Department Use Only

Received by _____	Date _____	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by _____	Date _____	_____	_____	_____
Fee received by _____	Date _____	Fee \$ _____	_____	_____
Approved for publication by _____	_____	_____	_____	_____
Published in _____	Dates _____	_____	_____	_____

11-4004

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

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3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 c.f.s. or	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

LAW OFFICES
WALLACE M. TRANSTRUM

ATTORNEY AT LAW

PHONE 547-3944

35 WEST CENTER
SODA SPRINGS, IDAHO 83276

December 6, 1967

RECEIVED

DEC 7 1967

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attn: C. Stephen Allred

Dear Sir:

Enclosed is an original and two copies of a Protest in the matter of the claim of Utah Power and Light Company No. 11-4004, entitled affidavit of exception, which I have mentioned to you. It would be appreciated if this Protest was filed.

Thank you.

Very truly yours,

Wallace M. Transtrum

Wallace M. Transtrum

WMT/jp
Enclosures

11-4004

RECEIVED

DEC 7 1927

Department of Reclamation

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

IN THE MATTER OF THE CLAIM OF)
UTAH POWER AND LIGHT COMPANY)
NO. 11-4004 , ENTITLED AFFIDAVIT)
OF EXCEPTION,)
-----)

P R O T E S T

STATE OF IDAHO)
) SS.
COUNTY OF BEAR LAKE)

Lovell Booth

being first duly sworn deposes

and says:

That he is a resident of Bear Lake County and well acquainted with the property in Lots 1 and 2, Section 18 and Lots 3 and 4 of Sections 17 of Township 15 South, Range 44 East B.M. and with the Little Fork of St. Charles Creek and with the use of the waters of said Creek.

That neither Utah Power and Light Company, nor its lessees or tenants have used 2.3 cubic feet per second of water or any amount of water from the Little Fork of St. Charles Creek on the above described lands for more than five (5) years preceding the filing of the aforesaid claim.

That if said amount of water was in fact used, which is denied, it would be used only during the months of May and June and not during the months of April through October inclusive.

That the rights of the users of the waters of the Little Fork of St. Charles Creek is now in litigation in the District Court of the Sixth Judicial District of the State of Idaho, in and for Bear Lake County, and the claimant by reason thereof is named as a party defendant and all rights claimed thereunder are now in issue before said Court.

That for the foregoing reasons, the claim above-named
cannot be granted.

DATED this 30th day of November, 1967.

Lawrence Booth

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30th
DAY OF November 1967.

L. Hugh Stepan

Notary Public

Residing at: Paris, Illinois

Comm. Exp: Oct 10-1970

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

IN THE MATTER OF THE CLAIM OF)
UTAH POWER AND LIGHT COMPANY)
NO. 11-4004, ENTITLED AFFIDAVIT)
OF EXCEPTION,)
_____)

P R O T E S T

STATE OF IDAHO)
) SS.
COUNTY OF BEAR LAKE)

Lovell Booth being first duly sworn deposes

and says:

That he is a resident of Bear Lake County and well acquainted with the property in Lots 1 and 2, Section 18 and Lots 3 and 4 of Sections 17 of Township 15 South, Range 44 East B.M. and with the Little Fork of St. Charles Creek and with the use of the waters of said Creek.

That neither Utah Power and Light Company, nor its lessees or tenants have used 2.3 cubic feet per second of water or any amount of water from the Little Fork of St. Charles Creek on the above described lands for more than five (5) years preceding the filing of the aforesaid claim.

That if said amount of water was in fact used, which is denied, it would be used only during the months of May and June and not during the months of April through October inclusive.

That the rights of the users of the waters of the Little Fork of St. Charles Creek is now in litigation in the District Court of the Sixth Judicial District of the State of Idaho, in and for Bear Lake County, and the claimant by reason thereof is named as a party defendant and all rights claimed thereunder are now in issue before said Court.

11-4004

That for the foregoing reasons, the claim above-named
cannot be granted.

DATED this 30 day of November, 1967.

Loell A Booth

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30th
DAY OF November 1967.

