

T 13N

R 3 W

BM

6

5

7

8

Lot 3

1.15 AF Pond

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~~ Colorado

County of Grand

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.

Sworn to before me this Third day of December

1982

Notary Public
Residing at

411 Zerex, Fraser, CO 80442

My commission expires Jan. 15, 1984

FOR DEPARTMENT USE ONLY

Received by

Date _____

12-30-82

Exception filed by:

Forwarded to

Date _____

Prelim check by

Date

2/4/85

4

claimant by:

\$30.00 fee received by

Date _____

3/23

2309n

Published in

مسند

Report

Date: _____

31

23

Affidavit of Publication:

STATE OF IDAHO }
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Feb. 24, 1983 and ended Mar 3, 1983.

Stuart Dopf

Subscribed and sworn to before me
this 4th day of
MARCH, 1983.

W. H. Likes
Notary Public in and for the State
of Idaho, residing at Cambridge,
Idaho 83610.

Public Notices

NOTICE OF CLAIMS TO A WATER RIGHT

The following claim has been
filed on a water right created by
diversion and beneficial use:

67-4475

MESSERSMITH, MILTON J.
&/or DONNA M.

P.O. BOX 609, TABERNASH, CO.
80478

Source: SPRING trib. to WEI-
SER RIVER.

Priority Date: 7/8/1919.

Diversion Pt: LOT 3, Sec. 7 T 13N
R 3W.

Use: STOCKWATER STORAGE
(1.2 AF) STOCKWATER FROM
STORAGE (1.2 AF).

In: LOT 3 Sec. 7 T 13N R 3W.

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Re-
gion, Statehouse, Boise, Idaho
83720.

KEN DUNN, Dir.

Published 2/24 & 3/3/83.

RECEIVED
7 1983

Department of Water Resources
Western Regional Office

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 Milton J. and Donna M. Messersmith

Box 609, Tbernash, CO 80478

(Name of Claimant)

Telephone No. 303-887-2291

{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) July 8, 1919

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) (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed springfed pond tributary to Weiser 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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
Quantity	Use	Period of Use From	(Mo., Day)	To	(Mo., Day)
1.2 AF	Use	Period of Use From	Jan 1	To	Dec 31
1.2 AF	Use	Period of Use From	JAN. 1	To	DEC. 31
	Use	Period of Use From		To	
	Use	Period of Use From		To	
	Use	Period of Use From		To	

(4) 1.219F TOTAL QUANTITY USED.
(cfs. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot 3 1/4 Sec. 7 Twp. 13N Rge. 3W B.M., County of Washington

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. Reservoir approximately 50' x 100' x 10'

(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]

No. of acres _____

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

Used for range stock water

NOTE: Include here the type and number of stock watered: 30 cows and 10 horses

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

2/24 8. 31 31 83

Date _____

Affidavit of Publication:

STATE OF IDAHO }
County of Washington } ss.

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Stuart Dopf

Subscribed and sworn to before me
this 4th day of
MARCH, 1983.

W. H. Likes
Notary Public in and for the State
of Idaho, residing at Cambridge,
Idaho 83610.

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(1.2 AF) STOCKWATER FROM
STORAGE (1.2 AF):

In: LOT 3 Sec. 7 T 13N R 3W.

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Re-
gion, Statehouse, Boise, Idaho
83720.

KEN DUNN, Dir.

Published 2/24 & 3/3/83.

RECEIVED
MAR 3 1983

Department of Water Resources
Western Regional Office

02 OLD (D) NUMBER -

LAST NAME
03001 - MESSERSMITH
03002 - MESSERSMITH

04001 - MILTON J.
04002 - DONNA M.

	ORIG.	OWNER
05001	-	C
05002	-	C

06 ADD LINE 1 - P.O. BOX 609

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - TABERNASH

10 STATE - CO

11 ZIP - 80478

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - SPRING

TRIBUTARY OF
15001 - WEISER RIVER

16 DIVERSION MEANS - RES.

17 COUNTY - 87 WASHINGTON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .000

20 TOTAL DIVERSION VOLUME - 1.20

21 WATER DISTRICT -

TRACT				SEC		TWN		RNG		DIVERSION POINTS		RFLG		S T R E A M		I N D E X		F I E L D S				
22001	-	NWSW		23001	- 07	24001	- 13N	25001	- 03W	26001	- 03	27001	-									
									28001	-	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE - S/40 RANGE

USE CODE / USE	TWN	RNG	PLACE OF USE SEC	TRACT	ACRES	LOT
30001 - 05 STOCKWATER STORAGE	31001 - 13N	32001 - 03W	33001 - 07	34001 - NWSW	35001 -	36001 - 03
						TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 05 STOCKWATER STORAGE	40001 - 0.000	41001 - 1.20	
37002 - 0101	38002 - 1231	39002 - 06 STOCKWATER FROM STORAGE	40002 - 0.000	41002 - 1.20	

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 8-JUL-1919	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		

WRR100
67-4475

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
12-DEC-1985 19:53:16

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

53 VERIFIED -
54 LAST UPDATE - 28-FEB-1983

61 DATE_1 -
62 DATE_2 -

12/13/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

Jan Hoover
67-4475

Applicant

Messersmith

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. 3/17/83
- ☒ Claim published correctly. Upper County News Reporter
30/23097 2/24 & 3/3/83
- ☐ Exceptions processed.

By DBS

Date 3/14/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

3/15/83

RECEIVED
MAR 14 1983
Department of Water Resources

RECEIVED
MAR 14 1983
Department of Water Resources

February 8, 1983

Milton J. Messersmith
Box 509
Tabernash, CO 80478

Dear Mr. Messersmith:

After receiving your letter I changed the amount of water on your Claim to 1.2 acre feet for storage for stockwater and 1.2 acre feet for stockwater from storage. Since there is not a diversion from the spring to the pond, a cubic feet per second amount is not necessary.

The fifteen acres you mentioned cannot be included on this claim since it is a new use. At the time you decide to irrigate these fifteen acres then you need to file an application for permit to use the water. Just contact us at that time and we will mail the form to you.

If you have any questions, concerning these matters, please contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:jp

January 17, 1983

Milton J. &/or Donna M. Messersmith
Box 609
Tabernash, CO 80478

Dear Mr. & Mrs. Messersmith:

We have received the two claims filed by you with our department. The claim for the well is being processed. However, the claim filed for the spring fed pond needs more information before processing can begin.

If the pond is developed by a spring which feeds it from underneath then a storage for irrigation and irrigation for storage right should be used. This would be for an acre foot amount and would not only give you the right to store the water, but also the right to use it for stockwatering. If the spring is piped or ran into a ditch to the pond then both the .01 cubic feet per second (rate of flow) and the 1.2 acre foot amount for the storage (volume of water) should be listed.

Please contact us as soon as possible with this information and we will make the necessary corrections based on the information provided then process your claim.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:jap

January 31, 1983
Box 609
Tabernash, CO 80478

State of Idaho
Department of Water Resources
Western Region
Statehouse
Boise, Idaho 83720

Attn: Jan Grover

Dear Jan Grover,

Regarding your letter of January 17, 1983, concerning the water right filing on Lot 3, Sect. 7, T 13 N, R 3 W, BM.

Subject pond was developed by a spring which feeds from the bottom of said pond and was developed and, to my knowledge, has only been used for stockwatering purposes.

Economically feasible irrigation of approximately 15 acres of said Lot 3 could be developed by use of a pump and piping. The approximately 15 acres mentioned, laying to the south and east of the pond all in lot 3, Section 7, T 13 N, R 3 W, BM.

If I can be of further assistance, please contact me.

Sincerely,



Milton J. Messersmith

RECEIVED
FEB 2 1983

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 16, 1983

MILTON J. MESSERSMITH
DONNA M. MESSERSMITH
P.O. BOX 609
TABERNASH CO 80478

RE: Claim No. 67-4475

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,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RECEIVED
MARCH 16 1983

6Z-4425-

MESSERSMITH, MILTON J. &/or DONNA M.

P.O. BOX 609, TABERNASH, CO 80478

Source: SPRING trib. to WEISER RIVER

Priority Date: 07/08/1919

Diversion Pt: LOT 03 Sec 07 T 13N R 03W

Use: STOCKWATER STORAGE (1.2 AF)
STOCKWATER FROM STORAGE (1.2 AF)

In: LOT 03 Sec 07 T 13N R 03W

RECEIVED
MILITARY

IDENT. NO. 67-4475

WATER RIGHT
DATA ENTRY LOG

[illegible]