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DEC 07 1998STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
SEP 14 1998

Department of Water Resources

CLAIM TO A WATER RIGHT

Department of Water Resources
Eastern Region

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*.

Notice is hereby given that CITY OF MONTPELIER
(Name of Claimant)
534 WASHINGTON MONTPELIER ID 83254 Telephone No: 208-847-0824
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) December 30, 1931
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

GROUND WATER tributary to NA

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 or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>2.67 cfs</u>	Use <u>MUNICIPAL 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. 2.67 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 3 Township 13 S Range 44 E B.M., BEAR LAKE County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

WELL

11-04351

6. A) Describe the place of use within each 40-acre tract in the appropriate box, using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	

TOTAL ACRES _____

B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

NOTE: Include here the type and number of stock watered: _____

7. Remarks: _____

8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

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 forgoing 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.

George W. Lane Mayor
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 10th day of September, 1998.

Renee H. Bird
Notary Public

Residing at: Montpelier

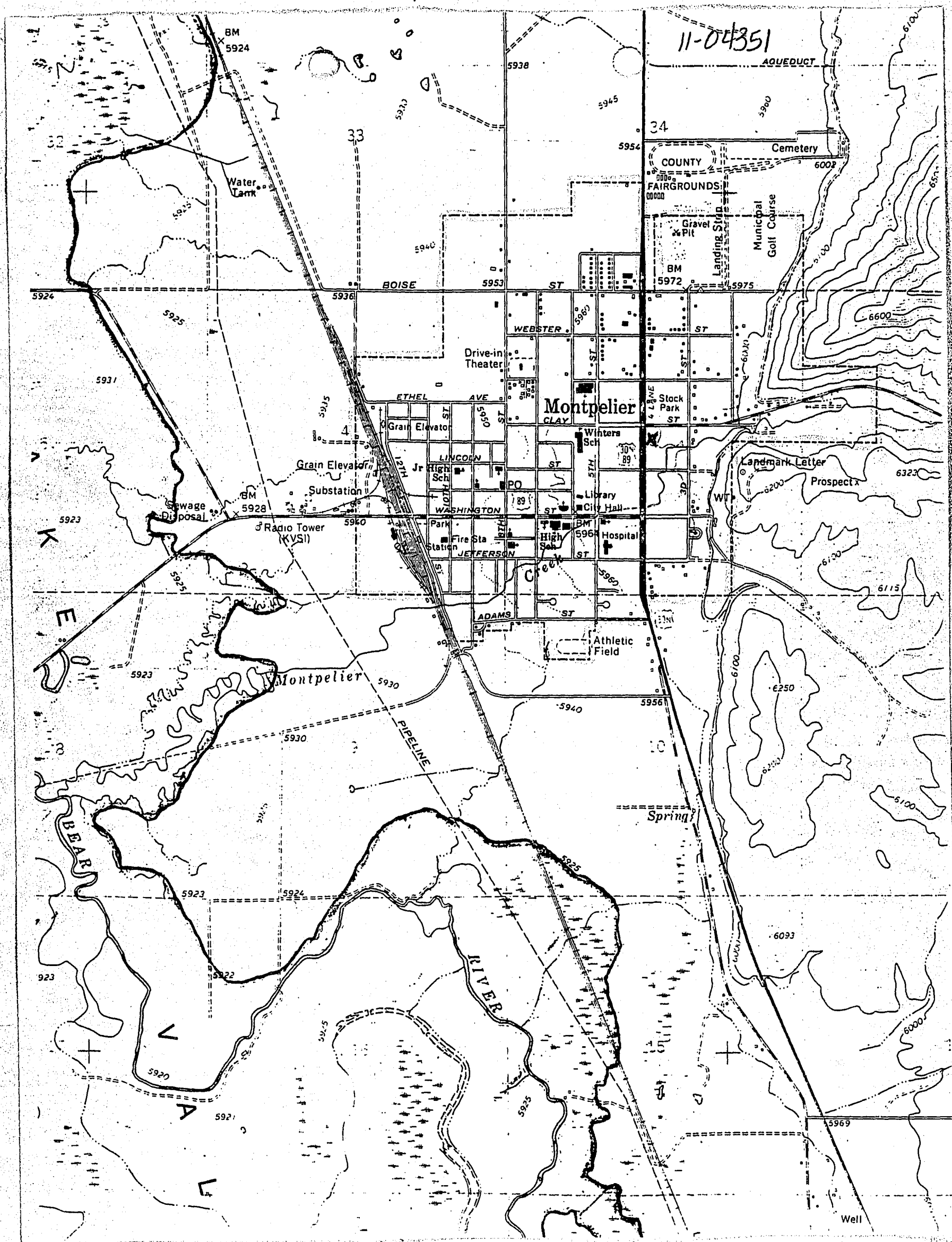
My commission expires: 2/9/2004

FOR DEPARTMENT USE ONLY

Received by HUT
Prelim. check by _____
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Date 9-21-1998
Date _____
Date 9-21-1998

Published in News Examiner
Publication dates 10-29 & 11-5-98
Publication checked by BU Date 10/2/98
Exceptions filed by _____



NOT OF CLAIMS TO WATER RIGHT

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

11-04351

CITY OF MONTPELIER
534 WASHINGTON
MONTPELIER, ID 83254

Source: GROUNDWATER

Diversion Pt: SESENW Sec 3 T 13S R 44E in BEAR LAKE County.

Use: MUNICIPAL	(	2.670 CFS)
Total Diversion:	(	2.670 CFS)

Claimed Priority: 12/30/1931

S00

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, Eastern Region, 900 N Skyline Ste A, Idaho Falls, Idaho 83402.

