

(8) Remarks Claimant's predecessor in interest, Joseph A. Tyler, acquired the land from the the United States of America under a desert patent dated October 13, 1905. The patentee would have developed the diversion works and applied the water to a beneficial use for at least a period of five years prior to the issuance of a patent. Acopy of the patent is attached hereto as Exhibit "A".

Section 18	Section 17	Section 16	Section 15
These sections are all in T. 5 N R 45 E B 1 M			
Section 19	Section 20	Section 21	Section 22

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 affiant's knowledge.

J. Lynn Bevan
Delma Bevan
 (Claimant)

Sworn to before me this 30th day of June, 19 83.

[Signature]
 Notary Public
 Residing at Rexburg, ID

My commission expires Life

FOR DEPARTMENT USE ONLY			
Received by <u>CW</u>	Date <u>6-30-83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>KCW</u>	Date <u>5 Jan 1984</u>		claimant by:
\$30.00 fee received by <u>CW</u>	Date <u>6-30-83</u>		
Published in <u>Peton Valley News</u>	<u>#28219</u>		
Dates <u>1/19 - 1/26/84</u>			

55 4103

AFFIDAVIT OF PUBLICATION

State of Idaho)

) ss

County of Teton)

I, Janet Holgers
being first duly sworn depose and
say that I am the bookkeeper
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
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

Notice of Claims to
Water Rights 22-4169, 22-4168
22-4167

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 19 day of January, 1984
and last publication on the 26 day
of January, 1984

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.

Janet Holgers

Subscribed in my presence and
sworn to before me this 30th day of
Jan, 1984

(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Nelda A. Ruck

My Commission expires

12/2, 1985

RECEIVED

JAN 25 1984

Department of Water Resources
Eastern District Office

**NOTICE OF CLAIMS TO
WATER RIGHTS**

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

22-4169

Bevan, J. Lynn &/or Wilma
Rt. 1, Box 1170, Tetonia, ID
83452
Source: Unnamed stream trib.
to Teton River
Priority Date: 10/13/1900
Diversion Pt.: SWSW Sec 20 T
05N R 45E
Use: Irrigation (3.40 cfs)
Stockwater (0.0035 cfs)
In: SWNE SENE SENW
NESW SESW SWSE Sec 19 T
05N R 45E for 170 acres.

22-4168

Bevan, J. Lynn &/or Wilma
Rt. 1, Box 1170, Tetonia, ID
83452
Source: Driggs swamp trib. to
Teton River
Priority Date: 10/26/1902
Diversion Pt.: NESE SENE
NENE Sec 17 T 05N R 45E
NWSW SWNW Sec 16 T 05N
R 45E NWSE NESW Sec 17 T
05N R 45E
Use: Irrigation (2.00 cfs)
Stockwater (0.20 cfs)
In: NESW Sec 17 T 05N R 45E
NENE Sec 19 T 05N R 45E for
50 acres.

22-4167

Bevan, J. Lynn &/or Wilma
Rt. 1, Box 1170, Tetonia, ID
83452
Source: Unnamed stream trib.
to Teton River
Priority Date: 10/13/1900
Diversion Pt.: NENW Sec 20 T
05N R 45E
Use: Irrigation (4.80 cfs)
Stockwater (0.07 cfs)
In: NENE NWNE SWNE
NENW SENW Sec 19 T 05N R
45E for 155 acres.

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 in the Teton
Valley News January 19 and
26, 1984.

MICROFILMED

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.

Notice is hereby given that J. LYNN BEVAN and WILMA BEVAN, husband and wife,

(Name of Claimant)

Route 1, Box 1170, Tetonia, ID 83452

(Mailing Address)

Telephone No. 456-2823

(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) October 13, 1900

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)

Unnamed creek tributary to Teton 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>4.8 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>5-1</u>	To <u>11-1</u>
Quantity	<u>.007 cfs</u>	Use <u>stock</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

- (4) 4.807 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ NW ¼, Sec. 20 Twp. 5N Rge. 45 E B.M., County of Teton

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. The water is diverted from an unnamed stream that is a tributary to the Teton River into a ditch by way of a headgate. The water is conveyed by way of the ditch from the point of diversion to the area of use designated below.

- (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
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5N	45 E	19	40	40	15		40			20									155

No. of acres 155

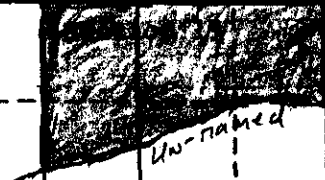
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Claimant waters livestock consisting of 250 head Hereford Beef Cattle
year round.

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: Not applicable

MICROFILMED

Section 18	Section 17	Section 16	Section 15
These sections are all in T. 5 N R 45 E B M			
 Un-named	Section 20 Rich * PD Stream	Section 21	Section 22

CW *1-04-84* **FOR DEPARTMENT USE ONLY**

Received by <u><i>CW</i></u>	Date <u><i>6-30-83</i></u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u><i>KCW</i></u>	Date <u><i>5 Jan 1984</i></u>		claimant by: _____	
\$30.00 fee received by <u><i>CW</i></u>	Date <u><i>6-30-83</i></u>			
Published in <u><i>Petal Valley News</i></u>	<u><i>#27219</i></u>			
Dates <u><i>1/19 - 1/26/84</i></u>				

524443

B
C

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

Washington

June 8, 1915

I hereby certify that the annexed copy of patent is a true and

literal exemplification from the record which is in my custody in this office.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and caused the seal of this office to be affixed at the city of Washington on the day and year above written

(SEAL)

John O'Connell, Acting Recorder of the General Land Office

\$.10 Internal Revenue cancelled.

