

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

Louis L. Kristan
I, ~~Richard Swindell~~, man-
ager of The Challis Mes-
senger, 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, com-
mencing with the issue
dated Oct. 23, 1969, ...
and ending with the issue
dated Oct. 30, 1969, ...

Louis L. Kristan

Subscribed and sworn to
before me this 32d
day of Nov., 1969.

Howard R. Burdette
Notary Public, Residing at
Challis, Idaho.

My Commission expires

..... 9-1-70

PUBLIC NOTICE

**NOTICE OF CLAIM TO
A WATER RIGHT**

No. 73-4001

Notice is hereby given that
Bert Hatch and J. G. Baldwin,
May, Idaho, have filed a claim
to a water right established
by diversion and application
to beneficial use of 6.0 cubic
feet per second of water from
Goldberg Creek tributary to
the Pahsimeroi River with
point of diversion in the NE¼
SE¼ of Sec. 28, T. 13N, R.
23E, B.M., Custer County; the
water is claimed to be used
from April 1 to November 31
for irrigation with a priority
of October 20, 1909; the place
of use is within the N½NW¼
of Sec. 28; NE¼ of Sec. 29;
S½SE¼ of Sec. 30, T. 13N,
R. 23E, B.M.

Any exception to this claim
of water right may be filed
with the Department of Rec-
lamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Challis
Messenger, Challis, Idaho, on
October 23 and October 30,
1969.

Bill submitted 73-4001
11-7-69
ds

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 15, 1969

Re: Application for Permit No. 71-7005 - Gordon A. and Marilyn M. Larsen
Claim to a Water Right No. 73-4001 - Bert Hatch and J. G. Baldwin
73-4002 - J. G. Baldwin
73-4003 - J. G. Baldwin
73-4004 - Bert Hatch, J.G. Baldwin and Pines Grazing Assn.

Challis Messenger
Challis,
Idaho 83226

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 cannot 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 the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Legal notices (5)

NOTICE OF CLAIM TO A WATER RIGHT No. 73-4001

Notice is hereby given that Bert Hatch and J. G. Baldwin, May, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 6.0 cubic feet per second of water from Goldberg Creek tributary to the Pahsimeroi River with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, T. 13N, R. 23E, B.M., Custer County; the water is claimed to be used from April 1 to November 31 for irrigation with a priority of October 20, 1909; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 28; NE $\frac{1}{4}$ of Sec. 29; S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30, T. 13N, R. 23E, 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 Challis Messenger, Challis, Idaho, on October 23 and October 30, 1969.

73-4001

P

Identification No. _____
Claim No. 73-4001
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 BERT HATCH J.G. BALDWIN
post office address MAY IDAHO
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 28 Township 13 N
Range 23 E B.M. located on GOLDBURG CREEK
(name of source)
tributary to PASIMEROI in CUSTER 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: 10-20-09
300 INCHES amount: 6.0 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 6.0 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 IRRIGATION period of use from APRIL 1st to NOV 31st (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 WOOD
_____ ; length is 5 feet; height is 4 feet;
width at bottom is 4 feet; width at top is 4 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
10-20-09 300 INCHES
 - 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 _____

73-4001

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 320

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 100 Cows
20 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

HAS BEEN USED ON LAND AND PAID FOR
RIVER RIDER FOR MANY YEARS FIRST OWNER
FAILED TO COMPLET AND FINISH HIS RIGHT. WE
HAVE USED THE WATER RIGHT FOR OVER 10 YEARS
as OWNERS AND NOW FIND THE RIGHT MUST BE
Finished AND DECREED.

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.

7/17/69
(Date)

Baldwin, by Bent & Hatch
(Signature of Claimant)

State of Idaho

County of Lemhi ss.

On this 17th day of July 1969, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert A. Ben Kevins
Notary Public residing at Salmon, Idaho

My commission expires June 10, 1971

For Department Use Only

Received by <u>if</u>	Date <u>7-22-69</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>if</u>	Date <u>7-22-69</u>	<u>Stanley</u>	<u>if</u>	<u>12-3-69</u>
Fee received by <u>if</u>	Date <u>9-18-69</u>	Fee \$ <u>10⁰⁰</u>	<u>Hull and</u>	
Approved for publication by <u>if</u>		<u>James Whittier</u>		
Published in <u>Challis</u>	Dates <u>10-23-30-69</u>			
<u>1:1# messenger</u>				

73-4001

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:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u>	or	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u>	or	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s.</u>	or	<u> </u>	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.

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OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

Louis L. Kristan
I, ~~Richard Swindell~~, man-
ager of The Challis Mes-
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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, com-
mencing with the issue
dated Oct. 23, 1969
and ending with the issue
dated Oct. 30, 1969

Louis L. Kristan

Subscribed and sworn to
before me this 32d

day of Nov, 1969

Richard Swindell
Notary Public, Residing at
Challis, Idaho.

My Commission expires

9-1-70

RECEIVED
OCT 31 1969

PUBLIC NOTICE

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point of diversion in the NE $\frac{1}{4}$
SE $\frac{1}{4}$ of Sec. 28, T. 13N, R.
23E, B.M., Custer County; the
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of October 20, 1909; the place
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of Sec. 28; NE $\frac{1}{4}$ of Sec. 29;
S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30, T. 13N,
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Any exception to this claim
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with the Department of Rec-
lamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Challis
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Bill submitted 73-4001
11-7-69
sh

WATER RIGHT NUMBER 73-4001

WATER RIGHTS EDIT REPORT

10/11/79

PAGE 181

ACT
ION

N OWNER LAST NAME - HATCH
N OWNER LAST NAME - BALDWIN

FIRST NAME - BERT
FIRST NAME - J. G.

CITY - MAY

STATE - ID

N SOURCE - GOLDBURG CREEK
N STAGE - STATRY CLM

TRIBUTARY OF - PAHSIMEROI RIVER

PRIORITY - 10-20-1909 COUNTY - CUSTER

TOTAL DIV. RATE - 6.0000CFS

WATER DIST. - 73

N DIVERSION POINT - NESE 28 13N 23E

N FROM - 04-01 TO - 11-31 USE - IRRIGATION

USE DIV. RATE - 6.0000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 13N RNG 23E SEC 28 TRACT NENW

AC 40 TRACT NWNW

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 13N RNG 23E SEC 29 TRACT NENE

AC 40 TRACT NWNE

AC 40

N USE - IRRIGATION

TRACT SWNE

AC 40 TRACT SENE

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 13N RNG 23E SEC 30 TRACT SWSE

AC 40 TRACT SESE

AC 40

IDENT. NO. 73-4001

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 73-4001
Old No. New No.

Record

1. Original Owner: Bert Hatch & J.G. Baldwin

Present Owner: _____

2. Address:

3. City: May State: ID Zip: _____4. A. Source of Water: Goldburg CreekB. Tributary of: Pakimeroi River5. A. Stage (A,P,L,D,S,J): J

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 10-20-1909D. County: 37E. Total Diversion Rate: 6.

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 73

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>NESE</u>	<u>28</u>	<u>13N</u>	<u>23E</u>		

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

from 4-1 to 11-31 for A purposes. Amount 6.
(cfs or ~~AG FT/yr~~)

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 _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

pf 10979

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>13N</i>	<i>23E</i>	<i>28</i>					<i>40</i>	<i>40</i>											<i>80</i>
		<i>29</i>	<i>40</i>	<i>→</i>															<i>160</i>
		<i>30</i>															<i>40</i>	<i>40</i>	<i>80</i>
																			<i>320</i>

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

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):

LAW OFFICES OF
RACINE, HUNTLEY, HERZOG & OLSON

CENTER PLAZA - CORNER FIRST & CENTER

POST OFFICE BOX 1391

POCATELLO, IDAHO 83201

TELEPHONE (208) 232-6101

LOUIS F. RACINE, JR.
ROBERT C. HUNTLEY, JR.
VERN E. HERZOG, JR.
WILLIAM D. OLSON
MILTON E. ZENER (1905-1968)

RECEIVED

NOV 12 1969

Department of Reclamation

November 10, 1969

Department of Reclamation
State of Idaho
Statehouse
Boise, Idaho 83701

Attention: Mr. R. Keith Higginson,
State Reclamation Engineer

Dear Mr. Higginson:

In the October 23 edition, as well as the October 30 edition of The Challis Messenger, Notices of Claim to a Water Right, namely, No. 73-4001 and No. 73-4003, the first in behalf of Bert Hatch and J. G. Baldwin, and the second in behalf of J. G. Baldwin only, were published. No. 73-4001 claims the right to 6.0 cubic feet per second of water from Goldberg Creek tributary to the Pahsimeroi River, with a priority date of October 20, 1909. No. 73-4003 claims 3.2 cubic feet per second from Pahsimeroi River with a priority date of February 6, 1910.

Mr. Stanley Hull is the owner of land being sold under contract to Mr. James Whittier, a portion of which land has water rights from Goldberg Creek and from the Pahsimeroi River. The points of diversion as described in the application as made by Bert Hatch and J. G. Baldwin in No. 73-4001, as well as the point of diversion described in No. 73-4003, would appear to be above the point of diversion of Mr. Hull's point of diversion, or in any event, to indicate some adverse affects on water rights held by Mr. Hull with a priority date preceding any priority dates claimed by the applicants in these two instances. Accordingly, this letter will serve as the exception in behalf of Mr. Hull and Mr. Whittier to the claims as filed. Will you kindly acknowledge receipt of this letter and the filing of the exception.

In the event Mr. Hatch and Mr. Baldwin should desire to contact either myself or Mr. Whittier, and would satisfactorily file appropriate documents with your office which would acknowledge the priority of any water rights of Mr. Hull and Mr. Whittier, the matter can probably be handled without the necessity of a hearing.

Very truly yours,

Louis F. Racine, Jr.
LOUIS F. RACINE, JR.

73-4001

LFR/t

-2-

cc-Mr. Stanley Hull
Mr. James Whittier
Mr. R. M. Whittier
Mr. Bert Hatch
Mr. J. G. Baldwin

73-4001

December 3, 1969

Re: Claim to a Water Right No. 73-4001 - Bert Hatch and J.G. Baldwin
73-4003 - J. G. Baldwin

C
Mr. Bert Hatch and
Mr. J. G. Baldwin
May, Idaho 83253

O
Gentlemen:

In reference to the above claims, enclosed is a copy of an exception filed by Mr. Louis F. Racine, Jr. in behalf of Stanley Hull and James Whittier in connection with these claims under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

P
Y
"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for final censorship or conformation of the described rights.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Copy of exception

73-4001

December 3, 1969

Re: Claim to a Water Right No. 73-4001 - Bert Hatch and J.G. Baldwin
73-4003 - J. G. Baldwin

C
O
P
Y
Mr. Stanley Hull and
Mr. James Whittier
% Louis F. Racine, Jr.
P.O. Box 1391
Pocatello, Idaho 83201

Gentlemen:

We are in receipt of Mr. Racine's correspondence concerning the above referenced claims. The following is a quote from the provisions under which the above claims have been filed (Idaho Code, Section 42-225b):

"At anytime after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

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If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

73-4001

December 3, 1969

Re: Claim to a Water Right No. 73-4001 - Bert Hatch and J.G. Baldwin
73-4003 - J. G. Baldwin

C
O
P
Y
Mr. Louis F. Racine, Jr.
RACINE, HUNTLEY, HERZOG & OLSON
P. O. Box 1391
Pocatello, Idaho 83201

Dear Mr. Racine:

The Department is in receipt of your letter of November 10, 1969, concerning the above referenced claims.

Please be advised that the exception will be filed and processed according to Section 42-225 a and b of the Idaho Code.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:DR

73-4001

November 13, 1969

Re: Claim to a Water Right No. 73-4001

Bert Hatch and J. G. Baldwin
May, Idaho 83253

Gentlemen:

The Department of Reclamation has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Notice of your claim was published and no one has filed an exception to your claim. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. 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 Examiner

DWM:mjl

Enclosure: Copy of Claim

Receipt No. 3628

73-4001

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

October 15, 1969

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

Re: Application for Permit No. 71-7005 - Gordon A. and Marilyn M. Larsen
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73-4002 - J. G. Baldwin
73-4003 - J. G. Baldwin
73-4004 - Bert Hatch, J.G. Baldwin and Pines Grazing Assn.

Challis Messenger
Challis,
Idaho 83226

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(Signature of the claimant)

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DWM:DR

Enc: Legal notices (5)

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R. KEITH HIGGINSON
State Reclamation Engineer
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NOTICE OF CLAIM TO A WATER RIGHT

No. 73-4001

Notice is hereby given that Bert Hatch and J. G. Baldwin, May,
Idaho, have ~~has~~ filed a claim to a water right
established by diversion and application to beneficial use of 6.0
cubic feet per second ~~per foot~~ of water from Coldburg Creek tributary to
the Pahsimeroi River with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 28, T. 13N, R. 23E, B.M., Custer County; the water is
claimed to be used from April 1 to November 31 for irrigation
with a priority of October 20, 1909;
the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$ of
Sec. 28; NE $\frac{1}{4}$ of Sec. 29; S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 30, T. 13N, R. 23E, 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 Challis Messenger, Challis, Idaho.
on October 23 and October 30, 1969.

W.D.

73-4001

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 14, 1969

Re: Application for Transfer
Claim to A Water Right

Mr. J. G. Baldwin
May, Idaho

Dear Mr. Baldwin:

We are in receipt of your four (4) claims to a water right and your application for transfer.

While in your area Saturday, August 2, 1969, we tried to contact you; however, we were unsuccessful. Each of your four (4) claims to a water right must be accompanied by a \$10 filing fee. Your application for transfer must have a \$20 fee submitted. We will require that the fees be submitted before we process either the transfer or the claims, therefore, if you will submit a check totaling \$60 we will begin the processing procedures.

We wish also to make you aware that under the claim provisions of Section 42-225 a of the Idaho Code, filing of a claim to a water right does not confirm the right, but serves for informational purposes only.

If we can be of further assistance, please advise.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: none

73-4001