

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS**

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 11-4076
Date Received: 9/7/2023
Receipt No: P000414
Claim Fee: \$125
Received By: MB

RECEIVED

SEP 11 2023

IDWR/Freston

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MARK SMITH PARKER
4159 LANARK RD
LIBERTY ID 83254

Phone: (208) 317-6292

AND/OR

MELONY PARKER
4159 LANARK RD
OVID ID 83254

Phone: (208) 317-6296

2. Date of Priority: 1/18/1890

3. Source:
UNNAMED CREEK

Trib. to:
MILL CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
13S	43E	7	NW NW	1	BEAR LAKE	

5. Description of diverting works:

Originally the water was ditched from the creek locally known as South Dell Creek to the property. There were dikes in place to flood irrigate the ground. In 2016 I added a reservoir so I could pump and sprinkle the ground. Since then I've piped part of the ditch where it runs across my property and have installed main lines that feeds the sprinkler system I am using. When I changed from flood to sprinkler irrigation I was able to water an additional 26 acres and will file an additional claim for that enlargement. Cattle drink from the reservoir and wherever the water pools from irrigating. I have received a grant to install 3 additional troughs to the system for the stock to drink from.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	4/01	11/01	2		
STOCKWATER	04/01	11/01	0.03		

7. Total Quantity Appropriated is:

2.03 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

100 head of cattle

9. Place of use:

IRRIGATION within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	8	NE		NW		0.9
13S	43E	8	NW		NW		0.3
13S	43E	8	SW		NW		15
13S	43E	8	SE		NW		30
13S	43E	8	NE		SW		15
13S	43E	8	NW		SW		13

Total Acres = 74.2

STOCKWATER within BEAR LAKE County

Township	Range	Section	¼	of	¼	Lot	Acres
13S	43E	8	SW		NW		
13S	43E	8	SE		NW		
13S	43E	8	NW		SW		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

The property is what was originally the James Hymas homestead. He proved up on the homestead on this date. To do so he would have had to irrigate the land. This ditch system and ground that I farm would have been part of what Hymas farmed and built to establish his homestead.

13. Basis of Claim: Statutory Claim

14. Signature(s)

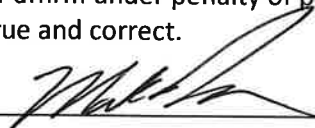
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the BEAR River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

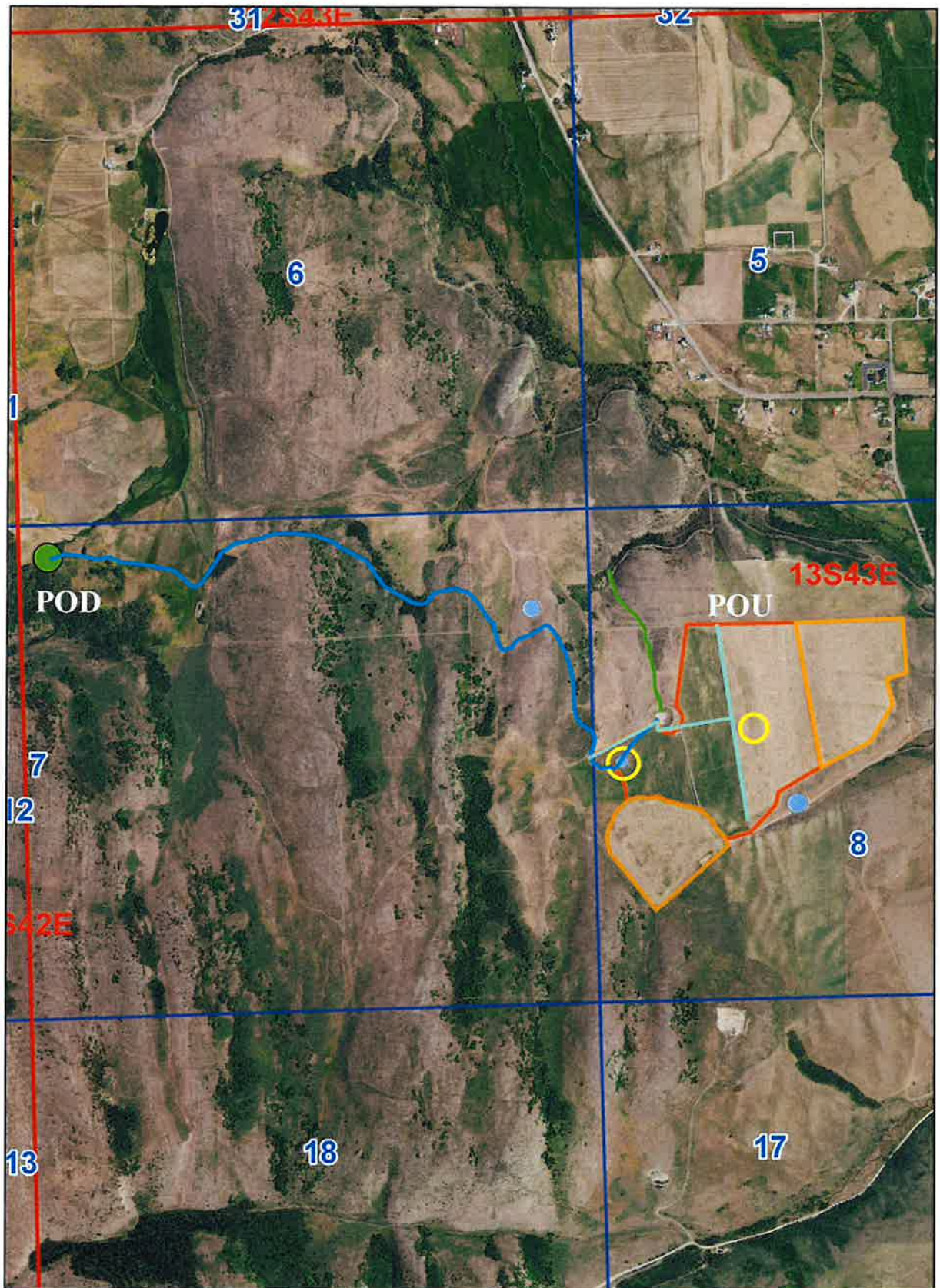


Date:

