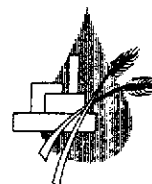


No Color
Documents
In File

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 MELVIN J HULME

(Name of Claimant)

408-297-4400

15941 Viewfield Ave Monte Sereno, CA 95030

Telephone No. 408-354-3637

(Mailing Address)

(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) March 25, 1984 March 25, 1884

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)

Spring tributary to Dry 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:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity <u>0.02 cfs</u>	Use <u>domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SE 1/4 SW 1/4, Sec. 28 Twp. 14 S Rge. 43 E B.M., County of Bear Lake

Additional points of diversion: SW 1/4 SW 1/4 Sec 28 T 14S Rg 43E

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. Spring, well and pipeline

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
<u>14S</u>	<u>43E</u>	<u>28</u>												<u>2</u>					<u>2</u>
<u>14S</u>	<u>43E</u>	<u>28</u>											<u>X</u>	<u>X</u>					
<u>14S</u>	<u>43E</u>	<u>27</u>								<u>X</u>	<u>X</u>								

No. of acres 2

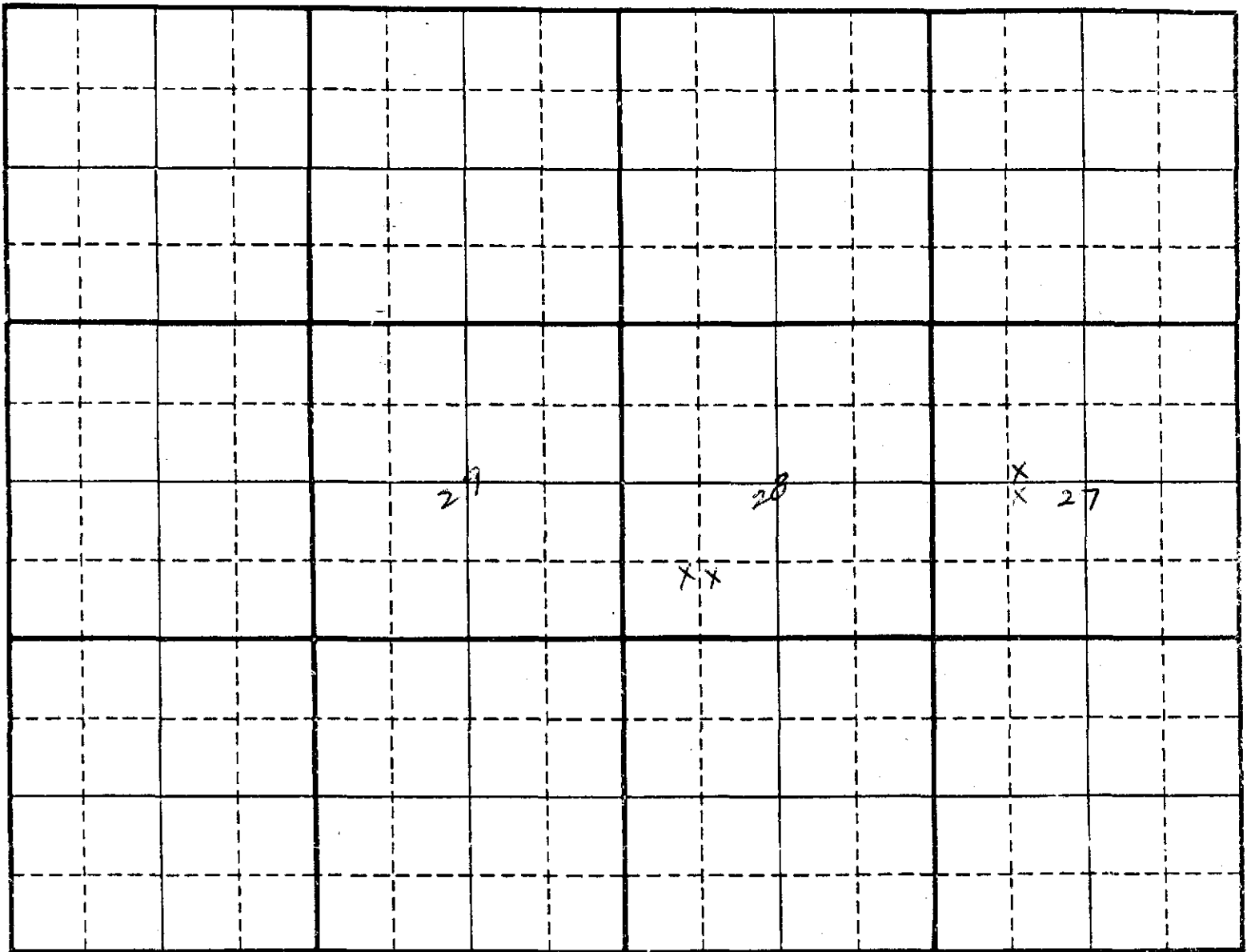
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic and stock

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

Domestic water developed from hillside springs when homestead patents were filed.



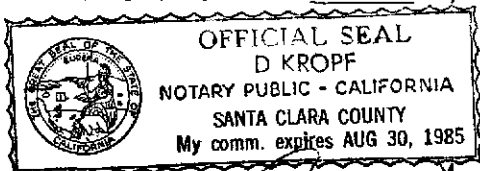
Scale: 2 inches equal 1 mile.

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 California)
County of Santa Clara) 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 30th day of June, 1983.



My commission expires August 30, 1985

Melvin Hulme
(Claimant)

D. Kropf
Notary Public
Residing at 1136 Grace Ave #6
San Jose, Ca 95125

FOR DEPARTMENT USE ONLY

Received by CW Date 7-5-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Am Date 10/28/83 claimant by: _____
\$30.00 fee received by CW Date 7-5-83
Published in News Examiner # 29286
Dates 11/10 & 11/17/83

DV 24 1983
2445

815

AFFIDAVIT OF PUBLICATION

DEC 9 1983

Department of Water Resources
Eastern District Office

E OF IDAHO,
ty of Bear Lake

ss.

being duly sworn,

ses and says:

at he is the of THE
3-EXAMINER, a weekly newspaper published at Mont-
in the County of Bear Lake and State of Idaho; and
paper has been and is in general circulation in the
y aforesaid, and in the vicinity of Montpelier; that the
tisement, a copy of which is attached hereto, was pub-
in said newspaper once a week for con-
ve weeks in the regular and entire issue of said paper
the period and time of publication, and was published
newspaper proper and not a supplement; that said
has been established and regularly published for more
seventy-eight consecutive weeks prior to the date of
ublication of said advertisement.

h notice was published in the issue beginning with

December 10, 1983, and ending

the issue of November 17, 1983

Marie B. Gage

13

scribed and sworn to before me this 31st day

November, 1983

Notary Public, Residing at Montpelier, Idaho

ommission Expires Expiration, 19.....

LEGAL NO. 24

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4290

HULME, MELVIN J.
15941 VIEWFIELD AVE., MONTE
SERENO, CA 95030

Source: BLOOMINGTON CREEK trib. to
BEAR RIVER

Priority Date: 05/01/1877

Diversion Pt: SWNE Sec 26 T 14S R 43E

Use: IRRIGATION (4.20 CFS)

In: NWNW SWNW Sec. 25 T 14S R 43E

SENE Sec. 26 T 14S R 43E FOR 47 ACRES

11-4295

LIBERTY PIPELINE INC.

OVID, ID 83260

Source: SPRING trib. to MILL CREEK

Priority Date: 03/25/1926

Diversion Pt: NWNW Sec. 08 T 13S R 43E

use: DOMESTIC (0.50 CFS)

In: NWNW Sec. 08 T 13S R 43E

11-4294

LDS CHURCH

BERN WARD, BERN, ID 83220

Source: GROUNDWATER

Priority Date: 08/01/1953

Diversion Pt: NENE Sec 35 T 12S R 43E

Use: DOMESTIC (0.04 CFS)

In: NENE Sec 35 T 12S R 43E

11-4293

BIENZ, RAY &/or LOIS

BERN, ID 83220

Source: SPRING trib. to REDPINE CREEK

Priority Date: 09/09/1902

Diversion Pt: NENW Sec 24 T 12S R 43E

Use: STOCKWATER (0.02 CFS)

In: NENW Sec 24 T 12S R 43E

11-4292

BIENZ, RAY &/or LOIS

BERN, ID 83220

Source: RED PINE HOLLOW CREEK trib.

to SINKS

Priority Date: 09/09/1902

Diversion Pt: NENW Sec 24 T 12S R 43E

Use: STOCKWATER (0.02 CFS)

In: NENW Sec 24 T 12S R 43E

11-4291

HULME, MELVIN J.

15941 VIEWFIELD AVE., MONTE

SERENO, CA 95030

Source: SPRING trib. to DRY CREEK

Priority Date: 03/25/1884

Diversion Pt: SESW SWSW Sec 28 T 14S R

43E

Use: IRRIGATION (0.02 CFS)

DOMESTIC (0.02 CFS)

In: SWSW SESW Sec 28 T 14 S R 43E SENW

NESW Sec 27 T 14S R 43E FOR 2 ACRES.

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

KEN DUNN, Dir.

11-10, 11-17
69 LINES

01 WATER RIGHT NUMBER - 11-4291 02 OLD (CD) NUMBER -

03001 - HULME LAST NAME

04001 - MELVIN J. FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - 15941 VIEWFIELD AVE.

