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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that TOM CHIVERS,
(name of claimant)
of CHALLIS Box 528, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) UNNAMED SPRING, tributary to, SALMON RIVER
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount 5.68 cfs Use IRR. Period of Use: From April-1 To Nov-1
 Amount _____ Use _____ Period of Use: From _____ To _____
 Amount _____ Use _____ Period of Use: From _____ To _____
 (cfs, gpm) (dom., irri.,) (both dates inclusive)
 or a/f) stock, etc.)

- (3) Total quantity of water claimed: 5.68 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April-1-1914

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 26, Twp. 14N Rge. 19E B. M. County of CUSTER
 Additional points of diversion: SW 1/4 NE 1/4 SE 1/4 T 14N R 19E

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. Earth dam for collection
to earth ditches

- (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.

[illegible]

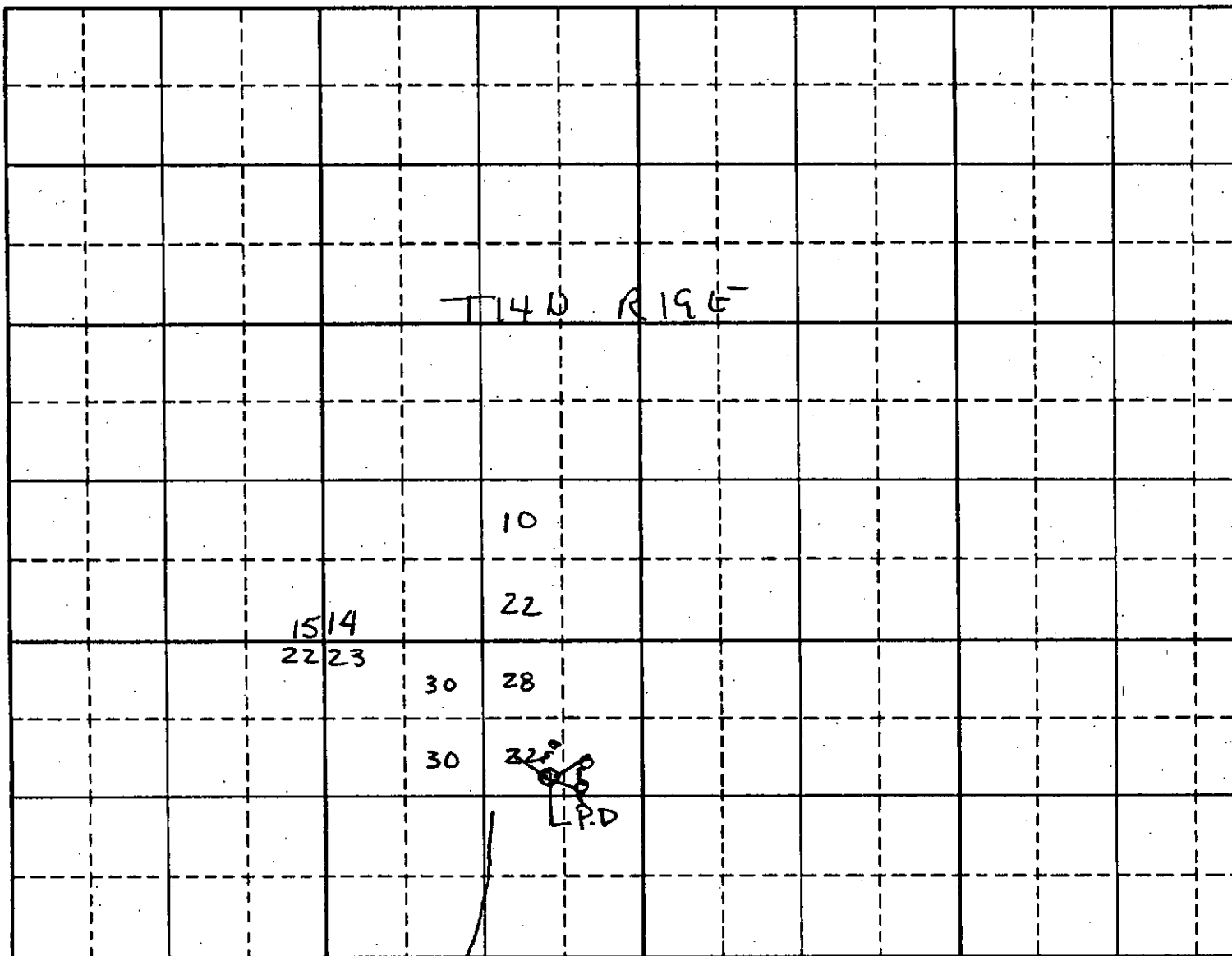
Total No. of acres 42

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: D.N.A.

