

Claim No. 11 4039

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Lynn G. Beus (name of claimant)
of Soda Springs, Idaho (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to Slug Creek tributary of Blackfoot River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Wood Canyon Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>1.60</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>June 1</u>	To	<u>Sept. 30</u>
Amount	<u>0.05</u>	Use	<u>Stockwater</u>	Period of Use: From	<u>May 1</u>	To	<u>Oct. 31</u>
Amount		Use		Period of Use: From		To	
	(cfs, gpm, etc.)		(dom., irri., stock, etc.)				(both dates inclusive)

- (3) Total quantity of water claimed: 1.60 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) June 1, 1921

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 35 Twp. 8S Rge. 42E B. M. County of Caribou
Additional points of diversion: None

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Earth dam 100 ft. long by 6 ft. high and ditches to place of use.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	42E	35											35			30			65
9S	42E	2		32				30											62

Total No. of acres 127

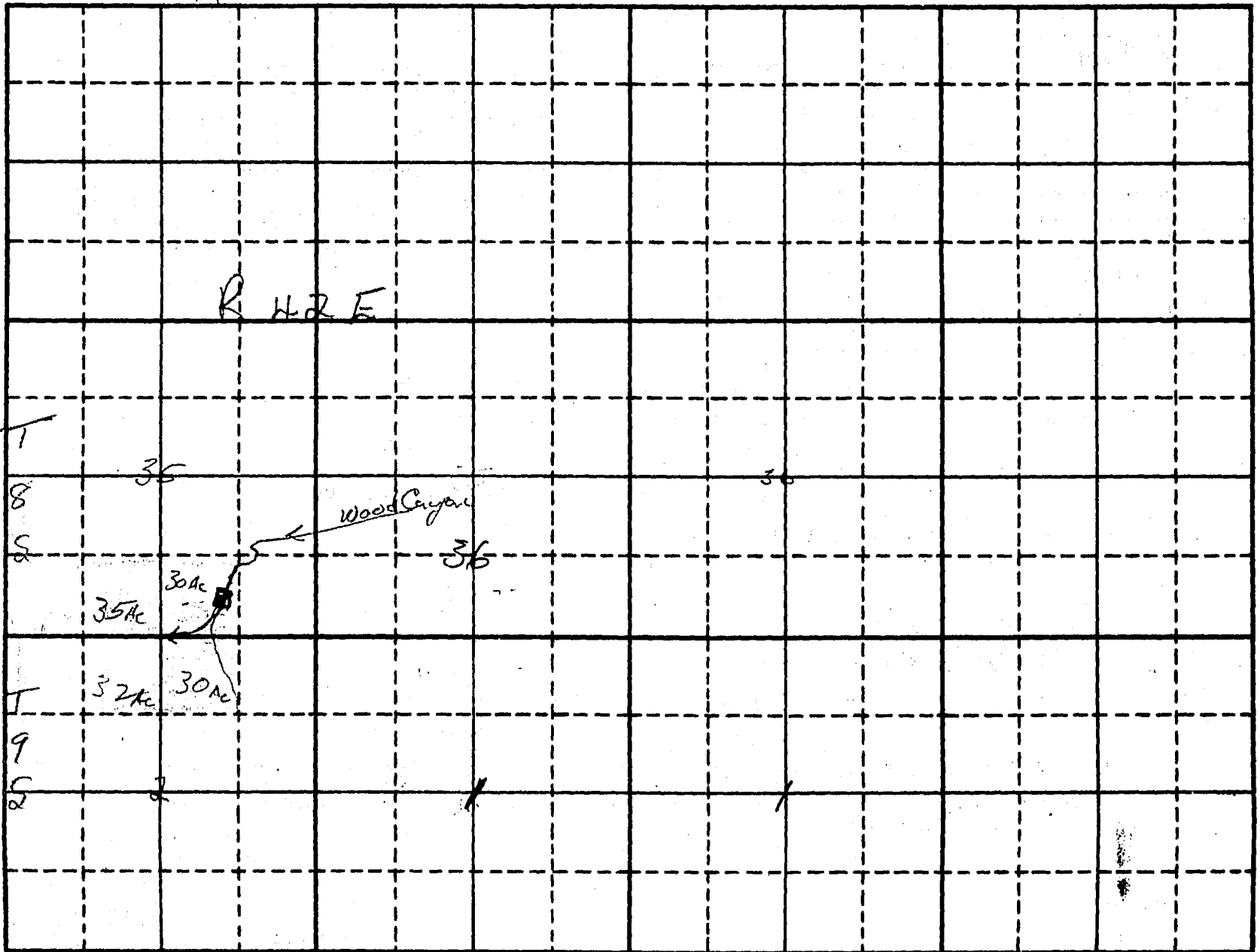
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwatering for 1000 head of sheep.

- (7) If you are claiming water as a member of an organization, list name of organization: N.A.

11-4039

11-4039

(8) Remarks See attached affidavits



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Caribou

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.

Sworn to before me this 28th day of May

Lynn J. Davis
(Claimant)

Margaret J. Deaton
Notary Public

Residing at Soda Springs, Idaho

My commission expires 1-5-75

For Department Use Only

Received by MB

Date 5-24-74

Exception filed by:

Forwarded to

Date

Prelim. check by MB

Date 5-29-74

claimant by:

\$10.00 fee received by MB

Date 5-29-74

Approved for publication by MB

Date 5-29-74

Published in Caribou County News

Dates June 6 + 13, 1974

To whom it may concern:

The water here is filed for by Lynn G. Beus, and has been used by the Beus family since the early 1900's. The water does not leave the Beus Ranch. All water developments have been made by Mr. Beus.

