

Identification No. _____
Claim No. 29-4007
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 Don Noble
post office address RA1 Box 127 McCall Idaho
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 13 Township 8 S
Range 36 E B.M. located on Jones Canyon Blue Canal Creek
(name of source)
tributary to Payson River 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:

<u>8-22-1911</u>	amount: <u>.20</u>	<u>10 MINERAL INCHES</u>	c.f.s. or	acre feet
<u>8-22-1911</u>	amount: <u>50</u>	<u>25 MINERAL INCHES</u>	c.f.s. or	acre feet
<u>8-22-1911</u>	amount: _____		c.f.s. or	acre feet
Total claimed		<u>70</u>	<u>35 MINERAL INCHES</u>	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 30 acre irrigated apples period of use from April to Oct 15 (both dates inclusive)
use irrigation period of use from April to Oct 15 (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 WOOD
; length is 8 feet; height is 5 feet;
width at bottom is 4 feet; width at top is 4 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known I use diesel pump with 1/2 mile sprinkler pipe from this headgate to water alfalfa & pasture -

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 _____

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attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
85	366	14			7	29									5	12			
4																			

Total number of acres to be irrigated 33.9

Explain any significant increase in area irrigated since first use, give dates and acreages if known
5.7 acres have been developed since first used and that acreage will increase from time to time.

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch
The other users and their respective
interests in the ditch are (if known) NO other users -

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

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. Water may eventually used for

domestic purposes pending the diversion and
construction of a gravity feed reservoir.

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

This water has been used only by the
owners of this road ever since any of the
old timers in this area can remember. My
father-in-law Mr. Jones bought this place in 1930 and
he has used the water every year since that
time for irrigation and stock watering. I plan to
divert this stream and pipe it to a point that
will give me gravity feed sprinkling on the
entire place - but would like to establish
permanent claim to the use before spending that
amount of money. Do you suggest I get
permanent easements before constructing these pipe
lines etc.

State of Idaho

County of Bannock 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 14th day of November, 1969

Law Noble
Claimant

W. J. J. J.
Notary Public

Residing at Lava Hot Springs
Idaho

My commission expires Jan. 10. 1972

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>lf</u>	<u>12-8-69</u>			
Prelim. check by <u>OUR</u>	Date <u>12-8-69</u>			
Fee received by <u>lf</u>	Date <u>11-19-69</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>lf</u>				
Published in <u>Bannock Co.</u>	Dates <u>1-1-70</u>			

News Rec'd #3871 29-4007

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. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<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.

RECEIVED

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 a Water Right

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

Jan. 1 & 8, 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.

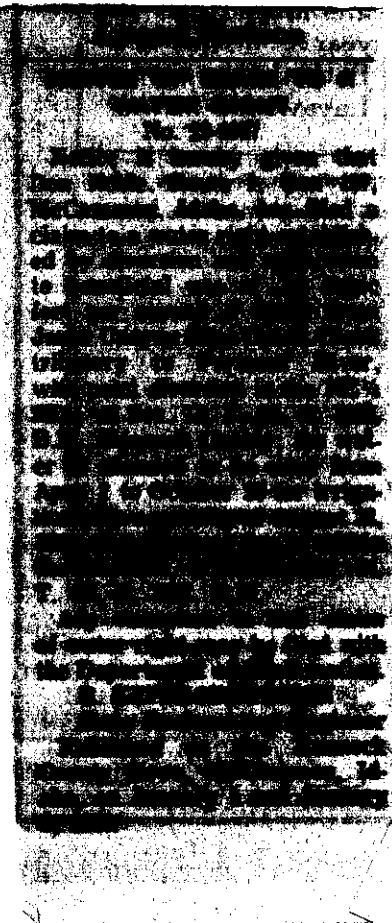
Myron W. Boyce

SUBSCRIBED and sworn to before me this

day of , 19.

Notary Public, McCammon, Idaho

My commission expires



Bill submitted

1-19-70

29-4007

Legal Notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 29-4007

Notice is hereby given that Don Noble, Route 1, Box 127, McCammon, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .70 cubic feet per second of water from Jones Canyon Blue Crane Creek tributary to Portneuf River, with point diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 13, T. 8S, R. 36E, B.M., Bannock County; the water is claimed to be used from April 1 to October 15 for irrigation with a priority of August 22, 1911; the place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 8S, R. 36E, 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 January 1 and January 8, 1970.

