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JAN 21 2003

Claim No. 11-7508

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DEC 23 2002

Department of Water Resources  
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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OCT 17 2002

Department of Water Resources  
Eastern Region

CLAIM TO A WATER RIGHT

Department of Water Resources

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*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Steven N. or Tamra T. Morgan  
(Name of Claimant)  
6110 West 13600 North Garland, UT 84312 Telephone No: 435-257-0402  
(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) June 1, 1899  
*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)  
Springs tributary to Dingle Bottoms

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 or af)     | Use | (Irrigation, Domestic, Stock, Etc.) | Period of Use From | (Both dates inclusive)<br>(MM/DD) | (MM/DD)         |
|----------|-----------------|-----|-------------------------------------|--------------------|-----------------------------------|-----------------|
| Quantity | <u>0.20 cfs</u> | Use | <u>Irrigation</u>                   | Period of Use From | <u>4/15</u>                       | to <u>10/31</u> |
| Quantity | <u>0.02 cfs</u> | Use | <u>Stockwater</u>                   | Period of Use From | <u>1/1</u>                        | to <u>12/31</u> |
| Quantity | <u>0.02 cfs</u> | Use | <u>Wildlife</u>                     | Period of Use From | <u>1/1</u>                        | to <u>12/31</u> |
| Quantity |                 | Use |                                     | Period of Use From |                                   | to              |

4. 0.20 cfs (90 gpm) TOTAL QUANTITY USED.  
(cfs or af)

5. A) Location of point of diversion is SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot  
Sec. 11 Township 14 South Range 44 East 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.

The main/largest spring flows into a small holding pond  
then flows onto approximately 18 acres of meadow owned  
by claimant

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<br>ACRES |
|-----|-----|-----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|-----|----|----|----------------|
|     |     |     | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW  | SE | SW |                |
| 14S | 44E | 11  |     |    |    |    |     |    |    |    |     |    |    |    | 9   | 9   |    |    | 18             |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    | S/W | S/W |    |    |                |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |     |    |    |                |

TOTAL ACRES 18

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. The water is also used for stock & wildlife

NOTE: Include here the type and number of stock watered: \_\_\_\_\_

7. Remarks: \_\_\_\_\_

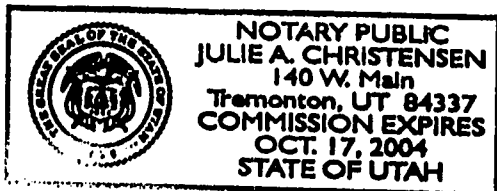
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of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

State of Utah )  
County of Box Elder ) 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.

Steve H. Morgan James Morgan  
Claimant's Signature (and title if claim is for an organization)

