

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 Marsh Creek Water Company c/o Calvin Criddle
Box 7, Downey, Idaho 83234 Telephone No. 897-5753
(Name of Claimant) (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) June 16, 1897

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)
Marsh Creek tributary to Portneuf 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	2.4 cfs	Use Irrigation	Period of Use From 4-1	To 11-1
Quantity		Use	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)	2.4 cfs	TOTAL QUANTITY USED.		

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 28 Twp. 11S 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.
Five foot concrete headbox to earth ditch

(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.

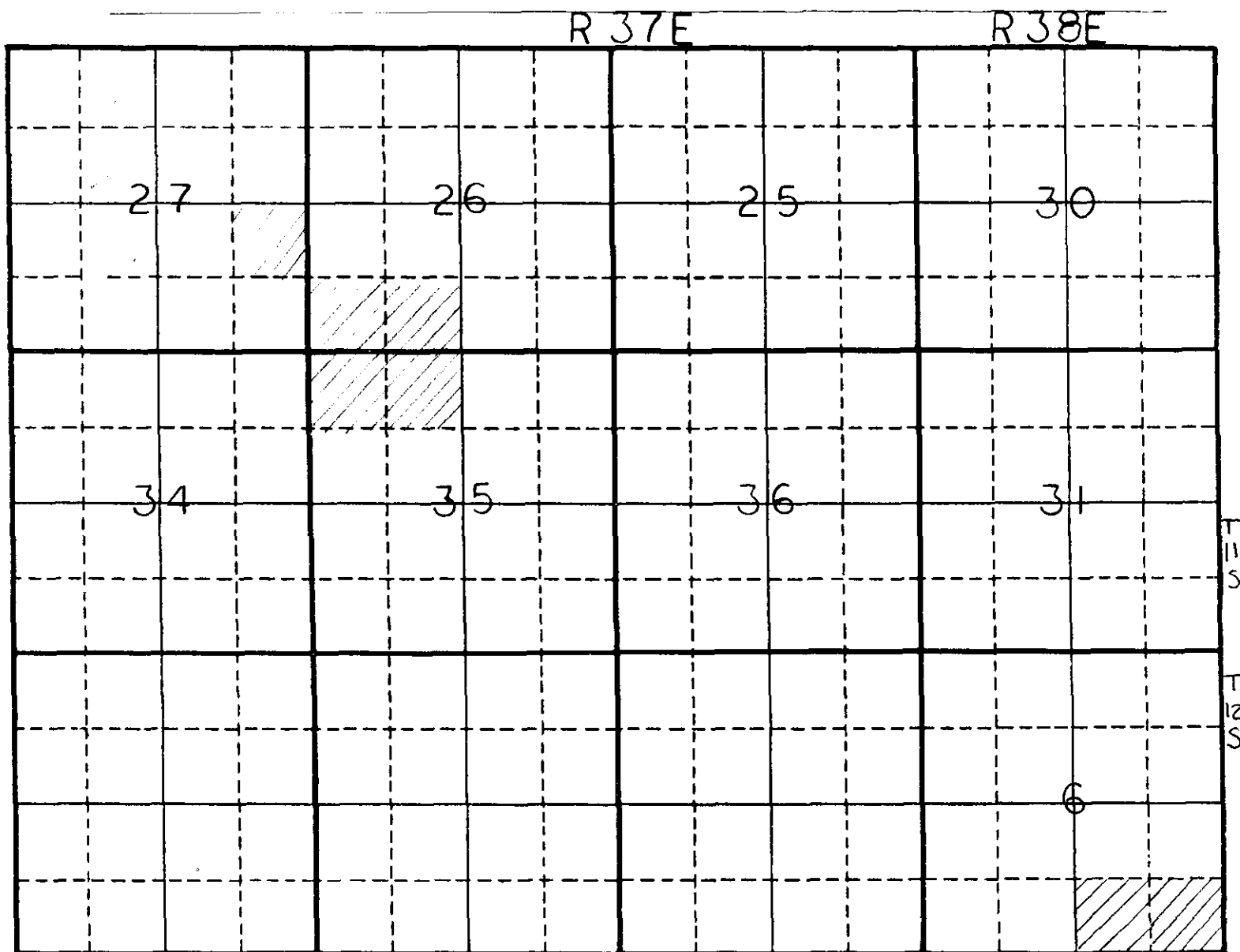
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	38E	6															10	20	30
11S	37E	35					30	10											40
11S	37E	26											20	20					40
11S	37E	27													10				10

No. of acres 120

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

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: Marsh Creek Water Co.

(8) Remarks The owners of these rights are Koester Farms Inc., Willis Brim,
John Criddle, Calvin Criddle, Reed Criddle, Wardell Whitaker



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 BENHAM) 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 on 23rd day of March, 1983.

Calvin Criddle
(Claimant)

Ronald D. Carter
Notary Public
Residing at Fort, ID

My commission expires 2/14/84

FOR DEPARTMENT USE ONLY

Received by RDC Date 3-23-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 3-25-83 claimant by: _____
\$30.00 fee received by BP Date 3-23-83 #25539
Published in Idaho St. Journal
Dates 4/7 - 4/14/83

Recorded at request of John Middle
John Middle
Received

Fee \$1.00

Notice of Water Claim

Know all men by these presents that we, Geo. J. Hyde
W. S. Abbot and John Middle, of Howard County
County Idaho, do hereby claim twenty-five cubic feet second
of the water flowing in what is known as the left-hand fork
of Marsh Creek.
To be divided at or near where this notice is posted:
About one and one half miles from where said left-hand fork
joins the right-hand fork of said Marsh Creek.

The purpose of this claim is to acquire the right to the use
for irrigation of the waters of the left-hand fork of Marsh Creek
that are not now covered by decree of Court.

Said water is to be taken out by means of a ditch, the general
course of which shall be along the North side of said left-hand
fork, to the top of the bench at or near the Homestead of Anna
Walker and from there taken across a said bench around the
point of the mountain that, from there following a natural
divide

RECORDED

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to S. Mountain, N. A. River and Young man of County Idaho, to the river and the left hand of the water flowing in what is known as the left hand fork of Marsh creek.

To be diverted at or near where this notice is posted.

About one and one half miles from where said left hand fork joins the right hand fork of said Marsh creek.

The purpose of this claim is to acquire the right to the use for irrigation of the waters of the left hand fork of Marsh creek that are not now covered by decree of Court.

Said water is to be taken out by means of a ditch, the general course of which shall be along the North side of said left hand fork, to the top of the bench at or near the Homestead of Anna Walker and from there across a said bench around the foot of the mountain back, from there following a natural channel to the land described below. The general course in a westerly direction. The length about six miles.

The land to be irrigated comprises parts of sections 25, 26, 27, 34, 35 of Township 15 South of Range 37 East, and parts of sections 8 and 9 of Township 12 South of Range 37 East of River Indian

RECEIVED

Know all men by these presents, That we, W. A. Hyde and John
Middle of Romney, Brunswick County, State of North Carolina for and
of water flowing in what is known as the left hand fork of Marsh
Creek

To be diverted at or near where this notice is posted: about one
and a half miles from where the aforementioned stream joins the
waters of the right hand fork of said Marsh Creek.

The purpose of this claim is to acquire the right to use, for
irrigation of the surplus waters of the left-hand fork of Marsh Creek
and all other waters that are not now covered by decree of Court-
that now in the said left hand fork of Marsh Creek.

Said water is to be taken out by means of a ditch 6 feet wide
by 2 feet deep. The general course of said ditch is to be along the
North side of said left hand fork, to the top of the bench at or near
the headland of Maria Walker, from there taken across said
bench around the point of the mountain West, from there
following a natural channel to destination described below.

The general course is a North-westerly direction, the length
about six miles.

The land to be irrigated contains Lots 25, 26, 27,

RECORDED

County of Barnstable } ss

W. S. Abbot and John Cridde and W. A. Hyde and Geo. T. Hyde being first duly sworn depose and say that they are of lawful age and the claimants named in the foregoing, that the statements made in the same are true and correct and the signed notice, of which the foregoing is a copy, was posted in a conspicuous place at or near the place of intended division, on the 16th day of June A. D. 1897 at 4 o'clock P. M.

W. A. Hyde
John Cridde
Geo. T. Hyde
W. S. Abbot

Sworn and subscribed to before me this 16th day of June A. D. 1897
Ally Bickland
Justice of the Peace

Recorded at request of W. A. Hyde June 18th 1897 at 9¹² A. M.

The Towns Register

John W. M.

Recorder

RECORDED

West
1897

Incorporated under the Laws of Idaho.

CAPITAL STOCK
\$5,000

30

50

500
SHARES.

MARSH CREEK WATER COMPANY

This is to Certify that Joan E. J. Reed and Calvin Griddle is the owner of
Fifty Shares of the Capital Stock of
the **Marsh Creek Water Company**, transferable only
on the Books of the Company in person or by Attorney in sur-
render of this Certificate properly endorsed.

In Witness Whereof the President and Secretary have hereunto subscribed
their names and affixed the seal of said Company at Dorsey, Idaho,
this Eight day of October A.D. 1933

George F. Taylor
SECRETARY

John E. Griddle
PRESIDENT

\$10

PROOF OF PUBLICATION RECEIVED

STATE OF IDAHO
County of Bannock

ss.

