

Identification No. 11-4003

Claim No. 42108

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 Lyman K. Bunderson
post office address St. Charles, Idaho 83272
2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 14 Township 15 South
Range 43 East of B.M. located on St. Charles Big Creek
(name of source)
tributary to _____ in Bear Lake 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:

April 15, 1914 amount: 352 c.f.s. or 56 acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 352 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 IRRIGATION period of use from April 15 to SEP 15 (both dates inclusive)
use SNOW WATERING 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 EARTH & ROCK
_____ ; 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 _____

- 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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Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible.

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_____

5. ✓

17.6
~~28~~

17.
~~28~~

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
1 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 _____

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

I CLAIM A RIGHT TO ^{17.6} MINERS INCHES OF WATER
WITH A PRIORITY OF 1916. HOWEVER, THE PAST USE OF THIS
WATER HAS BEEN AT THE RATE OF AS MUCH AS 5 CFS
FOR SHORT PERIODS OF TIME AFTER WHICH IT IS TURNED
BACK TO THE CREEK.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

10-17-67
(Date)

Leyman K. Beaudouin
(Signature of Claimant)

State of Idaho
County of Bear Lake } ss.

On this 17 day of October 19 67, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

L. Dwight Shepherd
Notary Public residing at Paris Idaho

My commission expires Oct 10th 1970

For Department Use Only

Received by sp Date 10-27-67

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by DW Date 10-27-67

Fee received by sp Date 10-27-67 Fee 10.00

Approved for publication by W.S. Noel Date 10-27-67

Published in Paris Post Dates 10-17-67
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State of Idaho
County of

being first duly sworn,

deposes and says:

I Grover Cleveland, testify, that the following facts are true to my knowledge.

As a boy, I remember fishing on said creek. The same creek which Lyman Benderson now uses for irrigating his land. This being done by putting a dam across the creek.

I remember there being a pole across the creek, where the water was taken out of. I also remember seeing the water going down the side ditch to irrigate the land.

As time passed I became more acquainted with the situation, because I helped Hay there.

So I would say I have known of the water being used for irrigation for some 45 years or more, because I am now 64 years old.

Grover Cleveland
(signature)

Subscribed and sworn to before me this 10th day of October, 19 67.

L. Leigh Chapman
(Notary Public)

Residing at Paris Hills
My commission expires Oct 10-1970

11-5005

IN THE MATTER OF:)
Lyman K. Bunderson's)
Claim to Water Right)
_____)
_____)

AFFIDAVIT

State of Idaho)
County of Bear Lake)

Lester F. Bunderson being first duly sworn,
deposes and says: _____

Nephi Bunderson, my father, purchased the property involved in this
statement in the year of 1916. He was the owner of this property until
August of 1963 when it was sold to Lyman K. Bunderson, his son.

The water in question relative to this property has been used throughout
the ownership of the two above mentioned owners. One dam was constructed
about 500 yards east of the present dam site now in use, then later the
present dam was constructed. The water has been diverted from this stream
and used for irrigation all of this time.

I, personally, was associated with the operation of this property until
it was sold in 1963. I am now sixty-three years of age; therefore, I
remember the above mentioned operations.

L. F. Bunderson
(signature)

Subscribed and sworn to before me this 16 day of October, 19 67.

William A. McCarr
(Notary Public)

Residing at Monkton, Ida.
My commission expires 9-16-69.

RECEIVED

DEC 4 1967

The Paris Post

IDAHO'S OLDEST WEEKLY NEWSPAPER

ESTABLISHED IN 1880

Department of Reclamation

Thomas E. Preston, Publisher

Corner Main and Center Streets
PARIS, IDAHO 83261

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Bear Lake

ss.

I, Thomas E. Preston publisher

and manager of THE PARIS POST, a weekly newspaper published weekly at Paris, Bear Lake County, State of Idaho, do solemnly swear that a copy of the attached notice, (as per clipping), was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 2 consecutive weeks, commencing with the issue dated November 16, 1967, and ending with the weekly issue dated November 23, 1967.

