

Identification No. 11-4014

Claim No. 42180

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 Weldon J. Peterson
post office address ST CHARLES Idaho

2. The point of diversion is in FR SE $\frac{1}{4}$ of 3 $\frac{1}{4}$ Section 1 Township 15 S
Range 13 E B.M. located on North of Big Creek
43 (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: as far as I have found out the
water was used in the 1894's

amount: _____ c.f.s. or _____ acre feet
amount: 30 c.f.s. or 45 acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 30 c.f.s. or 45 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 Apr - 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
with earth fill on ends 400 ft; length is 944 feet; height is 8 ft feet;
width at bottom is 25 ft feet; width at top is 19 ft 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 _____

11-4014

_____; if so, give dates and 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_____

[illegible]

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 _____

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 _____

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.

12-2-67

(Date)

Weldon J. Peterson
(Signature of Claimant)

State of Idaho

County of Benewah ss.

On this 2nd day of December 1967, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

L. Sleigh Shepherd
Notary Public residing at Paris Idaho

My commission expires Oct 10th 1970

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>ef</u>	<u>12-5-67</u>			
Prelim. check by <u>WMP</u>	<u>12-12-67</u>			
Fee received by <u>ef</u>	<u>12-13-67</u>	Fee \$ <u>1</u>		
Approved for publication by _____				
Published in _____	Dates _____			

11-4014

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

Sh.

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 18....., 1968, and ending with the weekly issue dated January 25....., 1968.

Mary A. Preston.....
Publisher.

SUBSCRIBED and sworn to before me this

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

Joseph Chapman.....
Notary Public.

(SEAL)

My commission expires Oct 10th....., 1970

RECEIVED

Department of Reclamation

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4014

Notice is hereby given that Weldon J. Peterson, St. Charles, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 30 cubic feet per second or 45 acre feet of water from the North Fork of St. Charles Creek with point of diversion in the SE¹/₄, Sec. 1; NW¹/₄ NW¹/₄, Sec. 1, T. 15 S, R. 43 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 1884 for 30 c.f.s. or 45 a.f.; the place of use is SE¹/₄ SE¹/₄, 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 18 and January 25, 1968.

OK - correct
above -
25

11-4014

The Paris Post

IDAHO'S OLDEST NEWSPAPER

PARIS, IDAHO

January 29, 1968

Department of Reclamation
107 State House
 Boise, Idaho 83701

Re. Claim 11-4014 (Hilder Peterson)

Legit. Claim to State Right - 32 lines published Jan 18, 25 \$ 2.36

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

February 1, 1968

Re: Claim No. 11-4014

Weldon J. Peterson
St. Charles,
Idaho

Dear Mr. Peterson:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim has been filed under Claim No. 11-4014.

Enclosed is your receipt No. 232 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. McElowney
Water Rights Clerk

DWM:ks

Enclosure: Receipt

11-4014

RECEIVED

JAN 16 1968

Department

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 11-4014**

Notice is hereby given that Weldon J. Peterson, St. Charles, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 30 cubic feet per second or 45 acre feet of water from the North Fork of St. Charles Creek with point of diversion in the SE $\frac{1}{4}$, Sec. 1; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7, T. 15 S, R. 43 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 1894 for 30 c.f.s. or 42 a.f.; the place of use is SE $\frac{1}{4}$ SE $\frac{1}{4}$, 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 18 and
January 25, 1968.

□

11-4014

January 9, 1968

Re: Claim No. 11-4014

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 as 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

Enclosure: legal notice

Form 3

11-4014

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~11-4014~~

Notice is hereby given that Weldon J. Peterson, St. Charles, Idaho

has filed a claim to a water right established
30 cubic feet per second or 45
by diversion and application to beneficial use of ///////// (cubic feet per second) //
acre feet
(666/666) of water from the North Fork of St. Charles Creek point of diversion
in the SE¹, sec. 1; NW¹ sec. 7, T. 15 S, R. 43 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
1894 for 30 c.f.s or 45 a.f.; the place of use is SE¹ 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 18 and January 25.

11-4014

January 4, 1967

Re: Claim No. 11-4014

Weldon J. Peterson
St. Charles,
Idaho 83272

Dear Mr. Peterson:

We have received your claim to a water right. However, before we can continue processing your claim, we must have some additional information.

Enclosed is a copy of the claim which you have submitted. You will note under Item 5a that you are required to supply the land list by public land survey legal description of the lands irrigated under your claim. Please insert the legal description and return the copy promptly.

Very truly yours,

Donald W. McElldowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of Claim

11-4014