KARL J. DREHER, Director

Published: 10/29/1998 & 11/ 5/1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 20, 1998

Legal Notices Department
THE NEWS-EXAMINER
P.O. BOX 278
MONTPELIER, ID 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. 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 NOVEMBER 16, 1998.

Yours truly,

Sharla Cox
Sharla Cox
Secretary

Encl.

*mailed
10/20/98
sc*

No 5655

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bear Lake

ss.

Rosa S. Moorman

being duly sworn,

deposes and says:

That he is the Editor 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

October 28, 1998, and ending with the issue of November 4, 1998

Fees, \$72.21

Subscribed and sworn to before me this 25th day of November, 1998

Notary Public, Residing at Montpelier, Idaho

My Commission Expires August 28, 1999

NOTICE OF CLAIMS TO WATER RIGHT

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

11-04351

CITY OF MONTPELIER
534 WASHINGTON
MONTPELIER, ID 83254
Source: GROUNDWATER
Diversion Pt: SESENW Sec 3 T 13S
R 44E in BEAR LAKE County.
Use: MUNICIPAL (2.670 CFS)
Total Diversion: (2.670 CFS)
Claimed Priority: 12/30/1931
S00

11-04352

CITY OF MONTPELIER
534 WASHINGTON
MONTPELIER, ID 83254
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 4 T 13S
R 44E in BEAR LAKE County.
Use: MUNICIPAL (3.340 CFS)
Total Diversion: (3.340 CFS)
Claimed Priority: 12/31/1960
S00

11-04353

CITY OF MONTPELIER
534 WASHINGTON
MONTPELIER, ID 83254
Source: GROUNDWATER
Diversion Pt: NESENW Sec 3 T 13S
R 44E in BEAR LAKE County.
Use: MUNICIPAL (1.110 CFS)
Total Diversion: (1.110 CFS)
Claimed Priority: 12/31/1931
S00

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Ste A, Idaho Falls, Idaho 83402.

KARL J. DREHER
Director

Legal No. 5655 — Publish Oct. 28 and Nov. 4, 1998.

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DEC 02 1998

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 18, 1998

CITY OF MONTPELIER
534 WASHINGTON
MONTPELIER, ID 83254

Re: Claim No. 11-04351

Dear Claimants(s):

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 the information or evidence added at any time. Please refer to the claim identification number when corresponding with the 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.

Sincerely,

RONALD CARLSON
Eastern Regional Manager

RDC:sc

Enc