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STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Gerald Hidalgo
(name of claimant)
of Geneva, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to - - - -

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ground water
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.2</u>	Use	<u>Domestic</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u>0.4</u>	Use	<u>Stockwater</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u>(cfs, ~~gpm~~</u>	Use	<u>(dom., irri.,</u>	Period of Use:	From		To	
	<u>~~mgd~~)</u>		<u>stock, etc.)</u>					<u>(both dates inclusive)</u>

- (3) Total quantity of water claimed: 0.6 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) January, 1928

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
 SW ¼ SE ¼, Sec. 22 Twp. 13S Rge. 46E B. M. County of Bear Lake
 Additional points of diversion: SE ¼ SE ¼, Sec. 22, T. 13S, R. 46E, B.M.

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. 6" diameter wells 70-85 feet deep

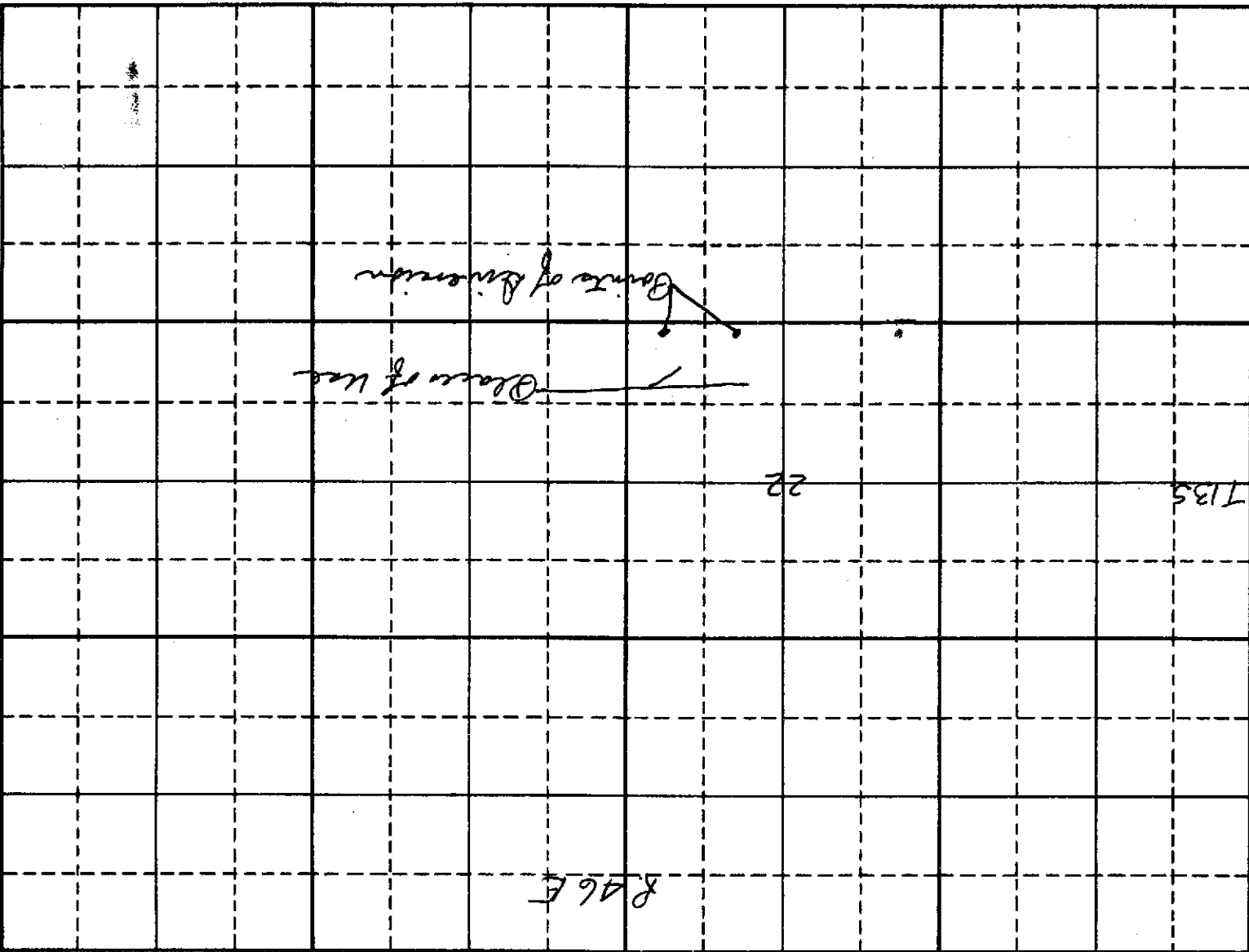
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: 60 head dairy cattle
Domestic use for 2 families

