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Documents

In File

Bear Lake County *
A Small spring *
.02 of 1 second foot *
Irrigation and domestic *
Priority 8-8-1907 *

S T A T E O F I D A H O

Water License No. 3030.

WHEREAS, On the 8th day of August A.D. 1907, GEORGE HYMAS, of Liberty, County of Bear Lake, and State of Idaho, duly made application (No. 4265) to me for a permit to use .02 of 1 cubic foot per second of the waters of a small spring, County of Bear Lake, State of Idaho, for irrigation and domestic purposes; and.

WHEREAS, On the 24th day of August A.D. 1907, Permit No. 3030, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 24th day of August A.D. 1908, and for the application to beneficial use of said water on or before the 24th day of August A.D. 1908, and,

WHEREAS, On the 24th day of August A.D. 1908, the holder of said permit duly made proof of the completion of adequate works for the diversion of .02 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 3030, dated October 14, 1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .02 of 1 cubic foot per second of water, with date of priority of August 8, 1907, and,

WHEREAS, On the 24th day of August A.D. 1908, proof was duly made of the application to beneficial use of .02 of 1 cubic foot per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to GEORGE HYMAS, of Liberty, Idaho, the holder and owner of said Permit No. 3030 a perpetual right, dating from August 8, 1907, to the use of .02 of 1 cubic foot per second of the waters of a small spring, in the County of Bear Lake, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the (northeast corner of northwest quarter of section 21, township 12 south, range 43 east) of the Boise meridian, and conducted to and upon about (1 acre in the southeast quarter of the northwest quarter of section 21, township 12 south, range 43 east of the Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 14th day
of October A.D. Nineteen Hundred and eight.

Jas. Stephenson, Jr.
State Engineer

(SEAL)

Recorded October 14, 1908.

No. 4265. 11-2016

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: George A. Hymas

Postoffice address: Liberty

County: Bear Lake State: Idaho.

2. The quantity of water claimed is 1/50 cubic feet per second.

3. Source of water supply: Small Spring.

County of Bear Lake.

4. Location of point of diversion: 85 rd W and 35 rd S from SE corner of Sec. 16 Tp 12 S. R. 43 E. B. M. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 21 T. 12 S R. 43 E.

5. To be used for:

I. Irrigation and domestic use: Yes.

(a) Amount of land to be irrigated: One acre.

(b) In the following legal subdivisions: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 21 Tp 12 S. R. 43 E.

6. Estimated cost of works: \$50.00

7. Description of works for diversion:

I. Kind of works: ditch.

II. Dimensions of works:

(a) Conduit ditch, width at bottom 2/3 feet, width at water line one foot, depth of water 4/12 feet. Average grade per mile is 80 feet. Length of conduit is 80 rods, and it crosses the following quarter sections: part of NE $\frac{1}{4}$ Sec 21 Tp 12 S. R. 43 E. to land described in 5 I. (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is one years.

9. Time required for the complete application of the water to the proposed use is no additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

George A. Hymas,

Applicant.

By D. M. Austin

Agent.

APPROVAL OF STATE ENGINEER

The number of this permit is 3030

Date of first receipt of application 9:00 AM August 8, 1907.

Recorded in Book 9 Page 3030 Approved August 24, 1907.

This is to certify that I have examined the within application for a permit to appropriate to public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before October 23, 1907 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 24, 1908.

The whole of said work to be completed on or before August 24, 1908.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to August 24, 1908.

Witness my hand this 24 day of August 1907.

Jas. Stephenson.

State Engineer.

--oOo--

Blank notice of proof of completion of the works of diversion, and beneficial use mailed applicant May 1, 1908.

Notice received May 16, 1908, fixing August 24, 1908, as date, and Paris, Idaho, as place of proof.

Notice for publication mailed Paris Post, July 16, 1908.

Deposition blanks mailed applicant applicant July 16, 1908.

E.N. Austin authorized July 16, 1908, to make examination of works.

His report received August 26, 1908.

Affidavit of publication and fees received August 26, 1908.

Depositions received October 12, 1908.

Certificate of Completion of Works and Water License issued October 14, 1908.

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Permit No. 3030.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that GEORGE A. HYMAS, of Liberty, County of Bear Lake, and State of Idaho, the holder of Permit No. 3030, issued upon Application No. 4265, bearing date of priority of August 8, 1907, authorizing the diversion of .02 of 1 second foot of the waters of a small spring, County of Bear Lake, State of Idaho, ^{for irrigation and domestic purposes,} has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .02 of 1 second foot of the waters of a small spring, that the point of Diversion of said water is at a point in the northeast corner of northwest quarter, section 21, township 12 south, range 43 east of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The southeast quarter of the northwest quarter of section 21, township 12 south, range 43 east of the Boise meridian.

Witness my hand this 14th day of October A.D. 1908.

Jas , Stephenson, Jr.

State Engineer

License issued for 7/100 second feet

P. 373

MEMORANDUM

DATE: June 15, 2005
FROM: KARI LYNN TOWNSEND
TO: FILES 11-56 & 11-2016
RE: Review recap

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During an ownership change review meeting for WR 11-47 the above referenced water rights were discussed by Jeff Peppersack and Kari Lynn Townsend. It was decided to finally act on the information in Jeff's letter to Dorene Lee of 8-17-00 and the \$100 paid to change 4 water rights was used to provide the filing fee for the split required on water right 11-57.

No further action on behalf of Dorene Lee (Nulph) is being taken on water rights 11-47, 11-56 and 11-2016.

Water right 11-47 is involved in a second request for ownership change in the name of Lorene Roberts.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 17, 2000

DORENE LEE
P O BOX 336
GARDEN CITY, UT 84028

RE: Water Right Nos. 11-00057, 11-02016, 11-00047, and 11-00056
Change in Ownership

Dear Ms. Lee:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. As we discussed, I have completed an initial review of the ownership documentation and found the following:

- 1) Regarding right no. 11-00057, the ownership documentation you provided indicates that you own approximately 148 acres of the 160 acres associated with the original decreed right holder. I have enclosed a map of your approximate property boundary and a copy of the original decree for your review. Without information to the contrary, IDWR will assume intent to split the right proportionately. In this case, the decree is for 100 inches of water (2 cfs), so your portion would be $148/160 \times 2 = 1.85$ cfs. The fee for a change in ownership involving a division of the water right is \$100.
- 2) Regarding right nos. 11-02016, 11-00047, and 11-00056, the ownership documentation you provided does not include land appurtenant to any of these rights. The enclosed copy of the decree and license describes the place of use for each of the rights.

We will withhold any action on these rights for 30 days to allow you time to review the enclosed information and to provide additional documentation if feel it is necessary. If you do not provide additional information within that time period, we will process the change for right no. 11-00057 as described above. The \$100 fee that you already submitted is sufficient for that change.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact me at 208-327-7940 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jeff Peppersack', written in a cursive style.

Jeff Peppersack, Manager
Water Right Permits Section

Enclosure(s)