

**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: 11-4109
Date Received: 9/18/2023
Receipt No: D000432
Claim Fee: \$ 249
Received By: MB

RECEIVED

SEP 18 2023

IDWR/Preston

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

1. Name of Claimant(s)

MARK SMITH PARKER
4159 LANARK RD
LIBERTY ID 83254

Phone: (208) 317-6292

AND/OR

MELONY PARKER
4159 LANARK RD
OVID ID 83254

Phone: (208) 317-6296

2. Date of Priority: 12/3/1895

3. Source:
NORTH CREEK

Trib. to:
OVID CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
13S	43E	9	SE SW		BEAR LAKE	

5. Description of diverting works:

There is a concrete head gate in North Creek that we use, along with our neighbors, to divert the water from the creek. The water fills up the slough next to our fields and we pump from there to our sprinkler lines and pivot. Sometimes we also use share water from South Liberty Canal to water the ground. We also flood along the creek to water our hayfields. We don't always need to shut the concrete head gate, sometimes the river naturally floods the ground and we can use that to irrigate with in those wetter years.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	05/01	10/15	2.06		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	15	SW		NW		1.1
13S	43E	15	NW		SW		1
13S	43E	16	NE		NE		4.3
13S	43E	16	NW		NE		3
13S	43E	16	SW		NE		40
13S	43E	16	SE		NE		40
13S	43E	16	SE		NW		5.7
13S	43E	16	NE		SW		6.7
13S	43E	16	NE		SE		40
13S	43E	16	NW		SE		38
13S	43E	16	SW		SE		18
13S	43E	16	SE		SE		0.6

Total Acres = 198.4

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:

Shares with South Liberty Canal Company

12. Remarks:

Priority Date Explanation:

This is the date on a homestead for the property. My dad originally filed the statutory claim. The priority date he claimed was the day that he submitted the statutory claim, not the date that the water was first put to use. This ground has been in the family for four generations and we have farmed this land since we first came to the valley. This date is the earliest date that we would have started irrigating this ground. My father also claimed 103 acres being irrigated, but that was

because he didn't know that he also needed to claim the meadows. We have always irrigated the same amount of ground, we've never increased and if anything we've decreased because I used part of the ground to build my corrals and barns on the property.

13. Basis of Claim: Statutory Claim

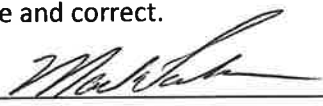
14. Signature(s)

(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 _____ 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: 9-18-23

Date: _____



The United States of America,

To all to whom these Presents shall come, Greeting:

Homestead Certificate No. 1861
Application 4050

Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at *Blackfoot, Idaho*, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of *James H. Blunn*

has been established and duly consummated, in conformity to law, for the *South half of the Southwest quarter and the West half of the South East quarter of Section six-teen, in Township Thirteen South, of Range forty-three East of Boise Meridian, in Idaho, contain- ing one hundred and fifty acres.*

according to the Official Plat of the Survey of said Land, returned to the General Land Office by the Surveyor General.

Now know ye that there is, therefore, granted by the United States unto the said *James H. Blunn*

the tract of Land above described. To have and to hold the said tract of Land with the appurtenances thereto, unto the said *James H. Blunn* and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietors of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof, *J. Grover Cleveland*, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *Thirteenth* day of *December*, in the year of our Lord one thousand eight hundred and *ninety-seven*, and of the Independence of the United States the *One hundred and twenty-sixth*.

By the President,

J. Grover Cleveland

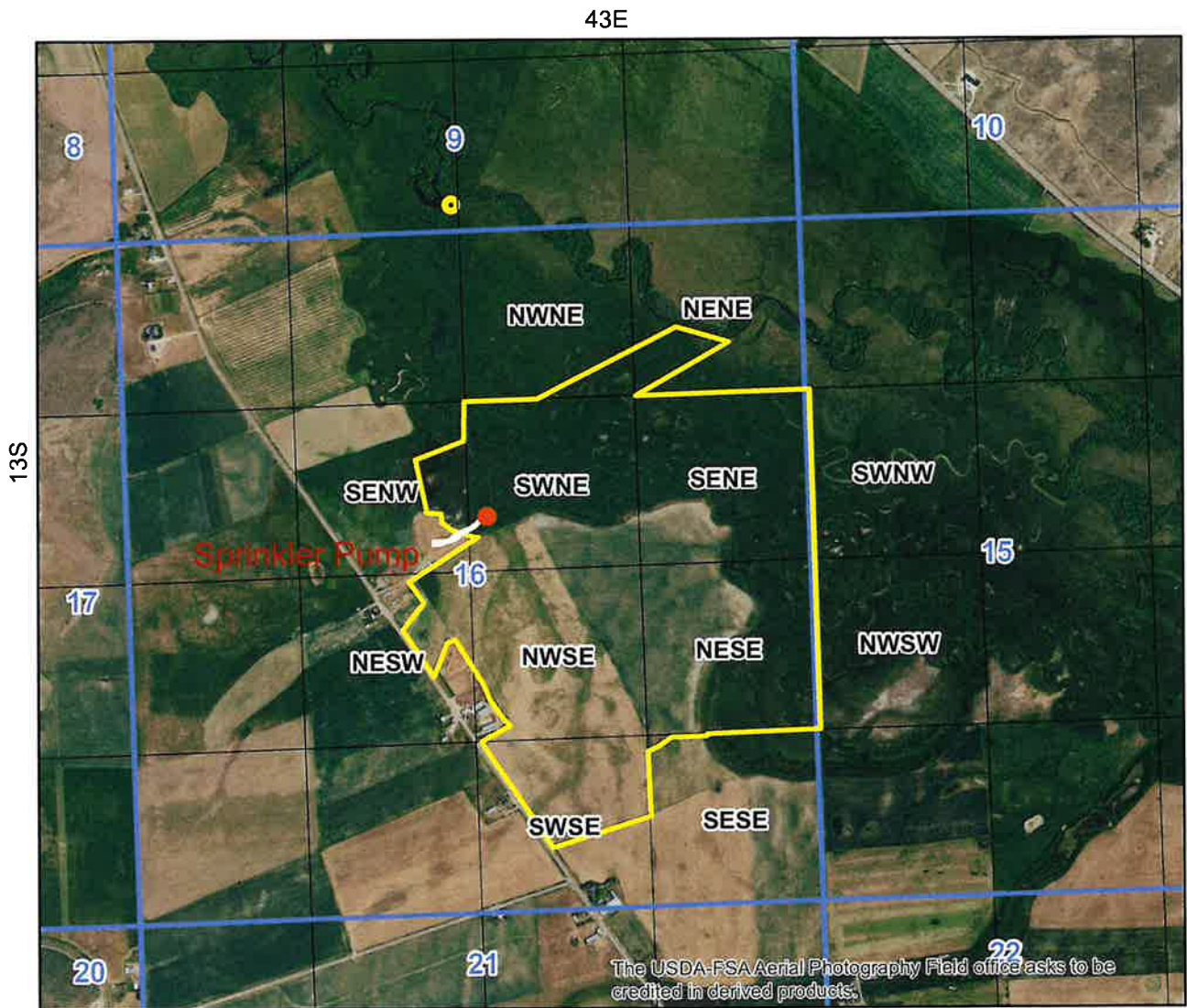
By

W. H. McKean, Secretary.

R. C. Kumar, Recorder of the General Land Office.



State of Idaho
Department of Water Resources
Adjudication Claim
11-4109



0 0.175 0.35 0.7 Miles

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

