

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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 Three Mile Creek Irrigation Company
(Name of Claimant)
Georgetown, Idaho 83239 Telephone No. 847-0737
(Mailing Address) (Zip Code)

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) May 30, 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 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)
Dunn's Canyon tributary to Bear River

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>1.16cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4/15</u>	To <u>10/15</u>
Quantity <u>0.02cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/01</u>	To <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 1.18cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 29 Twp. 11S Rge. 44E B.M., County of Bear Lake
Additional points of diversion: SE ¼ SW ¼, Sec. 16, T. 11S, R. 44E
100-161 Reach 2.5 and 100-161 Reach 4.1

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 with buried 10" pipe to sprinkler lines

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	44E	16											17						17
		17															6		6
		20	25		40	40			12	40	40	12		15	34	40	21	16	335
		21					7	32	30			43	40						152
		29		39			11												50

No. of acres 560

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

NOTE: Include here the type and number of stock watered: 300 head cattle, sheep, horses

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

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FOR DEPARTMENT USE ONLY

Received by WMC Date 12-02-81
Check by WMC Date 12-01-81
Fee received by WMC Date 12-02-81
Filed in 12-10 & 12-17-81

Exception filed by: _____ Date _____
Forwarded to _____ Date _____
Claimant by: _____

My commission expires Lifetime

Sworn to before me this 24th day of November, 1981

James M. Smith
(Claimant)

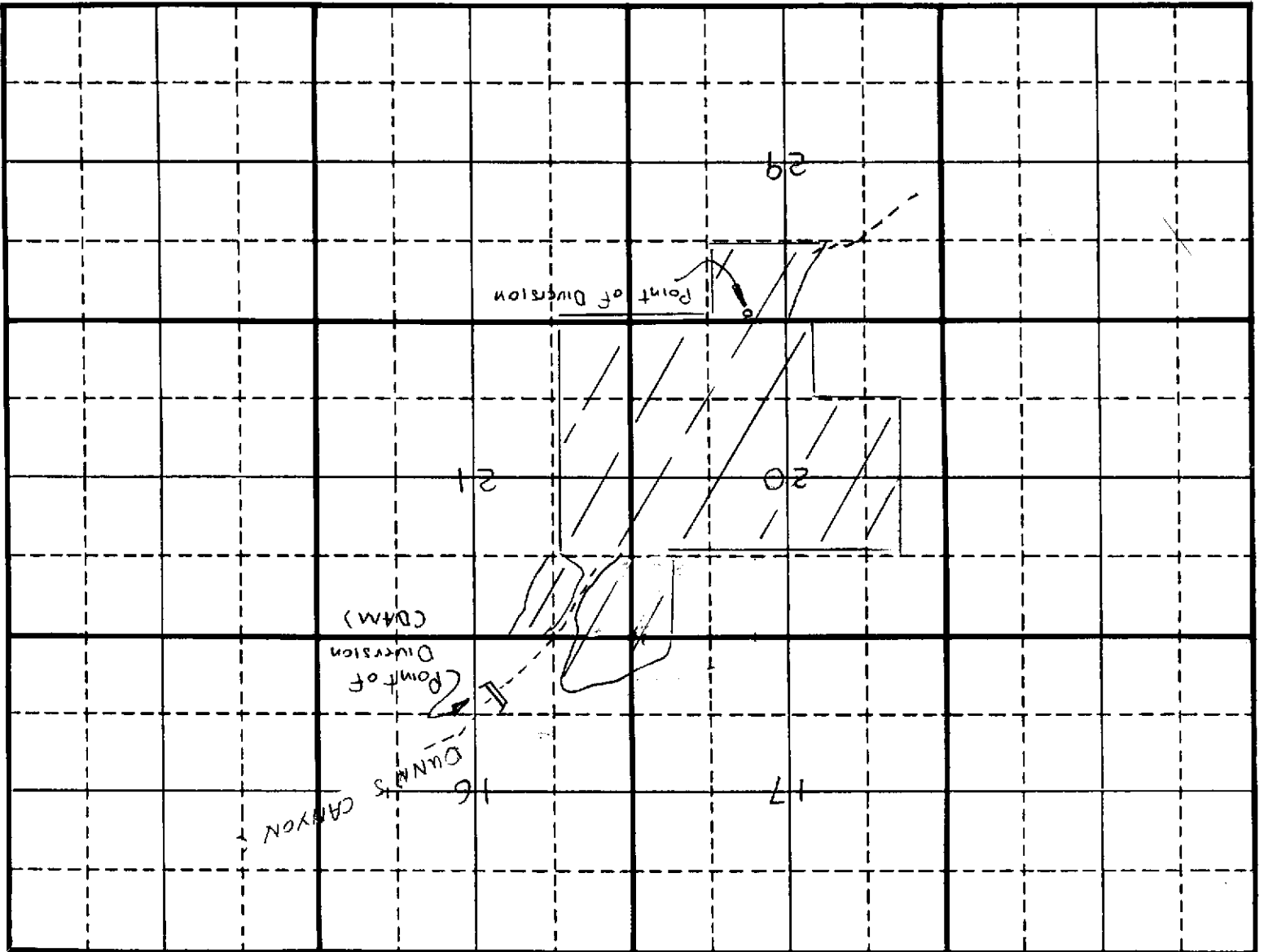
James M. Smith
Notary Public
Residing at Ovid, Idaho

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.

State of Idaho)
County of Bear Lake)
ss.)

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.

Scale: 2 inches equal 1 mile.



JAN 8 1982

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

R. J. Spencer

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

12-10, 19*81*, and ending
with the issue of *12-17*, 19*81*.

Fees, *25.00*

Subscribed and sworn to before me this *15th* day
of *December*, 19*81*.

Karla Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Nov*, 19*85*.

LEGAL NO. 1872

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4208

THREE MILE CREEK IRRIGATION COMPANY

GEORGETOWN, ID 83239

Source: DUNNS CANYON tributary to BEAR RIVER

Priority Date: 05-30-1900

Amount: 1.18 CFS

Diversion Point: NWNE Sec 29 T 11S
R 44E SESE Sec 16 T 11S R 44E,
BEAR LAKE Co.

Use: IRRIGATION STOCKWATER

(1.16 CFS) from 04-15 to 10-15

(0.02 CFS) from 01-01 to 12-31

Place of Use: SWSW Sec 16 T 11S R
44E SESE Sec 17 T 11S R 44E NENE
SWNE SENE SWNW SENW NESW
NWSW SESW NESE NWSE SWSE
SESE Sec 20 T 11S R 44E NENW
NWNW SWNW NWSW SWSW Sec 21 T
11S R 44E NWNE NENW Sec 29 T 11
R 44E FOR 560 ACRES

Diversion Means: DIVERSION DAM TO SPRINKLERS

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director12-10; 12-17-81
40 LINES

LEGAL NO. 1872

**NOTICE OF CLAIMS TO WATER
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COMPANY**

GEORGETOWN, ID 83239

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Priority Date: 05-30-1900

Amount: 1.18 CFS

**Diversion Point: NWNE Sec 29 T 11S
R 44E SESW Sec 16 T 11S R 44E,
BEAR LAKE Co.**

**Use: IRRIGATION/STOCKWATER
(1.16 CFS) from 04-15 to 10-15
(0.02 CFS) from 01-01 to 12-31**

**Place of Use: SWSW Sec 16 T 11S R
44E SESE Sec 17 T 11S R 44E NENE
SWNE SENE SWNW SENW NESW
NWSW SESW NESE NWSE SWSE
SESE Sec 20 T 11S R 44E NENW
NWNW SWNW NWSW SWSW Sec 21 T
11S R 44E NWNE NENW Sec 29 T 11S
R 44E FOR 560 ACRES**

**Diversion Means: DIVERSION DAM
TO SPRINKLERS**

Any extension to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

**A. KENNETH DUNN
Director**

**12-10; 12-17-81
40 LINES**

01 WATER RIGHT NUMBER - 11-4208 02 OLD (0) NUMBER -

03001 - THREE MILE CREEK IRRIGATION COMPANY

04001 -

FIRST NAME

ORIG. OWNER
05001 - C

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - GEORGETOWN

10 STATE - ID

11 ZIP - 83239

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - DUNNS CANYON

TRIBUTARY OF
15001 - BEAR RIVER

16 DIVERSION MEANS - DIVERSION DAM TO SPRINKLERS

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.180

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	ST	REAM	INDEX	FIELD	S
22001 -	NWNE	23001 - 29	24001 - 11S	25001 - 44E	26001 -	27001 -					
				28001 -	0	100.0	161.0	0.0	0.0	0.0	2.5
22002 -	SESW	23002 - 16	24002 - 11S	25002 - 44E	26002 -	27002 -					
				28002 -	0	100.0	161.0	0.0	0.0	0.0	4.1

