

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 Lula Mouritsen

(Name of Claimant)

Box 562, Grace, Idaho 83241

(Mailing Address)

Telephone No. 425-3290

(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) April 1, 1898

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)
springs 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.06 cfs</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 <u>0.06 cfs</u>		Use _____		Period of Use From _____	To _____

- (4) 0.06 cfs TOTAL QUANTITY USED.

(cfs, af)

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

SW 1/4 SW 1/4, Sec. 11 Twp. 12S Rge. 44E 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. diversion ditches

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12S	44E	11											3						3

No. of acres 3

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: _____

Nº 2215

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Marie B. Nye

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

February 10, 1983, and ending
with the issue of February 17, 1983

Fees, 13.75

Subscribed and sworn to before me this 17 day
of February, 1983.

Karl Jensen

Notary Public, Residing at Montpelier, Idaho

My Commission Expires November, 1985.

RECEIVED
FEB 18 1983
Department of Water Resources
Eastern District Office

LEGAL NO. 2215
NOTICE OF CLAIMS TO WATER RIGHTS
The following claim(s) have been filed on water right(s) created by diversion and beneficial use:
11-4222
MOURITSEN, LULA
BOX 562, GRACE, ID 83241
Source: SPRINGS trib. to SINKS
Priority Date: 04/01/1896
Diversion Pt: SWSW Sec 11 T 12S R 44E
Use: IRRIGATION (0.06 CFS)
In: SWSW Sec 11 T 12S R 44E FOR 3 ACRES
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.
KEN DUNN, Dir.
2-10, 2-17-83
22 LINES

ASSIGNMENT OF WATER CLAIM

WHEREAS, the Bennington Irrigation Company, an Idaho Corporation, called a special meeting of the Board of Directors to consider the release and/or assignment of all rights, if ^{any} any, to Irvin Mouritsen of certain spring waters, to wit:

The "Astel Springs" located in the NW1/4, NE1/4, section 14, T12S, R44E, B.M.

Also a "Seepage" South and East of the old Mouritsen orchard located below the Irrigation Company ditch in SW1/4, SW1/4, section 11, T12S, R44E, B.M.

WHEREAS, a resolution was duly passed, wherein the Bennington Irrigation Company authorized the release and/or assignment of said waters to Irvin Mouritsen. The above springs will be indetified by an iron peg marked with an "M".

NOW THEREFORE, WE THE UNDERSIGNED being duly authorized by the Bennington Irrigation Company do hereby release and/or assign to Irvin Mouritsen any and all rights in the spring waters commonly known as the "Astel Springs" located in the NW1/4, NE1/4, Sec. 14 T12S, R44E, B.M.

Also the ^{spring} "Seepage" South East of the old Mouritsen orchard located SW1/4, SW1/4, Sec. 11, T12S, R44E, B.M.

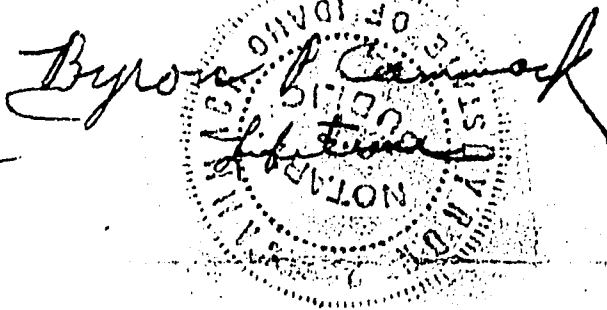
Jed L. Crane

President of Bennington
Irrigation Company

Attest

Wanda [illegible]
Secretary of Bennington
Irrigation Company

*Notary
for Idaho
Bear Lake*



114909

STATE OF IDAHO
County of Bear Lake
Date March 30, 1978
Time 11:50 A.M.
No. Microfilmed
Clerk Betty Wallentine

Jeanine Parker, Lft

INDEXED

11-4222

MOURITSEN, LULA

BOX 562, GRACE, ID 83241

Source: SPRINGS trib. to SINKS

Priority Date: 04/01/1898

Diversion Pt: SWSW Sec 11 T 12S R 44E

Use: IRRIGATION (0.06 CFS)

In: SWSW Sec 11 T 12S R 44E FOR 3 ACRES

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by
diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 2/10 & 2/17/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 2, 1983

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 FEBRUARY 28, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 11 4222 Applicant Mouritzen

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.

Feb 28, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date March 14, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 3/17/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 28, 1983

LULA MOURITSEN
BOX 562
GRACE

ID 83241

RE: Claim No. 11-4222

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
MAR 16 1983

Department of Water Resources