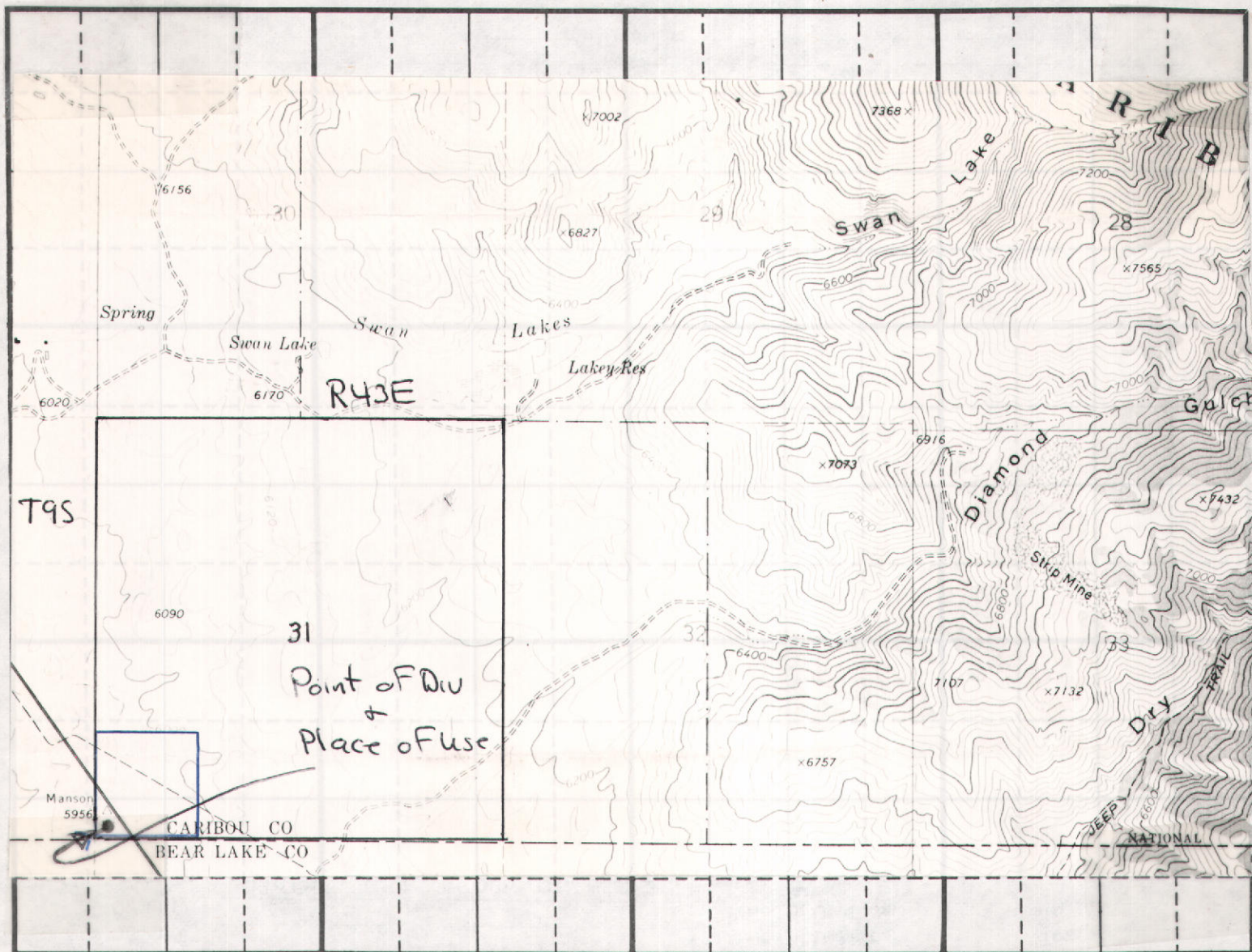


(8) Remarks _____



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 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.

Sworn to before me this 27th day of October 1982.

Don W. Shuler
(Claimant)

Dona Jean Benson
Notary Public
Residing at Soda Springs, Ida
Commission expires Lifetime

My commission expires _____

assisted by HWT
Received by DW Date 10-28-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date 10-29-82 claimant by: _____
\$20.00 fee received by DW Date 11-82 #22556
Published in Caribou County Sun
Dates 11/11 & 11/18/82

FOR DEPARTMENT USE ONLY

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 Don H. Shuler

381 South 3rd West - Soda Springs, ID 83276 Telephone No. 208-547-3458

(Mailing Address)(Name of Claimant)(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) September 2, 1920

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 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	.02cfs	Use	irrigation	Period of Use From 3-15	To 11-15
Quantity	0.01cfs	Use	stockwater	Period of Use From 1-1	To 12-31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .03cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 31 Twp. 9S Rge. 43E B.M., County of Caribou
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. Horses water directly from stream. Irrigation is by sub-irrigation from spring and 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	43E	31											1						1

No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water for 2 head of horses

NOTE: Include here the type and number of stock watered: 2 horses

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

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

11th day of
November, 1982

The date of the last publication
being the 18th day of
November, 19 82

Subscribed and sworn to be-

fore me this 30th day
of November, 1982

Clayton A. Hulse
Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the
1st day of March

19 84

PUBLIC NOTICE

First Time Published

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4220

SHULER, DON H.
381 S. 3RD W., SODA
SPRINGS, ID 83276

Source: SPRING tributary to
BEAR RIVER

Priority Date: 09-02-1920

Amount: 0.03 CFS

Diversion Point: SWSW Sec 31
T 09S R 43E, CARIBOU Co.