L Hugh Shepard
Notary Public
Residing at: Paris, Idaho
Comm. Exp: Oct 10th 1970

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

IN THE MATTER OF THE CLAIM OF)
UTAH POWER AND LIGHT COMPANY)
NO. 11-4004 , ENTITLED AFFIDAVIT)
OF EXCEPTION,)
-----)

P R O T E S T

STATE OF IDAHO)
COUNTY OF BEAR LAKE) SS.

Lovell Booth

being first duly sworn deposes

and says:

That he is a resident of Bear Lake County and well acquainted with the property in Lots 1 and 2, Section 18 and Lots 3 and 4 of Sections 17 of Township 15 South, Range 44 East B.M. and with the Little Fork of St. Charles Creek and with the use of the waters of said Creek.

That neither Utah Power and Light Company, nor its lessees or tenants have used 2.3 cubic feet per second of water or any amount of water from the Little Fork of St. Charles Creek on the above described lands for more than five (5) years preceding the filing of the aforesaid claim.

That if said amount of water was in fact used, which is denied, it would be used only during the months of May and June and not during the months of April through October inclusive.

That the rights of the users of the waters of the Little Fork of St. Charles Creek is now in litigation in the District Court of the Sixth Judicial District of the State of Idaho, in and for Bear Lake County, and the claimant by reason thereof is named as a party defendant and all rights claimed thereunder are now in issue before said Court.

11-4004

That for the foregoing reasons, the claim above-named
cannot be granted.

DATED this 30th day of November, 1967.

Lowell Booth

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30th
DAY OF November 1967.

L. Sheph Shepherd
Notary Public
Residing at: Paris Idaho
Comm. Exp: Oct 10th 1970

The Paris Post

IDAHO'S OLDEST WEEKLY NEWSPAPER . . ESTABLISHED IN 1880

Thomas E. Preston, Publisher

Corner Main and Center Streets
PARIS, IDAHO 83261

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Bear Lake) ss.

I, Thomas E. Preston, publisher
and manager of THE PARIS POST, a weekly
newspaper published weekly at Paris, Bear
Lake County, State of Idaho, do solemnly
swear that a copy of the attached notice,
(as per clipping), was published weekly
in the regular and entire issue of said
newspaper, and not in any supplement there-
of, for 2 consecutive weeks, commencing
with the issue dated November 16, 1967,
and ending with the weekly issue dated
November 23, 1967.

Thomas E. Preston
Publisher

Subscribed and sworn to before me this

2nd day of December, 1967.

(SEAL)

T. Hugh Shupard
Notary Public

My commission expires Oct 10th 1970.

NOTICE OF CLAIM TO A WATER RIGHT No. 11-4004

Notice is hereby given that
Utah Power & Light Company,
P.O. Box 800, Salt Lake City,
Utah has filed a claim to a
water right established by div-
ersion and application to bene-
ficial use of 23 (cubic feet per
second) of water from the Little
Fork of St. Charles Creek with
point of diversion in the NE $\frac{1}{4}$
SE $\frac{1}{4}$, Sec. 13, T. 15 S, R. 46 E,
B.M., Bear Lake County; the
water is claimed to be used for
irrigation purposes from April
15 to October 15 with a priority
of May 20, 1887 (23 c.f.s.); the
place of use is Lots 1 and 2, Sec.
18, Lots 3 and 4, Sec. 17, T. 15 S,
R. 44 E, B.M.

Any exception to this claim
of water right may be filed
with the Department of Re-
clamation.

R. KETH HIGGINSON
State Reclamation Engineer

Published in The Paris Post,
Paris, Idaho, on November 16
and November 23.

11-4004

UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET
SALT LAKE CITY, UTAH 84140

LEGAL DEPARTMENT
JODY L. WILLIAMS
ATTORNEY AT LAW
801-220-2851

RECEIVED
APR 4 1990

Department of Water Resources

April 2, 1990

RECEIVED
APR 06 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

Re: Notice to Change Mailing Address

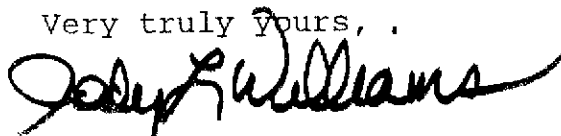
Dear Dept. of Water Resources representative:

Please change your mailing records (~~which are currently as shown on the attached mailing label~~) to reflect the following corrected address (P.O. Box 899 is no longer being used by our Company):

Ms. Jody L. Williams
Utah Power & Light Company
1407 W. North Temple
Salt Lake City, Utah 84140

Thank you.

Very truly yours, .


Jody L. Williams

JLW:cld

21-7363 ~~73-4128~~
25-7403 4129
01-7051 21-4060
11-2081 27-7018
2084 35-2830
4004 + misc. decreed files - computer updated 4-17-90

SC

RON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

107 STATE HOUSE

BOISE, IDAHO 83701

December 5, 1967

Re: Claim No. 11-4000, 11-4001, 11-4003, and 11-4004 ✓

The Paris Post
Paris,
Idaho 83261

Gentlemen:

Returned herewith is the bill of publication for the above referenced claims to water rights. Before a State Warrant may be issued for this amount, we must be in receipt of a signed, and certified bill.

Please have the publisher sign this bill and return it to this department for our remittance.

Very truly yours,

Donald W. McElDowney
Water Rights Clerk

DWM:ks

Enclosure: Bill of publication

11-4004

December 11, 1967

Re: Claim No. 11-4004

Utah Power and Light Co.
P. O. Box 399
Salt Lake City, Utah

Gentlemen:

Enclosed is a copy of an exception by Lovell Booth in the matter of your claim to a water right. Please be advised that the exception will be entered in the claim folder and will become part of the permanent file. No further action is pending by the department in connection with the exception filed.

Please contact us if we can be of further assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of exception

11-4004

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 11-4004

Notice is hereby given that Utah Power & Light Company, P.O. Box 899, Salt Lake City, Utah has filed a claim to a water right established by diversion and application to beneficial use of 2.3 (cubic feet per second) of water from the Little Fork of St. Charles Creek with point of diversion in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 13, T. 16 S., R. 43 E., B.M., Bear Lake County; the water is claimed to be used for irrigation purposes from April 15 to October 15 with a priority of May 20, 1887 (2.3 c.f.s.); the place of use is Lots 1 and 2, Sec. 18; Lots 3 and 4, Sec. 17, T. 45 S., R. 44 E., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in The Paris Post,
Paris, Idaho, on November 16
and November 23.

11-4004

November 8, 1967

Re: Claim No. 11-4004

Paris Post
Paris,
Idaho

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 ample 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 date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)
Signature of claimant

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosures: legal notice

Form 3

11-4004

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4004

Notice is hereby given that Utah Power & Light Company, P. O. Box 899,
Salt Lake City, Utah has filed a claim to a water right established
by diversion and application to beneficial use of 2.3 (cubic feet per second)
the Little Fork of St.
Charles Creek of water from the NE 1/4 Sec. 13, T. 15 S, R. 43 E, B.M., Bear Lake County
in the NE 1/4 Sec. 13, T. 15 S, R. 43 E, B.M., Bear Lake County ;
the water is claimed to be used for irrigation
purposes from April 15 to October 15 with a priority of
May 20, 1887 (2.3 c.f.s.) ; the place of use is Lots 1 and 2, Sec. 18;
Lot 3 and 4, Sec. 17, T. 15 S, R. 44 E, B.M.

Any exception to this claim of water right may be filed with the Department of
Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Paris Post Paris
November 16 November 23
Idaho, on _____ and _____ .

11-4004

December 5, 1967

Re: Claim No. 11-4004

Utah Power and Light Company
P. O. Box 899
Salt Lake City, Utah

Gentlemen:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 11-4004.

