

(8) Remarks

There are times when the livestock may be using only the creek or the well to the exclusion of the other. The cattle also get water from a well located in NE 1/4 SE 1/4 in Sec. 21, which is the subject of a separate claim. Also there are 2 areas where water collects from seepage into ponds, one located in SW 1/4 NE 1/4 of Sec. 28 and one in NW 1/4 SE 1/4 in Sec. 21, which livestock water from.



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)
County of Madison) ss.

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 affiant's knowledge.

R. Gene Peterson; Lynette Peterson
Neal L. Peterson, Gerald Peterson
(Claimant)

Sworn to before me this 29th day of June, 1983.

Thyllis Ann Edwards
Notary Public
Residing at Reynolds, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by AW Date 6-30-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$30.00 fee received by AW Date 6-30-83
Published in _____ #29216
Dates: _____

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO



Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Claims To Water Rights

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on March 8, 1984
and the last publication having been made

on March 15, 1984

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Subscribed to and sworn to before me

this March 15, 1984

Notary Public.

(SEAL)

My commission expires Life.

RECEIVED

APR 5 1984

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

22-4173

PETERSON, R. GENE &/or LYNETTE &/or
NYALL L. &/or YVONNE

RT. 2, BOX 116, REXBURG, ID 83440

Source: SPRING trib. to CANYON CREEK,
SPRING CREEK trib. to CANYON CREEK

Priority Date: 06/01/1924

Diversion Pt: NESW Sec 23 T 05N R 42E

Use: STOCKWATER (0.10 CFS),
DOMESTIC (0.12 CFS)

In: NESW Sec. 23 T 05N R 42E

22-4174

PETERSON, R. GENE &/or LYNETTE &/or
NYALL L. &/or YVONNE

RT. 2, BOX 116, REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 06/01/1929

Diversion Pt.: NESE Sec 21 T 05N R 42E

Use: STOCKWATER (0.10 CFS),
DOMESTIC (0.04 CFS)

In: NESE Sec 21 T 05N R 42E

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

KEN DUNN
Director

Publ. March 8 and 15, 1984J

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.
R. Gene Peterson and Lynette Peterson, husband and wife, and Nyal L. Peterson and Yvonne Peterson, husband and wife, partners, dba R. G. & N. L. Peterson
Notice is hereby given that N. L. Peterson (Name of Claimant)

c/o R. Gene Peterson, R2, Bx 116, Rexburg, ID 83440 Telephone No. 356-6254
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1924

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring and spring creek tributary to Canyon Creek tributary to Snake River

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)			
				(Mo., Day)		(Mo., Day)	
Quantity	.10 cfs	Use	stockwatering	Period of Use From	1-1	To	12-31
Quantity	.12 cfs	Use	domestic	Period of Use From	1-1	To	12-31
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) .22 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 23 Twp. 5N Rge. 42 E. B.M., County of Madison
Additional points of diversion:

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. Describe any changes in the system and give the date of the change. 2 holes dug to a depth of 4-5 feet in or near springs and creek, boxed in with wooden plank

