

State of Idaho
Dept. of Reclamation, Department of Reclamation

RECEIVED

MAR 23 1909

Dear Gentlemen

We would like to refer you to
Claim no. 11-4021.

The South Liberty Irrigation & Mfg. Co
met with other companies who ~~are~~
have interests in Mill Creek
we decided on the following
Division.

South Liberty Irrigation Co. 28 C.F.S.
Canyon North Canal 20 C.F.S.

Hill Side Canal Co. 8 C.F.S.
Liberty Town Irrig. Co. 8 C.F.S.

We would you change the C.F.S. on our
Claim no. 11-4021 to 28 C.F.S.

Please let me know if the other
Companies withdraw their protests.

South Liberty Irrigation Co
Mitchell Beck Secy.
Ovid Idaho

11-4021

Identification No. 11-4021
Claim No. 42689
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 South Liberty Irrigation and Manufacturing Company
post office address Ovid, Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 31 Township 12 South
Range 43 East B.M. located on Mill Creek (name of source)
tributary to Ovid Creek then Bear River 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:
④ 1885 amount: 26.68 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 26.68 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 Dec. 31 (both dates inclusive)
use _____ 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 _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is 8 feet; width at top is 9 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 _____
_____ ;

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 6 miles feet; width of ditch at top is 9 feet; width of bottom of ditch is 8 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 fender 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.	NW 1/4			NW 1/4			SW 1/4			SE 1/4			Totals
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
13 S	43 E	8										15		15	30
		9						10	35	20					65
		15		10		15	38	30	40	40	40	5	25	40	353
		16	8	30	40	40	40	38	38	38	40	40	40	40	590
		17	15	5	10							22		30	82
		20	15		5										20
		21	39	38	40	38	40	40	40	40	35	4	30	39	563
		22	40	40	40	40	40	40	40	40	38	38	38	40	635
		23				5	30	40	20	25	36	25			217
		26				30	36	36	20	25	30				177
		27	38	38	18	38	25	35	8			10			210
		28	20		8										28
															2970
TOTAL NUMBER OF ACRES TO BE IRRIGATED:															

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

interests in the _____ (if known) Sharon Canal 5/16, Liberty town 2/16,
Ovid Ditch 2/16

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 Not used
name of town supplied None

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.

(Date) June 26, 1968

State of Idaho

County of Bear Lake ss.

Sharon
(Signature of Claimant)
President of the South Liberty Irrigation
and Manufacturing Company

On this 26th day of June 19 68, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires March 19, 1969

