

Claim No. 11 4060

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 Lindvall Drain Company
(name of claimant)
of Eugene Stucki, Paris, claims a right to the diversion and beneficial use of
(mailing address)
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
Drains, tributary to, Paris 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>5.4</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>April 10</u> | To | <u>Nov 1</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: 5.4 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) April 1, 1900

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 ¼ SW ¼, Sec. 14 Twp. 19S Rge. 43E B. M. County of Bear Lake
 Additional points of diversion: SW ¼ NE ¼ SEC 14, NW ¼ NE ¼ SEC 14,
SW ¼ SW ¼ SEC 12, NW ¼ SW ¼ SEC 12, SW ¼ NW ¼ SEC 12, T19S R43E
 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. Dams in drain, earth
ditches

- (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.

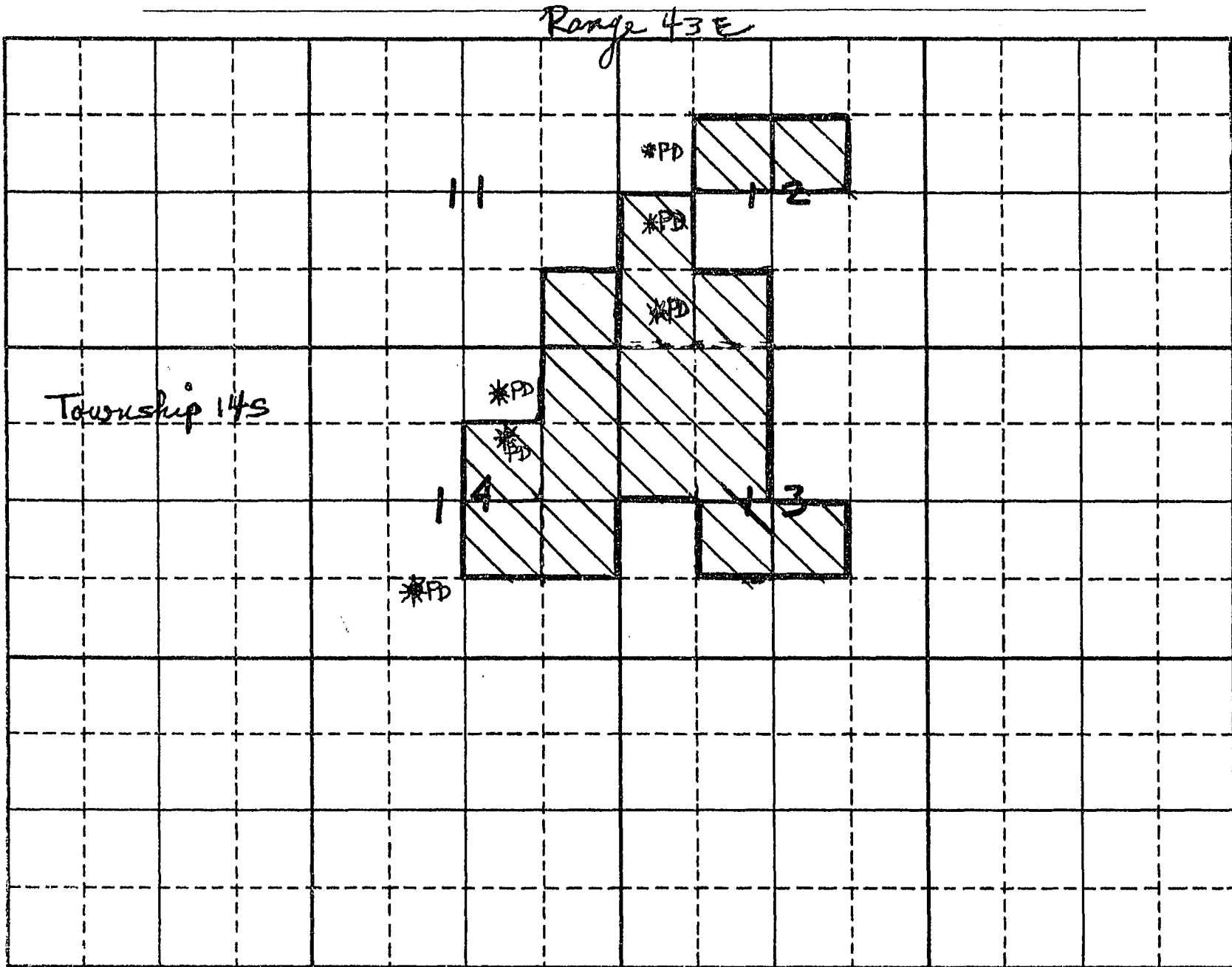
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	43E	12			5					5		25	30	20					85
		11																5	5
		14	5		15										20	10			80
		13					15	20	20	20	20					5			100

Total No. of acres 270

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: Lindvall Drain Company

(8) Remarks _____



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 Bonneville) 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 14th day of April 1977 John W. Spencer
(Claimant) Pres

Ronald D Carter
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 2/14/78

For Department Use Only

Received by <u>me</u>	Date <u>4-18-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RDC</u>	Date <u>4/18/77</u>		claimant by:	
\$10.00 fee received by <u>me</u>	Date <u>4-18-77</u>			
Approved for publication by <u>me</u>	Date <u>6-13-77</u>	# <u>6548</u>		
Published in <u>Times-Journal</u>				
Dates <u>April 28 & May 5-1977</u>				

Nº 604

RECEIVED

JUN 10 1977

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Loren M. Thompson
being duly sworn,

deposes and says:

That he is the *publisher* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

April 28, 19*77*, and ending with the issue of *May 5*, 19*77*

Fees, *16.46*

Subscribed and sworn to before me this *7* day of *June*, 19*77*

Wanda Thompson
Notary Public, Residing at Montpelier, Idaho
My Commission Expires *March 13*, 19*79*

LEGAL NOTICES

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4080

Notice is hereby given that Lindvall Drain Company, Paris, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 5.40 cubic feet per second of water from unnamed drains tributary to Paris Creek with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 14S, R. 43E, B.M., Bear Lake County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 270 acres with a priority of Apr. 1, 1900; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 14S, R. 43E, 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.

C. STEPHEN ALLRED,
Director

Published in The News-Examiner, Montpelier, Idaho on April 28 and May 5, 1977.

A28M5

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4060

Notice is hereby given that Lindvall Drain Company,

Paris, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 5.40 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from unnamed drains tributary to Paris Creek

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 14S, R. 43E, B.M., Bear Lake County.

The water is claimed to be used from Apr. 1 to Nov. 1 for the

irrigation of 270 acres

with a priority of Apr. 1, 1900;

the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 14S,
R. 43E, 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.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the News-Examiner, Montpelier, Idaho

on April 28 and May 5, 1977

*me - J.
me - G.*

April 22, 1977

RE: Application for Permit No. 11-7112 WALLENTINE (correction)
11-7113 KELSEY
11-7114 "
Claim to a Water Right No. 11-4060 LINDVALL DRAIN CO.

The News-Examiner
P.O. Box 278
Montpelier, Idaho 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 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 _____ by _____

RDC:CW

Enc: Legal Notice (4)

*Called 6-07-77
CW*

April 27, 1977

RE: Claim to a Water right No. 11-4060

Lindvall Drain Company
c/o Eugene Stucki
Paris, Idaho 83261

Gentlemen:

Attached herewith is departmental receipt No. 6548 in the amount of \$10.00
for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

Attachment



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

June 14, 1977

RE: Claim to a Water Right No. 11-4060

Lindvall Drain Company
c/o Eugene Stucki
Paris, Idaho 83261

Gentlemen:

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