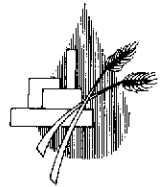


No Color
Documents
In File

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 R. K. Nelson Associates
(Name of Claimant)
Attn Rt #1 Montpelier Idaho 83254 Telephone No. 847-1367
(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) January 23, 1889
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)
River Creek tributary to Beau 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity	<u>40.0 cfs.</u>	Use	<u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity	<u>0.08 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

(4) 40.0 cfs. TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 12 Twp. 13S Rge. 43E B.M., County of Beau Lake
Additional points of diversion: NW 1/4 SE 1/4 Section 12; NW 1/4 NE 1/4, NE 1/4 NW 1/4 Section 13 Twp 13S Rge 43E.

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. Two headgates in section 12, open ditches in section 13.

(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	
<u>13S</u>	<u>43E</u>	<u>12</u>									<u>32</u>	<u>35</u>	<u>8</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>270</u>

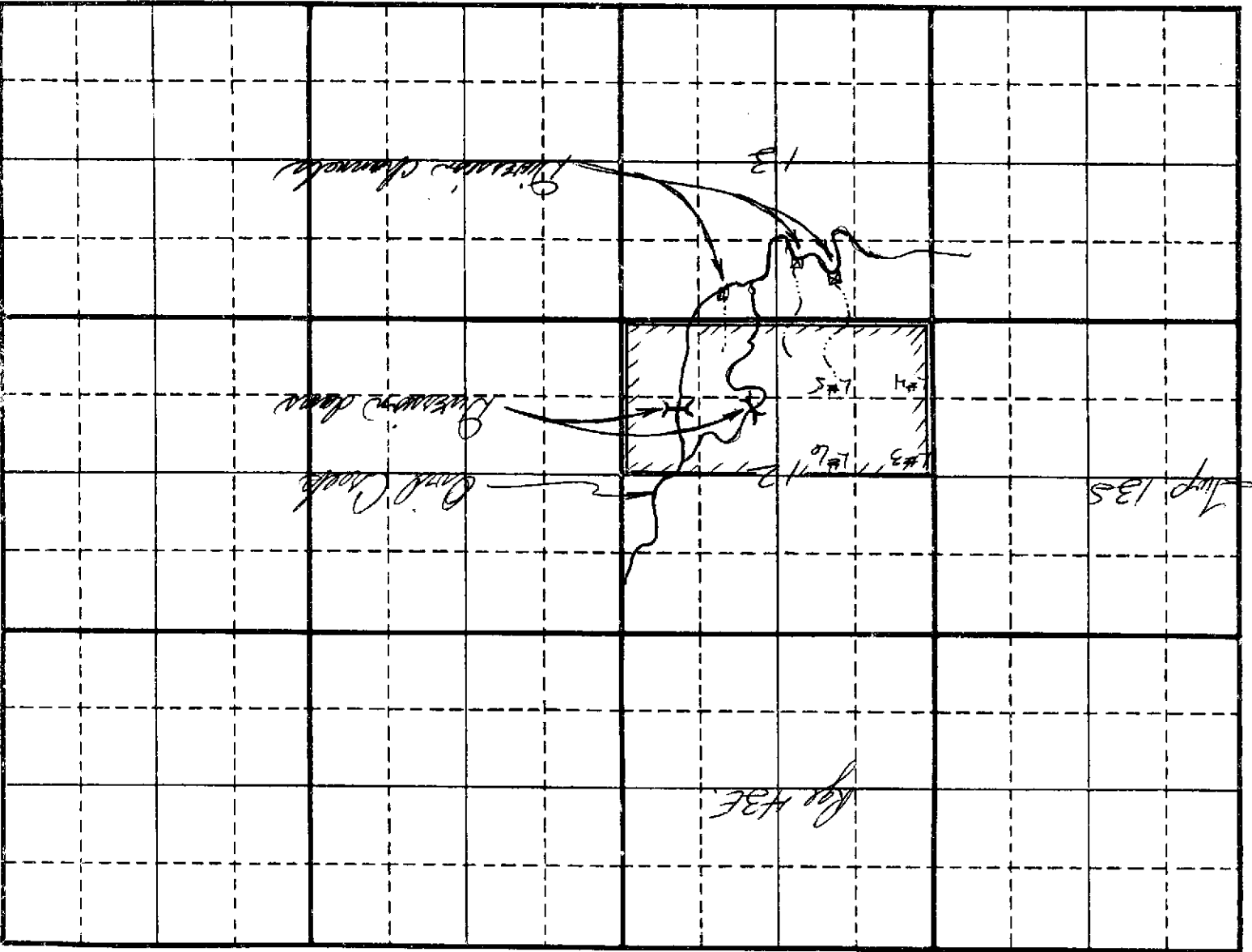
No. of acres 270

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

NOTE: Include here the type and number of stock watered: 350 range

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

Remarks *Hydrobia* in water 12 are used to move water forth and
ground without loss of higher elevation.



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

State of Idaho)
)
) ss.)
) County of Boone)

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.

affiant's knowledge.

Sworn to before me this 17 day of

Notary Public
Residing at _____

My commission expires

FOR DEPARTMENT USE ONLY

Received by BNC _____
 Prelim. check by HWS _____ Date _____
 \$30.00 fee received by BNC _____ Date _____
 Published in New Yorker _____
 Dates 4-1-4-8-82

Forwarded to
claimant by:

Date

Nº 1938

AFFIDAVIT OF PUBLICATION

APR 21 1982

STATE OF IDAHO,
County of Bear Lake

ss. Department of Water Resources
Eastern District Office

R. J. Spencer
being duly sworn,

deposes and says:

That he is the publisher of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

April 1, 1982 and ending
with the issue of April 8, 1982

Fees, 33.75

Subscribed and sworn to before me this 20th day

of April, 1982

Karla Jensen
Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 1985

LEGAL NO. 1938

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4214

ROBERTS, LAMAR

OVID, ID 83260

Source: BIRCH SPRINGS tributary to
SINKS

Priority Date: 03-25-1887

Amount: 0.48 CFS

Diversion Point: SWNW Sec 03 T 13S R
43E, BEAR LAKE Co.

Use: IRRIGATION (0.48 CFS) from
03-15 to 11-15

STOCKWATER (0.08 CFS) from 01-01
to 12-31

Place of Use: NWSW SWSW Sec 03 T
13S R 43E NESE SESE Sec 04 T 13S R
43E FOR 24 ACRES

Diversion Means: PUMP, PIPELINE &
RESERVOIR

11-4215

NELSON, R.K. ASSOCIATES

STAR RT. 1, MONTPELIER, ID 83254

Source: OVID CREEK tributary to
BEAR RIVER

Priority Date: 01-23-1889

Amount: 40.00 CFS

Diversion Point: NESE NWSE Sec 12 T
13S R 43E NWNE NENW Sec 13 T
13S R 43E, BEAR LAKE Co.

Use: IRRIGATION (40.00 CFS) from
03-15 to 11-15

STOCKWATER (0.08 CFS) from 01-01
to 12-31

Place of Use: NESW NWSW SWSW
SESW NESE NWSE SWSE SESE Sec
12 T 13S R 43E FOR 270 ACRES

Diversion Means: HEADGATES &
DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

4-1, 4-8-82

54 LINES

Endorsed

Articles of Incorporation of the Preston & Montpelier
Irrigating Company Received & filed this 28th day of April 1884
Edward L. Curtis, Secretary Idaho.

Filed for record at the request of G. Osborn, Jan. 9th 1889 at 11 A.M.

J. L. Montoya
County Recorder

Notice

Is hereby given, that the undersigned Oscar Quarsell, Andrew H. Petersen John Peterson and Niels P. Nielsen of Ovid Bear Lake County, hereby claim and appropriate so much of the waters of Ovid Creek as will flow through two ditches of the following dimensions, to wit: the first ditch to be 6 feet wide at the top; 4 feet wide at the bottom and four feet deep, the point of intended diversion being about 40 rods above the bridge known as "John Petersen's Bridge" (said bridge being situated about one-half mile North-east of Ovid.)

The dimensions of the second ditch are as follows; 5 feet wide at top, 4 feet wide at bottom and 2 feet deep, the point of diversion being about one-half mile below that of the ditch first described

The amount of water hereby appropriated is 2000 inches measured under a four-inch pressure.

