

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.

Betty Largilliere Burke, 2501 Hillway Dr., Boise, ID 83702, 354-5419;
Linda Largilliere Johnson, 2135 W. Campbell #34, Phoenix, AZ. 274-7592;
Notice is hereby given that Zions 1st Nat'l Bank, Trustee of Estate of Evelyn Largilliere Shields;
One So. Main, Salt Lake City, Ut. 84125 524-4806; Utah Process Agency, Inc. % Gayle Dean
Hunt, 2121 So. State, Salt Lake City, Ut. 84115, 486-8701; Telephone No. _____
contract purchaser from Evelyn Largilliere Shields
(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) Jan. 1, 1957

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)

Largilliere Creek 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>15 AF</u>		Use <u>Storage for irrigation</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>	
Quantity <u>15 AF</u>		Use <u>Irrigation from storage</u>	Period of Use From <u>April 1</u>	To <u>Oct. 31</u>	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity _____		Use _____	Period of Use From _____	To _____	

- (4) 15 AF TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ SE ¼, Sec. 26 Twp. 9 S Rge. 41 E B.M., County of Caribou

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. Earth and rock fill dam 600 feet long and 13 feet high. Water is diverted through outlet in dam.

- (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	
9S	41E	25							10			5							15
		26			5	20									30	5	5	10	75

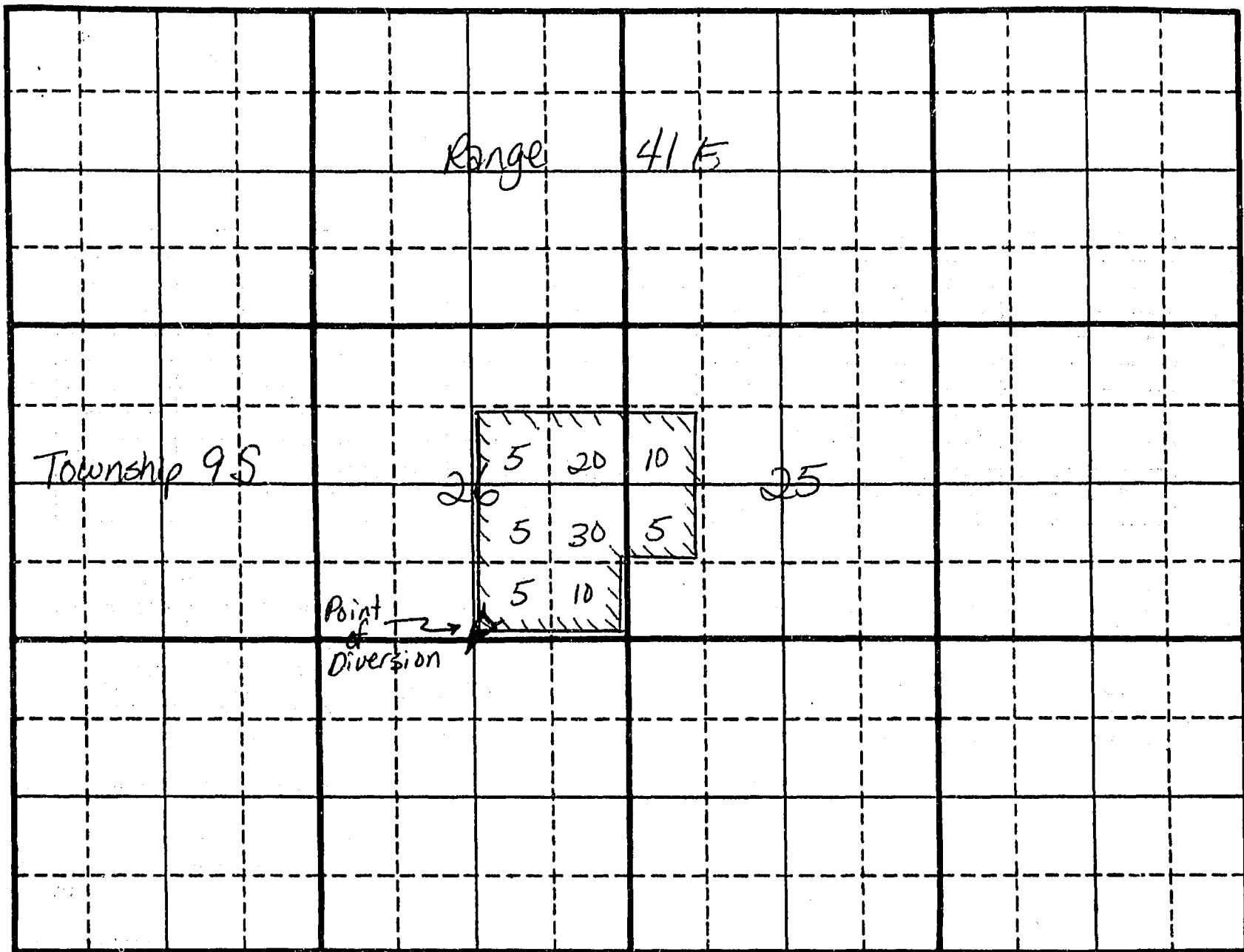
No. of acres 90

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: _____

(8) Remarks Land is irrigated based on a previous claim for natural flow from Largilliere Creek



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 ~~Utah~~ Utah)
County of Salt 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 8th day of February, 1979, Gayle Dean Hunt for Utah Process Agency, Inc., as contract purchaser from Evelyn Largilliere Shields thru Trustee, Zions 1st Nat'l Bank & for Betty Largilliere Burke & Linda Largilliere Johnson and for said trustee.

Harmane M. Hart
Notary Public
Residing at Salt Lake County, Utah

My commission expires 12-14-80

FOR DEPARTMENT USE ONLY

Received by dh Date 2-12-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ARK Date 2-12-79 claimant by: _____
\$20.00 fee received by dh Date 2-12-79 #12878
Published in Caribou County Sun
Dates February 22, 1979 & March 1, 1979

RECEIVED
MAR 8 1979

Department of Water Resources
Eastern District Office

**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.

11-4072
**BETTY LARGILLIERE
BURKE, ET. AL.
C-O GAYLE DEAN HUNT,
ATTY: 2121 SOUTH STATE,
SALT LAKE CITY, UT 84115
Source: LARGILLIERE
CREEK tributary to BEAR
RIVER**

Priority Date: 01-01-1957
Amount: 15.0 AC-FT
Diversion Point: SWSE Sec 26
T 09S R 41E, CARIBOU Co.
Use: IRRIGATION STORAGE
(15.0 AC-FT) from 01-01 to
12-31 IRRIGATION FROM
STORAGE (15.0 AC-FT) from
04-01 to 10-31

Place of Use: SWNW NWSW
Sec 25 T 09S R 41E SWNE
SENE NESE NWSE SWSE
SESE Sec 26 T 09S R 41E FOR
90 ACRES

Diversion Means: EARTH &
ROCK FILL DAM 13' HIGH,
600' LONG

11-4073
**BURKE, BETTY LARGIL-
LIERE
JOHNSON, LINDA LARGIL-
LIERE
ZIONS 1ST NAT'L BANK,
TRUSTEE OF ESTATE, EVE-
LYN L. SHIELDS
UTAH PROCESS AGENCY,
INC.**

c-o GAYLE DEAN HUNT,
2121 SOUTH STATE, SALT
LAKE CITY, UT 84115
Source: WINCHELL CREEK
tributary to BEAR RIVER

Priority Date: 01-01-1957
Amount: 15.0 AC-FT
Diversion Point: NWNW Sec
36 T 09S R 41E, CARIBOU Co.

Use: IRRIGATION STORAGE
(15.0 AC-FT) from 01-01 to
12-31 IRRIGATION FROM
STORAGE (15.0 AC-FT) from
04-01 to 10-31

Place of Use: NESE SESE Sec
26 T 09S R 41E SWNW NESW
NWSW SWSW SESW Sec 25 T
09S R 41E FOR 130 ACRES

Diversion Means: EARTH &
ROCK-FILL DAM 600' LONG,
15' HIGH

11-4074
**BURKE, BETTY LARGIL-
LIERE
JOHNSON, LINDA LARGIL-
LIERE
ZIONS 1ST NAT'L BANK,
TRUSTEE OF ESTATE, EVE-
LYN L. SHIELDS
UTAH PROCESS AGENCY
c-o GAYLE DEAN HUNT,
2121 SOUTH STATE, SALT
LAKE CITY, UT 84115
Source: LARGILLIERE
CREEK tributary to BEAR
RIVER**

Priority Date: 01-01-1957
Amount: 15.0 AC-FT
Diversion Point: NWNW Sec
36 T 09S R 41E, CARIBOU Co.

Use: IRRIGATION STORAGE
(15.0 AC-FT) from 01-01 to
12-31 IRRIGATION FROM
STORAGE (15.0 AC-FT) from
04-01 to 10-31

Place of Use: NESE SESE Sec
26 T 09S R 41E SWNW NESW
NWSW SWSW SESW Sec 25 T
09S R 41E FOR 130 ACRES

Diversion Means: EARTH &
ROCK-FILL DAM 600' LONG,
15' HIGH

11-4075
**BURKE, BETTY LARGIL-
LIERE
JOHNSON, LINDA LARGIL-
LIERE
ZIONS 1ST NAT'L BANK,
TRUSTEE OF ESTATE, EVE-
LYN L. SHIELDS
UTAH PROCESS AGENCY
c-o GAYLE DEAN HUNT,
2121 SOUTH STATE, SALT
LAKE CITY, UT 84115
Source: LARGILLIERE
CREEK tributary to BEAR
RIVER**

Priority Date: 01-01-1957
Amount: 15.0 AC-FT
Diversion Point: NWNW Sec
36 T 09S R 41E, CARIBOU Co.

Use: IRRIGATION STORAGE
(15.0 AC-FT) from 01-01 to
12-31 IRRIGATION FROM
STORAGE (15.0 AC-FT) from
04-01 to 10-31

Place of Use: NESE SESE Sec
26 T 09S R 41E SWNW NESW
NWSW SWSW SESW Sec 25 T
09S R 41E FOR 130 ACRES

Diversion Means: EARTH &
ROCK-FILL DAM 600' LONG,
15' HIGH

11-4076
**BURKE, BETTY LARGIL-
LIERE
JOHNSON, LINDA LARGIL-
LIERE
ZIONS 1ST NAT'L BANK,
TRUSTEE OF ESTATE, EVE-
LYN L. SHIELDS
UTAH PROCESS AGENCY
c-o GAYLE DEAN HUNT,
2121 SOUTH STATE, SALT
LAKE CITY, UT 84115
Source: LARGILLIERE
CREEK tributary to BEAR
RIVER**

Priority Date: 01-01-1957
Amount: 15.0 AC-FT
Diversion Point: NWNW Sec
36 T 09S R 41E, CARIBOU Co.

Use: IRRIGATION STORAGE
(15.0 AC-FT) from 01-01 to
12-31 IRRIGATION FROM
STORAGE (15.0 AC-FT) from
04-01 to 10-31

Place of Use: NESE SESE Sec
26 T 09S R 41E SWNW NESW
NWSW SWSW SESW Sec 25 T
09S R 41E FOR 130 ACRES

Diversion Means: EARTH &
ROCK-FILL DAM 600' LONG,
15' HIGH

Priority Date: 06-01-1889
Amount: 1.09 CFS
Diversion Point: SWSE Sec 26
T 09S R 41E, CARIBOU Co.

Use: DOMESTIC (0.04 CFS)
from 01-01 to 12-31 STOCK-
WATER (0.05 CFS) from 01-01
to 12-31 IRRIGATION (1.00
CFS) from 04-01 to 10-31

Place of Use: SWNW NWSW
Sec 25 T 09S R 41E SWNE
SENE NESE NWSE SWSE
SESE Sec 26 T 09S R 41E
FOR 90 ACRES

Diversion Means: DAM
11-4075
**BURKE, BETTY LARGIL-
LIERE
JOHNSON, LINDA LARGIL-
LIERE
ZIONS 1ST NAT'L BANK,
TRUSTEE OF ESTATE, EVE-
LYN L. SHIELDS
UTAH PROCESS AGENCY,
INC.**

c-o GAYLE DEAN HUNT, 2121
SOUTH STATE, SALT LAKE
CITY, UT 84115
Source: WINCHELL CREEK
tributary to BEAR RIVER

Priority Date: 06-01-1899
Amount: 1.33 CFS
Diversion Point: NWNW Sec
36 T 09S R 41E, CARIBOU Co.

Use: DOMESTIC (0.08 CFS)
from 01-01 to 12-31 STOCK-
WATER (0.05 CFS) from 01-01
to 12-31 IRRIGATION (1.20
CFS) from 04-01 to 10-31

Place of use: NESE SESE Sec
26 T 09S R 41E SWNW NESW
NWSW SWSW SESW Sec 25 T
09S R 41E FOR 130 ACRES

Diversion Means: DAM
27-4016
**CHESTERFIELD LAND &
LIVESTOCK COMPANY
c-o DELMO SMITH, PRESI-
DENT, BANCROFT, ID 83217
Source: GRAVES CREEK tri-
butary to BLACKFOOT RIVER**

Priority Date: 06-17-1879
Amount: 6.00 CFS
Diversion Point: NWNW
SWNW NWSW SWSW Sec 04 T

05S R 39E NENE SWNE SENE
NESW Sec 08 T 05S R 39E
NWSW NWSE SWSE Sec 08 T
05S R 39E NENW Sec 09 T 05S
R 39E NWNW SWNW NESW
SESW Sec 09 T 05S R 39E
SWSE Sec 09 T 05S R 39E
SWNE NENW SENW Sec 35 T
05S R 39E NESW NWSE Sec 35
T 05S R 39E, CARIBOU Co.

Use: STOCKWATER (0.06
CFS) from 05-01 to 11-01 IRRI-
GATION (5.94 CFS) from 05-01
to 11-01

Place of Use: NWNW SWNW
NWSW SWSW Sec 04 T 05S R
39E NENE SWNE Sec 08 T 05S
R 39E NENW NWNW SWNW
SENW NESW SESW Sec 09 T
05S R 39E FOR 300 ACRES

Diversion Means: NUMER-
OUS PORTABLE DIVERSION
DAMS & DITCHES

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 Feb. 22 and March
1, 1979 in the Caribou County
Sun.

Priority Date: 06-01-1889
Amount: 1.09 CFS
Diversion Point: SWSE Sec 26
T 09S R 41E, CARIBOU Co.

Use: DOMESTIC (0.04 CFS)
from 01-01 to 12-31 STOCK-
WATER (0.05 CFS) from 01-01
to 12-31 IRRIGATION (1.00
CFS) from 04-01 to 10-31

Place of Use: SWNW NWSW
Sec 25 T 09S R 41E SWNE
SENE NESE NWSE SWSE
SESE Sec 26 T 09S R 41E
FOR 90 ACRES

Diversion Means: DAM
11-4075
**BURKE, BETTY LARGIL-
LIERE
JOHNSON, LINDA LARGIL-
LIERE
ZIONS 1ST NAT'L BANK,
TRUSTEE OF ESTATE, EVE-
LYN L. SHIELDS
UTAH PROCESS AGENCY,
INC.**

c-o GAYLE DEAN HUNT, 2121
SOUTH STATE, SALT LAKE
CITY, UT 84115
Source: WINCHELL CREEK
tributary to BEAR RIVER

Priority Date: 06-01-1899
Amount: 1.33 CFS
Diversion Point: NWNW Sec
36 T 09S R 41E, CARIBOU Co.

Use: DOMESTIC (0.08 CFS)
from 01-01 to 12-31 STOCK-
WATER (0.05 CFS) from 01-01
to 12-31 IRRIGATION (1.20
CFS) from 04-01 to 10-31

Place of use: NESE SESE Sec
26 T 09S R 41E SWNW NESW
NWSW SWSW SESW Sec 25 T
09S R 41E FOR 130 ACRES

Diversion Means: DAM
27-4016
**CHESTERFIELD LAND &
LIVESTOCK COMPANY
c-o DELMO SMITH, PRESI-
DENT, BANCROFT, ID 83217
Source: GRAVES CREEK tri-
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Priority Date: 06-17-1879
Amount: 6.00 CFS
Diversion Point: NWNW
SWNW NWSW SWSW Sec 04 T

05S R 39E NENE SWNE SENE
NESW Sec 08 T 05S R 39E
NWSW NWSE SWSE Sec 08 T
05S R 39E NENW Sec 09 T 05S
R 39E NWNW SWNW NESW
SESW Sec 09 T 05S R 39E
SWSE Sec 09 T 05S R 39E
SWNE NENW SENW Sec 35 T
05S R 39E NESW NWSE Sec 35
T 05S R 39E, CARIBOU Co.

Use: STOCKWATER (0.06
CFS) from 05-01 to 11-01 IRRI-
GATION (5.94 CFS) from 05-01
to 11-01

Place of Use: NWNW SWNW
NWSW SWSW Sec 04 T 05S R
39E NENE SWNE Sec 08 T 05S
R 39E NENW NWNW SWNW
SENW NESW SESW Sec 09 T
05S R 39E FOR 300 ACRES

Diversion Means: NUMER-
OUS PORTABLE DIVERSION
DAMS & DITCHES

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 Feb. 22 and March
1, 1979 in the Caribou County
Sun.

**Affidavit of
Publication**

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County that said
newspaper has been published
in said County uninterruptedly
and continuously for over sev-
enty-eight consecutive weeks,
prior to the first publication of
the annexed notice or advertise-
ment;

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for 2 successive weekly
issues thereof, the date of the
first publication being the

22nd day of

Feb., 1979

The date of the last publication

being the 1st day of

March, 1979

Mark Steele

Subscribed and sworn to be-

fore me this 2nd day

of March, 1979

Wendy D. Steele
Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the

1st day of March

1980

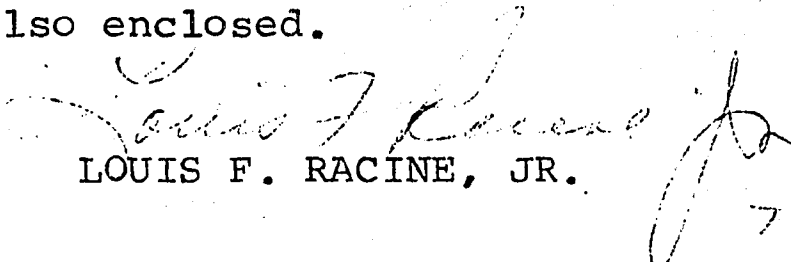
LOUIS F. RACINE, JR.
ROBERT C. HUNTLEY, JR.
WILLIAM D. OLSON
D. JAMES MANNING, JR.
W. MARCUS W. NYE
GARY L. COOPER
DENNIS W. OLLEY

LAW OFFICES OF
Racine, Huntley & Olson, Chartered
CENTER PLAZA - CORNER FIRST STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83201
TELEPHONE (208) 232-6101

March 22, 1978

Mr. Gayle Dean Hunt
Attorney at Law
2121 South State
Salt Lake City, Utah 84115

Enclosed are the original claims you submitted to the Department of Water Resources, which they refused to accept. They must be resubmitted on the new forms, also enclosed.


LOUIS F. RACINE, JR.

LFR/t
encl.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

March 21, 1978

Mr. Louis F. Racine, Jr.
Attorney at Law
P.O. Box 1391
Pocatello, Idaho 83201

Dear Mr. Racine:

I recently received the two claims to water rights that you submitted in behalf of your clients. I am returning these documents to you with the statutory filing fee as we can not accept the claims on the old form. Also, please find enclosed two new forms for your completion. As you can see the new form is more condensed.

It is necessary that you specify the amount of water for each particular use. The conjunction, and/or, should appear between each claimant's name if only one person is signing the documents. In reviewing the affidavits submitted, we find no evidence of ownership for Linda Largilliere Johnson. It will be necessary for you to submit the information needed to determine under which authority Ms. Johnson is signing this document.

Please transpose the necessary information and resubmit the new claims with the filing fee.

If you have any further questions, please feel free to call me.

Very truly yours,

Anthony R. Kozlowski

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:cw

Attachments

Enclosures

GAYLE DEAN HUNT

ATTORNEY AT LAW

2121 SOUTH STATE

SALT LAKE CITY, UT 84115

TELEPHONE 486-8701

June 28, 1978

Anthony R. Kozlowski
Water Resource Agent
Idaho State Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Kozlowski:

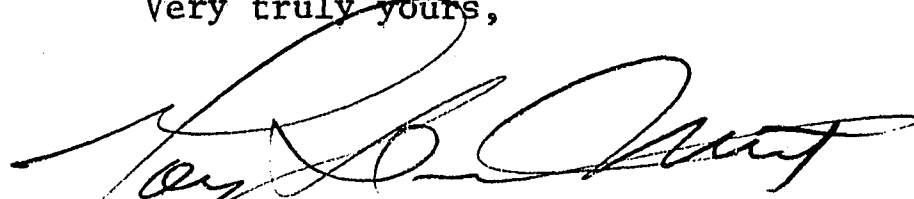
Your letter dated March 21, 1978, copy attached, addressed to Attorney Louis F. Racine, Box 1391, Pocatello, was forwarded to me for the necessary revision.

I talked with you by telephone briefly regarding revised applications on new forms, to be attached to the old application, received by you March 20, 1978 but returned for revision.

Accordingly, attached herewith the two applications on new forms, with the previous application with its affidavits, etc. attached.

Also \$20.00 covering application fees, as well as two affidavits respecting ownership of the property in question.

Very truly yours,



GAYLE DEAN HUNT
Attorney at Law

GDH/cmh
Enclosures

cc: Louis F. Racine
Attorney at Law
P.O. Box 1391
Pocatello, Idaho 83201
(208) 232-6101

January 17, 1979

Mr. Gayle Dean Hunt
Attorney at Law
2121 South State
Salt Lake City, Utah 84115

Dear Mr. Hunt:

In reviewing the two claims to water rights you recently submitted in behalf of your clients, Betty Largilliere Burke, et. al., the Department finds it necessary to return the claims, along with your check No. 35074 in the amount of \$20.00. The claims are being returned because the legal description for the place of use as described in Item 6 is not consistent with the attached plat maps under Item 8. It appears the plat map for lands irrigated from Winchell Creek was attached to the claim for water from Largilliere Creek and the plat map for lands irrigated from Largilliere Creek was attached to the Winchell Creek claim.

Furthermore, if your clients wish to claim storage rights, they will need to indicate the total quantity of water to be stored in each reservoir, as ____ AF for "storage for irrigation," and then the volume of water to be diverted from storage for irrigation as ____ AF for "irrigation from storage." Since this will probably require completing new claims, we have enclosed two blank claim forms with instructions for your convenience.

Beginning July 1, 1978, the Idaho State Legislature adopted a new fee schedule for claims and applications received by the Department. This schedule increased the filing fee for claims to \$20.00 each. When the above mentioned items have been completed and each claim has been signed and notarized, return them to this office with the statutory filing fee totaling \$40.00.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh
Enclosures

GAYLE DEAN HUNT

ATTORNEY AT LAW

2121 SOUTH STATE

SALT LAKE CITY, UT 84115

TELEPHONE 486-8701

January 19, 1979

RECEIVED

JAN 23 1979

Department of Water Resources
Eastern District Office

Ernest M. Carlsen
Water Resource Analyst
Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Water applications, copies attached

Dear Mr. Carlsen:

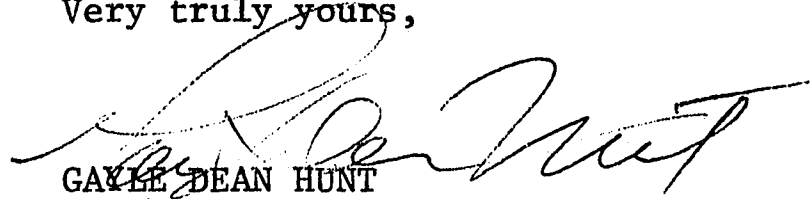
Following our conversation I made a couple of changes on the map to make certain they conform to the description.

I also filled in the acre feet of storage--this reflects same storage as declared on the older claim to water right--forms enclosed also.

If the situation in fact requires new forms for the storage aspect, please confirm further and I will complete and have signed the new forms, on the storage matter, as we discussed. At any rate, please go ahead and process these at least as to the stream rights.

Enclosed our check for \$40 as requested.

Very truly yours,


GAYLE DEAN HUNT
Attorney at Law

GDH/cmh

Enclosure

cc: Louis F. Racine

January 25, 1979

Mr. Gayle Dean Hunt
Attorney at Law
2121 South State
Salt Lake City, Utah 84115

Dear Mr. Hunt:

I have reviewed the enclosed claims and determined that the land list for Winchell Creek did not correspond with the plat maps, and therefore, find it necessary to return them, along with your check No. 35771 for \$40.00

Furthermore, since your clients appear to be interested in claiming storage rights as indicated during our telephone conversation, I have taken the liberty of reviewing both files and completing two rough draft claims for each creek, separating natural flow and storage rights based on priority. These claims are also enclosed and should be examined to insure their accuracy. The rough draft claims are meant to reflect the manner in which the various rights were developed.

After reviewing the rough drafts and making any corrections you feel are necessary, retype the claims on the blank forms, also enclosed, and return them to this office for processing. Each claim should be accompanied by a \$20.00 statutory filing fee. Should you have any questions, feel free to contact this office.

Respectfully submitted,

ERNEST M. CARLSEN
Water Resource Analyst

EMC:dh

Enclosures

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

ARK 2/12/79

(Storage - Largillere
Clerk)

Betty Largillere Burke
et al

Right Number _____

Applicant _____

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.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J-J Date 3/16/79

Pinned

February 12, 1979

Mr. Gayle Dean Hunt
Attorney at Law
2121 South State
Salt Lake City, Utah 84115

Dear Sir:

Re: 4 Claims to Water Rights - Betty Largilliere Burke, et. al.

Attached herewith is Departmental receipt No. 12878 for the above referenced claims.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Attachment

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:

11-4022

BETTY LARGILLIERE BURKE, ET. AL.

C/O GAYLE DEAN HUNT, ATTY., 2121 SOUTH STATE, SALT LAKE CITY, UT 84115

Source: LARGILLIERE CREEK tributary to BEAR RIVER

Priority Date: 01/01/1957

Amount: 15.0 AC-FT

Diversion Point: SWSE Sec 26 T 09S R 41E. CARIBOU Co.

Use: IRRIGATION STORAGE (15.0 AC-FT) from 01/01 to 12/31
IRRIGATION FROM STORAGE (15.0 AC-FT) from 04/01 to 10/31

Place of Use: SWNW NWSW Sec 25 T 09S R 41E SWNE SENE NESE NWSE SWSE SESE
Sec 26 T 09S R 41E FOR 90 ACRES

Diversion Means: EARTH & ROCK FILL DAM 13' HIGH, 600' LONG

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 2/22 & 3/1/79.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 16, 1979

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

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 billings to this office before MARCH 12, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

February 19, 1979

Russell D. Stoker, Watermaster
Water District # 11
272 East 3rd North
Soda Springs, Idaho 83276

Dear Mr. Stoker:

Re: Claims to Water Rights No's. 11-4072, 11-4073,
11-4074, 11-4075

We are enclosing copies of claims that may be of interest to your water district. Please review the claims and submit any comments you may have to this Department.

If we may be of further assistance, please feel free to contact this office.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 12, 1979

BETTY LARGILLIERE BURKE, ET. AL.
C/O GAYLE DEAN HUNT, ATTY.
2121 SOUTH STATE
SALT LAKE CITY UT 84115

RE: Claim No. 11-4072

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

*mailed to claimants 3/13/79
% lawyer*

ASSIGNMENT

Zions First National Bank, a national banking association, as Trustee of the Trust created by Evelyne Largilliere Shields, dated July 1, 1970, hereby transfers and assigns to Utah Process Agency, Inc., a Utah corporation, all of the rights, title and interest possessed by said Trust in water rights or rights in water (ground, irrigation, or otherwise) appurtenant to, or used in connection with, the following described real property in Caribou County, Idaho:

NE 1/4 NW 1/4, S 1/2 S 1/2 Sec. 23; W. 1/2 NW 1/4 S 1/2 SW 1/4, Sec. 24; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, E 1/2 Sec. 26; W 1/2, Sec. 25; all that portion of S 1/2 NE 1/4 and SE 1/4 Sec. 25 lying West & South of Bear River, All in Township 9 South, Range 41 East, Boise Meridian. Also, all that part of Lot 3, Sec. 30, Township 9 South, Range 42 East, Boise Meridian lying southeasterly of Bear River;

including but not restricted to the extent of said Trust's interest in State of Idaho Department of Water Resources claims as follows:

#11-4075 Claim to 1.33 c.f.s. in Winchell Creek, tributary to Bear River;

#11-4073 to 15 AF storage of water from Winchell Creek, tributary to Bear River;

#11-4074 Claim to 1.09 c.f.s. in Largilliere Creek, tributary to Bear River;

#11-4072 to 15 AF storage of waters from Largilliere Creek, tributary to Bear River;

Zions First National Bank warrants that it was appointed by Evelyne Largilliere Shields as Trustee of the aforesaid Trust

and has authority to execute this assignment on behalf of said Trust. Except as set forth in the immediately preceding sentence, Zions First National Bank as Trustee or otherwise makes this assignment, sale, conveyance, and transfer without warranties, covenants, or representations of any kind.

DATED: June 29, 1983.

ZIONS FIRST NATIONAL BANK, a
National Bank Association,
As Trustee

By

J. Chad Hamilton
Its President & Trust Officer J.C.H.

By

Richard J. ...
Its Vice President & Trust Officer

GCN0546P

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

On the 29th day of June A.D., 1983, personally appeared before me J. Chad Hamilton of Zions First National Bank, a national banking association, and that said instrument was signed on behalf of said association, as Trustee of the Trust above referred to by authority of a resolution of its board of directors or By-Laws and said J. Chad Hamilton acknowledged to me that said association executed the same, as Trustee of said Trust.

Verona Johnson
NOTARY PUBLIC

My Commission Expires:

2-2-85

Residing At:

Salt Lake City, Utah

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On the 29th day of June A.D., 1983, personally appeared before me B. A. Gardner of Zions First National Bank, a national banking association, and that said instrument was signed on behalf of said association, as Trustee of the Trust above referred to by authority of a resolution of its board of directors or By-Laws and said B. A. Gardner acknowledged to me that said association executed the same, as Trustee of said Trust.

Mona Robinson
NOTARY PUBLIC

My Commission Expires:

2-2-85

Residing At:

Salt Lake City, Utah

GAYLE DEAN HUNT
ATTORNEY AT LAW
2121 SOUTH STATE
SALT LAKE CITY, UT 84115
TELEPHONE 466-8701

August 3, 1983

RECEIVED

AUG 4 1983

Department of Water Resources
Eastern District Office

RECEIVED

AUG 8 1983

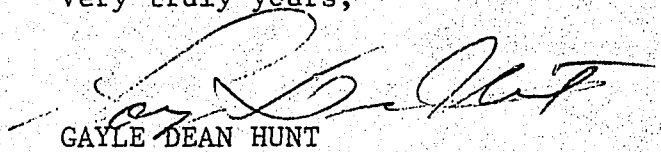
Department of Water Resources

Caribou County Recorder
Soda Springs, Idaho 83276

Dear Sir:

Enclosed herewith for recording is the original of Assignment, Zions First National Bank to Utah Process Agency, Inc., covering water rights apertinent to the property described in the Assignment, together with our check for \$4.

Very truly yours,


GAYLE DEAN HUNT
Attorney at Law

Enc.

✓cc: Idaho Department of Water Resources
Eastern District Office
150 Shoup Avenue
Idaho Falls, Idaho 83401

August 11, 1983

RE: Claims to Water Rights Nos. 11-4072, 11-4073, 11-4074 and 11-4075

Gayle Dean Hunt
Attorney at Law
2121 South State
Salt Lake City, UT 84115

Dear Mr. Hunt:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Claims.

In Idaho, a claimed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof of owning the land is proof of owning the water right claim.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Claims for your records.

If you have any questions please feel free to contact our office.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures