

1983 #915  
386

RECEIVED

AFFIDAVIT OF PUBLICATION

OCT 13 1983

Department of Water Resources  
Eastern District Office

IDAHO, }  
Bear Lake } ss.

Maria B Nye  
being duly sworn,

says:  
the Publisher of THE  
LINER, a weekly newspaper published at Mont-  
pelier, County of Bear Lake and State of Idaho; and  
has been and is in general circulation in the  
County of Bear Lake, and in the vicinity of Montpelier; that the  
newspaper, a copy of which is attached hereto, was pub-  
lished once a week for 2 con-  
secutive issues in the regular and entire issue of said paper  
during the period and time of publication, and was published  
as a newspaper proper and not a supplement; that said  
newspaper has been established and regularly published for more  
than eight consecutive weeks prior to the date of  
publication of said advertisement.

It was published in the issue beginning with  
September 1, 1983, and ending  
with the issue of September 8, 1983.  
Maria B Nye  
Notary Public

I and sworn to before me this 13th day  
of September, 1983.  
Kevin Green

Notary Public, Residing at Montpelier, Idaho  
My Commission Expires Lifetime, 19    

MICROFILMED

LEGAL NO. 2386  
OFFICE OF CLAIMS TO  
WATER RIGHTS

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

11-4266  
HEMMERT, HERVIN &/or DWIGHT  
ST. CHARLES, ID 83272  
Source: SPRING trib. to SINKS  
Priority Date: 05/01/1916  
Diversion Pt: NWN Sec 09 T 16S R 45E  
Use: STOCKWATER (0.02 CFS)  
In: NWN Sec 09 T 16S R 45E

11-4264  
KUNZ, ROGER L.  
875 LUCILLE, POCATELLO, ID 83201  
Source: POND trib. to SINKS  
Priority Date: 06/01/1958  
Diversion Pt: SWSW Sec 36 T 12S R 43E  
Use: IRRIGATION (0.80 CFS)  
STOCKWATER (0.04 CFS)  
In: SWSW Sec 36 T 12S R 43E NWNW Sec 01  
T 13S R 43E FOR 40 ACRES

11-4263  
HULME, CHARLES E. &/or MELVIN J.  
BLOOMINGTON, ID 83223  
Source: SPRING trib. to DRY CREEK  
Priority Date: 11/06/1901  
Diversion Pt: SWNW Sec 28 T 14S R 43E  
Use: STOCKWATER (0.03 CFS)  
In: SWNW Sec 28 T 14S R 43E

11-4262  
HULME, CHARLES E. &/or MELVIN J.  
BLOOMINGTON, ID 83223  
Source: SPRING  
Priority Date: 12/23/1914  
Diversion Pt: SENE Sec 28 T 14S R 43E  
Use: STOCKWATER (0.03 CFS)  
In: SENE NESE Sec 28 T 14S R 43E

11-4261  
HULME, CHARLES E. &/or MELVIN J.  
BLOOMINGTON, ID 83223  
Source: SPRING trib. to DRY CREEK  
Priority Date: 05/14/1920  
Diversion Pt: NWSW Sec 28 T 14S R 43E  
Use: STOCKWATER (0.04 CFS)  
In: NWSW Sec 28 T 14S R 43E

11-4260  
HALL FAMILY TRUST  
2643 IOWA ST., OGDEN, UT 84401  
Source: SPRING trib. to THOMAS FORK  
CREEK  
Priority Date: 05/09/1929  
Diversion Pt: SESW Sec 07 T 12S R 46E  
NENW NWN Sec 18 T 12S R 46E  
NWNW Sec 17 T 12S R 46E  
Use: STOCKWATER (0.10 CFS)  
In: SESW Sec 07 T 12S R 46E NWNW Sec 17  
T 12S R 46E NENE NWNW Sec 18 T  
12S R 46E

11-4259  
HALL FAMILY TRUST  
2643 IOWA ST., OGDEN, UT 84401  
Source: SPRING trib. to THOMAS FORK  
CREEK  
Priority Date: 03/25/1921  
Diversion Pt: SESW Sec 07 T 12S R 46E  
NENW NWN Sec 18 T 12S R 46E  
NWNW Sec 17 T 12S R 46E  
Use: STOCKWATER (0.10 CFS)  
In: SESE Sec 07 T 12S R 46E SWSW Sec 08 T  
12S R 46E

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.  
9-1, 9-8  
79 LINES

11-4262

HULME, CHARLES E. &/or MELVIN J.