Use: IRRIGATION (0.02
CFS) from 03-15 to 11-15,
STOCKWATER (0.01 CFS)
from 01-01 to 12-31

Place of Use: SWSW Sec 31 T
09S R 43E FOR 1 ACRES

Diversion Means: STREAM

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.

Published Nov. 11 and 18,
1982 in the Caribou County Sun.

01 WATER RIGHT NUMBER - 11-4220 02 OLD (O) NUMBER -

LAST NAME

03001 - SHULER

FIRST NAME
04001 - DON H.

ORIG. OWNER
05001 - C

06 ADD LINE 1 - 381 S. 3RD W.

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - SODA SPRINGS

10 STATE - ID 11 ZIP - 83276

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - SPRING
SOURCE

TRIBUTARY OF
15001 - BEAR RIVER

16 DIVERSION MEANS - INSTREAM STOCKWATERING & SUB-IRRIGATION.

17 COUNTY - 29 CARIBOU

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .030

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD S
-------	-----	-----	-----	-----	------------------	------	--------	-------	---------

22001 - SMS4	23001 - 31	24001 - 09S	25001 - 43E	26001 - 27001 -	28001 - 0	0.0	0.0	0.0	0.0	0.0
--------------	------------	-------------	-------------	-----------------	-----------	-----	-----	-----	-----	-----

29 NON-IRRIGATION USE - 5/2 HORSES

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

30001 - 01 IRRIGATION	31001 - 09S	32001 - 43E	33001 - 31	34001 - SMSW	35001 - 01	36001 -	
							TOTAL ACRES: 1

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

37001 - 0215	38001 - 1115	39001 - 01 IRRIGATION		0.020	41001 - 0.00
37002 - 0101	38002 - 1231	39002 - 04 STOCKWATER		0.010	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - INSTREAM STOCKWATERING.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

DATE	PRIORITY	DATE	LICENSE	TRANSFER/AMENDED
2-SEP-1920	47		55	63
	48		56	64
	49		57	65
	50		58	66
	51		59	67
	52		60	
	53		61	

WRRI00
11-4220

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
25-MAR-1986 19:51:20

54 LAST UPDATE - 25-MAR-1986

62 DATE_2

MAR 26 1986

TELETYPE
UNIT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 29, 1982

DON H. SHULER
381 S. 3RD W.
SODA SPRINGS

ID 83276

RE: Claim No. 11-4220

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

RECEIVED
JAN 03 1983

Department of Water Resources

December 1, 1982

RE: Claim to a Water Right No. 11-4220 SHULER

Caribou County Sun
P.O. Box 815
Soda Springs, ID 83276

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 November 11 and 18, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

November 12, 1982

RE: Claim to a Water Right No. 11-4220 SHULER

Russell Stoker, Watermaster
Water District No. 11
379 East 3rd 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 4220 Applicant Shuler

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

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Nov 29, 1982
Dec 13, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By fw Date 1/4/83

IDENT. NO.

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

Initials

Date _____

Item

132

11/3/82

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied

(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

1000

October 22, 1982

Don H. Shuler
381 S. 3rd West
Soda Springs, ID 83276

Dear Mr. Shuler:

Enclosed you will find your claim to a water right and check #92-127 for \$30.00. When you entered your amount for stockwater, you followed the printed directions very well. However, our computer will not accept amounts less than 0.01cfs.

I have enclosed a re-typed claim with the correction on it. Please refer to the map on the back and draw an arrow to the correct location of your point of diversion and place of use.

After you sign and have the claim notarized, you may send it to this office with your fee of \$30.00.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:bp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 3, 1982

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 29, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

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

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.

Published 11/11 & 11/18/82.

11-4220

SHULER, DON H.

381 S. 3RD W., SODA SPRINGS, ID 83276

Source: SPRING tributary to BEAR RIVER

Priority Date: 09/02/1920

Amount: 0.03 CFS

Diversion Point: SWSW Sec 31 T 09S R 43E, CARIBOU Co.

Use: IRRIGATION	(0.02 CFS)	from 03/15 to 11/15
STOCKWATER	(0.01 CFS)	from 01/01 to 12/31

Place of Use: SWSW Sec 31 T 09S R 43E FOR 1 ACRES

Diversion Means: STREAM