

NOTICE OF CLAIM TO
A WATER RIGHT

No. 11-4002

Notice is hereby given that Ronald Thornock, 827 Jefferson, Montpelier, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3,000 (cubic feet per second) of water from St. Charles Creek with point of diversion in NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 7, T. 15 S, R. 44 E, B. M., Bear Lake County; the water is claimed to be used for irrigation from April 1 to October 31 and for stock water purposes from January 1 to December 31 with priority of March 30, 1894 for 3,000 c. f. s.; the place of use is SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 26, T. 14 S, R. 43 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 Montpelier News-Examiner, Montpelier Idaho on January 18 and January 25.

(j-18, 25)

RECEIVED

JAN 12 1963

Department of Reclamation

11-4002

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

Identification No. 11-4002
Claim No. 42109
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 Ronald Thornock
post office address 827 Jefferson Montpelier Idaho
2. The point of diversion is in N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ Section 7 Township 15 S
Range 44 E B.M. located on St Charles Creek
(name of source)
tributary to St Charles Creek 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:

~~11-11-1894~~ March 30, 1894 amount: 30 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 3000 c.f.s. or _____ acre feet.

ck CSA 10-25-68
per copy 11-8-68

- 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 1 to Oct 31 (both dates inclusive)
use Stock use period of use from Jan 1 to Dec 31 (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 Concrete With
Earth And Rock Levy 435 Feet length is 9.4 feet; height is 8 feet;
width at bottom is 28 feet; with at top is 19 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

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 _____
_____;

11-4002

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

if so, give dates and explain.

c. Conveying works: length of ditch to place of use is _____feet; width of ditch at top is _____feet; width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000 feet is _____feet; material through which ditch passes is _____feet; 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.

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

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 _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a./Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 1270

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

The other users and their respective interests in the ditch are (if known) Ray Bateman, Weldon Peterson, J. Hulme Dunford, O.S. Peterson, Dwight Hemmert, Ben Bateman.

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

Fifty Head Herford Cattle, Three Horses.

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

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.

Oct 13-1967
(Date)

Ronald Thornock
(Signature of Claimant)

State of Idaho

County of Benewah ss.

On this 14 day of October 1967, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Walter A. Linn
Notary Public residing at Bozeman, Idaho

My commission expires 4-9-1970

For Department Use Only

Received by ef Date 10-17-67

Exception filed by:

Forwarded to claimant by:

Date

Prelim. check by DWR Date 10-27-67

none

Fee received by ef Date 10-27-67 Fee \$ 10.00

Approved for publication by BL 1-9-68

Published in Montpelier Dates 1-18-25

Press Examiner

11-4002

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.

2007-11

Ronald Thornock

SW SW, Sec 36 10 acres

SE SE, Sec 35 10.7 "

20.7

This is the land

Which He owns & dring.

The Southwest quarter of the North-
-east quarter,

The Southeast quarter of the Northeast
quarter, and the Southeast Quarter
of the Northwest Quarter of section 36,
in Township 14 South, of Range 43
East of Boise Meridian, Containing 120
acres, more or less.

11-4002

THE NEWS-EXAMINER
MONTPELIER, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says
he is Publisher and Foreman of the
News-Examiner; that the said News-Examiner
is a weekly newspaper published at Montpelier,
County of Bear Lake, State of Idaho, of general
circulation in said County and State.

That the notice attached was published in
the said News-Examiner, and not in a
supplement, for two

successive weeks, commencing with the issue
dated January 18, 1968

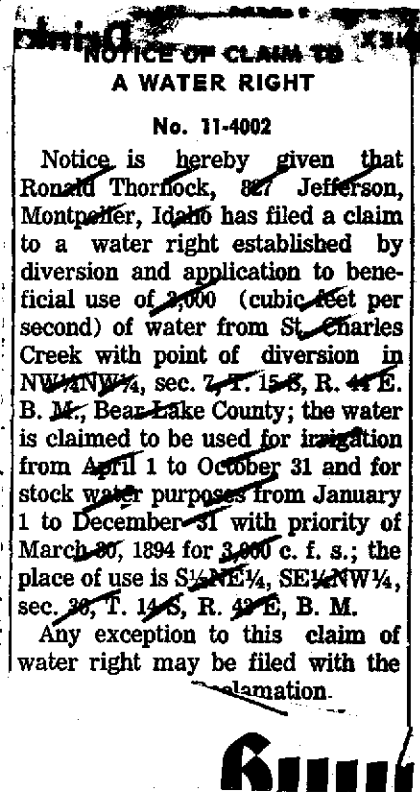
and ending with the issue

dated January 25, 1968

W. Jerome Taylor
Publisher and Foreman.

Subscribed and sworn to before me this 8th day of February, 1968

Tom L. Baryman
Notary Public.



11-4002

THE NEWS+EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

Statement: Account of ~~Department of Reclamation~~

Date

for Claim No. 11-4002

Feb., 1968

Jan. 18

28 Line Notice of
Claim to Water Right
Published 2 weeks

\$6.44

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.

B. Taylor

Signature of claimant

01 WATER RIGHT NUMBER - 11-4002 02 OLD (O) NUMBER -

03001 - THURNOCK LAST NAME

04001 - RONALD FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - ST. CHARLES

10 STATE - ID 11 ZIP - 832720000

12 STAGE - D DECREE

13 STATUS -

SOURCE
14001 - ST. CHARLES CREEK

TRIBUTARY OF
15001 - BEAR LAKE

16 DIVERSION MEANS -

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .920

20 TOTAL DIVERSION VOLUME - 69.00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELDS
-------	-----	-----	-----	-----	------------------	------	--------	-------	--------

22001 -	NW	23001 - 07	24001 - 15S	25001 - 44E	26001 -	27001 -			
				28001 -	0	0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE

TWN

RNG

PLACE OF USE
SEC

TRACT

ACRES

LOT

30001 - 01	IRRIGATION	31001 - 14S	32001 - 43E	33001 - 36	34001 - SWSM	35001 - 10	36001 -
30002 - 01	IRRIGATION	31002 - 14S	32002 - 43E	33002 - 35	34002 - SESE	35002 - 13	36002 -

TOTAL ACRES: 23

PERIOD FROM

PERIOD TO

USE CODE / USE

WATER USE

DIVERSION RATE

DIVERSION VOLUME

37001 - 0415	38001 - 0630	39001 - 01	IRRIGATION	40001 -	0.920	41001 -	69.00
37002 - 0813	38002 - 0915	39002 - 01	IRRIGATION	40002 -	0.920	41002 -	69.00

42 DECREE PLAINTIFF NAME - ST. CHARLES IRR. CO.

43 DECREE DEFENDANT NAME - R. KEITH HIGGINSON

REMARKS

44001 - DECREE GIVEN CLAIM 11-4002.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - D A T E S - 1-MAR-1894

48 PRIORITY - D A T E S -

63 TRANSFER/AMENDED

49 PROOF MADE

56 APPL RECEIVED

64 DLE/CAREY ACT

50 APPROVE/DENIED

57 FIELD EXAM MADE

65 FLAG_1

51 PRUTESTED

58 DECREE

66 FLAG_2

52 HEARING

59 START WORK

67 FLAG_3

60 ORDER SHOW CAUSE

WR100
11-4002

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
25-MAR-1986 19:51:20

53 VERIFIED
54 LAST UPDATE - 25-MAR-1986

61 DATE_1
62 DATE_2

D A T E S

D A T E S

F L A G S

78/72/5
NOT DELETED
VERIFIED JKN

IDENT. NO. 11-4002

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 111-4002
Old No. New No.

Record

1. Original Owner: Ronald Thornock

Present Owner: _____

2. Address: 827 Jefferson3. City: Montpelier State: VT Zip: _____4. A. Source of Water: Charles River

B. Tributary of: _____

5. 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: 3-30-1994D. County: VTE. Total Diversion Rate: 3,000

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>NW NW</u>	<u>7</u>	<u>15</u>	<u>2</u>	<u>44E</u>	

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

from 4-1 to 10-31 for A purposes. Amount 3,000
(cfs or AC-FT/yr)from 11 to 12-31 for S 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:~~

9. A. Decree Name:

B. Decree Date:

10. Remarks:

~~12-11-12~~
~~Approved by~~
~~Donner~~
11-11-12

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):

February 12, 1968

Re: Claim No. 11-4002

Ronald Thornock
827 Jefferson
Montpelier, Idaho

Dear Mr. Thornock:

The Department of Reclamation has received and processed your claim to a water right. The information in your claim is filed under Claim No. 11-4002.

