

12 1983
2270

AFFIDAVIT OF PUBLICATION

JUN 3 1983

Department of Water Resources
Eastern District Office

County of IDAHO,
City of Bear Lake

ss.

Marie B. Nye

being duly sworn,

deposes and says:

That he is the Publisher of THE
B-EXAMINER, a weekly newspaper published at Mont-
pelier, in the County of Bear Lake and State of Idaho; and
said paper has been and is in general circulation in the
vicinity of aforesaid, and in the vicinity of Montpelier; that the
advertisement, a copy of which is attached hereto, was pub-
lished in said 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
in said newspaper proper and not a supplement; that said
advertisement has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
publication of said advertisement.

That notice was published in the issue beginning with

April 28, 1983, and ending

the issue of May 5, 1983.

Marie B. Nye

ss.

described and sworn to before me this 10 day

May, 1983.

Karla Jansen

Notary Public, Residing at Montpelier, Idaho

Commission Expires November, 1985.

LEGAL NO. 2270 NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4236

HARDCASTLE, A. LEON &/or ALICE B.
BERN, ID 83220

Source: UNNAMED STREAM trib. to
SINKS

Priority Date: 06/23/1922

Diversion Pt: NWSW SESW SWSE Sec 14 T
12S R 43E

Use: STOCKWATER (0.04 CFS)

In: NWSW SESW SWSE Sec 14 T 12S R 43E

11-4235

HARDCASTLE, A. LEON &/or ALICE B.
BERN, ID 83220

Source: SHEEP CORRAL CREEK trib. to
BEAR RIVER

Priority Date: 12/01/1904

Diversion Pt: SWSW SESW SWSE Sec 24 T
12S R 43E

Use: STOCKWATER (0.04 CFS)

In: SWSW SESW SWSE Sec 24 T 12S R 43E

11-4234

HARDCASTLE, A. LEON &/or ALICE B.
BERN, ID 83220

Source: SEGAS SPRINGS trib. to OVID
CREEK

Priority Date: 01/23/1922

Diversion Pt: NWSW Sec 27 T 12S R 43E

Use: STOCKWATER (0.07 CFS)

In: NWSW Sec 27 T 12S R 43E

11-4223

HARDCASTLE, A. LEON &/or ALICE B.
BERN, ID 83220

Source: GROUNDWATER

Priority Date: 08/15/1935

Diversion Pt: NESE Sec 25 T 12S R 43E

Use: STOCKWATER (0.05 CFS)

In: NESE Sec 25 T 12S R 43E

11-4232

HARDCASTLE, A. LEON &/or ALICE B.
BERN, ID 83220

Source: SPRING trib. to BEAR RIVER

Priority Date: 12/07/1887

Diversion Pt: NESE Sec 26 T 12S R 43E

Use: IRRIGATION (2.00 CFS)

STOCKWATER (0.16 CFS)

In: SWSW Sec 24 T 12S R 43E NWNW

SWNW NESW NWSW SESW NWSE SWSE

Sec 25 T 12S R 43E NENE SENE NESE Sec

26 T 12S R 43E SESE Sec 23 T 12S R 43E

FOR 217 ACRES.

11-4228

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD CO.

P.O. BOX 1592, POCATELLO, ID 83204

Source: MONTPELIER CREEK trib. to
BEAR RIVER

Priority Date: 03/01/1897

Diversion Pt: SWSW Sec 33 T 12S R 44E

Use: COMMERCIAL (0.05 CFS)

In: SWSW Sec 33 T 12S R 44E

11-4230

OREGON SHORT LINE RAILROAD CO.
UNION PACIFIC RAILROAD CO.

P.O. BOX 1592, POCATELLO, ID 83204

Source: GROUNDWATER

Priority Date: 06/30/1960

Diversion Pt: SWSW Sec 06 T 15S R 46E

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 06 T 15S 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.

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 A LEON HARDCASTLE and ALICE B. HARDCASTLE
(Name of Claimant)
Bern, Idaho 83220 Telephone No. (208) 847-1258
(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) December 1, 1904

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)
Sheep Corral Creek tributary to Bear River

(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>.04 cfs</u>	Use <u>stockwater</u>	Period of Use From <u>1/1</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) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 24 Twp. 12 S Rge. 43 E. B.M., County of Bear Lake
Additional points of diversion: SE 1/4 SW 1/4 and SW 1/4 SE 1/4 Sect. 24 T12S R43E

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. Stock drink directly from 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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	43E	24											X	X			X		

No. of acres _____

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

NOTE: Include here the type and number of stock watered: 200 head of range cattle
If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED
(7)

TOWNSHIP 12 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN

[illegible]

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 Caribou)

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 undersigned's knowledge.

A Leon Hardcastle
Alice B. Hardcastle
(Claimant)

Sworn to before me this 8th day of April, 1983

Notary Public
Residing at Soda Springs, Idaho.