RECEIVED

MAY 11 1974

Department of Water Administration
Eastern District Office

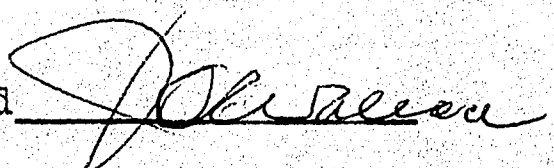
Signed J. E. Thompson
resident of Caribou
County 65 years.

11-4039

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

Signed


resident of Caribou
County 54 years.

11-4039

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

RECEIVED

MAY 17 1974

Department of Water Administration
Eastern District Office

Signed *Fayette C. Sizemore*
resident of Caribou
County 55 years.

11-4039

RECEIVED

JUN 17 1974

Department of Water Administration
Eastern District Office

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

6th day of

June, 19 74

The date of the last publication

being the 13th day of

June, 19 74

V. E. Lansberry

Subscribed and sworn to be-

fore me this 13th day

of June, 19 74

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of November

19 74

NOTICE OF CLAIM TO A WATER RIGHT

No. 11-4039

Notice is hereby given that
Lynn G. Beus, Soda Springs,
Idaho, has filed a claim to a
water right established by di-
version and application to bene-
ficial use of 1.6 cubic feet per
second of water from Wood Can-
yon Creek tributary to Slug
Creek tributary to Blackfoot
River with point of diversion
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S,
R. 42E, B. M., Caribou County.

The water is claimed to be
used from May 1 to Oct. 31 for
stockwatering purposes for 1000
head of sheep, and from June
1 to Sept. 30 for the irrigation
of 127 acres, with a priority of
June 1, 1921; all uses within the
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35
T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R.
42E, B.M.

Any exception to this claim of
water right ~~of way~~ may be filed
with the Idaho Department of

Water Administration, 1515 Lin-
coln Road, Idaho Falls, Idaho,
83401.

R. KEITH HIGGENSON
Director.

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
June 6 and June 13, 1974. *CB*

RECEIVED

JUN 19 1974

Department of Water Administration
Eastern District Office

11-4039

May 29, 1974

Mr. Lynn G. Beus
Soda Springs
Idaho 83267

Dear Mr. Beus:

Attached herewith is departmental receipt No. 12900 in the amount of \$20.00 for the Claim to a Water Right forms which were submitted to this office under the above date.

If you have any questions, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Attachment

11-4039

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4039

Notice is hereby given that Lynn G. Beus,

Soda Springs, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 1.6 cubic feet per second ~~and one foot per second~~ of water from Wood Canyon Creek tributary to Slug Creek tributary of Blackfoot River with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E, B.M., Caribou County.

The water is claimed to be used from May 1 to Oct. 31 for stockwatering purposes for 1000 head of sheep and from June 1 to Sept. 30 for the irrigation of ~~with a priority of~~ 127 acres, with a priority of June 1, 1921; ~~the class of uses within the~~ all uses within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35 T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on June 6 and June 13, 1974

NCY-JF-5/31/74

CB-A
CB-A

11-4039

May 31, 1974

Re: Claim to a Water Right No. 11-4039 Beus, Lynn
" " " No. 11-4040 Beus, Lynn
Application for Transfer of Water Right No. 11-0044 Beus, Orval

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

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 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. 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 6-19-74 by MB

NCY:MB

Enc: Legal Notices (3)

11-4039

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 11-4039

MB Notice is hereby given that Lynn G. Beus, Soda Springs, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.6 cubic feet per second of water from Wood Canyon Creek tributary to Slug Creek tributary to Blackfoot River with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E, B. M., Caribou County.

The water is claimed to be used from May 1 to Oct. 31 for stockwatering purposes for 1000 head of sheep and from June 1 to Sept. 30 for the irrigation of 127 acres, with a priority of June 1, 1921; all uses within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35 T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M.

Any exception to this claim of water right of way may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director.

Published in the Caribou County Sun, Soda Springs, Idaho, on June 6 and June 13, 1974.

11-4039

June 24, 1974

Re: Claims to a Water Right No. 11-4039 & 11-4040

Mr. Lynn G. Beus
Soda Springs
Idaho 83276

Dear Mr. Beus:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 these claims do not, in themselves, guarantee you water rights; they only record and preserve the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

