

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that May R. Kurlicke
(name of claimant)
of Paris, Idaho 83261, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed
spring, tributary to, none
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|-------------------|-----|---------------------------|----------------|------|------------------------------|----|-----------------------------|
| Amount | <u>.15 cfs</u> | Use | <u>watering livestock</u> | Period of Use: | From | <u>April 15th</u> | To | <u>Dec. 15th</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: | From | <u> </u> | To | <u> </u> |
- (cfs, gpm or a/h) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: .15 cubic feet per second, or _____ acre feet per annum, and/or 68 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1936
- 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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 29 Twp. 13 Rge. 43 B. M. County of Bear Lake
 Additional points of diversion: none

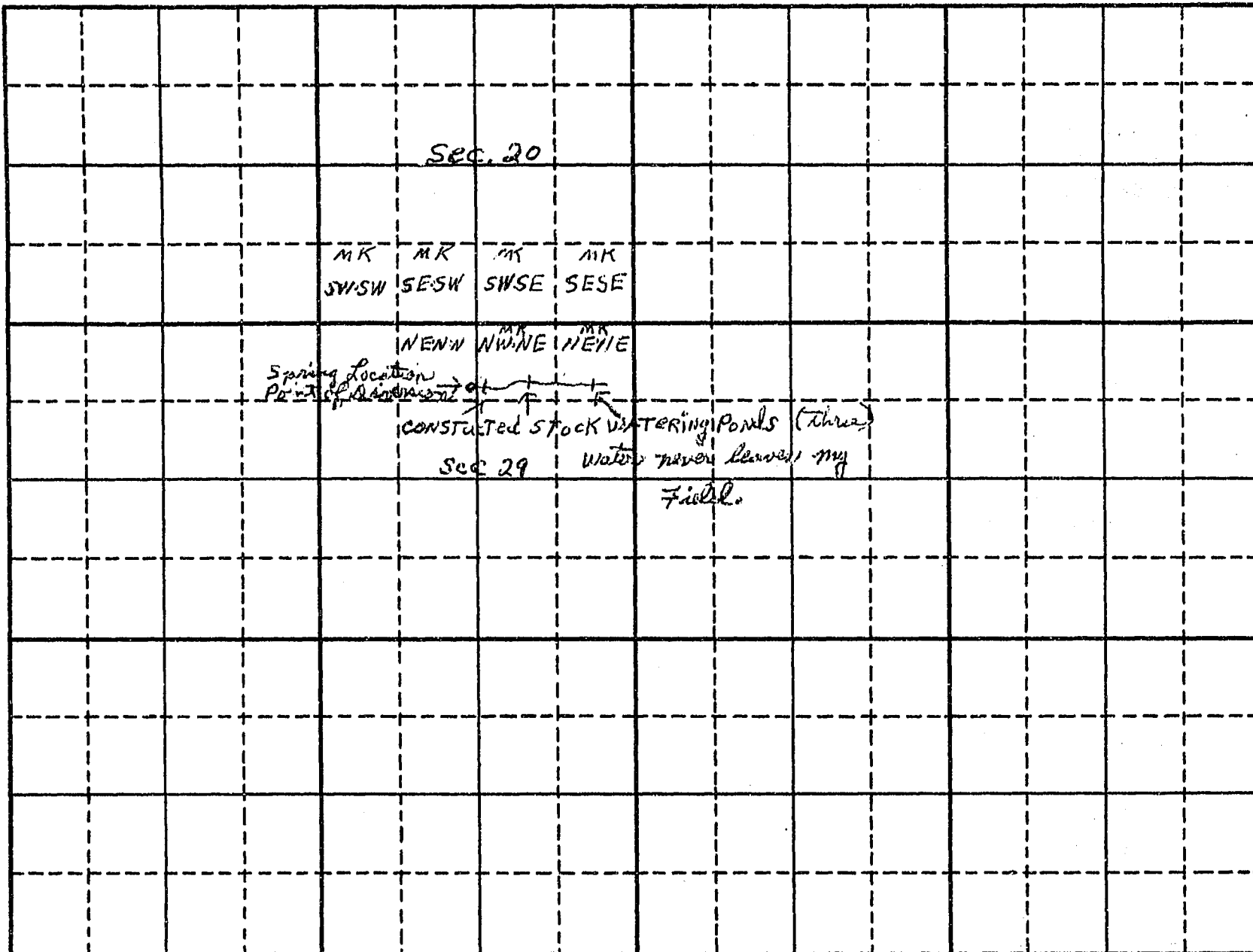
- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. *Water follows its natural drainage from an unnamed spring on (NE 1/4 NW 1/4) through the (NW 1/4 NE 1/4) and into (NE 1/4 NE 1/4) Sec. 29. Three stockwatering ponds are in use on this property.*
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is *is property* not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres .

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: water is used for watering 80 head of beef cattle.
- (7) If you are claiming water as a member of an organization, list name of organization: none

(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 affiants knowledge.

Sworn to before me this 25 day of March, 1976.

May R. Kuhlke
(Claimant)

Elaine Webb
Notary Public
Residing at Paris Idaho

My commission expires May 13, 1977

For Department Use Only

Received by <u>ew</u>	Date <u>3-26-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WR</u>	Date <u>3-26-76</u>		claimant by:	
\$10.00 fee received by <u>ew</u>	Date <u>3-26-76</u>			
Approved for publication by <u>me</u>	Date <u>4-27-76</u>	<u>#1573</u>		
Published in <u>Idaho Observer</u>				
Dates <u>April 1 & 8, 1976</u>				

Nº 339

RECEIVED

APR 27 1976

AFFIDAVIT OF PUBLICATION

Department of Water Resources
Eastern District Office

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

April 1, 1976, and ending
with the issue of April 8, 1976

Loren W. Thompson
Fees, 13.13

Subscribed and sworn to before me this 23rd day
of April, 1976

Mauda Thompson
Notary Public, Residing at Montpelier, Idaho
My Commission Expires March 13, 1979

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 11-1048
Notice is hereby given that
Max R. Kulicke, Paris,
Idaho has filed a claim to a
water right established by
diversion and application to
beneficial use of 0.15 cubic
feet per second of water
from an unnamed spring
with point of diversion in the
NE 1/4 NW 1/4, Sec. 29, T. 13S,
R. 43E, B.M., Bear Lake
County.
The water is claimed to be
used from Apr. 15 to Dec. 15,
for stockwatering purposes
for 80 head of beef cattle with
a priority of 1936; the place
of use is within the NE 1/4
Sec. 29, T. 13S, R. 43E, B.M.
Any exception to this claim
of water right may be filed
with the Idaho Department
of Water Resources, 1515
Lincoln Road, Idaho Falls,
Idaho, 83401.
R. KEITH HIGGINSON
Director
Published in the News-
Examiner, Montpelier,
Idaho on April 1 and April 8,
1976.
A1-87

NOTICE OF CLAIM TO A WATER RIGHT

NO. 11-4048

Notice is hereby given that Max R. Kulicke,

Paris, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.15 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from an unnamed spring

with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 13S, R. 43E, B.M.,

Bear Lake County

The water is claimed to be used from Apr. 15 to Dec. 15

for stockwatering purposes for 80 head of beef cattle

with a priority of 1936;

the place of use is within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 13S, R. 43E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the News-Examiner, Montpelier, Idaho

on April 1 and April 8, 1976

*me. f.
me. Q.*

March 26, 1976

RE: Claim to a Water Right No. 11-4048 KULICKE

The News Examiner
P.O. Box 278
Montpelier, Idaho 83264

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted

4-27-76

by

CS

RDC:ME

Enclosure (1)

March 31, 1976

RE: Claim to a Water Right No. 11-4048

Mr. Max R. Kulicke
Paris,
Idaho 83261

Dear Mr. Kulicke:

Attached herewith is departmental receipt No. 15713 in the amount of \$10.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

MEMORANDUM

TO: File
FROM: Bill Rhoads
RE: Claim to a Water Right No. 11-4048
DATE: March 29, 1976

There are some peculiarities that should be noted:

1. Point of diversion - point of diversion as stated in the claim is located at the spring with a natural drainage being the conveyance system. I am not sure this constitutes diversion of said waters. The point of diversion may actually be in two locations at the three stockwatering ponds.
 2. Rate of flow - the Department recognizes 0.03 c.f.s. as a rate of diversion for up to 100 head of beef cattle. This claim consists of 0.15 c.f.s. Appears to be quite Q-excessive.
 3. This claim may not be recognized as Section 42-212 and 42-213, Idaho Code indicates a claim may not have been required.
-

RECEIVED

APR 13 1976

Department of Water Resources
Eastern District Office

April 8, 76

Mr. R. Keith Higginson

Dear Mr. Higginson:

I am writing in protest
to the claim of water right
~~file~~ filed by Max R. Kulicke
Paris, Idaho. The water comes
out of the ground on my property
which is the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29
T. 13.S. R. 43 E. B.M. Bear Lake
County. The water flows from
my property East into Kulicke
property, we use the water for
watering app. 160 head of cattle and
has been used on this property
for years and yrs. I would say
40 to 50 yrs. Kulicke waters cattle
with same water what does he
want to change. May I hear
from you soon

yours truly -
Daryl Correllson

April 15, 1976

RE: Claim to a Water Right No. 11-4048 MAX R. KULICKE

Mr. Doyr Cornelison
Bennington,
Idaho 83219

Dear Mr. Cornelison:

As you are probably aware, a claim to a water right represents evidence that the claimant wishes to have preserved for future reference. If the evidence claimed is in error then it is necessary to submit an exception to this claim to point out these errors. An exception must be filed in affidavit form and signed in the presence of a notary public.

If you feel the evidence of the right Mr. Kulicke is claiming is in error, then you may wish to file an exception. We, therefore, are returning two blank affidavit forms with your letter of April 8, 1976.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CN

Enclosures

April 19, 1976

RE: Claim to a Water Right No. 11-4048 KULICKE

The 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. The legal notice was to have been published in your paper on April 1 and April 8, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CH