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MONTE SERENO

10 STATE - CA 11 ZIP - 95030

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - SPRING SOURCE

15001 - DRY CREEK TRIBUTARY OF

16 DIVERSION MEANS - WELL & PIPELINE

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELDS
22001 -	SESW	23001 - 28	24001 - 14S	25001 - 43E	26001 -	27001 -	0	0.0	0.0
22002 -	SMSW	23002 - 28	24002 - 14S	25002 - 43E	26002 -	27002 -	0	0.0	0.0
				28002 -	0	0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 14S	32001 - 43E	33001 - 28	34001 -	SMSW	35001 -	36001 -
30002 - 01 IRRIGATION	31002 - 14S	32002 - 43E	33002 - 28	34002 -	SESW	35002 -	36002 -
30003 - 01 IRRIGATION	31003 - 14S	32003 - 43E	33003 - 27	34003 -	SESW	35003 -	36003 -
30004 - 01 IRRIGATION	31004 - 14S	32004 - 43E	33004 - 27	34004 -	NESW	35004 -	36004 -
TOTAL ACRES: 2							

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0315	38001 - 1115	01 IRRIGATION	0.020	41001 -	0.00
37002 - 0101	38002 - 1231	43 DOMESTIC	0.020	41002 -	0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS

44001 - APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

	PRIORITY	DATE	LICENSE	DATE	TRANSFER/AMENDED	
47	PROOF DUE	25-MAR-1984	55	APPL RECEIVED	63	DLE/CAREY ACT
48	PROOF MADE		56	FIELD EXAM MADE	64	FLAG_1
49	APPROVE/DENIED		57	DECREE	65	FLAG_2
50	PROTESTED		58	START WORK	66	FLAG_3
51	HEARING		59	ORDER SHOW CAUSE		
52	VERIFIED		60	DATE_1		
53	LAST UPDATE	7-NOV-1983	61	DATE_2		

38/8/11
VERIFIED JKN

MEMORANDUM

TO: File

DATE: Jan. 20, 1984

FROM: Ernest Carlsen *gmc*

Claim 11-4290 and 11-4291 were returned to Eastern Region because of a question concerning the correct filing fee. Though, these claims were received 5 days after the \$100.00 filing fee became effective, both were receipted for only \$30.00. Receipting these claims for the reduced amount would be acceptable provided they were posted on or before June 30, 1983. Unfortunately, the postage date was not entered on the claim during initial processing and the envelope used to mail these claims was either misplaced or inadvertently discarded. Without the envelope, there is no way to positively confirm when the claims were actually mailed. However; the claims were notarized on June 30, 1983 meaning they could have been mailed when the reduced fee was in effect.

It seems unreasonable to penalize the claimant by requiring he submit an additional \$140.00 for processing of the claims when there is a real possibility that they were mailed prior to July 1, 1983 and the Department has no way of verifying otherwise.

MICROFILMED

MEMORANDUM

TO: File

DATE: Jan. 20, 1984

FROM: Ernest Carlsen

Claim 11-4290 and 11-4291 were returned to Eastern Region because of a question concerning the correct filing fee. Though, these claims were received 5 days after the \$100.00 filing fee became effective, both were receipted for only \$30.00. Receipting these claims for the reduced amount would be acceptable provided they were posted on or before June 30, 1983. Unfortunately, the postage date was not entered on the claim during initial processing and the envelope used to mail these claims was either misplaced or inadvertently discarded. Without the envelope, there is no way to positively confirm when the claims were actually mailed. However; the claims were notarized on June 30, 1983 meaning they could have been mailed when the reduced fee was in effect.

It seems unreasonable to penalize the claimant by requiring he submit an additional \$140.00 for processing of the claims when there is a real possibility that they were mailed prior to July 1, 1983 and the Department has no way of verifying otherwise.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 28, 1983

MELVIN J. HULME
15941 VIEWFIELD AVE.
MONTE SERENO CA 95030

RE: Claim No. 11-4291

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

11-4291



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

November 29, 1983

RE: Claim to a Water Right No. 11-4290 HULME
11-4291 "
11-4292 BIENZ
11-4293 "
11-4295 LIBERTY PIPELINE
11-4294 LDS CHURCH

News Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on November 10 and 17, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G.F. RAMSEY

INITIAL REVIEW BY: OCT 28 1983

Right Number 11 4291 Applicant MELVIN HULME

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.

Nov 28, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Dec 13, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By DC Date 1/25/84

RECEIVED
JAN 25 1984

Department of Water Resources

RECEIVED
DEC 15 1983

Department of Water Resources

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

[illegible]

11-4291-

HULME, MELVIN J.

15941 VIEWFIELD AVE., MONTE SERENO, CA 95030

Source. SPRING trib. to DRY CREEK

Priority Date. 03/25/1884

Diversion Pt. SESW EMSW Sec 28 T 14S R 43E

Use. IRRIGATION	(0.02 CFS)
DOMESTIC	(0.02 CFS)

In. EMSW SESW Sec 28 T 14S R 43E SENW NESW Sec 27 T 14S R 43E
FOR 2 ACRES