BLOOMINGTON, ID 83223

Source: SPRING

Priority Date: 12/23/1914

Diversion Pt: SENE Sec 28 T 14S R 43E

Use: STOCKWATER (0.03 CFS)

In: SENE NESE Sec 28 T 14S R 43E

11-4262

HULME, CHARLES E. &/or MELVIN J.  
BLOOMINGTON, ID 83223

Source: SPRING

Priority Date: 12/23/1914

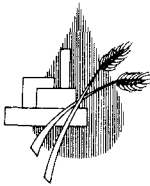
Diversion Pt: SENE Sec 28 T 14S R 43E

Use: STOCKWATER (0.03 CFS)

In: SENE NESE Sec 28 T 14S R 43E

REPROFILED

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 Charles E. and/or Melvin J. Hulme  
(Name of Claimant)  
Bloomington, Idaho 83223 Telephone No. 945-2096  
(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) Dec 23, 1914

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 \_\_\_\_\_

(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>0.03cfs</u>  | Use                                 | <u>Stockwater</u> | Period of Use From <u>5/1</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              |
| Quantity  |                 | Use                                 |                   | Period of Use From            | To              |
| (4)       | <u>0.03 cfs</u> | TOTAL QUANTITY USED.                |                   |                               |                 |
|           | (cfs, af)       |                                     |                   |                               |                 |

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SE 1/4 NE 1/4, Sec. 28 Twp. 14S Rge. 43E 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. Collection pond converted to pipe + troughs 1966

(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 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|-----|-----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|     |     |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 14S | 43E | 28   |        |        |        | X      |        |        |        |        |        |        |        |        | X      |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |     |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