Enclosed is your receipt for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: Receipt #133 for \$10.00

11-4004

UTAH POWER & LIGHT COMPANY

1407 WEST NORTH TEMPLE STREET

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

November 1, 1967

Mr. R. Keith Higginson
Idaho State Reclamation Engineer
State House
Boise, Idaho

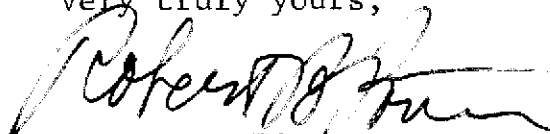
Re: St. Charles Creek

Dear Mr. Higginson:

Reference is made to your meeting with Mr. Donald Watkins in Paris, Idaho, on October 17, 1967, concerning our use of water from St. Charles Creek. We have now completed the form and the same is herewith enclosed executed in duplicate on behalf of the Company. We are also enclosing two prints showing the location of the property, together with our check for \$10.00 in payment of the filing fee.

We are hopeful that you will find these to be in order but, if any further information is needed, we will be pleased to hear from you.

Very truly yours,



ROBERT B. PORTER
Assistant Attorney

RBP:ed

Enclosures

11-4004

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11-4004

NOTICE

NOTICE is hereby given that the undersigned, citizens of the United States hereby claim and appropriate so much of the waters of Little Creek in Bear Lake County, Idaho Territory, as will flow through a ditch of the following dimensions, to wit: ten (10) feet wide in the bottom, twelve (12) feet wide on top and two (2) feet deep with a fall of 1/4 of an inch to the rod.

This appropriation is made by means of a dam thrown across said Little Creek about ten rods above the lower ford, being the point of diversion and the place where this notice is posted, and a monument of wood 4 feet high erected, the waters of said Little Creek being thence conducted through the ditch aforesaid on to the lands of the undersigned, situated north of Little Creek and West of the Outlet of Bear Lake, being Section 17 in Township 15 South of Range 43 East of Boise Meridian.

This appropriation is made for irrigating and agricultural purposes.

Dated this 20th day of May A.D. 1887.

John C. Stewart
Andrew Jensen
Lorenzo D. Young.
Jacob Michaelson

TERRITORY OF IDAHO)
) SS.
Co. of Bear Lake)

This is to certify that I did on the 20th day of May A.D. 1887 at the point indicated in the within notice post up a Notice of which the within is a true and correct copy.

J. C. Stewart Jr.

Filed for record Dec. 10, 1887 at request of _____ and recorded
July 17th 1889.

I. L. Mantonya, Co. Recorder.

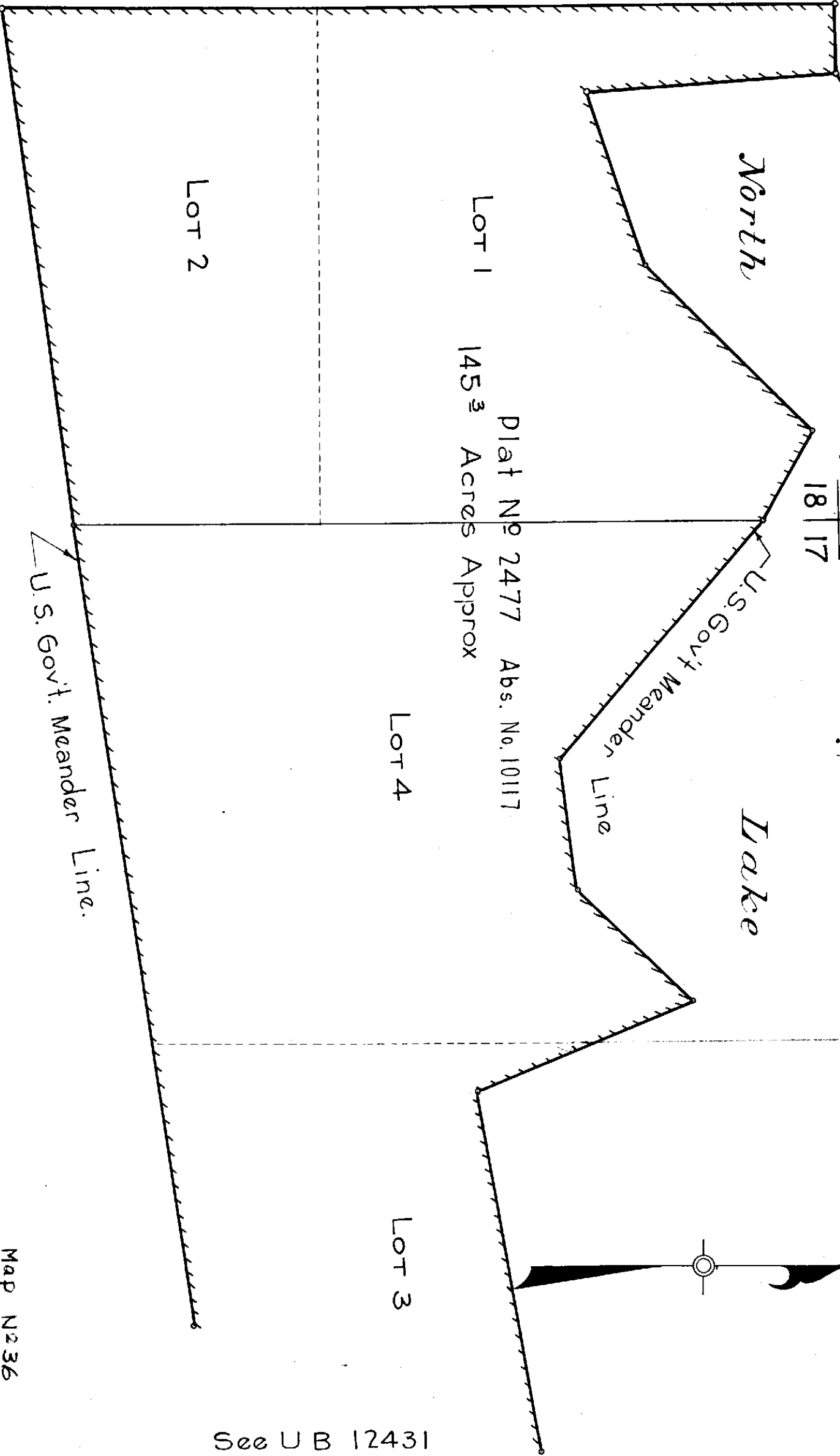
(Found of record in Book 1 of Miscellaneous at page 275, of the records
(of Bear Lake County, Idaho.)

11-4004

DRAWN BY	W.H.C.
TRACED BY	C.M.G.
CHECKED BY	W.H.C.
CORRECT	S.W.K. 7/15/20

Revised 3/16-1937-J.E.M.-W.H.C.

Added Abs. No. 2-16-1942 J.E.M.



7 8
18 17

Lot 1
145³ Acres Approx
Plat No 2477 Abs. No. 10117

Lot 4

Lot 3

Lot 2

U.S. Gov't. Meander Line.

Bear

Lake

Bear Lake Development - Causeway Land.

MAP No 36

See U B 12431

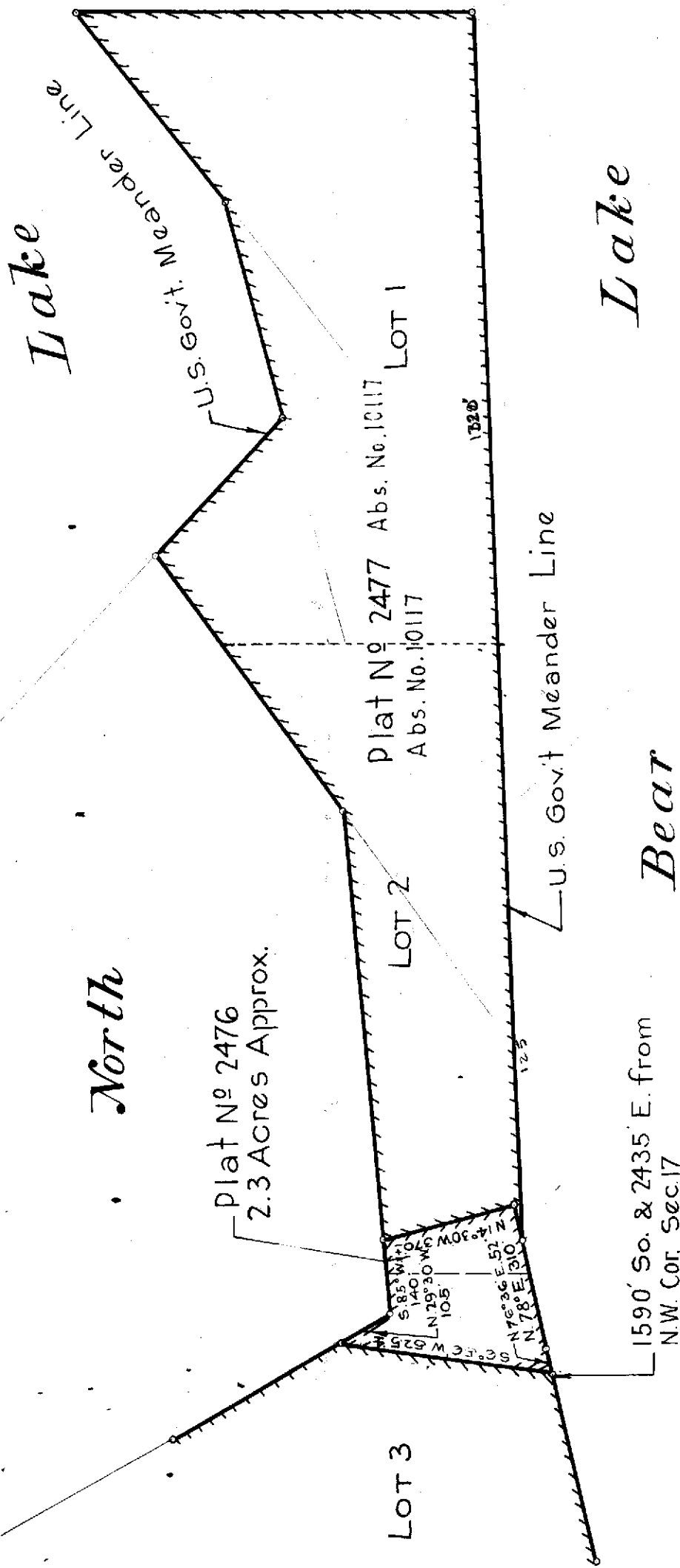
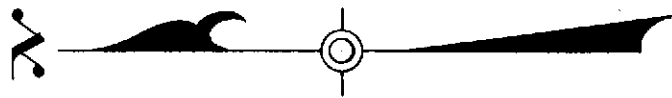
Map N236
PROPERTY PLATS
BEAR LAKE COUNTY, IDAHO.
TOWNSHIP 15 S., RANGE 44 E., B. 6 & M.
LOTS 3 & 4, SECTION 17
LOTS 1 & 2, SECTION 18
UTAH POWER & LIGHT COMPANY
SALT LAKE CITY, UTAH
JULY 7, 1920
SCALE - 1" = 300 FT.

Approved *Matthew Nelson* Chief Engineer

UB-12430

10 1/2" x 14"

8 | 9
17 | 16



See U B 12430

Added Abs. No. 2-16-1942 J.E.M.

DRAWN BY	W.H.C.
TRACED BY	C.M.G.
CHECKED BY	W.H.C.
CORRECT	5/15/52

Map No 37

PROPERTY PLATS
BEAR LAKE COUNTY, IDAHO.
TOWNSHIP 15 S., RANGE 44 E., B. B. & M.
LOTS 1, 2 & 3, SECTION 17
UTAH POWER & LIGHT COMPANY
SALT LAKE CITY, UTAH

SCALE 1 IN. = 300 FT. JULY 7, 1920

Approved *Matthew Palmer* Chief Engineer
11-4004

Bear Lake Development - Causeway Land

UB-12431

10 1/2" x 14"