

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 Lava Irrigation Company, Inc.
P.O. Box 183, Lava Hot Springs, ID 83246 Telephone No. 776-5274
(Mailing Address) (Name of Claimant) (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) 2-11-1904

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)
Portneuf River tributary to Snake 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)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>20.5 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>9/15</u>	To <u>11/15</u>
Quantity	<u>.04 cfs</u>	Use	<u>Stockwater</u>	Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 20.5 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 6 NE ¼ SW ¼, Sec. 9 Twp. 9S Rge. 38E B.M., County of Bannock

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. Concrete headworks with wooden gates.

(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	
9S	38E																		
		20	37	40	40	45	32		12	40	33		27	19		12			337
		17												8			25	26	59
		21	7	4	37	9	31	40	43	35					38	12			256
		19											5	15	5	2	17		44
		15						20						40					60
		16	11			18							35	18	15				97

No. of acres 853

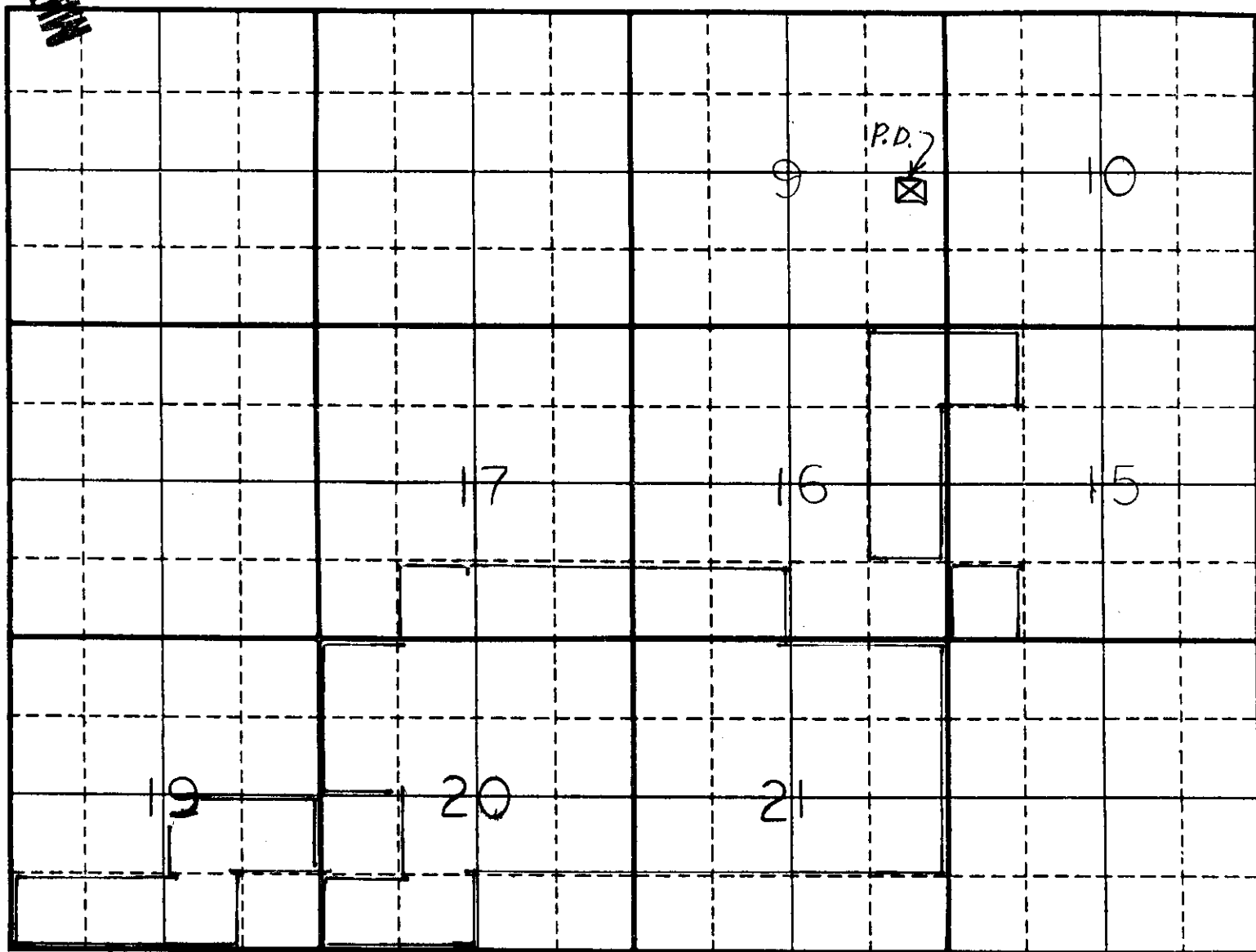
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Drinking water for livestock

NOTE: Include here the type and number of stock watered: 200 beef cattle

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

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(8) Remarks This claim is for water historically diverted by the claimant after the decreed period of use ends on September 15.