29 NON-IRRIGATION USE - S/300 RANGE, SHEEP, HORSES

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 11S	32001 - 44E	33001 - 17	34001 -	SESE	35001 - 06	36001 -
30002 - 01 IRRIGATION	31002 - 11S	32002 - 44E	33002 - 16	34002 -	SWSW	35002 - 17	36002 -
30003 - 01 IRRIGATION	31003 - 11S	32003 - 44E	33003 - 21	34003 -	NENW	35003 - 07	36003 -
30004 - 01 IRRIGATION	31004 - 11S	32004 - 44E	33004 - 21	34004 -	NWNW	35004 - 32	36004 -
30005 - 01 IRRIGATION	31005 - 11S	32005 - 44E	33005 - 21	34005 -	SNNW	35005 - 30	36005 -
30006 - 01 IRRIGATION	31006 - 11S	32006 - 44E	33006 - 21	34006 -	NWSW	35006 - 43	36006 -
30007 - 01 IRRIGATION	31007 - 11S	32007 - 44E	33007 - 21	34007 -	SWSW	35007 - 40	36007 -
30008 - 01 IRRIGATION	31008 - 11S	32008 - 44E	33008 - 29	34008 -	NWNE	35008 - 39	36008 -
30009 - 01 IRRIGATION	31009 - 11S	32009 - 44E	33009 - 29	34009 -	NENW	35009 - 11	36009 -
30010 - 01 IRRIGATION	31010 - 11S	32010 - 44E	33010 - 20	34010 -	NENE	35010 - 25	36010 -
30011 - 01 IRRIGATION	31011 - 11S	32011 - 44E	33011 - 20	34011 -	SWNE	35011 - 40	36011 -
30012 - 01 IRRIGATION	31012 - 11S	32012 - 44E	33012 - 20	34012 -	SENE	35012 - 40	36012 -
30013 - 01 IRRIGATION	31013 - 11S	32013 - 44E	33013 - 20	34013 -	SNNW	35013 - 12	36013 -
30014 - 01 IRRIGATION	31014 - 11S	32014 - 44E	33014 - 20	34014 -	SENW	35014 - 40	36014 -
30015 - 01 IRRIGATION	31015 - 11S	32015 - 44E	33015 - 20	34015 -	NESW	35015 - 40	36015 -
30016 - 01 IRRIGATION	31016 - 11S	32016 - 44E	33016 - 20	34016 -	NWSW	35016 - 12	36016 -
30017 - 01 IRRIGATION	31017 - 11S	32017 - 44E	33017 - 20	34017 -	SESW	35017 - 15	36017 -
30018 - 01 IRRIGATION	31018 - 11S	32018 - 44E	33018 - 20	34018 -	NESSE	35018 - 34	36018 -
30019 - 01 IRRIGATION	31019 - 11S	32019 - 44E	33019 - 20	34019 -	NWSE	35019 - 40	36019 -
30020 - 01 IRRIGATION	31020 - 11S	32020 - 44E	33020 - 20	34020 -	SWSSE	35020 - 21	36020 -
30021 - 01 IRRIGATION	31021 - 11S	32021 - 44E	33021 - 20	34021 -	SESE	35021 - 16	36021 -

TOTAL ACRES: 560

16-DEC-1985 10:39:24 PAGE 2

	P R I O R I T Y	D A T E, S		D A T E S		F L A G S
47	P R I O R I T Y	30-MAY-1900			63	TRANSFER/AMENDED
48	P R O O F D U E				64	DLE/CAREY ACT
49	P R O O F M A D E				65	FLAG_1
50	A P P R O V E / D E N I E D				66	FLAG_2
51	P R O T E S T E D				67	FLAG_3
52	H E A R I N G					
53	V E R I F I E D					
54	L A S T U P D A T E	15-DEC-1981				
55	L I C E N S E					
56	A P P L R E C E I V E D					
57	F I E L D E X A M M A D E					
58	D E C R E E					
59	S T A R T W O R K					
60	O R D E R S H O W C A U S E					
61	D A T E _ 1					
62	D A T E _ 2					

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 28, 1981

THREE MILE CREEK IRRIGATION COMPANY
GEORGETOWN ID 83239

RE: Claim No. 11-4208

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 filings 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

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RECEIVED
JAN 19 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

11 4208

Right Number _____ Applicant 11-4208

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. CC-48
 - ☒ Signature/notarization/fee.
- Dec 28, 1981*

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Jan 13, 1982

STATE-OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 1/19/82

LEGAL.

REACH.
4.1.

— SESW 16 11S 44E
INDEX
1000.1610.

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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
NWNE	29	11S	44E	--	--	2.5

IDAHO STREAM CODE INDEX

1000.1610.-----

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 3, 1981

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 DECEMBER 28, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

MICROFILMED

Published 12/10 & 12/17/81.

11-4208-

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Place of Use: SWSW Sec 16 T 11S R 44E SESE Sec 17 T 11S R 44E NENE SWNE SENE
SWNW SENW NESW NWSW SESW NESE NWSE SWSE SESE Sec 20 T 11S R 44E
NENW NNW NWSE SWSW Sec 21 T 11S R 44E NWNE NENW
Sec 29 T 11S R 44E FOR 560 ACRES

Diversion Means: DIVERSION DAM TO SPRINKLERS

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

November 17, 1981

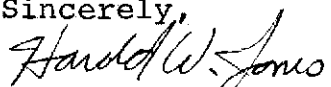
Lloyd Smith
Box 142
Georgetown, Idaho 83239

Dear Mr. Smith:

Enclosed you will find a completed claim to a water right for Three Mile Creek Irrigation Company. Please review it and if everything is correct, sign your name and title with the company and have the document notarized.

You may then send the claim and a \$30 fee back to this office.

If you have any questions, please feel free to call me.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:brs

enc: as stated

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