

Condensed

Articles of Incorporation of the Preston & Montpelier
Drigating Company Received & filed this 28th day of April 1884
Edward L. Curtis, Secretary Idaho.

Filed for record at the request of G. Osborn, Jan. 9th 1889 at 11 A.M.

J. L. Montoya
County Recorder

Notice

Is hereby given, that the undersigned Oscar Duarsall, Andrew
H. Petersen John Petersen and Nils O. Nielsen of Ovid
Bear Lake County, hereby claim and appropriate so much of the
waters of Ovid Creek as will flow through two ditches of the
following dimensions, to wit: the first ditch to be 6 feet
wide at the top; 4 feet wide at the bottom and four feet deep,
the point of intended diversion being about 40 rods above
the bridge known as "John Petersen's Bridge" (said bridge being
situated about one-half mile North-east of Ovid.)

The dimensions of the second ditch are as follows; 5 feet
wide at top, 4 feet wide at bottom and 2 feet deep, the point of
diversion being about one-half mile below that of the ditch
first described

The amount of water hereby appropriated is 2000
inches measured under a four inch pressure.

Said water is claimed under Chapter 1 Title 9 of
the Revised Statutes of Idaho, 1887 for the irrigation of the
following described tracts of land, to wit: the North half
of section 13, and the S. E. ⁴ S. W. ⁴ - S. ² S. E. ⁴ and Lot 4
Section 12, all in Township 13 South, Range 43 East, B.
M. in Bear Lake County, Idaho Territory.

Dated at Paris Idaho, January 23rd 1889. — Oscar Duarsall

Nils O. Nielsen

I hereby certify that I posted a copy of the foregoing notice at each of the points of diversion above described on the 23rd day of January, 1889.

Witnesses

Andrew H. Petersen

Thomas Lunde

Knud Pagh

Thomas Petersen

Filed for record at the request of Oscar Quarsell Jan. 26th 1889 at 4 P.M.

J. L. Mantonya

Co. Recorder

Articles of Incorporation of the Bloomington Co-operative Mercantile Institution

Article First

The name of this Corporation shall be the "Bloomington
Co-Operative Mercantile Institution."

Second

The object of this Corporation is for general mercan-
tile purposes.

Third

The principal ^{place of} business of said Corporation shall be the
Town of Bloomington County of Bear Lake, Territory of
Idaho.

Fourth

This Corporation shall continue for the period of
Twenty five years from the day of its incorporation.

Fifth

There shall be seven Trustees of this Corporation. The
names and residences of said Trustees for the first year, or until
the first general election shall be as follows, namely:

James H. Hart Bloomington Idaho

Nº 1938

AFFIDAVIT OF PUBLICATION

APR 21 1982

STATE OF IDAHO,
County of Bear Lake

ss. Department of Water Resources
Eastern District Office

R. J. Spencer

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 *2* 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, 19*82* and ending
with the issue of *April 8*, 19*82*

Fees, *33.75*

Subscribed and sworn to before me this *20th* day
of *April*, 19*82*

Karla Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *November*, 19*85*

LEGAL NO. 1938

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:

11-4214

ROBERTS, LAMAR

OVID, ID 83260

Source: BIRCH SPRINGS tributary to SINKS

Priority Date: 03-25-1887

Amount: 0.48 CFS

Diversion Point: SWNW Sec 03 T 13S R 43E, BEAR LAKE Co.

Use: IRRIGATION (0.48 CFS) from 03-15 to 11-15

STOCKWATER (0.08 CFS) from 01-01 to 12-31

Place of Use: NWSW SWSW Sec 03 T 13S R 43E NESE SESE Sec 04 T 13S R 43E FOR 24 ACRES

Diversion Means: PUMP, PIPELINE & RESERVOIR

11-4215

NELSON, R.K. ASSOCIATES

STAR RT. 1, MONTPELIER, ID 83254

Source: OVID CREEK tributary to BEAR RIVER

Priority Date: 01-23-1889

Amount: 40.00 CFS

Diversion Point: NESE NWSE Sec 12 T 13S R 43E NWNE NENW Sec 13 T 13S R 43E, BEAR LAKE Co.

Use: IRRIGATION (40.00 CFS) from 03-15 to 11-15

STOCKWATER (0.08 CFS) from 01-01 to 12-31

Place of Use: NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 12 T 13S R 43E FOR 270 ACRES

Diversion Means: HEADGATES & DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

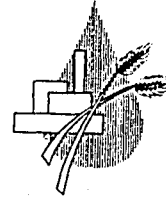
Director

4-1, 4-8-82

54 LINES

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 R. K. Nelson Associates
(Name of Claimant)
Star Rt #1 Montpelier Idaho 83254 Telephone No. 847-1367
(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) January 23, 1889
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)
River Creek tributary to Bravo 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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity <u>40.0 cfs.</u>		Use <u>Irrigation</u>		Period of Use From <u>3-15</u>		To <u>11-15</u>	
Quantity <u>0.08 cfs.</u>		Use <u>Stockwater</u>		Period of Use From <u>1-1</u>		To <u>12-31</u>	
Quantity _____		Use _____		Period of Use From _____		To _____	
Quantity _____		Use _____		Period of Use From _____		To _____	
Quantity _____		Use _____		Period of Use From _____		To _____	

(4) 40.0 cfs. TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 12 Twp. 13S Rge. 43E B.M., County of Bravo Lake
Additional points of diversion: NW 1/4 SE 1/4 Section 12; NW 1/4 NE 1/4, NE 1/4 NW 1/4 Section 13
Twp 13S Rge 43E.

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. Two headgates in Section 12, open ditches in section 13.

(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	
<u>13S</u>	<u>43E</u>	<u>12</u>									<u>32</u>	<u>35</u>	<u>8</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>270</u>

No. of acres 270

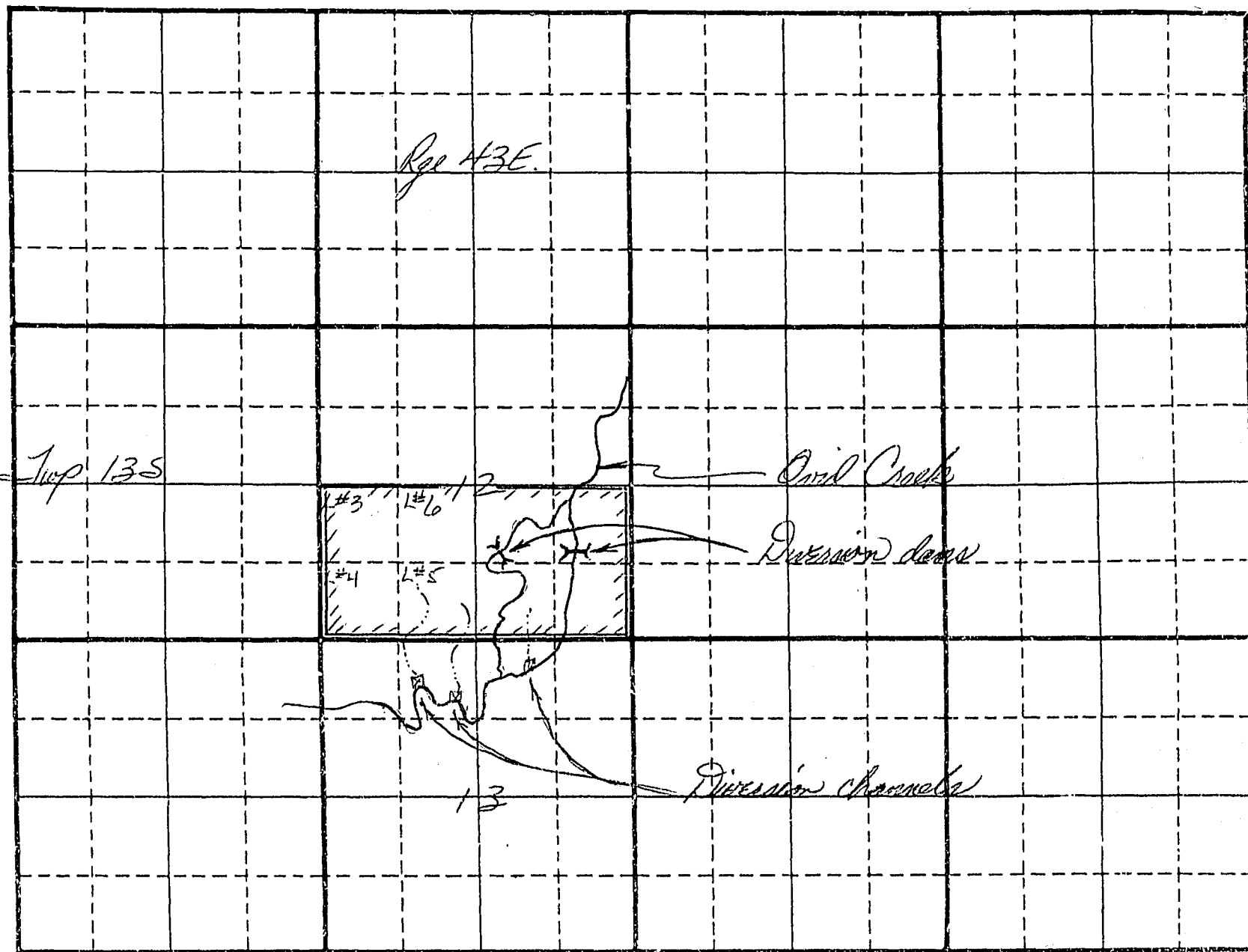
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Drinking water for livestock.

NOTE: Include here the type and number of stock watered: 350 range

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

(8) Remarks

Headgates in section 12 are used to raise water levels and flood irrigate lands at higher elevations.



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.

X R. H. Nelson Associate
by R. H. Nelson
(Claimant)

Sworn to before me this 17 day of March, 1982

Notary Public

Residing at

My commission expires

FOR DEPARTMENT USE ONLY

Received by

EMC

Date

3/17/82

Exception filed by:

Forwarded to

Date

Prelim. check by

HWS

Date

3-22-82

claimant by:

\$30.00 fee received by

EMC

Date

3/17/82

Published in

News Examiner

#20160

Dates

4-1 & 4-8-82

11-4215

NELSON, R.K. ASSOCIATES

STAR RT. 1. MONTPELIER, ID 83254

Source: OVID CREEK tributary to BEAR RIVER

Priority Date: 01/23/1889

Amount: 40.00 CFS

Diversion Point: NESE NWSE Sec 12 T 13S R 43E NWNE NENW Sec 13 T 13S R 43E,
BEAR LAKE Co.

Use: IRRIGATION (40.00 CFS) from 03/15 to 11/15
STOCKWATER (0.08 CFS) from 01/01 to 12/31

Place of Use: NESW NWSW SMSW SESW NESE NWSE SWSE SESE Sec 12 T 13S R 43E
FOR 270 ACRES

Diversion Means: HEADGATES & DITCHES

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 11 4215 Applicant Nelson

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 Ernest Carlson Date April 22, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 4/29/82

April 15, 1982

Russell Stoker, Watermaster
Water District #11
379 E. 3rd North
Soda Springs, Id. 83276

Dear Mr. Stoker:

Enclosed please find a copy of a claim to a water
right application #11-4215 and approved application
#13-7300, both filed within your water district.

These are being sent for your information only, however,
if you have any additional questions regarding either
form, please don't hesitate to contact this office.

Sincerely,

BOBBIE R. STEPHENS
Principal Clerk

BRS

enclosure: as stated

APR 7 1982

PAGE 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGSDepartment of Water Resources
Eastern District OfficeWRD414
03/30/82

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	USE PERIOD	MAX AMOUNT	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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11-4214	ROBERTS, LAMAR	03-25-1887	IRRIGATION	03-15 11-15	.48 CFS	SWNW S03 NWSW(06) SMSW(04)	STATRY CLM	
OVID		ID 83260				S03 T13S R43E NESE(07) SESE(07) S04 T13S R43E		

SOURCE: BIRCH SPRINGS	TRIBUTARY: SINKS							
OTHER USES: S/15 RANGE								

STOCKWATER 01-01 12-31

.08 CFS

SAME AS OTHER USE

* .48 CFS

11-4215	NELSON, R.K. ASSOCIATES	01-23-1889	IRRIGATION	03-15 11-15	40.00 CFS	NESE S12 NESW(32) NWSW(35)	STATRY CLM	
STAR RT. 1		ID 83254				T13S R43E SMSW(08) SESE(35) NWSW S12 NESE(40) NWSW(40) T13S R43E SMSW(40) SESE(40) NWSW S13 S12 T13S R43E T13S R43E NWSW S13 T13S R43E		

SOURCE: OVID CREEK	TRIBUTARY: BEAR RIVER							
OTHER USES: S/350 RANGE								

STOCKWATER 01-01 12-31

.08 CFS

SAME AS OTHER USE

* .40 CFS

11-7284	JENSON, RUTH ANNB.	03-22-1982	IRRIGATION	04-15 10-15	3.00 CFS	SWNW S31 NWSW(40) SMSW(06)	APPLICATION	
STAR RT. 2		ID 83254				T11S R44E NWSW(40) NWSW(47) SWNW(47) SENW(25) S31 T11S R44E		

SOURCE: GROUNDWATER	TRIBUTARY:							
OTHER RIGHTS: 11-4120; 11-4119								
REMARKS: 11-7018 ORIG. ISSUED FOR P/U; LAPSED 1980								

* 205 ACRES*

13-4198	HULL, ROLAND L.	06-01-1937	DOMESTIC	01-01 12-31	.04 CFS	NESE S07 NESE	STATRY CLM	
RT. 3		ID 83263				S07 T14S R40E		

Have reason to
be good copy of
this

April 19, 1982

RE: Claim to a Water Right No. 11-4214 ROBERTS
No. 11-4215 NELSON

Application for Permit No. 11-7284 JENSON

News Examiner
P.O. Box 278
Montpelier, ID 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 April 1 and 8, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 19, 1982

R.K. ASSOCIATES NELSON
STAR RT. 1
MONTPELIER ID 83254

RE: Claim No. 11-4215

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

RECEIVED

APR 29 1982

Department of Water Resources