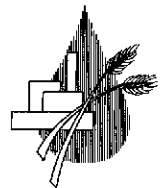


No Color
Documents
In File

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 ADRAIN NIELSON
(Name of Claimant)
P.O. BOX 26 OVID 83260 Telephone No. 847-1497
(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) MAR 21, 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)
OVID CK 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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>52.0 cfs</u>	Use	<u>IRR</u>	Period of Use From	<u>MAY 15</u> To <u>OCT 15</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) 52.0 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 23 Twp. 13S Rge. 43E B.M., County of Bear Lake
Additional points of diversion: SE 1/4 NW 1/4 Sec 19 T13S R44E B.M.

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. 2 PLANK DAMS AND OR CULVERT HEADGATE

(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.

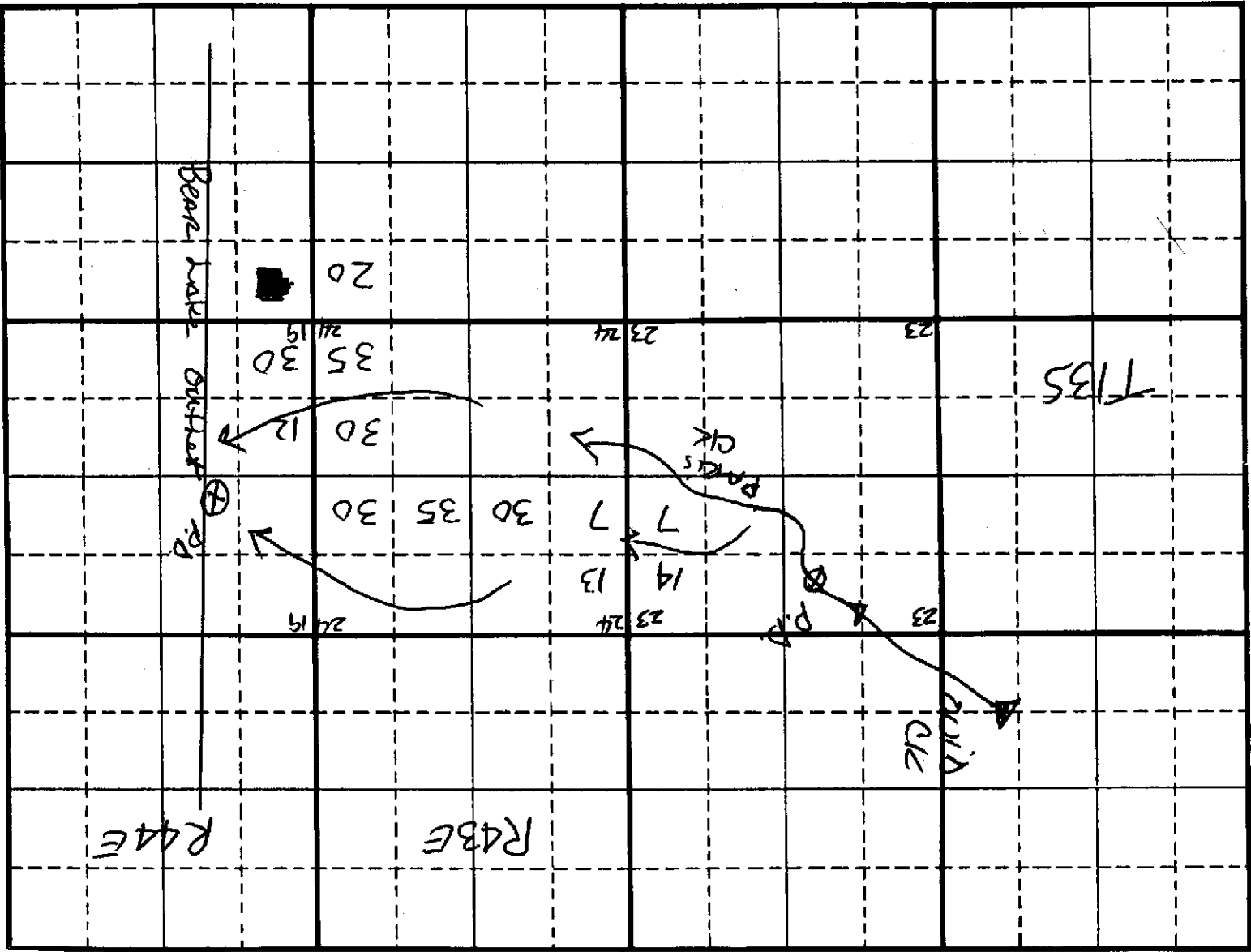
T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
13S	43E	23	14			7													21
		24			35	30		13	7	30					30			35	180
		25	20																20
	44E	19										12	30						42

