

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
240 S. HOLMES
IDAHO FALLS, IDAHO 83401

Identification No. 11 4031

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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 Marshall Bateman
post office address R # 1, Montpelier Idaho

2. The point of diversion is in Fr. NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 10 Township 13 S
Range 44 E B.M. located on Ground water (name of source) g

tributary to underground 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 1934 amount: 1.11 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 1.11 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 culinary period of use from year to Round (both dates inclusive)
use Irrigation period of use from May 1st to November 1st (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 _____ 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 Pumped ; depth of well is 42 feet; diameter of well is 6 inches; type of pump is Wyers
capacity of pump is 500 g.p.m.; name and address of well driller is Drilled own well
71 10012

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has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known 1

b. Do you get water through a ditch owned by several users? yes If yes, give the name of the ditch Montpelier Irrigation Co. 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 1
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 this well in Aug 20th 1972 when I saw 27 ft it has been used for culinary water the year round since March 1934 -- and irrigation on land from May 1st to November 1st

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho

County of _____

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Marshall Bateman

Claimant

Sworn to before me this 3

day of March

19 72

Marceline J. Hopper

Notary Public

Residing at Montpelier, Ida

My commission expires 11/27/72

For Department Use Only

Received by Bj Date 3/6/72

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by NCY Date 3/6/72

Fee received by Bj Date 3/6/72 Fee \$10.00 # 1262

Approved for publication by NCY

Published in News-Examiner Dates 3-16, 23-72

11 4031

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

APR 10 1972

Department of Water Administration
Eastern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is
Publisher and Foreman of the News-
Examiner; that the said News-Examiner is a
weekly newspaper published at Montpelier,
County of Bear Lake, State of Idaho, of
general circulation in said County and State.

That the notice attached was published in
the said News-Examiner, and not in a
supplement, for two
successive weeks, commencing with the issue
dated March 16, 1972
and ending with the issue

dated March 23, 1972

W. Jerome Taylor
Publisher and Foreman

Subscribed and sworn to before me this 5th day of April, 1972

John Buzgon
Notary Public.

NOTICE OF CLAIM TO A WATER RIGHT NO. 11-4031

Notice is hereby given that Marshall Bateman, Route No. 1, Montpelier, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.11 cubic feet per second of water from a ground-water source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 13S, R. 44E, B. M., Bear Lake County.

The water is claimed to be used from January 1 to December 31 for domestic purposes for one family and from May 1 to November 1 for the irrigation of 1 acre with a priority of March, 1934.

The place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 13S, R. 44E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The News-Examiner, Montpelier, Idaho on March 16 and March 23, 1972.

(m-16/21)

11 4031

February 28, 1972

Mr. Marshall Bateman
Star Route #1
Montpelier, ID 83254

Dear Mr. Bateman:

We are returning you Claim to a Water Right and accompanying check #92-286, because there are several items that need clarification before we can begin processing.

1. The point of diversion listed in Item 2 must be shown to the nearest 40-acre subdivision. In your previous letter, it appears that the point of diversion is either in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ or the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10.
2. The priority date in Item 3a should be listed to the nearest month. Also, the units of measurement should be in c.f.s.; 500 g.p.m. is 1.11 c.f.s.
3. Item 5a should be used to indicate the place of use, even though the water is not used for irrigation.

Enclosed is a blank application form for your use in making these corrections. Please return the completed form along with your check to us for processing.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:bj

Enc: Claim
Check #92-286

11 4031

March 6, 1972

Re: Claim No. 11-4031 - Marshall Bateman

Mr. Marshall Bateman
Rt. #1
Montpelier, ID 83254

Dear Mr. Bateman:

Attached herewith is departmental receipt No. 7262 in the amount of \$10.00 for your Claim to a Water Right No. 11-4031 which was received in this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BJ

Attachment

11 4031

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4031

Notice is hereby given that Marshall Bateman, Rt. #1, Montpelier, Idaho

has filed a claim to a water right established by diversion and application to
beneficial use of 1.11 cubic feet per second ~~acre feet per annum~~
of water from a ground-water source
with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 13S, R. 44E, B.M., Bear Lake
County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes
for one family and from May 1 to Nov. 1 for the irrigation of 1 acre
with a priority of March, 1934.

The place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 13S, R. 44E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the The News-Examiner, Montpelier, Idaho
on March 16 and 23, 1972.

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THE NEWS+EXAMINER

MONTPELIER, IDAHO

Advertising & Commercial Printers

Statement: Account of ~~Department of Water Administration~~

No. 11-4031 - Marshall Bateman

Date

April, 1972

March
16

32 Line Notice of Claim
published 2 issues

\$12.48

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 the same has been paid.

Ruth Taylor

11 4031

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

240 So. Holmes
Idaho Falls, Idaho 83401
(208) 523-7186



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 7, 1972

Re: Claim No. 11-4031 - Marshall Bateman

The News-Examiner
P.O. Box 278
Montpelier, ID 83254

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 our 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 cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department 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 the same has been paid."

(signature of claimant)

Very truly yours,

Norman C. Young
District Engineer

NCY:BJ
Enc: Legal notice

Bill submitted 4-11-72. R

11 4031

April 17, 1972

Re: Claim to a Water Right No. 11-4031

Marshall Bateman
Route 1
Montpelier, Idaho 83254

Dear Mr. Bateman:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:bb
Enclosure: Copy of Claim

cc: Department of Water Administration
Idaho Falls, Idaho

11 4031

