

1983 #916
386

RECEIVED
AFFIDAVIT OF PUBLICATION
OCT 13 1983

IDAHO, }
Bear Lake } ss.
Department of Water Resources
Eastern District Office

Maria B. Nye
being duly sworn,

I say:
the Publisher of THE
MINER, 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
said, and in the vicinity of Montpelier; that the
said, a copy of which is attached hereto, was pub-
lished newspaper once a week for 2 con-
secutive weeks 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 September 8, 1983.
Maria B. Nye

38
and sworn to before me this 13th day
of September, 1983.
Denise Green

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

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: NWNE Sec 09 T 16S R 45E
Use: STOCKWATER (0.02 CFS)
In: NWNE 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 NWNE NENE 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 NWNE NENW 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 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 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.

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 NWNE NENE Sec 18 T 12S R 46E NWNW
Sec 17 T 12S R 46E

Use: STOCKWATER (0.10 CFS)

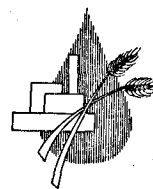
In: SESW Sec 07 T 12S R 46E NWNW Sec 17 T 12S R 46E NENE NWNE NENW
Sec 18 T 12S R 46E

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 NWNE NENE 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 NWNE NENW Sec 18 T
12S R 46E

MICROFILMED

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 Hall Family Trust, by Evelyn H. Ingalls, Trustee, 2643 Iowa
(Name of Claimant)
Street, Ogden, UT 84401 Telephone No. 1-801-393-7751
(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 9, 1929

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)
Unnamed Spring tributary to Thomas Fork Creek

(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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.10cfs</u>	Use	<u>Stock water</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) .10 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 7 Twp. 12S Rge. 46E B.M., County of Bear Lake County, ID
Additional points of diversion: NE ¼ NW ¼, NW ¼ NE ¼, NE ¼ NE ¼ Section 18, NW ¼ NW ¼ Section 17, T 12 S, R 46 EBM.

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. Cattle drink directly from the spring or its resultant stream.

(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	
12S	46E	7												X					
12S	46E	17						X											
12S	46E	18	X	X			X												

No. of acres

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

NOTE: Include here the type and number of stock watered: 432 head of range cattle.

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

Township 12 South, Range 46 East of the Boise Meridian



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 Caribou) 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.

HALL FAMILY TRUST, by Evelyn H. Engalls, Trustee

By: Leonard O. Kingsford
Attorney in (Claimant) Fact

Sworn to before me this 29th day of June, 1983.

Helan B. Kingsford
Notary Public
Residing at Soda Springs, Idaho.

My commission expires Lifetime.

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>S.A.</u>	Date <u>8-11-1983</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>7-5-83</u>			
Published in <u>News Examiner</u>	<u>#2246</u>			
Dates <u>9/1 - 9/8/83</u>				

1983 #916
386

AFFIDAVIT OF PUBLICATION

OCT 13 1983

Department of Water Resources
Eastern District Office

IDAHO,
Bear Lake

ss.

Marie B. Nye

being duly sworn,

I say:

the Publisher of THE
MINER, 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
said, and in the vicinity of Montpelier; that the
said, a copy of which is attached hereto, was pub-
lished newspaper once a week for 2 con-
secutive issues in the regular and entire issue of said paper
period and time of publication, and was published
proper and not a supplement; that said
newspaper 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

on September 8, 1983.

Marie B. Nye

and sworn to before me this 15th day

September, 1983.

Marie B. Nye

Notary Public, Residing at Montpelier, Idaho

Commission Expires Lifetime, 19

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: NWNE Sec 09 T 16S R 45E
Use: STOCKWATER (0.02 CFS)
In: NWNE Sec 09 T 16S R 45E

11-4264
KUNZ, ROGER L.
875 LUCILLE, POCAHELLO, ID 83201
Source: POND trib. to SINKS
Priority Date: 06/01/1938
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 (0.01 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: 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 17
T 12S R 46E NENE NWNE NENW 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: 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 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, 9-2
79 LINES

WRR100
11-4260

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

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

01 WATER RIGHT NUMBER - 11-4260 02 OLD (CD) NUMBER -

03001 - HALL FAMILY TRUST
LAST NAME

FIRST NAME

ORIG. OWNER
05001 - C

06 ADD LINE 1 - 2643 IOWA ST.

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - OGDEN

10 STATE - UT

11 ZIP - 84401

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - SPRING
SOURCE

TRIBUTARY OF

15001 - THOMAS FORK CREEK

16 DIVERSION MEANS - CATTLE DRINK DIRECTLY FROM SPRING

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .100

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	S	T	R	E	A	M	I	N	D	E	X	F	I	E	L	D	S
22001 -	SESW	23001 - 07	24001 - 12S	25001 - 46E 26001 - 28001 -	27001 -	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
22002 -	NENW	23002 - 18	24002 - 12S	25002 - 46E 26002 - 28002 -	27002 -	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
22003 -	NWNE	23003 - 18	24003 - 12S	25003 - 46E 26003 - 28003 -	27003 -	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
22004 -	NENE	23004 - 18	24004 - 12S	25004 - 46E 26004 - 28004 -	27004 -	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
22005 -	NWNW	23005 - 17	24005 - 12S	25005 - 46E 26005 - 28005 -	27005 -	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

29 NON-IRRIGATION USE - S/432 RANGE CATTLE

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT
30001 - 04 STOCKWATER	31001 - 12S	32001 - 46E	33001 - 07	34001 -	SESW	35001 -	36001 -
30002 - 04 STOCKWATER	31002 - 12S	32002 - 46E	33002 - 17	34002 -	NWNW	35002 -	36002 -
30003 - 04 STOCKWATER	31003 - 12S	32003 - 46E	33003 - 18	34003 -	NENE	35003 -	36003 -
30004 - 04 STOCKWATER	31004 - 12S	32004 - 46E	33004 - 18	34004 -	NWNE	35004 -	36004 -
30005 - 04 STOCKWATER	31005 - 12S	32005 - 46E	33005 - 18	34005 -	NENW	35005 -	36005 -

TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0501	38001 - 1231	39001 - 04 STOCKWATER	40001 -	0.100	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 - CLAIM C/O EVELYN H. INGALLS, TRUSTEE

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47	PRIORITY	-	D A T E S	-	9-MAY-1929	-	55	LICENSE	-	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	-			-
53	VERIFIED	-		-		-	61	DATE_1	-			-
54	LAST UPDATE	-		-		-	62	DATE_2	-			-

VERIFIED JKN
3/17/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 19, 1983

MICROFILMED

HUBBARD FAMILY TRUST
2643 IOWA ST.
ODDEN

UT 84401

RE: Claim No. 11-4260

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 McCormick

Right Number 11 4260

Applicant Hall Family Trust

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

Sept 19, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By pc Date 11-1-83

RECEIVED
OCT 20 1983

Department of Water Resources

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]

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 NWNE NENE 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 NWNE NENW
Sec 18 T 12S R 46E

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 NWNE NENE 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 NWNE NENW Sec 18 T
12S R 46E