

**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

RECEIVED

DEC 04 2023

IDWR/Preston

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

Ident. Number: 11-4083
Date Received: 11/21/2023
Receipt No: P000638
Claim Fee: \$260
Received By: MB

1. Name of Claimant(s)

HEIDI M EBORN
PO BOX 176
PARIS ID 83261

Phone: (208) 313-1233

OR

BENJAMIN M EBORN
PO BOX 176
PARIS ID 83261

Phone: (208) 313-1233

2. Date of Priority: 12/10/1864

3. Source:
OVID CREEK

Trib. to:
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
13S	43E	23	NE NW		BEAR LAKE	
13S	43E	23	NE NW		BEAR LAKE	

5. Description of diverting works:

Diversion dams on Ovid Creek.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/31	4.08		
STOCKWATER	01/01	12/31	0.06		

7. Total Quantity Appropriated is:

4.08 C.F.S. and/or A.F.A.

8. Non-irrigation uses: Stockwater for 250 cattle.

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	13	SW		SW		40
13S	43E	13	SE		SW		40
13S	43E	13	SW		SE		40
13S	43E	13	SE		SE		40
13S	43E	14	NE		SE		33.5
13S	43E	14	NW		SE		7.3
13S	43E	14	SW		SE		1
13S	43E	14	SE		SE		2.2

Total Acres = 204

STOCKWATER within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	13	SW		SW		
13S	43E	13	SE		SW		
13S	43E	13	SW		SE		
13S	43E	13	SE		SE		
13S	43E	14	NE		SE		
13S	43E	14	NW		SE		
13S	43E	14	SW		SE		
13S	43E	14	SE		SE		

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

11. Other Water Rights Used:

This claim represents the water use described under statutory claims 11-4083 and 11-4241.

12. Remarks:

Priority Date Explanation:

We are searching for evidence to support the 1864 priority date.

13. Basis of Claim: Statutory Claim

14. Signature(s)

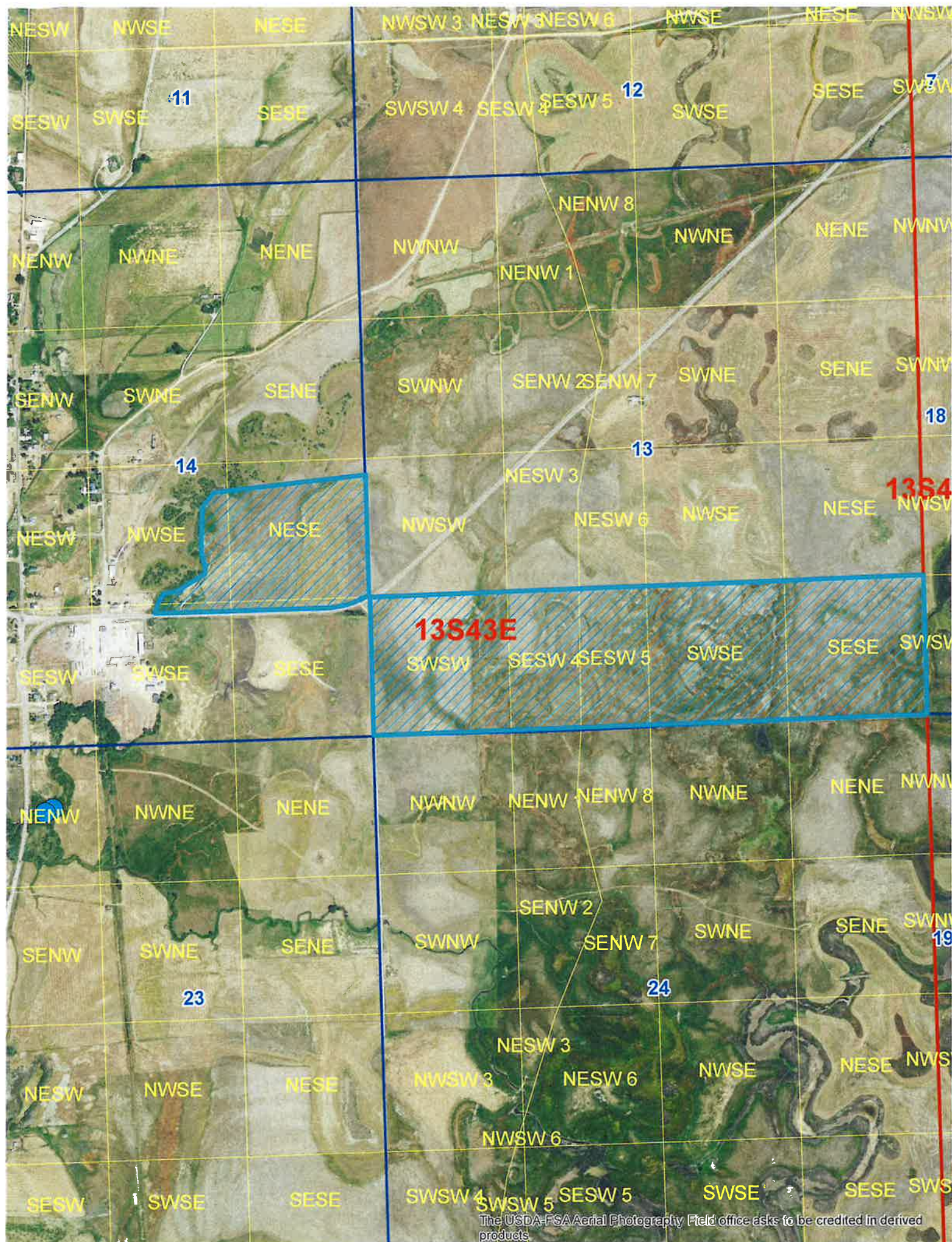
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 6