- (7) If you are claiming water as a member of an organization, list name of organization: _____



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

ss.

County of Bonneville

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 19th day of APRIL 1974
(Claimant)
Rorand M. Mingo

Notary Public
Residing at Firth, IDAHO
My commission expires 2/19/78

For Department Use Only

Received by	Date	4-19-74
Prelim. check by	Date	4-19-74
\$10.00 fee received by	Date	4-19-74
Approved for publication by	Date	4-21-74 #12850
Published in		The Times-Examiner
Dates		April 25 & May 2, 1974

Exception filed by: _____
Forwarded to _____
Date _____
Claimant by: _____

WRR100
11-4038

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
18-MAR-1986 23:47:01

01 WATER RIGHT NUMBER - 11-4038 02 OLD (D) NUMBER -

03001 - HIDALGO LAST NAME 04001 - GERALD FIRST NAME 05001 - C ORIG. OWNER

06 ADD LINE 1 - 07 ADD LINE 2 -

08 ADD LINE 3 - 09 CITY - GENEVA 10 STATE - ID 11 ZIP - 83238

12 STAGE - S STATUTORY CLAIM 13 STATUS -

SOURCE 14001 - GROUNDWATER 15001 - TRIBUTARY OF

16 DIVERSION MEANS - 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 FIELDS

22001 - SMSF 23001 - 22 24001 - 13S 25001 - 46E 26001 - 27001 - 0 0.0 0.0 0.0 0 0 0.0

22002 - SESF 23002 - 22 24002 - 13S 25002 - 46E 26002 - 27002 - 0 0.0 0.0 0.0 0 0 0.0

29 NON-IRRIGATION USE - S/60 RANGE D/2 HOMES.

USE CODE / USE TWN RNG PLACE OF USE SEC TRACT ACRES LOT

30001 - 04 STOCKWATER 31001 - 13S 32001 - 46E 33001 - 22 34001 - SMSF 35001 - 36001 -

TOTAL ACRES: 0

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

37001 - 0101 38001 - 1231 39001 - 04 STOCKWATER 40001 - 0.200 41001 - 0.00

37002 - 0101 38002 - 1231 39002 - 43 DOMESTIC 40002 - 0.400 41002 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - DATES - 1-JAN-1928 55 LICENSE 63 TRANSFER/AMENDED
48 PROOF DUE - 56 APPL RECEIVED 64 DUE/CAREY ACT
49 PROOF MADE - 57 FIELD EXAM MADE 65 FLAG-1
50 APPROVE/DENIED- 58 DECREE 66 FLAG-2

WRR100
11-4038

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
18-MAR-1986 23:47:01

	D A T E S	D A T E S	F L A G S
51	PROTESTED		
52	HEARING		
53	VERIFIED		
54	LAST UPDATE	10-DEC-1979	
59	START WORK		
60	ORDER SHOW CAUSE		
61	DATE_1		
62	DATE_2		
67	FLAG_3		

78/02/86
VERIFIED XN

IDENT. NO. 11-4038

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 11-4038
Old No. New No.

