

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS**

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 13-4037
Date Received: 1/6/2025
Receipt No: Pool 690
Claim Fee: \$79.00
Received By: mj

RECEIVED

JAN 06 2025

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR/Preston

1. Name of Claimant(s)

MATTHEW W LARSON
5583 EAST GLENDALE RD
PRESTON ID 83263

Phone: (559) 387-8770

AND/OR

MARI G LARSON
5583 EAST GLENDALE RD
PRESTON ID 83263

Phone: (559) 387-8771

2. Date of Priority: 10/1/1957

3. Source:
BECKSTEAD SPRING

Trib. to:
SHEEP CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
15S	40E	13	SE SW		FRANKLIN	

5. Description of diverting works:

Spring, perforated drain, 1/2 mile of 6" concrete pipe.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	4/01	11/01	0.5		
STOCKWATER	1/01	12/31	0.04		

7. Total Quantity Appropriated is:
0.54 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

150 mixed stock

9. Place of use:

IRRIGATION within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
15S	40E	13	NE		SW		0.3
15S	40E	13	SE		SW		5.7
15S	40E	13	NW		SE		0.3
15S	40E	13	SW		SE		0.1
15S	40E	24	NE		NW		21
15S	40E	24	NW		NW		0.6
15S	40E	24	SE		NW		0.1

Total Acres = 28.1

STOCKWATER within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
15S	40E	13	SE		SW		
15S	40E	24	NE		NW		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

NONE

12. Remarks:

Priority Date Explanation:

This is when the spring was first developed and use continues today.

13. Basis of Claim: Statutory Claim

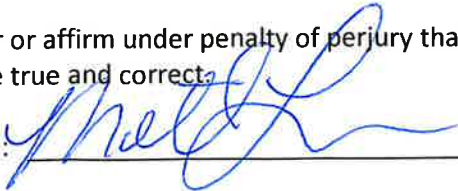
14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 1/6/2025

