

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 LDS Church, Chesterfield Ward c/o Gary Hatch
(Name of Claimant)
RR Bancroft, Idaho 83217 Telephone No. _____
(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) April 1, 1953

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.

Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(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>.04 cfs</u>	Use	<u>domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.08 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 0.12 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 18 Twp. 7S Rge. 39E B.M., County of Caribou
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. Well with pump to church building and sprinkler system.

(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	
7S	39E	18					4												4

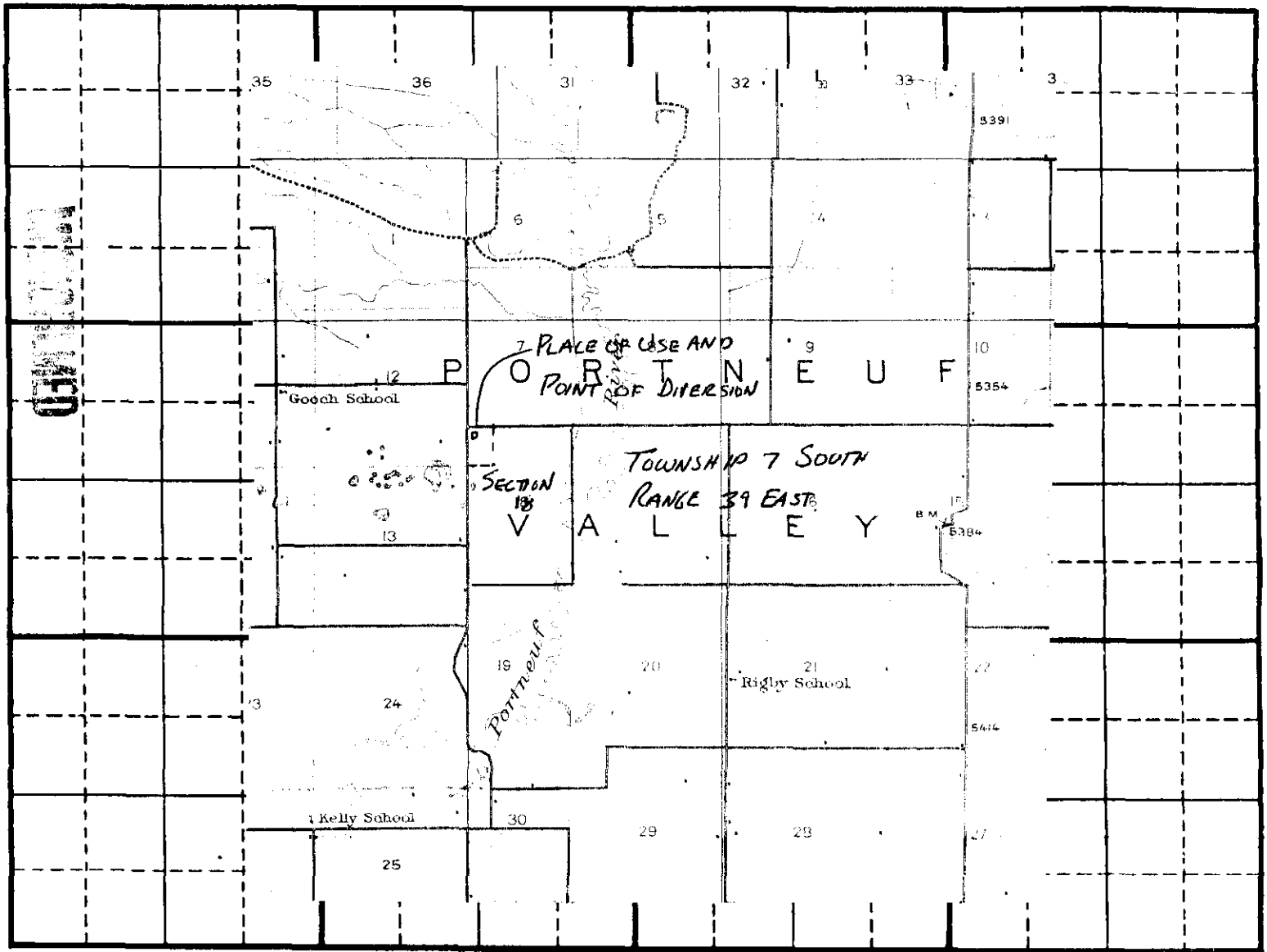
No. of acres 4

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for domestic purposes at a church building for 500 people.

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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 Caribou) 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 13 day of June, 1983.

