

Identification No. 11-4006

Claim No. _____

Map No. 42159

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 J. Hulme Dunford
post office address Bloomington Idaho

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 7 Township 15S
Range 44 E B.M. located on St Charles Big Creek
(name of source)
tributary St Charles Big Creek 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:

March 30 1894 to Nov 20 c.f.s. or 1500 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 Irrigation period of use from April 1 to Oct 31 (both dates inclusive)

use Water Livestock period of use from Jan 1 to Dec 31 (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 Concrete on
Creek & Earthed 435'; length is 9.4 feet; height is 8' feet;
width at bottom is 28 feet; with at top is 19' 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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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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14	43E	36	No 1/2 of SE 1/4 and SE 1/4 of SE 1/4																120.00
14	44E	31	Lots 4 & 5																91.40
15	43E	1	Lots 3 & 4 and S 1/2 of the NW 1/4																160.17
14	43E	36	E 1/2 of SW 1/4 + SW 1/4 of SE 1/4																120.00
14	44E	31	Possessory Claims Recorded 15 May 1920																320.00
			# 30345 & 20347																

Total number of acres to be irrigated 491.57

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? - Yes If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) Weldon Peterson, Herron Hemmick, Roy Boteman, Ben Boteman, Friday Peterson, Ronald Throck

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

The users of the Big Creek Dam all water at the same time and we need all the water at this point, in order to push the water over our meadows. This is a flooding system and we irrigate by flooding the entire area to a point that it fills our border ditches in the respective fields & by controlling the water with gates in culverts & channels we flood the entire lands belonging to all ranchers concerned. Then release the water after desired lands are covered.

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.

10/13/67
(Date)

[Signature]
(Signature of Claimant)

State of Idaho
County of Bannock } ss.

On this 13 day of October 1967, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Pais, Idaho

My commission expires Oct 10 - 1970

For Department Use Only

Received by <u>ef</u> Date <u>12-1-67</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by: _____ Date _____	_____	_____	_____
Fee received by <u>ef</u> Date <u>12-1-67</u> Fee \$ _____	_____	_____	_____
Approved for publication <u>[Signature]</u> <u>12-26-67</u>	_____	_____	_____
Published in <u>[Signature]</u> Dates <u>1-4/68</u>	_____	_____	_____

IN THE MATTER OF:

J. H. Dunford
CLAIM TO A WATER
RIGHT

AFFIDAVIT

State of Idaho
County of BEAR LAKE

Alma Findlay Jr. of Bloomington, Idaho being first duly sworn,

deposes and says: For as long as I can remember there has been a Dam in the St.

Charles Big Creek just below the county road and known as the Big Creek Dam.

This Dam has Deverted water into channels and ditches to water adjasent

meadow and fields both north and south of the Big Creek Channel.

I also remember hearing my father and other neighbors speak of the Dam being

used by the first settlers in the valley to irrigate their early hay claims and
homesteads.

I have lived in Bear Lake since Dec: 27, 1892. My Father before me and I

both owned lands watered by this Big Creek Dam since the early 1880's.

Alma Findlay Jr.
(signature)

Subscribed and sworn to before me this 17th day of October 1967.

L. Hugh Shepherd
(Notary Public)

Residing at Davis Spahr

My commission expires Oct 10-1970

IN THE MATTER OF:)
J. H. DUNFORD)
CLAIM TO A WATER)
RIGHT)
_____)
State of Idaho)
County of BEAR LAKE)

AFFIDAVIT

Lorenzo H. Hammett of St. Charles, Idaho being first duly sworn,

deposes and says: For as long as I can remember there has been a Dam in the
St. Charles Big Creek just below the county road and known as the Big Creek Dam.
This Dam has diverted water into channels and ditches to water adjacent meadow
and fields both north and south of the Big Creek Channel.

I also remember hearing my father and other neighbors speak of the Dam being
used by the first settlers in the valley to irrigate their early hay claims and
homesteads.

I have personally been connected, and owned lands adjoining St. Charles
Big Creek and lands irrigated from the Big Creek Dam since 1896.

Lorenzo H. Hammett
(signature)

Subscribed and sworn to before me this 19th day of October 1967.

L. Hugh Stephens
(Notary Public)

Residing at Paris Idaho.
My commission expires Oct 10th 1970.