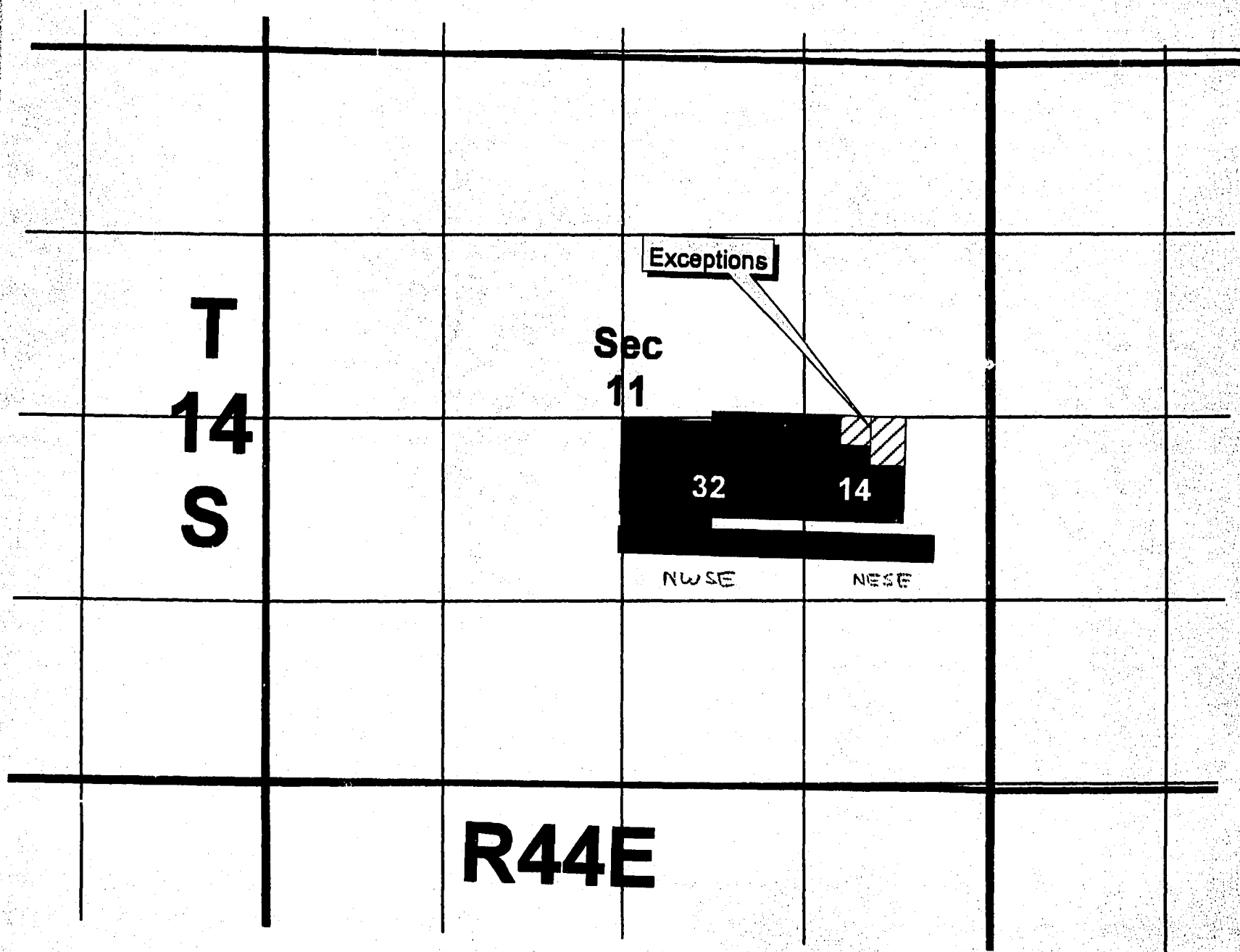
Sworn to before me this 15<sup>th</sup> day of October

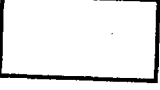


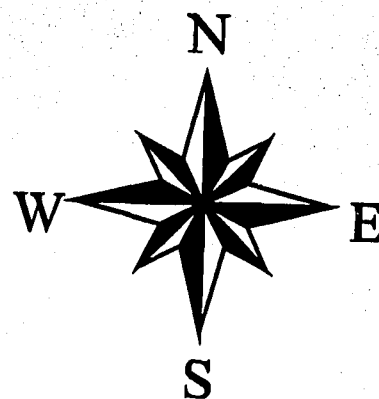
Julie A. Christensen  
Notary Public  
Residing at: Tremonton, UT 84337  
My commission expires: 10-17-04

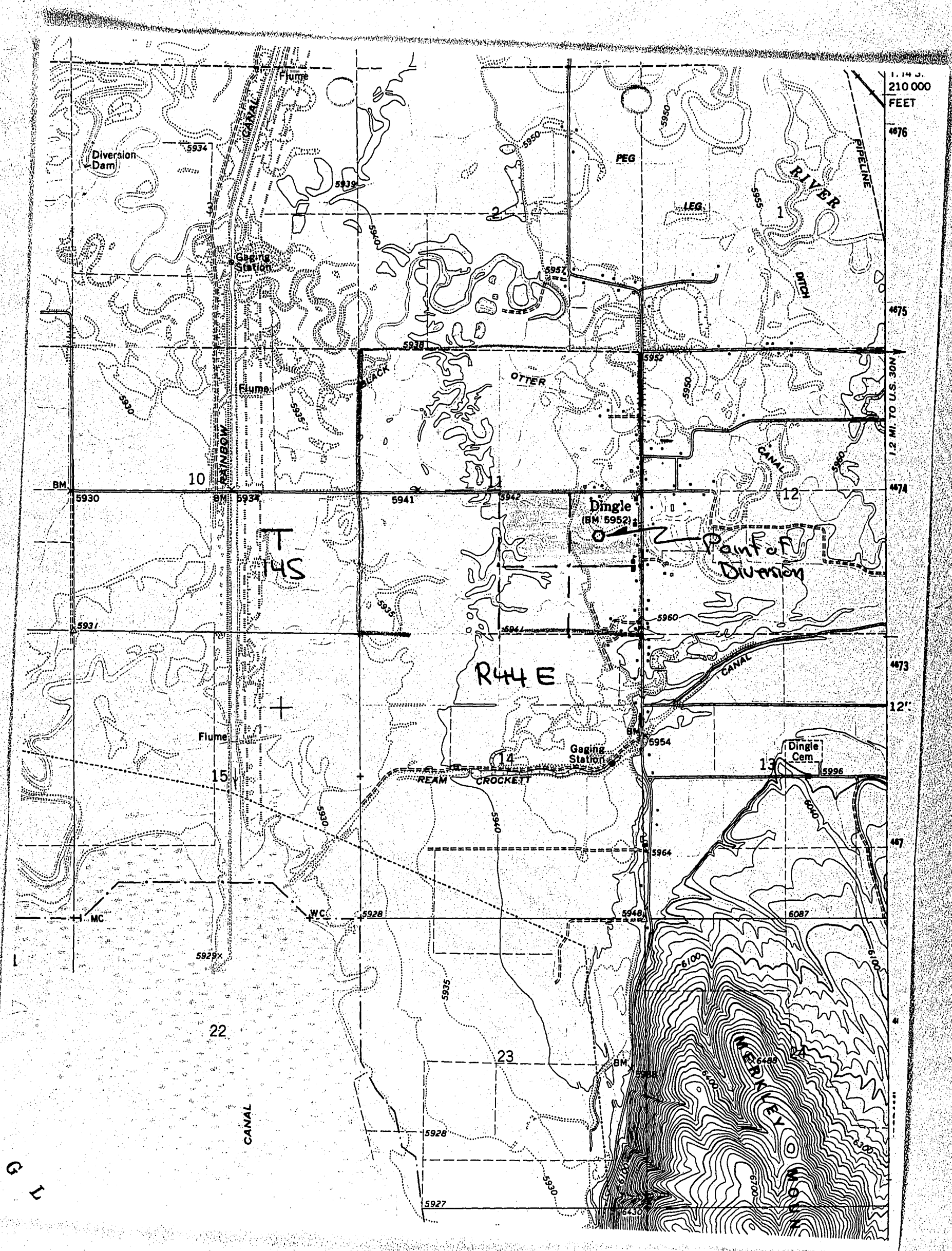
FOR DEPARTMENT USE ONLY

Received by HWT Date 10-17-02 Published in News Examiner  
Prelim. check by \_\_\_\_\_ Date \_\_\_\_\_ Publication dates Oct 30 & Nov 6, 2002  
Fee 250.00 Receipt # E028237 Publication checked by SC Date 12/6/02  
Receipt prepared by HWT Date 10-17-02 Exceptions filed by \_\_\_\_\_



-  Sections.shp
-  Skips qq.shp
-  T14s44e.shp





# EXHIBIT A

NW corner SE 1/4 S11, T14S, R44E

#1 Commencing at a point 47 rods South of the Northwest Corner of the Southeast Quarter of Section 11, Township 14 South of Range 44 East, Boise Meridian, and running thence South 11 rods and 6 feet; thence East 139 rods; thence North 11 rods and 8 feet; thence West 139 rods to the place of beginning.

#2 ALSO: Commencing at the Northwest Corner of the Southeast Quarter of Section 11, Township 14 South, Range 44 East of the Boise Meridian in Idaho, and running thence South 34 rods; thence East 40 rods; thence North 34 rods; thence West 40 rods to the place of beginning.

#3 ALSO: Commencing at a point 34 rods South from the Northwest Corner of said Southeast Quarter of said Section 11, Township 14 South, Range 44 East of the Boise Meridian, and running thence South 12 rods; thence East 40 rods; thence North 12 rods; thence West 40 rods to the place of beginning.

#4 ALSO: Commencing at a point 35 rods West of the Northeast Corner of the Southeast Quarter of Section 11, Township 14 South, Range 44 East of the Boise Meridian, and running thence South 46 rods; thence West 125 rods; thence North 12 rods; thence East 40 rods; thence North 34 rods; thence East 85 rods to the place of beginning.

