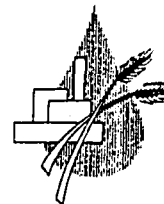


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 MELVIN J HULME

(Name of Claimant)

408-297-4400

15941 Viewfield Ave Monte Sereno, CA 95030

Telephone No. 408-354-3637

(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) March 25, 1984 March 25, 1884

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)

Spring tributary to Dry Creek

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity <u>0.02 cfs</u>	Use <u>domestic</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) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SE 1/4 SW 1/4, Sec. 28 Twp. 14 S Rge. 43 E B.M., County of Bear Lake

Additional points of diversion: SW 1/4 SW 1/4 Sec 28 T 14S Rg 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. Spring, well 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 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	
14S	43E	28												2					2
14S	43E	28											X	X					
14S	43E	27								X	X								

No. of acres 2

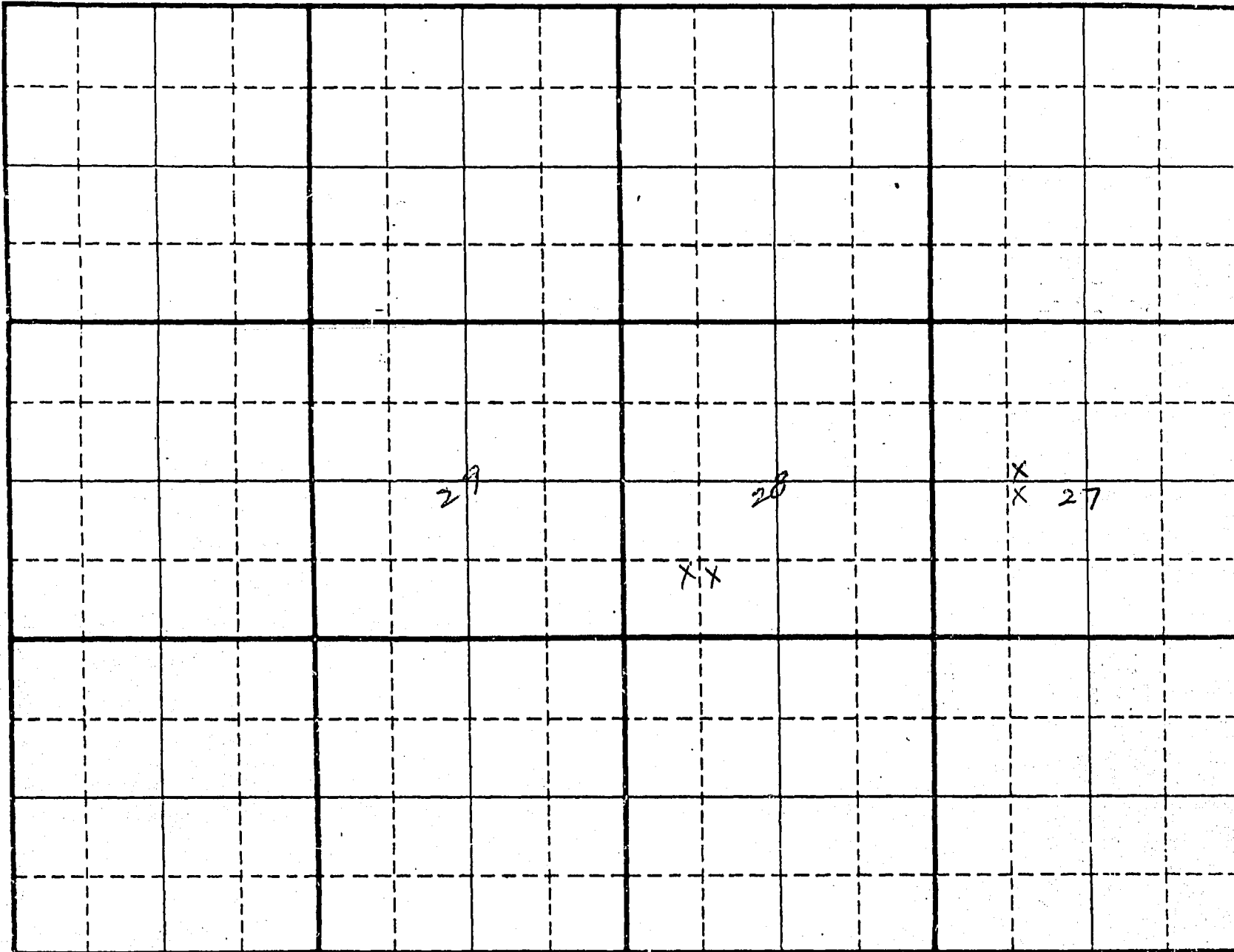
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic and stock

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

Domestic water developed from hillside springs when homestead patents were filed.



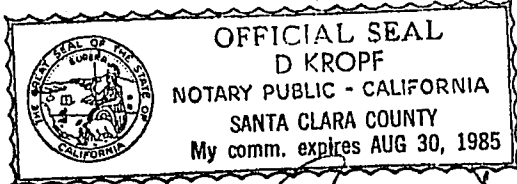
Scale: 2 inches equal 1 mile.

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 California)
County of Santa Clara) 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 30th day of June, 1983.



My commission expires August 30, 1985

Melvin Hulme
(Claimant)
D. Kropf
Notary Public
Residing at 1136 Grace Ave #6
San Jose, Ca 95125

FOR DEPARTMENT USE ONLY

Received by CW Date 7-5-83 Exception filed by: _____ Date _____
Prelim. check by Am Date 10/28/83 claimant by: _____
\$30.00 fee received by CW Date 7-5-83
Published in News Examiner # 29286
Dates 11/10 & 11/17/83

DV 24 1983
2445

815

AFFIDAVIT OF PUBLICATION

DEC 9 1983

Department of Water Resources
Eastern District Office

E OF IDAHO,

ty of Bear Lake

SS.

Marie B. Nye

being duly sworn,

ses and says:

it he is the *Publisher* of THE
3-EXAMINER, a weekly newspaper published at Mont-
pelier, in the County of Bear Lake and State of Idaho; and
said paper has been and is in general circulation in the
vicinity aforesaid, and in the vicinity of Montpelier; that the
advertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for *2* con-
secutive weeks in the regular and entire issue of said paper
during the period and time of publication, and was published
as a newspaper proper and not a supplement; that said
advertisement has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
publication of said advertisement.

Notice was published in the issue beginning with

November 10, 19*83*, and ending
the issue of *November 17*, 19*83*.

Marie B. Nye

11-13-83

scribed and sworn to before me this *31st* day

November, 19*83*.

Marie B. Nye

Notary Public, Residing at Montpelier, Idaho

Commission Expires *Lifetime*, 19*83*.

LEGAL NO. 24

NOTICE OF CLAIMS TO WATER RIGHTS

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

11-4290

HULME, MELVIN J.
15941 VIEWFIELD AVE., MONTE
SERENO, CA 95030
Source: BLOOMINGTON CREEK trib. to
BEAR RIVER
Priority Date: 05/01/1877
Diversion Pt: SWNE Sec 26 T 14S R 43E
Use: IRRIGATION (4.20 CFS)
In: NWNW SWNW Sec. 25 T 14S R 43E
SENE Sec. 26 T 14S R 43E FOR 47 ACRES

11-4295

LIBERTY PIPELINE INC.
OVID, ID 83260
Source: SPRING trib. to MILL CREEK
Priority Date: 03/25/1926
Diversion Pt: NWNW Sec. 08 T 13S R 43E
Use: DOMESTIC (0.50 CFS)
In: NWNW Sec. 08 T 13S R 43E

11-4294

LDS CHURCH
BERN WARD, BERN, ID 83220
Source: GROUNDWATER
Priority Date: 08/01/1953
Diversion Pt: NENE Sec 35 T 12S R 43E
Use: DOMESTIC (0.04 CFS)
In: NENE Sec 35 T 12S R 43E

11-4293

BIENZ, RAY &/or LOIS
BERN, ID 83220
Source: SPRING trib. to REDPINE CREEK
Priority Date: 09/09/1902
Diversion Pt: NENW Sec 24 T 12S R 43E
Use: STOCKWATER (0.02 CFS)
In: NENW Sec 24 T 12S R 43E

11-4292

BIENZ, RAY &/or LOIS
BERN, ID 83220
Source: RED PINE HOLLOW CREEK trib.
to SINKS
Priority Date: 09/09/1902
Diversion Pt: NENW Sec 24 T 12S R 43E
Use: STOCKWATER (0.02 CFS)
In: NENW Sec 24 T 12S R 43E

11-4291

HULME, MELVIN J.
15941 VIEWFIELD AVE., MONTE
SERENO, CA 95030
Source: SPRING trib. to DRY CREEK
Priority Date: 03/25/1884
Diversion Pt: SESW SWSW Sec 28 T 14S R
43E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SWSW SESW Sec 28 T 14 S R 43E SENW
NESW Sec 27 T 14S R 43E FOR 2 ACRES.

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

KEN DUNN, Dir.

11-10, 11-17
69 LINES

11-4231

HULME, MELVIN J.

15941 VIEWFIELD AVE., MONTE SERENO, CA 95030

Source. SPRING trib. to DRY CREEK

Priority Date. 03/25/1884

Diversion Pt. SESW EWSW Sec 28 T 14S R 43E

Use. IRRIGATION	(0.02 CFS)
DOMESTIC	(0.02 CFS)

In. EWSW SESW Sec 28 T 14S R 43E SENW NESW Sec 27 T 14S R 43E
FOR 2 ACRES

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: OCT 28 1983

Right Number 11 4291 Applicant MELVIN HULME

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 Dec 13, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By DC Date 1/25/84

NOV 28, 1983
RECEIVED
JAN 25 1984

Department of Water Resources

RECEIVED
DEC 15 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

November 29, 1983

RE: Claim to a Water Right No. 11-4290 HULME
11-4291 "
11-4292 BIENZ
11-4293 "
11-4295 LIBERTY PIPELINE
11-4294 LDS CHURCH

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 November 10 and 17, 1983.

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., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7151

NOVEMBER 28, 1983

MELVIN J. HULME
15941 VIEWFIELD AVE.
MONTE SERENO CA 95030

RE: Claim No. 11-4291

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

MEMORANDUM

TO: File

DATE: Jan. 20, 1984

FROM: Ernest Carlsen

Claim 11-4290 and 11-4291 were returned to Eastern Region because of a question concerning the correct filing fee. Though, these claims were received 5 days after the \$100.00 filing fee became effective, both were receipted for only \$30.00. Receipting these claims for the reduced amount would be acceptable provided they were posted on or before June 30, 1983. Unfortunately, the postage date was not entered on the claim during initial processing and the envelope used to mail these claims was either misplaced or inadvertently discarded. Without the envelope, there is no way to positively confirm when the claims were actually mailed. However; the claims were notarized on June 30, 1983 meaning they could have been mailed when the reduced fee was in effect.

It seems unreasonable to penalize the claimant by requiring he submit an additional \$140.00 for processing of the claims when there is a real possibility that they were mailed prior to July 1, 1983 and the Department has no way of verifying otherwise.

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TO: File

DATE: Jan. 20, 1984

FROM: Ernest Carlsen *epc*

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