

NAME: *ATKINSON*

CLAIM: *A 85-11770*
CORRESPONDENCE
EVIDENCE OF
PRIORITY

q34

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A85-11770**
Date Received: 3/16/1989
Receipt No: N002667
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MICHAEL H ATKINSON
Address: RT 1 BOX 125
LAPWAI ID

208-843-2442

83540

2. Date of Priority: JUN 1, 1903

3. Source: SPRING
GARDEN CREEK

Trib. to: GARDEN CREEK
LAPWAI CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
35N	04W	12	SW	NW	NW		NEZ PERCE

5. Description of diverting works:
SPRING STOCK ACCESS, INSTREAM WATERING FROM GARDEN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 50 LIVESTOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
35N	04W	12	NW	NW		STOCK	

11. Place of use in counties: NEZ PERCE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

DO NOT FILM

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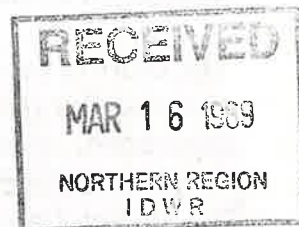
A85-11770

Date Received

Receipt Number

N-2667

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) MICHAEL H. ATKINSON Phone () 843-2442Mailing Address RT. 1 BOX 125 LAPWAI, ID Zip 835402. Date of Priority (Only one (1) per claim) 1903, JUNE 13. Source of water supply (a) SPRING AND GARDEN CREEK
which is tributary to (b) GARDEN CREEK, LAPWAI CREEK4. a. Location of existing point of diversion is: Township 35N Range 4W Section 12,
SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of NEZ PERCE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. SPRING STOCK ACCESS, INSTREAM
WATERING FROM GARDEN CREEK

MICROFILMED
APR 26 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For STOCKWATER purposes from JAN. 1 to DEC. 31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 3/50 MIXED RANGE STOCK

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
35N.	4W	12					3												

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? NEZ PERCE

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (✓)

14. Remarks:

Last Name ATKINSON Ident No. A85-11770

Copies: White -State, Yellow-Claimant

MICROFILMED
APR 26 1993

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. 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 Snake 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Michael N. Atkinson Date 3/15/89

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

) SS.

County of NEZ PERCE)

Subscribed and sworn (or affirmed) before me this 15 day of MARCH 19 89

SEAL

Notary Public Allen Beardsley

Residing at Rathdrum

My Commission Expires 7/20/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name ATKINSON Ident. Number A85-11770

MICROFILMED
APR 26 1993
Copies White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

A85-11770

Copies: White-State, Yellow-Claimant

MICROFILMED
APR 26 1993

Scale: 2 inches equals 1 mile

[illegible]

Copies: White-State, Yellow-Claimant



AJ0749NP
No. R85-11770

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/28/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL H ATKINSON RT 1 BOX 125 LAPWAI ID 83540 (208) 843-2442	06/01/1903	STOCKWATER	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING
GARDEN CREEK
Tributary to: GARDEN CREEK
LAPWAI CREEK
Stage: BENEFICIAL USE

Point(s) of Diversion: T35N R04W S12 SWNW NEZ PERCE County

Place of use Legal Description for: STOCKWATER

	NE	NW	SW	SE
T R S	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac
35N 04W 12	: S	: S	: S	: S

POU County: NEZ PERCE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 35N04W123165
STOCKWATER, 50 MIXED

Dates: Exam Made Date: Verified Date: Objection filed Date:

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

Audit: 10/28/98 ENORAUES

3N 10-28-98

WATER RIGHT NUMBER - A85-11770

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
ATKINSON

MICHAEL H.

1 - RT 1, BOX 125

2 -

3 -

CITY- LAPWAI

STATE- ID ZIP- 83540

PHONE - 208-843-2442

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
06/01/1903 18 NORTHERN J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
SPRING GARDEN CREEK GARDEN CREEK
GARDEN CREEK LAPWAI CREEK

+ - - - - - POINT OF DIVERSION - - - - - +
T4N RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
35N 04W 12 SW NW NW (69) NEZ PERCE

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
04 - STOCKWATER 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - - PLACE OF USE - - - - - +
T4N RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
35N 04W 12 NW NW 04 STOCKWATER (69) NEZ PERCE

+ - - DIVERSION MEANS - SPRING STOCK ACCESS, INSTREAM WATERING FROM GARDEN CREEK

+ - - NON-IRRIGATION USE - S/30 MIXED

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - - MICROFILMED - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

JAN 19 1995

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 12/28/89 SHEPHERD 02/08/91 BEARDSLE

WATER RIGHT NUMBER - A35-11770

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 08/20/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- N002657	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

35N64W123165

PROOF
OCT 11 1991

DATA ENTRY

ENTERED 9-27-93 II
CHECKED [Signature]

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAFP Photos
Field Exam
Other (Geo Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JAN 07 1992

CERTIFIED
JAN 20 1992
WATER EXAMINER