

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 Dean Ward and Sons
(Name of Claimant)
Bloomington, ID 83223 Telephone No. 945-2361
(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) May 1, 1890

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 Lake

(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>0.60cfs</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) 0.60cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 26 Twp. 14S Rge. 43E B.M., County of Bear Lake
Additional points of diversion: NE ¼ SW ¼, Sec. 30, T. 14S, R. 44E

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.
Ditch from stream to flood and sprinkler system.

(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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14S	44E	30							40										40

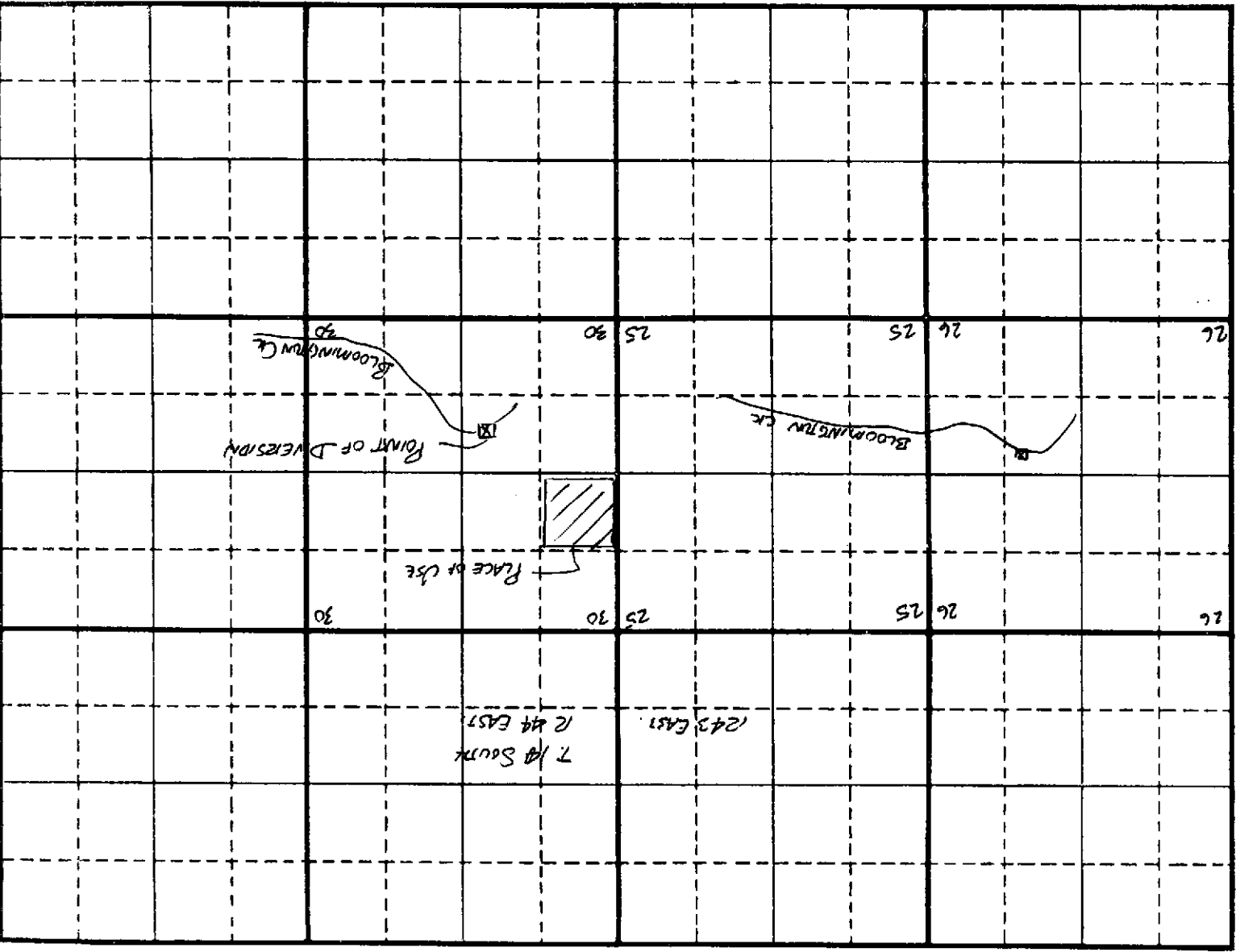
No. of acres 40

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



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 Idaho

County of

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 16 day of September, 1983

(Claimant)

Dean Ward & Sons
Sept 16, 1983
Notary Public
Residing at *Provo, Utah*

My commission expires

BP 9/22/83
CW 7/1/83 PM 6/30/83
FOR DEPARTMENT USE ONLY

Received by SM
Prelim. check by *Kew*
Date 7/20/83
Exception filed by:
Forwarded to
claimant by:
Date

Date 7/20/83
Date 10/21/83
Date 7/20/83
#29352

Published in *Idaho Examiner*
Dates 11/3 & 11/10/83

Ward

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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(Mailing Address)

(Name of Claimant)
83223
(Zip Code)

Telephone No. 945-2361

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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

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(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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14S	44E	30						40											40

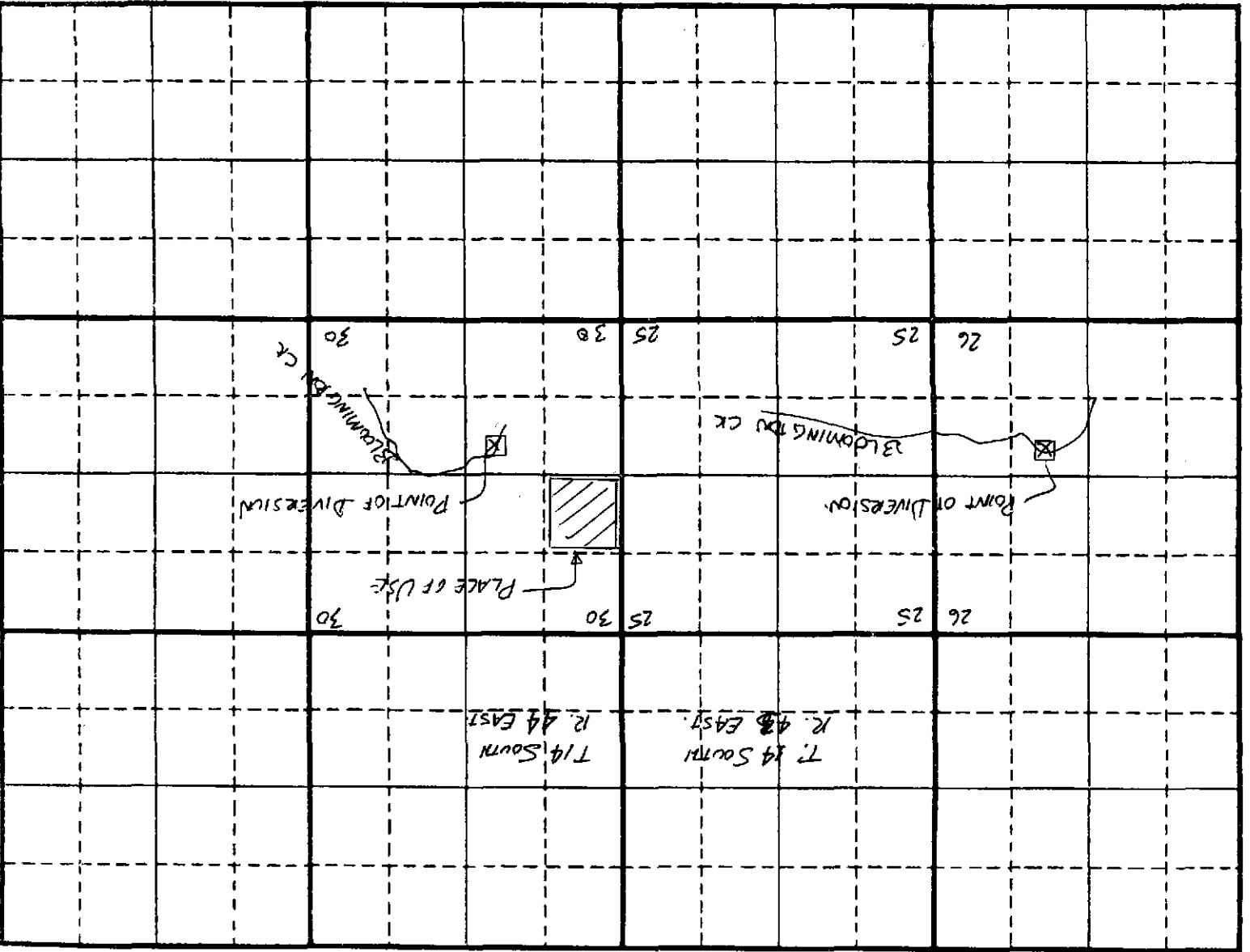
No. of acres 40

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: _____

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MICROFILMED



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 Idaho

County of Bannock
ss.)
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to 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 20th day of July, 1983.
(Claimant) William H. Hays
Notary Public William Hays
Residing at State Road

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by S.M. Date 7-20-83 Exception filed by: _____ Forwarded to _____
Prelim. check by _____ Date BP _____
\$30.00 fee received by _____ Date 7/20/83 #29352 _____
Published in _____
Dates _____

NOV 17 1983
Nº 2442

813

AFFIDAVIT OF PUBLICATION

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 3, 19*83*, and ending

with the issue of *November 10*, 19*83*.

Marie B. Nye
Fees, *\$ 14.38*

Subscribed and sworn to before me this *15th* day
of *November*, 19*83*.

Marie B. Nye

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

DEC 9 1983

Department of Water Resources
Eastern District Office

LEGAL NO. 2442

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4288

DEAN WARD & SONS
BLOOMINGTON, ID 83223

Source: BLOOMINGTON CREEK trib. to
BEAR LAKE

Priority Date: 05/01/1890

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

NESW Sec 30 T 14S R 44E

Use: IRRIGATION (0.60 CFS)

In: SWNW Sec 30 T 14S R 44E FOR 40
ACRES

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.

11-3, 11-10
23 LINES

RECORDED

WRR100
11-4288

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
16-DEC-1985 10:39:24

01 WATER RIGHT NUMBER - 11-4288 02 OLD (D) NUMBER -

LAST NAME
03001 - DEAN WARD & SONS

FIRST NAME
04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BLODMINGTON

10 STATE - ID 11 ZIP - 83223

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - BLODMINGTON CREEK

TRIBUTARY OF
15001 - BEAR LAKE

16 DIVERSION MEANS - DITCH & SPRINKLER SYSTEM

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .600

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD	S
22001 - NWSE	23001 - 26	24001 - 14S	25001 - 43E	26001 - 27001	0	0.0	0.0	0.0	0	0
22002 - NESW	23002 - 30	24002 - 14S	25002 - 44E	26002 - 27002	0	0.0	0.0	0.0	0	0
					28002	0	0.0	0.0	0	0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT	TOTAL ACRES: 40
30001 - 01 IRRIGATION	31001 - 14S	32001 - 44E	33001 - 30	34001 - 30	35001 - 40	36001 -		

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401	38001 - 1101	39001 - 01 IRRIGATION		40001 - 0.600	41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

DATE	DATE	FLAG
47 PRIORITY	1-MAY-1890	
48 PROOF DUE		63 TRANSFER/AMENDED
49 PROOF MADE		64 DLE/CAREY ACT
50 APPROVE/DENIED		65 FLAG_1
51 PROTESTED		66 FLAG_2
52 HEARING		67 FLAG_3

WRR100
11-4288

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

98/8/8
VERIFIED JKN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 21, 1983

DEAN WARD & SONS
BLOOMINGTON

ID 83223

RE: Claim No. 11-4288

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

NOV 21 1983

November 28, 1983

RE: Claim to a Water Right No. 11-4288 WARD
11-4258 KUNZ (Amended)

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 3 and 11, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

October 26, 1983

RE: Claim to a Water Right No. 11-4288 WARD

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

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C. WILSON.

Right Number 11 4288

Applicant DEAN WARD & Sons

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. 21, 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 SC Date 12/15/83

del

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

DEAN WARD.

9-8-1983

BLOOMINGTON ID.

83223.

Dear Claimant:

The Department is in receipt of your claim to a water right.

Unfortunately, there are some corrections which must be made before processing can continue. The enclosed claim form which has been re-typed for your convenience makes the following correction:

- THE ORIGINAL FORM INDICATED THE 40 ACRE IRRIGATED TRACT
IN THE NW¹/₄ NW¹/₄ SEC 30. IT SHOULD HAVE BEEN IN THE
SW¹/₄ NW¹/₄ SEC 30. THE NEW FORM CORRECTS THIS ERROR.

Please sign and notarize the form and return it to this office as soon as possible, as processing cannot continue until it is received at this office.

If you have any questions, please feel free to contact me.

Sincerely,

Steve McCormick

STEVE McCORMICK
Sr. Resource Analyst

Enclosure

DEPARTMENT OF WATER RESOURCES
Eastern Region

OCTOBER 26, 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 galley 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 billing to this office before NOVEMBER 21, 1982.

FOUR TRUITS

RONALD D. CARLSON
Supervisor
Eastern Region

End.

1990

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 11/3 & 11/10/83.

11-4288

DEAN WARD & SONS

BLOOMINGTON, ID 83223

Source: BLOOMINGTON CREEK trib. to BEAR LAKE

Priority Date: 05/01/1890

Diversion Pt. NWSE Sec 26 T 14S R 43E NESW Sec 30 T 14S R 44E

Use: IRRIGATION (0.60 CFS)

In: SWNW Sec 30 T 14S R 44E FOR 40 ACRES

LEGAL NO. 2442

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NESW Sec 30 T 14S R 44E

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In: SWNW Sec 30 T 14S R 44E FOR 40
ACRES

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KEN DUNN, Dir.

11-3, 11-10
23 LINES