#5 SAVE AND EXCEPT THEREFROM: Commencing at a point 35 rods West of the Northeast Corner of the Southeast Quarter of said Section 11, Township 14 South, Range 44 East of the Boise Meridian, and running thence South 21 rods 5 1/2 feet; thence West 15 rods; thence North 21 rods 5 1/2 feet; thence East 15 rods to the place of beginning.

#6 ALSO EXCEPT: Commencing at a point 825 feet West from the Northeast Corner of the Southeast Quarter of Section 11, Township 14 South, Range 44 East of the Boise Meridian in Idaho, and running thence South 211 feet; thence West 220 feet; thence North 211 feet; thence East 220 feet to the place of beginning. Except therefrom: Any part of the above described property lying within the right of way of the Dingle Bottoms road.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

October 23, 2002

Legal Notice Department  
NEWS-EXAMINER  
PO BOX 278  
MONTPELIER ID 83254

RE: Statutory Claim No. 11-7508

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before November 18, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox  
Administrative Assistant

mailed  
10/23/02  
sc

The following claim(s) have been filed based on diversion and beneficial use of water:

11-7508

STEVEN N MORGAN  
TAMRA T MORGAN  
6110 WEST 13600 NORTH  
GARLAND UT 84312

Point(s) of Diversion: SWNESE S11 T14S R44E, BEAR LAKE County

Source SPRINGS, Tributary To DINGLE BOTTOMS

Use: IRRIGATION 04/15 To 10/31 0.2 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: WILDLIFE 01/01 To 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Priority Date:

Place Of Use: IRRIGATION

T14S R44E S11 NESE NWSE

Number of Acres 18

Place Of Use: STOCKWATER and WILDLIFE

T14S R44E S11 NESE NWSE

Exceptions to a claim may be filed with the Department of Water Resource, together with an exception fee of \$25.00.

KARL J DREHER, Director

Published on October 30 and November 6, 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

October 23, 2002

Steven N or Tamra T Morgan  
6110 West 13600 North  
Garland UT 84312

RE: Water Right Claim No 11-7508

Dear Claimant(s):

The Department of Water Resources acknowledges receipt of your water right claim. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the claim has been prepared and is scheduled for publication in the News Examiner on October 30 and November 6, 2002. If exceptions to the claim are filed you will be sent a copy of the exceptions(s).

The filing and advertising of the claim does not confirm the water right claimed. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the 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. Corrections to the claim may be made by filing an amended claim; no additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact this office if you have any questions.

Sincerely,

*Harold W. Jones*  
Harold W Jones  
Water Right Supervisor

HWJ:sc

No 6604

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Bear Lake

*Rosa J Moosman*

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 30*, 19*2002*, and ending

with the issue of *November 6*, 19*2002*

*Rosa J Moosman*

Fees, *\$61.16*

Subscribed and sworn to before me this *27th* day

of *November*, 19*2002*

*Sherry W. Brown*

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *August 28*, 19*2003*

## NOTICE TO WATER USERS

The following claim(s) have been filed based on diversion and beneficial use of water:

11-7508

STEVEN N. MORGAN

TAMRA T. MORGAN

6110 WEST 13600 NORTH

GARLAND, UT 84312

Point(s) of Diversion:

SWNESE S11 T14S R44E, BEAR

LAKE County

Source SPRINGS, Tributary To

DINGLE BOTTOMS

Use: IRRIGATION

04/15 To 10/31 0.2 CFS

Use: STOCKWATER

01/01 To 12/31 0.02 CFS

Use: WILDLIFE

01/01 To 12/31 0.02 CFS

Total Diversion:

0.2 CFS

Priority Date:

Place Of Use: IRRIGATION

T14S R44E S11 NESE NWSE

Number of Acres 18

Place Of Use: STOCKWATER

and WILDLIFE

T14S R44E S11 NESE NWSE

Exceptions to a claim may be

filed with the Department of

Water Resource, together with an

exception fee of \$25.00.

KARL J. DREHER,

Director

Publish Oct. 30 and Nov. 6,

2002 — Legal No. 6604.

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DEC 06 2002

Department of Water Resources  
Eastern Region

