

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 ID. 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) 10 April 1890

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>6.00 cfs</u>		Use <u>IRR</u>		Period of Use From <u>MAY 15</u>	To <u>OCT 15</u>
Quantity <u>.02 cfs</u>		Use <u>Stock</u>		Period of Use From <u>JAN 1</u>	To <u>DEC 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 6.00 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: _____

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. BOARD DAM ON OVID CK Water then Floods
over land To IRR. Place of use

- (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	
135	43E	24							30										30

No. of acres 30

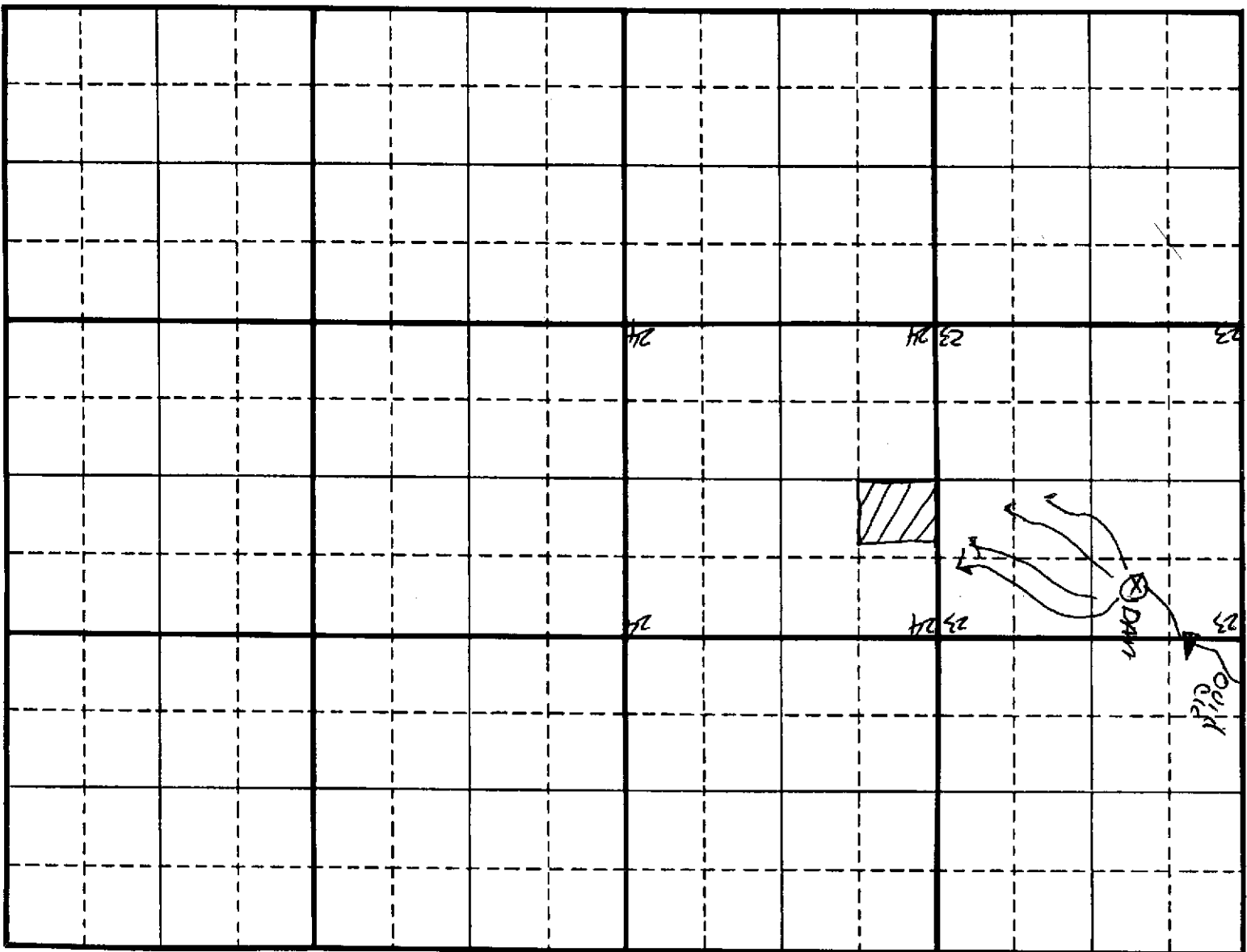
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Stock use the meadow area and are
watered by this irrigation source ?

NOTE: Include here the type and number of stock watered: 24 Head Cows

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

(8) Remarks OTHER Lands ARE ALSO irrigated by the SHIRKITT Dam and subsequent Flooding.



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.

Sworn to before me this 13 day of MAY 1981.
(Claimant)
William Gibson

William Gibson
Notary Public
Residing at ID. Falls

My commission expires MAY 9, 1984

FOR DEPARTMENT USE ONLY
Exception filed by: Forwarded to: Date
5-13-81
5-14-81
5-14-81
Received by: B.R.
check by: K.W.
\$20.00 fee received by: K.W.
Published in: Idaho Examiner #17647
Dates: 5/28 & 6/24/81

FIDAVIT OF PUBLICATION

WHO,

ss.

Lake

J. D. Green

being duly sworn,

says:

that *the Idaho News-Examiner* of
VER, a weekly newspaper published at N
County of Bear Lake and State of Idaho;
is 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
per 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

....., 19 *81*, and er

of *6-11*....., 19

and sworn to before me this *4th*

August....., 19 *81*

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: NWNW 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: NWNW 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 SHEEP
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: 04-10-1990

Amount: 6.00 CFS

Diversion Point: NENW Sec 23 T 13S R
43E, 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
E FOR 90 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: 03-21-1989

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 283 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

-0-

to state these dates for the exact dates of
er Idaho for the exact dates of
e listen to KVASI Radio Station
to General Motors automobile plant
do non chemical could possibly do
- July and August, 1981. The cyclon
- termination of mosquitoes through
- will be spraying cyclon - malathion
the Bear River Mosquito Abatement
be advised that in the public

MICROFILMED

WRR100
11-4114

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 -----

54 LAST UPDATE - 3-JUN-1981

62 DATE_2

3/14/86
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Kew

Right Number 11 4114 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 Jmi Date 8/24/81

Department of Water Resources

RECEIVED

11-4095

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. 11-4114

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

MICROFILMED

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
--------------	------------------	---------------	--------------------	---------------------	-----------------	--------------------------	-----------------

11-0111

11-0112	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1944	STOCKWATER 05-15 12-01	.02 CFS	SEW S15	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S15	SEW T13S R45E	SEW T13S R45E

11-0113	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0114	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0115	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0116	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0117	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0118	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0119	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0120	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

11-0121	HUNZIKERSBURG, FRID RURAL, PT. 1	05-15-1932	STOCKWATER 05-15 12-01	.02 CFS	SEW S14	SEW T13S R45E	SEW T13S R45E
	MONTPELIER				SEW S23	SEW T13S R45E	SEW T13S R45E

1861 92 NUP

Department of Water Resources
Eastern District Office

RECEIVED

WR0414

STATE OF IDAHO

RECEIVED

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

A. Kenneth Dunn
Director

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

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

WALKER
SECRETARY

Water Right NumberDate Published

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

NOT RECORDED

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

11-4114

NIELSON, ADRIN

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 43E, 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 43E FOR 30 ACRES

Diversion Means: BOARD DAM.

RECORDED