8-7-23

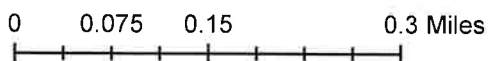
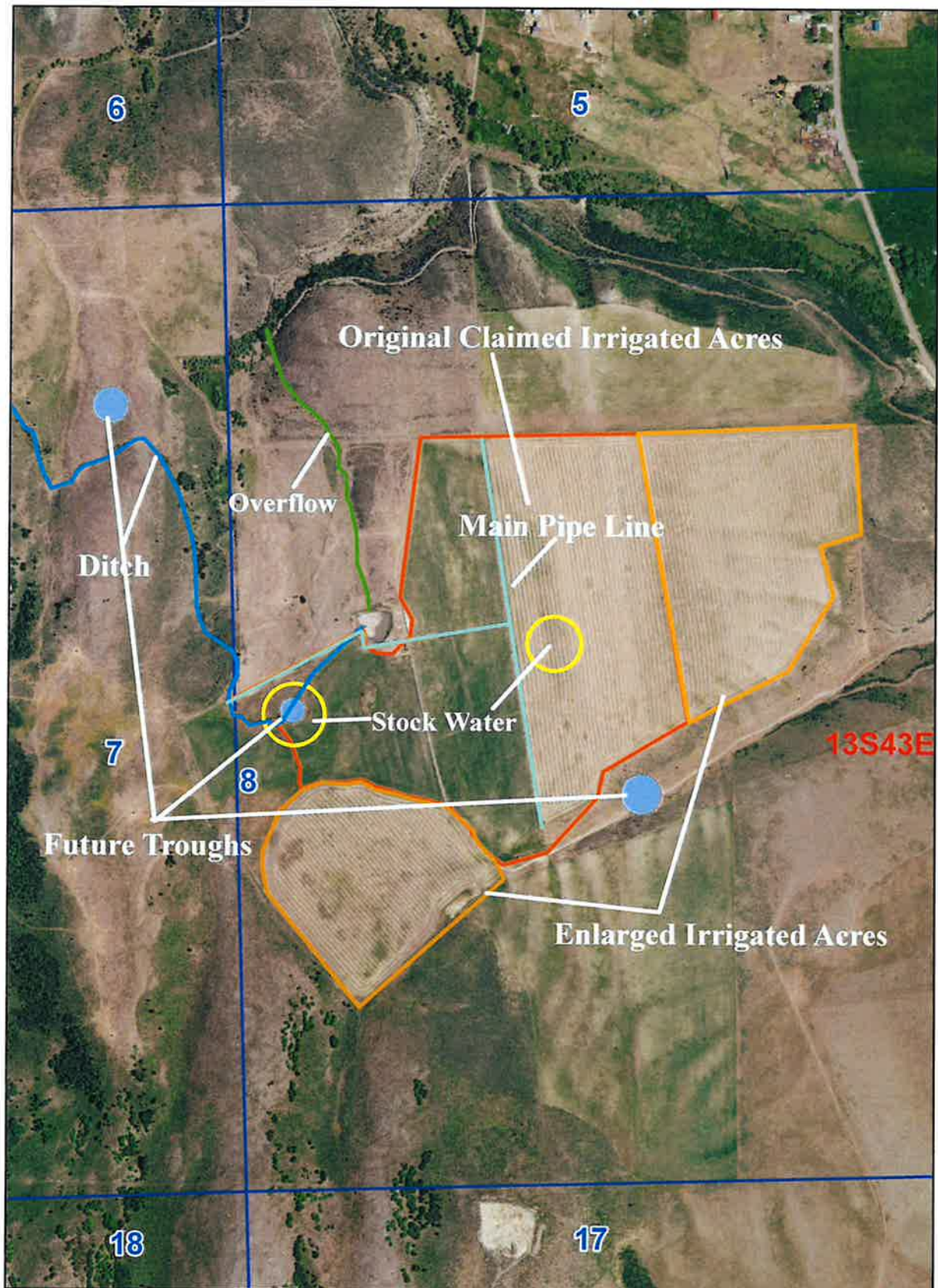
Date: _____

Claim 11-4076



0 0.175 0.35 0.7 Miles

Claim 11-4076



THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

CERTIFICATE

No. 694.

Whereas James Hymas of Bear Lake County, Idaho Territory.

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Blackfoot Idaho Territory whereby it appears that full payment has been made by the said James Hymas.

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the South East quarter of the North West quarter, the North East quarter of the South West quarter and the South half of the North East quarter of Section Eight in Township Thirteen South, of Range forty three East, of Boise Meridian in Idaho Territory, containing one hundred and sixty acres,

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said James Hymas

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said James Hymas

and to his heirs, the said Tract above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, therunto belonging, unto the said James Hymas

and to his heirs and assigns forever: subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof J. Benjamin Harrison

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Eighteenth

day of January, in the year of our Lord one thousand eight hundred and ninety, and of the Independence of the United States the one hundred and fourteenth

By the President Benjamin Harrison

By M. M. Hearn.

Secretary.

J. M. Lonsdale.

Recorder of the General Land Office.

L. S.