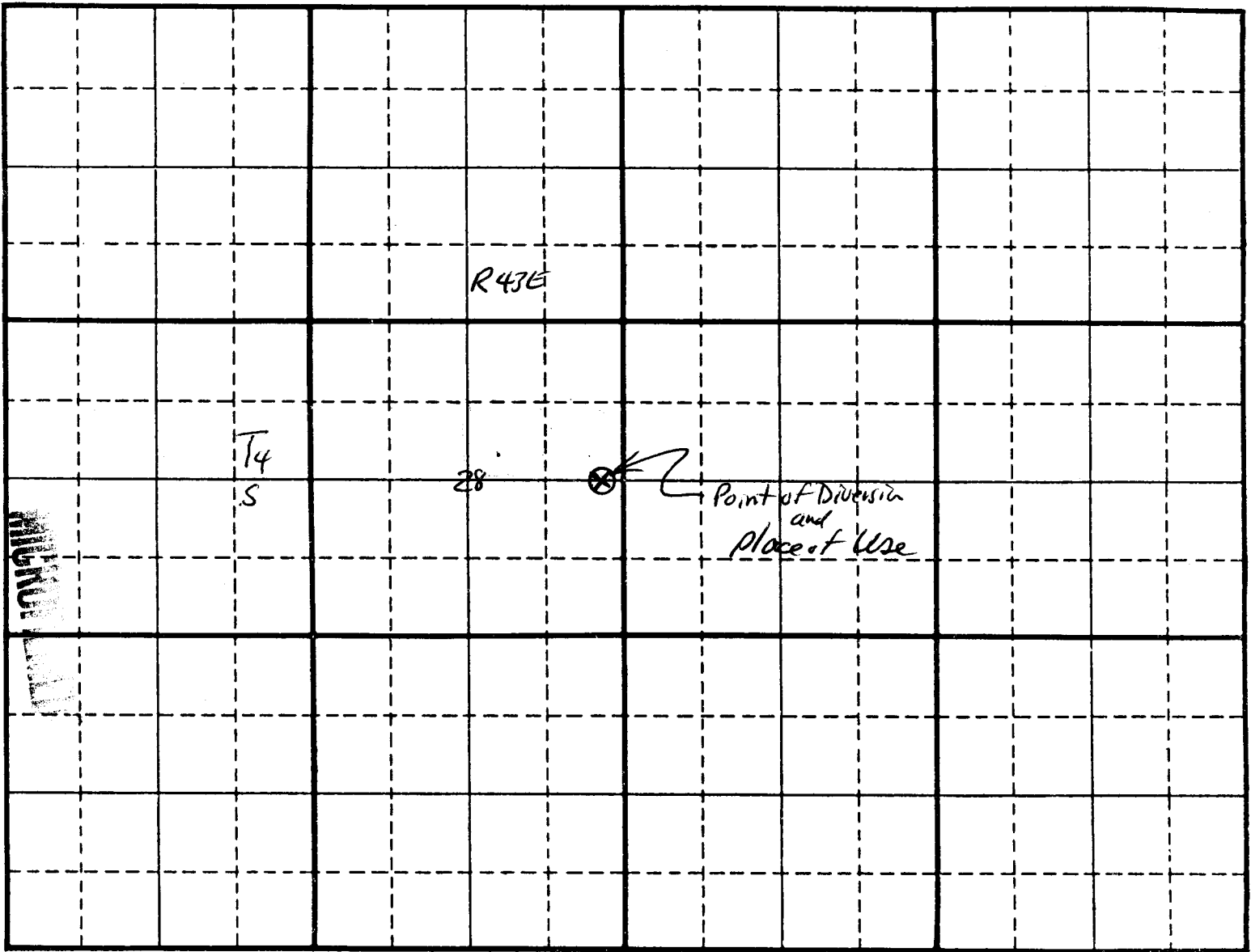
No. of acres \_\_\_\_\_

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

NOTE: Include here the type and number of stock watered: 600 head range cattle

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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 Bear Lake ) 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 29 day of June, 1983.  
Charles E. Hulme  
(Claimant)

Ada Jean Thomas  
Notary Public  
Residing at Thomasville

My commission expires Life

Assisted by Kew 5-5-85 FOR DEPARTMENT USE ONLY  
Received by Dev Date 6-30-83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by S.M. Date 8-11-1983 claimant by: \_\_\_\_\_  
\$30.00 fee received by Dev Date 7-6-83  
Published in News Examiner #29251  
Dates 9/1 - 9/8/83

**AFFIDAVIT OF PUBLICATION**

OCT. 13 1983

Department of Water Resources  
Eastern District Office

IDAHO,  
ss.  
Bear Lake

Marie B. Nye  
being duly sworn,

says:  
the Publisher of THE  
LINER, a weekly newspaper published at Mont-  
County of Bear Lake and State of Idaho; and  
has been and is in general circulation in the  
said, and in the vicinity of Montpelier; that the  
it, a copy of which is attached hereto, was pub-  
d newspaper once a week for 2 con-  
ks in the regular and entire issue of said paper  
period and time of publication, and was published  
paper proper and not a supplement; that said  
en established and regularly published for more  
eight consecutive weeks prior to the date of  
ion of said advertisement.

g was published in the issue beginning with  
September 1, 1983, and ending  
a of September 8, 1983.

Marie B Nye

and sworn to before me this 13th day  
September, 1983.

Notary Public

Notary Public, Residing at Montpelier, Idaho  
ion Expires Lifetime, 19.....

LEGAL  
The following water right is being  
beneficial use.

HEMMERT, HEAVIN, et al  
ST. CHARLES, ID 83772  
Source: SPRING trib. to SINKS  
Priority Date: 05/01/1916  
Diversion Pt: NWNE Sec 10 T 12S R 43E  
Use: STOCKWATER (0.10 CFS)  
In: NWNE Sec 09 T 12S R 43E

KUNZ, ROGER L.  
875 LUCILLE, POCAHELLO, ID 83201  
Source: POND trib. to SINKS  
Priority Date: 04/01/1982  
Diversion Pt: SWSW Sec 26 T 12S R 43E  
Use: IRRIGATION (0.10 CFS)  
STOCKWATER (0.10 CFS)  
In: SWSW Sec 18 T 12S R 43E  
T 13S R 43E FOR 40 ACRES

HULME, CHARLES E. & MELVIN J.  
BLOOMINGTON, ID 83203  
Source: SPRING trib. to DRY CREEK  
Priority Date: 11/01/1901  
Diversion Pt: SWNW Sec 28 T 14S R 43E  
Use: STOCKWATER (0.10 CFS)  
In: SWNW Sec 28 T 14S R 43E

HULME, CHARLES E. & MELVIN J.  
BLOOMINGTON, ID 83203  
Source: SPRING  
Priority Date: 11/01/1901  
Diversion Pt: SWSW Sec 28 T 14S R 43E  
Use: STOCKWATER (0.10 CFS)  
In: SWSW Sec 28 T 14S R 43E

HULME, CHARLES E. & MELVIN J.  
BLOOMINGTON, ID 83203  
Source: SPRING trib. to DRY CREEK  
Priority Date: 11/01/1901  
Diversion Pt: NWNE Sec 18 T 12S R 46E  
Use: STOCKWATER (0.10 CFS)  
In: NWNE Sec 18 T 12S R 46E

