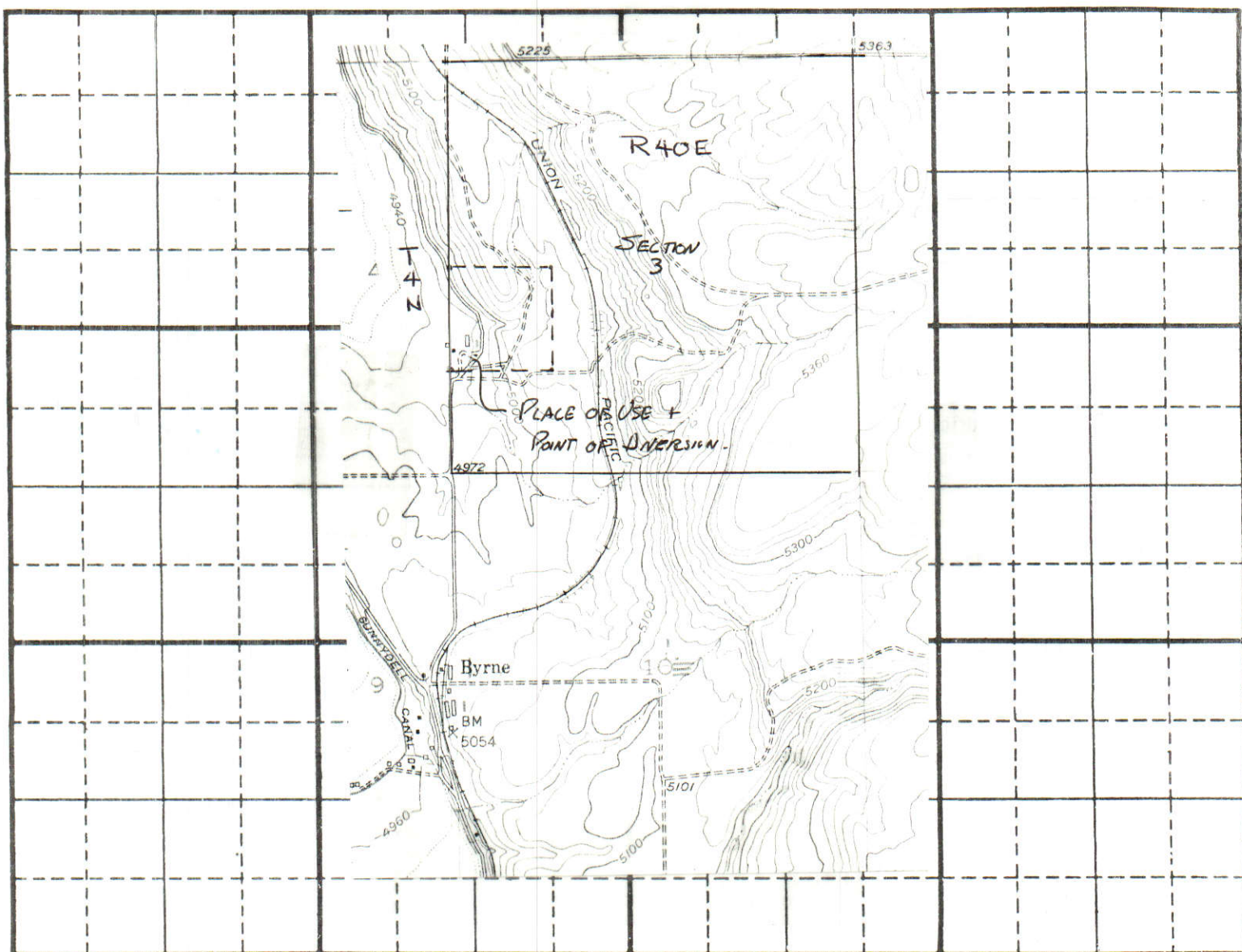


(8) Remarks _____



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 Bonneville) 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.

Sworn to before me this 12th day of December, 1983.

J. R. Byrne
(Claimant)

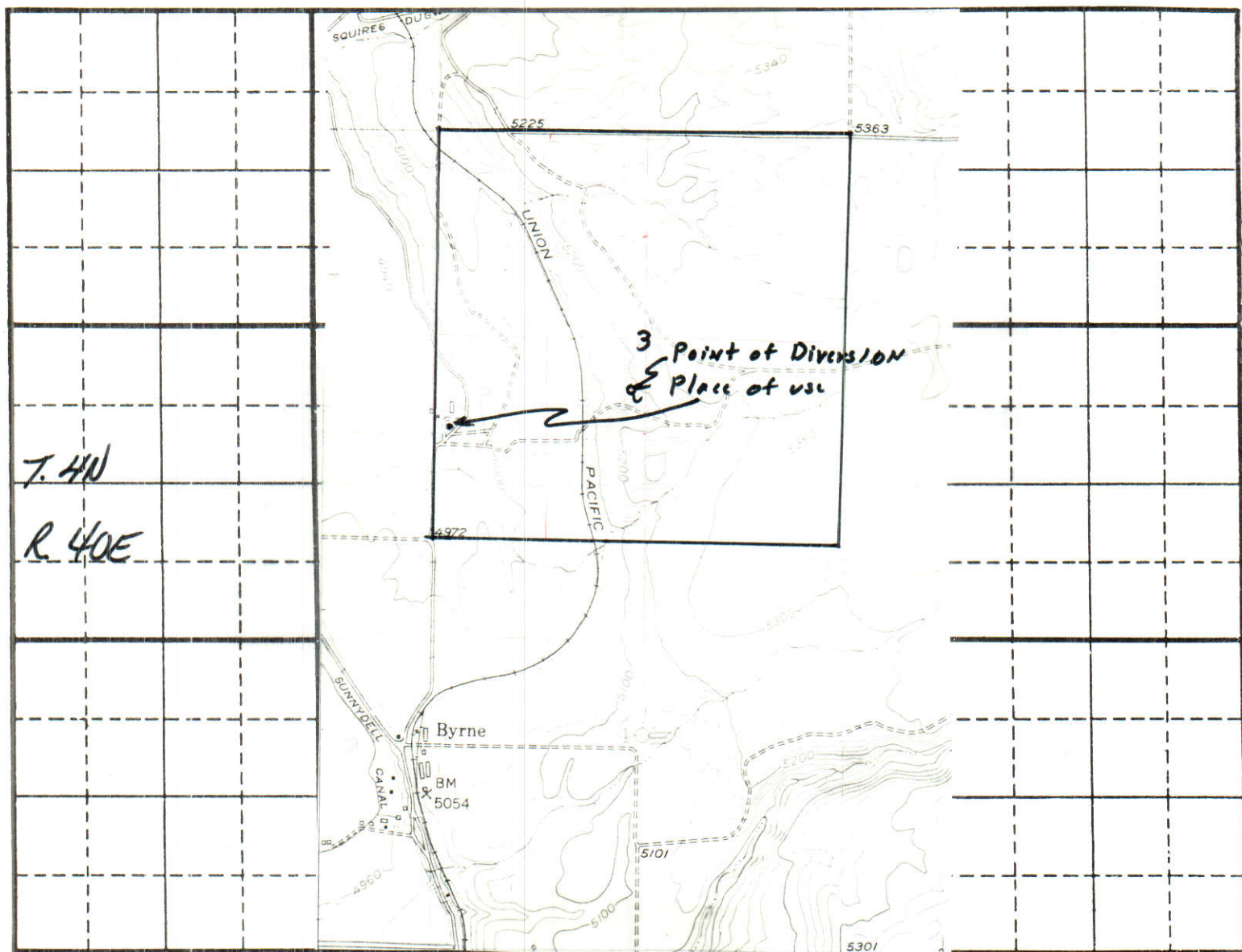
Colleen Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

CW 12-12-83 FOR DEPARTMENT USE ONLY
Received by JM Date 6-28-83 Exception filed by: _____ Date _____
Prelim. check by SM Kew Date 9-8-83 12-12-83
\$30.00 fee received by CW Date 6-28-83 #25607
Published in Standard Journal
Dates 12/22 : 12/29/83

55 4100

(8) Remarks _____



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 Bonneville) 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.

Sworn to before me this 28th day of June, 1983.