(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	
5N	42E	23									X								

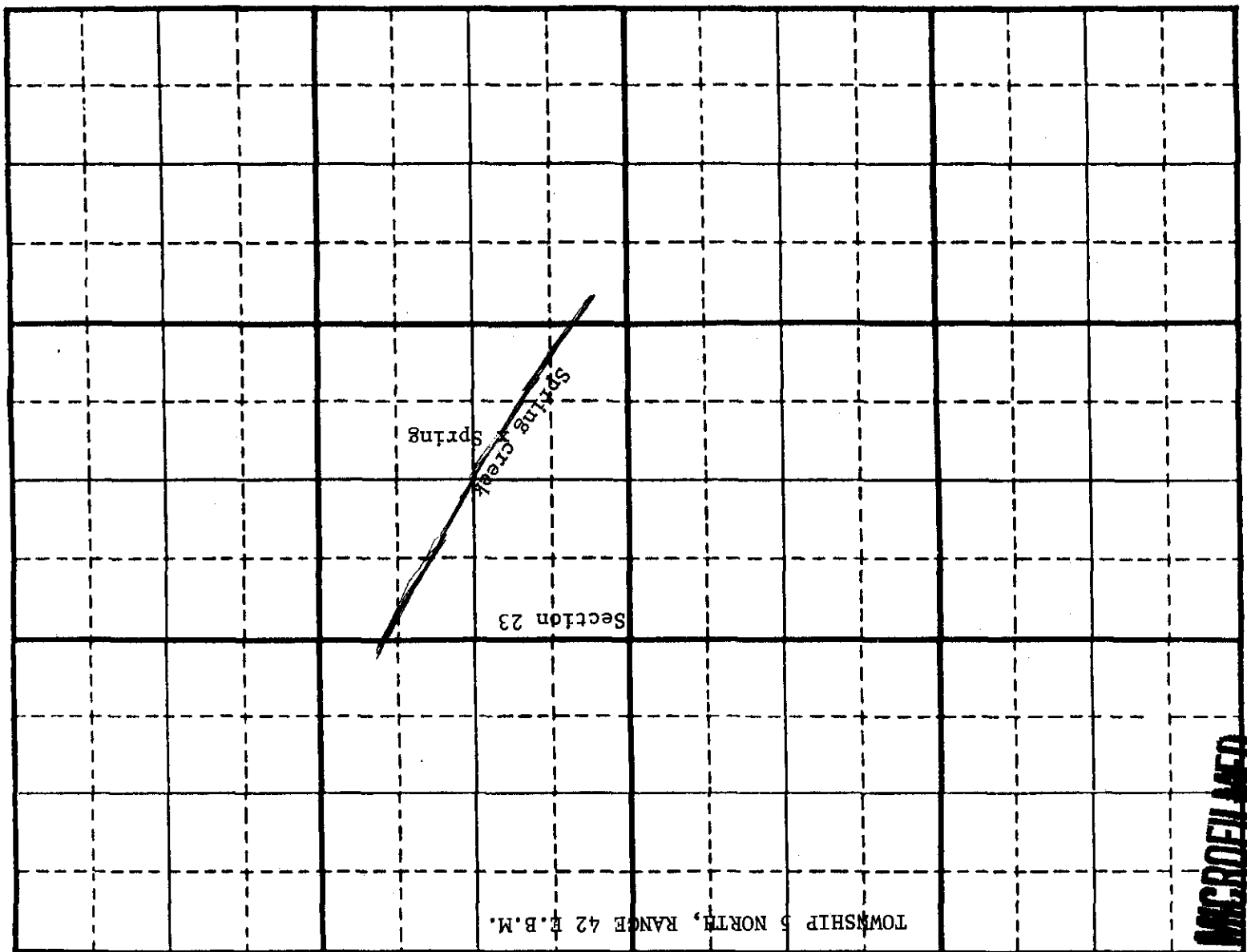
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
.10 cfs used for stockwatering up to 400 head of range cattle and five horses at various times throughout the year; domestic water used at times for 3 cabins.

NOTE: Include here the type and number of stock watered:
If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks There are times when the livestock may be using only the creek or the well to the exclusion of the other. The cattle also get water from a well located in the NE 1/4 Sec. 21, which is the subject of a separate claim.



State of Idaho)
County of Madison) ss.

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 affiant's knowledge.

R. & one Robert Smith Wilson
Myd A. Johnson Supreme Reporter
(Claimant)

Sworn to before me this 29th day of June, 1983.

Notary Public for Idaho
Residing at Rexburg, ID

My commission expires Life

2-27-84 FOR DEPARTMENT USE ONLY

Received by *all* Date *6-30-83* Prelim. check by *all* Date *2/20/84* \$30.00 fee received by *all* Date *6-30-83* Published in *Standard Journal* #19211 Dates *3/8 - 3/15/84*

Exception filed by: Forwarded to: Claimant by: Date:

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

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

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spring & spring Creek tributary to Canyon Creek tributary to Snake River

(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, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>-10</u>	Use <u>domestic & stock watering</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 _____
Quantity	_____	Use _____	Period of Use From _____	To _____

(4)	TOTAL QUANTITY USED.
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
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90	90
91	91
92	92
93	93
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95	95
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97	97
98	98
99	99
100	100

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 23 Twp. 5N Rge. 42E B.M., County of Madison
Additional points of diversion:

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. Describe any changes in the system and give the date of the changes. *Holes dug to a depth of 4-5 feet in or near springs & creek, boxed in with wooden plank.*

(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.