The Paris Post

SERVING SOUTHEAST IDAHO SINCE 1880

PARIS, IDAHO 83261

Thomas E. and Mary A. Preston, Publishers

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
Bear Lake County

ss.

I, Mary A. 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 January 4....., 1968, and ending with the weekly issue dated January 11....., 1968.

Mary A. Preston
Publisher.

SUBSCRIBED and sworn to before me this

31st day of January....., 1968.

L. Hugh Shepherd
Notary Public.

(SEAL)

My commission expires

Oct 10th....., 1970

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4006

Notice is hereby given that J. H. Hulse of Dunford, Bloomington, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 20 cubic feet per second of 1500 acre feet of water from the Big Fork of St. Charles Creek with a point of diversion in the NW 1/4 NW 1/4, Sec. 1, T. 15 S, R. 42 E, B.M., Bear Lake County; the water is claimed to be used for irrigation purposes from April 1 to October 31 and for livestock watering purposes from January 1 to December 31 with a priority of March 30, 1894 for 20 cubic feet per second or 1000 acre feet the place of use is the ENE 1/4 SE 1/4, Sec. 20, T. 14 S, R. 42 E, B.M.; Lots 4 and 5; Sec. 31, T. 14 S, R. 42 E, B.M.; and Lots 2 and 4, S 1/2 NW 1/4, Sec. 1, T. 15 S, R. 42 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 January 4 & 11, 1968.

11-4006

Statement

The Paris Post

IDAHO'S OLDEST NEWSPAPER

PARIS, IDAHO

January 24, 1968

Department of Reclamation
107 State House
 Boise, Idaho 83701

Re: Claim 11-4006 (J. Hulme Burford)

Legal Claim to Water Right - 37 lines
published Jan 4, 11

\$8.51

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.

Mary A. Preston

Your Patronage is Appreciated

11-4006

February 1, 1968

Re: Claim No. 11-4006

J. Hulme Dunford
Bloomington,
Idaho

Dear Mr. Dunford:

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. 11-4006.

Enclosed is your receipt No. 200 in the amount of \$10.00 for the filing fee. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Receipt

11-4006

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 30, 1968

Re: Claim No. 11-4005, 11-4006, 11-4015, 11-4016, 11-4018, and
11-4019

Paris Post
Paris,
Idaho 83661

Gentlemen:

As of this date, we have not received the affidavit or the bill of publication for the above referenced applications for claims. We are enclosing a copy of our transmittal letter. Your prompt attention is appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure

11-4006

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 11-4006

Notice is hereby given that ~~J. Hulme Dumford~~, ~~Bloomington~~, ~~Idaho~~ has filed a claim to a water right established by diversion and application to beneficial use of 20 cubic feet per second or 1500 acre feet of water from the Big Fork of St. Charles Creek with a point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15 S., R. 44 E., B.M., Bear Lake County; the water is claimed to be used for irrigation purposes from April 1 to October 31 and for livestock watering purposes from January 1 to December 31 with a priority of March 30, 1894 for 20 cubic feet per second or 1500 acre feet the place of use is the E $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 14 S., R. 43 E., B.M.; Lots 4 and 5; Sec. 31, T. 14 S., R. 44 E. B.M.; and Lots 3 and 4; S $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 1, 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 January 4 & 11,
1968.

11-4006

December 26, 1967

Re: Claim No. 11-4006

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 this letter)

Signature of claimant

Very truly yours,

Donald W. McBldowney
Water Rights Clerk

DWM:ks

Enclosure: Legal notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4006

Notice is hereby given that J. Hulme Dunford, Bloomington, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 20 cubic feet per second or 1500 acre feet of water from the Big Fork of St. Charles with a point of diversion in the NW¹/₄NW¹/₄, sec. 7, T. 15 S, R. 44 E, B.M., Bear Lake County; the water is claimed to be used for irrigation purposes from April 1 to October 31 and for livestock watering purposes from January 1 to December 31 with a priority of March 30, 1894 for 20 cubic feet per second or 1500 acre feet the place of use is the E¹/₂SW¹/₄, SE¹/₄, sec. 36, T. 14 S, R. 43 E, B.M.; Lots ^H4 and ^S5; sec. 31, T. 14 S, R. 44 E, B.M.; and Lots 3 and 4; S¹/₂NW¹/₄, ^{see} T. 15 S, R. 43 E, B.M.

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

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Paris Post, Paris, Idaho on January 4 and January 11.

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