Thomas E. Preston
Publisher

Subscribed and sworn to before me this 2nd day of December, 1967.

(SEAL)

L. Stuart Shepherd
Notary Public

My commission expires Oct 10th 1970.

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4003

Notice is hereby given that Lyndon M. Banderson, St. Charles, Idaho, 83272, has filed a claim to a water right established by diversion and application to beneficial use of .352 (cubic feet per second) of water from the Big Fork of St. Charles Creek with point of diversion in SE¹/₄ NW¹/₄, Sec 14, T. 16 S, R. 42 E, B.M., Bear Lake County; the water is claimed to be used for irrigation purposes from April 15 to September 15 with a priority of April 15, 1916 (.352 c.f.s.); the place of use is SE¹/₄ NW¹/₄, Sec 14, T. 16 S, R. 42 E, B.M.

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

R. KEITH HIGGINS
State Reclamation Engineer

Published in The Paris Post, Paris, Idaho, on November 16 and November 23.

11-4003

RECEIVED

Statement

The Paris Post

Department of Reclamation
IDaho's OLDEST NEWSPAPER

PARIS, IDAHO

November 30, 1967

Department of Reclamation
107 State House
Boise, Idaho 83701

Legal publication - Nos. 16 and 23

Claim 11-4000 (30 li) Ironstrum	\$6.90
Claim 11-4001 (32 li) C. Arnell	7.36
Claim 11-4003 (30 li) Bunderson	6.90
Claim 11-4004 (31 li) U.P. & L.	7.13
Total Due	\$28.29

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 same has been paid Thomas E. Croston

Your Patronage is Appreciated

Published

RON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

107 STATE HOUSE

BOISE, IDAHO 83701

December 5, 1967

Re: Claim No. 11-4000, 11-4001, 11-4003, and 11-4004

The Paris Post
Paris,
Idaho 83261

Gentlemen:

Returned herewith is the bill of publication for the above referenced claims to water rights. Before a State Warrant may be issued for this amount, we must be in receipt of a signed, and certified bill.

Please have the publisher sign this bill and return it to this department for our remittance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Bill of publication

11-4003

December 5, 1967

Re: Claim No. 11-4003

Lyman K. Bunderson
St. Charles,
Idaho 83272

Dear Mr. Bunderson:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 11-4003.

Enclosed is your receipt for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: Receipt No. 119 for \$10.00

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**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 11-4003

Notice is hereby given that ~~Lyman H. Bunderson~~, St. Charles, Idaho, ~~82272~~, has filed a claim to a water right established by diversion and application to beneficial use of ~~.352~~ (cubic feet per second) of water from the Big Fork of St. Charles Creek with point of diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 15 S, R. 46 E, B.M., Bear Lake County; the water is claimed to be used for irrigation purposes from April 15 to September 15 with a priority of April 15, 1916 (.352 c.f.s.); the place of use is S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T. 15 S, R. 46 E, 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 Paris Post,
Paris, Idaho, on November 16
and November 23.

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November 7, 1967

Re: Claim No. 11-4003

The Paris Post
Paris,
Idaho 83261

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 can not 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 same has been paid (Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosures: legal notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4003

Notice is hereby given that Lyman R. Bunderson, St. Charles, Idaho,
83272 has filed a claim to a water right established
by diversion and application to beneficial use of .352 (cubic feet per second)
~~Adette Creek~~ of water from Big Fork of St. Charles with point of diversion
in SE 1/4, sec. 14, T. 15 S, R. 43 E, B.M., Bear Lake County;
the water is claimed to be used for irrigation
purposes from April 15 to September 15 with a priority of
April 15, 1916 (.352 c.f.s.); the place of use is SE 1/4, sec. 14, T. 15 S,
R. 43 E, 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 Paris Post, Paris,
Idaho, on November 16 and November 23.

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