

Nº 2353

AUG 1 1983

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

SS.

Marie B. Nye

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 *2* 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

July 28, 19*83*, and ending
with the issue of *August 4*, 19*83*

Fees, *13¹²*

Subscribed and sworn to before me this *8th* day
of *August*, 19*83*

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

RECEIVED

SEP 1 1983

Department of Water Resources
Eastern District Office

LEGAL NO. 2353 NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4255

MATTSON, ERIC B. &/or JAMES R. &/or JOHN K.

BOX 213, PARIS, ID 83261

Source: SPRING trib. to PARIS CREEK

Priortiy Date: 06/01/1917

Diversion Pt: SESW Sec 08 T 14S R 43E

Use: IRRIGATION (1.00 CFS)

STOCKWATER (0.20 CFS)

In: SESW Sec 08 T 14S R 43E FOR 8 ACRES

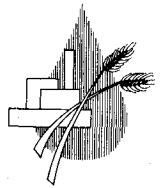
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 151 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

7-28, 8-
21 LINE

RECEIVED

JUN 13 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern District Office**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 Eric B. Mattson and/or James R. Mattson and/or John K. Mattson
(Name of Claimant)

Box 213Paris, Idaho
(Mailing Address)83261
(Zip Code)Telephone No. 945-2094

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) 1 June 1917

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)

spring (No name) tributary to Paris Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>1.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>May 15</u>	To <u>Sept 15</u>
Quantity <u>0.2 cfs</u>	Use <u>stock</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 1.2 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SW 1/4, Sec. 8 Twp. 14 S Rge. 43 E B.M., County of Bear Lake
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. Diversion dam made of canvas.

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>14 S</u>	<u>43 E</u>	<u>8</u>												<u>8</u>					<u>8</u>

No. of acres 8

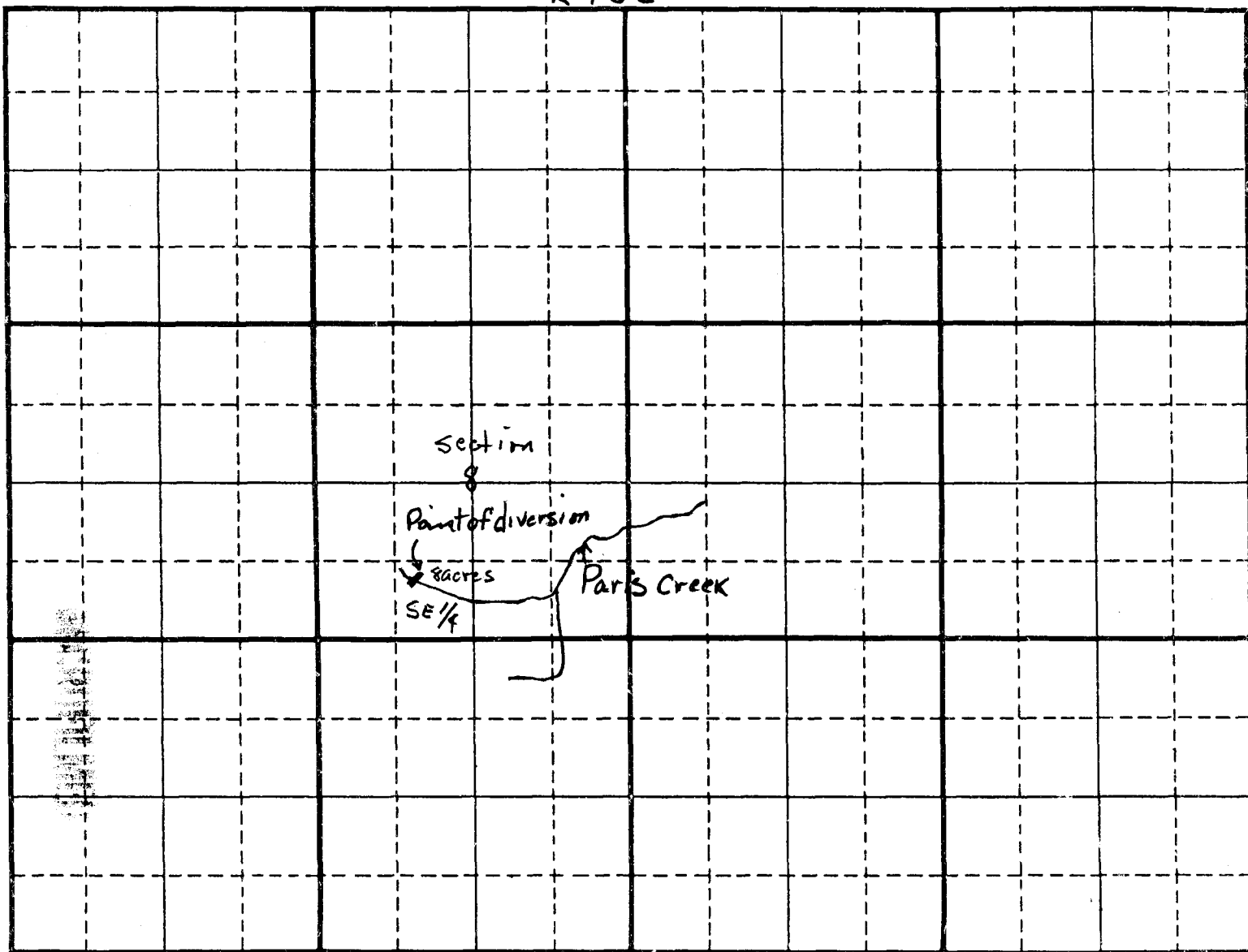
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
water is also used for watering stock

