

Identification No. _____
Claim No. 29-4008
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Wilson D. Tippetts
post office address Arimo, Idaho 83214
2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 35 Township 9S
Range 37 E B.M. located on unnamed spring
(name of source)
tributary to sinks in Bannock County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:

September 25, 1917 amount: .005 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use stockwater period of use from January 1 to December 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known diversion is made by collection and drain pipe - 1"

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____ ;

29-4008

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-
-
-

- if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 20 beef, 20 dairy

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

State of Idaho }
County of Ada } 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 affiants knowledge.

Sworn to before me this 26 day of March, 1970.

Walter P. Lippert Merle C. Lippert
Claimant

Donald R. Eldredge
Notary Public

Residing at Boise Idaho

My commission expires Feb. 18-1974

For Department Use Only

Received by <u>Dick</u> Date <u>3-26-70</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Dick</u> Date <u>3-26-70</u>	_____	_____	_____
Fee received by <u>ef</u> Date <u>3-27-70</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>Doe</u>	_____	_____	_____
Published in <u>Sanmark</u> Dates <u>4-23-30-70</u>	_____	_____	_____
<u>County Fluma</u>			

29-4008

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u>	or	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u>	or	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s.</u>	or	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

...a claim to a water right established by diversion and appropriation to beneficial use of 6.50 cubic feet per second of water from an unnamed spring, situated in the State with point of diversion in the NW 1/4 Sec. 36, T. 2 S., R. 37 E., B.M., Bannock County; the water is claimed to be used from January 23 and 30, 1970.

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

Myron W. Boyce

being first duly sworn, on his oath, deposes and says:

That he is a citizen of the United States of America, over the age of 21 years; that he was at all times herein mentioned the principal Clerk of the Bannock County News, a weekly newspaper published at McCammon, County of Bannock, State of Idaho, and having a general circulation therein.

That said deponent, during all times mentioned in this affidavit, has had and still has charge of all the advertisements in said newspaper; that the

Notice of Claim to Water Rights

of which the annexed is a true printed copy, was published in the said Bannock County News on the following dates, to-wit:

April 23 and 30, 1970

That said newspaper has been consecutively, continuously and uninterruptedly published in said county for a period of 78 weeks prior to publication of said notice, and is a "newspaper" within the meaning of the laws of Idaho.

Myron W. Boyce

SUBSCRIBED and sworn to before me this

day of *May*, 19 *70*

Gary N. Lunter
Notary Public, McCammon, Idaho

My commission expires *2-4-74*

Department of Reclamation

MAY 7 1970

RECEIVED

29-4008

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 29-4008

Notice is hereby given that Wilson D. Tippetts, Arimo, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.005 cubic feet per second of water from an unnamed spring, tributary to the Sinks with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9S, R. 37E, B.M., Bannock County; the water is claimed to be used from January 1 to December 31 for stock-water with a priority of September 25, 1917; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9S, R. 37E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Bannock
County News, McCammon, Idaho, on April 23 and April 30, 1970.

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

being first duly sworn, on his oath, deposes and says:

That he is a citizen of the United States of America, over the age of 21 years; that he was at all times herein mentioned the principal Clerk of the Bannock County News, a weekly newspaper published at McCammon, County of Bannock, State of Idaho, and having a general circulation therein.

That said deponent, during all times mentioned in this affidavit, has had and still has charge of all the advertisements in said newspaper; that the

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That said newspaper has been consecutively, continuously and uninterruptedly published in said county for a period of 78 weeks prior to publication of said notice, and is a "newspaper" within the meaning of the laws of Idaho.

SUBSCRIBED and sworn to before me this

day of May, 1970
Sargy J. Hunter
Notary Public, McCammon, Idaho

My commission expires 2-4-74

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 10, 1970

Re: Claim No. 29-4008

Mr. Wilson D. Tippet
Post Office Box # 46
Arimo, Idaho 83214

Dear Mr. Tippet:

We are returning the statements that you have submitted as evidence of your water right, filed under the above referenced claim. We find in reviewing these statements that perhaps you would wish to have additional information on these statements before we file them with your claim as evidence of your water right. Please note that neither of the statements makes any reference as to the quantity of water used, or the first date of use. Also, please be advised that before a court could accept and evaluate these statements, the signature on each would have to be notarized.

If you cannot obtain any more information on the statements or have the signatures notarized, you may return them in their present form, and we will file them with the claim for whatever purpose they may serve.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: two statements

29 4008

Arims, Ida.
March 22 1971

Gentlemen:

Inclosed are four letters.
Two notarized -
Hope all is right.

Sincerely yours
Wilson D. Tyspeke
Arims, Idaho

RECEIVED

APR 10 1970

4-6-70
Thomas Ideles

To whom it may Concern
Department of Water Administration

Mr Wilson Austin Tippetts
has developed a spring on his
property in arpanson. Inegallan ^{rate}
output per minute - Apr - 1950

Yours truly
Pet. J. Fine

Callean C. Bager
Notary Public
Commission Expires 3-11-73

29 4008

To whom It may concern

Wilson D. Tippits developed the
spring for stock water located on
the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35 Township 9 S
Range 37 E in Bannock county.