HALL FAMILY TRUST  
2643 IOWA ST., OGDEN, UT 84401  
Source: SPRING trib. to THOMAS FORK  
CREEK  
Priority Date: 05/07/1929  
Diversion Pt: SESE Sec 07 T 12S R 46E  
NENW NWNE NENE Sec 18 T 12S R 46E  
NWNW Sec 17 T 12S R 46E  
Use: STOCKWATER (0.10 CFS)  
In: SESE Sec 07 T 12S R 46E NWNW Sec 18  
T 12S R 46E NENE NWNE NENW Sec 18  
T 12S R 46E

HALL FAMILY TRUST  
2643 IOWA ST., OGDEN, UT 84401  
Source: SPRING trib. to THOMAS FORK  
CREEK  
Priority Date: 05/23/1921  
Diversion Pt: SESE Sec 07 T 12S R 46E  
NENW NWNE NENE Sec 18 T 12S R 46E  
NWNW Sec 17 T 12S R 46E  
Use: STOCKWATER (0.10 CFS)  
In: SESE Sec 07 T 12S R 46E NWNW Sec 18  
T 12S R 46E

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

KENDUNN, ID 83402  
ST. CHARLES, ID 83772

MICROFILMED

01 WATER RIGHT NUMBER - 11-4262 02 OLD (D) NUMBER -

LAST NAME

03001 - HULME  
03002 - HULME

FIRST NAME

04001 - CHARLES E.  
04002 - MELVIN J.

ORIG. OWNER

05001 - C  
05002 - C

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BLOOMINGTON

10 STATE - ID 11 ZIP - 83223

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE

14001 - SPRING

TRIBUTARY OF

15001 - DRY CREEK

16 DIVERSION MEANS - POND, PIPE & TROUGHS

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .030

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG DIVERSION POINTS RFLG STREAM INDEX FIELDS

22001 - SENE 23001 - 28 24001 - 14S 25001 - 43E 26001 - 27001 - 0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

29 NON-IRRIGATION USE - S/600 RANGE CATTLE

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

30001 - 04 STOCKWATER  
30002 - 04 STOCKWATER

31001 - 14S 32001 - 43E 33001 - 28 34001 - SENE 35001 - 36001 -  
31002 - 14S 32002 - 43E 33002 - 28 34002 - NESE 35002 - 36002 -

TOTAL ACRES: 0

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

37001 - 0501 38001 - 1231 39001 - 04 STOCKWATER

40001 - 0.030 41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - DATES - 23-DEC-1914 55 LICENSE - DATES - 63 TRANSFER/AMENDED -  
48 PROOF DUE - 56 APPL RECEIVED - 64 DLE/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  
11-4262

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 -----

53 VERIFIED -  
54 LAST UPDATE - 29-AUG-1983

61 DATE 1  
62 DATE 2

-  
-

3/20/96  
**VERIFIED JKN**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

SEPTEMBER 19, 1983

CHARLES E. HULME  
MELVIN J. HULME  
BLOOMINGTON

ID 83223

RE: Claim No. 11-4262

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



# 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

September 20, 1983

RE: Claim to a Water Right No. 11-4266 HEMMERT  
11-4264 KUNZ  
11-4263 HULME  
11-4262 "  
11-4261 "  
11-4260 HALL  
11-4259 "

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 September 1 and 8, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY  
Adm. Secretary

*Called  
10-7-83  
cw*

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McElmrick

Right Number 11 4262

Applicant Charles 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.

FINAL REGIONAL PROCESSING REVIEW:

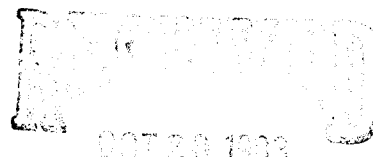
- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson Date Oct 17, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 11-1-83



Department of Water Resources

WATER RIGHT  
DATA ENTRY LOG

[illegible]

11-4262

HULME, CHARLES E. &/or MELVIN J.

BLOOMINGTON, ID 83223

Source: SPRING

Priority Date: 12/23/1914

Diversion Pt: SENE Sec 28 T 14S R 43E

Use: STOCKWATER (0.03 CFS)

In: SENE NESE Sec 28 T 14S R 43E

11-4262  
HULME, CHARLES E. &/or MELVIN J.  
BLOOMINGTON, ID 83223  
Source: SPRING  
Priority Date: 12/23/1914  
Diversion Pt: SENE Sec 28 T 14S R 43E  
Use: STOCKWATER (0.03 CFS)  
In: SENE NESE Sec 28 T 14S R 43E