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

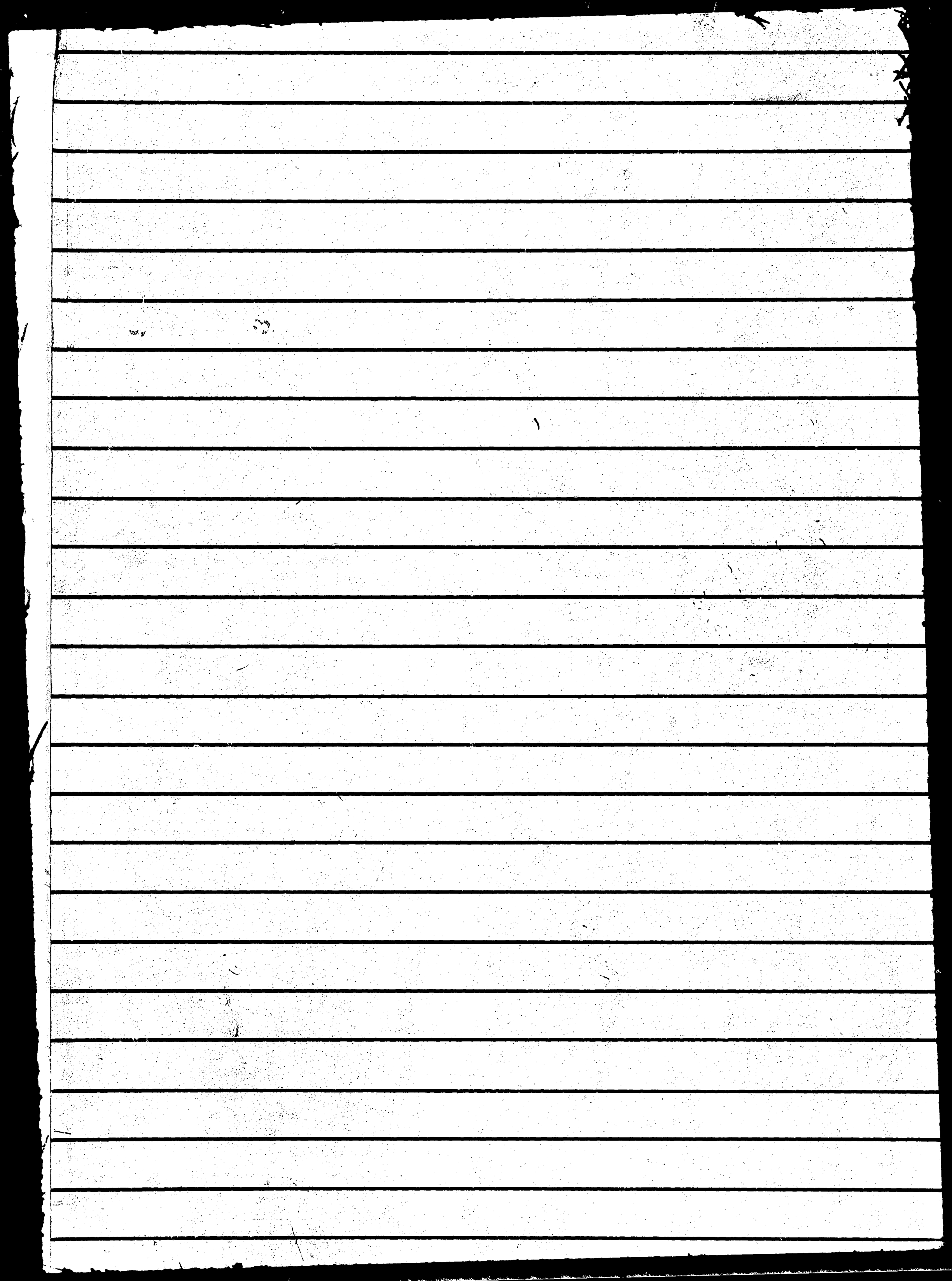
Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Enc: Copies of Claims

11-4039



Identification No. 11-4039

Transfer No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

APPROVED

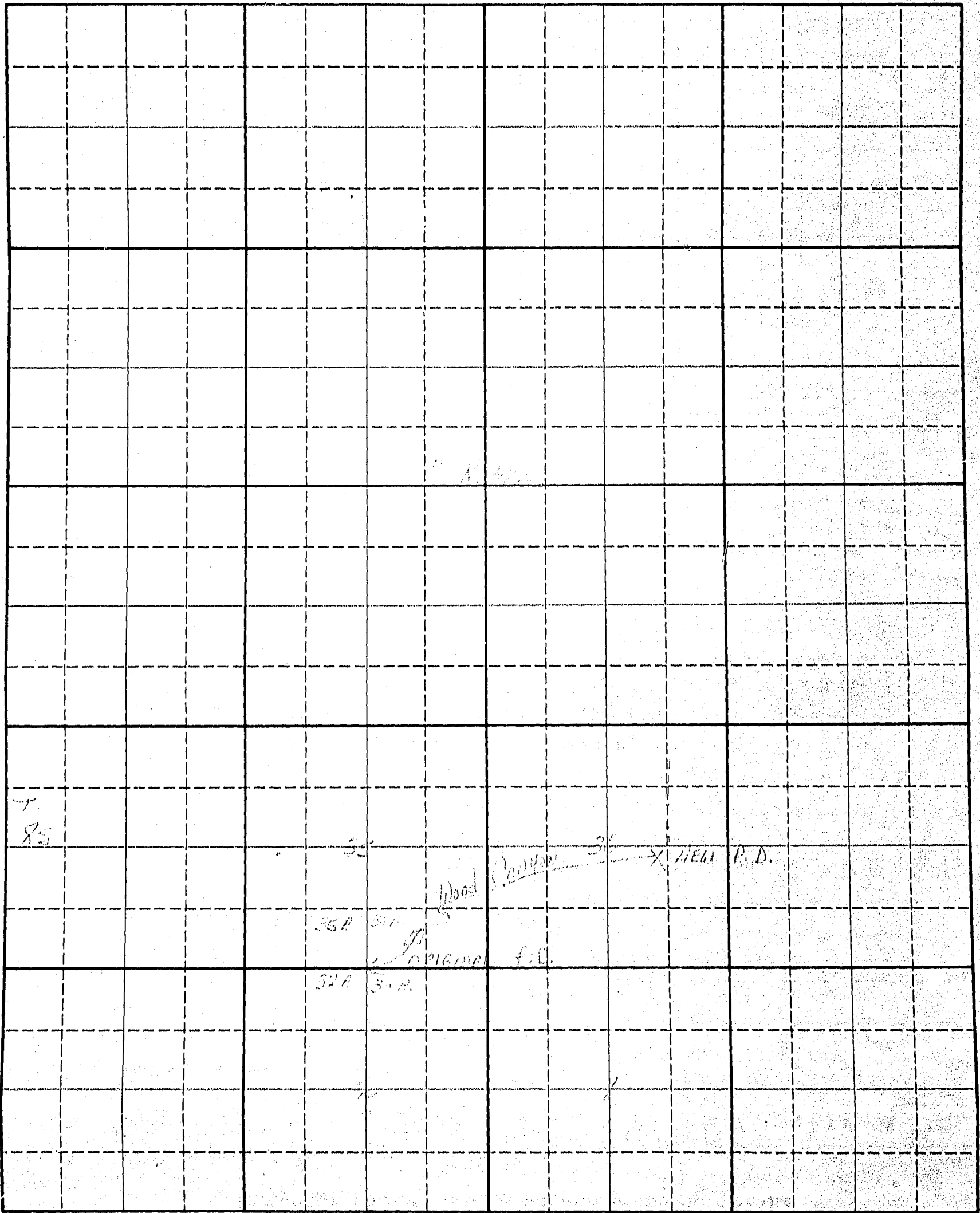
**APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder Lynn G. Beus
Post office address Soda Springs, Idaho 83276 PH. 547-3832
2. Right obtained by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
Claim No. _____
 - b. ~~License~~ No. 11-4039 issued by the State of Idaho, Department of Reclamation.
3. Source of water Wood Canyon Creek tributary to Slug Ck. trib. Blackfoot River
(Name of stream or source)
4. Date of Priority June 1, 1921
5. Amount of water a. 1.6 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Stockwater Irrigation from May 1 to Oct. 31
June 1 Sept. 30
(Month, Day) (Month, Day)
7. Original location of point of diversion is SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35,
Township 8S, Range 42E, B.M., in Caribou County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	42E	35											35				30		65
9S	42E	2		32			30												62

Total number of acres presently irrigated 127



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: _____

NA

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 1.6 c.f.s. and/or _____ acre feet

b. New point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 8S

_____, Range 42E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____

Open ditch and pipeline

d. Is water to be conveyed to the lands previously irrigated? Yes X No .

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Due to erosion purposes and utilize the water and to use gravity feed

instead of fuel for economy purposes.

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

NO CHANGE

a. Describe the new lands on which you wish to use your right.

[illegible]

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Lynn S. Benson
(signature of applicant)

Subscribed and sworn to before me this 3rd day of March, 1975

LeRoy Hester
(notary public)

My commission expires 11/11/77

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 11-4039,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

(a) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

(b) This approval does not validate the water right as claimed under Claim to a Water Right No. 11-4039.

Witness my hand this 10 day of June, 1975

R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by OW Date 3-03-75

Protest filed by: _____ Date _____

Prelim. check by LH Date 3-5-75

Fee received by OW Date 3-03-75 Fee \$30.00

Approved for publication by MB 3-21-75 #4122

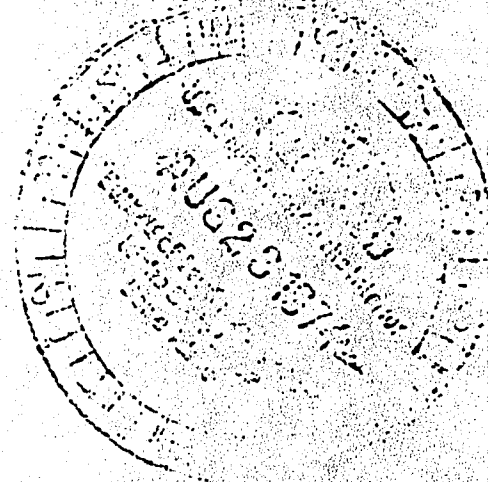
Published in Paragon City Dates March 13 + 20, 1975

Hearing held _____

Watermaster Recommendation sent Go H.A.

P.O. Box 721
Soda Springs, Id. 83276

Chief, Division of Technical Service
Idaho State Office
Bureau of Land Management
Room 398, Federal Building
550 West Fort Street
P.O. Box 042
Boise, Idaho 83702



Dear Sir:

I hereby apply for an irrigation pipeline and ditch right-of-way. This application is made pursuant to the regulations of 43 CFR Group 2800, and I agree that the right-of-way, if approved, will be subject to the terms and conditions of the applicable regulation in 43 CFR Group 2800.

This application is made under the Act of March 3, 1891 (26 Stat. 1101), as amended.

I wish to construct an irrigation ditch from the Wood Canyon to lands owned by me. The water will be diverted from the Wood Canyon and will be conveyed to my land by pipeline and open dirt ditch. The pipeline will be 6 & 8 inches in diameter and will cross 1287 feet of public land. A Right-of-way 20 feet wide will be required for the pipeline. The open ditch will cross 500 feet of public land. A right-of-way 20 feet wide will be required for the ditch. I would like a access road to pipeline. Road will be 832 feet long and 20 feet wide. The surveyed location and widths of the pipeline, ditch, and road are shown on the attached linen tracing. Three map copies of the tracing are also attached.

