

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

Claim ID: 11-9952

Date Received: 11/13/23

Receipt No: _____

Claim Fee: \$5.00 By: MR

exempt

RECEIVED

NOV 13 2023

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) HARDCASTLE BERN RANCH LLC Phone (208) 709-6122
Mailing address 675 N 8TH E PRESTON, ID Zip 83263
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) 6/28/1939 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) SPRING
which is tributary to (b) SINKS
4. a. Location of point of diversion is: Township 12S, Range 43E, Section 23,
NE 1/4 of NW 1/4, Govt. Lot _____, BM, County of BEAR LAKE
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
DEVELOPED SPRING IN 1995 THAT IS AN ALTERNATIVE TO INSTREAM STOCKWATER. LOCALLY
KNOWN AS "RED PINE SPRING"

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For STOCKWATER purposes from 7/1 to 12/31 amount .02 or _____
For _____ purposes from 1/1 to 12/31 amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 1,000 HEAD OF CATTLE

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12s	43E	23					X												

Parcel no(s) _____ Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? BEAR LAKE

11. Do you own the property listed above as place of use? Yes (☒) No (☐)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (☐)

13. Remarks (Include an explanation of the priority date selected):

~~SEE ATTACHED HOMESTEAD DOCUMENT FOR THE PROPERTY.~~

Name of claimant(s) _____ Claim ID _____

14. Basis of claim (Check one) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-9952

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System 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: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Manager of Hardcastle Bern Ranch LLC
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James B. Hardcastle Date 11-13-23 JBH

Printed Name of Authorized Agent James B. Hardcastle

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

Land Patent Details

Accession Nr: 1103504 Document Type: Serial Patent State: Idaho Issue Date: 6/28/1939 Cancelled: No

Names On Document

P PETERSON, MELVIN

Military Rank:	...
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Miscellaneous Information

Land Office:	Blackfoot
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US Reservations:	Yes
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Mineral Reservations:	Yes
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Tribe:	...
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Militia:	...
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State In Favor Of:

Authority:	December 29, 1916: Homestead Entry-Stock Raising (39 Stat. 862)
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Document Numbers

Document Nr:	046486
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Misc. Doc. Nr:	0
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BLM Serial Nr:	IDBL 0046486
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Indian Allot. Nr:	...
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Survey Information

Total Acres:	320.00
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Survey Date:	...
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Geographic Name:	...
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Metes/Bounds:	No
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Land Descriptions

State	Meridian	Twp - Rng	Aliquots	Section	Survey #	County
ID	Boise	012S - 043E	SE¼SW¼	14		Bear Lake
REMARKS: COAL AND OTHER MINERALS RESERVED TO US						
ID	Boise	012S - 043E	W½SW¼	14		Bear Lake
REMARKS: COAL AND OTHER MINERALS RESERVED TO US						
ID	Boise	012S - 043E	NE¼SE¼	15		Bear Lake
REMARKS: COAL AND OTHER MINERALS RESERVED TO US						
ID	Boise	012S - 043E	W¼NE¼	23		Bear Lake
REMARKS: COAL AND OTHER MINERALS RESERVED TO US						
ID	Boise	012S - 043E	E¼NW¼	23		Bear Lake
REMARKS: COAL AND OTHER MINERALS RESERVED TO US						

HARDCASTLE BERN RANCH LLC