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 Booneville) 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 affiant's knowledge.

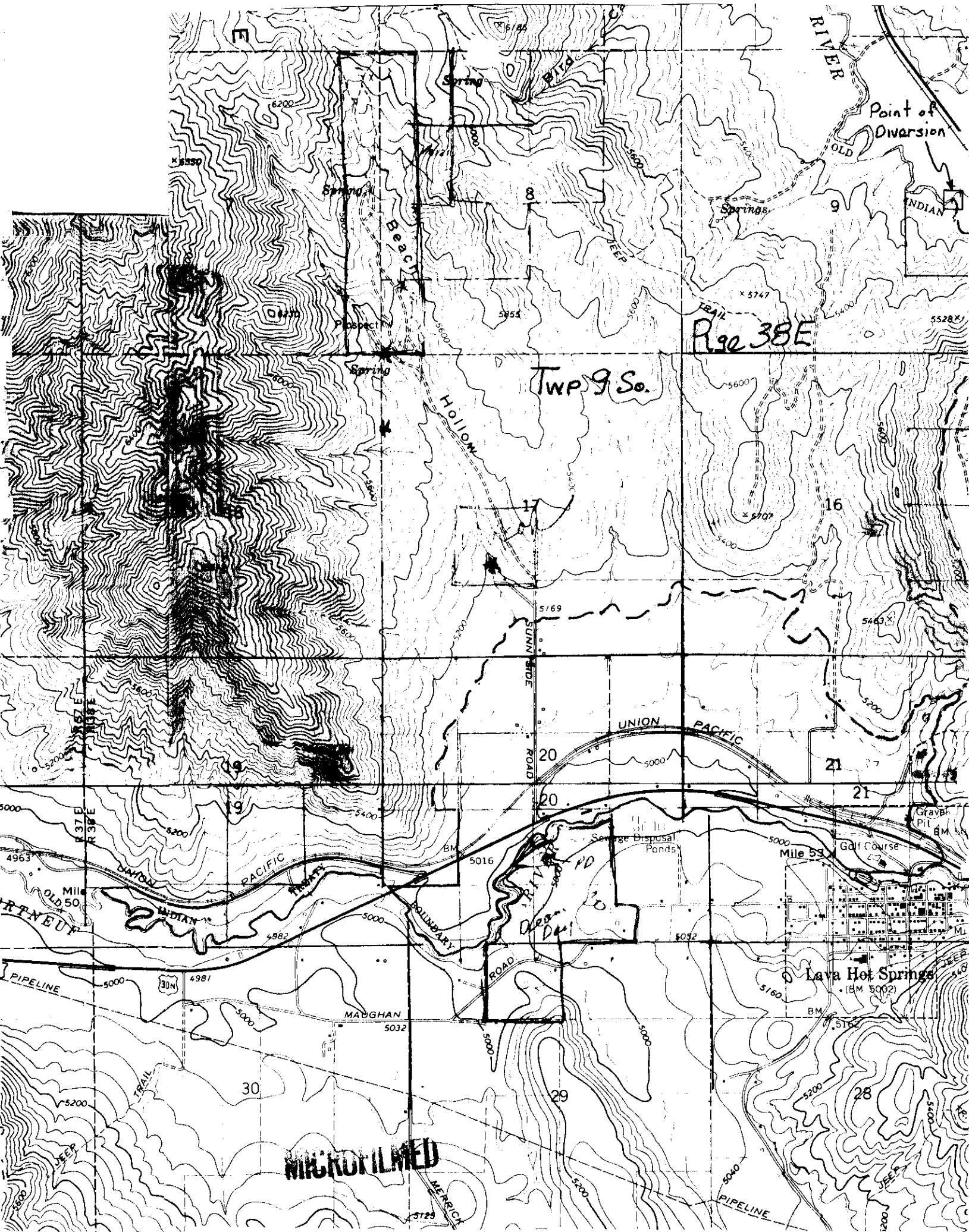
Sworn to before me this 7th day of June

Calvin A. Rowzell
Vice Chairman (Claimant)
19 84
Calvin A. Rowzell
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by EMC Date 6/7/84 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 6/9/84 claimant by: _____
Fee received by CH Date 6-7-84 33576
Published in Idaho State Journal
Dates June 21 & 28, 1984



