

AFFIDAVIT OF PUBLICATION

JUN 3 1983

Department of Water Resources
Eastern District Office

E OF IDAHO,
y of Bear Lake

ss.

Marie B. Nye

being duly sworn,

es and says:

at he is the Publisher of THE
3-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 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
as a 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.

Such notice was published in the issue beginning with

April 28, 1983, and ending

the issue of May 5, 1983.

Marie B. Nye
55

described and sworn to before me this 10 day

May, 1983.

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: MONTEPELIER 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.

4-28, 5-
88 LINE

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. 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 7, 1887

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 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:

				(Both dates inclusive)	
		(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity	<u>2.0 cfs</u>	Use	<u>irrigation</u>	Period of Use From <u>4/15</u>	To <u>10/15</u>
Quantity	<u>0.16 cfs</u>	Use	<u>stock water</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

(4) 2.16 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 26 Twp. 12 S Rge. 43 E B.M., County of Bear Lake

Additional points of diversion:
Rediversion: NW¼SW¼, Section 25, Township 12 South, Range 43 East Boise Meridian

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 ditch to holding ponds for partial gravity system and pumps to mainline with laterals

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	43E	24											8						8
12S	43E	25						40	40		35	35		15		25	5		195
12S	43E	26	5			6									2				13
12S	43E	23															1		1

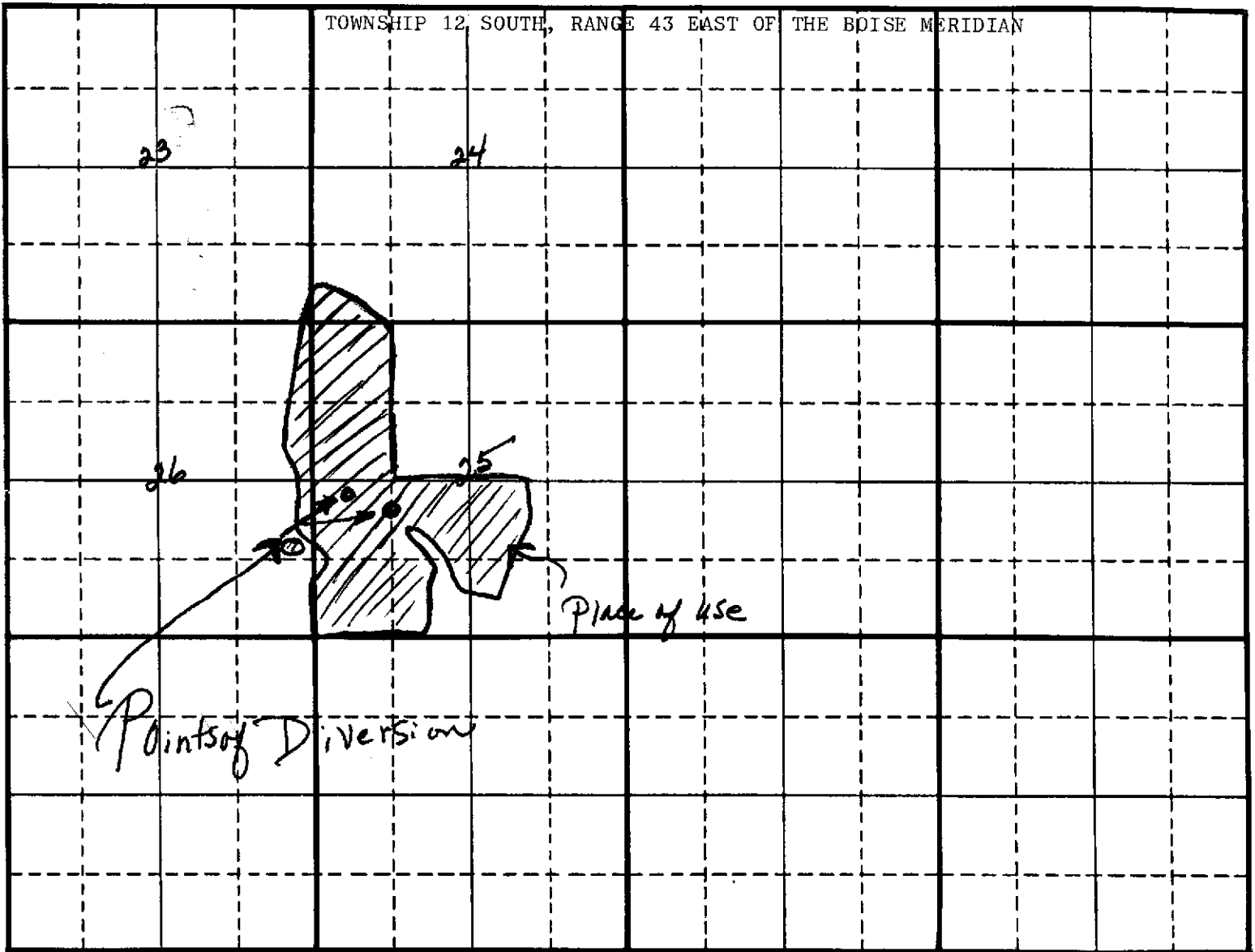
No. of acres 217

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

NOTE: Include here the type and number of stock watered: 700 head range cattle

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

- (8) Remarks Approximately 13 springs originate within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T 12S, R 43 EBM, and creates what is known as Quaking Asp Canyon Creek. One Christian Kunz filed a notice to a claim of water right thereon, dated December 7, 1887, recorded December 9, 1887, in Book 1 of Miscellaneous Records, at page 176, records of Bear Lake County, Idaho.



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)
) 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 affiant's knowledge.

Alice B. Hardcastle
(Claimant)

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

Leonard O. Kingford
Notary Public for the State of Idaho
Residing at Soda Springs, Idaho

My commission expires Lifetime.

FOR DEPARTMENT USE ONLY

Received by SPT HWT Date 4-13-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date 4-13-83 claimant by: _____
\$30.00 fee received by BP Date 4/13/83 #28037
Published in News Examiner
Dates 4/28 & 5/5/83

2270

AFFIDAVIT OF PUBLICATION

JUN 3 1983

Department of Water Resources
Eastern District Office

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during the period and time of publication, and was published
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, 1983.

2.00 CFS

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scribed and sworn to before me this

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day

May

, 1983.

Karla J. Jaramila

Notary Public, Residing at Montpelier, Idaho

Commission Expires

November

, 1983.

LEGAL NO. 2270

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Source: UNNAMED STREAM trib. to SINKS

Priority Date: 06/23/1922

Diversion Pt: NWSW SESW SWSE Sec 14 T

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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

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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

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SWNW NESW NWSW SESW NWSE SWSE

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

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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

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Priority Date: 06/30/1960

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

Use: DOMESTIC (0.04 CFS)

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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.

4-28, 5-

88 LINE

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JUN 3 1983

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Eastern District Office

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Montpelier Examiner
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Notary Public, Residing at Montpelier, Idaho

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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.

4-28, 5-
88 LINE

Done Bryce

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): All of our water rights

RECEIVED

FEB - 5 2001

Department of Water Resources

[] Old Mailing Address: Leon Hardcastle, no address
A. Leon and Alice Hardcastle
Bern ID 83220

[] New Mailing Address: 675 N 8th East
Preston ID 83263

[] Telephone Number: 208 852 2455

[] Signature of Claimant: A. Leon Hardcastle

[] Date: Alice B. Hardcastle

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

<u>Basin Num</u>	<u>Sequence</u>	<u>Split Suff</u>	<u>Basis</u>	<u>Status</u>	<u>Priority D</u>	<u>Diversion</u>	<u>Source L</u>	<u>Water Use</u>
11	4232		Statutory C	Active	1887-12-07	2.16	SPRING	IRRIGATIC
11	4233		Statutory C	Active	8/15/35	0.05	GROUND	STOCKWA
11	4234		Statutory C	Active	1/23/22	0.07	SEGAS SF	STOCKWA
11	4235		Statutory C	Active	12/1/04	0.04	SHEEP CC	STOCKWA
11	4236		Statutory C	Active	6/23/22	0.04	UNNAMED	STOCKWA
11	7454			DRAFT		0.06	SHEEP CC	STOCKWA

<u>Basin Num</u>	<u>Sequence</u>	<u>Split Suffi</u>	<u>Basis</u>	<u>Status</u>	<u>Priority D</u>	<u>Diversion</u>	<u>Source Li</u>	<u>Water Use</u>
11	1103		Decreed	Active	6/1/60	1.48	BEAR RIV	IRRIGATIC

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. 11-4232

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 filings 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

RECEIVED
MAY 16 1983



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

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

RECORDED
INDEXED



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

RECEIVED
MAY 1 1983

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 11 4232 Applicant Hardcastle

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 HC Date 6/16/83

RECEIVED
JUN 16 1983

Department of Water Resources

11-4232

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