

RECEIVED
JUN 24 1983STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LORENZO DIVES, in Trust for RUTH DIVES and EDWIN C. DIVES,
as owners in common; 17 Bannock & 137 E 50 S, Malad, ID (Name of Claimant) 83252 766-4140
(Mailing Address) (Zip Code) Telephone No. 766-2201

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 1, 1886

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Cliff Canyon, Perry Canyon, Indian Mill tributary to Sink and Wrights Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>2.0 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>5/1</u>	To <u>10/1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 2.0 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NE 1/4, Sec. 18 Twp. 12S Rge. 35E B.M., County of Oneida

Additional points of diversion: NW 1/4 NW 1/4 Sec 17 Twp 12S Rge 35 EBM

County of Oneida from Reservoir

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. Describe any changes in the system and give the date of the change. Private Ditch & Reservoir - acreage gravity flood irrigated

- (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	
12S	35E	18	2		25	23													50

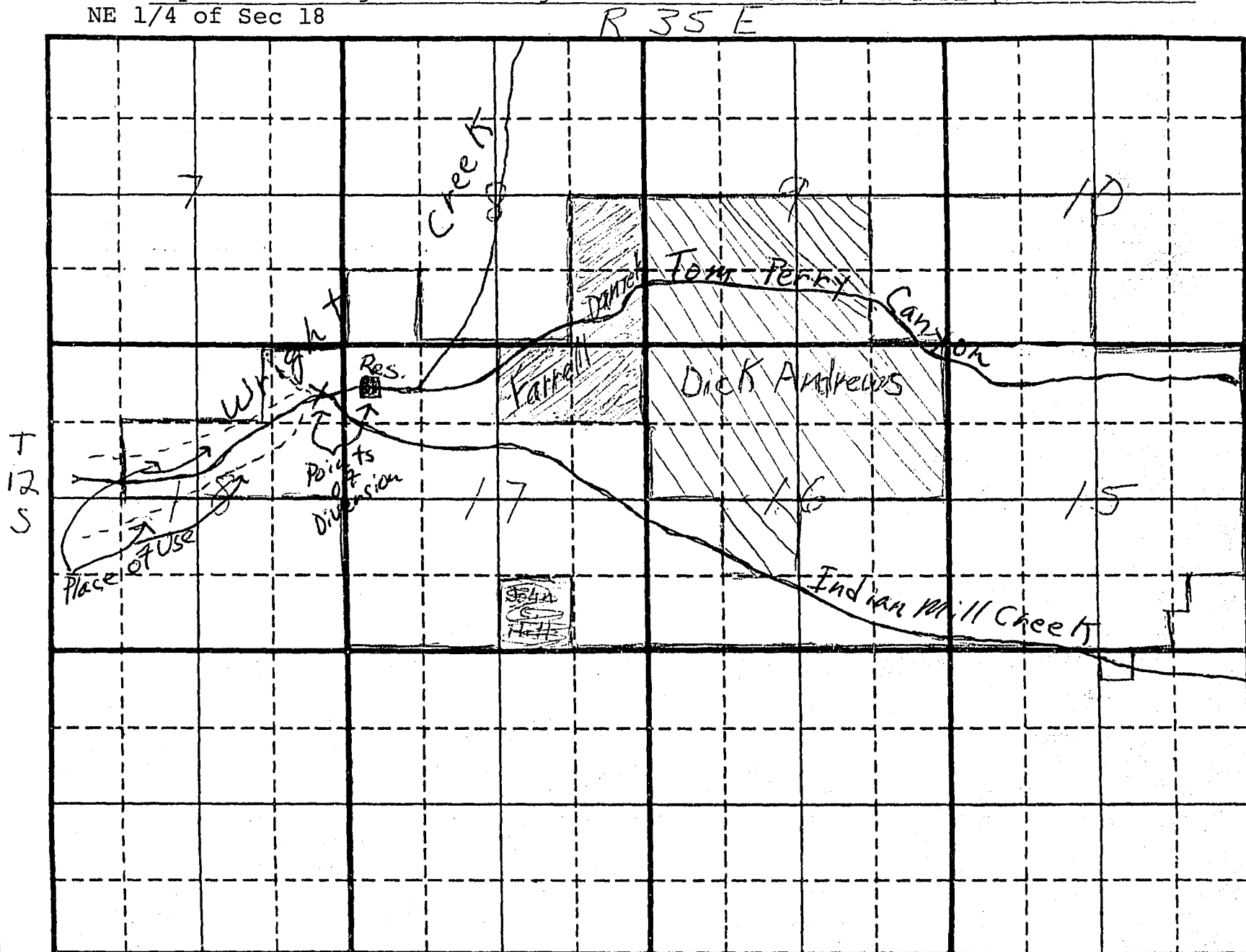
No. of acres 50

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks Water from Tom Parry Canyon, Indian Mill, Reed Canyon & Cliff Canyon all eventually come together and are diverted at an old reservoir and/or a second diversion point in the NE NE of Sec 18 where the water is used by flood irrigation through ditches in the NE, SW & SE quarter of the NE 1/4 of Sec 18



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 Oneida) 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 affiant's knowledge.