Notary Public residing at Preston, Idaho

Received by ef Date 7-1-68 For Department Use Only

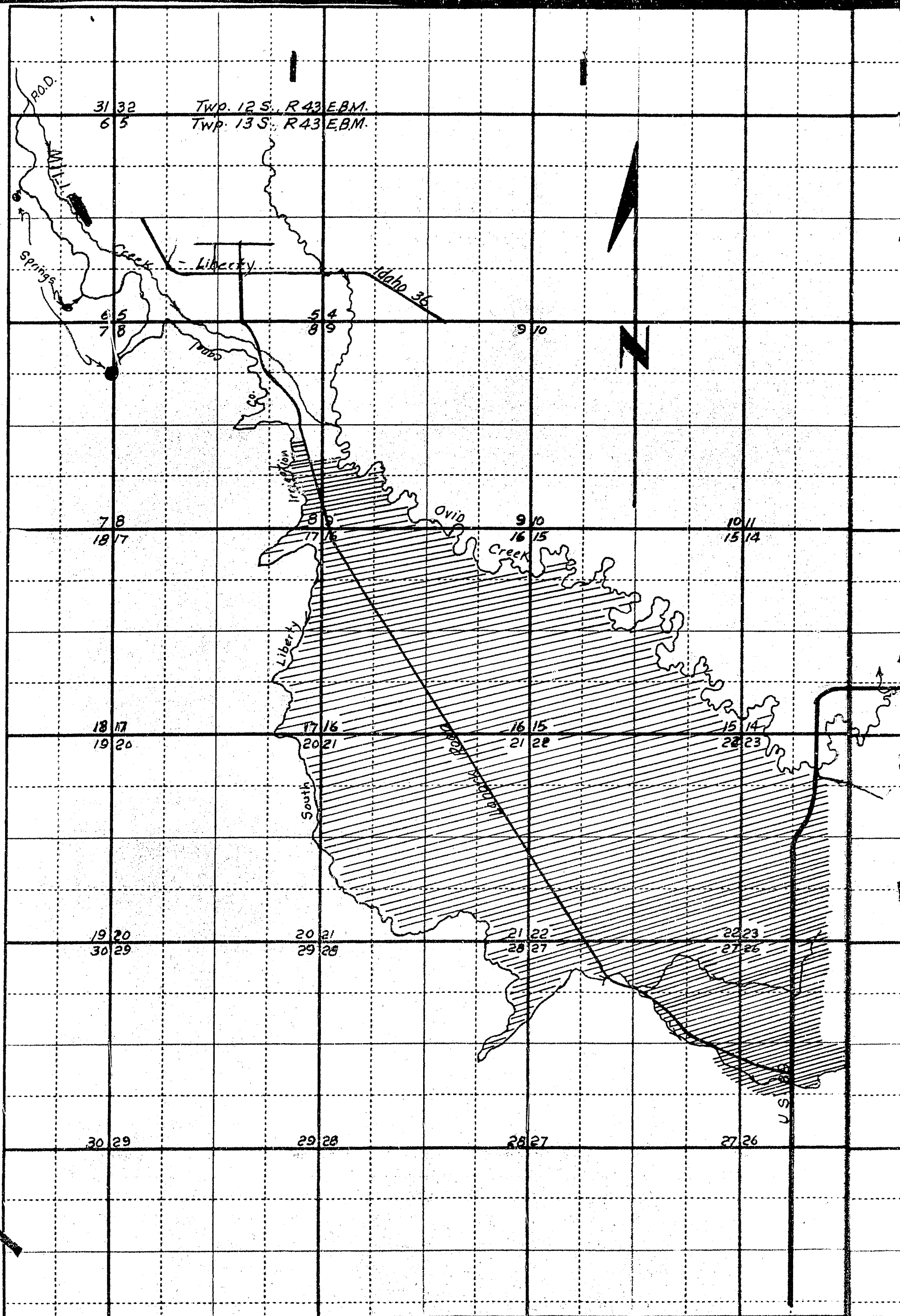
Prelim. check by ef Date 7-1-68

Fee received by ef Date 7-25-68 Fee \$ 100

Approved for publication by ef Date 8-1-68

Published in Idaho State Post Date 8/1/68

11-10-21



SCALE: 2 Inches Equal 1 Milo. Draw Plan In Ink.

SCALE:

11-4081

RECEIVED

AUG 26 1968

Department of Reclamation

Liberty Town Irrigation Co.
Liberty, Idaho

State Reclamation Engineer
R. Keith Higginson

Dear Sir:

In reply to notice of claim to a water right No. 11-4021, we the stockholders of Liberty town Irrigation Co. wish to protest the requested amount of water by the South Liberty Irrigation and manufacturing Co. We have always received the amount of $2\frac{1}{16}$ shares. we must have at least this amount for proper irrigation of the acreage involved. If any portion of the appropriated shares are taken elsewhere, our irrigated lands would soon be dry and unproductive.

11-4021

We feel that the appropriated portions that were originally established in 1885 are fair and in the best interest of all concerned. We therefore strongly protest the proposed water amount requested by the said water co.

Liberty Town Irrigation Co.
Stanley Hoagess,
Water Master

SM/PAM

11-4021

RM

Id, Idaho
Aug. 19, 1968

... would like to protest the
... aring Co. of 26.68 cubic feet
... ly entitled to 7/16 of the entire
... of July 1968 there was only 15 second
... easured by Lee Bunderson of Utah Power

and

Plt

needs to be taken to stop this filing.

Sincerely,

Albert Miller

Pres. Mill Canyon North Canal Co.

11-4021

11-4021
RMS

RECEIVED

AUG 19 1968

Ovid, Idaho
Aug. 19, 1968

Mr. R. Keith Higginson
State Reclamation Engineer
Department of Reclamation

Dear Sir,

As president of the Mill Canyon North Canal Co. I would like to protest the filing of the South Liberty Irrigation and Manufacturing Co. of 26.68 cubic feet per second of water from Mill Creek. They are only entitled to 7/16 of the entire creek. When the water was measured the last of July 1968 there was only 15 second feet in the entire creek. The water was measured by Lee Bunderson of Utah Power and Light Co. P

Please advise if further steps needs to be taken to stop this filing.

Sincerely,

Albert Miller

Pres. Mill Canyon North Canal Co.

11-4021

R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER
BOISE IDAHO

AUGUST 19 1968

RECEIVED

AUG 21 1968

Department of Reclamation

DEAR MR. HIGGINSON:

WE THE LIBERTY HILLSIDE CANAL CO. PROTEST THE
NOTICE OF CLAIM TO A WATER RIGHT NO. 11-4021 AS ADVERTISED
IN THE PARIS POST GIVEN BY THE SOUTH LIBERTY IRRIGATION
AND MANUFACTURING COMPANY. THE WATER FROM MILL CREEK
HAS BEEN DIVIDED IN 16ths FOR YEARS. SOUTH LIBERTY
IRRIGATION AND MANUFACTURING COMPANY HAS BEEN USING 7/16.
WE HAVE BEEN USING 2/16 AND OTHER COMPANIES HAS BEEN
USING THE REST. I AM SURE THERE WILL NOT BE ENOUGH WATER
IF THE SOUTH LIBERTY IRRIGATION AND MANUFACTURING COMPANY
IS GOING TO TAKE 26.68 CUBIC FEET PER SECOND AS WAS STATED.

SINCERELY

LIBERTY HILLSIDE CANAL COMPANY

Marvin Hyman

MARVIN HYMAS PRESIDENT

11-4021

Route 1, Box 38
Ovid, Idaho
August 24, 1968

RECEIVED
AUG 25 1968
Department of Reclamation

R. Keith Higginson
State Reclamation Engineer
Boise, Idaho

Gentlemen:

In regard to the Notices of Claim to a Water Right, No. 11-4021, printed in The Paris Post August 8 and 15, 1968, I wish to file an exception.

As a stockholder in the Liberty Hillside Canal Co., I protest this claim because:

- (1) According to the Water Master, Albert Miller, the claim for 26.68 cubic feet per second of water from Mill Creek by the South Irrigation & Mfg. Co., Ovid, Idaho, is ridiculous because after the flush water is gone in early spring there isn't this much water in the whole of Mill Creek.
- (2) Mill Creek is the source of water for four major irrigation companies; Sharon Canal Co., Liberty Hillside Canal Co., South Liberty Irrigation and Mfg. Co. Ovid, Idaho, and Liberty Town Ditch.
- (3) The present system of dividing the water has been in effect over 50 years to my personal knowledge, and old settlers and stockholders in the ditch companies say it has been much longer than this.
- (4) If this claim should be granted, it would mean literally that all stockholders in three of the above mentioned canal or ditch companies would be deprived of irrigation water after the flush water is gone in the spring. This would affect approximately fifty families.
- (5) I personally have been a stockholder in the Liberty Hillside Canal Company for thirty-nine years under the present system of dividing the water and I feel that legally and morally this is right and it should continue to be so divided. If this claim No. 11-4021 should be granted it would mean that neither I or the other farmers except those irrigations from the South Liberty Irrigation and Mfg. Co. could any longer operate our farms to an advantage.

Help us maintain the water right we now have by refusing to grant the claim No. 11-4021.

Sincerely

Harold N. Pugmire
Harold N. Pugmire
Stockholder and Secretary
Liberty Hillside Canal Co.

RECEIVED

AUG 19 1968

Department of Reclamation

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 August 8, 1968, and ending with the weekly issue dated August 15, 1968.

Mary A. Preston
Publisher.

SUBSCRIBED and sworn to before me this

17th day of August, 1968.

L. Hugh Shepherd
Notary Public.

(SEAL)

My commission expires Oct 10th, 1970.

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4821

Notice is hereby given that the South Liberty Irrigation and Manufacturing Company, Ovid, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 26.68 cubic feet per second of water from Mill Creek, tributary of Ovid Creek then the Bear River with point of diversion in SW 1/4 SE 1/4, Sec. 31, T. 12 S., R. 43 E., B.M., Bear Lake County; the water is claimed to be used from April 1 to December 31 for irrigation with a priority of 1885; the place of use is parts of Sec. 8, 9, 15, 16, 17, 20, 21, 22, 23, 26, 27, and 28, T. 12 S., R. 43 E., B.M., totalling 2,970 acres.

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, August 8 and 15, 1968.

11-4021

RECEIVED

AUG 19 1968

Department of Reclamation

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 August 8, 1968, and ending with the weekly issue dated August 15, 1968.

Mary A. Preston
Publisher.

SUBSCRIBED and sworn to before me this

17th day of August, 1968.

L. Hugh Shipman

(SEAL)

Notary Public.

My commission expires

Oct 10th, 1970

NOTICE OF CLAIM TO A WATER RIGHT No. 11-4021

Notice is hereby given that the South Liberty Irrigation and Manufacturing Company, Ovid, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 26.68 cubic feet per second of water from Mill Creek, tributary of Ovid Creek then the Bear River with point of diversion in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 12 S, R. 43 E, B.M., Bear Lake County; the water is claimed to be used from April 1 to December 31 for irrigation with a priority of 1885; the place of use is parts of Sec. 8, 9, 15, 16, 17, 20, 21, 22, 23, 26, 27, and 28, T. 13 S, R. 43 E, B.M., totalling 2,970 acres.

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, August 8 and 15, 1968.

11-4021

June 16, 1969

Mitchell Beck, Secretary
South Liberty Irrigation Co.
Ovid, Idaho 83260

RE: 11-4021

Enclosed find a copy of a letter of withdrawal
as recorded on record in Claim to Water Right #11-4021.

Be informed as per your request of May 28, 1969
that 11-4021 is not contended by anyone and is recorded
upon our records pending ~~no~~ further action.

Yours truly,

D. R. Reynolds

DRR/mh

Enclosure

C
O
P
Y

11-4021

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 22, 1969

Re: Claim to water right No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Liberty, Idaho

Dear Mr. Morgan:

We have received the affidavit submitted in connection with the above referenced claim to a water right. We shall file this affidavit with the exception which was filed by your company. The Department is not, however, authorized by law to take any action on this matter.

Very truly yours,

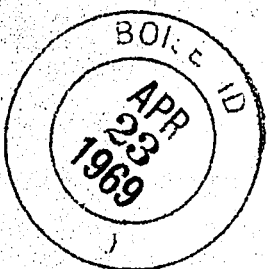
A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:TG

11-4021

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707



Mr. Stanley Morgan, Watermaster

Liberty Town Irrigation Company

~~Liberty, Idaho~~

No Such Post Office
in State Named

Ovid Idaho

214

Dept. of Reclamation
Boise Idaho

RECEIVED

MAY 28 1969

Department of Reclamation

Mr. R. Keith Hugginson

Re: Claim No 11-4021

Dear Sir In regards to a letter
I sent to on March 29, 1969

I ask you to let me know if those
Parties who protested our filing of
Water on Mill Creek for the South Liberty
Irrigation Co, If they didnt with
draw we will have to protest
there filling of Water Right No 11-4024
Please let me know by return
mail

Mitchell Beck Secy,
of the South Liberty Irrigation

Ovid Idaho

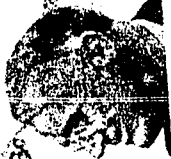
11-4021

Mitchell Beck

OVID, IDAHO

State of Idaho
Dept. of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

FRANKLIN D. ROOSEVELT
U.S. POSTAGE



OVID, IDAHO
MAY 27 1969
P.M. 83260

11-4021

April 22, 1969

Re: Claim to water right No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Liberty, Idaho

Dear Mr. Morgan:

We have received the affidavit submitted in connection with the above referenced claim to a water right. We shall file this affidavit with the exception which was filed by your company. The Department is not, however, authorized by law to take any action on this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TC

11-4021

April 22, 1969

Re: Claim to Water Right No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Marvin Hymas, President
Liberty Hillside Canal Company
Ovid, Idaho

Dear Mr. Hymas:

We have received the affidavit submitted in connection with the above referenced claim to a water right. We shall file this affidavit with the exception which was filed by your company. The Department is not, however, authorized by law to take any action on this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

11-4021

April 22, 1969

Re: Claim to Water Right No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Albert Miller, President
Mill Canyon North Canal Company
Ovid, Idaho

Dear Mr. Miller:

We have received the affidavit submitted in connection with the above referenced claim to a water right. We shall file this affidavit with the exception which was filed by your company. The Department is not, however, authorized by law to take any action on this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM: TG

11-4021

April 22, 1969

Re: Claim to Water Right No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Harold N. Pugmire
Stockholder and Secretary
Liberty Hillside Canal Company
Route 1, Box 38,
Ovid, Idaho

Dear Mr. Pugmire:

We have received the affidavit submitted in connection with the above referenced claim to a water right. We shall file this affidavit with the exception which was filed by your company. The Department is not, however, authorized by law to take any action on the matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TC

11-4021

April 10, 1969

Re: Claim No. 11-4021

Mr. Mitchell Beck, Secretary
South Liberty Irrigation Co.
Ovid, Idaho

Dear Mr. Beck:

Please be advised that we have filed your letter of March 29, 1969 with the claim to a water right referenced above. This will be the only action to be taken by the Department of Reclamation in connection with the additional information you have submitted.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

11-4021

December 20, 1968

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Dell W. Smith
Attorney at Law
Preston, Idaho 83263

Dear Mr. Smith:

We have received your letter of October 29, 1968 concerning the above referenced claim to a water right. Under the provisions of Section 42-225a of the Idaho Code, a person may file a claim to a water 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, but serves for information purposes only. It may, however, become the bases for future adjudication of a water right by the court.

Therefore, the claim, under the existing statutes, has no means by which to perfect it to any type of a water right. The only means known to this department would be to use the information in the claim and go directly to the district court in an effort to quiet title to the water right.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

11-4021

RECEIVED

OCT 30 1968

Law
Office
Dell W. Smith
Preston
Idaho
83263

Department of Reclamation

October 29, 1968

State of Idaho
Dept. of Reclamation
State House Annex 2
Boise, Idaho 83707

Re: Claim #11-4021

Gentlemen:

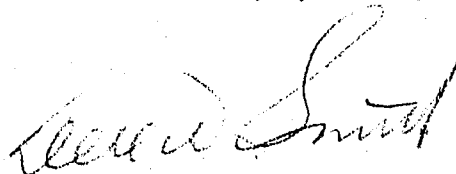
Mr. David G. Parker of the South Liberty Irrigation and Manufacturing Company of Ovid, Idaho has contacted this office concerning the above claim and your letter dated October 22, 1968.

I have read the four objections filed in your office. I cannot see where any of these objections affect the filing by the above irrigation company.

They will admit and I think the application shows that the Hillside Irrigation Company, Ovid, Idaho has 2/16 of the water of Mill Creek; that Liberty Town Irrigation Company has 2/16; that the Sharon Canal Company has 5/16; and that the applicant above, the South Liberty Irrigation and Manufacturing Company has 7/16 of the said water.

Since the protests do not affect the application and your department has not set the matter down for hearing, this office would like to know what action should be taken by the applicant to perfect the application.

Very truly yours,



Dell W. Smith
Attorney at Law

DWS/sm

11-4021

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83767

October 18, 1968

RECEIVED

OCT 23 1968

Department of Reclamation

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Liberty, Idaho

Dear Mr. Morgan:

We are in receipt of your letter of August 24, 1968 concerning the above referenced claim to a water right filed by the South Liberty Irrigation and Manufacturing Company.

