

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 City of Lava Hot Springs

P.O. Box 187

Lava Hot Springs, Idaho 83246

(Name of Claimant)

Telephone No. 776-5820

(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) October 20, 1921

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)

Springs

tributary to

~~Fish Creek~~

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)			
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)	
Quantity <u>0.5 cfs</u>	Use <u>Municipal</u>	Period of Use From <u>1/1</u>	To	<u>12/31</u>	
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) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25 Twp. 9 S Rge. 38 E 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. Spring, headbox, mainline to municipal 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.

[illegible]

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic homes within municipality of Lava Hot Springs

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: City of Lava Hot Springs

1. *What is the main purpose of the study?*

2. *What are the research objectives?*

3. *What is the significance of the study?*

4. *What is the scope of the study?*

5. *What are the limitations of the study?*

6. *What is the conclusion of the study?*

7. *What are the recommendations of the study?*

8. *What are the future research directions?*

9. *What are the key findings of the study?*

10. *What are the implications of the study?*

[illegible]

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 Bannock) ss.

Sean Ware
(Claimant)

Sworn to before me this 12 day of March, 1982.

Susan Jagnant
Notary Public
Residing at Lava Hot Springs

My commission expires 10/5/85

FOR DEPARTMENT USE ONLY

Received by aw Date 3/26/82 Exception filed by: _____ Forwarded to _____ Date _____

Prelim. check by SM Date 3-18-82 claimant by: _____

\$20.00 fee received by aw Date 3-26-82

Published in Id. St. Journal # 20181

Dates 4-8-82 4-15-82

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

APR 26 1982

Department of Water Resources
Eastern District Office

Sheryl Gardiol

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:

April 8, 1982

19

April 15, 1982

19

19

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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.

Sheryl Gardiol

Subscribed and sworn to before me this 16th

day of April, 1982

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

RECEIVED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

APR 20 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

29-4229
CITY OF LAVA HOT SPRINGS
P. O. BOX 187, LAVA HOT SPRINGS, ID 83246
Source: GROUNDWATER
Priority Date: 08-06-1951
Amount: 0.11 CFS
Diversion Point: NWNW Sec 25 T 09S R 38E, BANNOCK Co.
Use: MUNICIPAL (0.11 CFS) from 01-01 to 12-31
The place of use is within the City of Lava Hot Springs.

29-4230
CITY OF LAVA HOT SPRINGS
P. O. BOX 187, LAVA HOT SPRINGS, ID 83246
Source: SPRINGS tributary to FISH CREEK
Priority Date: 10-20-1921
Amount: 0.50 CFS
Diversion Point: NWNW Sec 25 T 09S R 38E, BANNOCK Co.
Use: MUNICIPAL (0.50 CFS) from 01-01 to 12-31
The place of use is within the City of Lava Hot Springs.
Diversion Means: SPRING, HEADBOX & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.
S/A. KENNETH DUNN
Director
April 8, 15, 1982
No. 720

being first duly sworn on oath deposes and says: That _____ 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:

_____	, 19	_____	, 19
_____	, 19	_____	, 19
_____	, 19	_____	, 19
_____	, 19	_____	, 19
_____	, 19	_____	, 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.

Sheryl Sardiot

Subscribed and sworn to before me this _____

day of _____, 19 _____

[Signature]

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 29 4230 Applicant City of Lava Hot Springs

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.
- ☐ Exceptions processed.

By Ernest Carlson Date April 26, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 4/28/82

4-26-82

RECEIVED
APR 27 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 26, 1982

CITY OF LAVA HOT SPRINGS
P.O. BOX 187
LAVA HOT SPRINGS ID 83246

RE: Claim No. 29-4230

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

RECEIVED
MAY 1 1982

29-4230-

CITY OF LAVA HOT SPRINGS

P.O. BOX 187, LAVA HOT SPRINGS, ID 83246

Source: SPRINGS tributary to FISH CREEK

Priority Date: 10/20/1921

Amount: 0.50 CFS

Diversion Point: NWNW Sec 25 T 09S R 38E, BANNOCK Co.

Use: MUNICIPAL

(0.50 CFS) from 01/01 to 12/31
The place of use is within the city of Lava Hot Springs.

Diversion Means: SPRING, HEADBOX & PIPELINE

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MAY 10 1982

26 29-4230
27 CITY OF LAVA HOT SPRINGS
28 P. O. BOX 187, LAVA HOT SPRINGS, ID
29 83246
30 Source: SPRINGS tributary to FISH
31 CREEK
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33 Amount: 0.50 CFS
34 Diversion Point: NWNW Sec 25 T 09S R
35 38E, BANNOCK Co.
36 Use: MUNICIPAL (0.50 CFS) from 01-01
37 to 12-31
38 The place of use is within the City of Lava
39 Hot Springs.
40 Diversion Means: SPRING, HEADBOX &
41 PIPELINE
42
43 Any exception to any claim of water right
44 may be filed with the Director of the
45 Idaho Department of Water Resources,
46 150 Shoup Ave., Idaho Falls, Idaho 83402.
47 S/A. KENNETH DUNN
48 Director
49 April 8, 15, 1982
50 No. 720
51 <o<o<o<o



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

March 23, 1982

City of Lava Hot Springs
P.O. Box 187
Lava Hot Springs, ID 83246

Gentlemen:

We have received and reviewed the enclosed claims to water rights. We find it necessary to return the claims as they were not submitted with the statutory filing of \$30.00 per each claim filed.

Please return the claims with the filing fee for further processing. If you have any questions concerning this matter, please contact this office.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SM:cw

Enclosures

RECEIVED
MARCH 24 1982