My commission expires Lifetime.

FOR DEPARTMENT USE ONLY

Received by SM HUNT Date 4-13-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date 4-13-83 claimant by: _____
\$70.00 fee received by BP Date 4-13-83 #28037
Published in News Examiner _____
Dates 4/28 & 5/5/83 _____

2 1983
2270

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JUN 3 1983

Department of Water Resources
Eastern District Office

OF IDAHO,
y of Bear Lake

ss.

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County aforesaid, and in the vicinity of Montpelier; that the
advertisement, a copy of which is attached hereto, was pub-
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secutive weeks in the regular and entire issue of said paper
during the period and time of publication, and was published
in said newspaper proper and not a supplement; that said
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Priority Date: 06/23/1922

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Use: STOCKWATER (0.04 CFS)

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Priority Date: 08/15/1935

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Use: STOCKWATER (0.05 CFS)

In: NESE Sec 25 T 12S R 43E

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HARDCASTLE, A. LEON &/or ALICE B.
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Use: IRRIGATION (2.00 CFS)

STOCKWATER (0.16 CFS)

In: SWSW Sec 24 T 12S R 43E NWNW

SWNW NESW NWSW SESW NWSE SWSE

Sec 25 T 12S R 43E NENE SENE NESE Sec

26 T 12S R 43E SESE Sec 23 T 12S R 43E

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P.O. BOX 1592, POCATELLO, ID 83204
Source: GROUNDWATER

Priority Date: 06/30/1960

Diversion Pt: SWSW Sec 06 T 15S R 46E

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 06 T 15S 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.

PAGE 1
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02 OLD (D) NUMBER -

03001 - HARDCASTLE ✓
03002 - HARDCASTLE ✓

04001 - A. LEON ✓ FIRST NAME
04002 - ALICE B. —

	ORIG.	OWNER
05001	- C	
05002	- C	

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BERN

10 STATE - ID 11 ZIP - 83220

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - SHEEP CORRAL CREEK

15001 - BEAR RIVER TRIBUTARY OF

16 DIVERSION MEANS - STOCK DRINK DIRECTLY FROM STREAM

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

DIVERSION POINTS										STREAM INDEX FIELDS																
TRACT	SEC	TWN	RNG	LOT	RFLG					S	T	R	E	A	M	I	N	D	E	X	F	I	E	L	D	S
22001 -	SWSW ✓	23001 - 24 ✓	24001 - 12S ✓	25001 - 43E ✓	26001 -	27001 -																				
				28001 -	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 -	SESW ✓	23002 - 24 ✓	24002 - 12S ✓	25002 - 43E ✓	26002 -	27002 -																				
				28002 -	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 -	SWSE ✓	23003 - 24 ✓	24003 - 12S ✓	25003 - 43E ✓	26003 -	27003 -																				
				28003 -	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/200 HEAD RANGE CATTLE ✓

USE CODE / USE			TWN	RNG	PLACE OF USE SEC	TRACT	ACRES	LOT
30001	- 04	STOCKWATER ✓	31001	- 12S ✓	32001 - 43E ✓	33001 - 24 ✓	34001 - SWSW ✓	35001 - 36001 -
30002	- 04	STOCKWATER ✓	31002	- 12S ✓	32002 - 43E ✓	33002 - 24 ✓	34002 - SESW ✓	35002 - 36002 -
30003	- 04	STOCKWATER ✓	31003	- 12S ✓	32003 - 43E ✓	33003 - 24 ✓	34003 - SWSE ✓	35003 - 36003 -

TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 04 STOCKWATER	40001 -	0.040	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 -	REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

WRR100
11-4235

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
16-DEC-1985 10:39:24

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47	PRIORITY - 1-DEC-1904 ✓	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 - 25-APR-1983	62	DATE_2 -		

28/6/86
VERIFIED JKN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MAY 16, 1983

A. LEON HARDCASTLE
ALICE B. HARDCASTLE
BERN

ID 83220

RE: Claim No. 11-4235

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

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

A. Kenneth Dunn
Director

May 18, 1983

RE: Claim to a Water Right No. 11-4228 OREGON & UNION PACIFIC
11-4230 "
11-4232 HARDCASTLE
11-4233 "
11-4234 "
11-4235 "
11-4236 "

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 April 28 and May 5, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary



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

April 27, 1983

RE: Claim to a Water Right No. 11-4228 UNION PACIFIC & OREGON SHORT LINE
11-4231 "
11-4232 HARDCASTLE
11-4235 "

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

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 11 4235 Applicant Itard castle

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.
✓ WD #11

May 16, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date June 10 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 6/16/83

RECEIVED
JUN 16 1983
Department of Water Resources

IDENT. NO.

ID 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

[illegible]

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