

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 Lane E. Hymas. (Name of Claimant)
Ovid, Idaho (Mailing Address) 83260 (Zip Code) Telephone No. 945-2075

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) March 29 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)
South Dell Creek tributary to sinks

(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	<u>2.0 c/s.</u>	Use	<u>Irrigation.</u>	Period of Use From	<u>April 1</u> To <u>Nov. 1</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) 2.0 c/s. TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 7 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. 12" metal slide gate - diverts water into open ditch approx 1 1/2 miles long.

(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	
<u>13S</u>	<u>43E</u>	<u>8</u>						<u>3</u>	<u>40</u>	<u>12</u>	<u>5</u>	<u>14</u>							<u>74</u>

No. of acres 74

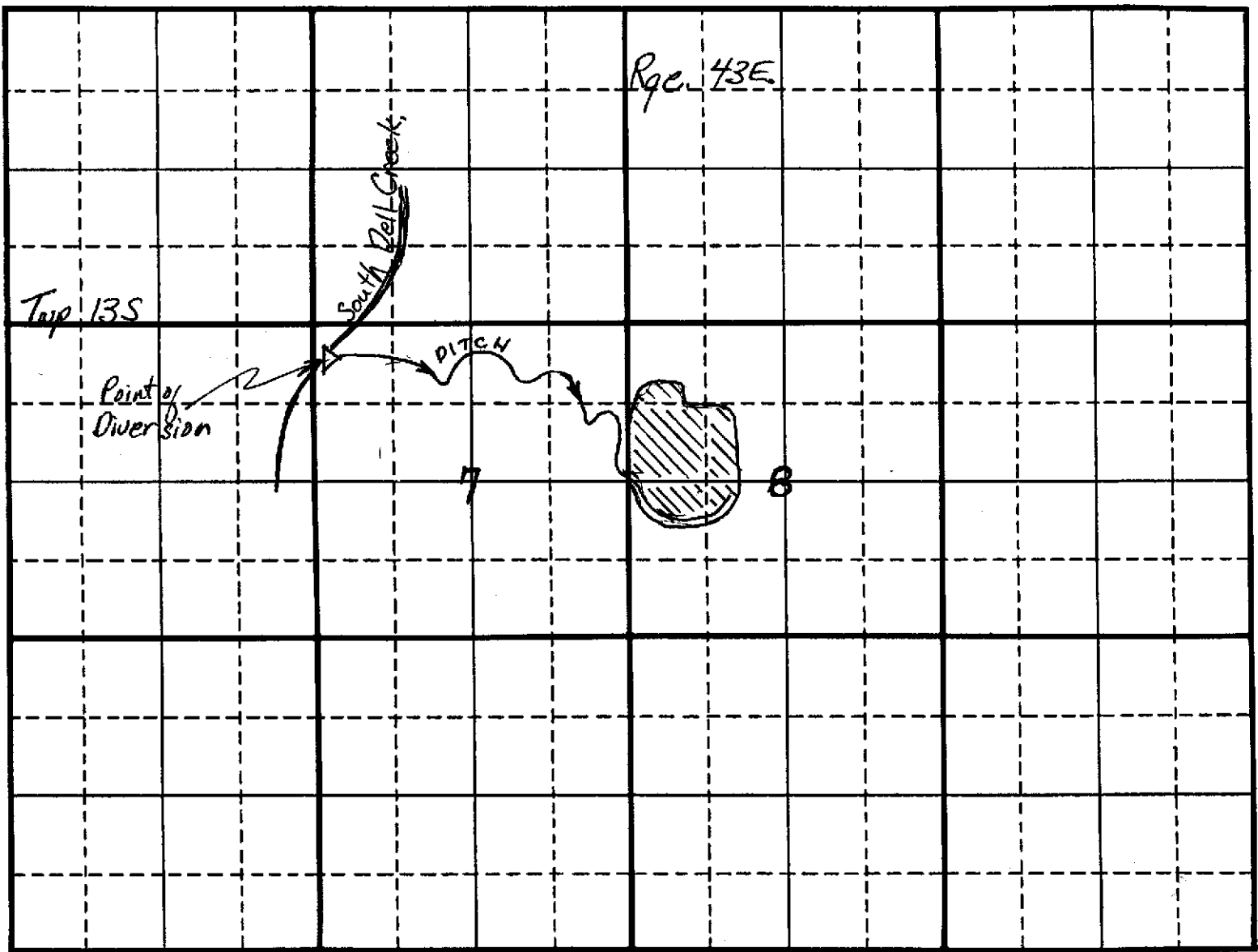
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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

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

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(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 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 15 day of May, 1979.
x Lane E. Hyman
(Claimant)

Dorothy L. Sorenson
Notary Public
Residing at Montpelier, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>dh</u>	Date <u>5-16-79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EMC</u>	Date <u>5/11/79</u>		claimant by:	
\$20.00 fee received by <u>dh</u>	Date <u>5-16-79</u>	#11883		
Published in <u>News-Examiner</u>				
Dates <u>May 24 & 31, 1979</u>				

Public Notices

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:

11-4076
HYMAS, LANE E.
OVID, ID. 83260
Source: SOUTH DELL CREEK tributary to SINKS
Priority Date: 03-29-1887
Amount: 2.00 CFS
Diversion Point: NWNW Sec 07 T 13S R 43E, BEAR LAKE Co.
Use: IRRIGATION (2.00 CFS) from 04-01 to 11-01
Place of Use: NWNW SWNW SENW NESW NWSW Sec 08 T 13S R 43E FOR 74 ACRES
Diversion Means: HEADGATE & DITCH

11-4077
HANSEN, RUSSELL
ROUTE 1, MONTPELIER, ID 83254
Source: GROUNDWATER
Priority Date: 06-01-1951
Amount: 0.26 CFS
Diversion Point: SWSW Sec. 14 T 13S R 44E, BEAR LAKE Co.
Use: DOMESTIC (0.02 CFS) from 01-01 to 12-31
IRRIGATION (0.24 CFS) from 04-01 to 11-01
Place of Use: SWSW Sec 14 T 13S R 44E FOR 12 ACRES
Diversion Means: WELL & PUMP SPRINKLER SYSTEM, PIPELINE

11-4078
BATEMAN, MARSHALL
ROUTE 1, MONTPELIER, ID 83254
Source: UNNAMED SPRING tributary to SINKS
Priority Date: 05-24-1919
Amount: 0.02 CFS
Diversion Point: NENE Sec 10 T 13S R 44E, BEAR LAKE Co.
Use: DOMESTIC (0.02 CFS) from 01-01 to 12-31
Place of Use: NENE Sec 10 T 13S R 44E
Diversion Means: HEADBOX & PIPELINE

11-4079
DERRICOTT, BRUCE
ROUTE 1, OVID, ID 83260
Source: UNNAMED SPRINGS tributary to SINKS
Priority Date: 05-01-1902
Amount: 1.00 CFS
Diversion Point: SENE SESE Sec 01 T 13S R 42E, BEAR LAKE Co.
Place of Use: NENW NWNW SWNW SENW NESW NWSW Sec 06 T 13S R 43E SESW Sec 06 T 13S R 43E FOR 53 ACRES
Diversion Means: DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director
published 5-24 & 5-31-79

RECEIVED

JUN 7 1979
Department of Water
Eastern District

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Loren W. Thompson
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 two 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

May 24, 1979, and ending with the issue of May 31, 1979

Loren W. Thompson
Fees, 69.42

Subscribed and sworn to before me this 4 day of June, 1979

Maude L. Thompson
Notary Public, Residing at Montpelier, Idaho
My Commission Expires March 11, 1983

WRR100
11-4076

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
16-DEC-1985 10:39:24

01 WATER RIGHT NUMBER - 11-4076

02 OLD (D) NUMBER -

03001 - HYMAS ✓ LAST NAME

04001 - LANE E. ✓ FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 -

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - OVID ✓

10 STATE - ID

11 ZIP - 83260

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - SOUTH DELL CREEK ✓

TRIBUTARY OF
15001 - SINKS ✓

16 DIVERSION MEANS - HEADGATE & DITCH ✓

17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 2.000 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 - NWNW	23001 - 07	24001 - 13S	25001 - 43E	26001 - 27001 -	28001 - 0	100.0	171.0	9.0 0.5 0.0 0.0 0.0 0 0 0 1.7

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 13S	32001 - 43E	33001 - 08	34001 - NWNW	35001 - 03	36001 -
30002 - 01 IRRIGATION	31002 - 13S	32002 - 43E	33002 - 08	34002 - SWNW	35002 - 40	36002 -
30003 - 01 IRRIGATION	31003 - 13S	32003 - 43E	33003 - 08	34003 - SENW	35003 - 12	36003 -
30004 - 01 IRRIGATION	31004 - 13S	32004 - 43E	33004 - 08	34004 - NESW	35004 - 05	36004 -
30005 - 01 IRRIGATION	31005 - 13S	32005 - 43E	33005 - 08	34005 - NWSW	35005 - 14	36005 -

TOTAL ACRES: 74

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401	38001 - 1101	39001 - 01 IRRIGATION	40001 -	2.000	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

DATES	DATES	FLAGS
47 PRIORITY - 29-MAR-1887 ✓	55 LICENSE -	63 TRANSFER/AMENDED -
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 -

WRR100
11-4076

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 -----

51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 13-NOV-1981

59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

67 FLAG_3 -

7/3/86
VERIFIED JKN

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

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

JUNE 11, 1979

LANE E. HYMAS
OVID

ID 83260

RE: Claim No. 11-4076

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

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

MAY 18, 1979

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

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 JUNE 11, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

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C. STEPHEN ALLRED

Director

Published 5/24 & 5/31/79.

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May 22, 1979

Lane E. Hymas
Ovid, Idaho 83260

Dear Mr. Hymas:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 11883 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

RECEIVED
MAY 24 1979
FBI - IDAHO

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JG

Right Number New Claim Applicant Layne E. Hagmas

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.
- ☒ Claim published correctly.
- ☒ Exceptions processed. NONE

By Ernest Carlson Date 6/11/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 6/18/79

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