Ruel A Christensen

29 4008

to whom it may concern,

Wilson O. Tippetts has developed
the natural spring in Arkansas in
Bannock County.

Mafine G. Smith

Box 145

Armo, Ida.

RECEIVED

Department of Water Administration

29 4008

To Whom it may Concern, March 18-1971

Wilson D. Tippet developed the Spring
for stock Water Located on the
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 35 Township 9 S.
Range 37 E in Garfield County, About 1950,
Water 1 one Gallon a Minute Jack Hackett

MAR 18 1971

1523 Park St.

DEPARTMENT OF WATER RESOURCES

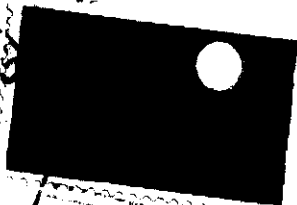
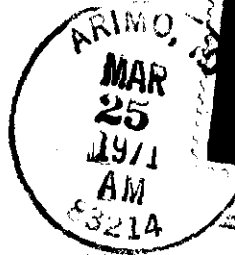
Salt Lake Utah 84105

Calvin L. Lusk
Notary
Garfield County
Commission Expires 3-11-73

Commission Expires 3-11-73

29 4008

Arimo, Ida
Box 46



State of Idaho
Dept of Water Administration
State house - Annex 2
Boise, Idaho 83707

29 4008

December 10, 1970

Re: Claim No. 29-4008

Mr. Wilson D. Tippet
Post Office Box # 46
Arimo, Idaho 83214

Dear Mr. Tippet:

We are returning the statements that you have submitted as evidence of your water right, filed under the above referenced claim. We find in reviewing these statements that perhaps you would wish to have additional information on these statements before we file them with your claim as evidence of your water right. Please note that neither of the statements makes any reference as to the quantity of water used, or the first date of use. Also, please be advised that before a court could accept and evaluate these statements, the signature on each would have to be notarized.

If you cannot obtain any more information on the statements or have the signatures notarized, you may return them in their present form, and we will file them with the claim for whatever purpose they may serve.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: two statements

29 4008



Dept. of Reclamation
Statehouse Annex 11-614 W. State
Boise, Idaho 83707

Gentlemen:

Enclosed are letters to be
filed with the claim of developing
a natural Spring on the property
own by Wilson D. Tippetts - in Arkana
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 35 Township 9S.
Range 37E in Blaine County.

Thank you.

Sincerely yours
Mr. Wilson D. Tippetts
Armo, Ida. Ex 46

May 13, 1970

Re: Claim to a Water Right No. 29-4008

C
O
P
Y
Mr. Wilson D. Tippets
Arimo, Idaho 83214

Dear Mr. Tippets:

The Department of Reclamation has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or evidence that you would like to have included in your claim file, you may add that information at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enc: Copy of claim
Receipt No. 4366

29-4008

May 4, 1970

Re: Claim to a Water Right No. 29-4008 -- Wilson D. Tippetts

Bannock County News
McCammon
Idaho 83250

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above claim to a water right.

However, we are herewith returning the bill for publication in order that you may sign the certification. Your prompt attention to this matter will be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enclosure

29-4008

April 30, 1970

Re: Permit Nos. 32466, 32321 and R-1174 ✓

Mr. Russell J. Hayden
Mink Creek Road
Pocatello, Idaho 83201

Dear Mr. Hayden:

Inasmuch as we discussed in person your letter of March 1970, we are wondering whether you need additional written information on the subjects in your March 1970 letter. Please advise within 10 days from the date of this letter or we will consider our conversation as having supplied sufficient information.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: none

29-2564
R-1174

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 29-4008

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Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Bannock County News, McCammon, Idaho, on April 23 and April 30, 1970.

29-4008

April 15, 1970

Re: Claim to a Water Right No. 29-4008 - Wilson D. Tippetts

Bannock County News
McCammon
Idaho 83250

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you 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 of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

*Bill submitted
5-11-70
dr*

29-4008

NOTICE OF CLAIM TO A WATER RIGHT

No. 29-4008

Notice is hereby given that Wilson D. Tippetts, Arimo, Idaho,
 has filed a claim to a water right
established by diversion and application to beneficial use of 0.005
cubic feet per second ~~acre/foot~~ of water from an unnamed spring, tributary
to the Sinks with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 35, T. 9S, R. 37E, B.M., Bannock County; the water is
claimed to be used from January 1 to December 31 for stockwater
 with a priority of September 25, 1917
; the place of use is within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9S, R. 37E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Bannock County News, McCammon, Idaho,
on April 23 and April 30, 1970.

Kd.

29-400