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): Ben Elorn Date: 12/4/23
Heidi Elorn Date: 12/4/2023



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Ruth Aland
223 S. 7th Street (Name of Claimant)
Montpelier, Idaho 83254 (Mailing Address) Telephone No. 847-1217
(Zip Code)

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) Dec. 15th 1864 R.A.

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)
Ovid Creek (formerly called N. Creek) tributary to Bear River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>3.20</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</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) 3.20 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 14 Twp. 13S Rge. 43E B.M., County of Bear Lake
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. Describe any changes in the system and give the date of the change.

- (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	
13S	43E	13											40	40			40	40	160

No. of acres 160

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

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:

MICROFILMED

Notice

I hereby give that we, John Sorensen, E. P. Jensen, Morten
Helson and Chris. Sorensen have claimed and by these presents do
claim all the water now flowing in what is known as the
Pine Creek in Bear Lake County, Idaho Territory, or two
thousand inches of water measured under a four inch
pressure. The point of diversion is at the dam erected in said
creek about 100 yards East of the County bridge which crosses
Pine Creek on the County Road, south of the town of Pined.

The purpose for which the said water is to be used and for
which it is claimed is to irrigate 80 acres of land in Section

23, 240 acres in Section 24, 320 acres in Section 13, All
in Township 13, S. Range 43 East, Base Meridian.

The means by which it is to be diverted and conducted to the
said land is by the natural channel aided by swales and
lateral ditches made to conduct the said water to the said
land, together with the aforementioned dam used to raise it

The said natural channel is 30 feet wide and four feet deep.

John Sorensen

L. P. Jensen

M. C. Nelson

Chris. Sorensen

This certifies that I posted a copy of the above notice at the point of diversion on the 27th day of March 1889

Witness Chris. Sorensen

Recorded at the request of Chris. Sorensen, March 27th 1889 at 4 P.

J. L. Mantonga Co. Recr.

Deputy

Shurtitt Dam

April 10 1890 by Request of Fred S/eight. Found in Book 1
misc. Records Page 314.

1000 in under 4 in pressure through 2 ditches 8 ft wide 4 ft
deep, to thrigate Section 23 And 26, in township 13 Range 14