

Claim No. 11 4056

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Boyd William Schvaneveldt
(name of claimant)
of STAR ROUTE, Soda Springs, Idaho, claims a right to the diversion and beneficial use of
(mailing address) 83276
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Spring, tributary to, sinks
- (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>0.04</u> | Use <u>domestic</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm or a/f) | (dom., irri., stock, etc.) | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.04 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) May 1948
- 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)
SE 1/4 SE 1/4, Sec. 3 Twp. 9S Rge. 41E B.M. County of Caribou
Additional points of diversion: _____

- 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. from spring to holding tank then pumped to house and out buildings, also pumped to lawn and garden. 3/4 Hp. pump
- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	41E	3																X	

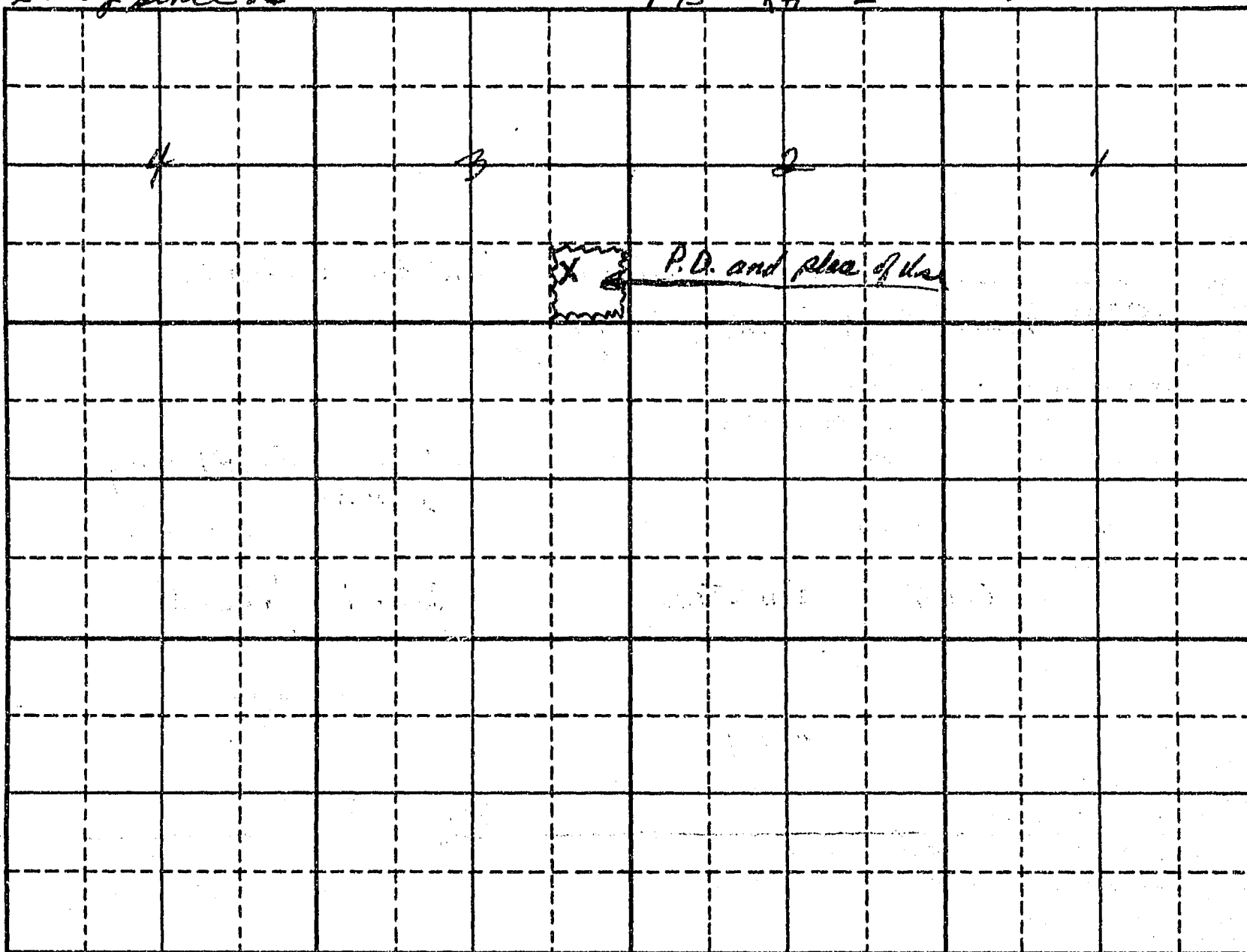
Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: There are two families using this water for household use and for watering lawns and gardens.
- (7) If you are claiming water as a member of an organization, list name of organization: _____

* We have done some improvement work on the spring.

(8) Remarks This spring is located on the old Alton Maughan ranch. My father worked for Mr. Maughan in 1948-1949 and the spring was in use at this time. My father and I purchased this property from Mr. Maughan in 1964 and have been using the spring every since.

T9S R4 E



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.

Boyd W. Schwaneveldt
(Claimant)

Sworn to before me this 15 day of October, 19 76.

La Rue Stone
Notary Public

Residing at Soda Springs

My commission expires 11 July 1980

For Department Use Only

Received by <u>CU</u>	Date <u>10-18-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>200g</u>	Date <u>10/18/76</u>		claimant by:	
\$10.00 fee received by <u>CU</u>	Date <u>10-18-76</u>			
Approved for publication by <u>me</u>	Date <u>11-22-76</u>			
Published in <u>Caribou County, Id.</u>				
Dates <u>Nov. 28 & Nov. 4, 1976</u>				

Affidavit of Publication

RECEIVED

NOV 22 1976

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM WATER RIGHT NO. 11-4056

Notice is hereby given that Boyd William Schvaneveldt, Soda Springs, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from an unnamed spring tributary to sinks with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 41E, B.M., Caribou County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for two families with a priority of May, 1948; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 41E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Caribou County

70 II

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached 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

28th day of

October, 1976

The date of the last publication

being the 4th day of

November, 1976

Mark Steele

Subscribed and sworn to be-

fore me this 16th day

of November, 1976

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

My Commission expires the

1st day of March

1980.

May 27, 1976

C
Mr. Boyd W. Schvaneveldt
Star Route
Soda Springs, Idaho 83276

O
Dear Mr. Schvaneveldt:

We have returned your claim to a water right and check No. 92-204 in the amount of \$10.00 for the following reasons:

P
Item 6A. If the use is not for irrigation, place an "x" in the appropriate box to show location. Also indicate the township, range and section.

Y
Item 8. Draw a map showing location of spring and the place of use. Each of the small squares is equal to a 40-acre subdivision of a section. You may also attach a copy of an aerial map obtained from the local ASCS Office that will show the springs and place of use.

Please complete the above and return with your check for further processing. If you have any questions, please feel free to contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:CW

Enclosure

Attachment: Check No. 92-204

June 11, 1976

C
Mr. Boyd W. Schvaneveldt
Star Route
Soda Springs, Idaho 83276

Q
Dear Mr. Schvaneveldt:

We again find it necessary to return your claim and check No. 92-204 in the amount of \$10.00.

In reviewing your application, we find that none of the legal descriptions match. We would suggest that you go to the ASCS Office for an aerial photo of your area. Then designate the point of diversion and place of use on this map, or visit our office in Idaho Falls for assistance in completing this form.

If you have any questions, please feel free to contact this office.

Y
Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

Enclosures

October 19, 1976

RE: Claim to a Water Right No. 11-4056

Mr. Boyd W. Schvaneveldt
Star Route
Soda Springs, Idaho 83276

Dear Mr. Schvaneveldt:

Attached herewith is departmental receipt No. 2576 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CM

Enclosure

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4056

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Soda Springs, Idaho

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to beneficial use of 0.04 cubic feet per second ~~XXXXXX~~
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with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 41E, B.M.,
Caribou County

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purposes for two families
with a priority of May, 1948;
the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 9S, R. 41E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho
on October 28 and November 4, 1976

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Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Caribou County
Sun, Soda Springs, Idaho on
October 28 and November 4,
1976

October 22, 1976

RE: Claim to a Water Right No. 11-4056 SCHVANEVELDT

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
Supervisor,
Eastern Region

Bill submitted 11-22-76 by CW

RDC:CW

Enc: Legal Notice (1)

November 15, 1976

RE: Claim to a Water Right No. 11-4056 SCHVANEVELDT

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on October 28 and November 4, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

November 22, 1976

RE: Claim to a Water Right No. 11-4056

Mr. Boyd William Schvaneveldt
Star Route
Soda Springs, Idaho 83276

Dear Mr. Schvaneveldt:

The Department of Water Resources 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,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim

RECEIVED

NOV 17 1976

Department of Water Resources

November 15, 1976

file
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Caribou County Sun
P.O. Box 815
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