Said water is claimed under Chapter 1 Title 9 of the Revised Statutes of Idaho, 1887 for the irrigation of the following described tracts of land, to wit: the North half of section 13, and the S. E. ¹/₄ S. W. ¹/₄ - S. ¹/₂ S. E. ¹/₄ and Lot 4 Section 12, all in Township 13 South, Range 43 East, B. M., in Bear Lake County, Idaho Territory.

Dated at Paris Idaho, January 23rd 1889. — Oscar Quarsell

Niels P. Nielsen
Andrew H. Petersen
John Peterson

I hereby certify that I posted a copy of the foregoing notice at each of the points of diversion above described on the 23rd day of January, 1889

Witnesses

Thomas Luredsen

Knud Pagh

Thomas Petersen

Andrew H. Petersen

Filed for record at the request of Oscar Quarell Jan. 26th 1889 at 4 P. M.

J. L. Mantonya

C. Recorder

Articles of Incorporation of the Bloomington Co-operative Mercantile Institution

Article First

The name of this Corporation shall be the "Bloomington Co-Operative, Mercantile Institution."

Second

The object of this Corporation is for general mercantile purposes.

Third

The principal ^{place of} business of said Corporation shall be the Town of Bloomington County of Bear Lake, Territory of Idaho.

Fourth

This Corporation shall continue for the period of Twenty five years from the day of its incorporation.

Fifth

There shall be seven Trustees of this Corporation. The names and residence of said Trustees for the first year, or until the first general election shall be as follows, namely:

James H. Hart Bloomington Idaho

George Camond " "

William Hulme " "

01 WATER RIGHT NUMBER - 11-4215

02 OLD (CD) NUMBER -

03001 - NELSON LAST NAME

04001 - R.K. ASSOCIATES FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - STAR RT. 1

07 ADD LINE 2 -

08 ADD LINE 3 -

10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - DVID CREEK SOURCE

15001 - BEAR RIVER TRIBUTARY OF

16 DIVERSION MEANS - HEADGATES & DITCHES

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 40.000

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD
22001 -	NESE	23001 - 12	24001 - 13S	25001 - 43E	26001 -	27001 -	0.0	0.0	0.0
22002 -	NWSE	23002 - 12	24002 - 13S	25002 - 43E	26002 -	27002 -	0.0	0.0	0.0
22003 -	NWNE	23003 - 13	24003 - 13S	25003 - 43E	26003 -	27003 -	0.0	0.0	0.0
22004 -	NENW	23004 - 13	24004 - 13S	25004 - 43E	26004 -	27004 -	0.0	0.0	0.0

29 NON-IRRIGATION USE - S/350 RANGE

USE CODE / USE	TWN	RNG	PLACE OF USE	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 13S	32001 - 43E	33001 - 12	34001 - NESW	35001 - 32	36001 -
30002 - 01 IRRIGATION	31002 - 13S	32002 - 43E	33002 - 12	34002 - NWSW	35002 - 35	36002 -
30003 - 01 IRRIGATION	31003 - 13S	32003 - 43E	33003 - 12	34003 - SWSW	35003 - 08	36003 -
30004 - 01 IRRIGATION	31004 - 13S	32004 - 43E	33004 - 12	34004 - SESW	35004 - 35	36004 -
30005 - 01 IRRIGATION	31005 - 13S	32005 - 43E	33005 - 12	34005 - NESE	35005 - 40	36005 -
30006 - 01 IRRIGATION	31006 - 13S	32006 - 43E	33006 - 12	34006 - NWSE	35006 - 40	36006 -
30007 - 01 IRRIGATION	31007 - 13S	32007 - 43E	33007 - 12	34007 - SWSW	35007 - 40	36007 -
30008 - 01 IRRIGATION	31008 - 13S	32008 - 43E	33008 - 12	34008 - SESE	35008 - 40	36008 -

TOTAL ACRES: 270

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0315	38001 - 1115	01 IRRIGATION		40.000	41001 - 9.00
37002 - 0101	38002 - 1231	04 STOCKWATER		0.080	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

WRR100
11-4215

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

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

REMARKS
44001 -

9861 02 RAW

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

		D A T E S		D A T E S	F L A G S
47	PRIORITY	23-JAN-1989	55	LICENSE	63
48	PROOF DUE		56	APPL RECEIVED	64
49	PROOF MADE		57	FIELD EXAM MADE	65
50	APPROVE/DENIED		58	DECREE	66
51	PROTESTED		59	START WORK	67
52	HEARING		60	ORDER SHOW CAUSE	
53	VERIFIED		61	DATE_1	
54	LAST UPDATE	29-MAR-1982	62	DATE_2	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shour Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 19, 1982

R.K. ASSOCIATES NELSON
STAR RT. 1
MONTPELIER

ID 83254

RE: Claim No. 11-4215

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
APR 29 1982

Department of Water Resources

RECEIVED

April 19, 1982

RE: Claim to a Water Right No. 11-4214 ROBERTS
No. 11-4215 NELSON

Application for Permit No. 11-7284 JENSON

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 1 and 8, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

Department of Water Resources
Eastern District Office

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
-----------------	---------------------	------------------	-----------------------	------------------------	--------------------	-----------------------------	--------------------

11-4214 ROBERTS, LAMAR 03-25-1987 IRRIGATION 03-15 11-15 SWNW S03 NMSW(06) SMSW(04) STATRY CLM
CVID ID 83260 .48 CFS T13S R43E S03 T13S R43E

SOURCE: BIRCH SPRINGS TRIBUTARY: SINKS
OTHER USES: S/15 RANGE

STOCKWATER 01-01 12-31

08 CFS

*** 24 ACRES ***

SAME AS OTHER USE

* * * * *
* * * * *
* * * * *

11-4215	NELSON, R.K. ASSOCIATES	01-23-1989	IRRIGATION	03-15	11-15	NESE S12	NESEN(32)	NMSN(35)	STATRY CLM	
	STAR RT. 1					40.00	CPS	T13S R43E	SMSN(08)	SESN(35)
	MONTPELLIER	ID 83254						NWSE S12	NESE(40)	NWSE(40)

~~W. J. D. 100~~

SOURCE: OYD CREEK
OTHER USES: S/350 RANGE

TRIBUTARY: BEAR RIVER

STOCKWATER 01-01 12-31

08 CF5

**** 270 ACRES ***

SAME AS OTHER USED

40.00*CFSS

11-7284 JENSON, RUTH ANNB. 03-22-1982 IRRIGATION 04-15 10-15 SWNW S31 NWNE(40) SWNE(06) APPLICATION
STAR RT. 2 3.00 CFS T11S R44E NENW(40) NNW(47)
MONTPELIER ID 83254 SWNW(47) SENW(25)

TRIBUTARY:

SOURCE: GROUNDWATER TRIBUTARY:
OTHER RIGHTS: 11-41207 11-4119
REMARKS: 11-7018 ORIG. ISSUED FOR P/U; LAPSED 1980

* 205 ACRES *

13-4198	HULL, ROLAND L.	06-01-1937	DOMESTIC	01-01	12-31	NESE S07	NESE	STATRY CLM
RT. 3						.04 CFS	T14S R40E	
PRESTON		ID 83263						

There reason to
have sent DM back

April 15, 1982

Russell Stoker, Watermaster
Water District #11
379 E. 3rd North
Soda Springs, Id. 83276

Dear Mr. Stoker:

Enclosed please find a copy of a claim to a water
right application #11-4215 and approved application
#13-7300, both filed within your water district.

These are being sent for your information only, however,
if you have any additional questions regarding either
form, please don't hesitate to contact this office.

Sincerely,

BOBBIE R. STEPHENS
Principal Clerk

BRS

enclosure: as stated

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 11 4215 Applicant Nelson

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:

- ok
- ☒ 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.
- April 19th 1982*

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date April 23, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 4/29/82

RECEIVED

11-4215_

NELSON, R.K. ASSOCIATES

STAR RT. 1, MONTPELIER, ID 83254

Source: OVID CREEK tributary to BEAR RIVER

Priority Date: 01/23/1989

Amount: 40.00 CFS

Diversion Point: NESE NWSE Sec 12 T 13S R 43E NWNE NENW Sec 13 T 13S R 43E,
BEAR LAKE Co.

Use: IRRIGATION	(40.00 CFS)	from 03/15 to 11/15
STOCKWATER	(0.08 CFS)	from 01/01 to 12/31

Place of Use: NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 12 T 13S R 43E
FOR 270 ACRES

Diversion Means: HEADGATES & DITCHES

RECORDED