No. of acres 263

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: _____
If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks From The Rock Dam on Old CK water diverted into Paris CK and Flooded a portion of the claimed lands At the Thorndike Dam (2nd PD) This water is also backed up flooding the claimed lands



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 Bear Lake)
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.

Adrian Nielsen
(Claimant)
1981

William R. Rhoads
Notary Public
Residing at Ad. Falls

Commission expires MAY 4, 1984

FOR DEPARTMENT USE ONLY

Received by BLC
Prelim. check by Kew
Date 5-13-81
Exception filed by:
Forwarded to
claimant by:
Date
Published in
Date 5-14-81
\$20.00 fee received by
9/28 & 9/25/81
1980 Edition #17672

FIDAVIT OF PUBLICATION

AHO,
r Lake

ss.

J. O. Kees

being duly sworn,

says:

he published of
NER, a weekly newspaper published at N
County of Bear Lake and State of Idaho;
as been and is in general circulation in
aid, and in the vicinity of Montpelier; tha
a copy of which is attached hereto, was
newspaper once a week for
s in the regular and entire issue of said p
iod and time of publication, and was publi
aper proper and not a supplement; that
n established and regularly published for
eight consecutive weeks prior to the da
on of said advertisement.

was published in the issue beginning wi

1-4, 1981, and er
of 6-11, 1981

and sworn to before me this 4th

August, 1981

Santa Taylor

Notary Public, Residing at Montpelier,

on Expires Lifetime, 1

Public Notices

Place of Use: SESW SWSE Sec 15 T
13S R 43E NWNW Sec 22 T 13S R
43E FOR 92 ACRES
Diversion Means: DITCH, PUMP &
SPRINKLER.

11-4111

HUNZEKER & SONS, FRED
RURAL RT. 1, MONTPELIER, ID
83254

Source: SPRING tributary to SHEEP
CREEK

Priority Date: 05-01-1931

Amount: 0.02 CFS

Diversion Point: SWNE Sec 25 T 13S R
45E, BEAR LAKE Co.

Use: STOCKWATER (0.02 CFS)
from 05-01 to 12-15

Place of Use: SWNE Sec 25 T 13S R
45E

Diversion Means: EXCAVATED
SPRING AREA.

11-4112

HUNZEKER & SONS, FRED
RURAL RT. 1, MONTPELIER, ID
83254

Source: SPRINGS tributary to SINKS

Priority Date: 05-15-1944

Amount: 0.02 CFS

Diversion Point: NWNE SWNE
NENW Sec 15 T 13S R 45E, BEAR LAKE
Co.

Use: STOCKWATER (0.02 CFS)
from 05-15 to 12-01

Place of Use: NWNE SWNE NENW
Sec 15 T 13S R 45E

Diversion Means: EXCAVATED

PONDS.

11-4113

HUNZEKER & SONS, FRED
RURAL RT. 1, MONTPELIER, ID
83254

Source: SPRINGS tributary to SHE-
EP CREEK, WEST FORK

Priority Date: 05-15-1932

Amount: 0.02 CFS

Diversion Point: SENW Sec 14 T 13S R
45E SESE Sec 23 T 13S R 45E NWNW Sec
24 T 13S R 45E NWSE Sec 25 T 13S R 45E
SENE Sec 26 T 13S R 45E, BEAR LAKE
Co.

Use: STOCKWATER (0.02 CFS)
from 05-15 to 12-01

Place of Use: SENW Sec 14 T 13S R
45E SESE Sec 23 T 13S R 45E NWNW Sec
24 T 13S R 45E NWSE Sec 25 T 13S R 45E
SENE Sec 26 T 13S R 45E

Diversion Means: EXCAVATED
SPRING.

11-4114

NIELSON, ADRAIN

P.O. BOX 26, OVID, ID 83260

Source: OVID CREEK tributary to
BEAR RIVER

Priority Date: 04-10-1890

Amount: 6.00 CFS

Diversion Point: NENW Sec 23 T 13S R
45E, BEAR LAKE Co.

Use: IRRIGATION (6.00 CFS)

from 05-15 to 10-15

STOCKWATER (0.02 CFS)

from 01-01 to 12-31

Place of Use: SWNW Sec 24 T 13S R
45E FOR 30 ACRES

Diversion Means: BOARD DAM.

11-4115

NIELSON, ADRAIN

P.O. BOX 26, OVID, ID 83260

Source: OVID CREEK tributary to
BEAR RIVER

Priority Date: 03-21-1899

Amount: 52.00 CFS

Diversion Point: NENW Sec 23 T 13S R
43E SENW Sec 19 T 13S R 44E, BEAR
LAKE Co.

Use: IRRIGATION (52.00 CFS)

from 05-15 to 10-15

Place of Use: NENE SENE Sec 23 T
13S R 43E SWNE SENE NWNW SWNW
SENE NESE SESE Sec 24 T 13S R 43E
NENE Sec 25 T 13S R 43E NWSW SWSW
Sec 19 T 13S R 44E FOR 263 ACRES

Diversion Means: HEADGATES.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 150 Shoup Ave., Idaho Falls,
Idaho 83401.

A. KENNETH DUNN

Director

Published 5-28 & 6-04-81.

6-4, 6-11
201 LINES

to state taxes on for the exact dates of
er, Idaho for the exact dates of
e listen to KASI Radio Station.
to General Motors automobile paint
do non chemical could possibly do
- July and August, 1981. The cytion
- extermination of mosquitoes through-
- will be spraying cytion - malatation
the Bear River Mosquito Abatement
be advised that in the public

MICROFILMED

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47	PRIORITY	-	D A T E S	-	21-MAR-1389	✓	55	LICENSE	-	63	TRANSFER/AMENDED	-	F L A G S	-
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	-			-		-

3/14/86
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KCW

Right Number 11 4115 Applicant Nielson

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. 8-14-81
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 8-19-1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 8/24/81

Department of Water Resources

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JUNE 17, 1981

ADRAIN NIELSON
P.O. BOX 26
OVID

ID 83260

RE: Claim No. 11-4115

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
JUN 21 1981

* INDICATES TOTAL *

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

11-4111

 11-4112 RUDZICKERSON, FRED
RURAL RT. 1
MONTPELIER

ID 83254

05-15-1944 STOCKWATER 05-15 12-01

.02 CFS

NAME S15 NAME

NAME S15 NAME SWNE STAIRY CUM

11-4113

 11-4113 RUDZICKERSON, FRED
RURAL RT. 1
MONTPELIER

ID 83254

05-15-1942 STOCKWATER 05-15 12-01

.02 CFS

NAME S14 SEW

NAME S14 SEW STAIRY CUM

11-4114

 11-4114 RUDZICKERSON, FRED
RURAL RT. 1
MONTPELIER

ID 83260

04-10-1890 IRRIGATION 05-15 10-15

6.00 CFS

NAME S23 NAME(30)

NAME S23 NAME(30) STAIRY CUM

11-4115

 11-4115 RUDZICKERSON, FRED
RURAL RT. 1
MONTPELIER

ID 83260

03-21-1889 IRRIGATION 05-15 10-15

52.00 CFS

NAME S23 NAME(30)

NAME S23 NAME(30) STAIRY CUM

11-4116

 11-4116 RUDZICKERSON, FRED
RURAL RT. 1
MONTPELIER

ID 83260

05-15-1944 STOCKWATER 05-15 12-01

.02 CFS

NAME S15 NAME

NAME S15 NAME SWNE STAIRY CUM

POLICE DEPT. MONTPELIER

11-4117

 11-4117 RUDZICKERSON, FRED
RURAL RT. 1
MONTPELIER

ID 83260

05-15-1944 STOCKWATER 05-15 12-01

.02 CFS

NAME S15 NAME

NAME S15 NAME SWNE STAIRY CUM

 RECEIVED
1861 82 NOV
SH0414

S T A T E O F N E W J E R S E Y

 RECEIVED
1861 82 NOV
SH0414

3/79

IDENT. NO. 11 4115

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]



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

August 4, 1981

RE: Attached Listing of Needed Affidavits of Publication

News-Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

Attached is a listing of all of the publications of legal notices that we have not received as of this date. Would you please submit an affidavit of publication and certified bill in connection with these legals? Our office cannot proceed with the processing of these water right filings until we receive the above items. Your cooperation in this matter would be greatly appreciated.

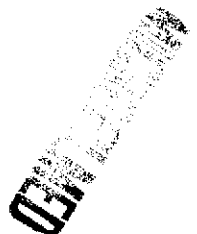
Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

RECEIVED
AUG 10 1981
MONTPELIER, ID

<u>Water Right Number</u>	<u>Date Published</u>
11-4105	5/28 & 6/04/81
11-4106	5/28 & 6/04/81
11-4107	5/28 & 6/04/81
11-4108	5/28 & 6/04/81
11-4109	5/28 & 6/04/81
11-4110	5/28 & 6/04/81
11-4111	5/28 & 6/04/81
11-4112	5/28 & 6/04/81
11-4113	5/28 & 6/04/81
11-4114	5/28 & 6/04/81
11-4115	5/28 & 6/04/81
11-4116	6/04 & 6/11/81
11-4117	7/02 & 7/09/81
11-4118	7/02 & 7/09/81
11-4119	7/09 & 7/16/81
11-4120	7/09 & 7/16/81
11-4121	7/16 & 7/23/81
11-7194 Amendment	4/30 & 5/07/81
11-7222	3/26 & 4/02/81
11-7254	5/28 & 6/04/81
11-7255	5/28 & 6/04/81
11-7257	5/28 & 6/04/81
11-7258	5/28 & 6/04/81
11-7259	5/28 & 6/04/81
11-7260	6/04 & 6/11/81
11-7261	6/11 & 6/18/81
11-7262	6/18 & 6/25/81
11-7263	7/02 & 7/09/81
24-4041	7/02 & 7/09/81



July 1, 1981

RE: Claim to a Water Right No. 11-4105, 11-4106, 11-4107, 11-4108,
11-4109, 11-4110, 11-4111, 11-4112,
11-4113, 11-4114, 11-4115,

Application for Permit No. 11-7255, 11-7258, 11-7259

News-Examiner
P.O. Box 278
Montpelier, Idaho 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 May 28 and June 4, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

MICROFILMED

11-4115

NIELSON, ADRAIN

P.O. BOX 26, OVID, ID 83260

Source: OVID CREEK tributary to BEAR RIVER

Priority Date: 03/21/1889

Amount: 52.00 CFS

Diversion Point: NENW Sec 23 T 13S R 43E SENW Sec 19 T 13S R 44E,
BEAR LAKE Co.

Use: IRRIGATION (52.00 CFS) from 05/15 to 10/15

Place of Use: NENE SENE Sec 23 T 13S R 43E SWNE SENE NWNW SWNW SENW NESE SESE
Sec 24 T 13S R 43E NENE Sec 25 T 13S R 43E NWSW SWSW
Sec 19 T 13S R 44E FOR 263 ACRES

Diversion Means: HEADGATES.

UNRECORDED