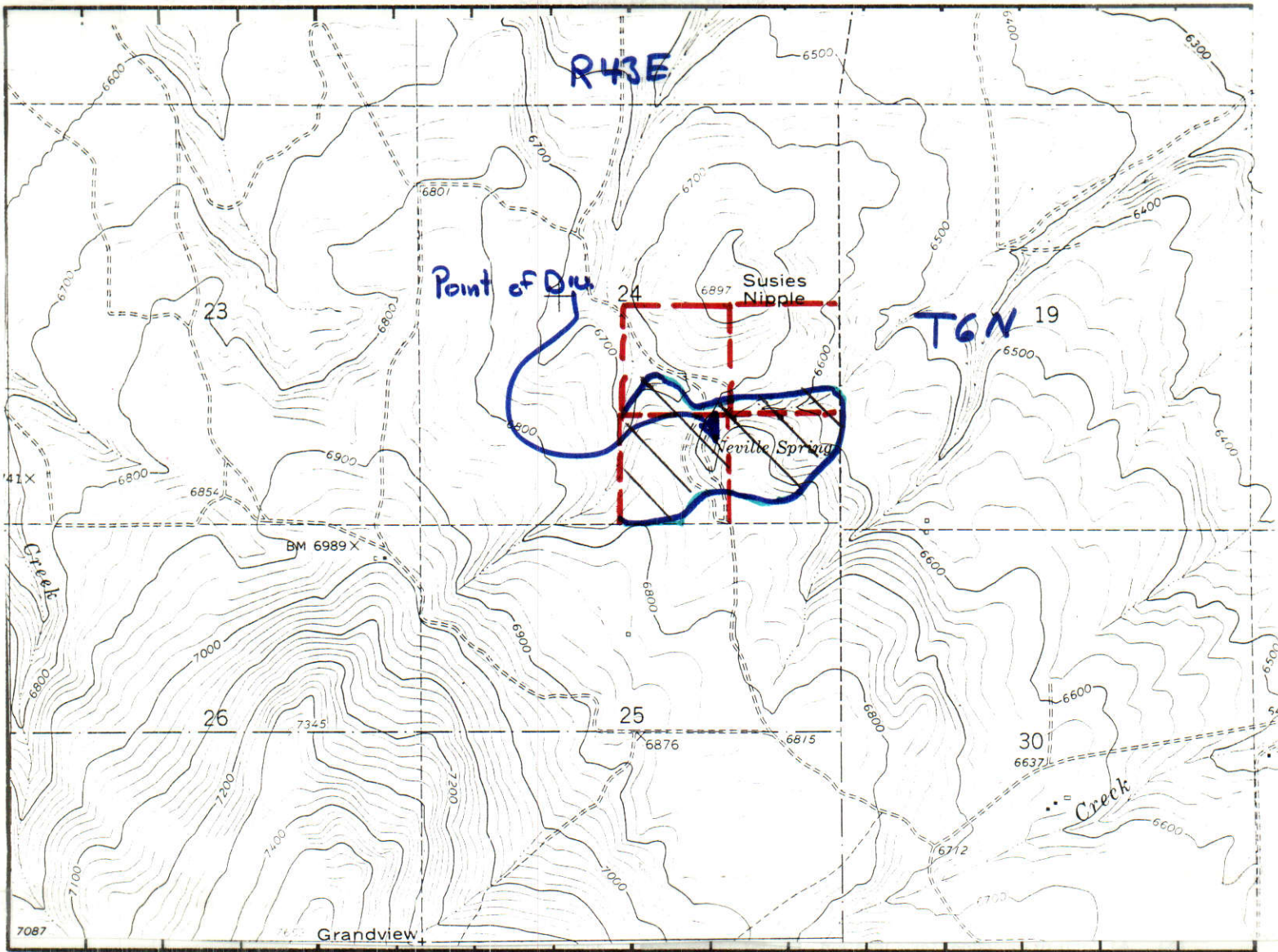


(8) Remarks This spring has been used by claimant and claimant's predecessors for years for stock watering. No other use has been made by other persons. The flow from the stream, on normal years, sinks on either claimant's property or very shortly after it leaves claimant's property.



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 Idaho)
) ss.
County of Madison)

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 affiants knowledge.

BY: X A. R. Jensen ITS: Potter Enterprises, Inc.
(Claimant)

Sworn to before me this 31st day of July, 19 87.

Julia K. Clements
Notary Public
Residing at Rigby, Idaho

My commission expires 12/12/92

MICROFILMED

SEP 24 1987

For Department Use Only

Received by <u>dg</u>	Date <u>8-6-1987</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>8-7-87</u>		claimant by:	
\$10.00 fee received by <u>\$200</u>	Date <u>8-10-87</u>	#41323		
Approved for publication by				
Published in <u>Leton Valley News - dg</u>				
Dates <u>8-20 + 8-27-1987</u>				

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Kristi Atkinson
being first duly sworn depose and
say that I am the Secretary
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58106,
as amended, and that said
newspaper is a weekly newspaper
printed and published at Driggs, in
Teton County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed in said county for more
that 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of

22-4196

Potter

And affiant further says that said
attached notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in any
supplement issue thereof, for 2
consecutive issues thereof: first
publication having been made on
the 20 day of Aug, 1987
and last publication on the 27 day
of Aug, 1987

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep

Kristi Atkinson

Subscribed in my presence and
sworn to before me this 28 day of
Aug, 1987
ISEAL Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Nicholas Neilson
My Commission expires

8-4 1990

NOTICE OF CLAIMS TO WATER RIGHTS

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

22-4196

**POTTER ENTERPRISES,
INC.**

**C/O L.L. NISSEN, P.O. BOX
443, REXBURG, ID 83440**

**Source: NEVILLE SPRING
trib. to SINKS**

**Diversion Pt: SWSE Sec 24 T
06N R 43E**

**Use: IRRIGATION (1.0 CFS)
STOCKWATER (0.020 CFS)**

Priority Date: 01/01/1917

**In: NESE NWSE SWSE
SESE Sec 24T 06N R 43E FOR
80 ACRES**

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

KEN DUNN, Dir

Published in the Teton Valley
News on August 20 and 27,
1987.

MICROFILMED

SEP 24 1987

RECEIVED

SEP 1 1987

Department of Water Resources
Eastern District Office

AUG 03 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

RECEIVED
AUG 6 1987

Department of Water Resources

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Potter Enterprises, Inc.
(name of claimant)
of P.O. Box 433
c/o L.L. Nissen ~~102 N 4 E~~ Rexburg, claims a right to the diversion and beneficial use of
(mailing address) 83440
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Neville Spring
tributary to, sinks

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>1 cfs</u>	Use	<u>irrig</u>	Period of Use: From	<u>5-1</u>	To	<u>9-15</u>
Amount	<u>.02 cfs</u>	Use	<u>livestk</u>	Period of Use: From	<u>5-1</u>	To	<u>11-1</u>
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 1.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) X JANUARY 1, 1917

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 24 Twp. 6N Rge. 43 E.B. M. County of Teton
Additional points of diversion: none

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. Catch basin installed at spring.
Portable pump and water gun

(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.

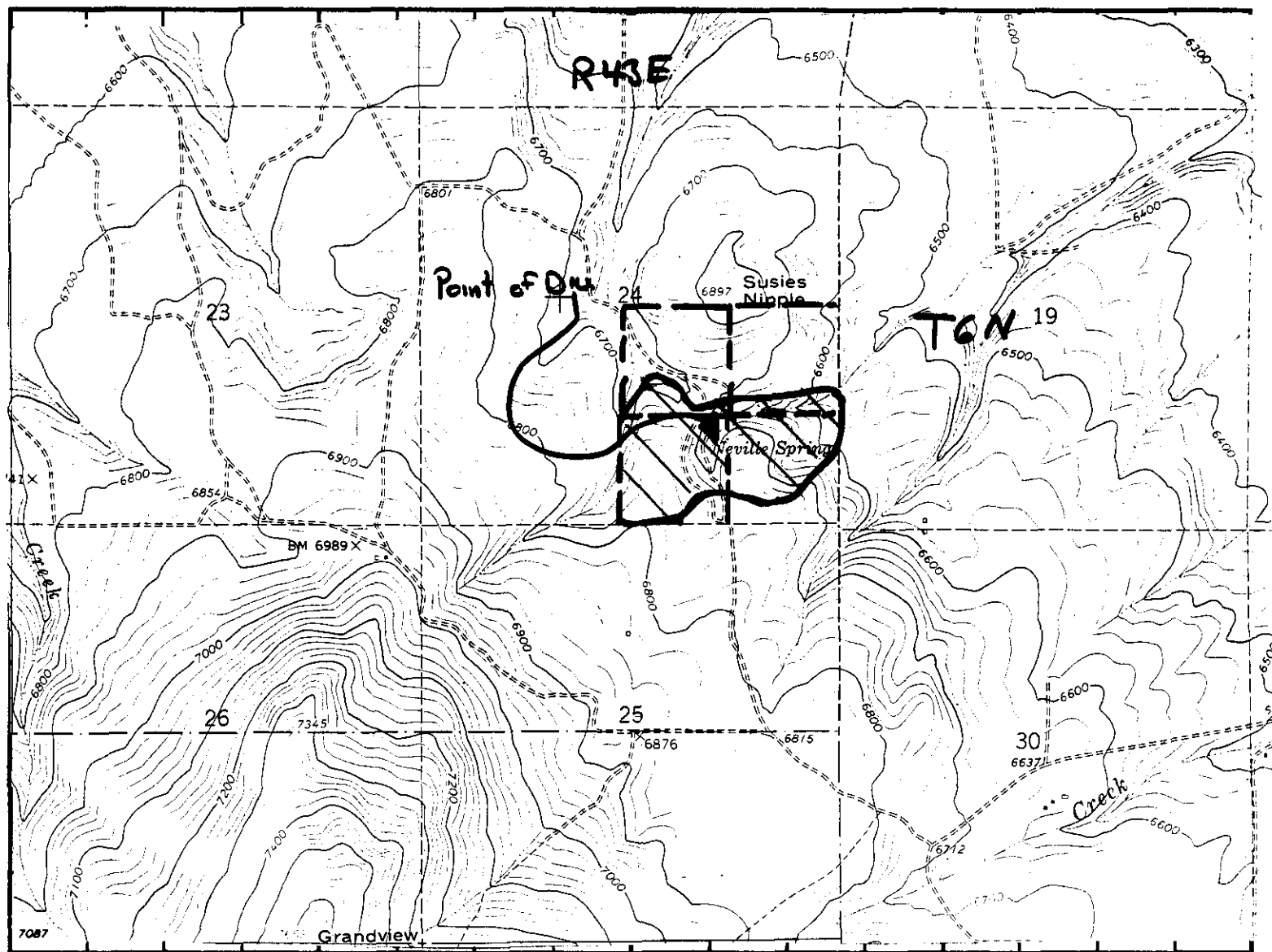
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	43	24													15	20	30	15	80

Total No. of Acres

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwater 150 head beef cattle 50 horses

(7) If you are claiming water as a member of an organization, list name of organization: Potter Enterprises, Inc. an Idaho corporation

(8) Remarks This spring has been used by claimant and claimant's predecessors for years for stock watering. No other use has been made by other persons. The flow from the stream, on normal years, sinks on either claimant's property or very shortly after it leaves claimant's property.



Scale: ~~1 inch equals~~ 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 Idaho)
) ss.
County of Madison)

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 affiants knowledge.

BY: X. K. Hansen ITS: Potter Enterprises, Inc.
(Claimant)

Sworn to before me this 31st day of July, 19 87.

Julia K. Clements
Notary Public
Residing at Rigby, Idaho

My commission expires 12/12/92

MICROFILMED

SEP 24 1987

For Department Use Only

Received by <u>da</u>	Date <u>8-6-1987</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>8-7-87</u>		claimant by:	
\$10.00 fee received by <u>\$200</u>	Date <u>8-10-87</u>	#41323		
Approved for publication by				
Published in <u>Idaho Valley News - da</u>				
Dates <u>8-20 & 8-27-1987</u>				

AFFIDAVIT OF PUBLICATION

State of Idaho

County of Teton

Kristi Atkinson
being first duly sworn depose and say that I am the Secretary of the Teton Valley News, a newspaper as defined by Idaho Codes Annotated, Section 58106, as amended, and that said newspaper is a weekly newspaper printed and published at Driggs, in Teton County, Idaho, having a general circulation in said county, and that said newspaper has been printed in said county for more than 78 consecutive weeks prior to the first publication of the attached notice, advertisement or publication of

22-4196

Potter

And affiant further says that said attached notice, advertisement or publication, as per clipping attached, was published in said newspaper, in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof, first publication having been made on the 20 day of Aug, 1987 and last publication on the 27 day of Aug, 1987.

And affiant further says that at the times herein mentioned said newspaper was made up of at least eight pages of at least five columns each, printed from type matter, of at least sixteen inches deep

Kristi Atkinson

Subscribed in my presence and sworn to before me this 28 day of Aug, 1987
Notary Public for the state of Idaho, residence and postoffice address, Driggs, Idaho.

Nathaniel A. Nielsen
My Commission expires

8-4 1990

NOTICE OF CLAIMS TO WATER RIGHTS

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

22-4196

POTTER ENTERPRISES, INC.

C/O L.L. NISSEN, P.O. BOX 83, REXBURG, ID 83440

Source: NEVILLE SPRING

Div. to SINKS

Diversion Pt SWSE Sec 24 T 20N R 43E

Use: IRRIGATION (1.0 CFS)

STOCKWATER 10,020 CFS

Priority Date: 01/01/1917

In: NESE NWSE SWSE

SESE Sec 24T 06N R 43E FWS

10 ACRES

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

KEN DUNN, Notary
Published in the Teton Valley News on August 20 and 27, 1987.

RECORDED

SEP 24 1987

RECEIVED

SEP 1 1987

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 22-4196 Applicant Potter Enterprises

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.

Map shows
~~3000~~
OK HWT

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson Date 14 Sept 87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 9-16-87

protest date 9-7-87

REPROFILMED

SEP 24 1987

RECEIVED

SEP 16 1987

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 8, 1987

POTTER ENTERPRISES, INC.
C/O L.L. NISSEN
P.O. BOX 433
PEXBURG ID 83440

RE: Claim No. 22-4196

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 Manager

Enclosure

MICROFILMED

SEP 24 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 11, 1987

Teton Valley News
Driggs,
Idaho 83422

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 SEPTEMBER 7, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

MICROFILMED

SEP 24 1987

22-4196

POTTER ENTERPRISES, INC.

C/O L.L. NISSEN, P.O. BOX 433, REXBURG, ID 83440

Source: NEVILLE SPRING trib. to SINKS

Diversion Pt: SWSE Sec 24 T 06N R 43E

Use: IRRIGATION	(1.0 CFS)
STOCKWATER	(0.020 CFS)

Priority Date: 01/01/1917

In: NESE NWSE SWSE SESE Sec 24 T 06N R 43E FOR 80 ACRES

MICROFILMED

SEP 24 1987

NOTICE OF CLAIMS TO WATER RIGHTS

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

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

KEN DUNN, Dir.

Published 8/20 & 8/27/87.

MICROFILMED

SEP 24 1987