- (7) If you are claiming water as a member of an organization, list name of organization: D.N.A.

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(8) Remarks _____



Scale: 2 inches equal 1 mile.

P.D.

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 Twin Falls) 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 affiants knowledge.

Tom Chivers
(Claimant)

Sworn to before me this 26 day of January 1977

Notary Public

Residing at Twin Falls, Idaho



My commission expires

Life term

For Department Use Only

Received by mls Date 1-26-77 Exception filed by: _____ Date _____
Prelim. check by TGB Date _____
\$10.00 fee received by mls Date 1-26-77 Rec. # 2327
Approved for publication by AB 2/15/77
Published in Custer Publishing Co
Dates 2/10 & 2/17/77

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RECEIVED

FEB 28 1977

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, MARGARET PARKS.....

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2.....
consecutive weeks, commencing with
the issue dated FEB 10.....,
1977 and ending with the issue
dated FEB 17....., 1977.

Margaret Parks.....

Subscribed and sworn to before
me this 25th day of Feb.....,
1977.

Abelca Buxtedt.....
Notary Public, residing at Challis,
Idaho. My commission expires on
10-24-77.....

Department of Water Resources
Southern District Office

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 72-4027

Notice is hereby given that Tom
Chivers, Box 528, Challis, Idaho 83226
has filed a claim to a water right
established by diversion and
application to beneficial use of 5.68
cubic feet per second of water from
Unnamed spring, tributary to
Salmon River with point of diversion
in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26;
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23; Twp. 14N, Rge.
19E, B.M., Custer County.

The water is claimed to be used
from April 1 to Nov. 1 for irrigation,
purposes of 142 acres with a priority
of April 1, 1914; the place of use is
within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec.
23; W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 14N, Rge.
19 E., B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.,
North, Twin Falls, Idaho, 83301.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger
on 2/10 and 2/17/77

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AB
2/28/77



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN DISTRICT

Cecil D. Andrus
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

R. Keith Higginson
Director

March 1, 1977

Re: Claim To A Water Right No. 72-4027

Mr. Tom Chivers
Box 528
Challis, Idaho 83226

Dear Mr. Chivers:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim 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 claim does not, in itself guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosure

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4027

Notice is hereby given that Tom Chivers

Box 528, Challis, Idaho 83226

has filed a claim to a water right established by diversion and application
to beneficial use of 5.63 cubic feet per second ~~XXXXXXXXXXXX~~
of water from Unnamed spring, tributary to Salmon River

with point of diversion in the NE1/4, Sec. 26; SW1/4, Sec. 23; Twp. 14N,
Rge. 19E, B.M., Custer County

The water is claimed to be used from April 1 to Nov. 1

for irrigation purposes of 142 acres

with a priority of April 1, 1914;

the place of use is within the W2NE1/4, E1/2NW1/4, Sec. 23; W1/2SE1/4, Sec. 14,
Twp. 14 N, Rge. 19 E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,
Idaho, 83301 ~~XXXXXXXXXXXX~~

R. KEITH HIGGINSON

Director

Published in the Custer Publishing Co.

on 2/10 and 2/17/77

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ce - 1/26/77

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 72-4027

Notice is hereby given that Tom Chivers, Box 528, Challis, Idaho 83226 has filed a claim to a water right established by diversion and application to beneficial use of 5.68 cubic feet per second of water from Unnamed spring, tributary to Salmon River with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23; Twp. 14N, Rge. 19E, B.M., Custer County.

The water is claimed to be used from April 1 to Nov. 1 for irrigation purposes of 142 acres with a priority of April 1, 1914; the place of use is within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, Twp. 14N, Rge. 19 E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger
on 2/10 and 2/17/77

REPRODUCED

Checking Copies

February 1, 1977

Custer Publishing Co.
P.O. Box 405
Challis, Idaho 83226

RE: Claim to a water right #72-4027

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

enclosure

Bill submitted: _____

RECEIVED
FEB 10 1977