

Identification No. 11-4019  
Claim No. 42216  
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 Ben Bateman  
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 44E B.M. located on St. Charles Big Creek  
(name of source)  
tributary to 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 amount: 30 c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
refer to remarks Total claimed 3000 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 March 30 period of use from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
use Irrigation period of use from March 30 to Oct. 1 (both dates inclusive)  
use Water Limited period of use from Jan 1 to Dec 31 (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 Castles, Rock  
and Concrete Dam; length is 435 feet; height is 9.4 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 \_\_\_\_\_  
\_\_\_\_\_

11-4019



# 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 11, 1968, and ending with the weekly issue dated January 18, 1968.

Mary A. Preston  
Publisher.

SUBSCRIBED and sworn to before me this

31 day of January, 1968.

L. Hugh Shepherd

(SEAL)

Notary Public.

My commission expires Oct 10, 1970.

### NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4019

Notice is hereby given that Ben Bateman, Bloomington, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3,000 cubic feet per second of water from the Big Fork of St. Charles Creek with point of diversion in NW $\frac{1}{4}$ -NW $\frac{1}{4}$ , Sec. 7, T. 15S, R. 44E, B.M., Bear Lake County; the water is claimed to be used for irrigation from March 30 to October 1 and for livestock water purposes from January 1 to December 31 with a priority of March 30, 1894 for 3,000 cubic feet per second; the place of use is S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 31, T. 14S, R. 44E, 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 11  
and January 18, 1968.

11-4019

Statement

# The Paris Post

IDAHO'S OLDEST NEWSPAPER

PARIS, IDAHO

January 29, 1968

Department of Reclamation  
107 State Street  
Boise, Idaho 83701

Re: Circum 11-4019 (Gen. Reclamation)

Legal-Claim to Water Right 3144  
published Jan. 11, 1968

\$7.13

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

11-4019

February 1, 1968

Re: Claim No. 11-4019

Ben Bateman  
Bloomington,  
Idaho

Dear Mr. Bateman:

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. 11-4019.

Enclosed is your receipt No. 313 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

11-4019

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 83651

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

11-4019

**NOTICE OF CLAIM TO A  
WATER RIGHT**

No. 11-4019

Notice is hereby given that  
Ben Bateman, Bloomington,  
Idaho has filed a claim to a  
water right established by div-  
ersion and application to bene-  
ficial use of 20 cubic feet per  
second of water from the Big  
Fork of St. Charles Creek with  
point of diversion in NW $\frac{1}{4}$ -  
NW $\frac{1}{4}$ , Sec. 1, T. 13 S, R. 44 E,  
B.M., Bear Lake County; the  
water is claimed to be used for  
irrigation from March 30 to  
October 1 and for livestock wat-  
er purposes from January 1 to  
December 31 with a priority of  
March 30, 1894 for 20 cubic feet  
per second; the place of use is  
S $\frac{1}{2}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 31,  
T. 14 S, R. 44 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 11  
and January 18, 1968.

CHG 30  
70  
3,000

Thonel 1-10-68  
Davis  
945-2163

11-4019

January 4, 1968

Re: Claim No. 11-4019

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

Enclosure: legal notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4019

Notice is hereby given that Ben Bateman, Bloomington, Idaho  
has filed a claim to a water right established  
by diversion and application to beneficial use of 30 (cubic feet per second)  
(~~acre/feet~~) of water from the Big Fork of St. Charles Cr. with point of diversion  
in N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, sec. 7, T. 15 S, R. 44 E, B.M., Bear Lake County;  
the water is claimed to be used for irrigation from March 30 to October 1 and for  
livestock water  
purposes from January 1 to December 31 with a priority of  
March 30, 1894 for 30 cubic feet per second  
; the place of use is S<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, sec. 31, T. 14 S,  
R. 44 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

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Idaho, on January 11 and January 18.

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