Please be advised that the Department of Reclamation is forwarding a copy of your exception to the claimant as directed under Section 42-225 of the Idaho Code. The original exception will be filed in folder No. 11-4021.

Under the provisions of the Idaho Code, no further action in connection with your exception is contemplated under the Code.

Please contact us if we may be of further assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

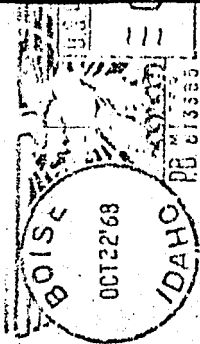
Donald W. McEldowney
Appropriation Examiner

DWM:ks

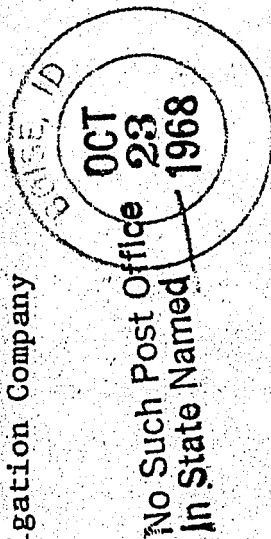
cc: Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Route #1, Box 49
Ovid, Idaho 83260

11-4021

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707



Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Liberty, Idaho



No Such Post Office
In State Named

October 22, 1968

Re: Claim No. 11-4021

South Liberty Irrigation and Manufacturing Company
Ovid,
Idaho

Gentlemen:

Please be advised that the Department has processed the above referenced claim which you submitted to our department on July 1, 1968. The information in the claim may be found under Claim No. 11-4021. Please refer to this number when adding or changing the information in your claim.

The claim has been filed in the records of the Department of Reclamation along with the exceptions which have been received in opposition to the claim. Please bear in mind that the Department of Reclamation is not authorized to take any further action at this time.

Enclosed is receipt No. W-344 in the amount of \$10.00 for the filing fee. Please contact this department if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DW:ks
enclosure: Receipt No. W-344

11-4021

October 21, 1968

Re: Claim No. 11-4021

South Liberty Irrigation and
Manufacturing Company
Ovid,
Idaho

Gentlemen:

Please be advised that the Department of Reclamation has received several objections to the above referenced claim. The objections were filed by the Libery Hillside Canal Company, Harold N. Pugmire, Secretary and Stockholder; Liberty Town Irrigation Company, Stanley Morgan, Water Master; Canyon North Canal Company, Albert Miller, President; and Liberty Hillside Canal Company, Marvin Hymas, President.

Pursuant to Section 42-225 A of the Idaho Code, the Department of Reclamation will file the original exceptions in your claim folder, and will forward the required copies of the exceptions of your attention. You should be further advised that under this section of the Idaho Code, no further action is contemplated by the Department.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Copies of exceptions

11-4021

October 18, 1968

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Albert Miller, President
Mill Canyon North Canal Company
Ovid, Idaho

Dear Mr. Miller:

We are in receipt of your letter of August 19, 1968. Please be advised that pursuant to the provisions of Section 42-225 A of the Idaho Code, a copy of your letter of exceptions is being forwarded to the claimant, South Liberty Irrigation and Manufacturing Company. The original exception letter will be filed in the claim folder. Under the existing statutes, no further action is contemplated by the Department of Reclamation in connection with the exception you have filed.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

11-4021

October 17, 1968

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Marvin Hymas, President
Liberty Hillside Canal Company
Ovid, Idaho

Dear Mr. Hymas:

We are in receipt of your letter of August 19, 1968. Please be advised that under the provisions of Section 42-225 A of the Idaho Code, the Department of Reclamation will file your letter of August 19, 1968 in the form of an exception to the claim to a water right No. 11-4021.

Under this provision, the Department of Reclamation will also forward a copy of your letter of exception to the claimant. You should be further advised that under the provisions of Section 42-225 A of the Idaho Code, no further action may be contemplated by the Department at this time.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

11-4021

October 18, 1968

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Liberty, Idaho

Dear Mr. Morgan:

We are in receipt of your letter of August 24, 1968 concerning the above referenced claim to a water right filed by the South Liberty Irrigation and Manufacturing Company.

Please be advised that the Department of Reclamation is forwarding a copy of your exception to the claimant as directed under Section 42-225 of the Idaho Code. The original exception will be filed in folder No. 11-4021.

Under the provisions of the Idaho Code, no further action in connection with your exception is contemplated under the Code.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

cc: Mr. Stanley Morgan, Watermaster
Liberty Town Irrigation Company
Route #1, Box 59
Ovid, Idaho 83260

11-4021

October 17, 1968

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Mr. Harold N. Pugmire
Stockholder and Secretary
Liberty Hillside Canal Company
Route #1, Box 38
Ovid, Idaho

Dear Mr. Pugmire:

We are in receipt of your letter dated August 24, 1968 concerning Claim No. 11-4021 filed by the South Liberty Irrigation and Manufacturing Company.

Please be advised that under Section 42-225 of the Idaho Code, we will file your exception as a matter of record and forward a copy directly to the claimant under 42-225 A of the Idaho Code.

No further action in connection with your exception is contemplated under the existing statutes.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

11-4021

August 23, 1968

Re: Claim No. 11-4021
South Liberty Irrigation and Manufacturing Company

Paris Post
Paris,
Idaho

Gentlemen:

Returned herewith is the bill of publication for the above referenced claim. Please certify the bill per our enclosed instructions and return to the Department of Reclamation for payment.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Bill of publication

11-4021

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4021

Notice is hereby given that the ~~South Liberty Irrigation and Manufacturing Company, Ovid, Idaho~~, has filed a claim to a water right established by diversion and application to beneficial use of ~~25.35~~ cubic feet per second of water from ~~Mill Creek~~, tributary of ~~Ovid Creek~~ when the ~~Bear River~~ with point of diversion in ~~SW 1/4 SE 1/4, Sec. 31, T. 12 S, R. 43 E, B.M., Bear Lake County~~; the water is claimed to be used from ~~April 1 to December 31~~ for irrigation with a priority of ~~1885~~; the place of use is parts of ~~Sec. 8, 9, 15, 16, 17, 20, 21, 22, 23, 26, 27, and 28, T. 13 S, R. 43 E, B.M., totaling 2,970 acres.~~

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, August 8 and 15,~~
1968,

August 1, 1968

Re: Claim No 11-4021

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 here)
Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4021

Notice is hereby given that the South Liberty Irrigation and Manufacturing Company, Ovid, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 26.68 cubic feet per second ~~acre/feet~~ of water from Mill Creek, tributary of Ovid Creek then the Bear River with point of diversion in SW1/4 sec. 31, T. 12 S. R. 43 E. B.M., Bear Lake County; the water is claimed to be used from April 1 to December 31 for irrigation with a priority of 1885; the place of use is parts of sec. 8, 9, 15, 16, 17, 20, 21, 22, 23, 26, 27, and 28, T. 13 S. R. 43 E. B.M. totalling 2,970 acres.

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 August 8 and August 15.

11-4021

July 17, 1968

South Liberty Irrigation and Manufacturing Company
Ovid,
Idaho

Gentlemen:

The department has received your claim to a water right; however we are unable to begin processing. We are returning your check in the amount of \$100.00/. Please be advised that there is only a \$10.00 fee required to file a claim. We will begin processing your claim when we receive the correct fee.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Check for \$500.00

11-4021

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 17, 1968

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED

Department of Reclamation

South Liberty Irrigation and Manufacturing Company
Ovid,
Idaho

Gentlemen:

The department has received your claim to a water right; however we are unable to begin processing. We are returning your check in the amount of \$100.00. Please be advised that there is only a \$10.00 fee required to file a claim. We will begin processing your claim when we receive the correct fee.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Check for \$100.00

Check Enclosed for \$10.00

*South Liberty Irrig + mfg Co
By Mitchell Beck Secy.*

11-4024