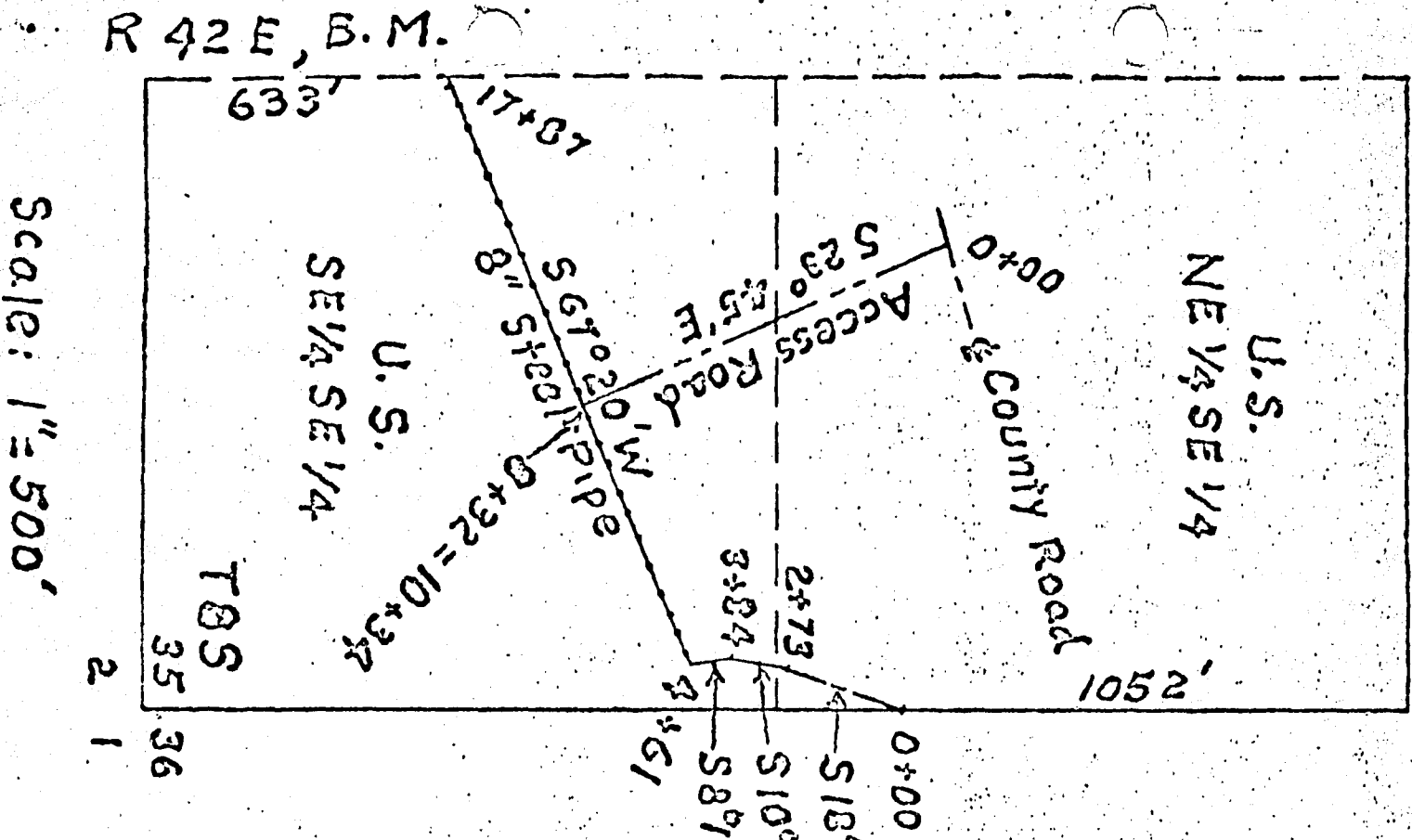
I will need the right-of-way for a period of 50 years.

A copy of my State water appropriation permit, No. G-73421, is attached showing my right to appropriate water from the Wood Canyon at the proposed diversion point. ✓

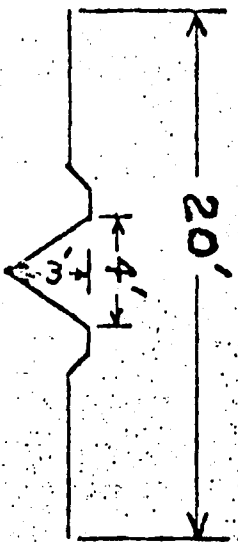
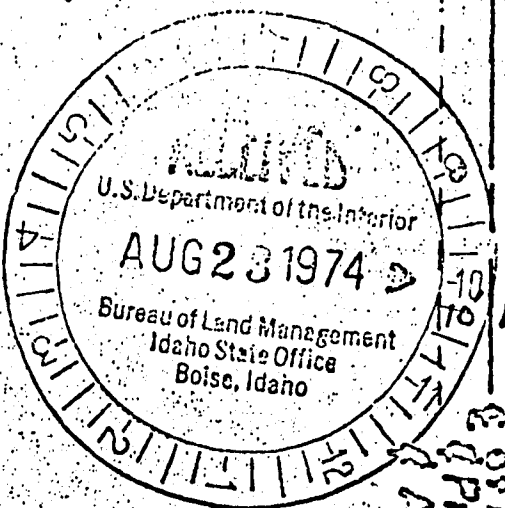
Sincerely yours,

Lynn Reed

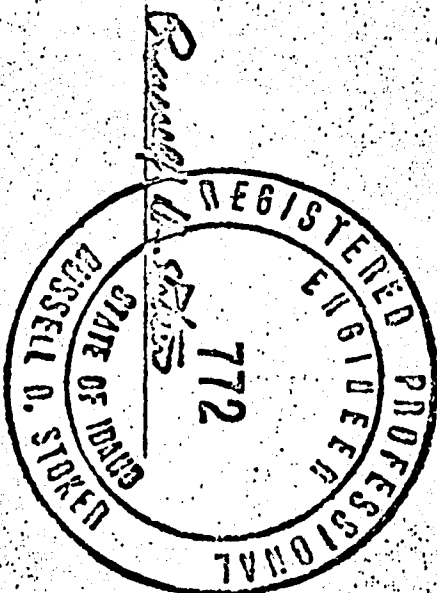
Lynn Beus Irrigation Ditch & Pipe Line



20 ft. right of way required



Total distance of Pipeline and ditch across U.S. land - 1,787 ft.
Distance of access Road - 832 ft.



Lynn Beus

RECEIVED
MAR 21 1975

Department of Water Resources
Eastern District Office

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterru-
ptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the
13th

..... day of
March, 19 75

The date of the last publication
being the 20th day of
March, 19 75

V. E. Lansberry
Subscribed and sworn to be-
fore me this 20th day
of March, 19 75

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of November
19 78

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**
No. 11-4039
Notice is hereby given that
Lynn G. Beus, Soda Springs,
Idaho, has applied to the Depart-
ment of Water Resources for a
change in the point of diversion
of the waters of Wood Canyon
Creek tributary to Slug Creek
tributary of Blackfoot River. The
right sought to be changed is
evidenced by Claim to a Water
Right No. 11-4039 and is record-
ed as follows:
AMOUNT: 1.6 cfs PRIORITY:
June 1, 1921
POINT OF DIVERSION: SW-
1/4SE1/4, Sec. 35, T. 8S, R.
42E, B.M., Caribou Coun-
ty;
The water is used for stock-
watering purposes and for the
irrigation of 127 acres within the
SE1/4SW1/4, SW1/4SE1/4, Sec. 35,
T. 8S, R. 42E; NW1/4NE1/4, NE-
1/4NW1/4, Sec. 2, T. 9S, R. 42E,
B.M.
TO BE CHANGED
AS FOLLOWS
The water will be diverted
within the NW1/4SE1/4, Sec. 36,
T. 8S, R. 42E, B.M., Caribou
County.
Any protest against approval
of the above proposed change of
water right must be filed with
the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before March 31, 1975.
R. KEITH HIGGINSON,
Director
Published in the Caribou
County Sun, Soda Springs, Ida-
ho, on March 13 and 20, 1975.

Claim No. 11 4039STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

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of Soda Springs, Idaho (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to Slug Creek tributary of Blackfoot River;

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- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Wood Canyon Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>1.60</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>June 1</u>	To	<u>Sept. 30</u>
Amount	<u>0.05</u>	Use	<u>Stockwater</u>	Period of Use: From	<u>May 1</u>	To	<u>Oct. 31</u>
Amount		Use		Period of Use: From		To	
	(cfs, gpm, ~~xxx~~)		(dom., irri., stock, etc.)				(both dates inclusive)

- (3) Total quantity of water claimed: 1.60 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 1, 1921

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 35 Twp. 8S Rge. 42E B.M. County of Caribou
Additional points of diversion: None

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Earth dam 100 ft. long by 6 ft. high and ditches to place of use.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	42E	35												35			30		65
9S	42E	2		32				30											62