cc: IDWR - State Office

*Called 4-26-76
CW*

April 28, 1976

RE: Claim to a Water Right No. 11-4048

Mr. Max R. Kulicke
Paris,
Idaho 83261

Dear Mr. Kulicke:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

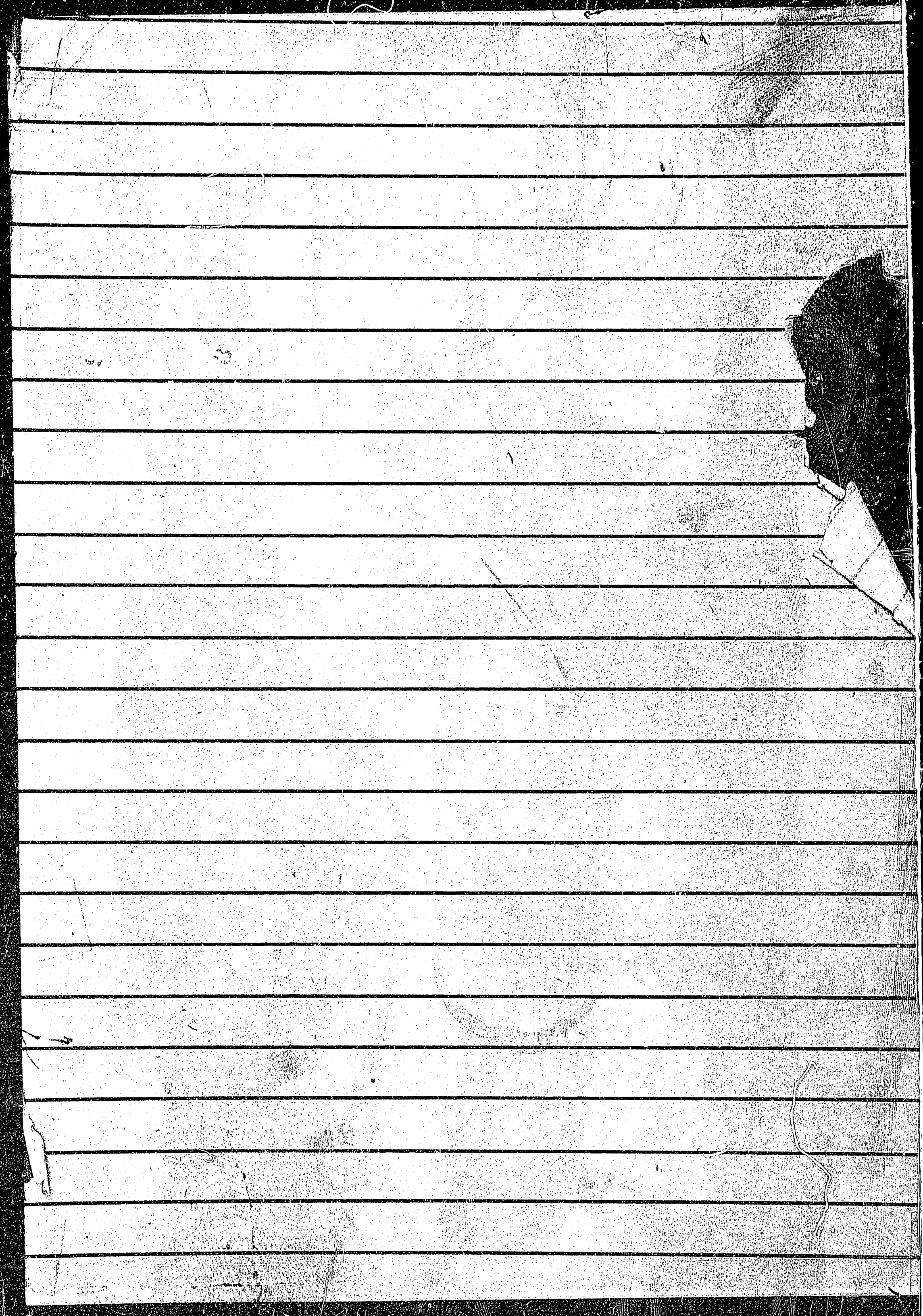
We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Copy of Claim



April 19, 1976

RE: Claim to a Water Right No. 11-4048 KULICKE

The 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. The legal notice was to have been published in your paper on April 1 and April 8, 1976.

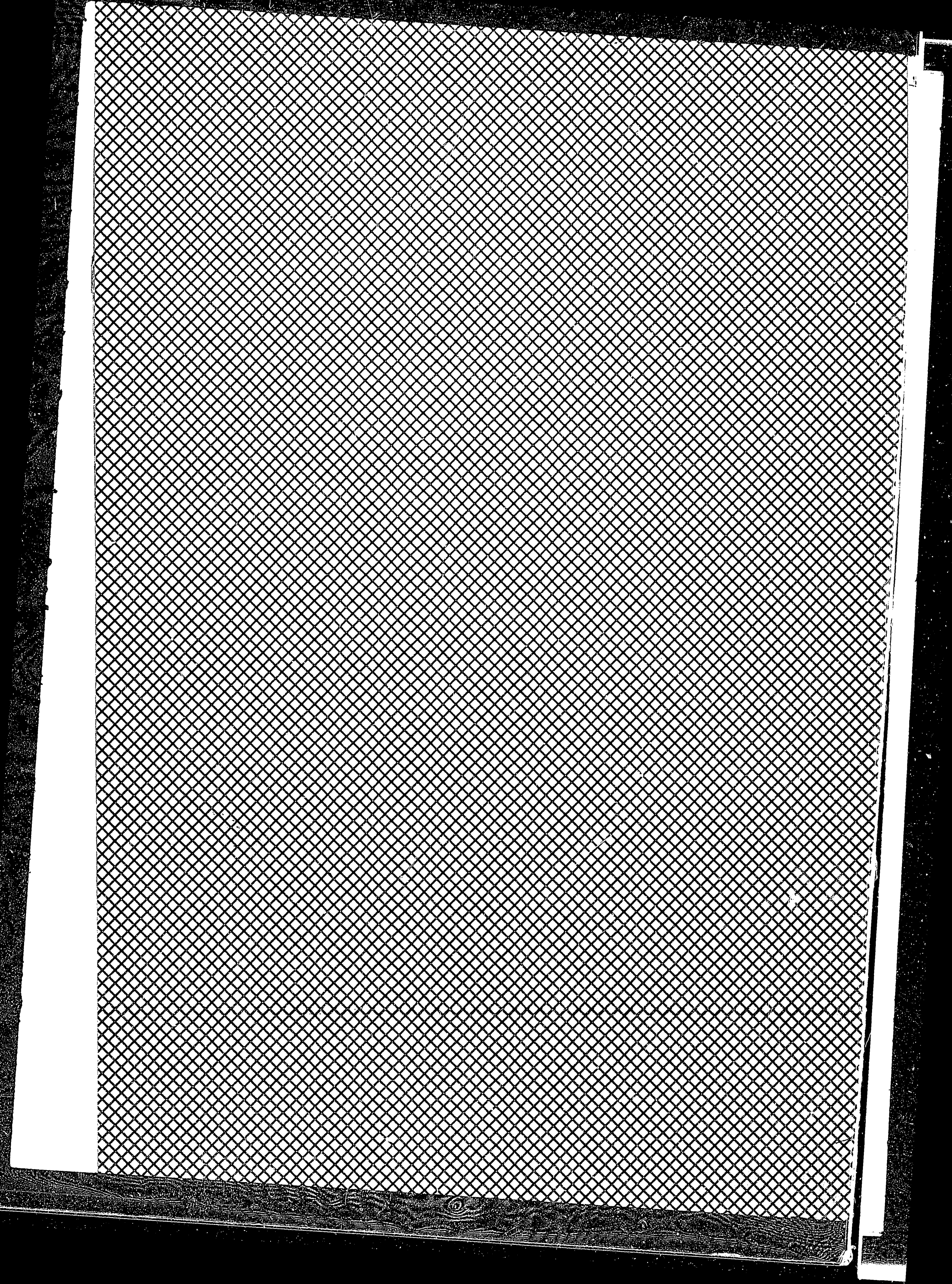
Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office



State of Idaho
Department of Water Resources
Boise, Idaho 83720

RECEIVED
MAR 12 1990

Department of Water Resources

Gentlemen:

In reference to claim to a Water Right
no. 11-4048 which was filed with your
office in March, 1976, I would like to know
if I will receive a license for it. This water
right is not within my property but is in
NE $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 28. Township 13 South
Range 43 East.

Sincerely,

May R. Hukike

Box 93

Paris, Idaho 83261



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1990

RE: Claim to a Water Right No. 11-4048

Max R. Kulicke
P.O. Box 93
Paris, ID 83261

Dear Mr. Kulicke:

We are in receipt of your letter which inquires about the above referenced water right. Please be advised that a Claim to a Water Right is just that, a claim to a water use. We do not issue licenses on claims, the filings are just recorded with our office and kept here for documentation purposes.

I have enclosed a copy of Claim No. 11-4048 for your records, in case you have misplaced your copy. If you have any further questions, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosure