

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 Ruth Aland  
223 S. 7th Street (Name of Claimant)  
Montpelier, Idaho 83254 (Mailing Address) Telephone No. 847-1217  
(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) Dec. 15th, 1864 RA

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 Creek (formerly called N. 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:

|          | (cfs, gpd, AFA) | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        |                |
|----------|-----------------|-------------------------------------|-------------------------------|----------------|
|          |                 |                                     | (Mo., Day)                    | (Mo., Day)     |
| Quantity | <u>3.20</u>     | Use <u>Irrigation</u>               | Period of Use From <u>4/1</u> | To <u>11/1</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) 3.20 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SE ¼ SW ¼, Sec. 14 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.

- (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 |       |
| 13S | 43E | 13   |     |     |     |     |     |     |     |     |     |     | 40  | 40  |     |     | 40  | 40  | 160   |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

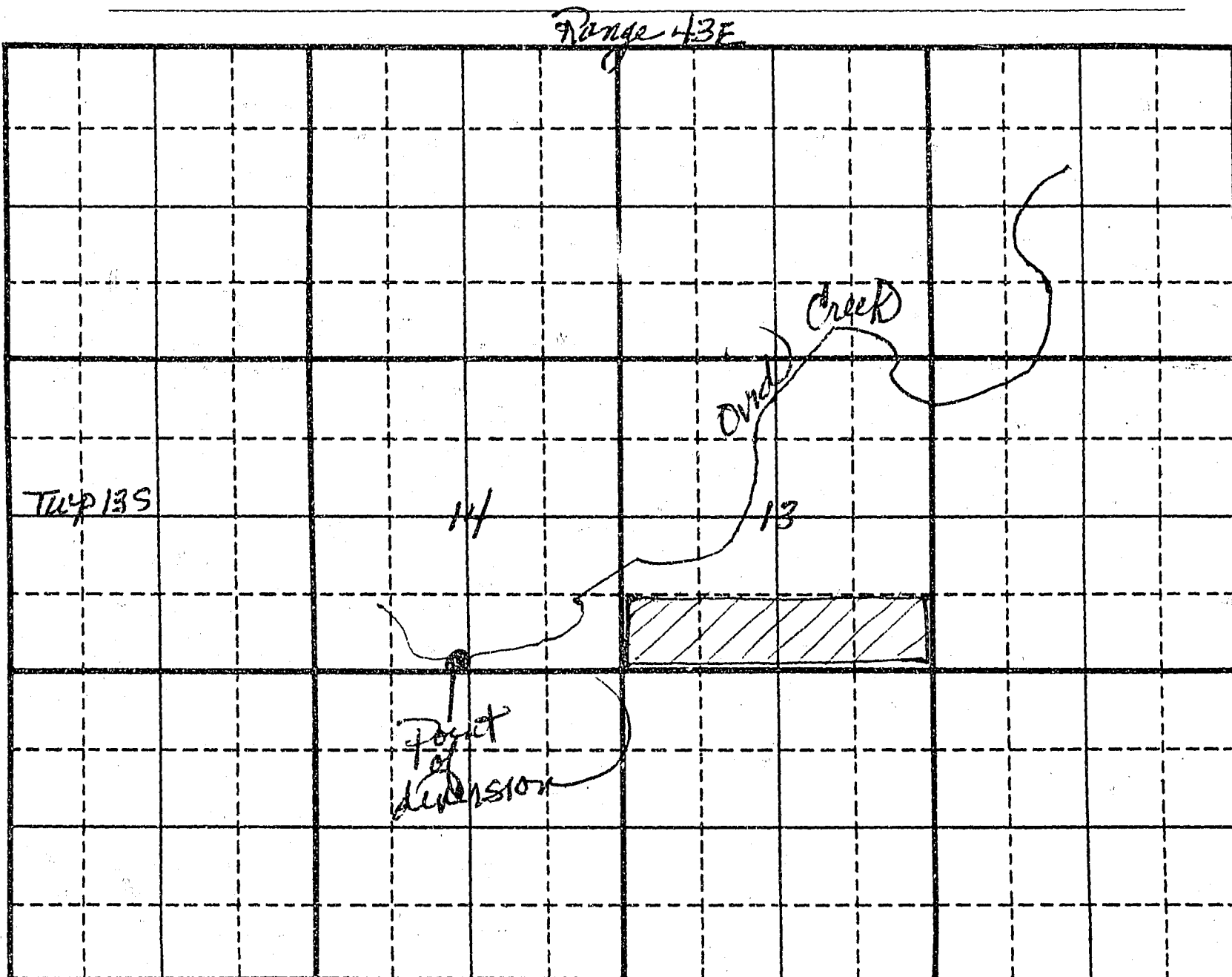
No. of acres 160

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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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 Blaine ) 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.

Ruth Aland  
(Claimant)

Sworn to before me this 13 day of August, 19 79.

Notary Public  
Residing at Montpelier, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

|                                       |                     |                     |              |      |
|---------------------------------------|---------------------|---------------------|--------------|------|
| Received by _____ dh                  | Date <u>8-15-79</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>ARK</u>           | Date _____          |                     | claimant by: |      |
| \$20.00 fee received by _____ dh      | Date <u>8-15-79</u> | #13664              |              |      |
| Published in <u>News Examiner</u>     |                     |                     |              |      |
| Dates <u>August 23 &amp; 30, 1979</u> |                     |                     |              |      |

Nº 1179

## 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 three 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

August 23, 1979, and ending  
with the issue of August 30, 1979.

Loren W. Thompson  
Fees, 28.15

Subscribed and sworn to before me this 5 day  
of September, 1979.

Frank Thompson  
Notary Public, Residing at Montpelier, Idaho

My Commission Expires March 11, 1983

### 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:

11-4883

ALAND, RUTH  
223 SOUTH 7TH STREET, MONTPELIER, ID 83254

Source: OVID CREEK tributary to BEAR RIVER

Priority Date: 12-10-1864

Amount: 3.20 CFS

Diversion Point: SESW Sec 14 T 13S R 43E, BEAR LAKE Co.

Use: IRRIGATION (3.20 CFS) from 04-01 to 11-01

Place of Use: SWSW SESW SWSE SESE Sec 13 T 13S R 43E FOR 160 ACRES

Diversion Means: HEADGATE & 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.

(s) C. Stephen Allred  
C. STEPHEN ALLRED  
Director

Published 8-23 & 8-30-79

RECEIVED

SEP 10 1979

Department of Water Resources  
Eastern District Office

Form 243a  
11/78

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ARK

Right Number 11 4083

Applicant Ruth Aland

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 RJC Date 9/18/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 9/24/79

RUTH ALAND  
223 SOUTH 7TH  
MONTPELIER, IDAHO 83254

2396

June 9, 1979 92-286/1241  
Pay to the order of State of Idaho, Dept. of Water Resources \$ 20.00  
Twenty Dollars

FIRST SECURITY BANK OF IDAHO  
NATIONAL ASSOCIATION  
P. O. BOX 10 MONTPELIER, IDAHO 83254  
For claim to a Water Right  
10045 16 2896

Ruth Aland

## RESOURCES

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

June 14, 1979

Ruth Aland  
Montpelier, Idaho 83254

Dear Ms. Aland:

Enclosed please find the claim to a water right you recently submitted to our Department, your personal check in the amount of \$20.00, and a typed claim which, for your convenience, has been partially completed in this office from information obtained from your original. Before we can receipt your claim, it will be necessary for you to indicate a month and day for your priority date of 1864 in Item 1.

After indicating the priority date, please review the typed claim to insure it is consistent with your intentions, initialling any changes you make. When you feel it is in proper form, sign in the presence of a notary public and return it to this office, accompanied by your check for \$20.00 to cover the filing fee.

Very truly yours,

Anthony R. Kozlowski  
ANTHONY R. KOZLOWSKI  
Sr. Water Resource Agent

ARK:dh

Enclosure  
Attachment: check 92-286/\$20.00

August 15, 1979

Ruth Aland  
223 South 7th Street  
Montpelier, Idaho 83234

Dear Ms. Aland:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 13664 in the amount of \$20.00 for the above referenced claim.

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:

11-4082

ALAND, RUTH

223 SOUTH 7TH STREET, MONTPELIER, ID 83254

Source: OVID CREEK tributary to BEAR RIVER

Priority Date: 12/10/1864

Amount: 3.20 CFS

Diversion Point: SESW Sec 14 T 13S R 43E, BEAR LAKE Co.

Use: IRRIGATION (3.20 CFS) from 04/01 to 11/01

Place of Use: SWSW SESW SWSE SESE Sec 13 T 13S R 43E FOR 160 ACRES

Diversion Means: HEADGATE & 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 8/23 & 8/30/79.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

AUGUST 16, 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 SEPTEMBER 10, 1979.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

SEPTEMBER 10, 1979

RUTH ALAND  
223 SOUTH 7TH STREET  
MONTPELIER ID 83254

RE: Claim No. 11-4083

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