J. R. Byrne
(Claimant)

Valley Wray

Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by Jm Date 6-28-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by S.M. Date 7-8-1983 claimant by: _____
\$30.00 fee received by EW Date 6-28-83 _____
Published in _____
Dates _____

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.R. Byrne (Name of Claimant)
Rt. 3, Box 227, Rexburg, Idaho 83440 (Mailing Address) Telephone No. 556-6176 (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) September 1952

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)
Groundwater tributary to _____

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.12</u> cfs		Use <u>Domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>0.50</u> cfs		Use <u>Stockwater</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) 0.62 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 3 Twp. 4N Rge. 40E 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. Well and pipeline to 3 domestic homes and stock troughs.

(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	
4N	40E	3										1							1

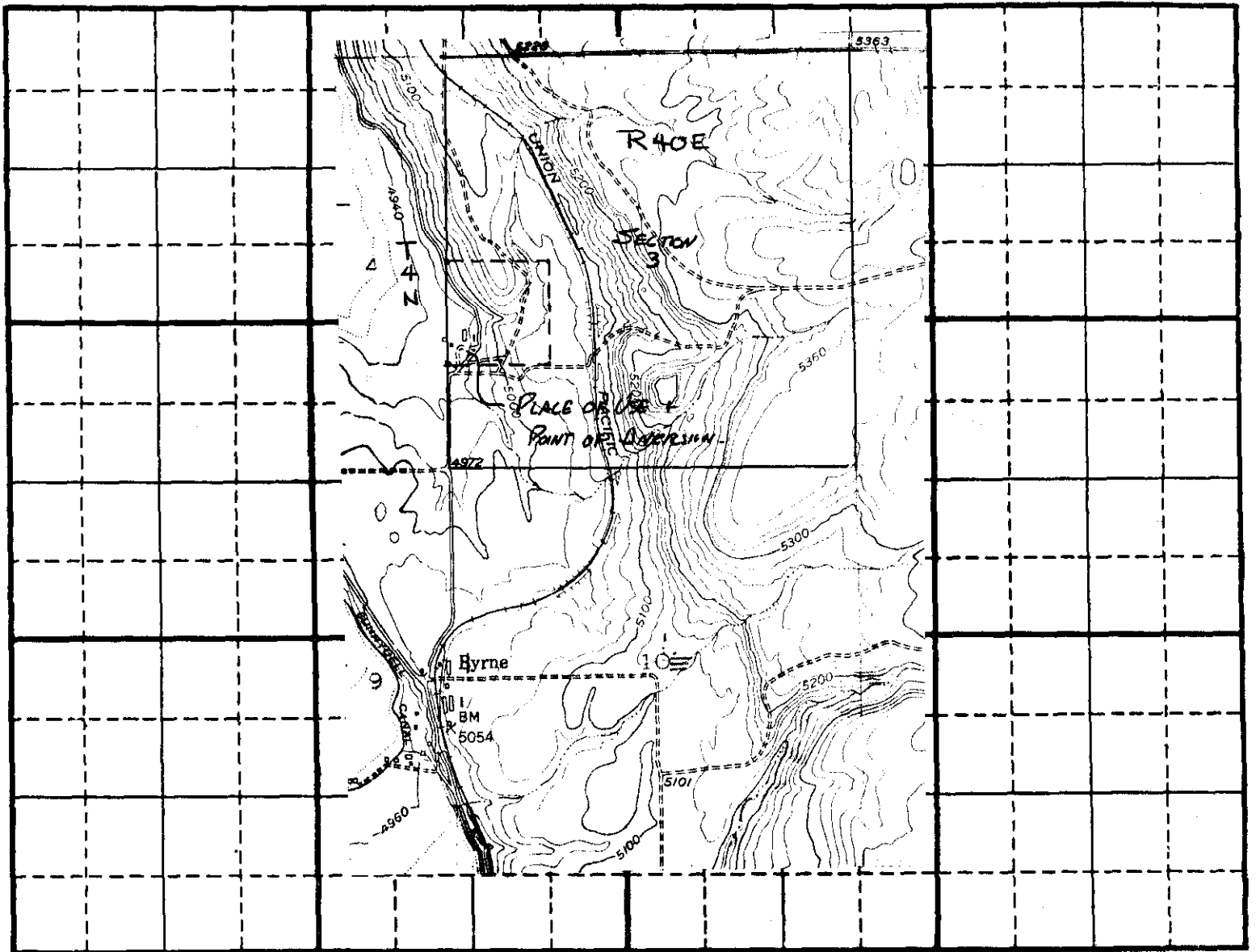
No. of acres 1

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

400 head cattle
NOTE: Include here the type and number of stock watered: 30 head horses, 12 dairy cows

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

(8) Remarks _____



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 Bonneville) 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.

Sworn to before me this 12th day of December, 1983.

J. R. Byrne
(Claimant)

Charles Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

CW 12-12-83 FOR DEPARTMENT USE ONLY
Received by JM Date 6-28-83 Exception filed by: _____ Date _____
Prelim. check by SM Kew Date 9-8-83 12-12-83
\$30.00 fee received by CW Date 6-28-83 #25607
Published in Standard Journal
Dates 12/22 : 12/29/83

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.R. Byrne (Name of Claimant)
Rt. 3, Box 227 Rexburg, ID 83440 Telephone No. 356-6176
(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) September 1952

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)
Groundwater tributary to _____

(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>.12cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.5</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) .62cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 3 Twp. 4N Rge. 40E 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.
Well pipeline to 3 dhmestic homes and stock troughs.

(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	40E	3	1									X							1

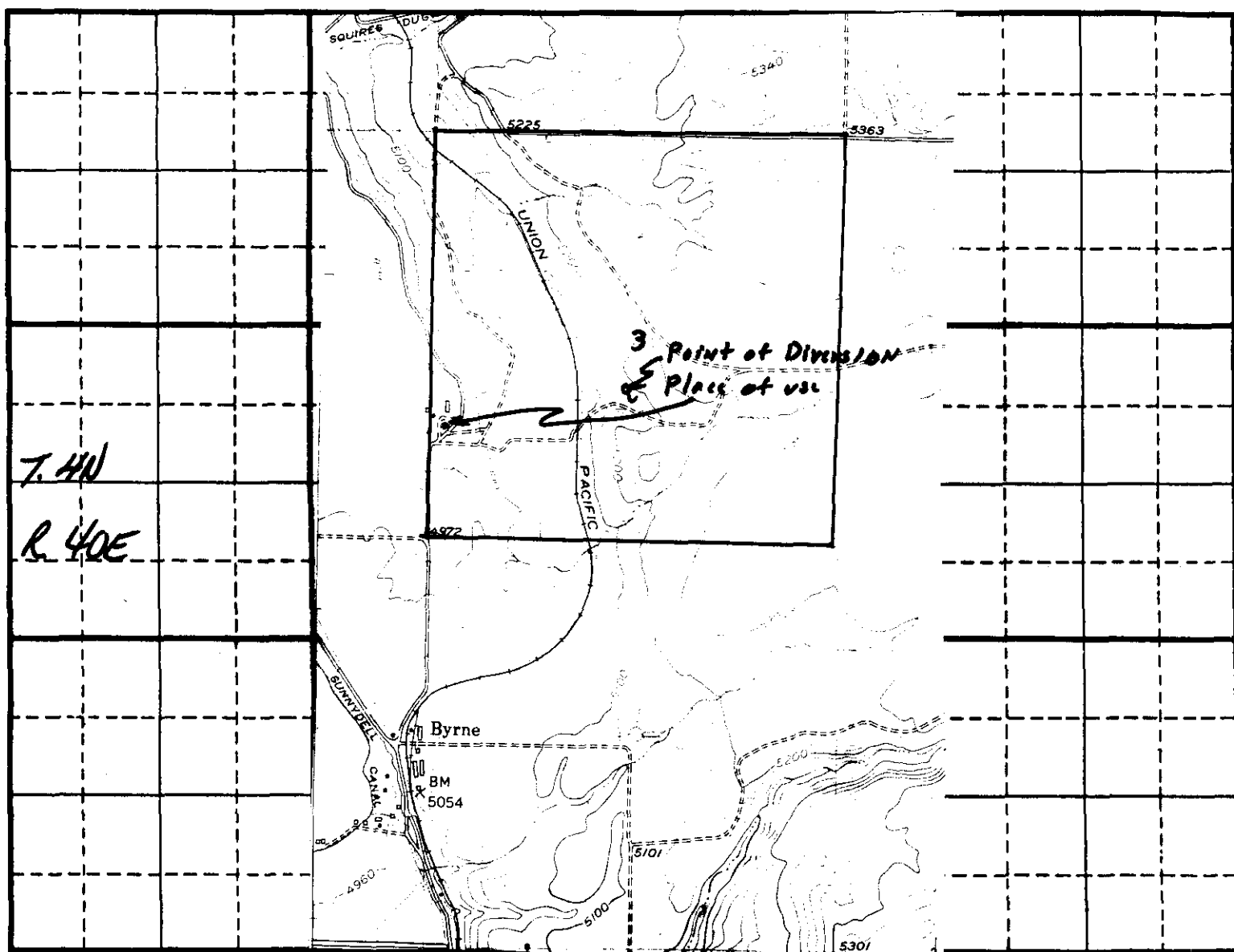
No. of acres 1

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

NOTE: Include here the type and number of stock watered: 600 cattle

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

(8) Remarks _____



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 Bonneville) 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.

Sworn to before me this 28th day of June, 1983.
G. R. Byrne (Claimant)
Dallas Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY
Received by Jm Date 6-28-83 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by S.M. Date 7-8-1983
\$30.00 fee received by CW Date 6-28-83
Published in _____
Dates _____

**The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO**

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Bruce Porter
I, 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

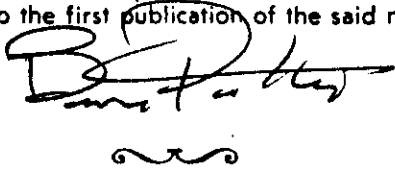
Notice Of Claims To Water Rights
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

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

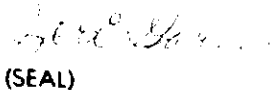
ing been made on Dec. 22, 1983
and the last publication having been made

on Dec. 29, 1983

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 Dec. 30, 1983

 Notary Public.
(SEAL)

My commission expires Life.

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

22-4166

BYRNE, J.R.
RT. 3, BOX 227, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 09/01/1952
Diversion Pt: NWSW Sec 03 T 04N R 40E
Use: STOCKWATER (0.50 CFS),
DOMESTIC (0.12 CFS)
In: NWNW Sec 03 T 04N R 40E
22-4165

LUKE, LAYNE J. &/or JUDY MARIE
RT. 1, SUGAR CITY, ID 83448
Source: GROUNDWATER
Priority Date: 05/01/1974
Diversion Pt: SESW Sec 34 T 07N R 40E

Use: DOMESTIC (0.04 CFS)
In: SESW Sec 34 T 07N R 40E
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. Dec. 22 and 29, 1983J

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 9, 1984

J.R. BYRNE
RT. 3, BOX 227
REXBURG

ID 83440

RE: Claim No. 22-4166

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

RECEIVED
JAN 17 1984
DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 17 1984

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C. WILSON
Right Number 22 4166 Applicant J. R. Byrne

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.
- Jan. 9, 1984

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Jan 12, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By DC Date 1/18/84

RECEIVED

aw

December 2, 1983

J.R. Byrne
Rt. 3, Box 227
Rexburg, ID 83440

Dear Mr. Byrne:

Enclosed is a copy of your original claim to a water right along with a new form.

The description of the place of use on the original form places the irrigated 4 acre approximately a mile away from the well location. The enclosed new form, completed from the information on the original form and from our telephone conversation places the well location and the place of use on the same tract.

Please read the claim over carefully to see if it properly describes your water right.

The claim must be signed and notarized and returned to this office within 60 days of the date of this letter.

If you have any questions, please contact me.

Sincerely,

STEVE McCORMICK
Sr. Resource Analyst

SN:bp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 14, 1983

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 JANUARY 9, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

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 12/22 & 12/29/83.



22-4166

BYRNE, J.R.

RT. 3, BOX 227, REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 09/01/1952

Diversion Pt: NWSN Sec 03 T 04N R 40E

Use: STOCKWATER	(0.50 CFS)
DOMESTIC	(0.12 CFS)

In: NWSN Sec 03 T 04N R 40E