NORTH



PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

JUL 2 1984

Department of Water Resources
Eastern District Office

Sandra K Herald

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>June 21, 1984</u>	<u>19</u>
<u>June 28, 1984</u>	<u>19</u>
<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>
<u>19</u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

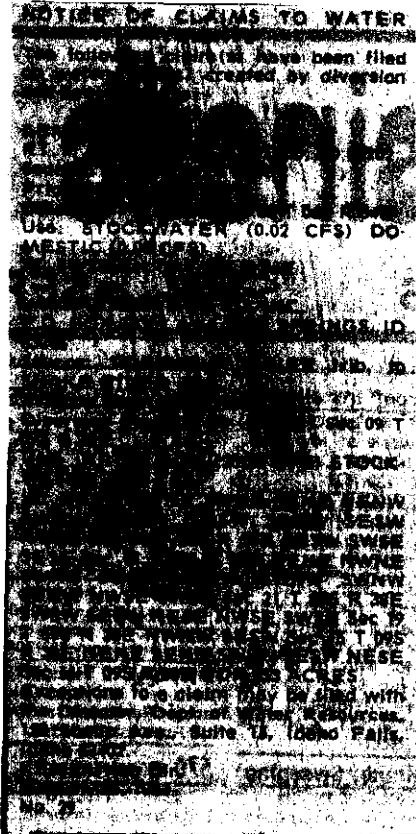
Sandra K Herald

Subscribed and sworn to before me this 29th

day of June, 1984

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILMED

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

JUL 2 1984

Department of Water Resources
Eastern District Office

Sandra K Herald

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

29 4466

ARMSTRONG, LAMAR

RT. 4, BOX-314, POCA TELLO, ID 83202

Source: GROUNDWATER

Priority Date: 06-01-1916

Diversion Pt: SWSE Sec 05 T 06S R 34E

Use: STOCKWATER (0.02 CFS) DO

MESTIC (0.02 CFS)

In: SWSE Sec 05 T 06S R 34E

29-4467

LAVA IRRIGATION CO. INC.

P.O. BOX 183, LAVA HOT SPRINGS, ID 83246

Source: PORTNEUF RIVER trib. to SNAKE RIVER

Priority Date: 02-11-1904

Diversion Pt: LOT 06 (NESW) Sec 09 T 09S R 38E

Use: IRRIGATION (20.50 CFS) STOCKWATER (0.04 CFS)

In: NENE NWNE SWNE SENE NENW

SWNW SENW NESW SWSW SESW

NWSE Sec 20 T 09S R 38E SESW SWSE

SESE Sec 17 T 09S R 38E NENE NWNE

SWNE SENE NENW NWNW SWNW

SESW NWSE SWSE Sec 21 T 09S R 38E

SWSW SESW NESE NWSE SWSE Sec 19

T 09S R 38E NWNW SESW Sec 15 T 09S

R 38E NENE SENE SWSW SESW NESE

Sec 16 T 09S R 38E FOR 853 ACRES

Exceptions to a claim may be filed with

the Director, Dept. of Water Resources,

150 Shoup Ave., Suite 15, Idaho Falls,

Idaho 83402.

KEN DUNN, Dir.

June 21, 28, 1984

No. 29

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

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[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

MICHAEL H. HARRIS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 9, 1984

LAVA IRRIGATION CO. INC.
P.O. BOX 183
LAVA HOT SPRINGS ID 83246

RE: Claim No. 29-4467

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,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MAILED

June 14, 1984

RE: Claim to a Water Right No. 29-4467 LAVA IRRIGATION CO. INC.

Mr. Thomas Bloxham, Watermaster
Water District No. 29
Downey, ID 83423

Dear Mr. Bloxham:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

FILED

State of Idaho
Department of Water Resources

29 4467

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AWJ

Right Number _____ Applicant Lava Irrigation

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.
- ☒ WD #29

LDP: July 9, 1984

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Collier Date July 12, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 7/17/84

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RECEIVED
JUL 17 1984

Department of Water Resources

29-446Z

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SESW SWSE SESE Sec 17 T 09S R 38E NENE NNNE SWNE SENE NENW NNW NW SWNW SENW
NWSE SWSE Sec 21 T 09S R 38E SWSW SESW NESE NNSE SWSE Sec 19 T 09S R 38E
NNW SESW Sec 15 T 09S R 38E NENE SENE SWSW SESW NESE Sec 16 T 09S R 38E
FOR 853 ACRES

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