B. Roy R. Hatch
(Claimant)

Christina Hatch
Notary Public
Residing at Bancroft, Idaho

My commission expires Life time

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>S.M.</u>	Date <u>8-11-1983</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>7-6-83</u>			
Published in <u>Caribou County Sun</u>	<u>#29250</u>			
Dates <u>9/1 - 9/8/83</u>				

PUBLIC NOTICE

Time Published

NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4431

HANSEN, AVADNA SHIPLEY

5204 MAVERICK, BOISE, ID 83709

Source: SPRING trib. to KING CREEK

Priority Date: 01-01-1910

Diversion Point: NWSW Sec 10 T 07S R 38E

Use: IRRIGATION (0.80 CFS) STOCKWATER (0.03 CFS)

In: NWSW Sec 10 T 07S R 38E FOR 40 ACRES

29-4429

LDS CHURCH

CHESTERFIELD WARD, RR, BANCROFT, ID 83217

Source: GROUNDWATER

Priority Date: 04-01-1953

Diversion Point: NENW Sec 18 T 07S R 39E

Use: IRRIGATION (0.08 CFS) DOMESTIC (0.04 CFS)

In: NENW Sec 18 T 07S R 39E FOR 4 ACRES

29-4428

LDS CHURCH

CHESTERFIELD MUSEUM, RR, BANCROFT, ID 83217

Source: GROUNDWATER

Priority Date: 04-01-1912

Diversion Point: SENW Sec 28 T 07S R 39E

Use: DOMESTIC (0.02 CFS)

In: SENW Sec 28 T 07S R 39E

29-4426

DAVIDS, T. PAUL

321 E. MAIN, LAVA HOT SPRINGS, ID 83246

Source: SPRINGS trib. to SINKS

Priority Date: 01-01-1913

Diversion Point: SWNW Sec 28 T 06S R 39E SENE Sec 29 T 06S R 39E

Use: IRRIGATION (0.15 CFS) STOCKWATER (0.05 CFS)

In: SENE Sec 29 T 06S R 39E FOR 13 ACRES

27-4132

ALLEN, PRESTON

STAR RT., DECLO, ID 83323

Source: SPRING

Priority Date: 03-01-1962

Diversion Point: SWSE Sec 03 T 08S R 43E

Use: STOCKWATER (0.06 CFS)

In: NWNW Sec 11 T 08S R 43E

27-4131

SWAIN, LARRY K.

GENERAL DELIVERY, WAYAN, ID 83285

Source: SPRING trib. to WAYNES CREEK

Priority Date: 04-21-1922

Diversion Point: SENW Sec 19 T 05S R 44E

Use: IRRIGATION (0.10 CFS) STOCKWATER (0.10 CFS)

In: SENW Sec 19 T 05S R 44E FOR 40 ACRES

13-4251

HARRIS, BERDEAN &-or

DAWNA C. RT. 1, BOX 96, GRACE, ID 83241

Source: SPRING trib. to BEAR RIVER

Priority Date: 04-01-1870

Diversion Point: SENE Sec 32 T 10S R 40E

Use: IRRIGATION (6.00 CFS)

In: NESE SESE Sec 32 T 10S R 40E NWSW SWSW Sec 33

T 10S R 40E NWNW Sec 04 T 11S R 40E NENE Sec 05 T 11S

R 40E FOR 160 ACRES

11-4265

NELL, CLINTON R. P.O. BOX 561, Soda Springs, ID 83276

Source: LEDGE CREEK trib. to BEAR RIVER

Priority Date: 10-01-1895

Diversion Point: NWSE Sec 08 T 09S R 42E

Use: IRRIGATION (0.50 CFS) STOCKWATER (0.02 CFS)

In: NWSW Sec 08 T 09S R 42E FOR 25 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

Director

Published Sept. 1 and 8, 1983 in the Caribou County Sun.

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs 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 the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

1st day of September, 1983

The date of the last publication

being the 8th day of

September, 1983

[Signature]

Subscribed and sworn to be-

fore me this 30th day

of September, 1983

[Signature]

Notary Public, residing at Soda Springs, Idaho (SEAL)

My Commission expires the

1st day of March

1984

RECEIVED

OCT 3 1983

Department of Water Resources
Eastern District Office

29-4428C
29-4429

June 9, 1983

Gary Hatch
Bancroft,
Idaho 83217

Dear Gary:

Enclosed are 2 claim forms for the LDS Church buildings. Please note the museum claim does not have a priority date. This must be added for the form to be complete. The filing fee is \$30.00 for each claim and each form must be notarized.

The land in Sec. 23 and 24 T. 7S. R. 39E (E $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$) does not have water rights.

If you have any further questions, please feel free to contact me.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SM:bp

Enclosures

MICROFILM

May 16, 1983

Gary Hatch
Bancroft, ID 83217

Dear Mr. Hatch:

Enclosed are copies of the water rights appurtenant to your land.

Please note that proof of beneficial use has not yet been submitted for permit #29-7457. You must submit proof before Sept. 1, 1983 or apply for an extension of time before this date. Enclosed is a proof card for your convenience. You will want to submit the card only if the land in the permit under irrigation and the system is fully developed.

The water right from Toponce Creek is as follows:

29-0010 - Amt: 4.20 to July 1st, 0.80 after July 1st.
Priority: 5-1-1886
Point of Diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 7S, R. 39E.
Place of Use: Sec. 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8 W $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 17, NW $\frac{1}{4}$ T. 7S, R. 39E.

The water right from 24 Mile Creek from the reservoir is as follows:

License #29-2558 - Priority: 5-12-1928 Amount: 700 af
Place of Use: 2190 acres, including only
10 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34,
T. 6S, R. 39E.

You may own more shares of the Chesterfield Canal and Reservoir Co. than just your proportionate share (10/2190th of 700 af) in which case you will want to file an application for transfer of water right, to change the original land list on the water right License #29-2558.

MICROFILMED

Gary Smith
9/14/83
Page 1

The groundwater rights for Sections 33 and 34 in T. 6S, R. 39E are as follows:

License #29-2480 Amt: 1.38 Priority: Sept. 26, 1963
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T. 6S, R. 39E.
Place of Use: Sec. 33, SWSE - 40 ac, SE $\frac{1}{4}$ SE $\frac{1}{4}$ -
39 ac, Sec. 34 SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 39 ac.

License #29-7239 Enclosed, covers an additional 37 acres in Sections 34 and 3.

There is no need to file for any of these rights again as they are already recorded. You may wish to file additional applications if you are irrigating more land than the Licenses specify.

If you have any questions, please feel free to contact me.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SMLbp

Enclosures

MICROFILMED

May 12, 1983

Gary Hatch
Bancroft,
Idaho 83217

Dear Mr. Hatch:

Enclosed are the appropriate forms to record the water right for the LDS Church properties.

These forms were completed with the information which you provided on the phone.

The first claim records the right for the well for the Church building in Section 18. Please add the month (and if possible) the day to part 1 of the form.

The second claim records the well for the museum building. Please add the month here also for the priority date. Also, please mark on the map the location of the museum.

No water right was found for the land in Section 23, E $\frac{1}{2}$ NE $\frac{1}{4}$ or Sec. 24 W $\frac{1}{2}$ NW $\frac{1}{4}$, T. 7S, R. 39E. This is the land which you indicated as being dry land.

Your water right will be handled under a separate letter.

Please feel free to change anything you feel is incorrect or if you have any questions please contact me.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SM:bp

Enclosures

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 19, 1983

LDS CHURCH
CHESTERFIELD WARD
RR
BANCROFT

ID 83217

RE: Claim No. 29-4429

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 20, 1983

RE: Claim to a Water Right No. 11-4265 NELL
13-4251 HARRIS
13-4250 "
29-4426 DAVIDS
29-4428 LDS CHURCH
29-4429 "
27-4132 ALLEN

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on September 1 and 8, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 29 4429

Applicant LDS. Church, Chesterfield Ward

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.
- ☒ Claim published correctly.

N/A Exceptions processed.

By Ernest Carlson Date Oct 13, 1983

Sept 19, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By gmi Date 11-1-83

RECEIVED
OCT 17 1983

RECEIVED
OCT 17 1983

Department of Water Resources

ew

29-4429

LDS CHURCH

CHESTERFIELD WARD, RR. GANOCROFT, ID 83217

Source: GROUNDWATER

Priority Date: 04/01/1953

Diversion Pt: NENW Sec 18 T 07S R 39E

Use: IRRIGATION (0.08 CFS)
DOMESTIC (0.04 CFS)

In: NENW Sec 18 T 07S R 39E FOR 4 ACRES

CHESTERFIELD WARD
RR. GANOCROFT, ID 83217
Source: GROUNDWATER
Priority Date: 04/01/1953
Diversion Pt: NENW Sec
18 T 07S R 39E
Use: IRRIGATION 0.08
CFS DOMESTIC 0.04 CFS
In: NENW Sec 18 T 07S R
39E FOR 4 ACRES

29-4429

29-4429

LDS CHURCH

CHESTERFIELD WARD, RR, BANCROFT, ID 83217

Source: GROUNDWATER

Priority Date: 04/01/1953

Diversion Pt: NENW Sec 18 T 07S R 39E

Use: IRRIGATION	(0.08 CFS)
DOMESTIC	(0.04 CFS)

In: NENW Sec 18 T 07S R 39E FOR 4 ACRES

29-4429

LDS CHURCH
CHESTERFIELD WARD,
RR, BANCROFT, ID 83217
Source: GROUNDWATER
Priority Date: 04-01-1953
Diversion Point: NENW Sec
18 T 07S R 39E
Use: IRRIGATION (0.08
CFS) DOMESTIC (0.04 CFS)
In: NENW Sec 18 T 07S R
39E FOR 4 ACRES