Sworn to before me this 28th day of June, 1985

Notary Public
Residing at Malad

My commission expires Sept 1986

Received by GW Date 6-30-83 FOR DEPARTMENT USE ONLY
Prelim. check by GW Date 6-24-83 Exception filed by: _____ Fowarded to _____ Date _____
\$30.00 fee received by GW Date 6-28-83 claimant by: _____
Published in Idaho Enterprise #2247
Dates 9/15 9/18/83

72 0135

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida }

Department of Water Resources
Eastern District Office

Teri J. Daniels
being duly sworn,

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of 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

August 31, 19 83, and ending with the issue of Sept 7, 19 83

Teri J. Daniels
Fee \$ 40.30

Subscribed and sworn to before me this 12th day of Sept, 19 83.

Harold Newton
Notary Public, Residing at Malad, Idaho

My Commission Expires Lifetime, 19

Water claim

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

15-4169

DIVES, LORENZO &-or EDWIN C.
17 BANNOCK, MALAD, ID 83252
Source: BILL MORGAN CANYON trib.

to WRIGHT CREEK
Priority Date: 04-13-1935
Diversion Pt: NWNE Sec 33 T 12S R 35E
Use: IRRIGATION (3.00 CFS)
In: SWSW Sec 32 T 12S R 35E NWNW
Sec 05 T 13S R 35E FOR 60 ACRES

15-4170

DIVES, LORENZO &-or EDWIN C.
17 BANNOCK ST., MALAD, ID 83252
Source: TOM PARRY CANYON CREEK trib. to WRIGHT CREEK
Priority Date: 07-01-1886
Diversion Pt: NWNE Sec 15 T 12S R 35E
Use: IRRIGATION (2.00 CFS)
In: SESW Sec 10 T 12S R 35E FOR 30 ACRES

15-4171

DAVIS, SAMUEL J.
RT. 1, BOX 169, MALAD, ID 83252
Source: SPRINGS trib. to MALAD RIVER
Priority Date: 07-12-1903
Diversion Pt: NWNE Sec 30 T 14S R 36E
Use: IRRIGATION (0.60 CFS)
STOCKWATER (0.20 CFS)
In: SWNE Sec 30 T 14S R 36E FOR 30 ACRES

15-4172

DIVES, LORENZO &-or EDWIN C.
17 BANNOCK ST., MALAD, ID 83252
Source: CLIFF CANYON trib. to WRIGHT CREEK
PERRY CANYON trib. to WRIGHT CREEK
INDIAN MILL trib. to WRIGHT CREEK
REED CANYON trib. to WRIGHT CREEK
Priority Date: 07-01-1886

Diversion Pt: NENE Sec 18 T 12S R 35E
NWNW Sec 17 T 12S R 35E
Use: IRRIGATION (2.00 CFS)
In: NENE SWNE SENE Sec 18 T 12S R 35E FOR 50 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.
KENN DUNN, Dir.
Published 8-31 & 9-7-83.

15-4172-

DIVES. LORENZO &/or EDWIN C.

17 BANNOCK ST., MALAD, ID 83252

Source: CLIFF CANYON trib. to WRIGHT CREEK
PERRY CANYON trib. to WRIGHT CREEK
INDIAN HILL trib. to WRIGHT CREEK
REED CANYON trib. to WRIGHT CREEK

Priority Date: 07/01/1886

Diversion Pt: NENE Sec 18 T 125 R 35E NWNW Sec 17 T 125 R 35E

Use: IRRIGATION (2.00 CFS)

In: NENE SWNE SENE Sec 18 T 125 R 35E FOR 50 ACRES

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 9/1 & 9/8/83.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

June 28, 1983

Edwin C. Dives Ranch Account
c/o David L. Evans
137 East 50 South
Malad, ID 83252

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- _____ Complete name.
- _____ Complete mailing address.
- _____ Date of priority (month, day, and year).
- _____ Source of water.
- _____ Quantity claimed to have been used.
- _____ Nature of use and period of use.
- _____ Location of point(s) of diversion.
- _____ Location of place of use (acres irrigated if water is claimed for irrigation).
- _____ Filing Fee (Amount \$_____).
- OK ✓ _____ Signature.
- 1-6-83 ✓ _____ Notarization of signature.
- _____ Other: _____

Please note that your claim has been stamped and initialed, as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

ENCL: Check #29-85 for \$90.00.

Sincerely,

John E. Mitchell

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 15 4172 Applicant Lorenzo ^{Dyer} Christ

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Sept. 20, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By JVW Date 9-28-83

RECEIVED
SEP 28 1983
Department of Water Resources

CW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 19, 1983

LORENZO DIVES
EDWIN C. DIVES
17 BANNOCK ST.
MALAD

ID 83252

RE: Claim No. 15-4172

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure