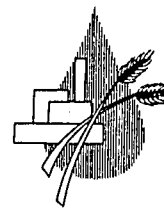


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Phil and/or Juanita Derricott

(Name of Claimant)

Star Route 2, Box 2040

(Mailing Address)

Montpelier, ID 83254

(Zip Code)

Telephone No. 847-0614

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) May 1, 1952

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

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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.40</u>		Use <u>Irrigation</u>		Period of Use From <u>6-1</u>	To <u>9-30</u>
Quantity <u>0.04</u>		Use <u>Stock</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) 0.44cfs TOTAL QUANTITY USED.
(cfs, af)

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

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28 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. pump and pipeline

- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	44E	28								40	20								60

No. of acres 60

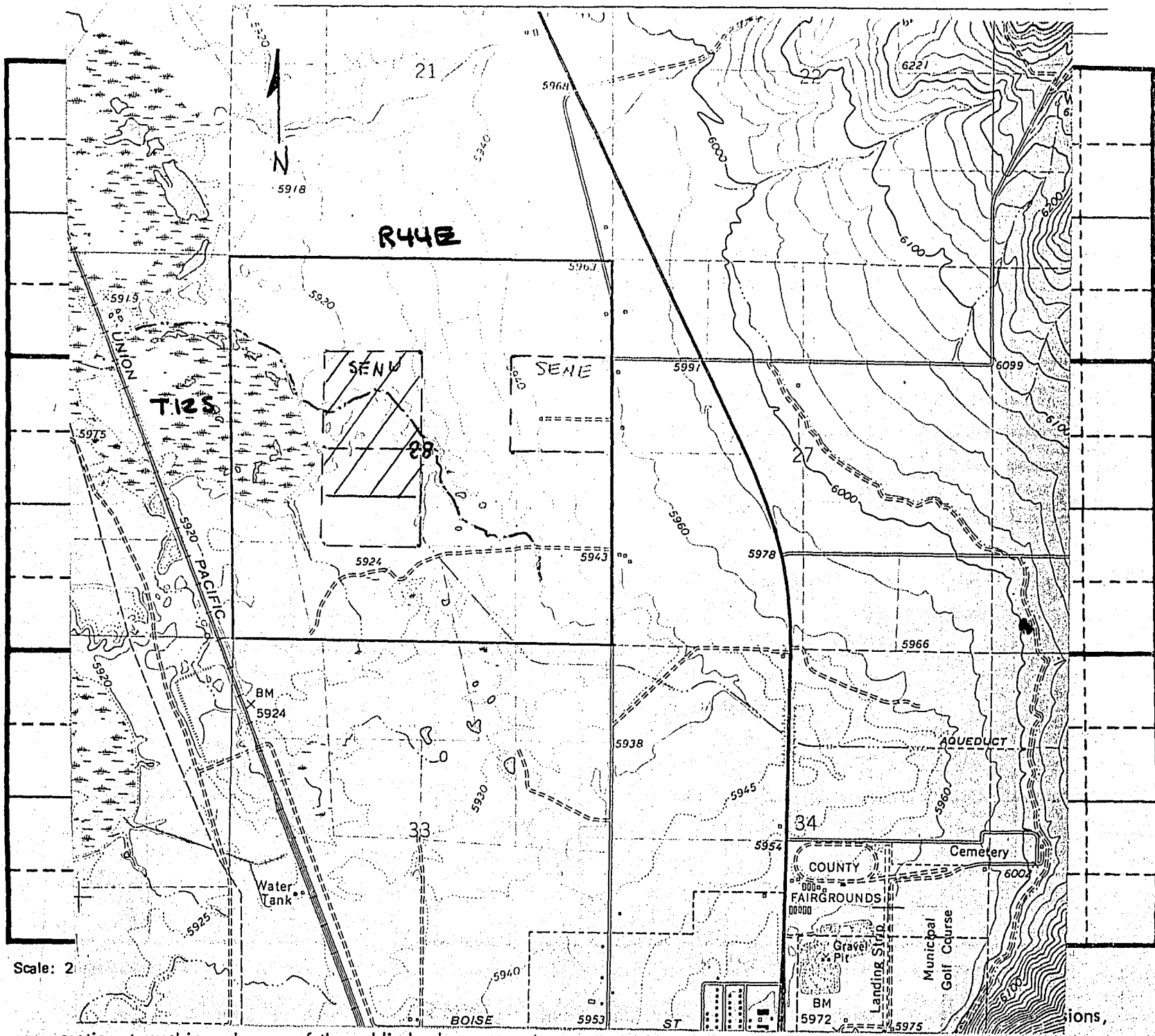
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Stockwater

NOTE: Include here the type and number of stock watered: 30-50 head of cattle and 3-4 horses.

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

(8) Remarks _____



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.

Sworn to before me this 22 day of August, 19 83

Phil R. Riecke
(Claimant)

Valley M. Riecke
Notary Public
Residing at Blaine

My commission expires 84

Received by CW 8-23-83 FOR DEPARTMENT USE ONLY
Prelim. check by FWJ Date 8-25-83
\$30.00 fee received by CW Date 8-22-83
Published in New's Examiner # 30668
Dates 9/8 - 9/15/83

SEP 22 1983 #815
Nº 2389

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

September 8, 1983, and ending
with the issue of September 15, 1983

Fees, \$28.13

Subscribed and sworn to before me this 20th day
of September, 1983

Denise Green

Notary Public, Residing at Montpelier, Idaho

My Commission Expires Lifetime, 19

LEGAL NO. 2389

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4267

DERRICOTT, PHIL &/or JUANITA
STAR RT. 2, BOX 2040, MONTPELIER, ID
83254

Source: SPRINGS trib. to BEAR RIVER

Priority Date: 05/01/1952

Diversion Pt: SENW Sec 28 T 12S R 44E

Use: IRRIGATION (0.40 CFS)

STOCKWATER (0.04 CFS)

In: SENW NESW Sec 28 T 12S R 44E FOR 60
ACRES

11-4268

DINGLE IRRIGATION CO.

DINGLE, ID 83233

Source: BEAR RIVER trib. to GREAT SALT
LAKE

Priority Date: 06/01/1969

Diversion Pt: SWNE Sec 17 T 14S R 45E

Use: IRRIGATION (7.53 CFS)

In: SWNE SENE NESW SESE NESE NWSE

SWSE SESE Sec 13 T 14S R 44E SENE

NESW NESE NWSE Sec 18 T 14S R 44E

SWNW Sec 17 T 14S R 45E FOR 440

ACRES

11-4269

KUNZ, PHILLIP R. &/or JOYCE S.

3040 NAVAJO, PROVO, UT 84604

Source: SPRING trib. to BEAR LAKE

Priority Date: 05/01/1940

Diversion Pt: SESE Sec 02 T 16S R 43E

Use: IRRIGATION (0.30 CFS)

STOCKWATER (0.02 CFS)

In: SESE Sec 02 T 16S R 43E FOR 2 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.

9-8, 9-15
45 LINES

OCT 13 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

VOID

Notice is hereby given that Phil and/or Juanita Derriott
Star Route 2, Box 2040, (Name of Claimant)
Montpelier, Idaho 83254 Telephone No. 847-0614
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) - May of 1952 when we purchased
 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. Property

(3) ~~Springs above our property and tributary to later floodway for Dam to Bear River~~
Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 4.04 Use TOTAL QUANTITY USED.
(cfs, gpd, AFA)

CSE ¼ NE ¼, Sec. 28 Twp. 12 Rge. 44 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. Describe any changes in the system and give the date of the change. pump and pipeline

(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.

[illegible]

