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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)
15941 Viewfield Ave. Monte Sereno, Ca. 95030 Telephone No. 408-297-4400
(Mailing Address) (Zip Code) 408-354-3637

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) May 1, 1877 May 1, 1877

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)
Bloomington 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:

Quantity	(cfs, ~~gpm~~)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>4.20 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>May 1</u>	To <u>Sept 30</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) 4.20 TOTAL QUANTITY USED.
(cfs, ~~gpm~~)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4, Sec. 26 Twp. 11 S Rge. 13 E 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. Wood concrete and earth filled Diversion Dam into approximately 600' long ditch with levees for flood irrigation and holding ponds during spring and late summer

(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
11S	13E	25						6	27										
11S	13E	26	X			11													

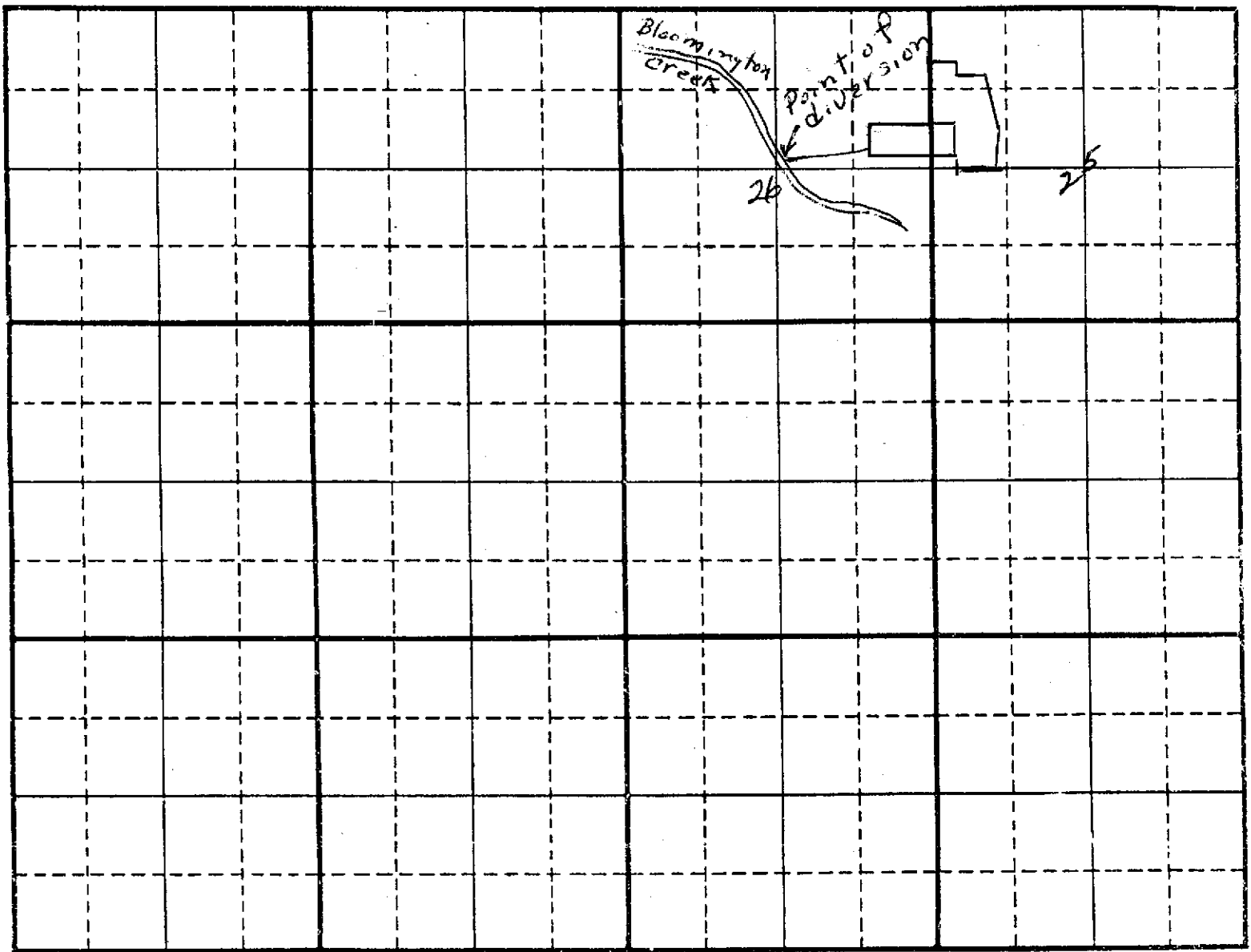
No. of acres 47

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:
Bloomington Irrigation Company for other properties in same Range and Township

- (8) Remarks Water has been used for irrigation of meadow lands and duck ponds since a time shortly after Bloomington Village was settled in mid 1860's. See abstracts for original owners



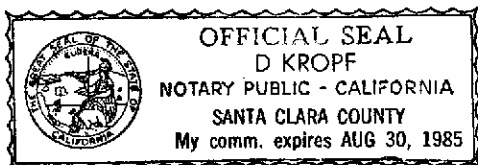
Scale: 2 inches equal 1 mile.

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 J. Hume
(Claimant)
D. Kropp
Notary Public
Residing at 1136 Brace Ave #6
San Jose, Ca.

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>7-5-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AM</u>	Date <u>10/28/83</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>7-6-83</u>			
Published in <u>News Examiner</u>	<u>#29285</u>			
Dates <u>11/10 & 11/17/83</u>				

NOV 24 1983
815
2445

AFFIDAVIT OF PUBLICATION

DEC 9 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye

being duly sworn,

deposes and says:

That he is the Publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

November 10, 1983, and ending

with the issue of November 17, 1983

Marie B. Nye
Fees, \$ 43.13

Subscribed and sworn to before me this 21st day
of November, 1983

Denise Green
Notary Public Residing at Montpelier, Idaho

My Commission Expires Lifetime, 19.....

LEGAL 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 - 11-4290 02 OLD (D) 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 -

SOURCE
14001 - BLOOMINGTON CREEK ✓ 15001 - BEAR RIVER ✓

16 DIVERSION MEANS - DAM, DITCH & PONDS 17 COUNTY - 07 BEAR LAKE ✓

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - 4.200 ✓ 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG LOT RFLG STREAM INDEX FIELDS

22001 - SWNE 23001 - 26 24001 - 14S 25001 - 43E 26001 - 27001 - 28001 - 0 0.0 0.0 0.0 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 - 25 34001 - NMNW 35001 - 06 36001 -
30002 - 01 IRRIGATION 31002 - 14S 32002 - 43E 33002 - 25 34002 - SWNW 35002 - 27 36002 -
30003 - 01 IRRIGATION 31003 - 14S 32003 - 43E 33003 - 26 34003 - SENE 35003 - 14 36003 -

TOTAL ACRES: 47

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 0501 38001 - 0930 39001 - 01 IRRIGATION 40001 - 4.200 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - D A T E S - 1-MAY-1877 ✓ 55 LICENSE - D A T E S - 63 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 64 OLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM MADE - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -
52 HEARING - 60 ORDER SHOW CAUSE -

WRR100
11-4290

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

53 VERIFIED
54 LAST UPDATE - 7-NOV-1983

61 DATE_1
62 DATE_2

D A T E S

D A T E S

F L A G S

VERIFIED JKN
3/8/81/c

MEMORANDUM

TO: File

DATE: Jan. 20, 1984

FROM: Ernest Carlsen *ENC.*

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
13941 VIEWFIELD AVE.
MONTE SERENO CA 95030

RE: Claim No. 11-4290

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 filings 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

MICROFILMED



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
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

November 4, 1983

RE: Claim to a Water Right No. 11-4289 TORGESEN
11-4290 HULME
13-4274 SMITH

Russell Stoker, Watermaster
Water District No. 11
279 East Third North
Soda Springs, ID 83276

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

UNRECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: OCT 28 1983

Right Number 11 4290 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 Calver Date Dec 13, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sc Date 1/25/84

RECEIVED

JAN 25 1984

Department of Water Resources

RECEIVED

DEC 13 1983

Department of Water Resources

MICROFILMED

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 10
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 2, 1983

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before NOVEMBER 28, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

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

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

KEN DUNN, Dir.

Published 11/10 & 11/17/83.

MICROFILMED

11-1290

MULME, MELVIN J.

15941 VIEWFIELD AVE., MONTE SERENO, CA 95030

Source: BLOOMINGTON CREEK trib. to BEAR RIVER

Priority Date: 05/01/1877

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

Use: IRRIGATION (4.20 CFS)

In: NNNN SWNN Sec 25 T 14S R 43E SENE Sec 26 T 14S R 43E FOR 47 ACRES

MICROFILMED