

No Color  
Documents  
In File

Identification No. \_\_\_\_\_  
Claim No. 17-4010  
Map No. \_\_\_\_\_

Vanderhoff Well

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

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 United States of America Forest Service  
post office address 324-25th St. Ogden, Utah 84401
2. The point of diversion is in NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  Section 20 Township 15S  
Range 33E B.M. located on Curlew National Grassland Groundwater  
(name of source) Groundwater  
tributary to Deep Creek in Oneida 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:

1957 amount: .01 c.f.s. or \_\_\_\_\_ acre feet  
amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
Total claimed \_\_\_\_\_ c.f.s. or \_\_\_\_\_ 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 stock water period of use from 4/1 to 12/31 (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 \_\_\_\_\_  
\_\_\_\_\_ ; length is \_\_\_\_\_ feet; height is \_\_\_\_\_ 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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 200 feet; diameter of well is 6 inches; type of pump is 3" cylinder tower type motor powered  
capacity of pump is 6 g.p.m.; name and address of well driller is \_\_\_\_\_  
\_\_\_\_\_ ;

17 4010

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 \_\_\_\_\_

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;  
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.

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

\_\_\_\_\_.

The other users and their respective interests in the ditch are (if known) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

700 Hereford Cattle

name of town supplied \_\_\_\_\_

giving dates and quantities

---

---

---

---

---

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings visible.

State of ~~Idaho~~ Utah

**\$5.**

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.

VERN HAMRE, Regional Forester

By \_\_\_\_\_

S. L. Cuskelly, Claimant Acting Regional Forester

Sworn to before me this 2<sup>nd</sup> day of April, 1971.

Residing at Ogden, Utah

My commission expires 12/15/71

leaf # 599.3

Received by HL Date 4-21-71

Exception filed by:

Forwarded to

Date \_\_\_\_\_

Prelim. check by DD Date 4-21-71

Fee received by 24 Date 5/10/71 Fee \$ 10.<sup>00</sup>

Approved for publication by \_\_\_\_\_

Published in Indian Dates 5-20 + 5-27/27/

11-11-1964 240

INSTRUCTIONS

Paragraph No.

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.

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 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.

IN THE MATTER OF:

AFFIDAVIT

Vanderhoff Well

State of Idaho

County of Oneida

Paul L Clark

being first duly sworn,

deposes and says:

my name is Paul L Clark  
I am the Range Technician on the Malad  
Ranger District Caribou National Forest.

I have personal knowledge of the  
above referred well located in the <sup>NE</sup> ~~SE~~ 1/4  
of NE 1/4 section 20, T15S, R33E B.M.

The Vanderhoff Well was drilled and  
commenced providing water for livestock  
during the year 1957

Paul L Clark  
(signature)

Subscribed and sworn to before me this 16<sup>th</sup> day of March 19 71.

James H. Roberts  
(Notary Public)

Residing at Locust Hill, Idaho.

My commission expires 4-1-74.

17 4240

# Affidavit of Publication

State of Idaho  
County of Oneida, ss.

*Norma Champagne* being first duly sworn on  
her oath, states: That she is *clerk*

of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for ... successive weekly issues thereof the date of the first publication being the *20* day of *May* ..... 19*71* the date of the last publication being the *27* day of *May* ..... 19*71*.

*Norma Champagne*  
Subscribed and sworn to before me this *28<sup>th</sup>* day of *May* ..... 19*71*.....  
*H. D. Naylor*  
Notary Public, residing at Malad, Idaho  
My Commission expires the *10* day of *Oct*..., 19*73*.

Costs: *29* lines at *13c* per line first insertion \$*6.67*  
..... lines tabulated at *34<sup>5</sup>/<sub>100</sub>* per line \$.....  
*15* per line each subsequent insertion \$*4.35*  
TOTAL ..... \$*11.02*

(Rates for legal notices are fixed by Idaho law)

## NOTICE OF CLAIM TO A WATER RIGHT

No. 17-4010

Notice is hereby given that the U. S. Forest Service, 324 - 25th St., Ogden, Utah, has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second of water from a ground water source with point of diversion in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Sec. 20, T. 15S, R. 33E, B. M., Oneida County.

The water is claimed to be used from April 1 to Dec. 31 for stock-water purposes with a priority of 1957; the place of use is within the above description.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON  
Director

Published in the Idaho Enterprise, Malad City, Idaho on May 20 and May 27, 1971.

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



**R. Keith Higginson**  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

June 3, 1971

Re: Claim to a Water Right Nos. (17-4009) (17-4010)  
(17-4011) (17-4012)  
(17-4013) (17-4014)  
(17-4015) (17-4016)  
(17-4017) (17-4018)  
(17-4019)

U. S. of America Forest Service  
324 - 25th Street  
Ogden, Utah 84401

Gentlemen:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

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

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/bb

Enclosure: Copy of Claims

17 4010

May 12, 1971

Re: Claim No. 17-4009 17-4013 17-4017  
17-4010 17-4014 17-4018 - U. S. Forest Service  
17-4011 17-4015 17-4019  
17-4012 17-4016

Idaho Enterprise  
P.O. Box 203  
Malad City, Idaho 83252

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 our 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 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. 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 the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

Bill submitted 6-3-71 by ds

DWM:DR

Enc: Legal notices (11)

7 4010

**NOTICE OF CLAIM  
TO A WATER RIGHT**

No. 17-4010

Notice is hereby given that the U. S. Forest Service, 324 - 25th St., Ogden, Utah, has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 20, T. 15S, R. 33E, B. M., Oneida County.

The water is claimed to be used from April 1 to Dec. 31 for stock-water purposes with a priority of 1957; the place of use is within the above description.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON  
Director

Published in the Idaho Enterprise, Malad City, Idaho on May 20 and May 27, 1971.

O.K.  
5-17-71  
S.D.

17 4010

NOTICE OF CLAIM TO A WATER RIGHT

No. 17-4010

Notice is hereby given that U. S. Forest Service, 324 - 25th St.

Orden, Utah,

has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second ~~here feet~~ of water from a ground water source

with point of diversion in the NE 1/4 Sec. 20, T. 15S, R. 33E, B.M.,

Oneida County,

The water is claimed to be used from April 1 to Dec. 31 for

~~stockwater purposes~~ stockwater purposes

with a priority of 1957;

the place of use is within the above description

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Idaho Enterprise, Malad City, Idaho,

on May 20 and May 27, 1971.