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING

Desert Lands Certificate No 1350

WHEREAS Joseph A Tyler of Fremont County Idaho has deposited in the General Land office of the United States a certificate of the Register of the Land Office at Blackfoot Idaho whereby it appears that full payment has been made by the said Joseph A Tyler 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 southeast quarter of the south west quarter of the north half of the northeast quarter the southwest quarter and the northeast quarter of the southwest section nineteen in township five North of Range forty five East of Boise Idaho containing two hundred and eighty 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 Joseph A Tyler

NOW KNOW Y 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 Joseph A Tyler 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 thereunto belonging unto the said Joseph A Tyler 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 AND there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States

IN TESTIMONY WHEREOF I Theodore Roosevelt, 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 thirteenth day of October in the year of our Lord one thousand nine hundred and five and of the Independence of the United States the one hundred and thirtieth

By the President T Roosevelt

(SEAL)

By F M McKean, Secretary

C H Brush Recorder of the General Land Office

524443

Filed for record request W R Patton July 7th 1915 at 10:10 A.M.

Fees \$1.20

W F Robertson Recorder

AFFIDAVIT OF PUBLICATION

State of Idaho)

) ss

County of Teton)

I, Janet Holgers
being first duly sworn depose and
say that I am the bookkeeper
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
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 publica-
tion of

Notice of Claims to
Water Rights 22-4169, 22-4168,
22-4167

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 19 day of January, 1984
and last publication on the 26 day
of January, 1984

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.

Janet Holgers
Subscribed in my presence and
sworn to before me this 20th day of
Jan, 1984
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

My Commission expires

12/2, 1985

RECEIVED

JAN 25 1984

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

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

22-4169

Bevan, J. Lynn &/or Wilma
Rt. 1, Box 1170, Teton, ID
83452
Source: Unnamed stream trib.
to Teton River
Priority Date: 10/13/1900
Diversion Pt.: SWSW Sec 20 T
05N R 45E
Use: Irrigation (3.40 cfs)
Stockwater (0.0095 cfs)
In: SWNE SENE SENW
NESW SESW SWSE Sec 19 T
05N R 45E for 170 acres.

22-4168

Bevan, J. Lynn &/or Wilma
Rt. 1, Box 1170, Teton, ID
83452
Source: Driggs swamp trib. to
Teton River
Priority Date: 10/26/1902
Diversion Pt.: NESE SENE
NENE Sec 17 T 05N R 45E
NWSW SWNW Sec 16 T 05N
R 45E NWSE NESW Sec 17 T
05N R 45E
Use: Irrigation (2.00 cfs)
Stockwater (0.20 cfs)
In: NESW Sec 17 T 05N R 45E
NENE Sec 16 T 05N R 45E for
155 acres.

Bevan, J. Lynn &/or Wilma
Rt. 1, Box 1170, Teton, ID
83452
Source: Unnamed stream trib.
to Teton River
Priority Date: 10/13/1900
Diversion Pt.: NENW Sec 20 T
05N R 45E
Use: Irrigation (4.80 cfs)
Stockwater (0.07 cfs)
In: NENE NWNE SWNE
NENW SENW Sec 19 T 05N R
45E for 155 acres.

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 in the Teton
Valley News January 19 and
20, 1984.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 6, 1984

J. LYNN BEVAN
WILMA BEVAN
RT. 1, BOX 1170
TETONIA

ID 83452

RE: Claim No. 22-4167

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

MICROFILMED

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

KEITH C. WILSON.

J. LYNN BEVAN

Right Number _____

Applicant

WILMA BEVAN

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.

Feb 6, 1984

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Feb 7, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

pc

Date

2/9/84

MICROFILMED

RECEIVED
WATER DISTRICT
FEB 9 1984
Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

RECEIVED

JAN 4 1984

Department of Water Resources
Eastern District Office

November 8, 1983

J. Lynn Bevan
Rt. #1, Box 1170
Tetonia, ID 83452

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).
- _____ Source of water.
- ☒ Quantity claimed to have been used. *Item # 4 Total diversion and unity*
- ☒ Nature of use and period of use. *Item 3, Separate stock and irrigation give amounts and units for both*
- _____ Location of point(s) of diversion.
- _____ Location of place of use (acres irrigated if water is claimed for irrigation).
- _____ Filing Fee (Amount \$ _____).
- _____ Signature.
- _____ Notarization of signature.
- ☒ Other: *Map needs Township 5N Range 45E to complete the map*

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,

Keith C. Wilson

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 11, 1984

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 FEBRUARY 6, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

4120000 0000

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 1/19 & 1/26/84.

MICROFILMED

22-416Z

BEVAN, J. LYNN &/or WILMA

RT. 1, BOX 1170, TETONIA, ID 83452

Source: UNNAMED STREAM trib. to TETON RIVER

Priority Date: 10/13/1900

Diversion Pt: NENW Sec 20 T 05N R 45E

Use: IRRIGATION	(4.80 CFS)
STOCKWATER	(0.07 CFS)

In: NENE NWNE SWNE NENW SENW Sec 19 T 05N R 45E FOR 155 ACRES

UNCLASSIFIED