Record

1. Original Owner: Gerald Hidalgo

Present Owner: _____

2. Address:

3. City: Menava State: ID Zip: 832384. A. Source of Water: MW

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 1-1-1928D. County: 01E. Total Diversion Rate: .6

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>22</u>	<u>13A</u>	<u>46E</u>		
	<u>SESE</u>	<u>22</u>	<u>13B</u>	<u>46E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for 8 purposes. Amount .2
(cfs or AC-FT/yr)from 1-1 to 12-31 for D purposes. Amount .4

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use code: 8

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): 5/60 range D/2 donor.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P, R, F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

May 21, 1974

Re: Claim to a Water Right No. 11-4038

Mr. Gerald Hidalgo
Geneva,
Idaho 83238

Dear Mr. Hidalgo:

The Department of Water Administration has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Enc: Copy of claim

11 4038

May 14, 1974

Re: Application for Permit No. 11-7057 Hincks
Amended Application for Permit No. 11-7052 Hincks
Claim to a Water Right No. 11-4038 Hidalgo

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

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced applications. The legal notice was to have been published in your paper on April 25 and May 2, 1974.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

Called 5/20/74

11 4038

April 19, 1974

Re: Application for Permit No. 11-7057 HINCKS
Amended Application for Permit No. 11-7052 HINCKS
Claim to a Water Right No. 11-4038 HIDALGO

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 5-21-74 by MB

NCY:MB
Enc: Legal Notices (3)

11 4038

**NOTICE OF CLAIM TO
A WATER RIGHT**

No. 11-4038

Notice is hereby given that Ger-
ald Hidalgo, Geneva, Idaho has
filed a claim to a water right es-
tablished by diversion and applica-
tion to beneficial use of 0.6 cubic
feet per second of water from a
ground-water source with point of
diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 13S, R. 46E,
B. M., Bear Lake County

The water is claimed to be used
from January 1 to December 31
for domestic purposes for 2 fami-
lies and stockwatering purposes
for 60 dairy cattle with a priority
of January, 1978 all uses within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 13S, R.
46E, B. M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Ad-
ministration, 1515 Lincoln Road,
Idaho Falls, Idaho 83401.

R. KEITH HIGGINSON

Director

Published in The News-Examiner,
er, Montpelier, Idaho on April 25
and May 2, 1974.

(a-25/m-2)

11 4038

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4038

Notice is hereby given that Gerald Hidalgo,

Geneva, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.6 cubic feet per second ~~XXXXXX~~
of water from a ground-water source

with point of diversion in the S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 13S, R. 46E, B.M.
Bear Lake County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes
for 2 families and stockwatering purposes for 60 dairy cattle

with a priority of January, 1928;

~~XXXXXXXXXXXXXXXXXXXX~~ all uses within the S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 13S,
R. 46E, B.M.

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83401.

R. KEITH HIGGINSON

Director

Published in the News-Examiner, Montpelier, Idaho

on April 25 and May 2, 1974.

11 4038

OB-A.
OB-A.
CD-A.
Called 4-23-74
MB

THE NEWS-EXAMINER

MONTPELIER, IDAHO

RECEIVED

MAY 21 1974

Department of Water Administration
Boise, Idaho 83726

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Bear Lake,) ss.

W. Jerome Taylor

being first duly sworn, deposes and says he is
Publisher and Foreman of the News-
Examiner; that the said News-Examiner is a
weekly newspaper published at Montpelier,
County of Bear Lake, State of Idaho, of
general circulation in said County and State.

That the notice attached was published in
the said News-Examiner, and not in a
supplement, for two
successive weeks, commencing with the issue
dated April 25, 1974
and ending with the issue

dated May 2, 1974

W. Jerome Taylor
Publisher and Foreman

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R. KEITH HIGGINSON
Director

Published in The News-Examin-
er, Montpelier, Idaho on April 25
and May 2, 1974.

cb (a-25 m-2)

Entered in Idaho

Subscribed and sworn to before me this 15th day of May, 1974

Notary Public

Notary Public.

11 4038