PROOF OF PUBLICATION

STATE OF IDAHO

County of Bannock

} ss.

Myron W. Boyce

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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 a water right

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Jan. 1 & 8, 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 , 19

Notary Public, McCammon, Idaho

My commission expires

January 21, 1972

Re: Claim No. 29-4007
License No. 29-2424

Mr. Don Noble
Route #1
Post Office Box #127
McCammon, Idaho 83250

Dear Mr. Noble:

Your letter of January 14, 1972, inquired as to the possibility of establishing a valid water License on water presently covered by Claim No. 29-4007.

The procedure would be to file an application for permit. The priority of the right when licensed, would be established on the day you make the application. Basically, filing the application would not affect the priority or other evidence you have recorded on your claim. If you feel that the priority of the permit would be acceptable, we would recommend that you do make the filing.

We are enclosing this Department's application for permit form, with instructions, for your use in this matter.

If we can be of further assistance in this, or any other matter, please do not hesitate to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: application for permit form, with instructions

29-4007

January 20, 1970

Re: Claim to a Water Right No. 29-4007

Mr. Don Noble
Route 1, Box 127
McCammon, Idaho

Dear Mr. Noble:

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. Notice of your claim was published and no one has filed an exception to your claim. 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 Examiner

DWM:dr

Enclosure: Copy of claim

29-4007

December 22, 1969

Re: Claim to a Water Right No. 29-4007 - Don Noble

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 Examiner

DWM:DR
Enc: Legal notice

29-4007

NOTICE OF CLAIM TO A WATER RIGHT

No. 29-4007

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McCammon, Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of .70
cubic feet per second ~~acre/foot~~ of water from Jones Canyon Blue Crane Creek,
tributary to Portneuf River, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 13, T. 8S, R. 36E, B.M., Bannock County; the water is
claimed to be used from April 1 to October 15 for irrigation
with a priority of August 22, 1911
; the place of use is within the S $\frac{1}{2}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 8S, R. 36E, 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 January 1 and January 8, 1970.

212.

29-4007

NW⁴ SE⁴ Sec 14

10 Acres & 10"

NE⁴ SE⁴ Sec 14

25 Acres & 25"

Priority 8-22-1911

5 Acres NW⁴ SW Sec 13 5"

29-4007

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

RECEIVED

NOV 28 1969

November 24, 1969

Department of Reclamation

Mr. Don Noble
Route 1, Box 127
McCammon, Idaho

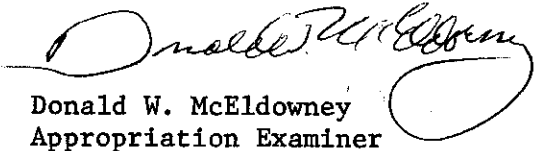
Dear Mr. Noble:

We are returning your claim to a water right filed on the waters of Blue Crane Creek tributary to the Portneff River. Before we can process your claim, you must enter the requested information under item 3a of the claim. We are not able, from the text of the claim, to determine the information you have requested. Please enter a specific month, day and year and the quantity of water which has been appropriated.

Also, under item 3b enter the use of the water, which we assume is irrigation purposes from April 1 to October 15.

Please return the claim for processing as soon as possible. Your assistance in this matter is greatly appreciated.

Very truly yours,


Donald W. McEldowney
Appropriation Examiner

DWM:dr

Enc: Claim

Dear Mr. McEldowney
This is the slip of paper
that you gave me as priority date.
I assume the (ind.) meant MINERS
Inds -

29-4007

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

November 24, 1969

Mr. Don Noble
Route 1, Box 127
McCammon, Idaho

Dear Mr. Noble:

We are returning your claim to a water right filed on the waters of Blue Crane Creek tributary to the Portneuf River. Before we can process your claim, you must enter the requested information under item 3a on the claim. We are not able, from the text of the claim, to determine the information you have requested. Please enter a specific month, day and year and the quantity of water which has been appropriated.

Also, under item 3b enter the use of the water, which we assume is irrigation purposes from April 1 to October 15.

Please return the claim for processing as soon as possible. Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dr

Enc: Claim

29-4007