APR 18 1983

Department of Water Resources
Eastern District Office

Jeri Larsen

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>April 7</u>	<u>19 83</u>	<u> </u>	<u>19</u>
<u>April 14</u>	<u>19 83</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </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.

Jeri Larsen

Subscribed and sworn to before me this 15th

day of April, 19 83

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4315

HALL, W. S. &/or THEON
POCATELLO CREEK RD., POCATEL-
LO ID. 83201

Source: POCATELLO CREEK, NORTH
FORK trib. to POCATELLO CREEK
Priority Date: 05-23-1949

Diversion Pt: SESW Sec 16 T 06S R 35E

Use: IRRIGATION (0.06 CFS)

STOCKWATER (0.07 CFS)

DOMESTIC (0.02 CFS)

In: SESW Sec 16 T 06S R 35E FOR 3
ACRES

29-4314

J.R. SIMPLOT CO.

P.O. BOX 27, BOISE, ID 83707

Source: SPRING trib. to PORTNEUF
RIVER

Priority Date: 04-01-1927

Diversion Pt: SENE Sec 07 T 06S R 34E

Use: DOMESTIC (0.1140 CFS)

In: SENE Sec 07 T 06S R 34E

29-4313

J.R. SIMPLOT CO.

P.O. BOX 27, BOISE, ID 83707

Source: GROUNDWATER

Priority Date: 06-01-1953

Diversion Pt: SENW Sec 08 T 06S R 34E

Use: STOCKWATER (0.11 CFS)

DOMESTIC (0.11 CFS)

In: SENW Sec 08 T 06S R 34E

29-4312

J.R. SIMPLOT CO.

P.O. BOX 27, BOISE, ID 83707

Source: GROUNDWATER

Priority Date: 02-01-1953

Diversion Pt: SENW Sec 08 T 06S R 34E

Use: STOCKWATER (0.15 CFS)

In: SENW Sec 08 T 06S R 34E

29-4309

MARSH CREEK WATER CO.

BOX 7, DOWNEY, ID 83234

Source: MARSH CREEK trib. to PORT-
NEUF RIVER

Priority Date: 06-16-1897

Diversion Pt: SESW Sec 28 T 11S R 38E

Use: IRRIGATION (2.40 CFS)

In: SWSE SESE Sec 06 T 12S R 38E

NENW NWNW Sec 35 T 11S R 37E

SWSW SESW Sec 26 T 11S R 37E NESE

Sec 27 T 11S R 37E FOR 120 ACRES

Exceptions to a claim may be filed with

the Director, Dept. of Water Resources,

150 Shoup Ave., Suite 15, Idaho Falls,

Idaho 83402.

S/KEN DUNN, Dir.

April 7, 14, 1983

No. 788

being first duly sworn on oath deposes and says: That

was at all times herein mentioned a citizen of the United States of Ameri-
ca, 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:

March 1, 1983	, 19
March 2, 1983	, 19
March 3, 1983	, 19
March 4, 1983	, 19
March 5, 1983	, 19

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.

Subscribed and sworn to before me this

day of April, 1983

Notary Public, State of Idaho

Residence: Pocatello, Idaho

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 25, 1983

MARSH CREEK WATER CO.
BOX 7
DOWNEY

ID 83234

RE: Claim No. 29-4309

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

ENCLOSURE

RECEIVED
APR 29 1983

Department of Water Resources

April 1, 1983

RE: Claim to a Water Right No. 29-4309 MARGENH CREEK WATER CO.
29-4314 SIMPLOT

Thomas Bloxham, Watermaster
Water District No. 29
Downey, Idaho 83224

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

ENCLOSURE

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 29 4309 Applicant Cridler

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

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date April 27, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By John Date 5-3-83

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 30, 1983

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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 along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 25, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

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

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.

Published 4/7 & 4/14/83.

RECEIVED
APR 14 1983

29-4309

MARSH CREEK WATER CO.

BOX 7, DOWNEY, ID 83234

Source: MARSH CREEK trib. to PORTNEUF RIVER

Priority Date: 06/16/1897

Diversion Pt: SESW Sec 28 T 11S R 38E

Use: IRRIGATION

(2.40 CFS)

In: SWSE SESE Sec 06 T 12S R 38E NENW NWNW Sec 35 T 11S R 37E SWSW SESW
Sec 26 T 11S R 37E NESE Sec 27 T 11S R 37E FOR 120 ACRES

29-4309

MARSH CREEK WATER CO.

BOX 7, DOWNEY, ID 83234

Source: MARSH CREEK trib. to PORT-
NEUF RIVER

Priority Date: 06-16-1897

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Use: IRRIGATION (2.40 CFS)

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SWSW SESW Sec 26 T 11S R 37E NESE

Sec 27 T 11S R 37E FOR 120 ACRES

Exceptions to a claim may be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402.

APPROVED