[illegible]

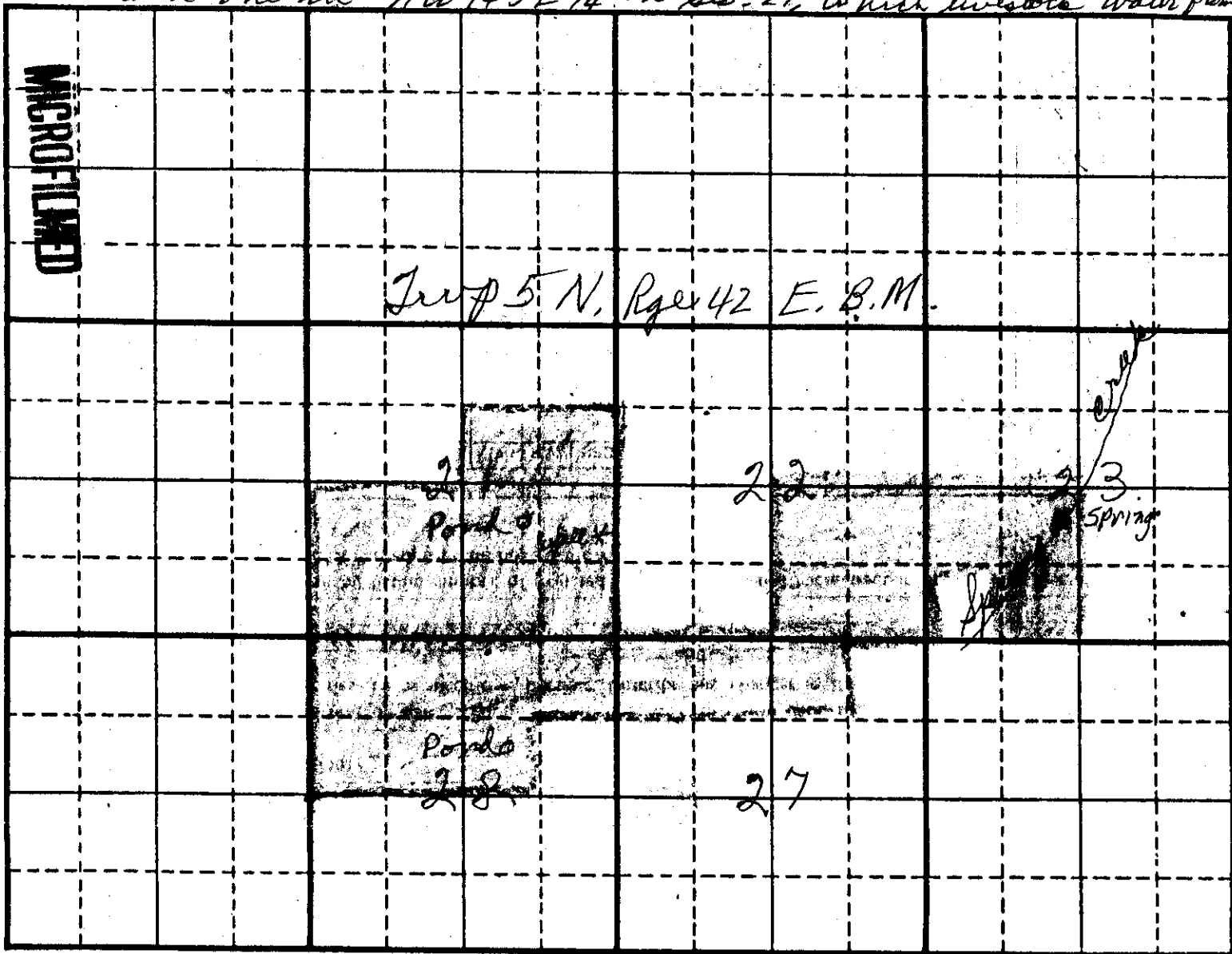
No. of acres 1080

5) If water is used for other than irrigation, fully describe that use, being as specific as possible: all used for stockwatering - up to 400 head of Cattle and 5 horses at various times throughout the year, as well as water, at times, for 3 small Cabins upon the premises, for domestic purposes.

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

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks *There are times when the livestock may be using only the creek or the well to the exclusion of the other. Cattle also get water from a well located in NE 1/4 SE 1/4 in sec. 21, which is the subject of a separate claim. Also there are 2 areas where water collects from seepage into ponds, one located in SW 1/4 NE 1/4 of Sec 28 and one in NW 1/4 SE 1/4 in Sec. 21, which livestock water from*



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)
County of Madison) ss.