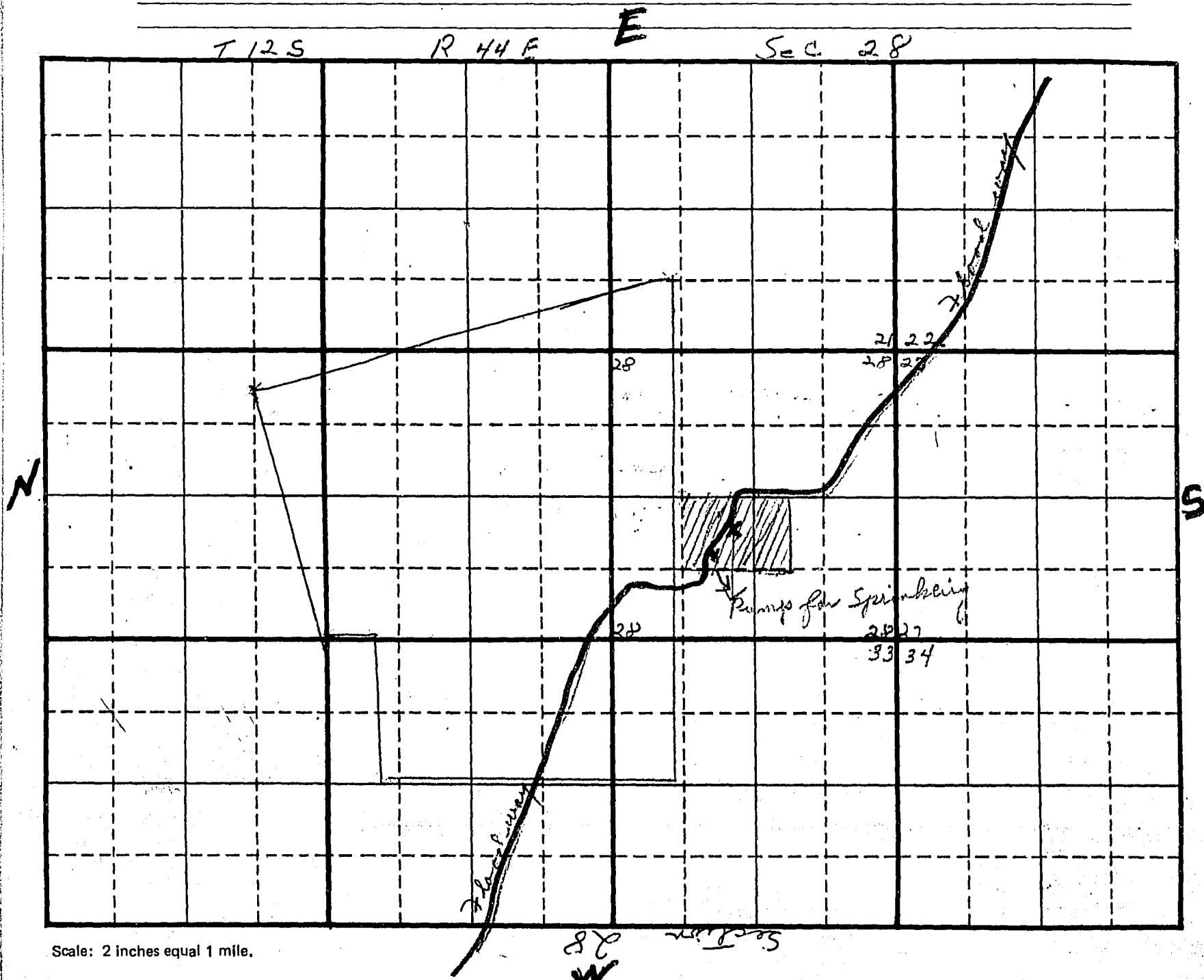
No. of acres 60

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: watering for livestock when feeding and grazing

NOTE: Include here the type and number of stock watered: 30 to 50 head hereford cattle

(7) If you are claiming water as a member of an organization, list name of organization: and 3 to 4 horses

(8) Remarks _____



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 Beau 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 20th day of June, 1983.

Phil Durrant
(Claimant)

Ruth Wells
Notary Public
Residing at Montpelier, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-27-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. G. M.</u>	Date <u>6-23-83</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>6-22-83</u>			
Published in <u>#30668</u>				
Dates _____				

11-4267

DERRICOTT, PHIL &/or JUANITA

STAR RT. 2, BOX 2040, MONTPELIER, ID 83254

Source: SPRINGS trib. to BEAR RIVER

Priority Date: 05/01/1952

Diversion Pt: SENW Sec 28 T 12S R 44E

Use: IRRIGATION	(0.40 CFS)
STOCKWATER	(0.04 CFS)

In: SENW NESW Sec 28 T 12S R 44E FOR 60 ACRES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 31, 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 SEPTEMBER 26, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

August 8, 1983

Phil Derricott
Star Route 2
Box 2040
Montpelier, ID 83254

Dear Mr. Derricott:

Enclosed is a new claim based on the one you submitted. You can see from the copy of your original also enclosed that line 4 was not the additive quantity of line 3. I have corrected that.

Also line 5 on the original states the SENE as the point of diversion. A point of diversion is that place in a natural flow that the water is diverted by a man-made entity. Your map seems to indicate diversion from a channel on your property.

I will need you to complete line 5 on the new claim. In addition you will need to sign and have the new claim notarized but no fee will be necessary.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWH:jk

Enclosures

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 11 4287 Applicant Derncott

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.

Sept 26, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Sept 17, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10/25/83

RECEIVED
OCT 20 1983

Department of Water Resources

CW



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 1, 1983

RE: Claim to a Water Right No. 11-4267 DERRICOTT
11-4268 DINGLE IRRIGATION
11-4269 KUNZ

Russell Stoker, Watermaster
Water District No. 11
279 East Third North
Soda Springs, ID 83277

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 27, 1983

RE: Claim to a Water Right No. 11-4267 DERRICOTT
11-4268 DINGLE IRRIGATION CO.
11-4269 KUNZ

Application for Permit No. 11-7325 ETCHEVERRY
11-7326 McFARLAND
11-7327 SULEX CO. TRUST

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 September 8 and 15, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

*Called
10-7-83
cw*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 26, 1983

PHIL DERRICOTT
JUANITA DERRICOTT
STAR RT. 2, BOX 2040
MONTPELIER ID 83254

RE: Claim No. 11-4267

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