Enclosed is your receipt No. 120 in the amount of \$10.00 for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

Enclosure

11-4002

February 7, 1968

Re: Claim No. 11-4002
Ronald Thornock

Montpelier News-Examiner
Montpelier,
Idaho

Gentlemen:

As of this date, we have not received the affidavit of publication or the bill of publication for the above referenced application. We are enclosing a copy of our transmittal letter to clarify our previous instructions.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosures:

11-4002

NOTICE OF CLAIM TO
A WATER RIGHT

No. 11-4002

Notice is hereby given that
Ronald Thorneck, 627 ~~South~~
Montpelier, Idaho has filed a claim
to a water right established by
diversion and application for
beneficial use of 3,000 (three thousand
second) of water from ~~the~~
Creek with point of diversion in
NW 1/4 NW 1/4, sec. 2, T. 12 N., R. 21 E.,
B. M., Bear Lake County, Idaho.
is claimed to be used for irrigation
from April 1 to October 1 and for
stock water purposes from January
1 to December 31 with priority of
March 29, 1894 for 2,000 cfs. The
place of use is SW 1/4 NE 1/4, sec. 2,
T. 12 N., R. 21 E., B. M.

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

R. KEITH HIGHTONSON

State Reclamation Engineer

Published in the Montpelier News-
Examiner, Montpelier Idaho on
January 12 and January 13.

(j-18, 25)

RECEIVED

JAN 12 1968

Department of Reclamation

11-4002

January 9, 1968

Re: Claim No. 11-4002

Montpelier News-Examiner
Montpelier,
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

Enclosure: legal notice

Form 3

11-4002

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4002

Notice is hereby given that Ronald Thornock, 827 Jefferson, Montpelier,
Idaho has filed a claim to a water right established
by diversion and application to beneficial use of 3,000 (cubic feet per second)
~~(above feet)~~ of water from St. Charles Creek with point of diversion
in NW/4NW/4, sec. 7, T. 15 S, R. 44 E, B.M., Bear Lake County;

the water is claimed to be used for irrigation from April to October 31 and for
/ stock water purposes from January 1 to December 31 with a priority of March 30,
1894 for 3,000 c.f.s.; the place of use is S/4NE/4, SE/4NW/4, sec. 36, T. 14 S,
R. 43 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 Montpelier News-Examiner, Montpelier,
Idaho, on January 19 and January 25.

11-4002

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

November 14, 1967

Re: Claim No. 11-4002

Ronald Thornock
827 Jefferson
Montpelier, Idaho

Dear Mr. Thornock:

The Department of Reclamation is processing your claim to a water right. However, before we can continue with the advertising of your claim, it is necessary for you to supply the date of priority for the water you are claiming under this document.

You have listed that you are claiming all the water in the creek at this point of diversion. However, the department will need the month, day, and year or separate months, days, and years for each priority you are claiming and the amount of water claimed under each priority.

Please reply promptly so that we may process your claim. Enclosed is a copy of the first page of the claim.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McElowney". To the right of the signature is a large, stylized capital letter "D".

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of claim

11-4002

Map No. _____

Established by Diversion and Application to Beneficial Use

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

- 11-4002

November 14, 1967

Re: Claim No. 11-4002

Ronald Thornock
827 Jefferson
Montpelier, Idaho

Dear Mr. Thornock:

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Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of claim

11-4002

2.

RONALD THORN

Crops flood irrigated:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31 - - -	35.
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31 - - -	26.5
	61.5

Sub-irrig. grazing land:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31 - - -	11.5
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31 - - -	18.
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31 - - -	39.
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31 - - -	4.
Total - - - - -	72.5

11-4002