Date: _____

State of Idaho
Department of Water Resources
Adjudication Claim

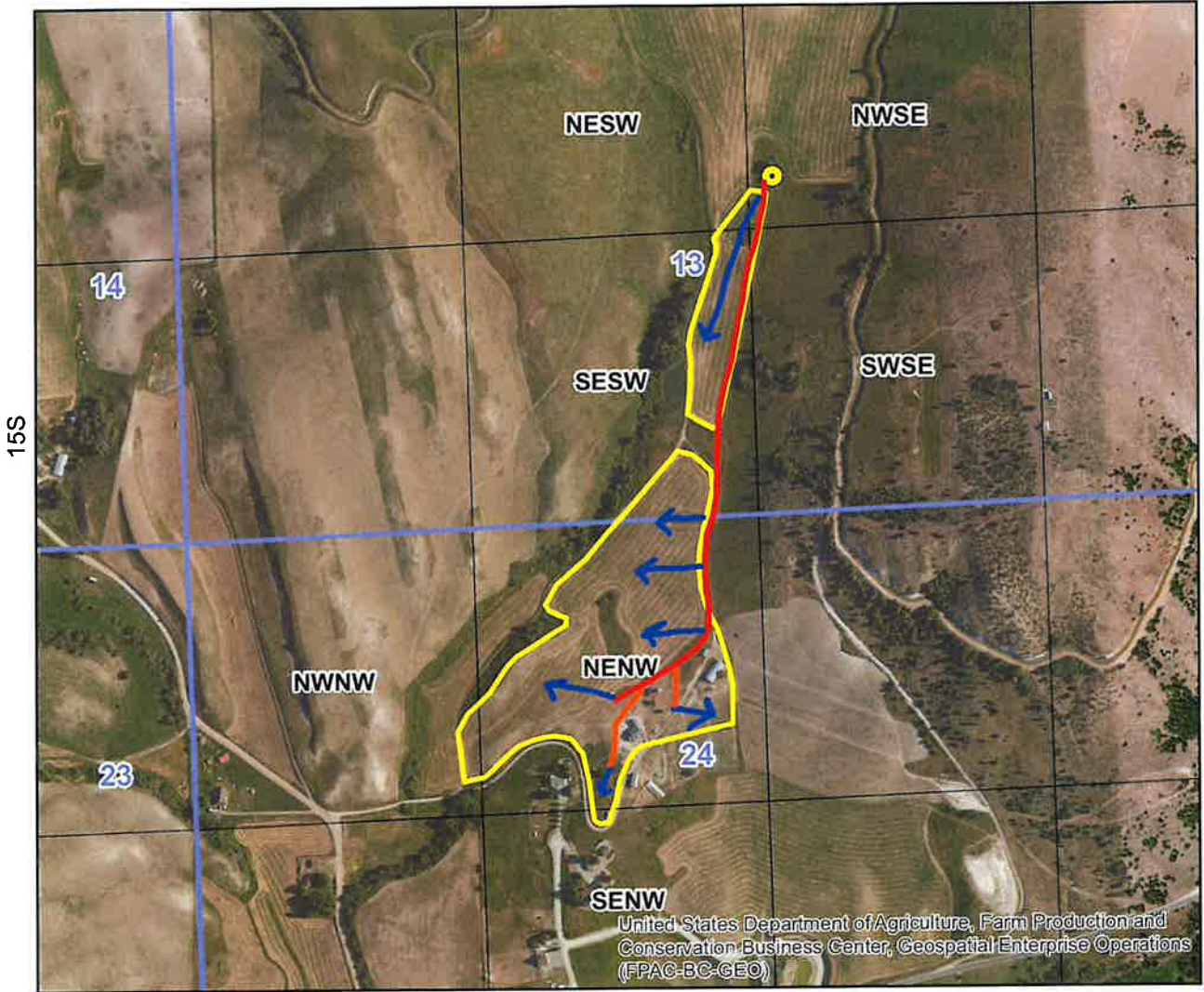
13-4037

Larson Matthew W

January 06, 2025

Irrigation

40E



0 0.1 0.2 0.4 Miles

- Place Of Use Boundary
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

- Piped
- Ditch
-



10/23/24

To whom it may concern,

I worked for the Spatigs between 1967 and 1970 during high school. While working for the Spatigs, I baled hay and did tractor work on the property. I knew that the water from the spring was piped from the spring down to the feedlot to water the cattle, a distance of approximately ½ mile.

Keven Stone

A handwritten signature in cursive script, appearing to read "Keven Stone", written in black ink.

10/23/24

To whom it may concern,

In 1966 I became neighbors to the Spatigs. I was friends with La Grand and would walk back and forth between our properties. As early as 1966, I knew that water from the spring on La Grand's property was piped from the spring to their cattle in the stockyard where they had two troughs.

Gerald Cole

A handwritten signature in cursive script that reads "Gerald C Cole". The signature is written in dark ink and is positioned to the right of the printed name "Gerald Cole".

10/23/24

To whom it may concern,

My name is Max Sharp and I live in Preston, Idaho up Cub River canyon. I was born and raised on the farm just across the fence from the Spatig's (Ernest & La Grand). I was born in 1955, my earliest recollection of water being used from the spring would have been in the very early 60s to mid-60s. At that time and since that time for many years the spring delivered water to a stockyard a distance of approximately ½ mile for watering cattle, also Ernest grew potatoes and used that water to irrigate them.

Max Sharp

A handwritten signature in cursive script that reads "Max C. Sharp". The signature is written in dark ink and is positioned below the printed name "Max Sharp".

11/20/24

Statement Regarding Larson's Water

I do not remember exactly when I first encountered the water that is the subject of State claim #13-4037 but I believe I became aware of its presence and usage in about 1962 to 1964. My father, LaGrand Spatig, and his brother, Marvin Spatig, maintained dairy livestock on a feedlot and said livestock were watered 24/7/365 by this referenced water. The source of the water was from a spring that I believed was developed by LaGrand, Marvin and their father, Ernest Spatig, probably in the 1950's. The spring was/is on property located in Section 13, Range 40E of TS 15S of the Boise Meridian, Cub River, Idaho.

I personally observed the above described use of this water continuously through about 1976. The water was at times diverted by Ernest Spatig to irrigate some adjacent farmland. This spring water was frequently augmented with water from the Worm Creek Canal (decreed water) to facilitate this flood irrigation.

At some point in time, I speculate probably in the 70's, some of this spring water was shared with Max Sharp for livestock watering during his summer pasturing months. The water was diverted via a small pipe at the source of the spring, ran into a nearby water trough, then drained back into the concrete pipe on the Spatig property. This shared usage continued up until the time of the sale to Larsons, with their knowledge and acquiescence.

The volume of the spring water varied due to snow melt, pipe problems or leakage/seepage. The water was conveyed via about a six inch underground concrete pipe from its source to the feedlot. The spring output was not of consistent volume to always exit or flow from the Spatig property to the Sheep Creek tributary. In fact, when I again encountered the spring in 2010, the water had seeped into a field outside of the feedlot, creating a bog area with no water exiting the Spatig property. Marvin told me that this condition had existed for many years prior to my 2010 discovery. This condition remained until the feedlot area was sold to Matthew and Mari Larson in 2021. Also, during this same timeframe, 2010 to 2021, the feedlot was leased to outside livestock owners that utilized the water via the feedlot for their livestock.

I am providing this information to Matt and Mari Larson, current owners of this water (13-4037), at their request.



Donald L. Spatig
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(801) 529-6606