Total No. of acres 127

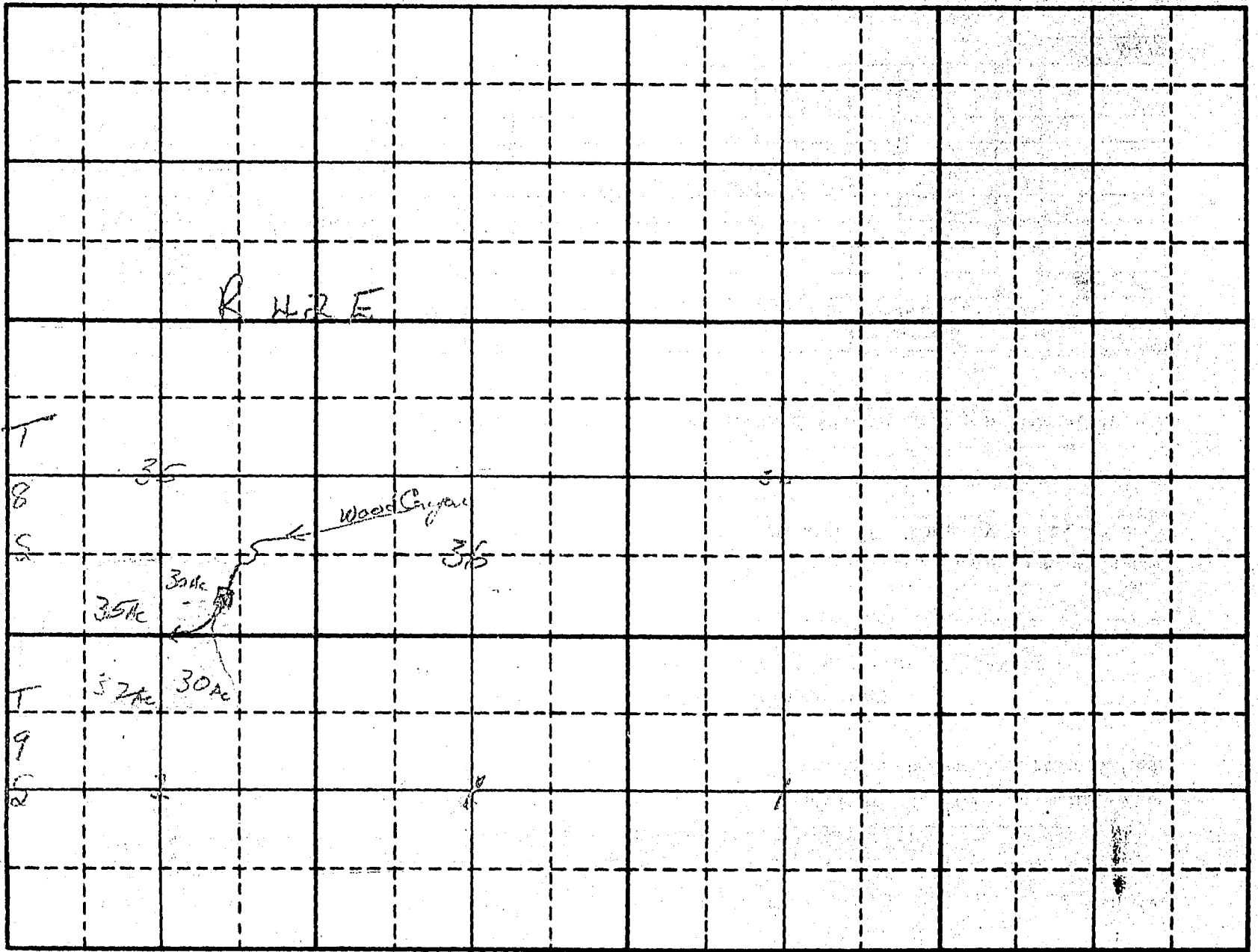
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwatering for 1000 head of sheep.

- (7) If you are claiming water as a member of an organization, list name of organization: N.A.

11-4039

11-4039

(8) Remarks See attached affidavits



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Caribou

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.

Sworn to before me this 28th day of May

Lynn E. Davis
(Claimant)

Margaret Deaton
Notary Public
Residing at Soda Springs, Idaho

My commission expires 1-5-75

For Department Use Only

Received by MB Date 5-24-74
Prelim. check by RDC Date 5/29/74
\$10.00 fee received by MB Date 5-29-74
Approved for publication by RB 460/24 #12900
Published in Caribou County News
Dates June 6 & 13, 1974

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

11-4039

To whom it may concern:

The water here is filed for by Lynn G. Beus, and has been used by the Beus family since the early 1900's. The water does not leave the Beus Ranch. All water developments have been made by Mr. Beus.

RECEIVED

MAY 11 1974

Department of Water Administration
Eastern District Office

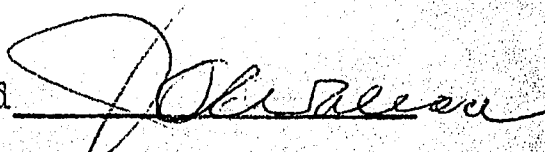
Signed J. E. Thompson
resident of Caribou
County 65 years.

11-4039

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

Signed


resident of Caribou
County 54 years.

11-40-39

To whom it may concern:

The water here is filed for by Lynn G. Beus,
and has been used by the Beus family since the
early 1900's. The water does not leave the Beus
Ranch. All water developments have been made by
Mr. Beus.

RECEIVED

MAY 17 1974

Department of Water Administration
Eastern District Office

Signed Fayette C. Sizemore
resident of Caribou
County 55 years.

11-4039

RECEIVED

JUN 11 1974

Department of Water Administration
Eastern District Office

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

being first duly sworn on his
oath, states:

That he is publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterr-
ruptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for two successive weekly
issues thereof, the date of the
first publication being the

6th day of

June, 19 74

The date of the last publication

being the 13th day of

June, 1974

V. E. Lansberry

Subscribed and sworn to be-

fore me this 13th day

of June, 19 74

Elaine S. Johnson
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of November

19 74

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 11-4039

MB
Notice is hereby given that
Lynn G. Beus, Soda Springs,
Idaho, has filed a claim to a
water right established by di-
version and application to bene-
ficial use of 1.6 cubic feet per
second of water from Wood Can-
yon Creek tributary to Slug
Creek tributary to Blackfoot
River with point of diversion
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S,
R. 42E, B. M., Caribou County.

The water is claimed to be
used from May 1 to Oct. 31 for
stockwatering purposes for 1000
head of sheep and from June
1 to Sept. 30 for the irrigation
of 127 acres, with a priority of
June 1, 1921; all uses within the
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35
T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R.
42E, B.M.

Any exception to this claim of
water right ~~of way~~ may be filed
with the Idaho Department of

Water Administration, 1515 Lin-
coln Road, Idaho Falls, Idaho,
83401.

R. KEITH HIGGINSON
Director.

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho, on
June 6 and June 13, 1974. CB

RECEIVED

JUN 19 1974

Department of Water Administration
Eastern District Office

11-4039

May 29, 1974

C
Mr. Lynn G. Beus
Soda Springs
Idaho 83267

Dear Mr. Beus:

Attached herewith is departmental receipt No. 12900 in the amount of \$20.00 for the Claim to a Water Right forms which were submitted to this office under the above date.

P
If you have any questions, please contact us.

Very truly yours,

Y
NORMAN C. YOUNG
District Engineer

NCY:MB

Attachment

11-7039

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4039

Notice is hereby given that Lynn G. Beus,

Soda Springs, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 1.6 cubic feet per second ~~some feet per second~~ of water from Wood Canyon Creek tributary to Slug Creek tributary of Blackfoot River with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E, B.M., Caribou County.

The water is claimed to be used from May 1 to Oct. 31 for stockwatering purposes for 1000 head of sheep and from June 1 to Sept. 30 for the irrigation of ~~with~~ 127 acres, with a priority of June 1, 1921; ~~the~~ all uses within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35 T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on June 6 and June 13, 1974

NCY-JF-5/31/74

CB-A
CB-A

11-4039

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 11-4039

MB Notice is hereby given that Lynn G. Beus, Soda Springs, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.6 cubic feet per second of water from Wood Canyon Creek tributary to Slug Creek tributary to Blackfoot River with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E, B. M., Caribou County.

The water is claimed to be used from May 1 to Oct. 31 for stockwatering purposes for 1000 head of sheep and from June 1 to Sept. 30 for the irrigation of 127 acres, with a priority of June 1, 1921; all uses within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35 T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M.

Any exception to this claim of water right of way may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director.

Published in the Caribou County Sun, Soda Springs, Idaho, on June 6 and June 13, 1974.

11-4039

May 31, 1974

Re: Claim to a Water Right No. 11-4039 Beus, Lynn
" " " No. 11-4040 Beus, Lynn
Application for Transfer of Water Right No. 11-0044 Beus, Orval

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

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 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. 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 6-19-74 by MB

NCY:MB

Enc: Legal Notices (3)

11-4039

June 24, 1974

Re: Claims to a Water Right No. 11-4039 & 11-4040

Mr. Lynn G. Beus
Soda Springs
Idaho 83276

Dear Mr. Beus:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 these claims do not, in themselves, guarantee you water rights; they only record and preserve the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

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

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Enc: Copies of Claims

11-4039

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 11-4039

Notice is hereby given that Lynn G. Beus, Soda Springs, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Wood Canyon Creek tributary to Slug Creek tributary of Blackfoot River. The right sought to be changed is evidenced by Claim to a Water Right No. 11-4039 and is recorded as follows:

AMOUNT: 1.6 cfs PRIORITY: June 1, 1921

POINT OF DIVERSION: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E, B.M.,
Caribou County;

The water is used for stockwatering purposes and for the irrigation of 127 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 8S, R. 42E, B.M.
Caribou County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before March 31, 1975.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho, on March 13 and March 20, 1975.

CW-1
MB-9
MB-A

PUBLIC NOTICE

**First Time
Published**

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 11-4039

Notice is hereby given that Lynn G. Beus, Soda Springs, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Wood Canyon Creek tributary to Slug Creek tributary of Blackfoot River. The right sought to be changed is evidenced by Claim to a Water Right No. 11-4039 and is recorded as follows:

AMOUNT: 1.6 cfs **PRIORITY:**
June 1, 1921

POINT OF DIVERSION: SW-
 $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R.
42E, B.M., Caribou County;

The water is used for stock-watering purposes and for the irrigation of 127 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 8S, R. 42E; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE- $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 9S, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 8S, R. 42E, B.M. Caribou County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before March 31, 1975.

R. KEITH HIGGINSON,
Director

Published in the Caribou County Sun, Soda Springs, Idaho, on March 13 and 20, 1975.

March 7, 1975

RE: Application for Transfer No. 11-4039 - BEUS

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

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 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. 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.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC: CW

Bill submitted 3-21-75 by MB

Enc: Legal Notice

March 31, 1975

RE: Application for Transfer of Water Right No. 11-4039

Mr. Lynn G. Beus
Soda Springs
Idaho 83276

Dear Mr. Beus:

Please be advised that the above referenced application has been processed. However, before final action can be taken a field inspection of the proposed transfer must be made by this Department. This inspection will be made some-time during this irrigation season.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:mb

CXP-3 L

55

27 26
35

2078

B278

Original P.D.

11



MEMORANDUM

TO: File

FROM: Bill Rhoads

RE: Application for Transfer of Water Right No. 11-4039

DATE: May 30, 1975

Pursuant to Department policy, a field examination was made concerning the above referenced transfer. The enclosed aerial photo shows both the original point of diversion and lands being irrigated. The new point of diversion as proposed is reasonable and, infact, pioneering work for the delivery system has been initiated.

Bill

INTER-DEPARTMENT MEMO — 1

DATE June 6, 1975

FROM Loren

TO Bob

SUBJECT APPLICATION FOR TRANSFER NO. 11-4039

I recommend that the above subject application be approved under the condition that a measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

SIGNATURE

June 11, 1975

Re: Transfer 11-4039 (Lynn G. Beus)

Lynn G. Beus
Soda Springs,
Idaho 83276

Dear Mr. Beus:

Enclosed is a copy of your approved Application for Transfer No. 11-4039. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your claim. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enclosures

C
O
P
Y