NOTE: Include here the type and number of stock watered: About 25 to 30 head. Horses & cattle.

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

(8) Remarks Priority date is from Weldon Grandy. His father homesteaded our property in 1917 and said his father diverted the spring water for irrigation and stock watering in 1917.

R43E



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 Bear Lake) ss.

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.

Eric B. Mathers
(Claimant)

Sworn to before me this 4th day of March, 1983.

Sheryl L. Cook
Notary Public
Residing at Genesee, Idaho

My commission expires Life

620-83

FOR DEPARTMENT USE ONLY

Received by CW Date 6-13-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JEM Date 6-21-83
\$30.00 fee received by CW Date 6-20-83
Published in News Examiner #30985
Dates 7/28 : 8/4/83

IN THE MATTER OF:

RECEIVED

AFFIDAVIT

JUN 20 1983

State of Idaho

JUN 13 1983

County of Bear Lake

Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern District Office

Weldon E. Grandy

being first duly sworn,

deposes and says: use and certifies as to the use of a spring of water on the land presently owned by Eric, James, and John Mattson which is located up Paris canyon and was formerly owned by my father, Emil Grandy.

I was born Oct. 6 1908 and am now 73 years of age. My father homesteaded the property a number of years before I was born. I was only five or 6 years old when I went with my father to the property. While at the property doing farm work, we would get our drinking water from this spring of water. We would water our work horses just below the spring, and would have cattle in the fields to graze after the crops were removed. They would use the water from this spring for their water. I can remember from that early time that he had a dam in the natural channel that ran through the farm to push the water on the ground and irrigated several acres with this water. This practice was continued as long as my father owned the land.

He later sold the farm to Hugh Rich When I was a young married man. This land was later sold to Leo Mattson, the grand father of the present owners.

Weldon E. Grandy
(signature)

Subscribed and sworn to before me this 29 day of December 1982.

Clair W. Webb
(notary public)

Residing at Paris
My commission expires Lifetime

Nº 2353

AUG 1 1983

#815

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 1 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye
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 2 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

July 28, 1983, and ending
with the issue of August 4, 1983

Fees, 13¹²

Subscribed and sworn to before me this 8th day
of August, 1983.

Denise Green
Notary Public, Residing at Montpelier, Idaho

My Commission Expires Lifetime, 19

LEGAL NO. 2353

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4255

MATTSON, ERIC B. &/or JAMES R. &/or JOHN K.

BOX 213, PARIS, ID 83261

Source: SPRING trib. to PARIS CREEK

Priority Date: 06/01/1977

Diversion Pt: SESW Sec 08 T 14S R 43E

Use: IRRIGATION (1.00 CFS)

STOCKWATER (0.20 CFS)

In: SESW Sec 08 T 14S R 43E FOR 8 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.

7-28, 8-
21 LINE

01	WATER RIGHT NUMBER -	11-4255	02	OLD (D) NUMBER -
----	----------------------	---------	----	------------------

LAST NAME

03001 - MATTSON
03002 - MATTSON
03003 - MATTSON

FIRST NAME

04001 - ERIC B.
04002 - JAMES R.
04003 - JOHN K.

ORIG. OWNER

05001 - C
05002 - C
05003 - C

06 ADD LINE 1 - BOX 213

08 ADD LINE 3 -

09 CITY - PARIS

10 STATE - ID 11 ZIP - 83261

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - SPRING 2

15001 - PARIS CREEK
TRIBUTARY OF ✓

16 DIVERSION MEANS - DAM

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.200

20	TOTAL DIVERSION VOLUME	- .00
----	------------------------	-------

21 WATER DISTRICT -

[illegible][illegible]

29 NON-IRRIGATION USE - S/25 TO 30 HEAD HORSES & CATTLE

USE CODE /	TWN	RNG	PLACE OF USE	TRACT	ACRES	LOT
------------	-----	-----	--------------	-------	-------	-----

30001 - 01 IRRIGATION

31001 - 14S	32001 - 43E	33001 - 08	34001 - SESW	35001 - 08	36001 -
-------------	-------------	------------	--------------	------------	---------

TOTAL ACRES: 8

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

✓	37001 - 0515 ✓	38001 - 0915 ✓	39001 - 01	IRRIGATION	40001 -	1.000 ✓	41001 -	0.00
✓	37002 - 0101 ✓	38002 - 1231 ✓	39002 - 04	STOCKWATER	40002 -	0.200 ✓	41002 -	0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

	P R I O R I T Y	D A T E S	1-JUN-1917	D A T E S	L I C E N S E	D A T E S	F L A G S	
47	P R I O R I T Y	-	-	-	55	L I C E N S E	63	T R A N S F E R / A M E N D E D
48	P R O O F D U E	-	-	-	56	A P P L R E C E I V E D	64	D L E / C A R E Y A C T
49	P R O O F M A D E	-	-	-	57	F I E L D E X A M M A D E	65	F L A G _ 1
50	A P P R O V E / D E N I E D	-	-	-	58	D E C R E E	66	F L A G _ 2
51	P R O T E S T E D	-	-	-	59	S T A R T W O R K	67	F L A G _ 3

----- D A T E S ----- D A T E S ----- F L A G S -----

52	HEARING	-	60	ORDER SHOW CAUSE	-
53	VERIFIED	-	61	DATE_1	-
54	LAST UPDATE	- 1-AUG-1983	62	DATE_2	-

3/17/86
VERIFIED JKN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 15, 1983

RECEIVED

ERIC B. MATTSON
JAMES R. MATTSON
JOHN K. MATTSON
BOX 213
PARIS

ID 83261

RE: Claim No. 11-4255

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

Enclosure

RECEIVED
SEP 19 1983
Department of Water Resources



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

August 16, 1983

RE: Application for Permit No. 11-7323 BEAR LAKE LODGE ESTATES
Claim to a Water Right No. 11-4255 MATTSON

News Examiner
P.O. Box 278
Montpelier, ID 83254

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 July 28 and August 4, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JGM

Right Number 11 4255

Applicant Erich B. To James R. To John K. Mottler

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson

Date Aug. 15, 1983
Sept. 8, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By JGM

Date 9-20-83

CW

June 16, 1983

Eric B. Mattson
Box 213
Paris, ID 83261

Dear Sir:

Enclosed is a claim to a water right, affidavit and check #97-76 for \$30.00 that were received by this office. The claim is being returned as incomplete as the map does not have the place of use outlined and labeled.

Upon receipt of the completed claim and \$30.00 filing fee (prior to June 30, 1983) processing will begin.

Please feel free to contact this office for any additional assistance that may be needed.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:bp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 20, 1983

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before AUGUST 15, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

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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 7/28 & 8/4/83.

11-4255

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