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 affiant's knowledge.

R. Gene Peterson; Lynette Peterson
Nyal L. Peterson; Gerald Peterson
(Claimant)

Sworn to before me this 29th day of June, 19 87.

Thyllis Ann Edwards
Notary Public
Residing at Reynolds, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CW Date 6-30-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$30.00 fee received by CW Date 6-30-83
Published in #29216
Date: _____

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

APR 5 1984

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Claims To Water Rights
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on March 8, 1984
and the last publication having been made

on March 15, 1984

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

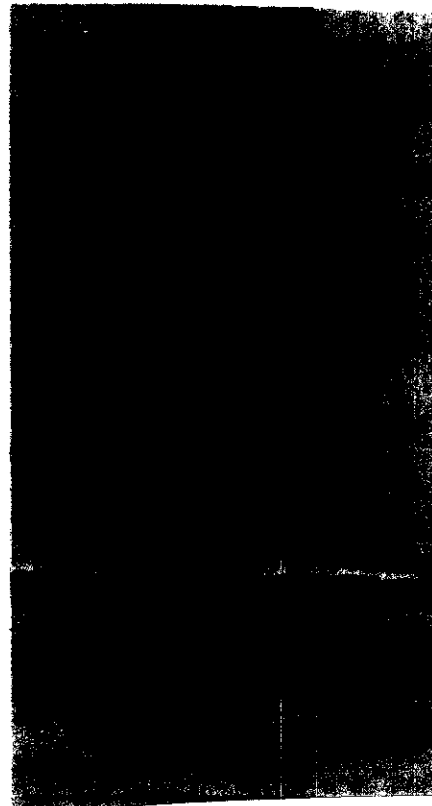
Subscribed to and sworn to before me

this March 16, 1984

Jeri Garner
Notary Public.

(SEAL)

My commission expires Life.



MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

MARCH 26, 1984

R. GENE PETERSON
LYNETTE PETERSON
NYAL L. PETERSON
YVONNE PETERSON
RT. 2, BOX 116
REXBURG

ID 83440

RE: Claim No. 22-4173

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 Supervisor

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

April 2, 1984

RE: Claim to a Water Right No. 22-4173 PETERSON
22-4174 "

Standard Journal
P.O. Box 10
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on March 8 and 15, 1984.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY 22 4173
Right Number FEB 28 1984 Applicant PETERSON

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. — DOMESTIC IS TOO HIGH
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

March 26, 1984

FINAL REGIONAL PROCESSING REVIEW:

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

By *Ernest Carlson* Date *April 7, 1984*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *pc* Date *4/12/84*

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RECEIVED
WATER DISTRICT 1
APR 12 1984
Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

November 8, 1983

R. Gene Peterson
Rt. #2, Box 116
Rexburg, ID 83440

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- ☐ Complete name.
- ☐ Complete mailing address.
- ☒ Date of priority (month, day, and year). *Fill this in*
- ☐ Source of water.
- ☒ Quantity claimed to have been used. *This should be the total of*
- ☒ Nature of use and period of use. *Stock water is separate from domestic*
- ☐ Location of point(s) of diversion.
- ☒ Location of place of use (acres irrigated ☐ water is claimed for irrigation). *Should not be filled in with the exception of an X as described in item #6*
- ☐ Filing Fee (Amount \$_____).
- ☐ Signature. *Indicate type of cattle*
- ☐ Notarization of signature.
- ☒ Other: *I recommend that a representative come to Idaho Falls to straighten out each of the three claims filed*

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

Guall Ramsey

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 29, 1984

The Standard Journal
P. O. Box 10
Rexburg, Idaho 83440

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 MARCH 26, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED

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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 3/8 & 3/15/84.

MICROFILMED

22-4173

PETERSON, R. GENE &/or LYNETTE &/or NYAL L. &/or YVONNE

RT. 2, BOX 116, REXBURG, ID 83440

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SPRING CREEK trib. to CANYON CREEK

Priority Date: 06/01/1924

Diversion Pt: NESW Sec 23 T 05N R 42E

Use: STOCKWATER (0.10 CFS)
DOMESTIC (0.12 CFS)

In: NESW Sec 23 T 05N R 42E

RECEIVED